Council’s Vision

A prosperous rural community where residents and visitors enjoy a clean, safe environment enhanced by our unique heritage and country lifestyle.

Council’s Mission

For the whole community to grow and prosper through effective leadership, provision of sustainable services and promotion of economic development opportunities.
# TABLE OF CONTENTS

1. MATTERS IN PROGRESS ARISING FROM PREVIOUS COUNCIL MEETINGS ........................................... 6
   - General Manager: ......................................................................................................................... 6
   - Director Planning and Growth: .................................................................................................. 8
   - Director Engineering: ............................................................................................................... 15
   - Director Corporate Services: ................................................................................................... 16

2. MAYORAL MINUTE TO COUNCIL .................................................................................................. 20
   2.1 CENTROC BOARD MEETING AND CENTRAL NSW JOINT ORGANISATION ....................... 20

3. DIRECTOR CORPORATE SERVICES REPORT TO COUNCIL ......................................................... 32
   3.1 INVESTMENT OF COUNCIL’S FUNDS – 28 FEBRUARY 2019 ............................................... 32
   3.2 RATES & CHARGES COLLECTION AS AT FEBRUARY 2019 .............................................. 37
   3.3 PROCUREMENT REPORTING .................................................................................................. 39
   3.4 2019 AUSTRALIAN LOCAL GOVERNMENT WOMEN’S ASSOCIATION NSW CONFERENCE ... 41
   3.5 GRANTS UPDATE ....................................................................................................................... 42
   3.6 COUNCILLOR EXPENSES AND FACILITIES POLICY: ......................................................... 48
   3.7 COUNCILLORS ACCESS TO INFORMATION AND INTERACTION WITH STAFF POLICY .... 62
   3.8 CODE OF MEETING PRACTICE: ............................................................................................... 71
   3.9 DRAFT LIONS PARK CONCEPTUAL PLAN ............................................................................. 106
   3.10 COMMUNITY FUNDING PROGRAM DONATION REQUESTS .............................................. 117
   3.11 NATIONAL HEAVY VEHICLE REGULATOR IMPROVEMENT NOTICE REVIEW ............... 123

4. DIRECTOR PLANNING AND GROWTH REPORT TO COUNCIL .................................................... 127
   4.1 DEVELOPMENT APPLICATIONS .............................................................................................. 127
   4.3 PROPOSED COMPULSORY ACQUISITION - LOT 696 DP 750158 ......................................... 129
   4.4 PROPOSED LAND ACQUISITION – WEST PLAINS ROAD AND LOWS ROAD, FORBES PART LOT 38 DP 753077 ................................................................. 132
   4.5 PROPOSED ROAD CLOSURE AND SALE – SOUTH LEAD ROAD ......................................... 136
   4.6 SECTION 7.12 CONTRIBUTIONS PLAN: .................................................................................... 139
   4.7 PROPOSED ROAD GAZETTED EDWARD STREET – LOT 2 DP 1123523 .................................. 156

5. AERODROME COMMITTEE REPORT TO COUNCIL – PART I ..................................................... 160
   5.1 BUSINESS ARISING FROM PREVIOUS MINUTES ................................................................. 160
      5.1.1 Aerodrome Subdivision ...................................................................................................... 160
      5.1.2 Aerodrome Upgrade ......................................................................................................... 160
      5.1.3 Landscaping Tim Meagher Parade and Artie Wright Drive .............................................. 161
      5.1.4 CASA Audit ....................................................................................................................... 161
   5.2 NEW BUSINESS ....................................................................................................................... 162
      5.2.1 Aerodrome Manual ........................................................................................................... 162
      5.2.2 AAA Airport Safety Forum ............................................................................................... 162
   5.3 BUSINESS WITHOUT NOTICE .............................................................................................. 162
   5.4 DATE AND TIME OF NEXT MEETING ....................................................................................... 163
   5.5 CLOSE OF MEETING ............................................................................................................... 163

6. AUDIT, RISK AND IMPROVEMENT COMMITTEE REPORT TO COUNCIL ................................. 165
   6.1 BUSINESS ARISING FROM PREVIOUS MINUTES ................................................................. 165
      6.1.1 Draft Corporate Credit Card Policy ...................................................................................... 165
      6.1.2 Fraud Prevention Matters .................................................................................................. 165
      6.1.3 Draft Final Management Letter – Year Ending 30 June 2018 ............................................ 165
      6.1.4 Management Letter – Action Items .................................................................................... 166
      6.1.5 Internal Auditor Update ..................................................................................................... 166
   6.2 NEW BUSINESS ....................................................................................................................... 166
      6.2.1 Council’s 2019/2020 Budget .............................................................................................. 166
   6.3 BUSINESS WITHOUT NOTICE ............................................................................................... 166
7. LEADERSHIP AND GOVERNANCE COMMITTEE REPORT TO COUNCIL .............................................. 169
  7.1 BUSINESS ARISING FROM PREVIOUS MINUTES ...................................................................... 169
  7.1.1 Councillors Access to Information and Interaction with Staff Policy .................................. 169
  7.2 NEW BUSINESS ....................................................................................................................... 169
  7.2.1 Governance Leadership Committee Priorities ............................................................... 169
  7.2.2 Council’s Committee Structure .................................................................................... 170
  7.2.3 AR Bluett Award Application ....................................................................................... 170
  7.3 BUSINESS ON NOTICE ........................................................................................................ 171
  7.4 BUSINESS WITHOUT NOTICE ............................................................................................ 171
  7.5 DATE AND TIME OF NEXT MEETING .................................................................................. 171
  7.6 TIME OF MEETING CLOSURE .............................................................................................. 171

8. RIVERSIDE COMMUNITY GARDEN COMMITTEE REPORT TO COUNCIL ................................. 173
  8.1 BUSINESS ARISING FROM PREVIOUS MINUTES ................................................................. 173
  8.1.1 Financial Report ................................................................................................................ 173
  8.2 NEW BUSINESS .................................................................................................................... 173
  8.2.1 Operational Costs ............................................................................................................ 173
  8.2.2 Interest on the Reserve Fund .......................................................................................... 173
  8.2.3 Proposed 2019/20 Budget .............................................................................................. 174
  8.2.4 Requirement for Working with Children Certification (Workshops) .............................. 174
  8.2.5 Resignation of H Moore as Secretary ........................................................................... 174
  8.3 BUSINESS WITHOUT NOTICE ............................................................................................ 174
  8.3.1 Grant Funding Access .................................................................................................... 174
  8.3.2 Acquisition of artificial turf ............................................................................................. 175
  8.3.3 Men’s Shed Correspondence – Construction of Greenhouse ........................................ 175
  8.3.4 Tubestock for Waste Depot ............................................................................................ 175
  8.4 DATE AND TIME OF NEXT MEETING .................................................................................. 176
  8.5 TIME OF MEETING CLOSURE .............................................................................................. 176

9. SPORTS ADVISORY COMMITTEE REPORT TO COUNCIL – PART I ............................................ 179
  9.1 BUSINESS ARISING FROM PREVIOUS MINUTES ................................................................. 179
  9.2 NEW BUSINESS .................................................................................................................... 179
  9.2.1 Over-sowing of Winter Grasses ...................................................................................... 179
  9.2.2 Update on Botanical Gardens Toilet Block and Change Rooms .................................. 180
  9.2.3 Long Term Renewal Program for Sporting Ground Irrigation ...................................... 180
  9.2.4 Hughie Wilson Oval Surface Redevelopment .............................................................. 180
  9.2.5 Stephan Field Cricket Field ............................................................................................ 181
  9.2.6 Masterplans and Plans of Management ........................................................................ 181
  9.3 BUSINESS ON NOTICE ........................................................................................................ 182
  9.3.1 Ground Fees for Junior Sports ....................................................................................... 182
  9.3.2 Maintenance at Sporting Fields ...................................................................................... 182
  9.3.3 Netball Courts Expansion ............................................................................................. 182
  9.3.4 Communications ............................................................................................................ 182
  9.3.5 Sports Strategy ............................................................................................................... 183
  9.3.6 Representation of Sporting Groups ............................................................................... 183
  9.3.7 Working with Children Check ...................................................................................... 183
  9.4 DATE AND TIME OF NEXT MEETING .................................................................................. 183
  9.5 TIME OF MEETING CLOSURE .............................................................................................. 184

10. FORBES TRAFFIC ADVISORY COMMITTEE REPORT TO COUNCIL ....................................... 187
  10.1 BUSINESS ARISING FROM PREVIOUS MINUTES .............................................................. 187
  10.2 NEW BUSINESS .................................................................................................................. 187
  10.2.1 Anzac Day 2019 – 25 April 2019 .................................................................................. 187
  10.2.2 Cyclo Sportif 2019 – 19 May 2019 ............................................................................... 188
  10.2.3 Kalari River Arts Festival 15 June 2019 ......................................................................... 189
  10.2.4 Forbes Eisteddfod – 19, 20, 21 & 24 June 2019 ............................................................. 190
10.2.5 Walk to D'Feet MND – 14 April 2019................................................................. 191
10.2.6 Forbes Reading Downtown Day - 23 August 2019........................................ 191
10.2.7 Vanfest 2019 - 10 and 11 May 2019............................................................... 192
10.2.8 Disabled Carpark at the Medicine and Mind................................................. 194
10.2.9 Request for No Stopping Signage to be Installed along Newell Highway at Browne Street Intersection.................................................................................. 194
10.2.10 Request for No Parking Signage to be installed along Johnson Street........... 195

10.3 GENERAL BUSINESS:.................................................................................. 196
10.3.1 Mother's Day Walk – 12 May 2019.............................................................. 196
10.3.2 President’s Lunch 2019 – 23 March 2019.................................................... 197
10.3.3 Camel Races – 19 April 2019....................................................................... 197
10.3.4 Easter Egg Hunt – 20 April 2019................................................................. 197
10.3.5 Public Ignoring Road Closed Signs............................................................ 197
10.3.6 NSW Police Force – Speed Monitoring..................................................... 198
10.3.7 Roads & Maritime Services Update............................................................ 198
10.3.8 Public Liability Insurance – Certificates of Currency.................................. 198
10.3.9 Special Event – Training............................................................................. 198

10.4 DATE & TIME OF FUTURE MEETINGS:...................................................... 199
10.5 TIME OF MEETING CLOSURE.................................................................... 199

11. INWARD CORRESPONDENCE – OPEN COUNCIL – PART I.......................... 206

11.1 LETTERS OF APPRECIATION...................................................................... 206

WRITTEN QUESTIONS WITHOUT NOTICE..................................................... 207

PUBLIC ACCESS TO COUNCIL MEETINGS.................................................. 208

CONTENTS OF CONFIDENTIAL BUSINESS PAPER....................................... 209
1. **MATTERS IN PROGRESS ARISING FROM PREVIOUS COUNCIL MEETINGS**

At the July meeting Council requested a list of all resolutions both Strategic and Operational that were still awaiting completion. This list is provided below.

All new resolutions are added to this list and reported to Council on a monthly basis. Completed resolutions are also listed at the end of the report.

**General Manager:**

<table>
<thead>
<tr>
<th>Item No</th>
<th>Description</th>
<th>Resolution</th>
<th>Status</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>18/02/2016 (10568/2016)</td>
<td>2. Seek quotations using the draft scope of works titled “Management and Operational Plans Update for the Forbes CWLE”</td>
<td>Scope being prepared in house.</td>
</tr>
<tr>
<td>2.</td>
<td>Forbes Swimming Pool – Parental Supervision</td>
<td>1. 434 That a Swimming Pool Policy be developed in consultation with the public.</td>
<td>Commenced research; draft to be reported to March Council meeting.</td>
</tr>
<tr>
<td></td>
<td>18/10/2018 (17970/2018)</td>
<td>2.</td>
<td></td>
</tr>
<tr>
<td></td>
<td>18/10/2018 (17997/2018))</td>
<td>2. Endorse and affix its common seal to all associated documents relating to the acquisition of Lot 25 DP1044585, Attlee Street, Forbes and delegate the Mayor and GM to execute all required documentation pertaining to the acquisition of the aforementioned lot.</td>
<td>With Solicitors in conveyance. Contracts exchanged</td>
</tr>
<tr>
<td></td>
<td></td>
<td>3. In accordance with s.34(2) of the Local Government Act 1993 give public notice of the intention to classify the land within Lot 25 DP1044585 as Operational.</td>
<td>With Solicitors in conveyance. Contracts exchanged</td>
</tr>
<tr>
<td></td>
<td></td>
<td>4. Following 28 days public notice where no submissions have been made to Council, classify the land within Lot 25 DP1044585 as Operational in accordance with s.31(2) of the Local Government Act 1993.</td>
<td>With Solicitors in conveyance. Contracts exchanged</td>
</tr>
<tr>
<td></td>
<td></td>
<td>5. Receive a report to Council if a submission is made during the public notice period objecting to the classification of land as Operation.</td>
<td>With Solicitors in conveyance. Contracts exchanged</td>
</tr>
<tr>
<td>4.</td>
<td>Sale of Land – 75 Hill Street</td>
<td>1. 458 That Council accept the offer to purchase 75 Hill Street, Forbes, Lot 38 DP1198447 for the offered amount.</td>
<td>With Solicitors in conveyance.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>2. Endorse and affix its common seal to all associated documents relating to the sale of 75 Hill Street, Forbes, Lot 38 DP1198447</td>
<td>With Solicitors in conveyance.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>3. Delega the Mayor and GM to execute all required documentation pertaining to the sale.</td>
<td>With Solicitors in conveyance.</td>
</tr>
<tr>
<td>5.</td>
<td>Mayor’s Report 2018 LGNSW Conference:</td>
<td>1. 475 That Council include the Stronger Rural Health Strategy as an agenda item at the next Joint Organisation meeting.</td>
<td>To be included in the February 2019 agenda.</td>
</tr>
<tr>
<td></td>
<td>15/11/18 (18167/2018)</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
### FORBES SHIRE COUNCIL
### ORDINARY BUSINESS PAPER – 21 MARCH 2019

**MATTERS IN PROGRESS cont’d**

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>2.</td>
<td>That Council apply for the A R Bluett Award in 2019.</td>
<td>To be discussed at the Leadership &amp; Governance Committee scheduled 22/2/19. A report will be presented to the March Council meeting.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>3.</td>
<td>That Council apply for the A R Bluett Award in 2020 if it is not successful in 2019.</td>
<td>Pending 2 above.</td>
</tr>
<tr>
<td>7.</td>
<td>General Manager: Code of Conduct 21/02/2019 (18757/2019)</td>
<td>2.</td>
<td>10 Provide appropriate training for Councillors, members of Council officers and other designated persons.</td>
<td>Actioned. Tentatively scheduled for week commencing 13 May and/or week commencing 17/6. Will be rolled out to all staff and volunteers as well as Elected Member cohort (3 hour workshop) – mandatory.</td>
</tr>
<tr>
<td>8.</td>
<td>Saleyards Committee: Truck Wash 21/02/2019 (18793/2019)</td>
<td>43</td>
<td>That Council obtain a design for a sump and proceed.</td>
<td>Engineering staff currently working on a design.</td>
</tr>
<tr>
<td>10.</td>
<td>Saleyards Committee: Advertising at the CWLE 21/02/2019 (18795/2019)</td>
<td>43</td>
<td>That Council accept signage fees for small signs $200 and large signs $350 at the CWLE and that these fees be advertised for a period of 28 days.</td>
<td>Currently on public exhibition.</td>
</tr>
<tr>
<td>11.</td>
<td>Saleyards Committee: IT at the CWLE 21/02/2019 (18797/2019)</td>
<td>43</td>
<td>That Council convene a meeting with the Agents to provide an update on IT at the CWLE.</td>
<td>Meeting with FAA and Manager People and Strategy scheduled 14 March 2019.</td>
</tr>
</tbody>
</table>
### Director Planning and Growth: cont’d

<table>
<thead>
<tr>
<th>Item No</th>
<th>Description</th>
<th>Resolution</th>
<th>Status</th>
</tr>
</thead>
<tbody>
<tr>
<td>12.</td>
<td>DA2008/0199 – 25 Prince Street</td>
<td>129 That Council progress the land acquisition process of Lot 7029 DP1023237 &amp; Lots 7030 and 7031 DP1026096 within the Forbes Cemetery.</td>
<td>Confirmation needs to be sought if the client still wishes to move their facilities to the Cemetery Precinct.</td>
</tr>
<tr>
<td></td>
<td>18/02/2010</td>
<td></td>
<td></td>
</tr>
<tr>
<td>13.</td>
<td>Proposed Rezoning Lower Bathurst Street</td>
<td>1. That Council endorse the change to the minimum lot size and change of zoning from 1(a) Rural Zone, to R5 – Large Lot Residential with a minimum lot size of 2 hectares when connected to Council sewer, and 10 hectares where onsite disposal is occurring, for land east of the Rail Line and west of Cargo Lane, the Unnamed Road, Lot 789, and Lot 975 DP750158, and Lot 7 DP113923, the Escort Way, Forbes</td>
<td>Pending the completion of the Flood Study before Department of Planning will reconsider allowing Council to exhibit the planning proposal. Mayor to schedule a meeting with Minister Roberts. 25/10/18: Letters sent via the Mayor to Minister Roberts, Minister Upton and Minister Grant. Extension for Flood Study has been approved to 19 November 2019.</td>
</tr>
<tr>
<td></td>
<td>16/06/2016 (11758/2016)</td>
<td>2. Rezone the balance of the land to RU1 - Primary Production, with a minimum Lot size of 40 hectares for the construction of a dwelling</td>
<td>To be undertaken once the Flood Study has been finalised.</td>
</tr>
<tr>
<td>14.</td>
<td>Request for Crown Land Tenure, Racecourse Road</td>
<td>1. 351 That Council call for EOI regarding the tenure of Reserve 97945 by way of public advertisement for a 28 day period.</td>
<td>Defer and consider as part of the Racecourse Plan of Management.</td>
</tr>
<tr>
<td></td>
<td>19/10/2017 (15544/2017)</td>
<td>2. Receive a report to the December 2017 meeting for consideration.</td>
<td>Defer and consider as part of the Racecourse Plan of Management.</td>
</tr>
<tr>
<td>15.</td>
<td>Go Kart Recreational Facility</td>
<td>2. undertake an Expression of Interest to lease the facility.</td>
<td>Defer and considered as part of the Go Kart Plan of Management.</td>
</tr>
<tr>
<td></td>
<td>16/11/2017 (15767/2017)</td>
<td>3. investigate appropriate approvals from Department of Primary Industry - Lands and Council's Environment and Planning Department</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>4. subject to points 2. and 3. prepare a draft lease and report to Council's February 2018 meeting for consideration.</td>
<td></td>
</tr>
<tr>
<td>16.</td>
<td>Lease of unformed road off Claret Street</td>
<td>1. 30 That Council undertake the statutory consultation in accordance with the provisions of the s.154 Roads Act 1993 of the intention to grant a five (5) year lease of that part of unformed public road adjoining Lot 325 DP752962</td>
<td>Correspondence forwarded to adjoining neighbour to confirm their interest.</td>
</tr>
<tr>
<td></td>
<td>15/03/2018 (16494/2018)</td>
<td>2. receive a report for consideration if any submissions objecting to the lease are received;</td>
<td>None received</td>
</tr>
<tr>
<td></td>
<td></td>
<td>3. grant a lease, if no submissions are received, to the owner of Lot 325 DP752962 for the section of unformed public road adjoining Lot 325 DP752962</td>
<td>N/A as the owner wants to purchase the unformed public road</td>
</tr>
<tr>
<td></td>
<td></td>
<td>4. its endorsement to investigate options the permanent closure and sale of the section of unformed public road adjoining Lots 315-316, 321-323, 325 and 380 DP752962.</td>
<td>Will have to be completed under the new legislation.</td>
</tr>
</tbody>
</table>
17. **Swimming Pool Clubhouse**  
15/03/2018 (16514/2018)  
1. 105 That Council write to both clubs associated with the Swimming Pool advising of the need for both clubs to come together to discuss any issues relevant to the Swimming Pool.  
   Meeting held with the two swimming clubs.  
   Two parties talking and will complete their discussions at the end of the swimming season. Council is negotiating the use of the Clubhouse by both clubs.  
2. Facilitate a meeting between the two clubs to assist in reaching a desired outcome.  

18. **Soccer Club**  
15/04/2018 (16522/2018)  
124 That Council prepare a Master Plan for the Botanical Gardens.  
   In QBRS budget discussion for this meeting.  

19. **Botanical Gardens Master Plan**  
15/11/2018 (18160/2018)  
468 that Council include the Master Plan for Botanical Gardens project in the December QBES budget discussion for this meeting.  

20. **Daroobalgie Landfill Depot Expansion**  
19/04/2018 (16734/2018)  
171 That Council commence the preparation of tenders for:  
1. the excavation and construction of the landfill cell;  
2. the rehabilitation of the existing completed landfill cells;  
3. the construction of the weighbridge, internal civil works and drop-off areas.  
   Tenders to be called once DA consent is granted for expansion. Development Application off public exhibition.  

21. **Waste Management Strategy**  
19/04/2018 (16736/2018)  
That Council develop a shire wide waste strategy.  
   Under development.  

22. **Fuel Depot at Forbes Aerodrome**  
19/07/2018 (17284/2018)  
2. 337 Authorise the Mayor and GM to negotiate with both the Proponents;  
   Meetings held with both proponents who will prepare DA for lodgement.  
3. Following negotiations with both Proponents that a report be provided to Council on the most suitable outcome for Council and the airport users.  
   Meetings held with both proponents who will prepare DA for lodgement.  

23. **Public Toilets at Grinsted Oval**  
21/06/2018 (17135/2018)  
276 That Council receive and note the information and check the status of the grant funding application for the Forbes Rugby Union Club.  
   Builder appointed work has commenced work scheduled to be finalised second week in March. **Work progressing to schedule.**  

24. **Racecourse Road Sports Precinct Master Plan**  
21/06/2018 (17140/2018)  
286 That Council develop the Racecourse Road Precinct Master Plan.  
   Council will be sending out an EOI to key stakeholders to be part of the working group developing the Master Plan once Council has completed the overarching Sports Strategy.  

25. **Engineering & Technical Services Building – Heritage Sympathetic Façade**  
16/08/2018 (17407/2018)  
343 That Council prepare a more sympathetic design for the Engineering building façade to fit in with the surrounding streetscape.  
   Concept plan provided by Heritage Advisor to plant advanced trees.  
   This concept to be considered in conjunction with the CBD Masterplan final designs.  

26. **Johnny Woods Crossing**  
16/08/2018 (17408/2018)  
344 That Council include the Johnny Woods crossing matter on the next Floodplain Management Authority agenda.  
   For consideration at the next Floodplain Management Authority meeting.  

27. **Container Deposit Scheme**  
21/06/2018 (17131/2018)  
272 That Council accept the offer from the proponent to install a single container deposit machine initially and delegate the Mayor and GM to negotiate the terms and conditions.  
   Lease signed. Proponent awaiting confirmation of delivery of facility.  

28. **Access to the Apex Caravan Park toilets 6.1.2**  
20/09/2018 (17734/2018)  
2. 398 That Council investigate and improve access to the Apex Caravan park toilets to ensure access requirements are met.  
   Work is being planned and quotations being sought by the Facilities Supervisor at both the Apex Caravan Park and Apex (Aeroplane) Park.
<table>
<thead>
<tr>
<th>Matter in Progress</th>
<th>Action</th>
<th>Status/Notes</th>
</tr>
</thead>
<tbody>
<tr>
<td>29. Proposal to install solar panels and manage the generation of power at the CWLE</td>
<td>399 That Council call for comparative EOIs for the installation of solar panels at the CWLE.</td>
<td>Under investigation into viability. Reconsider options following the CWLE Expansion.</td>
</tr>
<tr>
<td>31. Apex Riverside Tourist Park – Riverside Access</td>
<td>470 That Council seek information regarding the process for conducting weddings and celebrations at the Apex Riverside Tourist Park.</td>
<td>Functions can be held through negotiations with the site manager. Formal process to be developed.</td>
</tr>
<tr>
<td>32. Flood Study and Flood Management Plan</td>
<td>449 That Council delegate the Mayor and GM to convene an urgent meeting with Minister Upton, Minister Roberts and Minister Grant prior to 9 November 2018 to seek an extension and funding to bring the 2016 flood data into account.</td>
<td>Extension granted.</td>
</tr>
<tr>
<td>33. Flood Study and Flood Management Plan</td>
<td>518 That Council submit a request of variation to the OEH as soon as possible.</td>
<td>OEH have been provided quotes for LiDAR and consultants forward program and costs. OEH are reviewing these documents with the view to providing recommendations as to the best way to forward the study.</td>
</tr>
<tr>
<td>34. Economic and Business Development Committee Tradies Guide.</td>
<td>That Council continue to work on the Tradies guide and encourage more businesses to be listed in the Guide at the small Business Month Trade Seminar.</td>
<td>Businesses who responded to advertisement and attended the Trade night included on the list.</td>
</tr>
<tr>
<td>35. Economic and Business Development Committee New Visitor Information Centre Site.</td>
<td>That Council prepare a business case on the viability of the Lachlan Vintage Village to be set up as a Visitor Information Centre.</td>
<td>Under development.</td>
</tr>
<tr>
<td>36. Economic and Business Development Committee Multipurpose Industrial Project.</td>
<td>That Council prepare a business case for a multipurpose industrial project.</td>
<td>Under development.</td>
</tr>
<tr>
<td>37. Boat Ramps</td>
<td>471 That Council submit an application for funding to the RMS for the installation of a boat ramp.</td>
<td>See report from Economic and business development Committee to this meeting.</td>
</tr>
<tr>
<td>38. Container Deposit Scheme Refund Sharing Arrangement</td>
<td>462 That Council delegate authority to the GM to finalise the container Deposit Scheme Refund sharing Agreement negotiated between MRA Consulting and VISY.</td>
<td>MRA have met with Visy to negotiate an agreement. No agreement reached. Meeting held between NetWaste Councils and Visy. Negotiations continuing.</td>
</tr>
</tbody>
</table>
### Matters in Progress (cont’d)

<table>
<thead>
<tr>
<th>No.</th>
<th>Description</th>
<th>Details</th>
</tr>
</thead>
</table>
| 39. | Compulsory Acquisition of Lot 12 & 14 DP1154205                                                                                               | 1. 490 That Council acquire the section of Crown Land being Lot 12 and 14 DP1154205 pursuant to the provisions of sections 186 and 187 of the Local Government Act 1993. Application has been made to Department of Industry, Crown Land and Water to compulsory acquire both lots.  
   2. Once acquired the land be classified as Operational Land under the Local Government Act 1993 Pending 1 above.  
   3. Grant authority to the General Manager to make the necessary application to the Minister for Local Government and to pay any compensation in accordance with the provisions of the Land Acquisition (Just Terms Compensation) Act 1993. Pending 1 above. |
| 40. | Compulsory Acquisition of Lot 12 & 14 DP115205                                                                                               | 4. Grant authority to the General Manager to make the necessary application to the Governor for the publication of an acquisition notice in the Government Gazette under the Land Acquisition (Just Terms Compensation) Act 1991 (NSW) with respect to the Land Pending 1 above.  
   5. 490 That Council affix the Common Seal of the Council to any documentation required to effect acquisition of Lot 12 and 14 Deposited Plan 1154205 Pending 1 above. |
| 41. | Natural Environment Committee Planting underneath Palms – Court Street                                                                       | 495 That Council, as part of the final CBD Masterplan, request detailed plantings for the area beneath the 4 Phoenix Palms in court Street. For inclusion in detailed designs. |
| 42. | Licence to use Council Road Reserve Bandon Street                                                                                            | 506 That Council authorise the General Manager to sign the licence agreement for the Little Adventures Early Learning Centre to have a licence on the road reserve of Bandon Street. Licence agreement is being development. |
| 43. | Forbes Heated Swimming Pool                                                                                                                   | 507 That Council seek grant funding for the remediation of the Forbes Heated Swimming pool building to extend its life span whilst commencing a Masterplan of the Forbes Pool Precinct. Grants being applied for. |
| 44. | Forbes heated Swimming Pool                                                                                                                  | 520 That Council convene a workshop in relation to the heated pool and the masterplan of the pool precinct. Council will be sending out an EOI to key stakeholders to be part of the working group developing the Master Plan once Council has completed the overarching Sports Strategy. |
| 45. | Lachlan Vintage Village                                                                                                                        | 545 That Council approve the EOI be advertised for the Lachlan Vintage village suspension Bridge, including all costs to remove and certify the structure be at the buyers cost and risk. EOI currently being advertised. |
| 46. | CBD Masterplan – Templar Street                                                                                                               | 546 That Council receive design plans at the March meeting showing actual dimensions, landscaping and parking spaces for options 2 and 3 and move the shaded area from the front of Painted Daisies to the opposite side of Templar Street in front of the Dentist. Contract for designs awarded. Design plans completed and to be considered at a Special Council meeting. |
| 47. | Economic & Business Development Committee Marketing Strategy for Industrial Land                                                              | 551 That Council draft example marketing flyers for the Committee’s consideration. Referred to the next Economic and Business Development Committee to this meeting. |
### MATTERS IN PROGRESS cont’d

<table>
<thead>
<tr>
<th>No.</th>
<th>Committee/Item Description</th>
<th>Referred/Comment</th>
</tr>
</thead>
<tbody>
<tr>
<td>48.</td>
<td>Economic &amp; Business Development Committee: Boat Ramps</td>
<td>551 That Council investigate other sites that are not on Crown Land or TSR’s under claim. Referred to the next Economic and Business Development Committee to this meeting.</td>
</tr>
<tr>
<td>49.</td>
<td>Infrastructure Committee: Cotton Gin</td>
<td>553 That Council request the General Manager source information in relation to the pros and cons for supporting a cotton gin within the Forbes Local Government Area. Enquiries made with Narrabri Shire Council, Warren Shire Council and Namoi Cotton.</td>
</tr>
<tr>
<td>50.</td>
<td>Infrastructure Committee: Spooner Oval Master Plan</td>
<td>553 That Council proceed with the Spooner Oval Master Plan. Meetings held with stakeholders.</td>
</tr>
</tbody>
</table>
| 51. | Riverside Community Garden Committee: Community Garden Site Subdivision | 1. 554 That Council identify ownership of Crown Land to request planning of additional trees in the event of successful subdivision. Crown Land is TSR.  
  
  2. Extend the road to Council’s Nursery for the three residential lots. Options for subdivision to be developed. |
| 52. | Proposed Road Dedication – Watson Close, Forbes | 31 That Council delegate authority to the General Manager to implement relevant actions to have Watson close, Lots 26 and 27 DP1060198 gazetted for public road purposes under Section 10 of the Roads Act 1993. Gazette notice to be published on Friday 22 March 2019. |
| 53. | Public Road Dedication – Alcheringa Drive, Nancy Place and Bob Acheson Avenue | 32 That Council delegate authority to the General Manager to implement relevant actions to have Alcheringa Drive, Nancy Place and Bob Acheson Avenue gazetted for public road purposes under Section 16 of the Roads Act 1993. Gazette notice to be published on Friday 22 March 2019. |
| 54. | Subdivision at Aerodrome – Naming of Private Road | 34 That Council write to the aerodrome user group advising the name for the private road at the Forbes Aerodrome will be named Darby Munro Road. Refer to Aerodrome Committee Report to this meeting. |
| 55. | Proposed Acquisition Part Lot 7319 DP1166582 and Part Lot 7062 DP1020609 | 1. 35 That Council approve the acquisition of part Lot 7319 DP1166582 and part Lot 7062 DP1020609 pursuant to Section 177 of the roads Act 1993 for public road purposes. Request is with Crown Land.  
  
  2. Approve the making of an application to the Minister for Local Government for the issue of a proposed acquisition notice under the Land Acquisition (Just Terms Compensation) Act 1991 with respect to the land. Request is with Crown Land.  
  
  3. Delegate authority to the General Manager to implement relevant actions to have the road gazetted for public road purposes under Section 10 of the Roads Act 1993. Request is with Crown Land. |
<p>| 56. | Economic and Business Development Committee: Business Case Multipurpose Industrial Shed Space | 40 Move forward with the Webbs Pitt and Landrace Street subdivision and prepare a brief for an external developer to undertake the development. Under investigation. |</p>
<table>
<thead>
<tr>
<th>No.</th>
<th>Committee/Project Description</th>
<th>Status/Details</th>
</tr>
</thead>
<tbody>
<tr>
<td>57.</td>
<td>Economic and Business Development Committee: Marketing Strategy for Industrial Land</td>
<td>Referred to the next Economic and Business Development Committee meeting</td>
</tr>
<tr>
<td></td>
<td>21/02/2019 (18782/2019)</td>
<td></td>
</tr>
<tr>
<td>58.</td>
<td>Heritage Committee: Tourism Technology</td>
<td>Still to be investigated.</td>
</tr>
<tr>
<td></td>
<td>21/02/2019 (18783/2019)</td>
<td></td>
</tr>
<tr>
<td>59.</td>
<td>Heritage Committee: Henry Lawson Plaque</td>
<td>Further design works progressing.</td>
</tr>
<tr>
<td></td>
<td>21/02/2019 (18785/2019)</td>
<td></td>
</tr>
<tr>
<td>60.</td>
<td>Heritage Committee: Local History Books</td>
<td>Purchase of books underway.</td>
</tr>
<tr>
<td></td>
<td>21/02/2019 (18786/2019)</td>
<td></td>
</tr>
<tr>
<td>61.</td>
<td>Infrastructure Committee: Botanical Gardens Master Plan</td>
<td>To be reported to a future Council meeting.</td>
</tr>
<tr>
<td></td>
<td>21/02/2019 (18790/2019)</td>
<td>1. That Council receive a report on all representatives who will be sitting on the working committees for Master Plans for Council approval.</td>
</tr>
<tr>
<td>62.</td>
<td>Saleyards Committee: New Pound</td>
<td>Investigation other sites.</td>
</tr>
<tr>
<td></td>
<td>21/02/2019 (18796/2019)</td>
<td>43 That Council look at multiple sites for the new pound and report back to the April Council meeting.</td>
</tr>
<tr>
<td>63.</td>
<td>Draft Lions Park Conceptual Plan</td>
<td>Report to be submitted to a future Council meeting.</td>
</tr>
<tr>
<td></td>
<td>21/02/2019 (18798/2019)</td>
<td>4. Revisit the Local Approvals Policy for Mobile Food Vans and associated fees and charges.</td>
</tr>
<tr>
<td>64.</td>
<td>Purchase of Land, Daroobalgie Landfill</td>
<td>In conveyance upon completion of subdivision.</td>
</tr>
<tr>
<td></td>
<td>21/02/2019 (18801/2019)</td>
<td>1. That Council endorse the acquisition of Lot 37 in the proposed subdivision plan for Lot 1 DP120710 and Lot 1472 DP750158, Daroobalgie Road, Forbes.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>2. Endorse and affix its common seal to all associated documents relating to the acquisition of Lot 37 in the proposed subdivision plan for Lot 1 DP120710 and Lot 1472 DP750158, Daroobalgie Road, Forbes and delegate the Mayor and General Manager to execute all required documentation pertaining to the acquisition of the aforementioned lot.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>3. In accordance with s.34(2) of the Local Government Act 1993 give public notice of the intention to classify the land within Lot 37 in the proposed subdivision plan for Lot 1 DP120710 and Lot 1472 DP750158, Daroobalgie Road, Forbes as Operational as of the date of this resolution, being 21 February 2019.</td>
</tr>
</tbody>
</table>
## MATTERS IN PROGRESS cont’d

<table>
<thead>
<tr>
<th>No.</th>
<th>Description</th>
<th>Status</th>
</tr>
</thead>
<tbody>
<tr>
<td>4.</td>
<td>Following 28 day public notice where no submissions have been made to Council, classify the land within Lot 37 in the proposed subdivision plan for Lot 1 DP120710 and Lot 1472 DP750158, Daroobalgie Road, Forbes as Operational in accordance with s.31(2) of the Local Government Act 1993.</td>
<td>In conveyance upon completion of subdivision.</td>
</tr>
<tr>
<td>5.</td>
<td>Receive a report to Council if a submission is made during the public notice period objecting to the classification of land as Operational.</td>
<td>In conveyance upon completion of subdivision.</td>
</tr>
</tbody>
</table>
| 65. | **Economic and Business Development Committee: Lot 4 at the Forbes Homemakers Centre**  
21/02/2019 (18804/2019)                                                                                                                             |                                                                                               |
| 1.  | **54.** That Council delegate the General Manager and Mayor to negotiate the sale of proposed Lot 4 at the Forbes Homemakers Centre.                                                                            | GM and Mayor have negotiated with the proponent of Lot 4. Contracts being drawn up for conveyance. |
| 2.  | Endorse and affix its common seal to all associated documents relating to the sale of proposed Lot 4 at the Forbes homemakers Centre and delegate the Mayor and General Manager to execute all required documentation pertaining to the sale. | GM and Mayor have negotiated with the proponent of Lot 4. Contracts being drawn up for conveyance. |
**MATTERS IN PROGRESS cont’d**

### Director Engineering:

<table>
<thead>
<tr>
<th>Item No</th>
<th>Description</th>
<th>Resolution</th>
<th>Status</th>
</tr>
</thead>
<tbody>
<tr>
<td>66.</td>
<td>Street Tree Policy and Street Verge/Nature Strip Maintenance Policy</td>
<td>785 That Council incorporate the Street Tree Policy and Street Verge/Nature Strip Maintenance Policy into one document.</td>
<td>Draft policy being finalised. Additional information is being sought prior to finalising the draft.</td>
</tr>
<tr>
<td>68.</td>
<td>Aerodrome Committee Provision of Power</td>
<td>5. Obtain costings to undertake a power demand and supply upgrade.</td>
<td>The order of magnitude cost of supplying power is $500,000 which excludes the potential upgrade to infrastructure external to the aerodrome electrical infrastructure.</td>
</tr>
<tr>
<td>69.</td>
<td>Infrastructure Committee: Apex Lakeside Park</td>
<td>1. 553 That Council seek grant funding to install an inclusive carousel at a suitable location.</td>
<td>Preliminary options to be finalised and sourcing quotations for the inclusive carousel. Suppliers have been contacted and Council is awaiting feedback on costs.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>2. Seek input from the community as to a preferred location for an inclusive carousel</td>
<td>Once options have been finalised then stakeholder engagement will be undertaken.</td>
</tr>
<tr>
<td>70.</td>
<td>Traffic Advisory Committee: Request for No Stopping Signage to be moved along Newell Highway</td>
<td>556 That Council move the ‘No Stopping’ sign an additional 10m to give increased sight distance for vehicles turning left onto the Newell Highway from Camp Street.</td>
<td>Works programmed. To be actioned in March 2019.</td>
</tr>
<tr>
<td>72.</td>
<td>Infrastructure Committee: Water/Sewer Infrastructure</td>
<td>1. 42 That Council prepare a report in relation to a forward plan for proactively extending water and sewer installation in Forbes to existing lots within the residential area of Forbes.</td>
<td>Plan currently being prepared showing existing network.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>2. Investigate opportunities available to provide water and sewer to future residential areas be identified</td>
<td>Plan currently being prepared to include future residential areas identified as per the Local Environmental Plan (LEP).</td>
</tr>
<tr>
<td></td>
<td></td>
<td>3. Receive a report to the April 2019 meeting of the Infrastructure Committee for consideration</td>
<td>Report to the April Infrastructure Committee meeting.</td>
</tr>
</tbody>
</table>
### Director Corporate Services:

<table>
<thead>
<tr>
<th>Item No</th>
<th>Description</th>
<th>Resolution</th>
<th>Status</th>
</tr>
</thead>
<tbody>
<tr>
<td>73.</td>
<td>Accessibility Audit, Commercial Premises 18/08/2016 (12362/2018)</td>
<td>711 That Council draft a letter from the Mayor inviting motels to participate in the accessibility audit. Jade McGovern of TCCD and Alister Lockhart of the Access Committee are to undertake the audits and provide advice to the operators on the accessibility of their motel rooms.</td>
<td>November meeting of Access Committee received additional feedback on inclusions for adjusted DIAP, these will be incorporated into the plan in line with roll out of new CSP. New inclusions to be added for a new DIAP to be presented to the Access Committee in June.</td>
</tr>
<tr>
<td>74.</td>
<td>ALGWA Conference 17/05/2018 (16875/2018)</td>
<td>191 apply to host the event in 2020/2021.</td>
<td>Awaiting advice that the round is open.</td>
</tr>
<tr>
<td>75.</td>
<td>Review of Policy: Councillors Access to Information &amp; Interactions with Staff Policy 19/07/2018 (17271/2018)</td>
<td>321 That Council refer the amended Councillors Access to Information &amp; Interaction with Staff Policy to the next Leadership and Governance Committee.</td>
<td>To be discussed at the Leadership &amp; Governance Committee scheduled 22/2/19. A report will be presented to the March Council meeting.</td>
</tr>
<tr>
<td>77.</td>
<td>Leadership &amp; Governance Committee Councillors training needs analysis update. 20/09/2018 (17762/2018)</td>
<td>1. 402 That Council develop a short-form Councillors training needs analysis whilst progressing to full online module. 2. Receive a briefing by Manager People &amp; Strategy on the short-form assessment. 3. Continue to build on technical skills of meeting practices.</td>
<td>Short Form LG NSW Capability Assessment is ready to be provided to Councillors in the April briefing session for completion and discussion. Training needs analysis will continue from this information and be presented at the May briefing session. Councillor guide for motions and training is completed (those requested).</td>
</tr>
<tr>
<td>79.</td>
<td>Sports Advisory Committee Lighting at Botanical Gardens 18193/2018</td>
<td>496 That Council seek grant funding opportunities to upgrade the lighting at Botanical Gardens.</td>
<td>Ongoing. It should be noted that Council by working closely with the Forbes Soccer Association and other user groups have been successful in three grant applications to upgrade the amenities and other facilities at Forbes Botanical Gardens sports fields. These upgrades do not currently include lighting. Strategic planning workshop to be held before pursuing new opportunities.</td>
</tr>
<tr>
<td>81.</td>
<td>Saleyards Advisory Committee: Truck Wash 13/12/2018 (18443/2018)</td>
<td>555 That Council apply for a grant to upgrade the truckwash to improve the effluent system.</td>
<td>Refer to previous Saleyards Advisory Committee minutes. Requires a 50% funding contribution.</td>
</tr>
<tr>
<td>82.</td>
<td>Vanfest 13/12/2018 (18468/2018)</td>
<td>3. 564 Delegate the General Manager to negotiate terms of the termination of the Intellectual Property Agreement and the event management Agreement with Vanfest Pty Ltd and authorise execution of the termination agreements.</td>
<td>Discussions ongoing.</td>
</tr>
<tr>
<td>MATTERS IN PROGRESS cont’d</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>---------------------------</td>
<td>----------------</td>
<td>---------------</td>
<td></td>
</tr>
<tr>
<td>83. 2019 National General Assembly of Local Government 21/02/2019 (18759/2019)</td>
<td>2. 17 Consider a motion for submission to the 2019 National General Assembly of Local Government prior to the close of date of 29 March 2019.</td>
<td>First discussion on motions presented to Council Debrief. Final motions to be provided prior to the close date.</td>
<td></td>
</tr>
<tr>
<td></td>
<td>3. Investigate motions on doctors shortage incentive scheme, early learning Newell Highway flood proofing, salary sacrificing child care, drought boundaries as part of the NGA of Local Government and refer to the March briefing session.</td>
<td>First discussion on motions presented to Council Debrief. Final motions to be provided prior to the close date.</td>
<td></td>
</tr>
<tr>
<td>84. Honour Boards and Walk of Honour 21/02/2019 (18762/2019)</td>
<td>22 That Council investigate installing a vandal proof walk of honour as part of the Lake Forbes Activation Master Plan.</td>
<td>Planning consultants advised. This item will be addressed as part of the Lake Forbes Activation Master Plan.</td>
<td></td>
</tr>
<tr>
<td>85. Donations Request – Presidents Lunch Event and Community Funding Program 21/02/2019 (18766/2019)</td>
<td>4. 27 Consider items 4-7 at the next budget meeting.</td>
<td>To be considered at the next budget meeting.</td>
<td></td>
</tr>
<tr>
<td>86. Ootha Village Water Supply 21/02/2019 (18767/2019)</td>
<td>2. 28 Provide a repayment scheme for the supply and connection of rain water tanks for the Ootha Village residents as being the only other water supply scheme outside of Forbes.</td>
<td>A repayment scheme is currently under development.</td>
<td></td>
</tr>
<tr>
<td>87. Access Committee: International Day of People with Disability 21/02/2019 (18775/2019)</td>
<td>38 That Council congratulate everyone responsible for organising the 2018 International Day of People with disability celebrations.</td>
<td>All parties responsible for the organization of this event have now been congratulated.</td>
<td></td>
</tr>
<tr>
<td>88. Access Committee: Disabled Carpark in Cross Street 21/02/2019 (18776/2019)</td>
<td>38 That Council investigate whether there is a need for a disabled car space in Cross Street in front of Forbes Medicine and Mind.</td>
<td>This has been incorporated into the revised DIAP.</td>
<td></td>
</tr>
<tr>
<td>89. Economic and Business Development Committee: Cost of Lake Kiosk 21/02/2019 (18780/2019)</td>
<td>40 That Council include the Lake Kiosk in the Forbes lake Activation Plan for consideration.</td>
<td>Planning consultants advised. This item will be addressed as part of the Lake Forbes Activation Master Plan.</td>
<td></td>
</tr>
<tr>
<td>90. Audit Risk and Improvement Committee: Internal Auditor 21/02/2019 (18777/2019)</td>
<td>39 That Council seek quotations to employ an Internal Auditor for a two year period.</td>
<td>Council is currently in the process of developing the brief for tender/quotation.</td>
<td></td>
</tr>
<tr>
<td>91. Draft Lions Park Conceptual Plan 21/02/2019 (18798/2019)</td>
<td>47 Develop an operational plan for the Lions park precinct.</td>
<td>To be considered as part of the Lake Forbes Activation Master Plan.</td>
<td></td>
</tr>
</tbody>
</table>
Matters in Progress Completed since last meeting:

<table>
<thead>
<tr>
<th>Matter</th>
<th>Minute No</th>
</tr>
</thead>
<tbody>
<tr>
<td>15976/2017: Sale of Commercial Property</td>
<td>482</td>
</tr>
<tr>
<td>16523/2018: Cricket Nets</td>
<td>125</td>
</tr>
<tr>
<td>17133/2018: Proposal for provision of a Jet and Avgas fuel depot at Forbes Aerodrome</td>
<td>274</td>
</tr>
<tr>
<td>17739/2018: Planning of the Jemalong Aged Peoples Association site for subdivision</td>
<td>399</td>
</tr>
<tr>
<td>17965/2018: Historic tapes ad files held at Lachlan Vintage Village</td>
<td>428</td>
</tr>
<tr>
<td>17993/2018: Saleyards Advisory Committee – RMS Improvement Notice</td>
<td>453</td>
</tr>
<tr>
<td>18165/2018: Landscaping Tim Meagher Parade and Wright Drive.</td>
<td>473</td>
</tr>
<tr>
<td>18393/2018: Public Library Funding</td>
<td>548</td>
</tr>
<tr>
<td>18408/2018: Section 7.12 Contribution</td>
<td></td>
</tr>
<tr>
<td>18434/2018: Open Space Shade Audit</td>
<td>553</td>
</tr>
<tr>
<td>18436/2018: Nelson Park Water Park</td>
<td>553</td>
</tr>
<tr>
<td>18442/2018: Saleyards Advisory Committee – Feeding</td>
<td>555</td>
</tr>
<tr>
<td>18444/2018: Saleyards Advisory Committee - CWLE Rules</td>
<td>555</td>
</tr>
<tr>
<td>18447/2018: Sports Council – Stephan Field Cricket Field</td>
<td>555</td>
</tr>
<tr>
<td>18451/2018: Sports Council – Botanical Gardens Master Plan</td>
<td>527</td>
</tr>
<tr>
<td>18756/2019: New Scoreboard at Spooner Oval</td>
<td>9</td>
</tr>
<tr>
<td>18761/2019: Parking Fine Concessions</td>
<td>21</td>
</tr>
<tr>
<td>18763/2019: Amendment to Fees and Charges</td>
<td>23</td>
</tr>
<tr>
<td>18764/2019: ALGWA NSW Conference</td>
<td>25</td>
</tr>
<tr>
<td>18765/2019: Gifts and Benefits Policy</td>
<td>26</td>
</tr>
<tr>
<td>18767/2019: Ootha Village Water Supply</td>
<td>28</td>
</tr>
<tr>
<td>18770/2019: Forbes Shire Council Agricultural Strategy</td>
<td>33</td>
</tr>
<tr>
<td>18778/2019: Corporate Credit Card Policy</td>
<td>39</td>
</tr>
<tr>
<td>18773/2019: Proposed Road Closure and Sale – South Lead Road</td>
<td>36</td>
</tr>
<tr>
<td>18784/2019: Forbes Heritage 2019</td>
<td>41</td>
</tr>
<tr>
<td>18787/2019: Open Space Shade Audit</td>
<td>42</td>
</tr>
<tr>
<td>18789/2019: Water Refill Station</td>
<td>42</td>
</tr>
<tr>
<td>18792/2019: Saleyards Committee Feeding</td>
<td>43</td>
</tr>
<tr>
<td>18799/2019: Contract C3_2018 – Asset Management Maturity Audit for Central NSW Councils</td>
<td>49</td>
</tr>
<tr>
<td>18800/2019: Tender 2018-23 CWLE Expansion – electrical Works (Readvertised).</td>
<td>50</td>
</tr>
<tr>
<td>18802/2019: Tender 2018-25 Development of Edward Street Residential Area Master Plan</td>
<td>52</td>
</tr>
<tr>
<td>18803/2019: Tender 2018-26 Construction and Installation of Modular Amenities block and change rooms(Botanical Gardens)</td>
<td>53</td>
</tr>
</tbody>
</table>
MAYORAL MINUTE
PART I
2. MAYORAL MINUTE TO COUNCIL

2.1 CENTROC BOARD MEETING AND CENTRAL NSW JOINT ORGANISATION

Report Author: Mayor
Responsible Officer: Mayor

Executive Summary

I attended the Centroc Board meeting at Orange on 28 February 2019. A copy of the report and minutes of the meeting are submitted for Council’s information.

Detailed Report

I provide the following report for Council’s information:

I attended the Board meeting of Centroc and Central NSW Joint Organisation Thursday 28 February 2019 at GATE (Global Ag-Tech Ecosystem) Department of Primary Industries Orange.

The Board heard a presentation from Ms Carolynne James, the GATE Project Leader & Manager, Investment and Business Development Unit, Department of Primary Industries on this initiative. The Board were updated on the Orange Life Sciences Precinct by Mr Mark Burdack, Director of Corporate Services, from Orange City Council.

The implementation timeline for the Joint Organisation is on track for the actions required by the Office of Local Government. Prior to the Board meeting a Strategic workshop had taken place providing direction on progressing transition. A special meeting of the Joint Organisation Board will be called via a phone hook-up to approve both the Statement of Strategic Regional Priority and the Central NSW Joint Organisation Strategic Plan.

Progress has been made on the Code of Meeting Practice for the Central NSW Joint Organisation and feedback from the Office of Local Government will inform a report to the next meeting.
The Board were privileged to have in attendance Member for Calare, Assistant Minister to the Deputy Prime Minister, the Hon Andrew Gee who had arranged to address the Board regarding drought issues the Minister for Agriculture and Water Resources, Minister Assisting the Prime Minister for Drought Preparation and Response, the Hon David Littleproud.

I provide the following report for Council’s information, along with the meeting minutes for the Centroc Board and the Central NSW Joint Organisation.

**Transport Infrastructure** – The Centroc Board continue advocating for a safe swift link between Central NSW and Western Sydney. At the recent meeting in January with Penrith City Council there was agreement for an “alliance of the willing” in support be developed. It will include case study material from industry.

Through the Transport Technical Group advocacy is to be made to RMS regarding the REPAIR grant program for a 4-year approved program. The Group has also considered the development of a Freight Study for Central NSW by CSIRO, and will seek appropriate funding accordingly.

**Water Infrastructure** – The CWUA will investigate the potential for a regional application to stream 2 of the revised Safe and Secure program. This is for funding to procure consulting services to update CWUA member Council's Integrated water cycle management (IWCM) strategies.

Representation will be made to DoI water, seeking clarification of the status of their IWCM Guidelines and assurance that IWCMs currently being revised by members, will be assessed on existing guidelines and not updated guidelines as has been the case previously.

Further advice will be provided to the Board on how to progress the recommendations to the Centroc Drought Issues Paper developed by Western Research Institute. Please see the Drought Sub-Committee report to the CNSWJO.

**Health** – The Central NSW JO Board resolved for Local Government NSW to be approached to take carriage of regional health workforce challenges for NSW, requesting a one day forum shining a light on challenges for regional communities regarding health workforce. This approach include that a review of the publication Advice to the National Rural Health Commissioner on the Development of the National Rural Generalist Pathway be undertaken and the potential of leveraging the Beyond the Range website to support the attraction and retention of health workforce be proffered.

**Regional Development** – A draft Memorandum of Understanding with Regional Development Australia Central West was presented, the Board approved it be adopted and signed.

**Planning** – An update on the Priority Projects of the Central West and Orana Regional Plan from NSW Government Planning and Environment were provided, where interested members were asked to be part of a reference group to review the next set of priorities and seek advocacy for slow moving actions from lead Departments.

Advocacy for better timelines on LEPs and the planning “backlog” for the region will be undertaken.

**Tourism** – WRI will be engaged to develop a Central NSW Joint Organisation Tourism Tool to assess the real value tourism offers to a local community, particularly for smaller local government areas.
The project would be over a two-year period, any specific event data will attract a further fee. Council contributions would come from funding in the Central NSW Tourism budget at $15,000 pa for two years and a maximum of $3,000 from each LGA per annum. Funding will also be sought through Destination Network Country and Outback to reduce the cost to LGA’s.

The total investment in Public Relations (PR) and media monitoring has been $30,000. In quarter 1 & 2 of 2018, the equivalent advertising value was calculated at $577,800 with 31 media articles generated. In quarter 3 & 4 of 2018, the equivalent advertising value was calculated at $1,771,614 with 52 articles generated.

**Operational** – The Central NSW JO Board approved a Memorandum of Understanding with Local Government Procurement (LGP) and will be seeking to codesign improvements to aggregated procurement with LGP in a best practice framework.

Local Government Procurement (LGP) has now concluded the FY17/18 Rebate Scheme having returned participants in excess of $1.1m. They invite continued participation in the scheme for FY18/19.

The Board were updated on the $10.9m in savings that Centroc has assisted members since 2009.

In the coming weeks members can expect to receive a proforma report on the Southern Lights Project. Southern Lights is a bold plan to provide 41 Local Government Areas in southern NSW, stretching from Bega to Broken Hill with smart enabled LED street lights and low to medium bandwidth communications technology. The coverage represents almost half of the 83 LGAs serviced by Essential Energy. This enabling infrastructure will provide better, safer, cheaper lighting and connectivity that will act as a catalyst for participating councils and others to invest in smart community technologies; technologies that will increase efficiencies and improve service delivery.

Further information can be provided on any of the Operational projects currently being managed by Centroc Staff.

**Financial** – The Centroc Board noted the anticipated full year profit of $48,452 at 30 June 2019 against a budgeted profit of $12,059.

All activities through Centroc and the Central NSW Joint Organisation are progressing well, members are asked to contact Executive Officer Ms Jenny Bennett at any stage with questions.

I commend this report to you for noting.

<table>
<thead>
<tr>
<th>Recommendation/s</th>
</tr>
</thead>
<tbody>
<tr>
<td>That the Mayoral Report from the Centroc Board and Central NSW Joint Organisation Meeting held 28 February 2019 at Orange Global Ag-Tech Ecosystem be noted.</td>
</tr>
</tbody>
</table>
Minutes of the Centroc Board Meeting 28 February 2019 held at the GATE in Orange

Board Delegates in bold

<table>
<thead>
<tr>
<th>Delegate Name</th>
<th>Council</th>
<th>Regional Position</th>
<th>Delegate Name</th>
<th>Council</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cr G Hanger</td>
<td>Bathurst Council</td>
<td>Regional</td>
<td>Cr J Medcalf</td>
<td>Lachlan Shire Council</td>
</tr>
<tr>
<td>Mr A Jones</td>
<td>Bathurst Council</td>
<td>Regional</td>
<td>Mr G Tory</td>
<td>Lachlan Shire Council</td>
</tr>
<tr>
<td>Cr S Ferguson</td>
<td>Blayney Shire Council</td>
<td></td>
<td>Cr K Sajowitz</td>
<td>Oberon Council</td>
</tr>
<tr>
<td>Ms R Ryan</td>
<td>Blayney Shire Council</td>
<td></td>
<td>Mr G Wallace</td>
<td>Oberon Council</td>
</tr>
<tr>
<td>Cr K Beatty</td>
<td>Cabonne Council</td>
<td></td>
<td>Cr S Romano</td>
<td>Orange City Council</td>
</tr>
<tr>
<td>Ms H Nicholls</td>
<td>Cabonne Council</td>
<td></td>
<td>Mr G Styles</td>
<td>Orange City Council</td>
</tr>
<tr>
<td>(acting)</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Cr D Somervaille</td>
<td>Central Tablelands Water</td>
<td></td>
<td>Mr K Boyd</td>
<td>Parkes Shire Council</td>
</tr>
<tr>
<td>Mr G Rhodes</td>
<td>Central Tablelands Water</td>
<td></td>
<td>Cr M Liebich</td>
<td>Weddin Shire Council</td>
</tr>
<tr>
<td>Cr B West</td>
<td>Cowra Council</td>
<td></td>
<td>Mr G Carroll</td>
<td>Weddin Shire Council</td>
</tr>
<tr>
<td>Mr P Devery</td>
<td>Cowra Council</td>
<td></td>
<td>Ms J Bennett</td>
<td>Centroc</td>
</tr>
<tr>
<td>Cr P Miller</td>
<td>Forbes Shire Council</td>
<td></td>
<td>Ms Meredith Macpherson</td>
<td>Centroc</td>
</tr>
</tbody>
</table>

1. Welcome by Chair John Medcalf 10.10am

2. Apologies

Cr K Keith, Cr R Kidd, Mr D Sherley, Mr S Loane, Ms C Weston, Ms J Andrews, Mr A Albury, Ms K Purser

<table>
<thead>
<tr>
<th>Resolution</th>
</tr>
</thead>
<tbody>
<tr>
<td>Resolved</td>
</tr>
<tr>
<td>Styles/Cr P Miller</td>
</tr>
</tbody>
</table>

That the apologies for the Centroc Board meeting 28 February 2019 listed above be accepted.

3. Speakers

- Mark Burdack, Director of Corporate Services, Orange City Council - Orange Life Sciences Precinct
- Carolyne James, GATE Project Leader & Manager, Investment and Business Development Unit, Department of Primary Industries - Pitchfest

Question from the floor – how do we leverage regional airports and the potential productivity of the region in the context of the aerotropolis?

4. Minutes

4a Noting of the Minutes of the GMAC Meeting 31 January 2019

<table>
<thead>
<tr>
<th>Resolution</th>
</tr>
</thead>
<tbody>
<tr>
<td>Resolved</td>
</tr>
<tr>
<td>West/Mr K Boyd</td>
</tr>
</tbody>
</table>

That the Minutes of the Centroc GMAC Meeting 31 January held in Orange be noted.

4b Confirmation of the Minutes of the Board Meeting 22 November 2019 at Oberon

<table>
<thead>
<tr>
<th>Resolution</th>
</tr>
</thead>
<tbody>
<tr>
<td>Resolved</td>
</tr>
<tr>
<td>Boyd/Cr K Sajowitz</td>
</tr>
</tbody>
</table>

That the Minutes of the Centroc Board Meeting 22 November 2019 held at Oberon Mayfield Garden be confirmed.

4c Noting of the Minutes of the AGM Thursday 22 November 2018 held at Mayfield Gardens in Oberon

<table>
<thead>
<tr>
<th>Resolution</th>
</tr>
</thead>
<tbody>
<tr>
<td>Resolved</td>
</tr>
<tr>
<td>Romano/Cr B West</td>
</tr>
</tbody>
</table>

That the Minutes of the Centroc 22 November 2018 held at Mayfield Gardens Oberon be noted.
4d Noting of the Minutes of the Central NSW Joint Organisation held Thursday 22 November 2018 held at Mayfield Gardens in Oberon

<table>
<thead>
<tr>
<th>Resolved</th>
<th>Cr K Sajowitz/Mr G Styles</th>
</tr>
</thead>
<tbody>
<tr>
<td>That the Minutes of the Centroc NSW Joint Organisation 22 November 2018 held at Mayfield Gardens Oberon be noted.</td>
<td></td>
</tr>
</tbody>
</table>

5 Business Arising from the Minutes – Matters in Progress

<table>
<thead>
<tr>
<th>Resolved</th>
<th>Mr K Boyd/Cr D Somerville</th>
</tr>
</thead>
<tbody>
<tr>
<td>That the Board note the Matters in Progress, making deletions as suggested.</td>
<td></td>
</tr>
</tbody>
</table>

6 Correspondence

6a Correspondence In

<table>
<thead>
<tr>
<th>Resolved</th>
<th>Mr K Boyd/Mr G Tory</th>
</tr>
</thead>
<tbody>
<tr>
<td>That the Board note the incoming correspondence.</td>
<td></td>
</tr>
</tbody>
</table>

6b Correspondence Out

<table>
<thead>
<tr>
<th>Resolved</th>
<th>Cr P Miller/Cr K Sajowitz</th>
</tr>
</thead>
<tbody>
<tr>
<td>That the Board note the outgoing correspondence.</td>
<td></td>
</tr>
</tbody>
</table>

7 Reports

7a Transport Infrastructure including Bells Line of Road

<table>
<thead>
<tr>
<th>Resolved</th>
<th>Mr K Boyd/Cr B West</th>
</tr>
</thead>
</table>
| That the Board note the Transport Infrastructure Report; and  
1. make representation to RMS through the Sponsoring General Manager regarding the REPAIR grant program to a 4-year approved program for better planning and Council budgeting;  
2. take a collaborative approach with key State agencies in the development of a Freight Study for Central NSW by CSIRO, seeking appropriate funding accordingly.  
3. a letter to be drafted in consultation with Penrith City progressing support for a safe swift link between Sydney and Central NSW to be signed by the “willing;” and  
4. progress an “alliance of the willing” in support of a safe swift link between Central NSW and Western Sydney including case study material from industry. |

7b Water Infrastructure Report

<table>
<thead>
<tr>
<th>Resolved</th>
<th>Cr D Somerville/Mr K Boyd</th>
</tr>
</thead>
</table>
| That the Board note the Water Infrastructure Report; and  
1. Commend to the CWUA that it investigates the potential for a regional application to stream 2 of the revised Safe and Secure program for funding to procure consulting services to update CWUA member Council’s Integrated water cycle management (IWCM) strategies; and  
2. Write to DoI water seeking clarification of the status of their IWCM Guidelines and assurance that IWCMs currently being revised by members will be assessed on existing guidelines and not updated guidelines as has been the case previously;  
3. Note work to review and update the Regional Water Infrastructure Priority Matrix plan and advocacy to align the region’s priorities with the prioritisation framework being developed by State agencies;  
4. Commend to members that they consider nominating a representative to participate in WaterNSW Customer Advisory Groups for the period 2019-2022 for their area; |
5. Note that a report has been provided to the Joint Organisation Board from the Drought SubCommittee; and
6. After the election a water related-delegation meet with the appropriate Minister to discuss the opportunities the upgrading of Wyangala may create with the appropriate strategic support.

7c Health Report

Resolved
Medcalf/Mr G Carroll

That the Board note the Health report and note a report is being provided to the Joint Organisation Board about the Stronger Rural Health Strategy

7d Regional Development

Resolved
West/ Mr G Styles

That the Board note the Regional Development Report and note that the MoU with Regional Development Australia Central West is being considered by the Joint Organisation Board.

7e Planning Report

Resolved
Styles/Mr K Boyd

That the Board note the Planning Report and
1. Endorse correspondence to the Department of Planning regarding
   a. the need for consultation on the Primary Production and Rural Development SEPP; and
   b. the need for resources to support Councils as the embed changes to the Planning legislation;
2. note that the Inland Code State Environment Planning Policy has been released;
3. note the review of the Implementation Plan for the Central West and Orana Regional Plan and nominate Cr P Miller, Cr S Romano and Cr B West to engage in the process as part of a reference group; and
4. Centroc advocate for better timelines on LEPs and seek to have the planning “backlog” for the region resolved.

7f Tourism Report

Resolved
B West/Ms R Ryan

That the Board note the Tourism Report and Members agree to the regional project; and
1. WRI be engaged to develop a Central NSW Joint Organisation Tourism Tool to assess the real value tourism offers to a local community, particularly for smaller local government areas;
   a. The project would be over a two-year period;
   b. Any specific event data will attract a further fee;
   c. Council contributions would come from funding in the Central NSW Tourism budget at $15,000pa for two years and a maximum of $3,000 from each LGA per annum;
   d. thank WRI for its contribution of $30,000 over two years; and
2. funding be sought through Destination Network Country and Outback to reduce the cost to LGAs; and
3. endorse the grant application to the Office of Environment and Heritage called Unearth the Heritage of Central NSW seeking funding of $25K towards a project with total value, including in-kind, of $83,500.

7g Operational Report

Resolved
Styles/Cr B West

That the Board note the Operational Report and;
1. note the meeting with Mr Ashley Albury, DPC, to progress the opportunities for funding through the OLG’s Local Government Skills Strategy and;
2. receive proforma reports to Council about the Southern Lights Project.

7h Financial report

<table>
<thead>
<tr>
<th>Resolved</th>
<th>Mr K Boyd/Mr G Styles</th>
</tr>
</thead>
<tbody>
<tr>
<td>That the Board note the Financial Report.</td>
<td></td>
</tr>
</tbody>
</table>

8 Late Reports

a. Progressing transition from Centroc to the Central NSW JO

<table>
<thead>
<tr>
<th>Resolved</th>
<th>Cr B West/Cr M Liebich</th>
</tr>
</thead>
<tbody>
<tr>
<td>That the Board note the report transitioning from Centroc to the Central NSW JO and receive a report to the Centroc Board seeking to amend the Centroc constitution to enable the wind-up of Central NSW Councils (Centroc) transferring reporting governance and reporting arrangements to the Central NSW Joint Organisation if necessary.</td>
<td></td>
</tr>
</tbody>
</table>

b. Confidential Report on Electricity Procurement

<table>
<thead>
<tr>
<th>Resolved</th>
<th>Mr G Styles/Mr K Boyd</th>
</tr>
</thead>
<tbody>
<tr>
<td>That the Board note the late report on electricity procurement and</td>
<td></td>
</tr>
<tr>
<td>1. Councils give consideration to participation in a renewable energy Power Purchase Agreement (PPA) for a portion of their electricity supply which would incur a fee directly to Councils and</td>
<td></td>
</tr>
<tr>
<td>2. note the advice from the meeting Friday 22 February and await advice for County Council.</td>
<td></td>
</tr>
</tbody>
</table>

9 Matters raised by members - Nil

10 Speakers to the next meeting – noting the meeting is scheduled to be at Parliament House Sydney.

11 Next Meetings

<table>
<thead>
<tr>
<th>Date</th>
<th>Meeting</th>
</tr>
</thead>
<tbody>
<tr>
<td>2 May 2019</td>
<td>Executive</td>
</tr>
<tr>
<td>23 May 2019</td>
<td>Board</td>
</tr>
<tr>
<td>23 May 2019</td>
<td>CNSWJO Board</td>
</tr>
</tbody>
</table>

The General Meeting of the Board closed at 12.11pm
Page 4 is the last page of the Centroc Board Minutes 28 February 2019
Minutes of the Central NSW Joint Organisation meeting 28 February 2019 held in Orange

Attendees, voting members in bold.
Meeting opened 12.20pm, Chaired by Chair Cr John Medcalf

<table>
<thead>
<tr>
<th>Cr G Hanger</th>
<th>Bathurst Council</th>
<th>Regional</th>
<th>Cr P Miller</th>
<th>Forbes Shire Council</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cr S Ferguson</td>
<td>Blayney Shire Council</td>
<td></td>
<td>Cr K Sajowitz</td>
<td>Oberon Shire Council</td>
</tr>
<tr>
<td>Cr K Beaty</td>
<td>Cabonne Council</td>
<td></td>
<td>Cr S Romano</td>
<td>Orange City Council</td>
</tr>
<tr>
<td>Cr B West</td>
<td>Cowra Shire Council</td>
<td></td>
<td>Cr M Liebich</td>
<td>Weddin Shire Council</td>
</tr>
<tr>
<td>Cr J Medcalf</td>
<td>Lachlan Shire Council</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Mr A Jones            | Bathurst Council | Regional | Mr G Wallace | Oberon Shire Council |
Ms R Ryan             | Blayney Shire Council |      | Mr G Styles | Orange City Council  |
Ms H Nicholls (acting)| Cabonne Council  |          | Mr K Boyd   | Parkes Shire Council |
Cr D Somervaille      | Central Tablelands Water |    | Mr G Carroll | Weddin Shire Council |
Mr G Rhodes            | Central Tablelands Water |     | Ms J Andrews | RDACW    |
Mr P Devery            | Cowra Shire Council |          | Ms J Bennett | Central NSW JO |
Mr G Tory              | Lachlan Shire Council |      | Ms Meredith Macpherson | Central NSW JO |

Apologies – Cr K Keith, Cr R Kidd, Mr D Sherley, Mr S Loane, Ms C Weston, Mr A Albury, Mr K Purser

Resolved

Cr Ferguson/Cr B West
That the apologies for the Central NSW Joint Organisation Board meeting 28 February 2019 listed above be accepted.

1. Minutes
1a Confirmation of the Minutes of the Central NSW Joint Organisation meeting 22 November 2018 in Oberon

Resolved

Cr Ferguson/Cr B West
That the Central NSW Joint Organisation Board confirm the Minutes of the meeting 22 November 2018 held at Mayfield Gardens Oberon

2. Business Arising from the Minutes – Matters in Progress

Resolved

Cr West/Cr P Miller
That the Central NSW Joint Organisation Board note the Matters in Progress, making deletions as suggested.

3. Correspondence
3a Incoming correspondence

Resolved

Cr West/Cr G Hanger
That the Board note the incoming correspondence.

3b Outgoing correspondence

Resolved

Cr West/Cr G Hanger
That the Board note the outgoing correspondence.
4. Drought Sub-Committee Report

Resolved
West/Cr S Ferguson

That the Board notes the Centroc Drought Sub-Committee Report and
1. note the Centroc Drought Issues Paper developed by Western Research Institute;
2. the Central NSW Joint Organisation Board receive advice on progressing the recommendations in the report; and
3. note that advice will be provided to the Joint Organisation Board from the Regional Leadership Executive regarding progress by the Drought Subcommittee.

5. Mandatory Code of Meeting Practice for the Central NSW Joint Organisation Report

Resolved
West/Cr P Miller

That the Board note progress on the Draft Code of Meeting Practice for the Central NSW Joint Organisation Report and await feedback from the Office of Local Government to inform a report to the next meeting.

6. Remuneration for the Chair and or other Mayors in their capacity as Board members for the Central NSW JO

Resolved
Cr S Ferguson/Cr P Miller

That the Board confirm the Charter for the Central NSW Joint Organisation and seek feedback from members on a report remunerating the Chair including advice on the Remuneration Tribunal option “Rural” of $25,880.

7. Central NSW Joint Organisation engagement with neighbouring councils

Resolved
Cr P Miller/Cr K Beatty

That the Board note the Report on the Central NSW Joint Organisation engagement with other councils and
1. focus all activity including operational support programming of the Joint Organisation on delivering value to member Councils;
2. engage with other Joint Organisation, Local Government NSW, Country Mayors, the Water Directorate and other peak local government entities as appropriate in the interest of members;
3. Midwestern and Dubbo Regional Councils be offered a non-voting membership at 50% of the fees structure for the Central NSW Joint Organisation Joint Organisation subject to them having full membership of the Orana Joint Organisation; and
4. Lithgow City Council be offered the same arrangement but encouraged to consider full membership of the Central NSW Organisation.

8. Strategic Update for the Joint Organisation

Resolved
Ferguson

That the Central NSW Joint Organisation Board note the Strategic Update report and
1. Hold a special meeting upon sign off by the Steering Committee to approve the strategy and Statement of Strategic Regional Priority; and
2. Receive a report to the May Joint Organisation meeting regarding fees to resource the Joint Organisation Strategy.

12.40pm – Suspend business to hear from the Hon David Littleproud, Minister for Agriculture and Water Resources, Minister Assisting the Prime Minister for Drought Preparation and the Hon Andrew Gee, Member for Calare, Assistant Minister to the Deputy Prime Minister.

Bathurst Regional Council representatives left the meeting at 1.05pm
Oberon Shire Council representatives left the meeting 1.32pm
Mr K Boyd left the meeting 1.53pm
9. Stronger Rural Health Strategy

<table>
<thead>
<tr>
<th>Resolved</th>
<th>Cr P Miller/Cr K Beatty</th>
</tr>
</thead>
<tbody>
<tr>
<td>That the report regarding the Stronger Rural Health Strategy be noted and</td>
<td></td>
</tr>
<tr>
<td>1. Local Government NSW be approached to take carriage of regional health workforce challenges for NSW;</td>
<td></td>
</tr>
<tr>
<td>2. this approach to include requesting a one-day forum shining a light on challenges for regional communities regarding health workforce;</td>
<td></td>
</tr>
<tr>
<td>3. this approach negotiate support from Central NSW and other Joint Organisations;</td>
<td></td>
</tr>
<tr>
<td>4. through this approach a review of the publication Advice to the National Rural Health Commissioner on the Development of the National Rural Generalist Pathway be undertaken and the potential of leveraging the Beyond the Range website to support the attraction and retention of health workforce be proffered.</td>
<td></td>
</tr>
</tbody>
</table>

10. Draft JO and RDACW MOU

<table>
<thead>
<tr>
<th>Resolved</th>
<th>Cr B West/Cr P Miller</th>
</tr>
</thead>
<tbody>
<tr>
<td>That the Board note report on the draft Memorandum of Understanding with Regional Development Australia and adopt it for signature.</td>
<td></td>
</tr>
</tbody>
</table>

11. Copyright Agency licensing offer

<table>
<thead>
<tr>
<th>Resolved</th>
<th>Cr B West/Cr M Liebich</th>
</tr>
</thead>
<tbody>
<tr>
<td>That the Board note the Copyright Agency licensing offer report and</td>
<td></td>
</tr>
<tr>
<td>1. accept the CNSW Joint Organisation Copyright Agency Agreement;</td>
<td></td>
</tr>
<tr>
<td>2. note Councils opting in to Copyright Agency licensing are the licensees;</td>
<td></td>
</tr>
<tr>
<td>3. note that Copyright Agency has provided advice it will hold the pricing as per the below where all or a vast majority of members take part; and</td>
<td></td>
</tr>
<tr>
<td>4. note that the Central NSW Joint Organisation will take part in the program.</td>
<td></td>
</tr>
</tbody>
</table>

12. Memorandum of Understanding with Local Government Procurement

<table>
<thead>
<tr>
<th>Resolved</th>
<th>Cr B West/Cr S Romano</th>
</tr>
</thead>
<tbody>
<tr>
<td>That the Board sign the Memorandum of Understanding with Local Government Procurement (LGP) and seek to codesign improvements to aggregated procurement with LGP in a best practice framework.</td>
<td></td>
</tr>
</tbody>
</table>

13. Australasian Local Government Performance Excellence Program

<table>
<thead>
<tr>
<th>Resolved</th>
<th>Cr S Ferguson/Cr P Miller</th>
</tr>
</thead>
<tbody>
<tr>
<td>That the report regarding the Australasian Local Government Performance Excellence Program be noted and</td>
<td></td>
</tr>
<tr>
<td>1. Local Government Professionals be advised that Councils will be making their individual determinations regarding procurement of this tool including enhancements; and</td>
<td></td>
</tr>
<tr>
<td>2. The Office of Local Government be asked for a time frame for its performance monitoring program.</td>
<td></td>
</tr>
</tbody>
</table>

14. Local Government Focus Advertising Proposal

<table>
<thead>
<tr>
<th>Resolved</th>
<th>Cr K Beatty/Cr S Romano</th>
</tr>
</thead>
<tbody>
<tr>
<td>That the Board note the proposal from Local Government Focus and</td>
<td></td>
</tr>
<tr>
<td>1. not engage at this time but consider promoting the regions collaboratively once the strategic and communications plans for the JO are completed; and</td>
<td></td>
</tr>
<tr>
<td>2. provide feedback to any similar proposals that these be referred to the Communications’ Plan to be developed.</td>
<td></td>
</tr>
</tbody>
</table>
15. Administration Update

<table>
<thead>
<tr>
<th>Resolved</th>
<th>Cr</th>
<th>S</th>
</tr>
</thead>
<tbody>
<tr>
<td>Romano/CR S Ferguson</td>
<td></td>
<td></td>
</tr>
<tr>
<td>That the Board note the timeline for the implementation of the JO.</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>


<table>
<thead>
<tr>
<th>Resolved</th>
<th>Cr</th>
<th>S</th>
</tr>
</thead>
<tbody>
<tr>
<td>Romano/Cr P Miller</td>
<td></td>
<td></td>
</tr>
<tr>
<td>That the Board note the Financial Report.</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

17. Other matters raised by members - Nil

18. Next meeting – Suggest meeting the day before the Board meeting in Sydney.

Next meeting of the Joint Organisation is 23 May 2019

Meeting closed 2.10pm

Page 4 is the last page of the Central NSW Joint Organisation meeting 28 February 2019
DIRECTOR CORPORATE SERVICES
REPORT TO COUNCIL
PART I
3. DIRECTOR CORPORATE SERVICES REPORT TO COUNCIL

3.1 INVESTMENT OF COUNCIL’S FUNDS – 28 FEBRUARY 2019

Report Author: Accounting Assistant
Responsible Officer: Director Corporate Services

Executive Summary

The Local Government (General) Regulations require that the responsible accounting officer provide a written report to the Ordinary Meeting of the Council giving details of all monies invested. Council’s investment strategy takes into consideration the desirability of diversifying investments and the nature and risk associated with the investments.

Detailed Report

The size of the investment portfolio varies from month to month due to cash flow movements during the period. Cash outflows (expenditure) vary from stable to moderate from one month to another. Cash inflows (income) are cyclical and largely dependent on the timing of rates instalment due date and payments, grant payments including receipt of Roads and Maritime Services (RMS) payments and the Financial Assistance Grant. Council’s four peak income months are August, November, February and May.

Commentary:

The increase in Council’s investment balance directly reflects the timing of cash flows for the period.

At the meeting on 5 February 2019, the Board of the Reserve Bank of Australia (RBA) decided to leave the cash rate unchanged at 1.50 per cent. The cash rate continues to remain unchanged at 1.50 per cent after the meeting of the board on 5 March 2019.

From the Statement by Philip Lowe, Governor: Monetary Policy Decision released on 5 March 2019 the RBA concluded like that of the previous month: “The low level of interest rates is continuing to support the Australian economy. Further progress in reducing unemployment and having inflation return to target is expected, although this progress is likely to be gradual. Taking account of the available information, the Board judged that holding the stance of monetary policy unchanged at this meeting would be consistent with sustainable growth in the economy and achieving the inflation target over time.”

Total Investment at 28 February 2019:

Council’s investment portfolio at the 28 February 2019 totalled $46,360,775.35.

The portfolio is diversified across a number of investment types and spread across a number of financial institutions. The various investment types may include managed funds, term deposits, bank bills and on-call accounts.

Investment performance in terms of actual investment income earned versus budget year to date at 28 February 2019 is represented below.
The following graph represents actual investment return against 90 day BBSW rate and the official cash rate for the year to date at 28 February 2019. The weighted average return on the investment portfolio as at 28 February 2019 was 2.72%.

The following graph represents invested Council funds by Fund (excluding Westpac Consolidated Fund) at the 28 February 2019.
The following graph represents invested Council funds by financial institution (excluding Westpac Consolidated Fund) at the 28 February 2019.
The following graphs illustrate Council’s apportionment of Investment types at the 28 February 2019.

The investment portfolio is regularly reviewed in order to maximise investment performance while also minimising risk. The graph below illustrates Council’s investment distribution according to the institute’s credit rating, ensuring compliance within legislative and policy limits.
Certification – Responsible Accounting Officer:

I hereby certify that the investments within Council’s portfolio have been made in accordance with section 625 of the Local Government Act 1993, clause 212 of the Local Government (General) Regulation 2005 and Council’s Investment Policy number CS016.

RECOMMENDATION

That Council receive and note the information within the report and the Certificate of the Responsible Officer for the reporting period to 28 February 2019.

Alignment with Strategic Plan
LG2.1: Provide leadership through ethical, accountable and legislative decision-making processes. LG2.1.3 Ensure Council’s policies and procedures meet the current statutory and regulatory environments.

Financial and Resource Implications
Maximise returns on investments.

Policy Implications
All Council investments activities are undertaken in accordance with Council’s Investment Policy, relevant guidelines and legislation.

Risk Considerations
Potential loss of income due to investing in financial products deemed outside Council’s Policy and the Minister’s guidelines.

Statutory/Regulatory Implications
Council is authorised by sec 625 of the Local Government Act to invest its surplus funds. Funds may only be invested in the forms of investment notified by Order of the Minister dated 12 January 2011. The Local Government (General) Regulations prescribes the records that must be maintained in relation to Council investments.

Consultation conducted
Council officers consult various financial institutions that have S&P rating to obtain the most suitable rate of return at a given time.

Attachments
Nil.
3.2 RATES & CHARGES COLLECTION AS AT FEBRUARY 2019

Report Author: Rating Officer

Responsible Officer: Director Corporate Services

Executive Summary

This report provides Council with a monthly update on rates and charges collection, showing totals for the initial levy, rebates applied, interest and legal costs incurred and total outstanding for the financial year.

Detailed Report

The tables below show details of rates and charges levied, collected and outstanding as at 5 March 2019.

<table>
<thead>
<tr>
<th>2018/2019 Levy</th>
<th>$12,532,780.86</th>
</tr>
</thead>
<tbody>
<tr>
<td>Less Pensioner Rebates</td>
<td>$319,313.33</td>
</tr>
<tr>
<td>Net 2018/2019 Levy</td>
<td>$12,213,467.53</td>
</tr>
<tr>
<td>Amount Collected (to 5 Mar 19)</td>
<td>$8,851,736.74</td>
</tr>
<tr>
<td>2018/2019 Rates to be collected</td>
<td>$3,361,730.79</td>
</tr>
<tr>
<td>Current Interest</td>
<td>$20,736.95</td>
</tr>
<tr>
<td>Arrears (b/f rates + interest)</td>
<td>$330,414.02</td>
</tr>
<tr>
<td>Debt Recovery Expenses</td>
<td>$101,298.25</td>
</tr>
<tr>
<td>Total Outstanding</td>
<td>$3,814,180.01</td>
</tr>
</tbody>
</table>

Council’s outstanding rates and charges ratio as at 5 March 2019 was 9.53%.

The table below shows Council’s outstanding rates ratio as at 30 June for the last 4 financial years:

Outstanding Rates: Ratio by Year

<table>
<thead>
<tr>
<th>Year</th>
<th>Ratio</th>
</tr>
</thead>
<tbody>
<tr>
<td>2014/2015*</td>
<td>7.35%</td>
</tr>
<tr>
<td>2015/2016*</td>
<td>7.03%</td>
</tr>
<tr>
<td>2016/2017</td>
<td>10.29%</td>
</tr>
<tr>
<td>2017/2018</td>
<td>8.41%</td>
</tr>
</tbody>
</table>

*Due to a change in reporting requirements, these figures do not account for overpayment amounts and are therefore understated.
DIRECTOR CORPORATE SERVICES REPORT TO COUNCIL cont’d:

The table below shows the outstanding rates by month. It is appropriate to view the outstanding ratio by month as the full year’s rates are due in four equal instalments. Spikes in the graph reflect the due dates for each quarterly instalment in August, November, February and May. Comparisons between financial years will be appropriate moving forward as reporting requirements are aligned.

<table>
<thead>
<tr>
<th>Month</th>
<th>Outstanding Rates</th>
<th>2018/19</th>
</tr>
</thead>
<tbody>
<tr>
<td>Jul</td>
<td>12.00%</td>
<td></td>
</tr>
<tr>
<td>Aug</td>
<td>10.00%</td>
<td></td>
</tr>
<tr>
<td>Sep</td>
<td>8.00%</td>
<td></td>
</tr>
<tr>
<td>Oct</td>
<td>6.00%</td>
<td></td>
</tr>
<tr>
<td>Nov</td>
<td>4.00%</td>
<td></td>
</tr>
<tr>
<td>Dec</td>
<td>2.00%</td>
<td></td>
</tr>
<tr>
<td>Jan</td>
<td>0.00%</td>
<td></td>
</tr>
<tr>
<td>Feb</td>
<td>2.00%</td>
<td></td>
</tr>
<tr>
<td>Mar</td>
<td>4.00%</td>
<td></td>
</tr>
<tr>
<td>Apr</td>
<td>6.00%</td>
<td></td>
</tr>
<tr>
<td>May</td>
<td>8.00%</td>
<td></td>
</tr>
<tr>
<td>Jun</td>
<td>10.00%</td>
<td></td>
</tr>
</tbody>
</table>

**RECOMMENDATION**

That Council adopt the rates and charges report as at 5 March 2019.

**Alignment with Strategic Plan**
- Operational Plan: Statement of Revenue, Fees and Charges;
- Community Strategic Plan: L2: Council complies with key legislation governing local government activity. L2.1: Complies with statutory obligations for the administration of local government.

**Financial and Resource Implications**
Nil.

**Policy Implications**
Nil.

**Risk Considerations**
Nil.

**Statutory/Regulatory Implications**
Conforms to statutes and regulations.

**Consultation conducted**
Internal Report.

**Attachments**
Nil.
3.3. PROCUREMENT REPORTING

Report Author: Chief Financial Officer
Responsible Officer: Director Corporate Services

Executive Summary

Council’s Procurement Policy seeks to provide clear policy statements for the procurement of materials, equipment and services to assist in ensuring best value for money, cost effectiveness, good management practices, transparency, probity and environmental performance, whilst meeting the expectations of the community and legislative requirements.

Detailed Report

Council’s Procurement Policy requires exception reporting as follows:

1). all purchases of $5,000 up to $49,999 (including GST (Category B), should the minimum number of quotations not be obtained, supporting commentary justifying this must be provided along with the responsible Director approval. Details of the transaction must also be reported to Council.

The following purchases were made between 1 February 2019 and 28 February 2019 where the minimum requirement for three (3) quotations was not met:

<table>
<thead>
<tr>
<th>Number</th>
<th>Supplier</th>
<th>Supplier Origin</th>
<th>Description</th>
<th>Quotes</th>
<th>Reason for non-compliance</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Play Workshop Pty Ltd ATF Troy Family Trust</td>
<td>Artarmon NSW</td>
<td>Jenny Murphy Stage 1</td>
<td>2</td>
<td>3 quotes requested but only two suppliers came back with quotes</td>
</tr>
<tr>
<td>2</td>
<td>Abe Duggan Plumbing Service</td>
<td>Forbes NSW</td>
<td>Labour, scissor lift hire and materials to disconnect/ reconnect pneumatic line and re-route to new compressor shed location at CWLE</td>
<td>1</td>
<td>3 local suppliers were invited, only one response was received to undertake the scope of works.</td>
</tr>
<tr>
<td>3</td>
<td>EMC Technologies Pty Ltd</td>
<td>Seven Hills NSW</td>
<td>EMC Technology testing service at WTW</td>
<td>1</td>
<td>Follow up testing of electromagnetic fields at WTW. Other testing undertaken in November however additional testing required to ensure other parameters do not exceed the limits.</td>
</tr>
<tr>
<td>4</td>
<td>P &amp; M Electrical Fitting Pty Ltd</td>
<td>Forbes NSW</td>
<td>Fabricate and supply riser from Bore Line to B Plant</td>
<td>1</td>
<td>Emergency work to get Bore Line into B Plant so Bore Water could be treated due to water quality issues in the river</td>
</tr>
<tr>
<td>5</td>
<td>Xylem Water Solutions Australia Ltd</td>
<td>Eastern Creek NSW</td>
<td>Repairs to pump at SPS 4</td>
<td>1</td>
<td>Xylem to repair as it is a Xylem pump that needs to match performance characteristics of other pump at this station. Replacement pump would cost about $8K more than doing repairs.</td>
</tr>
</tbody>
</table>
DIRECTOR CORPORATE SERVICES REPORT TO COUNCIL cont’d:

<table>
<thead>
<tr>
<th>Number</th>
<th>Supplier</th>
<th>Supplier Origin</th>
<th>Description</th>
<th>Quotes</th>
<th>Reason for non-compliance</th>
</tr>
</thead>
<tbody>
<tr>
<td>6</td>
<td>Xylem Water Solutions Australia Ltd</td>
<td>Eastern Creek NSW</td>
<td>Replacement pump at SPS 1</td>
<td>1</td>
<td>Parts no longer available for old pump. Xylem provided the replacement to match required parameters of this pump station</td>
</tr>
</tbody>
</table>

2) All purchases of $50,000 to $149,999 including GST (Category C), should the minimum number of quotations not be obtained, supporting commentary justifying this must be provided along with General Manager approval. Details of the transaction must also be reported to Council.

The following purchases were made between 1 February 2019 and 28 February 2019 where the minimum requirements were not met.

<table>
<thead>
<tr>
<th>Number</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Renovations of South Circle Oval Public Toilets – 4 suppliers invited with 2 quotations received within the project timelines.</td>
</tr>
</tbody>
</table>

**RECOMMENDATION**

That Council adopt the procurement report for the period ending 28 February 2019.

**Alignment with Strategic Plan**
Direction 6 – Government and Representation:
Strategy GR4 – adopt practices of prudent asset, financial and human resource management across Council to ensure long-term sustainability and efficiency.

**Financial and Resource Implications**
Noncompliance resulting in possible over expenditure on Council works.

**Policy Implications**
All Council procurement activities are undertaken in accordance with Council’s policies, relevant guidelines and legislation.

**Risk Considerations**
Favouring preferred suppliers where less costly options may be available.

**Statutory/Regulatory Implications**
Nil.

**Consultation conducted**
Nil.

**Attachments**
Nil.
3.4 2019 AUSTRALIAN LOCAL GOVERNMENT WOMEN’S ASSOCIATION NSW CONFERENCE

Report Author: Senior Executive Services Officer
Responsible Officer: Director Corporate Services

Executive Summary

The purpose of this report is to seek an alternate Council representative to attend the above conference in place of Cr Susan Chau.

Detailed Report

Council at its February meeting resolved to endorse the attendance of Crs J Webb and S Chau and for the General Manager to nominate staff representatives.

Cr Chau has since advised she is unavailable to attend the ALGWA Conference due to other commitments.

RECOMMENDATION

That Council endorse the attendance of an alternate Councillor to attend the 2019 Australian Local Government Women’s Association NSW Conference in Liverpool from 4-6 April 2019.

Alignment with Strategic Plan
LG2.1: Provide leadership through ethical, accountable and legislative decision making. Ensure elected members are adequately resourced to enable effective representation.

Financial and Resource Implications
Nil.

Policy Implications
Nil.

Risk Considerations
Nil.

Statutory/Regulatory Implications
Nil.

Consultation conducted
Councillors and Manex.

Attachments
Nil.
3.5 GRANTS UPDATE

Report Author: Grants Officer
Responsible Officer: Director Corporate Services

Executive Summary

The purpose of this report is to provide an update on the status of grants for the period 2107/18 as required under the Community Strategic Plan.

Detailed Report

2018/2019 Successful Grants:

<table>
<thead>
<tr>
<th>Program</th>
<th>Applicant</th>
<th>Project</th>
<th>Amount</th>
<th>Impact on Council</th>
<th>Aligned with Community Strategic Plan</th>
</tr>
</thead>
<tbody>
<tr>
<td>Stronger Country Communities</td>
<td>Forbes Shire Council</td>
<td>Upgrades to Lake Forbes CBD Master Plan Wirrimya Ski Dam Upgrades New rodeo arena</td>
<td>$1,963,680</td>
<td>Project management, implementation and reporting. Co contributions from various Council reserves of $626,000</td>
<td>Yes</td>
</tr>
<tr>
<td>Heritage Activation</td>
<td>Ken &amp; Monica Wren</td>
<td>Carrawobitty Restoration</td>
<td>$100,000</td>
<td>Nil</td>
<td>Yes</td>
</tr>
<tr>
<td>Alliance Funding</td>
<td>Forbes Shire Council</td>
<td>Riverside Gardens tree nursery</td>
<td>$9,830</td>
<td>Project Management</td>
<td>Yes</td>
</tr>
<tr>
<td>Clubgrants</td>
<td>Forbes Shire Council</td>
<td>Stage Two, new amenities, Botanical Gardens Sports Fields</td>
<td>$135,264</td>
<td>Project Management, Implementation and Reporting</td>
<td>Yes</td>
</tr>
<tr>
<td>Country Arts Support Program</td>
<td>Forbes Shire Council</td>
<td>Community Arts Project</td>
<td>$3,000</td>
<td>Project Management</td>
<td>Yes</td>
</tr>
<tr>
<td>Local Sports</td>
<td>Forbes Golfers Association</td>
<td>New Defibrillator</td>
<td>$1,300</td>
<td>Nil</td>
<td>Yes</td>
</tr>
<tr>
<td>Telstra Kids</td>
<td>Forbes North Public School/Forbes SACC</td>
<td>Little Bang Discovery Club – Science Kit and Program</td>
<td>$1,200</td>
<td>Nil</td>
<td>Yes</td>
</tr>
<tr>
<td>Community Sports Infrastructure</td>
<td>Forbes Shire Council</td>
<td>Stage Two, new amenities, Botanical Gardens Sports Fields</td>
<td>$178,335</td>
<td>Project Management, Implementation and Reporting</td>
<td>Yes</td>
</tr>
<tr>
<td>Program</td>
<td>Applicant</td>
<td>Project</td>
<td>Amount</td>
<td>Impact on Council</td>
<td>Aligned with Community Strategic Plan</td>
</tr>
<tr>
<td>-------------------------------</td>
<td>----------------------------------------</td>
<td>-------------------------------------------------------------------------</td>
<td>---------</td>
<td>----------------------------------------------------------------------------------</td>
<td>---------------------------------------</td>
</tr>
<tr>
<td>Drought Communities Program</td>
<td>Council</td>
<td>Implementation of Lake Forbes Activation Plan Implementation of CBD Master Plan Development of Aquatic Centre and Equestrian Precinct Master Plans Upgrades to rural halls and sports grounds</td>
<td>$1,000,000</td>
<td>Project management, implementation and reporting Co contributions from various Council reserves</td>
<td>Yes</td>
</tr>
<tr>
<td>FRRR</td>
<td>Cherie Quade, Back Room Workshop</td>
<td>Grease &amp; Oil Change Rural Well Being Workshops</td>
<td>$11,200</td>
<td>Nil</td>
<td>Yes</td>
</tr>
<tr>
<td>Building Better Regions</td>
<td>Council</td>
<td>CBD Master Plan Implementation</td>
<td>$867,241.50</td>
<td>Project Management, Implementation and Reporting, $867,241.50 co contribution</td>
<td>Yes</td>
</tr>
</tbody>
</table>

Total Funding: $4,271,050.50

2018/2019 Financial Year Grants Applied For:

<table>
<thead>
<tr>
<th>Program</th>
<th>Applicant</th>
<th>Project</th>
<th>Amount</th>
<th>Impact on Council</th>
<th>Status</th>
<th>Aligned with Community Strategic Plan</th>
</tr>
</thead>
<tbody>
<tr>
<td>RASF Grants</td>
<td>Forbes Central Rural Fire Brigade</td>
<td>New computer and printer</td>
<td>$1,657</td>
<td>Nil</td>
<td>Pending</td>
<td>Yes</td>
</tr>
<tr>
<td>Country Arts Support Program</td>
<td>Council</td>
<td>Community Arts Project</td>
<td>$3,000</td>
<td>Project Management</td>
<td>Successful</td>
<td>Yes</td>
</tr>
<tr>
<td>Clubgrants Category 3</td>
<td>Council</td>
<td>Amenities upgrade, Botanical Gardens</td>
<td>$135,264</td>
<td>Project Management, Implementation and Reporting</td>
<td>Successful</td>
<td>Yes</td>
</tr>
<tr>
<td>Clubgrants Category 1</td>
<td>Golden Girls</td>
<td>Promotion</td>
<td>$350</td>
<td>Nil</td>
<td>Pending</td>
<td>Yes</td>
</tr>
<tr>
<td>DSS Volunteer Grants</td>
<td>Forbes Central Rural Fire Brigade</td>
<td>Shelving and computer</td>
<td>$4,100</td>
<td>Nil</td>
<td>Pending</td>
<td>Yes</td>
</tr>
<tr>
<td>DSS Volunteer Grants</td>
<td>Forbes Men’s Shed</td>
<td>Kitchen fit out</td>
<td>$5,000</td>
<td>Nil</td>
<td>Pending</td>
<td>Yes</td>
</tr>
<tr>
<td>Back to the Track</td>
<td>Forbes Jockey Club</td>
<td>Spring Race Meet</td>
<td>$20,000</td>
<td>Nil</td>
<td>Pending</td>
<td>Yes</td>
</tr>
<tr>
<td>Local Sports</td>
<td>Forbes Sorting &amp; Penning Inc</td>
<td>New arena</td>
<td>$20,000</td>
<td>Nil</td>
<td>Pending</td>
<td>Yes</td>
</tr>
<tr>
<td>Local Sports</td>
<td>Forbes Croquet</td>
<td>Defibrillator</td>
<td>$1,300</td>
<td>Nil</td>
<td>Successful</td>
<td>Yes</td>
</tr>
<tr>
<td>Program</td>
<td>Applicant</td>
<td>Project</td>
<td>Amount</td>
<td>Impact on Council</td>
<td>Status</td>
<td>Aligned with Community Strategic Plan</td>
</tr>
<tr>
<td>------------------------------</td>
<td>------------------------------------</td>
<td>------------------------------</td>
<td>---------</td>
<td>-------------------</td>
<td>----------------</td>
<td>----------------------------------------</td>
</tr>
<tr>
<td>Local Sports</td>
<td>Forbes Golfers Association</td>
<td>Defibrillator</td>
<td>$1,300</td>
<td>Nil</td>
<td>Successful</td>
<td>Yes</td>
</tr>
<tr>
<td>Alliance Funding</td>
<td>Central West Lachlan Landcare</td>
<td>Riverside Gardens tree nursery</td>
<td>$9,800</td>
<td>Riverside Community Gardens are a 355 Committee of Council</td>
<td>Successful</td>
<td>Yes</td>
</tr>
<tr>
<td>Alliance Funding</td>
<td>Central West Lachlan Landcare</td>
<td>Schools Eco Day</td>
<td>$7,350</td>
<td>Nil</td>
<td>Pending</td>
<td>Yes</td>
</tr>
<tr>
<td>Stronger Communities</td>
<td>Men's Shed</td>
<td>Shed Construction</td>
<td>$15,000</td>
<td>Nil</td>
<td>Unsuccessful</td>
<td>Yes</td>
</tr>
<tr>
<td>Safe and Secure Water</td>
<td>Council</td>
<td>Planning for the replacement of the Water Filtration Plant</td>
<td>$250,000</td>
<td>Project Management, Implementation and Reporting. Co contribution of $250,000</td>
<td>Pending</td>
<td>Yes</td>
</tr>
<tr>
<td>Regional Communities</td>
<td>Council</td>
<td>Development of the Central West Industrial Park</td>
<td>$7,796,250</td>
<td>Project Management, Implementation and Reporting. Co contribution of $2,198,750</td>
<td>Pending</td>
<td>Yes</td>
</tr>
<tr>
<td>Regional Communities</td>
<td>Council</td>
<td>Development of the Central West Industrial Park</td>
<td>$7,796,250</td>
<td>Project Management, Implementation and Reporting. Co contribution of $2,198,750</td>
<td>Pending</td>
<td>Yes</td>
</tr>
<tr>
<td>Regional Growth Environment</td>
<td>Forbes Arts Society</td>
<td>Expansion of the Sculpture Trail, new art gallery</td>
<td>$5,000,000</td>
<td>$208,000 a year for three years to implement the Gum Swamp Master Plan</td>
<td>Pending</td>
<td>Yes</td>
</tr>
<tr>
<td>Community Sports Infrastructure</td>
<td>Council</td>
<td>Amenities upgrade, Botanical Gardens</td>
<td>$178,335</td>
<td>Project Management, Implementation and Reporting</td>
<td>Successful</td>
<td>Yes</td>
</tr>
<tr>
<td>Drought Communities Programme</td>
<td>Council</td>
<td>Implementation of Lake Forbes Activation Plan Implementation of CBD Master Plan Development of Aquatic Centre and Equestrian Precinct Master Plans Upgrades to rural halls and sports grounds</td>
<td>$1,000,000</td>
<td>Project Management, Implementation and Reporting</td>
<td>Successful</td>
<td>Yes</td>
</tr>
<tr>
<td>Northparkes CIP</td>
<td>Mens Shed</td>
<td>Shed Construction</td>
<td>$10,000</td>
<td>Nil</td>
<td>Unsuccessful</td>
<td>Yes</td>
</tr>
</tbody>
</table>
### DIRECTOR CORPORATE SERVICES REPORT TO COUNCIL cont’d:

<table>
<thead>
<tr>
<th>Program</th>
<th>Applicant</th>
<th>Project</th>
<th>Amount</th>
<th>Impact on Council</th>
<th>Status</th>
<th>Aligned with Community Strategic Plan</th>
</tr>
</thead>
<tbody>
<tr>
<td>Clubgrants Cat 3</td>
<td>Council</td>
<td>Town Hall Upgrades</td>
<td>$50,000</td>
<td>Project Management, Implementation and Reporting, $53,000 co contribution drawn from Town Hall reserves</td>
<td>Pending</td>
<td>Yes</td>
</tr>
<tr>
<td>Womens Week Funding</td>
<td>Cherie Quade, Back Room Workshop</td>
<td>Finance Workshop</td>
<td>$5,000</td>
<td>Nil</td>
<td>Pending</td>
<td>Yes</td>
</tr>
<tr>
<td>Building Better Regions</td>
<td>Council</td>
<td>CBD Master Plan</td>
<td>$867,241.50</td>
<td>Project Management, Implementation and Reporting, $867,241.50 co contribution</td>
<td>Successful</td>
<td>Yes</td>
</tr>
<tr>
<td>FRRR</td>
<td>Cherie Quade, Back Room Workshop</td>
<td>Grease &amp; Oil Change Rural Well Being Workshops</td>
<td>$11,200</td>
<td>Nil</td>
<td>Successful</td>
<td>Yes</td>
</tr>
<tr>
<td>Telstra Kids</td>
<td>Forbes Preschool</td>
<td>Pop-Up Preschool</td>
<td>$1,200</td>
<td>Nil</td>
<td>Unsuccessful</td>
<td>Yes</td>
</tr>
<tr>
<td>Telstra Kids</td>
<td>Forbes Toy Library</td>
<td>Library Borrowing System Upgrade &amp; New Toys</td>
<td>$1,200</td>
<td>Nil</td>
<td>Unsuccessful</td>
<td>Yes</td>
</tr>
<tr>
<td>Everyone Can Play</td>
<td>Council</td>
<td>Inclusive &amp; Accessible Playspaces – Forbes Aquatic Area</td>
<td>$60,000</td>
<td>Project Management, Implementation and Reporting, $61,000 co contribution</td>
<td>Pending</td>
<td>Yes</td>
</tr>
<tr>
<td>ATC Foundation</td>
<td>Bedgerabong Race Club</td>
<td>Irrigation System Upgrades</td>
<td>$11,000</td>
<td>Nil</td>
<td>Pending</td>
<td>Yes</td>
</tr>
</tbody>
</table>

15 Grants pending, total value $13,235,707
Grant funding, both Council and Community by Financial Year.

<table>
<thead>
<tr>
<th>Organisation</th>
<th>Facility</th>
<th>Strategic Plan Status</th>
<th>Master Plan Status</th>
</tr>
</thead>
<tbody>
<tr>
<td>Forbes Magpies Rugby League Club</td>
<td>Spooners Oval</td>
<td>Complete</td>
<td>Pending</td>
</tr>
<tr>
<td>Forbes Golfers Association</td>
<td>Forbes Golf Course</td>
<td>Complete</td>
<td>N/A</td>
</tr>
<tr>
<td>Forbes &amp; District Town Band</td>
<td>Forbes Band Hall</td>
<td>Complete</td>
<td>N/A</td>
</tr>
<tr>
<td>Forbes Shire Council</td>
<td>Villages and Rural Localities</td>
<td>Pending- Initial consultation undertaken and draft plan in preparation. Planning workshops held in Feb 2019</td>
<td>N/A</td>
</tr>
<tr>
<td>Forbes Shire Council</td>
<td>Forbes Multipurpose Equestrian Precinct</td>
<td>Pending- Initial consultation undertaken and draft plan in preparation</td>
<td>Pending</td>
</tr>
<tr>
<td>Forbes Business Chamber</td>
<td>Management Plan</td>
<td>Pending - Initial consultation undertaken and draft plan in preparation. Surveys and workshops have been held</td>
<td>N/A</td>
</tr>
<tr>
<td>Forbes Shire Council</td>
<td>Town Hall</td>
<td>Complete</td>
<td>N/A</td>
</tr>
</tbody>
</table>

**RECOMMENDATION**

That Council receive and note grants update report.
**Alignment with Strategic Plan**
LG2.1: provide leadership through ethical, accountable and legislative decision maker. Ensure elected members are adequately resourced to enable effective representation.

**Financial and Resource Implications**
Nil.

**Policy Implications**
Nil.

**Risk Considerations**
Nil.

**Statutory/Regulatory Implications**
Nil.

**Consultation conducted**
Community consultation.

**Attachments**
Nil.
3.6 COUNCILLOR EXPENSES AND FACILITIES POLICY:

Report Author: Senior Governance Officer
Responsible Officer: Director Corporate Services

Executive Summary

This report provides a brief on proposed amendments to Council’s Councillor Expenses and Facilities Policy based on the NSW Office of Local Government’s (OLG) recommended template policy.

Detailed Report

Council’s current Councillor Expenses and Facilities Policy was last adopted in 2016, in accordance with s. 252 of the Local Government Act 1993 (the Act). Corporate Business has undertaken a periodic review to ensure compliance with the requirements of the Act, OLG’s guidelines and their new template policy.

The proposed amendments are based on OLG’s recommended policy; it is important to note that the recommended policy is a template guide and not a mandatory model. A summary of the proposed amendments include:

i. Amendment of format to be consistent with Council’s Policy Development and Review Policy and the OLG’s recommended policy;

ii. Clause 5 (Facilities) – formalisation of the facilities provided to Councillors; and

iii. Clause 7 (Legal Assistance) – amendment of former cl. 2.2.9 for consistency with OLG’s recommended policy.

Council is required in accordance with s. 253 of the Act to place its draft Councillors Expenses and Facilities Policy on public exhibition for 28 days and then receive a report for consideration of submissions before adoption.

RECOMMENDATION

That Council:

1. place the amended Councillor Expenses and Facilities Policy on public exhibition for a period of 28 days in accordance with s. 253 (1) of the Local Government Act 1993; and

2. receive a report at the May Council Meeting on the outcome of the exhibition period when considering adoption of the draft Councillor Expenses and Facilities Policy.
Alignment with Strategic Plan
GR1: Ensure open, accountable and inclusive decision-making processes in government and private sector entities at all levels where decisions have potential to impact local communities.

Financial and Resource Implications
Expenses defined are in accordance with:
i. Council's 2018/19 Budget;
ii. Local Government Remuneration Tribunal;
iii. Australian Taxation Office

Policy Implications
Amendments to Council's Councillor Expenses and Facilities Policy as a result of periodic review against the NSW Office of Local Government's recommended template policy.

Risk Considerations
Nil.

Statutory/Regulatory Implications
Draft Councillors Expenses and Facilities Policy complies with the requirements of the Local Government Act 1993.

Consultation conducted
Draft policy must be placed on public notice for 28 days in accordance with s. 253 (1) of the Local Government Act, 1993.

Attachments
Forbes Shire Council

Councillors Expenses and Facilities Policy

Policy Number: CS007
Date approved: 
Effective : 
Authority: General Manager
Contact Officer: Director Corporate Services
FORBES SHIRE COUNCIL
ORDINARY BUSINESS PAPER – 21 MARCH 2019

COUNCILLORS EXPENSES AND FACILITIES POLICY

1. PURPOSE

1.1 Section 252 of the Local Government Act 1993 (the Act) requires Council to adopt a policy concerning the payment of expenses incurred by, and the provision of facilities to, the Mayor and Councillors in relation to discharging the functions of civic office. In accordance with s. 252(3) of the Act, Council must not pay expenses or provide facilities to Councillors, including the Mayor, if they are not identified in this Policy. Additional costs incurred by a Councillor in excess of these limits are considered a personal expense and are the responsibility of the Councillor.

1.2 The purpose of this Policy is to:
- enable the reasonable and appropriate reimbursement of expenses incurred by Councillors while undertaking their civic duties;
- enable facilities of a reasonable and appropriate standard to be provided to Councillors to support them in undertaking their civic duties;
- ensure accountability and transparency in reimbursement of expenses and provision of facilities to Councillors;
- ensure facilities and expenses provided to Councillors meet community expectations;
- support a diversity of representation; and
- fulfil Council’s statutory responsibilities.

2. POLICY STATEMENT

2.1 Council commits to the following principles:
- Proper conduct: Councillors and staff acting lawfully and honestly, exercising care and diligence in carrying out their functions;
- Reasonable expenses: providing for Councillors to be reimbursed for expenses reasonably incurred as part of their role as Councillor;
- Participation and access: enabling people from diverse backgrounds, underrepresented groups, those in caring roles and those with special needs to serve as a Councillor;
- Equity: there must be equitable access to expenses and facilities for all Councillors;
- Appropriate use of resources: providing clear direction on the appropriate use of Council resources in accordance with legal requirements and community expectations, and
- Accountability and transparency: clearly stating and reporting on the expenses and facilities provided to Councillors.

3. PRIVATE OR POLITICAL BENEFIT

3.1 Councillors must not obtain private or political benefit from any expense or facility provided under this Policy and in accordance with Council’s Model Code of Conduct.

3.2 Private use of Council equipment and facilities by Councillors may occur from time to time. For example, telephoning home to advise that a Council meeting will run later than expected.

3.3 Such incidental private use does not require a compensatory payment back to Council.

3.4 Councillors should avoid obtaining any greater private benefit from Council than an incidental benefit. Where there are unavoidable circumstances and more substantial private use of Council facilities does occur, Councillors must reimburse Council.

3.5 Campaigns for re-election are considered to be a political benefit. The following are examples of what is considered to be a political interest during a re-election campaign:
- production of election material;
- use of Council resources and equipment for campaigning.
use of official Council letterhead, publications, websites or services for political benefit; and fundraising activities of political parties or individuals, including political fundraising events.

4. PAYMENT OF EXPENSES

4.1 General Expenses

4.1.1. All expenses provided under this Policy will be for a purpose specific to the functions of holding civic office. Allowances for general expenses are not permitted in accordance with cl. 403(b) of the Local Government (General) Regulation 2005.

4.1.2. Expenses not explicitly addressed in this Policy will not be paid or reimbursed.

4.2 Specific Expenses (v14 cl 2.1.2)

4.2.1 Monetary limits for all expenses

Please note all expenses and allowances provided under this Policy are summarised in Appendix 1.

i. Budget Allocation

Payment of Councillor Expenses is limited to the adopted annual budget allocation.

ii. Meals

The maximum claimable amount for each meal is in accordance with Australian Tax Office (ATO) taxation determination on reasonable travel and meal allowances and expenses.

iii. Incidental Expenses

The maximum claimable amount for incidental expenses is in accordance with ATO taxation determination on reasonable travel and meal allowances and expenses.

4.2.2 Expenses for Attending Meeting, Conference, Training & Education Forums, Seminars and Engagements within Australia

i. Councillors may attend conferences, seminars, congresses, forums, workshops, courses, meetings, deputations, information and training sessions, events etc related to Council business and where the Mayor and/or Councillor(s) have been appropriately authorised to attend as a participant delegate or observer.

ii. Council specifically encourages Councillor participation in the Local Government NSW supported accredited training program ‘Executive Certificate for Elected Members’ (ECEM) provided in partnership with University of Technology (Centre of Local Government) and TAFE NSW.

iii. Requests for attending conferences should generally be in writing outlining the benefits for Council. Approval for attending conference or discretionary trips should be approved by a full meeting of Council. If this is not possible or expedient, the Mayor and General Manager should jointly give approval. If the matter concerns the Mayor, approval should be given jointly by the General Manager and Deputy Mayor.

iv. After returning from the conference, Councillors or a member of Council staff accompanying the Councillor(s) should provide a written report to Council on the aspects of the conference relevant to council business and/or the local community. No written report is required for the Annual Conferences of Local Government NSW.

v. Council will pay all normal registration costs for delegates attending conferences, seminars or training sessions including the costs of related Council luncheons, dinners and tours which are relevant to the interests of Council or assist Councillors to discharge the functions of their civic office.
vi. Council will determine an annual budget allocation to fund attendance at conferences, seminars, workshops and similar functions. Council may agree to allocate additional funds in specific cases where it is decided that there is a benefit to Council from the attendance.

4.2.3 Overnight Accommodation

i. Council will pay actual reasonable costs of overnight accommodation for stays outside the Forbes LGA. Expenses are payable for the nights of the meeting, conference, seminar or engagement and the night before and after where necessary on the production of a receipt submitted to the General Manager.

ii. Any room charges such as mini bar charges and in house movies are to be settled directly by the Councillor and are not claimable by reimbursement.

iii. Where Councillors choose to stay additional nights these charges are to be settled by the Councillor at the time directly with the hotel.

4.2.4 Meals

i. Council will pay for all meals for Councillors attending meetings, conferences, seminars or engagements approved by Council, where any of those meals are not provided as part of the meeting, conference, seminar or engagement fee. Council will also pay the reasonable cost of drinks accompanying a meal on the production of a receipt submitted to the General Manager.

4.2.5 Out of pocket or incidental expenses

i. Incidental expenses could reasonably include telephone facsimile calls, refreshments, internet charges, laundry and dry cleaning, taxi fares and parking fees. In addition the costs of meals not included in the registration fees for conferences or similar functions may be reimbursed after reconciliation, except in the instance where allowances have been provided.

4.2.6 Local travel arrangements

Councillors are entitled to be reimbursed for travel from their home whilst undertaking civic duties.

i. Councillors who reside within the town limits can either:

   a. Catch a taxi and have the fare reimbursed by Council on receipt of a tax invoice;

   b. Use their own private vehicle and claim the rate per kilometre as set out in the Australian Tax Office (ATO) taxation determination for work related car expenses. Rates are set out in Appendix 1.

   c. Have a Council vehicle pick them up, only if a Council vehicle is available and prior arrangement has been made with a senior member of staff.

ii. Councillors who reside outside the town limits and/or LGA can:

   a. Use their own private vehicles and claim the rate per kilometre as set out in the Australian Tax Office (ATO) taxation determination for work related car expenses. Rates are set out in Appendix 1.

iii. Council cannot insure vehicles owned, or leased, by Councillors. Therefore, Councillors using their private vehicles for Council related travel must supply Council on an annual basis with a copy of their comprehensive motor vehicle insurance. If a Councillor does not have comprehensive motor vehicle insurance an undertaking, in writing, must be given to the General Manager indemnifying Council against any loss or damage or claims arising out of the use of their private vehicle on Council business.
iv. Council vehicles may be utilised by Councillors for journeys in the region to assist them carry out their functions as Councillors and every effort will be made to ensure a vehicle is provided.

v. Council vehicles may only be used where the purpose of the transport is directly related to the functions of Council. Use of a Councillor’s private vehicle where a Council vehicle is not available or a Councillor chooses not to use a Council vehicle, must be approved by the Mayor and General Manager.

4.2.7 Travel outside the LGA including interstate travel [GW15]

i. Council will pay reasonable expenses of the Councillor actually incurred or to be incurred for domestic travel related to the functions of Council. This includes Councillors attending to private study and/or work commitments outside the Forbes LGA who may be required to travel to attend to Council business and who may use their own private vehicle. In this instance Councillors may claim the rate per kilometre as set out in the ATO taxation determination for work related car expenses from the Forbes LGA boundary.

ii. Councillors may choose the mode of transport which is most appropriate to the circumstances, subject to overall economy and convenience. Every effort will be made to provide a Council vehicle where travel by car is the appropriate mode. Carpooling is also encouraged.

iii. Airline tickets are not transferable and cannot be used for defraying or offsetting any other costs including the costs of other persons accompanying the Councillor.

iv. Subject to this Policy, the Mayor or General Manager has delegated authority to approve the travel of all Councillors, including the Mayor, as well as associated costs and expenses, for travel related to the functions of Council.

v. Use of Private Car: Use of a private vehicle should only be considered where a Council vehicle is unable to be provided. In the instance where a Councillor chooses to use his/her car to attend an approved meeting, conference, seminar or engagement and an overnight stay including car parking, tolls and associated expenses, as opposed to same day return flights approval must be sought from the Mayor and General Manager, and where given, the reimbursable amount of the total claim is to be capped at $300.

4.2.8 Air Travel [GW17]

i. Unless otherwise specified in a resolution of Council authorising the travel, the class of air travel to be used by a Councillor is to be for continuous journeys of less than or equal to two hours duration, economy class.

ii. Transfers: Taxi, coaches and other transfer transport expenses, including at the destination point, may be reimbursed where the travel has been approved by Council on the production of a receipt submitted to the General Manager. Cab charge vouchers will also be made available.

4.2.9 Telecommunications [GW18]

i. Council will pay telephone calls from a Councillor to his/her family or place of work in Forbes, and to Council during the period of an approved meeting, conference, seminar or engagement outside Forbes, subject to any limits set by Resolution of Council.

ii. Council will pay all Councillors, excluding the Mayor a monthly phone allowance of $30 (Resolution: 634/2013).

4.2.10 Carer and other related expenses [GW19]

i. Council has determined that the provision of carer’s leave is not required within this policy, because carer arrangements are not in place for any current Councillor.
FORBES SHIRE COUNCIL
ORDINARY BUSINESS PAPER – 21 MARCH 2019

4.2.11 Spouse and partner expenses [GW20]

i. Councillor’s partners may attend with Councillors, conferences, courses or the like subject to any additional travel, accommodation and sustenance costs and the like being met by the Councillor concerned for his/her partner, with the exception of the Local Government NSW Conference dinner.

4.3 Miscellaneous Expenses [GW21]

Miscellaneous expenses not identified in this Policy and not approved beforehand by a Resolution of Council approving a Councillor’s attendance at a meeting, conference, seminar or engagement may be approved for payment by Council subject to the approval arrangements set out in this Policy.

5. GENERAL FACILITIES [GW22]

5.1 Facilities [GW23]

5.1.1 Council will provide the following facilities to Councillors [GW24] to assist them to effectively discharge their civic duties:

i. Access to a telephone, photocopier, printer, pigeon holes and appropriate refreshments;

ii. Electronic equipment of an appropriate capacity, such as an iPad, will be issued to Councillors [GW25];

iii. Personal protective equipment for use during site visits; and

iv. Corporate clothing, which satisfies the ATO Corporate Uniform Guideline, is set at a maximum level of $400 for the elected term of 4 years. [GW26]

5.1.2 Councillors may book meeting rooms for official business in any of Council’s buildings [GW27]

5.1.3 The provision of facilities will be of a standard deemed by the General Manager as appropriate for the purpose [GW28]

5.1.4 Catering [GW29]

i. A meal and drinks will be provided prior to or after Council meetings, Councilor briefings, approved meetings, conferences, seminars and engagements and official Council functions as approved by the Mayor.

ii. Councillors will be reimbursed reasonable out-of-pocket expenses incurred while entertaining visiting dignitaries on behalf of Council on the production of a receipt submitted to the General Manager. The Mayor must give prior approval to any such entertainment.

5.2 Name Badges, Stationery and Business Cards [GW30]

5.2.1 Each Councillor is entitled to one standard name badge and appropriate access to other stationery consumables to enable effective discharge of their elected responsibility [GW31]

5.2.2 Council will provide the following stationery to Councillors each year [GW32]

i. Letterheads, to be used only for correspondence associated with civic duties;

ii. Business cards.

5.3 Administrative Support [GW33]

5.3.1 Council will provide administrative support to Councillors to assist them with their civic duties only. Administrative support may be provided by a member of Council’s administrative staff as arranged by the General Manager in accordance with Council’s Councillors Access to Information and Interaction with Staff Policy.

5.3.2 Council staff, as authorised by the General Manager, will assist Councillors with civic duties only, and not assist with matters of personal or political interest, including campaigning.

Forbes Shire Council | Councillor Expenses and Facilities Policy
Version 15 – February 2019 - (Doc ID: 482000) DRAFT

6 of 12
5.4 Return or Retention of Facilities (v14 cl 3.1)\[GW34\]

5.4.1 All unexpended facilities or equipment supplied under this Policy are to be relinquished immediately upon a Councillor or Mayor ceasing to hold office or at the cessation of their civic duties.

5.4.2 Should a Councillor desire to keep any equipment allocated by Council, then this Policy enables the Councillor to make application to the General Manager to purchase any such equipment. Should Council not require the equipment for operational use then the General Manager can determine an agreed fair market price or written down value for the item of equipment\[GW35\]

5.4.3 The prices for all equipment purchased by Councillors under cl. 7.4.2 will be recorded in Council’s annual report \[GW36\]

6. PROVISION OF ADDITIONAL MAYOR ENTITLEMENTS (v14 c 2.3)\[GW37\]

The Mayor may be provided with other necessary assistance to enable the Mayor to carry out the duties of civic office. Such assistance may include but is not limited to the following:

6.1 A Council vehicle, including a fuel card\[GW31\], designated to the Mayor to assist him/her to carry out the duties of civic office. The vehicle is to be available to Councillors when not utilised by the Mayor. The Mayor, or Councillor utilising the vehicle, must keep a log booking setting out the date, distance and purpose of all travel, including private\[GW33\]. From time to time the Mayor may use the Council vehicle for private use, as compensation a $50 deduction will be taken from the Mayor’s monthly allowance.

6.2 The Mayor is entitled to a mobile phone.

6.3 From time to time, the Mayor incurs expenses in carrying out the role such as, attendance at functions, entertainment, outside the Town Hall building. For convenience a corporate credit card is made available for the Mayor’s use while discharging the functions.

6.4 A laptop, printer and fax.

6.5 Council will pay the annual membership fee for the REX Lounge Program.

6.6 Council will pay all reasonable costs of the Mayor’s partner where they attend civic engagements/functions with the Mayor. Where the Mayor arranges for alternative Councillor representation in his/her capacity this benefit will be extended to the Councillors partner.

Where the Mayor chooses not to take up any of these additional entitlements the Deputy Mayor is free to utilise them.

7. LEGAL ASSISTANCE \[GW40\]

7.1 Council may, if requested, indemnify or reimburse the reasonable legal expenses of:

i. a Councillor defending an action arising from the performance in good faith of a function under the Local Government Act provided that the outcome of the legal proceedings is favourable to the Councillor;

ii. a Councillor defending an action in defamation, provided the statements complained of were made in good faith in the course of exercising a function under the Act and the outcome of the legal proceedings is favourable to the Councillor;

iii. a Councillor for proceedings before an appropriate investigative or review body, provided the subject of the proceedings arises from the performance in good faith of a function under the Act and the matter has proceeded past any initial assessment phase to a formal investigation or review and the investigative or review body makes a finding substantially favourable to the Councillor.
7.2 In the case of a Code of Conduct complaint made against a Councillor, legal costs will only be made available where the matter has been referred by the General Manager to a conduct reviewer and the conduct reviewer has commenced a formal investigation of the matter and makes a finding substantially favourable to the councillor.

7.3 Legal expenses incurred in relation to proceedings arising out of the performance by a Councillor of his/her functions under the Act are distinguished from expenses incurred in relation to proceedings arising merely from something that a Councillor has done during his or her term in office. For example, expenses arising from an investigation as to whether a Councillor acted corruptly would not be covered by this section.

7.4 Council will not meet the legal costs:
   i. of legal proceedings initiated by a Councillor under any circumstances;
   ii. of a Councillor seeking advice in respect of possible defamation, or in seeking a non-litigious remedy for possible defamation;
   iii. for legal proceedings that do not involve a councillor performing their role as a Councillor.

7.5 Reimbursement of expenses for reasonable legal expenses must have Council approval by way of a resolution at a Council meeting prior to costs being incurred.

8. **INSURANCE**

8.1 In accordance with s. 352 of the Act, Council is insured against public liability and professional indemnity claims. In addition, Councillors and officers liability, personal accident, international and domestic travel and motor vehicle insurances are also held.

8.2 Insurance protection is only provided if a claim arises out of or in connection with the Councillor’s performance of his/her civic duties, or exercise of his/her functions as a Councillor. All insurances are subject to any limitations or conditions set out in the policies of insurance.

8.3 Council shall pay the insurance policy excess in respect of any claim accepted by Council’s insurers, whether defended or not.

8.4 Appropriate travel insurances will be provided for any Councillors travelling on approved interstate and overseas travel on Council business.

9. **APPROVAL, PAYMENT AND REIMBURSEMENT ARRANGEMENTS**

9.1 **Approval and Dispute Resolution Processes**

Except where an approval process is otherwise specified in this Policy, all other claims will be determined by the General Manager and the Mayor. If the matter concerns the Mayor, approval should be given jointly by the General Manager and Deputy Mayor.

Should a dispute arise about the provision of expenses and facilities, or when an expense claim is not approved by the Mayor or General Manager, then the disputed decision should be reviewed by Council’s Audit, Risk and Improvement Committee.

9.2 **Reimbursement and Reconciliation of Expenses Processes**

Reimbursement of costs and expenses to Councillors should only be made upon the production of appropriate receipts and tax invoices. Expenses and costs incurred must be in accordance with the requirements of this Policy.

All claims for reimbursement of expenses must be made within four (4) weeks of incurrence of the actual cost.
9.3 Payment in Advance

Payments in advance are available upon application to the General Manager and should detail appropriate expenditure anticipated.

In the event of approval being given, a full reconciliation of the funds expended is to be submitted to the General Manager following the conclusion of the course/conference or the like.

10. REPORTING

10.1 Council will report on the provision of expenses and facilities to Councillors as required in accordance with s. 428 of the Act and cl. 217 of the Regulations.

10.2 Detailed reports on the provision of expenses and facilities to Councillors will be publicly tabled at Council meeting every six (6) months and published in full on Council’s website. These reports will include expenditure summarised by individual Councillor and as a total for all Councillors.

11. AUDITING

11.1 The operation of this Policy, including claims made under the Policy, will be included in Council’s audit program and an audit undertaken at least every two (2) years.

12. BREACHES

12.1 Suspected breaches of this Policy are to be reported to the General Manager.

12.2 Alleged breaches of this Policy shall be dealt with by following the processes outlined for breaches of Council’s Model Code of Conduct.
# FORBES SHIRE COUNCIL
## COUNCILLORS EXPENSES AND FACILITIES POLICY

### 13. RELATED INFORMATION

<table>
<thead>
<tr>
<th>Document Title</th>
<th>Reason</th>
</tr>
</thead>
<tbody>
<tr>
<td>Code of Conduct</td>
<td>NSW Office of Local Government’s Guidelines for the payment of expenses and the provision of facilities for Mayors and Councillors in NSW</td>
</tr>
<tr>
<td>Vehicle Policy</td>
<td>Councillors Access to Information and Interaction with Staff Policy</td>
</tr>
</tbody>
</table>

### 14. REVISION HISTORY

#### 14.1 Revision History

<table>
<thead>
<tr>
<th>Version</th>
<th>Date</th>
<th>Amended</th>
<th>Authorised by</th>
<th>Approved by</th>
<th>Revision Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>V1</td>
<td>21/04/2005</td>
<td>Acting General Manager</td>
<td>Acting General Manager</td>
<td>Council</td>
<td>21/04/2005</td>
</tr>
<tr>
<td>V2</td>
<td>05/12/2006</td>
<td>Acting General Manager</td>
<td>Acting General Manager</td>
<td>Council</td>
<td>13/12/2006</td>
</tr>
<tr>
<td>V3</td>
<td>26/07/2006</td>
<td>Director Corporate Services</td>
<td>Director Corporate Services</td>
<td>Council</td>
<td>19/06/2008</td>
</tr>
<tr>
<td>V4</td>
<td>15/10/2009</td>
<td>Director Corporate Services</td>
<td>Director Corporate Services</td>
<td>Council</td>
<td>15/10/2009</td>
</tr>
<tr>
<td>V5</td>
<td>16/12/2010</td>
<td>Director Corporate Services</td>
<td>Director Corporate Services</td>
<td>Council</td>
<td>16/12/2010</td>
</tr>
<tr>
<td>V6</td>
<td>19/05/2011</td>
<td>Director Corporate Services</td>
<td>Director Corporate Services</td>
<td>Council</td>
<td>19/05/2011</td>
</tr>
<tr>
<td>V7</td>
<td>05/09/2011</td>
<td>Acting Director Corporate Services</td>
<td>Acting Director Corporate Services</td>
<td>Council</td>
<td>15/09/2012</td>
</tr>
<tr>
<td>V8</td>
<td>18/10/2012</td>
<td>Director Corporate Services</td>
<td>Director Corporate Services</td>
<td>Council</td>
<td>18/10/2013</td>
</tr>
<tr>
<td>V9</td>
<td>21/11/2013</td>
<td>Director Corporate Services</td>
<td>Director Corporate Services</td>
<td>Council</td>
<td>21/11/2014</td>
</tr>
<tr>
<td>V10</td>
<td>20/11/2014</td>
<td>Acting Director Corporate Services</td>
<td>Director Corporate Services</td>
<td>Council</td>
<td>21/11/2015</td>
</tr>
<tr>
<td>V11</td>
<td>19/03/2015</td>
<td>Director Corporate Services</td>
<td>Director Corporate Services</td>
<td>Council</td>
<td>19/02/2016</td>
</tr>
<tr>
<td>V12</td>
<td>19/11/2015</td>
<td>Director Corporate Services</td>
<td>Director Corporate Services</td>
<td>Council</td>
<td>19/11/2016</td>
</tr>
<tr>
<td>V13</td>
<td>21/04/2016</td>
<td>Director Corporate Services</td>
<td>Director Corporate Services</td>
<td>Council</td>
<td>18/02/2017</td>
</tr>
<tr>
<td>V14</td>
<td>29/09/2016</td>
<td>Director Corporate Services</td>
<td>Director Corporate Services</td>
<td>Council</td>
<td>29/09/2017</td>
</tr>
<tr>
<td>V15</td>
<td>21/02/2019</td>
<td>Manager Corporate Business</td>
<td>Director Corporate Services</td>
<td>Council</td>
<td>20/06/2019</td>
</tr>
</tbody>
</table>
### 14.2 Change History

<table>
<thead>
<tr>
<th>Version</th>
<th>Change Details</th>
</tr>
</thead>
<tbody>
<tr>
<td>V1</td>
<td>Initial Policy</td>
</tr>
<tr>
<td>V2</td>
<td>Annual Review of Policy</td>
</tr>
<tr>
<td>V3</td>
<td>Amendment as per Dept Local Government Circular No: 06/57 Amendment as per the Director Corporate Services Report to Council dated 15/10/06</td>
</tr>
<tr>
<td>V4</td>
<td>Amendment as per the Director Corporate Services Report to Council dated 15/10/06 (Circular No: 09/36)</td>
</tr>
<tr>
<td>V5</td>
<td>Review of Policy in accordance with revised Division of Local Government guidelines (Circular No: 09/36)</td>
</tr>
<tr>
<td>V6</td>
<td>Amendment to include Private Use of Mayoral vehicle</td>
</tr>
<tr>
<td>V7</td>
<td>Updated Appendix 1 – (Min No: 422/2011)</td>
</tr>
<tr>
<td>V8</td>
<td>Review of policy in accordance with Division of Local Government Circular No: 11/27 (Findings from review of Councillors Expenses &amp; Facilities Policies); amendments made to clauses 2.2.11(i); 2.16(2.2.1, 2.2.5, 2.2.10); new clauses added being 1.8 &amp; 2.2.13; updated Appendix 1.</td>
</tr>
<tr>
<td>V9</td>
<td>Addition of clause 2.2.11(i)</td>
</tr>
<tr>
<td>V10</td>
<td>Annual Review – no changes (Minute No: 974/2014)</td>
</tr>
<tr>
<td>V11</td>
<td>Amendment of Clause 2.2.6 Travel outside the LGA (Minute No: 309/2015)</td>
</tr>
<tr>
<td>V12</td>
<td>Amendment to Appendix 1 and 2 (Minute No: 975/2015)</td>
</tr>
<tr>
<td>V13</td>
<td>Amendment to Clause 2.2.5 Local Travel Arrangements and Clause 2.2.6 Travel outside the LGA including interstate travel (Minutes No: 272/2016)</td>
</tr>
<tr>
<td>V14</td>
<td>Amendment to Clause 2.2.5 Local Travel Arrangements and Clause 2.2.6 Travel outside the LGA including interstate travel (Minutes No: 272/2016)</td>
</tr>
<tr>
<td>V15</td>
<td>Amendment to format in line with Policy Development and Review Policy and the NSW Office of Local Government Councillor Expenses and Facilities Policy (Suggested Template). Addition of Clause 5 Facilities and amendment to Clause 7 Legal Assistance (formerly 2.2.0).</td>
</tr>
</tbody>
</table>
## Summary of Expenses

<table>
<thead>
<tr>
<th>Expense or facility</th>
<th>Maximum amount (ext GST)</th>
<th>Frequency</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>2018/19 Budget Allocation (cl 4.2.1(i))</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Delegates Expenses</td>
<td>$10,000</td>
<td>Per annum</td>
</tr>
<tr>
<td>Member Training Costs</td>
<td>$10,000</td>
<td>Per annum</td>
</tr>
<tr>
<td>Councillor – Members Travel &amp; Sustenance</td>
<td>$35,000</td>
<td>Per annum</td>
</tr>
<tr>
<td>Mayor – Civic Functions</td>
<td>$3,000</td>
<td>Per annum</td>
</tr>
<tr>
<td>Mayor – Councillor Operational Expenses</td>
<td>$7,000</td>
<td>Per annum</td>
</tr>
</tbody>
</table>

**Australian Taxation Office**

**Taxation Determination – 2018/11 (Sydney)**

<table>
<thead>
<tr>
<th>Meals:</th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Breakfast</td>
<td>$27.55</td>
<td>Per meal</td>
</tr>
<tr>
<td>Lunch</td>
<td>$31.00</td>
<td></td>
</tr>
<tr>
<td>Dinner (cl 4.2.1(iii))</td>
<td>$52.80</td>
<td></td>
</tr>
</tbody>
</table>

| Accommodation                                           | $285                     | Per night   |
| (cl 4.2.1(iii))                                         | *excluding peak times*   |            |

| Incidents (relevant to travel)                          | $19.70                   | Per day     |
| (cl 4.2.1(iii))                                         |                          |            |

**D1 Work Related Car Expenses 2018-19**

| Private Vehicle Use (cl 4.2.6(i)(b))                    | $0.65                    | Per kilometre |

**Corporate Uniform Guideline**

| Corporate Clothing                                      | $400.00                  | Per elected term |
| (cl. 5.1.1(iv))                                         |                          |                |

**Additional**

| Private Vehicle Use – Costs Associated (cl 4.2.7(v.))   | $300.00                  | Per instance   |
| Phone allowance (Excluding the Mayor) (cl 4.2.9(ii))     | $30.00                   | Per month      |
**3.7 COUNCILLORS ACCESS TO INFORMATION AND INTERACTION WITH STAFF POLICY**

**Report Author:** Senior Governance Officer  
**Responsible Officer:** Director Corporate Services

---

**Executive Summary**

Further to the Leadership and Governance Committee minutes reported at item 6 in this paper this report provides a brief on the amended *Councillors Access to Information & Interaction with Staff Policy* and seeks Council's approval for adoption following a review of the amended Policy.

---

**Detailed Report**

Council’s *Councillors Access to Information & Interaction with Staff Policy* was last reviewed by Council in 2011. Council received an amended version of the policy at its July 2018 meeting where it was advised that the policy has been re-written to streamline content but its essence was the same as the 2011 version and based in large part on Council’s *Code of Conduct - Model*.

Duplication of sections from the Local Government Act 1993 and Council’s *Code of Conduct - Model* and *Code of Meeting Practices & Procedures* have also been removed. Council resolved (321/2018) to refer the amended *Councillors Access to Information & Interaction with Staff Policy* (Version 4) to the next Leadership and Governance Committee.

Council’s Leadership and Governance Committee reviewed the amended policy at its February 2019 meeting and requested:

i. Addition to cl 3.2.6 to include no communication between councillors and developers following lodgement of a Development Application; and

ii. Reinstatement of cl. 4 – Definitions from Version 3.

The amended version (Version 4) of the policy attached includes the Committee’s amendments.

---

**RECOMMENDATION**

That Council adopt the amended draft *Councillors Access to Information and Interaction with Staff Policy* for integration into operational and strategic control.

---

**Alignment with Strategic Plan**

LG2.1: Provide leadership through ethical, accountable and legislative decision making. Ensure Council’s policies and procedures meet the current statutory and regulatory environments.

---

**Financial and Resource Implications**

Nil.

---

**Policy Implications**

Policy amended following review by Council’s Leadership and Governance Committee.

---

**Risk Considerations**

Nil.

---

**Statutory/Regulatory Implications**

Nil.
Consultation conducted
Consultation held with Council’s Executive Team and Leadership and Governance Committee (refer to Leadership and Governance Committee Minutes from Friday 22 February 2019.

Attachments
Draft Councillors Access to Information and Interaction with Staff Policy (Vr) 482003 – refer Appendix 1
Forbes Shire Council

Councillors Access to Information & Interaction with Staff Policy

Policy Number:  CS021
Minute Number:  340/2011
Date approved:  21 April 2044
Effective:  21 April 2011
Authority:  Corporate Services
Contact Officer:  General Manager
1. PURPOSE

Councillors must have access to information and staff in order to ensure the smooth functioning of Council. This policy establishes the protocols to be followed so that access to information and staff is facilitated through appropriate internal channels or legally available channels. In particular, the purpose of this policy is to:

i. ensure Councillors have access to all documents necessary for them to exercise their statutory role as members of the governing body of Council;

ii. ensure that Councillors receive advice to help them in the performance of their civic duty in an orderly and regulated manner;

iii. facilitate the appropriate level of access to staff;

iv. provide direction on Councillors’ rights of access to Council buildings; and

v. provide a framework for the reporting of breaches of this Policy.

This Policy is not intended to limit Councillors’ legal right to access staff and information.

2. SCOPE

This Policy applies to all Councillors, Committee Members and Staff of Forbes Shire Council.

Council’s Code of Conduct Model and complement Code of Meeting Principles and Practices override this policy.

3. POLICY STATEMENT

3.1 Access to Council Records and Information

3.1.1 Councillors are entitled to access all Council files, records or other information where that information is identified in Schedule 1 of the Government Information (Public Access) Regulation 2009 (GIPA) or which relate to a matter currently before Council.

3.1.2 Councillor requests for access to Council information relating to their civic duties must be sent to the General Manager, Departmental Director or staff nominated by the General Manager.

3.1.3 All requests for information and approaches to staff on matters not generally available to the public and which are outside the forum of Council and Committee meetings, must be directed to the General Manager, Departmental Director or staff nominated by the General Manager.

3.1.4 A Departmental Director or staff nominated has the discretion to refer any request for information to the General Manager, indicating to the Councillor their reasons for the referral.

3.1.5 Councillors requiring a detailed report on a matter must submit a Notice of Motion to Council, in accordance with Council’s Code of Meeting Principles and Practices.
3.1.6 The General Manager may allow or refuse to allow a Councillor to inspect any record that a Councillor requests to see.

3.1.7 Any recommendation by a Departmental Director to deny a Councillor access to a record must be referred to the General Manager.

3.1.8 The General Manager shall not unreasonably decide that a record is not relevant to the performance of the Councillor’s civic duty and deny access to a Council document. The General Manager must state the reasons for the decision if access is refused.

3.1.9 If a Councillor is concerned about any refusal to provide information, the matter should be raised with the General Manager. If the Councillor is still dissatisfied they should request the information by way of a Question on Notice to the Council.

3.1.10 Access to records and information will not be refused to a particular Councillor when it has been made available to other Councillors.

3.1.11 Councillors who have a personal (as distinct from civic) interest in a record of Council have the same rights as any other person. No provision in this Policy will afford any Councillor preferential treatment in the provision of any Council service when the Councillor is acting outside his/her civic role and in their capacity as a private individual.

3.1.12 A Councillor is not entitled to take copies of any record without the approval of the General Manager. An approval given must be noted against the record, if applicable.

3.1.13 Councillors must not release personal information about a third party.

3.2 Interaction between Councillors and Staff

3.2.1 With the exception of those staff nominated by the General Manager to provide advice or information to Councillors, Councillors shall not approach other staff directly for advice. Any advice provided to Councillors must be recorded in Council’s document management system.

3.2.2 With the exception of staff nominated, staff members must not approach Councillors directly on other than routine administrative matters. Any other contact with Councillors must be arranged through their Departmental Director or the General Manager.

3.2.3 Councillors must not in any public or private forum, direct or influence or attempt to direct or influence, any other member of the staff of Council or a delegate of Council in the exercise of the functions of the member or delegate.

3.2.4 Councillors who have lodged a Development Application must not discuss their application with staff unless the Director or General Manager is present. All enquiries must be directed through the General Manager or Director. Discussions must be documented and must not be held in staff only areas of Council.

3.2.5 Any Development Application in which a Councillor has an interest will be sent to an external consultant for assessment. This will enable transparency and probity to be achieved.

3.2.6 Where a Councillor engages in any discussion between a third party (for example a developer) and staff regarding a Development Application, a Departmental Director or the General Manager must also be present. Councillors should give regard to Independent
Commission Against Corruption’s *Lobbying Local Government Councillors Guide*. Furthermore, Councillors are to have no communication with developers following the lodgement of a Development Application.

3.2.7 Councillors and staff members must not discuss individual staff matters, staff policy or industrial issues.

3.2.8 Councillors must not attempt to direct or pressure Council staff as to the performance of their work, or recommendations they should make.

3.2.9 All elected Councillors have the right to converse with, but not instruct nor direct staff, and to report issues or to seek information on matters pertaining to the Shire.

3.2.10 Councillors must not request staff to undertake work of a personal nature for them or any other person.

3.2.11 Councillors must not make personal attacks on Council staff in a public forum.

3.2.12 Staff must not provide advice to Councillors without recording or documenting the interaction as they would if the advice was provided to a member of the public.

3.2.13 Staff must not discuss any work related matter directly to a Councillor outside a Council or official meeting which has not been formally authorised by the General Manager.

3.2.14 Staff must not make specific reference to a specific Councillor(s) while in discussions with members of the public. Staff must not discuss any matter concerning the deliberations of Councillors or refer members of the public to contact a Councillor. Reference to Council decisions are to be communicated as a resolution(s) made by the elected body as a whole.

3.2.15 A Councillor will respect the role of the General Manager under s. 335(1) of the *Local Government Act 1993* (the Act), and recognise and respect the General Manager’s obligation to act in Council’s interests in refusing a Councillor’s request for access to information which is not publicly available on the grounds that a substantial and unreasonable diversion of resources would be involved.

3.3 Councillor Access to Council Offices

3.3.1 As elected members of Council, Councillors are entitled to have access to the Council Chamber, Supper Room, meeting rooms, Mayor’s office, General Manager’s office (by appointment), Committee Room and public areas of Council’s buildings.

3.3.2 Councillors who are not in pursuit of their civic duties have the same rights of access to Council buildings and premises as any other member of the public.

3.3.3 Councillors must not enter staff-only areas unless with the permission of the General Manager or Divisional Director.

3.4 Responsibility/Accountability

3.4.1 Councillors and staff are responsible for ensuring that any breaches of this Policy are reported to the General Manager.

3.4.2 Non-compliance with this Policy may be considered a breach of the Code of Conduct and will be dealt with in accordance with the Procedures for the Administration of the Code of Conduct or employee disciplinary policies.
3.4.3 Councillors should seek to avoid any potential conflict or pecuniary interest or perceptions of wrongdoing when exercising their rights as an elected person, particularly the appearance of trying to improperly influence staff.

4. DEFINITIONS

Councillor refer to all elected representatives of Forbes Shire Council as defined by the Local Government Act 1993. Councillors as a group direct and control Council’s affairs, allocate resources, determine policy and monitor Council’s performance. As individuals, Councillors communicate Council policy and decisions to the community, exercise community leadership and represent the views of residents and ratepayers to Council.

Governing Body The elected representatives, called “Councillors,” comprise the governing body of the Council as defined under s. 222 of the Act.

Role of the Governing Body The role of the governing body is to direct and control the affairs of the Council in accordance with s. 223 of the Act.

Role of the Mayor The role of the Mayor as stipulated in s. 226 of the Act is:

- To exercise in cases of necessity, the policy-making functions of the governing body of the Council between meetings of the Council (for example, urgent demolition orders, authority to financially assist the community by the allocation of resources during natural disasters, commencement of urgent legal action);
- To exercise such other functions of the Council as the Council determines (for example, determining the appropriateness of holding a special event such as a fun run, approval of the General Manager’s annual leave);
- To preside at meetings of the Council; and
- To carry out the civic and ceremonial functions of the Mayoral Office.

Role of Councillor The role of a Councillor under s. 232(1) if the Act is, as a member of the governing body of the Council:

- To direct and control the affairs of the Council in accordance with this Act (for example, input into preparation of Council’s Management Plan, Financial Plan and organisational structure);
- To participate in the optimum allocation of the Council’s resources for the benefit of the area (for example, providing input into deciding priorities for construction and maintenance work);
- To play a key role in the creation and review of Council’s policies and objectives and criteria relating to the exercise of the Council’s regulatory functions; and
- To review the performance of the Council and its delivery of...
Role of General Manager

As defined by s. 335(1) the General Manager is generally responsible for the efficient and effective operation of the Council’s organisation and for ensuring the implementation, without undue delay, of decisions of the Council.

Functions of the General Manager

Under s. 335(2) The General Manager has the following particular functions:

- To manage the Council on a day-to-day basis;
- To exercise such of the functions of the Council as are delegated by the Council to the General Manager;
- To appoint staff in accordance with an organisational structure and resources approved by the Council;
- To direct and dismiss staff; and
- To implement the Council’s Equal Employment Opportunity Management Plan laws.

Records

shall have the same meaning as ‘Documents’ as defined in the State Records Act 1998 as “any document or other source of information compiled, recorded or stored in written form or on film, or by electronic process, or in any other manner or by any other means”.

Statutory Provisions

relating to Access to Council information are contained in the:

- Local Government Act 1993;
- Government Information (Public Access) Act 2000;
- Privacy and Personal Information Protection Act 1998; and

5. VARIATION

Council reserves the right to vary the terms and conditions of this policy, subject to a report to Council.
Executive Summary

The purpose of this report is to provide a brief on the amended Code of Meeting Practice (the Code) and recommends that Council adopt the Code into its policy framework. Council and cl. 260 Committees of Council must conduct meetings in accordance with the Code.

Detailed Report

NSW Office of Local Government (OLG) prescribed the revised Model Code of Meeting Practice for Local Councils in NSW (Model Code) on Friday 14 December 2018, following the Phase 1 amendments of the Local Government Act 1993 (the Act) and the Local Government (General) Regulation 2005 (the Regulation).

In accordance with s. 360 of the Act, councils must adopt a code of meeting practice that incorporates the mandatory provisions of the model code prescribed by the regulations. The adopted code may also incorporate the non-mandatory provisions and other provisions. When adopting the Code of Meeting Practice Council must ensure its Code is consistent with the mandatory provisions.

The new Model Code of Meeting Practice is not dissimilar to the existing code; the major addition is the introduction of the requirement to webcast (in either visual or audio format) all Council and cl. 260 Committees of Council meetings.

The OLG has also provided a series of non-mandatory provisions for the Model Code. Council recommends incorporating all of these provisions into its Model Code of Meeting Practice.

As the Code includes an extensive section on Public Forum, which is more comprehensive but not inconsistent with Council’s Public Forum Policy, it is recommended that Council include the non-mandatory Section 4 Public Forum within its Code and revoke the current Public Forum Policy when the Code is adopted.

A copy of the draft Code is attached to this report, along with the OLG’s Circular No 18-45 ‘Commencement of the new Model Code of Meeting Practice for Local Councils’ dated Tuesday 18 December 2018. Items highlighted in yellow are items that either differ from the Model Code of Meeting Practice or where Council has been required to choose between various options available to it in the Model Code of Meeting Practice.

RECOMMENDATION

That Council:

1. place the draft Code of Meeting Practice on public exhibition for 42 days in accordance with s.361 of Local Government Act 1993; and

2. receive a report at the May Council meeting on the outcome of the exhibition period when considering adoption of the draft Code of Meeting Practice
### Alignment with Strategic Plan

GR1: Ensure open, accountable and inclusive decision making processes in government and private sector entities at all levels where decisions have potential to impact local communities.

### Financial and Resource Implications
Nil.

### Policy Implications
Nil.

### Risk Considerations
Nil.

### Statutory/Regulatory Implications
Adoption and amendment of the Model Code of Meeting Practice as prescribed 14 December 2018 in accordance with s. 360 of the Local Government Act, 1993.

### Consultation conducted
Consultation draft Model Code of Meeting Practice provided to Councillor and Executive Team 2 December 2016 – no submission made.

### Attachments
1. NSW Office of Local Government – Circular No: 18-45 ‘Commencement of the new Model Code of Meeting Practice for Local Councils’ (18 December 2018) – refer Appendix 1
2. Code of Meeting Practice Version 6 (Draft) #568277 – refer Appendix 2
Circular Details | Circular No 18-45 / 18 December 2018 / A621294
--- | ---
Previous Circular | 18-35 The new Model Code of Meeting Practice for Local Councils
Who should read this | Mayors / Councillors / General Managers / Joint Organisation Executive Officers / Council governance staff
Contact | Council Governance Team – (02) 4428 4100 / olg@olg.nsw.gov.au
Action required | Council to implement

Commencement of the new Model Code of Meeting Practice for Local Councils in NSW

What’s new or changing
- Amendments made to the Local Government Act 1993 (LGA) in August 2016 by the Local Government Amendment (Governance and Planning) Act 2016 (the Phase 1 amendments) provide for a model code of meeting practice (Model Meeting Code) to be prescribed by the Regulation.
- Following an extensive consultation process, a Model Meeting Code has been prescribed under the Local Government (General) Regulation 2005 (the Regulation) and the existing meetings provisions of the Regulation have been repealed. The new Model Meeting Code is available on OLG’s website.
- The Model Meeting Code has two elements:
  - It contains mandatory provisions (indicated in black font) that reflect the existing meetings provisions of the Act and update and enhance the meetings provisions previously prescribed under the Regulation to reflect contemporary meetings practice by councils.
  - It contains non-mandatory provisions (indicated in red font) that cover areas of meetings practice that are common to most councils but where there may be a need for some variation in practice between councils based on local circumstances. The non-mandatory provisions also operate to set a benchmark based on what OLG sees as being best practice for the relevant area of practice.
- The Model Meeting Code also applies to meetings of the boards of joint organisations and county councils. The provisions that are specific to meetings of boards of joint organisations are indicated in blue font. References to councils below also include references to joint organisations and county council unless otherwise specified.

What this will mean for your council
- Councils are required to adopt a code of meeting practice that incorporates the mandatory provisions of the Model Meeting Code prescribed by the Regulation. A council’s adopted meeting code must not contain provisions that are inconsistent with the mandatory provisions.
- A council’s adopted meeting code may also incorporate the non-mandatory provisions of the Model Meeting Code and any other supplementary provisions adopted by the council.
- Councils and committees of councils of which all the members are councillors must conduct their meetings in accordance with the code of meeting practice adopted by the council.
Key points

- Under the transitional provisions of the LGA, councils must adopt a code of meeting practice that incorporates the mandatory provisions of the Model Meeting Code no later than 12 months after the next ordinary elections.

- Until a council adopts a new code of meeting practice, its existing code of meeting practice will remain in force up until six months from the date on which the new Model Meeting Code was prescribed, \((14 \text{ December 2018} \text{ – 14 June 2019})\). If a council fails to adopt a new code of meeting practice within this period, under transitional provisions contained in the Regulation and the LGA, any provision of the council’s adopted meeting code that is inconsistent with a mandatory provision of the Model Meeting Code prescribed under the Regulation will automatically cease to have any effect to the extent that it is inconsistent with the mandatory provision of the Model Meeting Code.

- Irrespective of whether councils have adopted a code of meeting practice based on the Model Meeting Code, all councils (but not joint organisations) will be required to webcast meetings of the council and committees of which all members are councillors from \(14 \text{ December 2019}\). The webcasting requirement may be met simply by posting an audio or video recording of the meeting on the council’s website.

- Before adopting a new code of meeting practice, under section 361 of the LGA, councils are still required to exhibit a draft of the code of meeting practice for at least 28 days and provide members of the community at least 42 days in which to comment on the draft code. This requirement does not apply to joint organisations.

- 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”.

Where to go for further information

- Further information is provided in the FAQ attached to this circular.

- The new Model Meeting Code is available on OLG’s website at \(www.olg.nsw.gov.au\).

- OLG will be providing further guidance and assistance to councils to support implementation of the new Model Meeting Code during the six month transitional timeframe.

- For more information, contact the Council Governance Team by telephone on 02 4428 4100 or by email at olg@olg.nsw.gov.au.

Tim Hurst
Chief Executive
Forbes Shire Council

Code of Meeting Practice

Policy Number: CS/005
Minutes Number: 
Date approved: 
Effective: 
Authority: Director Corporate Services
Contact Officer: General Manager
# TABLE OF CONTENTS

1. **INTRODUCTION** ........................................................................................................................................ 4

2. **MEETING PRINCIPLES** .......................................................................................................................... 4

3. **BEFORE THE MEETING** ....................................................................................................................... 4
   - Timing of ordinary Council meetings ................................................................................................. 4
   - Extraordinary meetings ....................................................................................................................... 5
   - Notice to the public of Council meetings ............................................................................................ 5
   - Notice to Councillors of ordinary Council meetings .......................................................................... 5
   - Notice to Councillors of extraordinary meetings ............................................................................... 5
   - Giving notice of business to be considered at council meetings ....................................................... 5
   - Questions with notice ......................................................................................................................... 6
   - Agenda and business papers for ordinary meetings ........................................................................... 6
   - Availability of the agenda and business papers to the public ............................................................ 7
   - Agenda and business papers for extraordinary meetings ................................................................. 7
   - Pre-meeting briefing sessions ............................................................................................................. 8

4. **PUBLIC FORUMS** .................................................................................................................................. 8

5. **COMING TOGETHER** ............................................................................................................................ 10
   - Attendance by Councillors at meetings .............................................................................................. 10
   - The quorum for a meeting ................................................................................................................ 11
   - Entitlement of the public to attend council meetings ........................................................................ 11
   - Webcasting of meetings .................................................................................................................... 13

6. **THE CHAIRPERSON** ............................................................................................................................ 13
   - The chairperson at meetings ............................................................................................................. 13

7. **MODES OF ADDRESS** .......................................................................................................................... 14

8. **ORDER OF BUSINESS FOR ORDINARY COUNCIL MEETINGS** ..................................................... 15

9. **CONSIDERATION OF BUSINESS AT COUNCIL MEETINGS** .......................................................... 15
   - Business that can be dealt with at a council meeting ....................................................................... 15
   - Mayoral minutes .................................................................................................................................. 16
   - Staff reports ......................................................................................................................................... 16
   - Reports of committees of council ..................................................................................................... 16
   - Questions ............................................................................................................................................ 16

10. **RULES OF DEBATE** .......................................................................................................................... 17
    - Motions to be seconded .................................................................................................................... 17
    - Notices of motion ............................................................................................................................. 17
    - Chairperson’s duties with respect to motions .................................................................................. 17
    - Motions requiring the expenditure of funds ................................................................................... 18
    - Amendments to motions .................................................................................................................. 18
    - Foreshadowed motions .................................................................................................................... 18
    - Limitations on the number and duration of speeches ................................................................. 18

11. **VOTING** ................................................................................................................................................ 19
    - Voting entitlements of Councillors ................................................................................................. 19
    - Voting at council meetings .............................................................................................................. 20
    - Voting on planning decisions .......................................................................................................... 20
12. COMMITTEE OF THE WHOLE ..........................................................20
13. DEALING WITH ITEMS BY EXCEPTION .............................................21
14. CLOSURE OF COUNCIL MEETINGS TO THE PUBLIC ......................21
   Grounds on which meetings can be closed to the public .......................21
   Matters to be considered when closing meetings to the public ..............22
   Notice of likelihood of closure not required in urgent cases .................23
   Representations by members of the public ........................................23
   Expulsion of non-Councillors from meetings closed to the public ..........24
   Information to be disclosed in resolutions closing meetings to the public .24
   Resolutions passed at closed meetings to be made public ..................24
15. KEEPING ORDER AT MEETINGS ......................................................24
   Points of order .............................................................................24
   Questions of order .....................................................................25
   Motions of dissent .....................................................................25
   Acts of disorder ..........................................................................25
   How disorder at a meeting may be dealt with ...................................25
   Expulsion from meetings ..............................................................25
   Use of mobile phones and the unauthorised recording of meetings ....26
16. CONFLICTS OF INTEREST ...............................................................27
17. DECISIONS OF THE COUNCIL ......................................................27
   Council decisions ........................................................................27
   Rescinding or altering council decisions ...........................................27
   Recommending resolutions to correct an error ..................................28
18. TIME LIMITS ON COUNCIL MEETINGS ........................................28
19. AFTER THE MEETING .....................................................................29
   Minutes of meetings .....................................................................29
   Implementation of decisions of the council .......................................30
20. COUNCIL COMMITTEES ................................................................30
   Application of this Part ..................................................................30
   Council committees whose members are all Councillors ....................30
   Functions of committees ...............................................................30
   Notice of committee meetings ......................................................31
   Attendance at committee meetings .................................................31
   Non-members entitled to attend committee meetings .......................31
   Chairperson and deputy chairperson of council committees .............31
   Procedure in committee meetings ................................................31
   Closure of committee meetings to the public ..................................31
   Disorder in committee meetings ....................................................31
   Minutes of council committee meetings ....................................32
21. IRREGULARITIES ..........................................................................33
22. DEFINITIONS ................................................................................33
1. INTRODUCTION

This Model Code of Meeting Practice for Local Councils in NSW (the Model Meeting Code) is made under s.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 Council determines otherwise.

Council 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 Council must not contain provisions that are inconsistent with the mandatory provisions of this Model Meeting Code.

A Council and a committee of Council of which all the members are Councillors must conduct its meetings in accordance with the code of meeting practice adopted by Council.

2. MEETING PRINCIPLES

2.1 Council and committee meetings should be:

- **Transparent:** Decisions are made in a way that is open and accountable.
- **Informed:** Decisions are made based on relevant, quality information.
- **Inclusive:** Decisions respect the diverse needs and interests of the local community.
- **Principled:** Decisions are informed by the principles prescribed under Chapter 3 of the Act.
- **Trusted:** The community has confidence that Councillors and staff act ethically and make decisions in the interests of the whole community.
- **Respectful:** Councillors, staff and meeting attendees treat each other with respect.
- **Effective:** Meetings are well organised, effectively run and skilfully chaired.
- **Orderly:** Councillors, staff and meeting attendees behave in a way that contributes to the orderly conduct of the meeting.

3. BEFORE THE MEETING

Timing of ordinary Council meetings

3.1 Ordinary meetings of Council will be held on the following occasions: the Third of each month, excluding January. The Ordinary meeting commences at 1:00pm.

3.2 Clause not used.

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 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 (2) Councillors requesting the meeting.
Notice to the public of Council meetings

3.4 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 Council.

3.5 For the purposes of cl. 3.4, notice of a meeting of Council and of a Committee of Council is to be published before the meeting takes place. The notice must be published on Council’s website, and in such other manner that 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 cl. 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 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 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 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 seven (7) 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 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 Council.

3.13 A notice of motion for the expenditure of funds on works and/or services other than those already provided for in 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 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 Council to the next quarterly budget review, pending the preparation of such a report.

Questions with notice
3.14 A Councillor may, by way of a notice submitted under cl. 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 cl. 3.14 that comprises a complaint against the General Manager or a member of staff of Council, or a question that implies wrongdoing by the General Manager or a member of staff of Council.

3.16 The General Manager or their nominee may respond to a question with notice submitted under cl. 3.14 by way of a report included in the business papers for the relevant meeting of 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 Council or a Committee of 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 Council states:

(a) all matters to be dealt with arising out of the proceedings of previous meetings of 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 cl. 3.10.

3.19 Nothing in cl. 3.18 limits the powers of the Mayor to put a mayoral minute to a meeting under cl. 9.6.

3.20 The General Manager must not include in the agenda for a meeting of 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 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 s. 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 Council and Committees of Council, are to be published on 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 Council, at the relevant meeting and at such other venues determined by Council.

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

3.25 For the purposes of cl. 3.23, copies of agendas and business papers must be published on Council’s website and made available to the public at a time that is as close as possible to the time they are available to Councillors.

3.26 A copy of an agenda, or of an associated business paper made available under cl. 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 Council deals only with the matters stated in the notice of the meeting.

3.28 Despite cl. 3.27, business may be considered at an extraordinary meeting of Council, even though 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 Council before the next scheduled ordinary meeting of Council.

3.29 A motion moved under cl. 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 cl. 10.29–10.30, only the mover of a motion moved under cl. 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 cl. 3.28(b) on whether a matter is of great urgency.

**Pre-meeting briefing sessions**

3.32 Prior to each ordinary meeting of 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 Council and meetings of committees of 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.

3.35 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.

3.36 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. 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 Council may hold a public forum prior to each ordinary meeting of Council for the purpose of hearing oral submissions from members of the public. Public forums may also be held prior to extraordinary Council meetings and meetings of Committees of 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 Council in the approved form. Applications to speak at the public forum must be received two business days prior to the Council meeting on which the public forum is to be held, and must identify the item 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.

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 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.

4.8 If more than the permitted number of speakers apply to speak ‘for’ or ‘against’ any item, the General Manager or their delegate may request the speakers to nominate from among themselves the people who are to address Council on the item of business. If the speakers are not able to agree on whom to nominate to address Council, the General Manager or their delegate is to determine who will address Council at the public forum.

4.9 If more than the permitted number of speakers apply to speak ‘for’ or ‘against’ any item, 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, where they are satisfied that it is necessary to do so to allow Council to hear a fuller range of views on the relevant item.

4.10 Approved speakers at the public forum are to register with Council any written, visual or audio material to be presented in support of their address to Council at the public forum, and to identify any equipment needs no later than 2 business days prior to 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 (5) minutes only to address Council. This time is to be strictly enforced by the chairperson. Council may resolve to grant a further two (2) minute extension, in any particular case.

4.13 Speakers at public forums must not digress from the item on the agenda of Council meeting they have applied to address 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 cl. 4.14. Answers by the speaker, to each question are to be limited to five (5) minutes.

4.16 Speakers at public forums cannot ask questions of Council, Councillors or Council staff.

4.17 The General Manager or their nominee may, with the concurrence of the chairperson, address Council for up to five (5) minutes in response to an address to 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 Council defer consideration of the matter pending the preparation of a further report on the matters.
4.18 When addressing 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 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 cl. 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 cl. 4.18, 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. 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 Council and of committees of Council of which they are members.

5.2 A Councillor cannot participate in a meeting of Council or of a committee of Council unless personally present at the meeting.

5.3 Clause not required.

5.4 Where a Councillor is unable to attend one or more ordinary meetings of Council, the Councillor should request that 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.

5.5 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.

5.6 Council must act reasonably when considering whether to grant a Councillor’s request for a leave of absence.

5.7 A Councillor’s civic office will become vacant if the Councillor is absent from three (3) consecutive ordinary meetings of Council without prior leave of Council, or leave granted by Council at any of the meetings concerned, unless the holder is absent because they have been suspended from office under the Act, or because Council has been suspended under the Act, or as a consequence of a compliance order under s. 438HA.

5.8 A Councillor who intends to attend a meeting of Council despite having been granted a leave of absence should, if practicable, give the General Manager at least two (2) days’ notice of their intention to attend.
The quorum for a meeting

5.9 The quorum for a meeting of Council is a majority of the Councillors of Council who hold office at that time and are not suspended from office.

5.10 Clause 5.9 does not apply if the quorum is required to be determined in accordance with directions of the Minister in a performance improvement order issued in respect of Council.

5.11 A meeting of Council must be adjourned if a quorum is not present:

(a) at the commencement of the meeting where the number of apologies received for the meeting indicates that there will not be a quorum for the meeting, or

(b) within half an hour after the time designated for the holding of the meeting, or

(c) at any time during the meeting.

5.12 In either case, the meeting must be adjourned to a time, date and place fixed:

(a) by the chairperson, or

(b) in the chairperson’s absence, by the majority of the Councillors present, or

(c) failing that, by the General Manager.

5.13 The General Manager must record in 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 Council, together with the names of the Councillors present.

5.14 Where, prior to the commencement of a meeting, it becomes apparent that a quorum may not be present at the meeting, or that the safety and welfare of Councillors, Council staff and members of the public may be 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 Council is satisfied is likely to bring notice of the cancellation to the attention of as many people as possible.

5.15 Where a meeting is cancelled under cl. 5.14, the business to be considered at the meeting may instead be considered, where practicable, at the next ordinary meeting of Council or at an extraordinary meeting called under cl. 3.3.

Entitlement of the public to attend council meetings

5.16 Everyone is entitled to attend a meeting of Council and committees of the council. Council must ensure that all meetings of Council and committees of Council are open to the public.

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

5.18 A person (whether a Councillor or another person) is not entitled to be present at a meeting of Council or a committee of Council if expelled from the meeting:

(a) by a resolution of the meeting, or

(b) by the person presiding at the meeting if Council has, by resolution, authorised the person presiding to exercise the power of expulsion.
Webcasting of meetings

5.19 All meetings of Council and committees of Council are to be webcast on Council’s website.
   (a) Meetings of Council will be livestreamed through social media.

5.20 Clause 5.19 does not apply to parts of a meeting that have been closed to the public under s. 10A of
   the Act.

5.21 At the start of each meeting the chairperson is to make a statement informing those in attendance
   that the meeting is being webcast and that those in attendance should refrain from making any
   defamatory statements.

5.22 A recording of each meeting of Council and committee of Council is to be retained on Council’s
   website for a period of three months. Recordings of meetings may be disposed of in accordance with
   the State Records Act 1990.
   
   a) Further to cl 5.19 (a) livestreamed recordings will be retained on Council’s Facebook and
      Youtube Channel perpetually.

Attendance of the General Manager and other staff at meetings

5.23 The General Manager is entitled to attend, but not to vote at, a meeting of Council or a meeting of a
   committee of Council of which all of the members are Councillors.

5.24 The General Manager is entitled to attend a meeting of any other committee of Council and may, if a
   member of the committee, exercise a vote.

5.25 The General Manager may be excluded from a meeting of Council or a committee while 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.

5.26 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 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 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 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 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 cl. 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 tell 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 cl. 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 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 Clause not used

8.2 The general order of business for an ordinary meeting of Council shall be:

1. Election of Chair (in the case of neither the Mayor or Deputy Mayor being present)
2. Prayers
3. Acknowledgement of Country
4. Confirmation of Minutes
5. Apologies
6. Condolences
7. Provision for Address to Council
8. Unopposed Business – Chair calls for Withdrawals
10. Supplementary Business Paper – Business Without Notice (green) – (brought forward by the Mayor)
11. Questions Without Notice
12. Business Without Notice
13. Motion to Exclude Public and Press from Meeting of Committee of the Whole
14. Motion to Adjourn Open Council Meeting
15. Machinery Motion (For all items not withdrawn)
8.3 The order of business as fixed under cl. 8.2 may be altered for a particular meeting of Council if a motion to that effect is passed at that meeting. Such a motion can be moved without notice.

8.4 Despite cl.s 10.20–10.30, only the mover of a motion referred to in cl. 8.3 may speak to the motion before it is put.

9. CONSIDERATION OF BUSINESS AT COUNCIL MEETINGS

Business that can be dealt with at a Council meeting

9.1 Council must not consider business at a meeting of Council:
   (a) unless a Councillor has given notice of the business, as required by cl. 3.10, and
   (b) unless notice of the business has been sent to the Councillors in accordance with cl. 3.7 in the case of an ordinary meeting or cl. 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 Council, or
   (b) is the election of a chairperson to preside at the meeting, or
   (c) subject to cl. 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 Council.

9.3 Despite cl. 9.1, business may be considered at a meeting of 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 Council before the next scheduled ordinary meeting of Council.

9.4 A motion moved under cl. 9.3(a) can be moved without notice. Despite cl.s 10.20–10.30, only the mover of a motion referred to in cl. 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 cl. 9.3(b).

Mayoral minutes

9.6 Subject to cl. 9.9, if the Mayor is the chairperson at a meeting of 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 Council, or of which Council has official knowledge.
9.7 A mayoral minute, when put to a meeting, takes precedence over all business on 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 Council, a resolution of 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 Council before the next scheduled ordinary meeting of 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 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, Council must defer consideration of the matter, pending a report from the General Manager to the following quarterly budget review, 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 Council, a resolution of Council.

Reports of committees of council

9.12 The recommendations of a committee of Council are, so far as they are adopted by Council, resolutions of Council.

9.13 If in a report of a committee of Council distinct recommendations are made, Council may make separate decisions on each recommendation.

Questions

9.14 A question must not be asked at a meeting of Council unless it concerns a matter on the agenda of the meeting or notice has been given of the question in accordance with cl(s). 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 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 cl 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 cl 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 Council.

10.4 In the absence of a Councillor who has placed a notice of motion on the agenda for a meeting of 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 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 cl 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, Council must defer consideration of the matter, pending a report from the General Manager to the following quarterly budget review, 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 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 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 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 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 cl. 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 cl. 10.22, Council may resolve to shorten the duration of speeches to expedite the consideration of business at a meeting.

10.25 Despite cl(s) 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 cl. 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 cl. 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 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.

11.4 Clause not applicable.

Voting at council meetings

11.5 A Councillor who is present at a meeting of Council but who fails to vote on a motion put to the meeting is taken to have voted against the motion.

11.6 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 Council’s minutes.

11.7 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.

11.8 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 Council’s minutes for the meeting.

11.9 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 cl. 11.5 of this code.

11.10 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, Council may resolve that the voting in any election by Councillors for Mayor or deputy Mayor is to be by secret ballot.

11.11 Clause not used.
Voting on planning decisions

11.12 The General Manager must keep a register containing, for each planning decision made at a meeting of Council or a Council committee (including, but not limited to a committee of 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.

11.13 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 Council or a Council committee.

11.14 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.

11.15 Clause(s) 11.12–11.14 apply also to meetings that are closed to the public.

12. COMMITTEE OF THE WHOLE

12.1 Council may resolve itself into a committee to consider any matter before Council.

12.2 All the provisions of this code relating to meetings of Council, so far as they are applicable, extend to and govern the proceedings of 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 Council designated by the general manager, is responsible for reporting to 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 Council must ensure that a report of the proceedings (including any recommendations of the committee) is recorded in the council’s minutes. However, 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 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 at the discretion of the chairperson.

13.2 Before Council or committee resolves to adopt multiple items of business on the agenda together under cl. 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 Council or committee must not resolve to adopt any item of business under cl. 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 cl. 13.1 involves a variation to the order of business for the meeting, Council or committee must resolve to alter the order of business in accordance with cl. 8.3.

13.5 A motion to adopt multiple items of business together under cl. 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 cl. 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 cl. 13.1 in accordance with the requirements of 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 Council or a committee of 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 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 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 Council’s Code of Conduct.

14.2 Council or a committee of 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 cl. 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 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 cl. 14.1(g) unless the advice concerns legal matters that:

(a) are substantial issues relating to a matter in which 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 cl. 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 cl. 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 Council or committee concerned, or to Councillors or to employees of Council, or
   (ii) cause a loss of confidence in Council or committee.

14.7 In deciding whether part of a meeting is to be closed to the public, 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 Council, or of a committee of Council, may be closed to the public while Council or committee considers a matter that has not been identified in the agenda for the meeting under cl. 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 cl. 14.1, and

(b) Council or committee, after considering any representations made under cl. 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 Council, or a committee of 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 cl. 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 cl. 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 cl. 14.9, members of the public must first make an application to Council in the approved form. Applications must be received by two business 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 cl. 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 four (4) speakers are to be permitted to make representations under cl. 14.9.

14.14 If more than the permitted number of speakers apply to make representations under cl. 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 Council. If the speakers are not able to agree on whom to nominate to make representations under cl. 14.9, the General Manager or their delegate is to determine who will make representations to Council.

14.15 The General Manager (or their delegate) is to determine the order of speakers.
14.16 Where Council or a committee of 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 cl. 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 cl. 14.9 after the motion to close the part of the meeting is moved and seconded. The chairperson is to permit no more than four (4) speakers to make representations in such order as determined by the chairperson.

14.17 Each speaker will be allowed five (5) minutes, Council may resolve on an additional two (2) minute extension, 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 Council or a committee of Council is closed to the public in accordance with s. 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 s. 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 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 s. 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 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 cl. 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 cl. 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 dissent 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 Council or a committee of 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 Council or the committee, or addresses or attempts to address 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 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 cl(s) 15.11(a) or (b), or

(b) to withdraw a motion or an amendment referred to in cl. 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 cl.a 15.11(d) and (e).

How disorder at a meeting may be dealt with

15.13 If disorder occurs at a meeting of Council, the chairperson may adjourn the meeting for a period of not more than fifteen (15) minutes and leave the chair. 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 cl. 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 Council and committees of Council are authorised under this code to expel any person, including any Councillor, from a Council or committee meeting, for the purposes of s. 10(2)(b) of the Act.

15.15 Clause not used

15.16 Clause 15.14, does not limit the ability of Council or a committee of Council to resolve to expel a person, including a Councillor, from a Council or committee meeting, under s. 10(2)(a) of the Act.

15.17 A Councillor may, as provided by s. 10(2)(a) or (b) of the Act, be expelled from a meeting of Council for having failed to comply with a requirement under cl. 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.

15.18 A member of the public may, as provided by s. 10(2)(a) or (b) of the Act, be expelled from a meeting of Council for engaging in or having engaged in disorderly conduct at the meeting.

15.19 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.

15.20 If a Councillor or a member of the public fails to leave the place where a meeting of Council is being held immediately after they have been expelled, a police officer, or any person authorised for the purpose by 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

15.21 Councillors, council staff and members of the public must ensure that mobile phones are turned to silent during meetings of Council and committees of Council.

15.22 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 Council or a committee of Council without the prior authorisation of Council or the committee.

15.23 Any person who contravenes or attempts to contravene cl. 15.22, may be expelled from the meeting as provided for under s. 10(2) of the Act.

15.24 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 Council or person presiding, may, by using only such force as is necessary, remove...
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 Council and committees of Council in accordance with 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 Council at which a quorum is present is a decision of the council.

17.2 Decisions made by 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 Council may not be altered or rescinded except by a motion to that effect of which notice has been given under cl. 3.10:

a) Rescission motions must be received within three (3) working days of Council meetings for tenders. (Resolution 215/2017)

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 cl. 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 cl. may not be evaded by substituting a motion differently worded, but in principle the same.

17.8 The provisions of cl(s) 17.5–17.7 concerning lost motions do not apply to motions of adjournment.

17.9 A notice of motion submitted in accordance with cl. 17.6 may only be withdrawn under cl. 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, rezoning, subdivision or building matter (Resolution 215/2017), must be submitted to the General Manager no later than three (3) business days after the meeting at which the resolution was adopted.

17.11 A motion to alter or rescind a resolution of Council may be moved on the report of a committee of Council and any such report must be recorded in the minutes of the meeting of Council.

17.12 Subject to cl. 17.7, in cases of urgency, a motion to alter or rescind a resolution of 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 Council before the next scheduled ordinary meeting of the council.

17.13 A motion moved under cl. 17.12(b) can be moved without notice. Despite cl(s) 10.20–10.30, only the mover of a motion referred to in cl. 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 cl. 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 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 cl. 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 cl. 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 cl. 17.15 can be moved without notice. Despite cl.s 10.20–10.30, only the mover of a motion referred to in cl. 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 cl. 17.15.

17.20 A motion moved under cl. 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 Council and committees of Council are to conclude no later than 6.30pm.

18.2 If the business of the meeting is unfinished at 6.30pm, Council or the committee may, by resolution, extend the time of the meeting.

18.3 If the business of the meeting is unfinished at 6.30pm, and 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 Council or a committee of 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 cl. 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 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 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 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 Council’s website. This clause does not prevent 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 Council and committees of 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 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 s. 10A(2) of the Act.

19.11 Correspondence or reports to which cl(s) 19.9 and 19.10 apply are to be marked with the relevant provision of s. 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 Council.
20. COUNCIL COMMITTEES

Application of this Part

20.1 This Part only applies to committees of Council whose members are all Councillors.

Council committees whose members are all Councillors

20.2 Council may, by resolution, establish such committees as it considers necessary.

20.3 A committee of Council is to consist of the Mayor and such other Councillors as are elected by the Councillors or appointed by Council.

20.4 The quorum for a meeting of a committee of Council is to be:

(a) such number of members as Council decides, or

(b) if Council has not decided a number – a majority of the members of the committee.

Functions of committees

20.5 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 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 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 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 Council, or
   (c) if Council does not elect such a member, a member of the committee elected by the
committee.

20.12 Council may elect a member of a committee of Council as deputy chairperson of the committee. If
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 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 Council may regulate its own
procedure. The provisions of this code are to be taken to apply to all committees of Council unless
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 Council or the committee
determines otherwise in accordance with cl. 20.15.

20.17 Clause not applicable.

20.18 Voting at a Council committee meeting is to be by open means (such as on the voices, by show of
hands or by a visible electronic voting system).

Closure of committee meetings to the public

20.19 The provisions of the Act and Part 14 of this code apply to the closure of meetings of committees of
Council to the public in the same way they apply to the closure of meetings of Council to the public.

20.20 If a committee of 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.

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

Disorder in committee meetings

20.22 The provisions of the Act and this code relating to the maintenance of order in council meetings
apply to meetings of committees of Council in the same way as they apply to meetings of the
council.
Minutes of council committee meetings

20.23 Each committee of 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.

20.24 Clause not used.

20.25 The minutes of meetings of each committee of Council must be confirmed at a subsequent meeting of the committee.

20.26 Any debate on the confirmation of the minutes is to be confined to whether the minutes are a full and accurate record of the meeting they relate to.

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

20.28 The confirmed minutes of a meeting may be amended to correct typographical or administrative errors after they have been confirmed. Any amendment made under this cl. must not alter the substance of any decision made at the meeting.

20.29 The confirmed minutes of a meeting of a committee of Council must be published on the council’s website. This clause does not prevent Council from also publishing unconfirmed minutes of meetings of committees of 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 Local Government Act 1993
act of disorder means an act of disorder as defined in cl. 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
<table>
<thead>
<tr>
<th>Term</th>
<th>Definition</th>
</tr>
</thead>
<tbody>
<tr>
<td>business day</td>
<td>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</td>
</tr>
<tr>
<td>chairperson</td>
<td>in relation to a meeting of Council — means the person presiding at the meeting as provided by s. 369 of the Act and cl(s) 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 cl. 20.11 of this code</td>
</tr>
<tr>
<td>this code</td>
<td>means the Council’s adopted Code of Meeting Practice</td>
</tr>
<tr>
<td>committee of the council</td>
<td>means a committee established by Council in accordance with cl. 20.2 of this code (being a committee consisting only of Councillors) or Council when it has resolved itself into committee of the whole under cl. 12.1</td>
</tr>
<tr>
<td>council official</td>
<td>has the same meaning it has in the Model Code of Conduct for Local Councils in NSW</td>
</tr>
<tr>
<td>day</td>
<td>means calendar day</td>
</tr>
<tr>
<td>division</td>
<td>means a request by two Councillors under cl. 11.7 of this code requiring the recording of the names of the Councillors who voted both for and against a motion</td>
</tr>
<tr>
<td>foreshadowed amendment</td>
<td>means a proposed amendment foreshadowed by a Councillor under cl. 10.18 of this code during debate on the first amendment</td>
</tr>
<tr>
<td>foreshadowed motion</td>
<td>means a motion foreshadowed by a Councillor under cl. 10.17 of this code during debate on an original motion</td>
</tr>
<tr>
<td>open voting</td>
<td>means voting on the voices or by a show of hands or by a visible electronic voting system or similar means</td>
</tr>
<tr>
<td>planning decision</td>
<td>means a decision made in the exercise of a function of a council under the Environmental Planning and Assessment Act 1979 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</td>
</tr>
<tr>
<td>performance improvement</td>
<td>means an order issued under s. 438A of the Act</td>
</tr>
<tr>
<td>order</td>
<td></td>
</tr>
<tr>
<td>quorum</td>
<td>means the minimum number of Councillors or committee members necessary to conduct a meeting</td>
</tr>
<tr>
<td>the Regulation</td>
<td>means the Local Government (General) Regulation 2005</td>
</tr>
<tr>
<td>webcast</td>
<td>a video or audio broadcast of a meeting transmitted across the internet either concurrently with the meeting or at a later time</td>
</tr>
<tr>
<td>year</td>
<td>means the period beginning 1 July and ending the following 30 June</td>
</tr>
</tbody>
</table>
Revision History

<table>
<thead>
<tr>
<th>Version</th>
<th>Date</th>
<th>Amended</th>
<th>Authorised by</th>
<th>Approved by</th>
<th>Revision Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>V1</td>
<td>13/12/2006</td>
<td>Acting General Manager</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>V2</td>
<td>21/07/2011</td>
<td>General Manager</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>V3</td>
<td>17/03/2016</td>
<td>Director Corporate Services</td>
<td>General Manager</td>
<td></td>
<td>17/12/2017</td>
</tr>
<tr>
<td>V4</td>
<td>19/10/2017</td>
<td>Senior Administration Officer</td>
<td>General Manager</td>
<td></td>
<td>19/10/2019</td>
</tr>
<tr>
<td>V5</td>
<td>19/04/2018</td>
<td>Senior Administration Officer</td>
<td>General Manager</td>
<td></td>
<td></td>
</tr>
<tr>
<td>V6</td>
<td>21/03/2019</td>
<td>Senior Governance Officer</td>
<td>General Manager</td>
<td></td>
<td>21/03/2021</td>
</tr>
</tbody>
</table>

Change History

<table>
<thead>
<tr>
<th>Version</th>
<th>Change Details</th>
</tr>
</thead>
<tbody>
<tr>
<td>V1</td>
<td>Initial Policy</td>
</tr>
<tr>
<td>V2</td>
<td>Review</td>
</tr>
<tr>
<td>V3</td>
<td>Periodic Review: Minutes No: 158/2016 – Update to Related Documents and Cl. 7.2</td>
</tr>
<tr>
<td>V4</td>
<td>Amendment to Cl. 6.2 - Rescission motions</td>
</tr>
<tr>
<td>V5</td>
<td>Amendment of Cl. 2.17 - Webcast (Resolution: 73/2018)</td>
</tr>
<tr>
<td>V6</td>
<td>DRAFT Model Code of Meeting Practice for Local Councils in NSW prescribed 14 December 2018. Policy reviewed and amended in accordance.</td>
</tr>
</tbody>
</table>

Related Documents

<table>
<thead>
<tr>
<th>Document Title</th>
</tr>
</thead>
<tbody>
<tr>
<td>Code of Conduct – Model</td>
</tr>
<tr>
<td>Code of Conduct: Procedures for the Administration of the Code</td>
</tr>
<tr>
<td>Public Forum Policy</td>
</tr>
<tr>
<td>Local Government Act 1993</td>
</tr>
<tr>
<td>Local Government (General) Regulation 2005</td>
</tr>
<tr>
<td>Closure of Council Meetings to the Public, April 2013</td>
</tr>
<tr>
<td>NSW Office of Local Government: Circular 10-10: Practice Note 15 – Meetings Practice, 21 May 2010 (reference: A200306)</td>
</tr>
<tr>
<td>NSW Office of Local Government: Circular 18.35: The new Model Code of Meeting Practice for Local Councils – 16 November 2018 (A627298)</td>
</tr>
</tbody>
</table>
Executive Summary

Funding has been successfully secured by Council through the Stronger Country Communities program and NSW Department of Primary Industries (DPI) to implement improvements to Lions Park. This majority of this funding must be spent by 30 June 2019.

In order to ensure these works can be completed within the required timeframe, Council presented a Draft Lions Park Conceptual Plan to the February Council meeting. At this meeting, Council resolved to place the draft Plan on public exhibition for a period of 21 days in order to seek public feedback.

Over the exhibition period Council has received a total of 6 responses to the draft Conceptual Plan. The purpose of this paper is to present the feedback that has been received to date, so that Council may determine the final Plan to be implemented.

Detailed Report

Council recently placed on Public Exhibition the Draft Lions Park Conceptual Plan, which includes details of the following works to be carried out at Lions Park:

- Installation of a fishing platform for people with a disability to access the water for fishing;
- Construction of a stage/presentation area for events and other functions – i.e. a combination of a stage and rotunda;
- Formalised parking areas and bus stop;
- Expansion of the toilet block and the inclusion of storage at this location for event equipment;
- Additions to playground facilities;
- Landscaping and work to enclose and pipe the existing drain;
- Works to action a move from unrestricted vehicle access to controlled access;
- Installation of concrete pads with services connected for event catering and pop up cafes.

This draft was developed in consultation with existing users such as the food van proprietor and the Lions Club, as well as Council, and was designed outside the current Lake Forbes Activation Master Plan (LFAMP) consultation process in order to ensure that works planned in the area subject to a Stronger Country Communities Program grant can be completed before the 30 June 2019 deadline.

The overall goal for the use of the Park is to ensure that it is event friendly, safe and accessible for families and the general community to use. To achieve these outcomes the park needs to host both an "event precinct" with large areas of shaded open space with views to the lake, as well as continue as a "pop up al fresco dining precinct" fronting this open space area also with views of the lake.

The exclusion of traffic to the site was also deemed necessary to improve the safety of park users. Currently there is unrestricted driving and parking within the park (placing young children at risk – noted by event organisers and the food van proprietor) and unauthorised overnight camping (with a free camping area less than a block away).
Lions Park is crown land and so belongs to the whole community. Though there are interest groups with a strong connection to the park, it should be noted that the opinions of these groups should not take precedence over the community as a whole, and all community opinion should be considered when determining the future of the park.

The plan for this area is the beginnings of the Lake Forbes Activation Master Plan, which has the aim of capitalising on the opportunities a waterfront area in town brings.

The Plan remains conceptual, so details mentioned in feedback are all as yet unconfirmed.

A summary of the feedback from the Community is as follows -

- Playground needs to be improved and made more safe;
- Concerns re the installation of a “sound shell” - ie a combined stage rotunda (design as yet is not confirmed) and whether Lions Park is the appropriate location;
- Comments that food vendors should be located around the lake not concentrated at one location;
- Use temporary measures to restrict vehicle access to the park rather than permanent;
- Upgrade park furniture;
- Concerns that stage/rotunda would block the view;
- Move cement slabs back behind the trees;
- Concerns regarding safe access of the fishing platform;
- Concerns regarding the overuse of the park for events and food vans;
- Remove the ute and the steam engine/tractor from the park;
- Place containers close together so they don’t take over the park;
- Support for eating precinct and stage for live music etc;
- Murals on the container walls;
- Signage required at free camping to refer people to this location.
- Concerns regarding the cement slabs and container cafes as being permanent (rather than removed after events etc) ugly, detracting from the natural beauty of the park and a target for vandals.
- Concerns that containers would block the view of the lake and the back of these (where services – gas bottles, bins, etc) would be on view to motorists passing the park
- Questions as to where the new discharge point would be located
- Support for a multi-use rotunda, drain piping, fishing platform and the removal of vehicles
- Support for the eating precinct concept

Note: the exhibition period closes 19 March 2019.

**RECOMMENDATION**

That Council make the following changes to the Lions Park Conceptual Plan:

1. **increase the playground equipment available at the Park and fence this area for safety, with adjacent seating for carers;**

2. **move the concrete slabs back from the event area and position as closely together as permitted and within the Lake Forbes Activation Master Plan identify other locations around the Lake that may be suitable for this purpose;**

3. **develop a Stage/Rotunda complex that does not block views to the lake and is flood compliant, yet still appropriate for events such as Australia Day;**
4. ensure that the fishing platform has high levels of safety and access compliance;
5. install signage at the Free Camping area to direct people to the Park;
6. liaise with container owners regarding consistent and appropriate artwork on their premises;
7. implement the following works as proposed in the Lions Park conceptual Plan:
   - Piping and filling of drain;
   - Relocation of vehicle displays;
   - Formalising parking as per diagram;
   - Lighting, illumination of trees in Park area;
   - New bin structure;
   - New storage in association with toilets;
   - Lights and power to stage/rotunda area;
   - Relocate sewer discharge point;
   - Wheelchair access from formalised carpark to pontoon;
   - Implement works to restrict vehicle access to the park between the food vans and the lake;
   - Construction of concrete pads and attached services.

Alignment with Strategic Plan
LG2.1 Provide leadership through ethical, accountable and legislative decision-making processes
ED4.8 Develop opportunities for further recreational activities on Lake Forbes, Aquatic Area and Lachlan River
SP3.10 Manage and sustain the environs of Lake Forbes to provide a beautiful public amenity.

Elements of this project are also closely aligned with the Disability Inclusion Action Plan of council.

Financial and Resource Implications
$560,000 allocated in the 2018-19 financial year budget for these works with contributions from the Stronger Country Communities Program, NSW DPI (platform only) and Forbes Shire Council

Policy Implications
Conforms to Council’s Procurement Policy.

Risk Considerations

Statutory/Regulatory Implications
Nil
Consultation conducted
Nil.

Attachments
Responses from the community – Refer Appendix 1;
Image of Container – Refer Appendix 2;
Feedback received from the community has been as follows –

Feedback 1: via email 5th March 2019

Please see my comments below on the Lions Park Master Plan

- Existing Playground Park area is inadequate and in an unsafe area.
- It (playground) is located too close to the road.
- If you are seated in the main area of Lions Park the park is out of sight.
- Also it would be nice to see a variety of play equipment there as well.
- My thoughts are that if the children are safely occupied and happy the parents are more likely to utilize this area.

Looking forward to seeing another FSC project coming to fruition to improve our already beautiful lake area.

Feedback 2: via letter rec 5th March

I wish to comment on the Lions Park Master Plan.

At present the Lions Park is a green, shady space enjoyed by community members and travellers alike, who use the BBQ shelter & tables, the playground equipment and toilets. Since the addition of the Waffle Van it has also become a popular picnic spot for families of a weekend.

The aim of the Master plan seems to be to convert this area into an "event hub" which can be used for Australia Day celebrations and other such functions. My understanding is that this would involve construction of a sound shell, fishing platform, fenced boundaries, closure of roads, relocation of park features and putting down large cement slabs in what is a fairly small area. My fear is that this will entirely change the nature of the park ruining what is currently a pleasant accessible community park.

There is no detail of how large the sound shell may be and its location in the flood zone is questionable. Would it just be an obstruction to the view and a target for vandalism in the many days of the year when it is not in use? Is there a more sensible area to construct a Sound Shell and event area eg the old hockey fields? There would be more parking there and no adjacent business (Lake Forbes Motel) which would be impacted by the extra traffic and noise during night functions.

While I am not against the construction of a more permanent concrete site for the current Food van I question whether we need a 40M slab for it and plans to move multiple vendors into the same area would seem unfair to the current occupant - why not position these at several locations around the lake instead?

While I understand some WHS issues need to be considered surely these can be overcome with simple measures? For road safety install speed bumps to slow down vehicles and temporary road closure barriers to stop vehicles driving into events. While the open unfenced drain should be addressed, the complete fencing of the perimeter may stop infants from running into traffic but will not stop them from falling into the adjacent lake. *On the subject of safety, the old rusted table up under the Pepper trees is long overdue for replacement

While this letter may seem mostly negative, I would like to offer congratulations to those who are trying to upgrade our facilities in Forbes. Overall you are doing a great job and I hope you will consider some of the issues I have mentioned.
Feedback 3: via letter 6th March

Dear Sir/Madam,

I would like to make some comments on the Plan you have for the Forbes Lions Park. I feel it’s a shame that anything is being done at all because as it is it attracts so many people down there just to sit around and have their lunches or family picnics but I suppose things must go ahead.

After going over the plans I believe that what is being proposed is way too much, overdeveloping the park is not a step forward at all.

Points in Question are,

(1) The stage is Not suitable for where its planned as it not only blocks the view of the old bridge but also the lake itself. I believe that a gazebo about 8m would be more appropriate and further back from the water’s edge probably next to the road that goes up behind the BBQ area. That would give a perfect view and it would be more handicap friendly as it would be ground level and a ramp off the road leading into the Gazebo would be much easier for the wheelchairs.

(2) Upon hearing that there were two large containers being put on the slabs of cement I feel that they are totally inappropriate for that area and if needed they should be put where they were originally planned behind the tree line and away from the centre of the park.

(3) The plan to have a platform out in the middle of the lake to be fished off is very dangerous as its an open invitation for children to go diving and jumping off. Also as for the idea to have it being wheelchair access so it can be used for fishing off is also rather dangerous as even if there is some sort of railing around it what’s to stop them from going over the edge. Also how are they going to get out to the platform in the first place? Boards are no good as the wheels will go down between each board. If you want to have an area for the wheelchair bound people to go fishing I suggest widening the bridge which crosses the lake near the Wiradjuri Dreaming Centre. There are cemented paths at both entrances and easy accessible for cars etc.

(4) Having the food vans able to be put around the park when an event is on is naturally a great idea but having any food van being able to just go down and open up after getting a lease? Is opening it up to be completely being overused and problems arising with arguments over who should be where and when. One van is using the park but where they park after they go a large part of the grass area has died and the waste water leaves a large area soggy. I believe that they should park on the dirt road that runs alongside the BBQ area. They still have the grass area in front of them for the customers to sit and plenty of room for the tables and chairs. But having food vans down at Lions Park should be limited and only be allowed when there is an event on.

(5) Having so many events all put into one park is totally unnecessary. I believe events like Bandage Bear should still be kept up behind the preschool in Nelson Park as it’s the ideal position as its fenced, has large clean toilets and big enough for all children to run around. I believe i have covered most of the items I have concerns about but I cannot stress enough how I feel that most of the changes that are being planned for the park are detrimental to the park and the plans should not go forward in its current form.

Feedback 4: via email 6th March

I would like to congratulate the council on their continued efforts to beautify and improve Forbes and in particular our beautiful lake. To make the facilities of Forbes more available to the whole community is a commendable focus.

My main suggestion regarding the Lions Park Plan is in regard to the two vehicle displays that are to be relocated, namely the tractor and the ute.
I personally find that these two displays have neither aesthetic, cultural or historical relevance. They are irrelevant displays that cannot even provide entertainment for children as there is a rather ugly fence around each.

Given the tasteful, historic and educational developments that have been placed around the lake so far, I feel that some consideration should be given as to whether these two displays need to be included in the new plan.

Thank you for allowing feedback and discussion.

Feedback 5: via email 10th March

A big congratulations on the fence around the Rugby grounds. It is a wonderful spectacle as people enter Forbes from the Newell Highway, Orange & Cowra.

I thank you for the opportunity to comment on the redevelopment of Lions Park.

The plan has great merit & the filling of the drain will enhance the area.

My preference that the Utes in the paddock vehicle & the steam engine be removed out of the area.

The Ute has outdated information as the display has been moved into Condobolin.

As the Forbes Arts Society continue to develop sculpture with appeal into today’s world that is artistic, sophisticated, some with historical significance that will attract visitors to Forbes. With FSC consent the society will continue to place sculpture in areas that will enhance visitors experience & aim to keep people in Forbes for an extra time or return to our beautiful rivet town.

May I suggest that both these exhibits do nothing to enhance the area. The museum may be interested in the steam engine & Condobolin may like the Ute. The fences & shed also do nothing to enhance the exhibits.

Feedback 6: via email 13th March

My thoughts on Lion’s Park (as a regular user) conceptual plan are:

1. The proposed ‘eating precinct’ is fantastic
2. Lighting for early and late evening entertainment etc is great. Could consider having a semi-permanent of permanent stage there for live music etc in future.
3. The proposed location of the containers being entirely separated out to two spots does not make sense (I could have missed something here though) – why would we spread out the eye sores (if in place semi permanent) or the slabs and essential services, when they could all run from the same spot, be relatively close together and leave the rest of the open space as open space. We could definitely put access underground to power off to the left (where slab 2 is proposed) for non-permanent dwellings (ie. Caravans/coffee wagons) though so it can be maximised as needed.
4. I love the idea of murals or a theme down there on the container walls - as they can be eye sores. However we would need to mandate these for consistency and also ensure that Council regulated this. It could easily link with FYAT, local artists or anyone for that matter perhaps writing what they love about forbes or tactful graffiti for mural design - on permanent boards that get erected, and updated as part of a community project and Council leads this part for beautification and regulation.
5. It would be important to have a direct line of information (signage etc) AND lighting - at our free camping spot so that people can park up and then know to access this precinct with rough opening times etc. Thanks.
Feedback 7: via email 14th March 2019

Firstly, I would like to make comment that the Lions Park is the one ‘true’ park along the Forbes Lake Foreshore that allows families to have shaded picnics and BBQ’s whilst having easy access to toilet facilities and adequate parking. It is for this reason that I believe it is the perfect venue for development and in particular Community Functions/Events i.e. Australia Day etc. I would also like to commend Council on their initiative of this development.

Regarding the proposal, I wish to acknowledge the following positive feedback:

- I love the idea of an eating precinct… as a user of the Sweet Vintage Van on the weekend as well as an attendee at the Australia Day festivities, I love the concept and the fact that people/groups/parties are able to access the pristine area/Lake Foreshore as well as have the opportunity of having a number of food vendors in which to choose during events. I believe that with this development, it will be a wonderful venue in which to experience what could be a unique market in our region;
- I like the idea of a Rotunda… Whilst the detail is very limited on the plan, I have heard via the grapevine that the area would withstand flooding. It is critical that during the design phase, these matters are taken into consideration;
- It would be ideal for the Rotunda to be multi-purpose and the ability to double as a stage catering for entertainment i.e. Australia Day performances.
- I love the idea of a pontoon/Fishing Platform. Many families use the lake as a fishing spot for younger children. The venue is safer to access than the river and it gets families/youth outdoors, having fun.
- I love the uplighting in the trees… It is such a gorgeous area and we are so fortunate to have these beautiful trees along our foreshore. I absolutely agree with celebrating their beauty;
- I commend the idea of converting the open drain to a piped system and the area filled in. This will ensure more usable space and will definitely address a number of WHS issues related to this area… especially during flooding;
- Removable bollards to block entranceways is essential for safety purposes;
- I like the idea of relocating the Ute in the Park to the identified spot.

Questions and Areas of Concern

- Plant new trees…. Is this in line with some other plan? No mention of variety;
- Sewer Discharge Point for caravans’…. Where is the new discharge point to be located?
- Are we going to utilise some funds to expand the childrens playground? If this is going to be marketed at families, a larger playground with shade sails would be beneficial;
- **40FT Containers:** The information provided on the back of the printed plan which was accessed from the Front Counter at Town Hall only mentions serviced cement pads for food vans. Whilst I have no real issue with the powered cement pads (as long as they are sensibly arranged) I **disagree** with the 40ft containers which would be located on the slabs. The fact that this information was listed in extremely small writing on the front of the plan and not on the back does not go unnoticed. To ensure transparency, all changes / proposals should be clearly articulated and identified;
- As stated above I disagree with the 40ft containers being placed in the park. I believe that whilst many people believe they are “hip and happening” I believe they detract from the natural beauty of the park and the lake. They will become an eyesore and the perfect opportunity for vandalism and graffiti;
- I would also like to see a conceptual plan outlining how the park would look from the road. Once again, our lake is beautiful and the fact that it can be viewed from many vantage points including our roads is a major selling point for Forbes;
- Regarding the 40ft containers, I have been told that they would be painted. I can only assume that if these structures are approved, then strict protocols would be enforced to ensure they are tasteful and appropriate with the general area.
Most centres are removing eyesores – not bringing them in! Look at Weddin Shire Council and their painting of their Silo’s…. This would be a wonderful opportunity and allow us to be placed on the Silo Art Trail which would be another Tourism Driver for our community. We are a rural community and it makes sense to embrace our rural structures. This would also enable us the opportunity to make something ugly beautiful rather than the other way round.

I would also like to express my concern about the consultation that has taken place for the development of this plan and the steps Council has taken to gain feedback from the community.

As a ratepayer of Forbes, I found it difficult to find the information on our website as it was not easily identified. I believe the majority of the population would also have difficulty and as not all people read the Council Business Papers or follow Council on Facebook, I am not certain that full consultation has been reached.

I also found that whilst the plan was located at the front counter of the Town Hall Administration Area, this was not easily identified and advertised. I actually had to go and look for it twice to find it.

Once again, I would like to reiterate that overall, I believe the plan has merit…. My main concern and issue is with the 40ft Containers.

Feedback 8: Received via email 14th March 2019

To the Manager.
I agree with Councils overall concept of the Lions Park plan. However I fail to see any merit in retaining either of the two “vehicles” in Lions Park. The old utility, in its present condition would hardly inspire any one to visit the “utes in the Paddock” display, in fact if Condobolin sees no value in it, perhaps it could be recycled! The old steam engine however is of somewhat historical value though it does not belong in the same precinct as the magnificent collection of modern art and sculptures which the arts committee is acquiring and locating in parkland around our lake. Perhaps the steam engine would be of some value in a park somewhere else in town an not being associated with our current collection of “art”.

My only other enquiry would be relating to the value of “the rotunda with its lights and power” when we have a perfectly adequate rotunda in Victoria park. I feel this move would be further fragmenting our town when we should be promoting our CBD.

Feedback 9: Received via email 15th March 2019

Hi, thank you for the opportunity to provide feedback on the consultation plan. I’m broadly supportive of the plan, however my one concern is the number of eventual large structures ie. container cafes and the like, that will be a visual eyesore, in my opinion, in the relatively small parkland space. Instead of containers I would prefer to see serviced sites for decked out caravan cafes that can be removed from site when not operational during the week. I appreciate the café containers will be painted to be interesting or sympathetic to the parkland, however these will still inhibit lake views from the highway and surrounding areas. Photos I’ve seen of similar concepts show the back of the containers be used for services – gas bottles, bins, etc – and in our particular location these will all be on view to passing parade.

Feedback 10: Received via email 15th March 2019

To the Manager.
I agree with Councils overall concept of the Lions Park plan. However I fail to see any merit in retaining either of the two “vehicles” in Lions Park. The old utility, in its present condition would hardly inspire any one to visit the “utes in the Paddock” display, in fact if Condobolin sees no value in it, perhaps it could be recycled! The old steam engine however is of somewhat historical value though it does not belong in the same precinct as the magnificent
collection of modern art and sculptures which the arts committee is acquiring and locating in parkland around our lake. Perhaps the steam engine would be of some value in a park somewhere else in town and not being associated with our current collection of “art”. My only other enquiry would be relating to the value of “the rotunda with its lights and power” when we have a perfectly adequate rotunda in Victoria park. I feel this move would be further fragmenting our town when we should be promoting our CBD.

Feedback 11: Received via email 14th March 2019

Attention: General Manager, Forbes Shire Council
Re: Lions Park Conceptual Plan

I would like to express my feelings about the above proposal.

Being a middle aged lady, I walk the lake most mornings with my dog. So far Council have to be congratulated on the wonderful walkway around the lake and the work that has been done around our playing fields and the lake foreshore that encourages more use of Forbes’ wonderful asset, Lake Forbes. We are so fortunate to have the most beautiful natural waterway running through the town with parklands that are second to none.

It is for this reason that I would like to object to the way this Lions Park Conceptual Plan has been submitted for public comment. Firstly, I had difficulty finding the proposal. I am not a follower of Council on Facebook and I certainly don’t look at the Council Website everyday. In my view the committee that has put this plan forward for the Forbes Lions Park are submitting the plan without explaining the whole plan thoroughly. It lacks transparency and the general public of Forbes are not getting the real picture.

To ensure transparency and objectivity, it is vital that Council ask the public. Have a public meeting at the Lions Park or in the Council Chambers with Council representatives to explain in everyday language what is proposed.

As a rate payer of Forbes, there are some aspects of the proposed plan that I really do object to.

I presume that this ridiculous idea has all come about because of the pop up coffee van that frequents the park every weekend. The novelty of this is that it is an old caravan that can be taken away and brought back when needed. And what a wonderful idea. To be able to take children and let them run, meet up with friends and sit on the lawns whilst having a coffee in a wonderful setting is something that Forbes can cherish.

My family and I attended the Australia Day Celebrations at the Lions Park and I can only say that it was a lovely night. All catering services were removed when the celebrations were finished. Leaving once again a beautiful park were you can take the children to feed ducks, fish or just go in your lunch break etc.

In looking at the plan I agree with the following proposals:

- Levelling the area
- Rotunda
- Up light in trees
- Pontoon
- Retaining pay area
- Installing removable bollards
- open drain to be covered over
- sewer discharge point to be relocated, can you tell us the new location.
- Car park

I do not agree with cement slab areas and I certainly do not agree with the 2 x40ft ugly shipping containers been placed within the park area. The reason being:

- not natural to the environment;
- an eyesore - whether painted or not.

I also believe these containers will be a vandals paradise in promoting break-ins, and amateur graffiti artists.

I would once again like to say that I agree in most with the general proposals. I would like to believe that Council is fully consulting with their rate payers and ensuring that they get a full consensus of thoughts throughout the community.
3.10 COMMUNITY FUNDING PROGRAM DONATION REQUESTS

Report Author: Manager Community and Tourism
Responsible Officer: Director Corporate Services

Executive Summary

Council held its annual call for the Community Funding Program, with applications open from 1 December 2018 to 1 March 2019. Eligibility for Council support is through Council’s Community Funding Policy with defined criteria and a focus on Not for Profit organisations. This support may take the form of financial or in kind support.

As of the closing date, 73 applications have been received with requests totalling $630,004 (figures rounded to zero decimal places) including requests for cash donations, and in kind support.

Detailed Report

Prospective applicants for community funding were provided with assistance from the Community and Tourism team to complete their submissions by face to face appointments, over the phone support, drop in sessions and a community meeting to launch the program. Letters were also sent to past applicants and line item groups and there was extensive publicity and media surrounding the opportunity.

It should be noted that the community funding process currently does not capture all support requests, with some line items for community/business groups in place for some time and other support delivered through ad hoc requests. Going forward, it is proposed that there needs to be transparency and all requests should go through the community funding program each year.

In the 2018/19 financial year Council allocated $320,506 for community requests, including $94,702 for donations, $15,805 for rate waivers, and $209,999 for line items. Council’s normal budget for community requests excluding line items is around $85k. This financial year Council has pushed to have all requests for community funding come through the Community Funding Program in order to ensure a fair, transparent and equitable allocation of Council’s limited funds to community/business groups.

As mentioned above, this is still a work in progress, but it should be noted that many historical recipients of community funding line items followed the process and re-submitted their application for “line item” funding via this process.

Council received a total of 73 applications, with 67 applications meeting the selection criteria, and 6 applications not meeting the criteria. Of the 67 applications that met the selection criteria, 10 applications were for line items.

Applications are split into the following categories:

- Line items;
- Major Community Requests (i.e. > $5k);
- Minor Community Requests (i.e. < $5k);
- Community Requests that do not meet the selection criteria.

Details of each application can be found in one of the four tables (by category) below, with detailed application forms provided to councillors under separate cover.
Category 1: Line Items

Council received 10 applications from current line item recipients re-requesting a particular budget line item. Details of all line item applications can be found in the table below.

<table>
<thead>
<tr>
<th>Applicant &amp; Funding Request</th>
<th>Funding Request for</th>
<th>Amount Applied For</th>
<th>Current Year Budget</th>
<th>Change</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bedgerebong Picnic Race Club Race sponsorship</td>
<td>$1,000</td>
<td>$1,400</td>
<td>($400)</td>
<td></td>
</tr>
<tr>
<td>Forbes Kalare River Arts Festival Conduct event</td>
<td>$15,000</td>
<td>$15,000</td>
<td>-</td>
<td></td>
</tr>
<tr>
<td>Forbes Arts Society Platypus Gallery Rent and rates</td>
<td>$7,690</td>
<td>$6,240</td>
<td>$1,450</td>
<td></td>
</tr>
<tr>
<td>Forbes Eisteddfod Conduct event</td>
<td>$8,400</td>
<td>$8,200</td>
<td>$200</td>
<td></td>
</tr>
<tr>
<td>Forbes Golfers Assoc – Sand and Grass Greens Conduct event</td>
<td>$15,000</td>
<td>$15,000</td>
<td>-</td>
<td></td>
</tr>
<tr>
<td>Forbes and Districts Town Band Bandmaster Fee</td>
<td>$13,139</td>
<td>$12,659</td>
<td>$480</td>
<td></td>
</tr>
<tr>
<td>Forbes Riverside Community Garden- Opex Operating Expenses</td>
<td>$8,700</td>
<td>$5,000</td>
<td>$3,700</td>
<td></td>
</tr>
<tr>
<td>Forbes Arts Society Grazing Down the Lachlan Conduct event</td>
<td>$7,410</td>
<td>$5,000</td>
<td>$2,410</td>
<td></td>
</tr>
<tr>
<td>Forbes and Districts Historical Society Operating expenses</td>
<td>$15,000</td>
<td>$15,000</td>
<td>-</td>
<td></td>
</tr>
<tr>
<td>Forbes Business Chamber Administration</td>
<td>$31,000</td>
<td>$25,000</td>
<td>$6,000</td>
<td></td>
</tr>
<tr>
<td><strong>Total Line Item Applications</strong></td>
<td></td>
<td><strong>$122,339</strong></td>
<td><strong>$108,499</strong></td>
<td><strong>$13,840</strong></td>
</tr>
</tbody>
</table>

It should be noted that Council also provided line item funding and assistance to the following groups in the 2018/19 financial year, however, these groups did not re-apply under the Community Funding Program, although they will be considered under the budget process.

<table>
<thead>
<tr>
<th>Applicant &amp; Funding/support Request</th>
<th>Funding Request for</th>
<th>Amount Applied For</th>
<th>Current Year Budget</th>
<th>Change</th>
</tr>
</thead>
<tbody>
<tr>
<td>Handicraft Centre Rent and Rates</td>
<td>-</td>
<td>$10,000</td>
<td>-</td>
<td></td>
</tr>
<tr>
<td>Flatlands Hang Gliding Conduct event</td>
<td>-</td>
<td>$5,000</td>
<td>-</td>
<td></td>
</tr>
<tr>
<td>Town Band Rates Waiver Rate waiver for hall</td>
<td>-</td>
<td>$500</td>
<td>-</td>
<td></td>
</tr>
<tr>
<td>Triathlon Expenses Previous agreement, funds now used to fill lake for this event</td>
<td>-</td>
<td>$15,000</td>
<td>-</td>
<td></td>
</tr>
<tr>
<td>2LVR Rates and Water Rates and water and maintenance</td>
<td>-</td>
<td>$4,000</td>
<td>-</td>
<td></td>
</tr>
<tr>
<td>Showground in kind Works (Estimate Only) Various Inkind</td>
<td>-</td>
<td>$15,000</td>
<td>-</td>
<td></td>
</tr>
<tr>
<td>Golf Club Works Various Inkind</td>
<td>-</td>
<td>$30,000</td>
<td>-</td>
<td></td>
</tr>
<tr>
<td>Jockey Club in kind Works (Estimate Only) Various Inkind</td>
<td>-</td>
<td>$3,000</td>
<td>-</td>
<td></td>
</tr>
<tr>
<td>Barefoot skis in kind Works (Estimate Only) Various inkind</td>
<td>-</td>
<td>$2,000</td>
<td>-</td>
<td></td>
</tr>
<tr>
<td>Junior Rugby League Carnival Assistance Various Inkind</td>
<td>-</td>
<td>$1,000</td>
<td>-</td>
<td></td>
</tr>
<tr>
<td>Forbes Arts Society Sculpture Installation Donation for sculptures to be installed</td>
<td>-</td>
<td>$16,000</td>
<td>-</td>
<td></td>
</tr>
<tr>
<td><strong>Total:</strong></td>
<td></td>
<td><strong>$101,500</strong></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Council has budgeted for line items totalling **$209,999 for the 2018/19 financial year**. Of the 21 line item recipients, 10 re-applied for their line items via the Community Funding Program, requesting total assistance of $122,339 (i.e. a $13.8k or 13% increase over the 2018/19 budget).

It is recommended that for the 2019/20 financial year that all line item requests be deferred to the budget process for discussion.
It is also recommended that in order to ensure transparency of line item requests, in future years all line item requests should be made to go through the Community Funding Program, and that Council investigate the option of entering into MOUs with selected line item recipients. MOUs would identify clearly the responsibilities on both the side of Council and that of the group, ensuring that rate payers funds are used appropriately.

Category 2: Major Community Requests (i.e. > $5k)

Council received a total of 21 Major Community Requests. These are detailed in the table below:

<table>
<thead>
<tr>
<th>Applicant</th>
<th>Funding request for</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bedgerabong Public School Parents and Citizens Association</td>
<td>Bedgerabong Playground</td>
<td>$19,899</td>
</tr>
<tr>
<td>Bedgerebong PA and H</td>
<td>Conduct Show Event</td>
<td>$6,400</td>
</tr>
<tr>
<td>Calarie Recreation Reserve Trust</td>
<td>Community Hall Upgrade/Refurbishment</td>
<td>$14,500</td>
</tr>
<tr>
<td>Forbes Business Chamber</td>
<td>Find It In Forbes AMAZING Forbes Christmas Promotion and Christmas Carnival</td>
<td>$14,000</td>
</tr>
<tr>
<td>Forbes Business Chamber</td>
<td>Marquee Pop-Up in RED</td>
<td>$12,250</td>
</tr>
<tr>
<td>Forbes Camel Races</td>
<td>Conduct event</td>
<td>$5,000</td>
</tr>
<tr>
<td>Forbes Show</td>
<td>Conduct Show event</td>
<td>$7,000</td>
</tr>
<tr>
<td>Forbes Rodeo</td>
<td>Conduct Event</td>
<td>$7,000</td>
</tr>
<tr>
<td>Riding for the Disabled</td>
<td>Carriage Trailer for disabled persons</td>
<td>$8,000</td>
</tr>
<tr>
<td>Forbes Country Music Club</td>
<td>Talent Quest</td>
<td>$8,000</td>
</tr>
<tr>
<td>Forbes Archery Club</td>
<td>Rebuilding the Lachlan River Archers – new targets</td>
<td>$5,000</td>
</tr>
<tr>
<td>Mitchell Conservatorium</td>
<td>Forbes Studio Rent Subsidy</td>
<td>$8,580</td>
</tr>
<tr>
<td>Northside chapel</td>
<td>Bus shelter</td>
<td>$7,804</td>
</tr>
<tr>
<td>Cancer Council NSW (Western)</td>
<td>Conduct Relay for Life</td>
<td>$5,000</td>
</tr>
<tr>
<td>Forbes Country Women’s Association</td>
<td>Council Rates &amp; Charges (waiver) plus cost to paint exterior building</td>
<td>$14,686</td>
</tr>
<tr>
<td>Forbes Fins Swimming Club Incorporated</td>
<td>Keep OUR Forbes Kids Active in Swimming</td>
<td>$16,122</td>
</tr>
<tr>
<td>Forbes Golfers Association Inc</td>
<td>NSW Regional Qualifier</td>
<td>$16,000</td>
</tr>
<tr>
<td>Forbes Polo Club Inc</td>
<td>Forbes Polo Club and Autumn Tournament</td>
<td>$54,000</td>
</tr>
<tr>
<td>House with No Steps</td>
<td>House with No Steps Forbes Community Hub</td>
<td>$73,842</td>
</tr>
<tr>
<td>Rotary Club of Forbes Ipomoea Inc</td>
<td>Renovations to old preschool site for use by Lachlan House with No Steps</td>
<td>$90,397</td>
</tr>
<tr>
<td>Wirrinya Progress &amp; Sports Association Incorporated</td>
<td>Car park fencing</td>
<td>$13,500</td>
</tr>
<tr>
<td>Forbes Rodeo Inc</td>
<td>Forbes Rodeo 2019</td>
<td>$6,500</td>
</tr>
<tr>
<td>Forbes Sorting and Penning</td>
<td>Forbes Ranch Sorting Arena – purchase panels, gates, ramp, timer, crush etc plus inkind maintenance from Council of grounds</td>
<td>$8,000</td>
</tr>
</tbody>
</table>

Total: $421,480

Category 3: Minor Community Requests (i.e. < $5k)

Council received a total of 32 Minor Community Requests. These are detailed in the table below:

<table>
<thead>
<tr>
<th>Applicant</th>
<th>Funding request for</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Forbes Birth to Kinder Incorporated</td>
<td>Reading Downtown Day 2019</td>
<td>$1,260</td>
</tr>
<tr>
<td>Forbes Shire Council - Union Picnic Day</td>
<td>FSC Union Picnic Day 2019</td>
<td>$350</td>
</tr>
<tr>
<td>CatholicCare Wilcannia-Forbes</td>
<td>Yarn Up Men’s Group – activities and meetings, catering supplies</td>
<td>$3,500</td>
</tr>
<tr>
<td>Central West Lachlan Landcare Inc</td>
<td>The 2019 Landcare Partnership Celebration Dinner (Town Hall waiver)</td>
<td>$1,500</td>
</tr>
<tr>
<td>Grease and Oil Change Workshops</td>
<td>Grease and Oil Change Workshop (project costs - estimate) – resilience workshops for farm families, speakers, catering</td>
<td>$2,500</td>
</tr>
<tr>
<td>Forbes Ben Hall Motorshow Inc</td>
<td>Forbes Motorshow event</td>
<td>$2,000</td>
</tr>
</tbody>
</table>
### Applicant | Funding request for | Total
--- | --- | ---
Forbes Business Chamber | Customer Experience and Ambassador Top-up workshops | $2,384
Forbes College for Seniors | Uniting Church Hall Hire (meetings and courses) | $1,000
Forbes Diggers Harness Racing Club | Forbes Diggers Harness Racing Club Race Meetings events | $2,770
Forbes community out of hours school care – Forbes Learning Ladder | Improvement of outdoor area for children | $1,815
Forbes Child Care Centre Inc | Attendance of Staff at Early Childhood Conference conducted by the Kooro Curriculum | $2,440
Forbes Community Men’s Shed Inc | Rates waiver | $1,100
Forbes PA & H Association | Reception for Sally Downie - Showgirl to Sydney Royal Easter Show | $300
Forbes PA & H Association | 50% Feedback 6: via email 10th March Feedback 6: via email 10 March rates reduction | $1,893
Forbes Rugby Union Club (Presidents Lunch Committee) | Forbes Rugby Union Presidents Lunch 2020 event | $3,000
Forbes Sport and Rec Club Mixed Bowls Committee | Forbes Shire Mixed Pairs event | $1,000
Forbes Toy Library | Forbes Toy Library signage and logo renewal | $3,830
Forbes Indoor Bowls | Forbes Indoor Bowls Weekly event (YACC fee waiver) | $1,133
Forbes Kennel Club | Water waiver | $4,200
Forbes Kennel Club | Contribution to operating costs – power and bringing judges to town | $3,900
Forbes Riverside Community Gardens | Water waiver | $3,161
Forbes Croquet Club | Defibrillator purchase | $1,421
Forbes Toy Library | Weekly event (YACC fee waiver) | $1,130
Forbes Ladies Golf | Defibrillator purchase | $1,421
Forbes & District Meals On Wheels Inc | Community Lunches for the elderly as an entry to Meals on Wheels and quarterly publication on services and tips | $4,850
NSW Small Winemakers Wine Show Committee Inc | 2019 NSW Small Winemakers Show event | $2,855
Oxley Group - Country Women’s Association of NSW | CWA Junior Public Speaking Competition | $300
Parkes & District Neighbourhood & Community Information Centre | Forbes Monthly Social Morning Teas | $1,035
Sporting Shooters Association of Australia (SSAA) Forbes Branch | Rates waiver | $3,678
Western Region Academy of Sport Inc (WRAS) | 2019 Annual Operation of the Western Region Academy of Sport | $558
Forbes Community Garden | Quarterly Education workshops | $2,000
Forbes Community Garden | Scarecrow and Garden competition | $2,000
Forbes Squash & Sporting Club Inc | Open Tournament | $1,500
**Total** |  | **$67,784**

As Council has a limited budget of roughly $85,000 for Community Funding Requests (excluding line items), it is recommended that Council allocate the $85k budget to Major and Minor Community Requests as it sees fit.

As Council’s finances are limited, and in order to ensure a balanced budget, Council needs to adhere strictly to the budget limit, as any increase of Council’s budget above this limit, will need to be funded by a reduction in other services, such as for example road grading, or parks maintenance.
Category 4: Community Requests that do not meet the selection criteria

The following table details all requests that did not meet the selection criteria detailed in Council’s Community Funding Program. The selection criteria for the Program are detailed below:

To apply for Council funding, the organisation or community group must comply with the following criteria:

- Conduct the event, activity, program or service within the Forbes Local Government Area;
- Be a not-for-profit entity, or have the project auspiced by a not-for-profit entity;
- Hold current and relevant public liability insurance to the value of $20 million if applicable to the purpose of the funding;
- Commence the event, project or service within 12 months of notification of the success of the application;
- Demonstrate measurable environmental, social and economic benefits to the Shire;
- Be financially viable; and
- Provide all relevant documents required in the application form.

Funding assistance will also not be considered for the following:

- Retrospective projects;
- Production of newsletters;
- Activities that duplicate existing services;
- Individuals and parties for political purposes;
- Commercial (profit-based) groups/organisations;
- Academic research, coursework or fee, or projects seeking financial support for research, studio work or activities that will be submitted for academic assessment;
- Projects that demonstrate a significant budget surplus; and
- Repayment of debt

<table>
<thead>
<tr>
<th>Applicant</th>
<th>Funding request for</th>
<th>Reason Application did not meet Criteria</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Crispin Promotion Management</td>
<td>Forbes Baby Boomers Music Festival</td>
<td>Profit making event – though does donate some funds to charity</td>
<td>$10,000</td>
</tr>
<tr>
<td>Forbes Community Health - Forbes Health Service</td>
<td>Aqua Fitness and Child minding in YACC (Fee Waiver)</td>
<td>Government department not a not for profit</td>
<td>$169</td>
</tr>
<tr>
<td>Forbes Fashion and Housewares Market</td>
<td>Fashion and Housewares Market 2019 (Town Hall Waiver)</td>
<td>Individual not a not for profit</td>
<td>$412</td>
</tr>
<tr>
<td>Forbes North Public School</td>
<td>Leaders of Tomorrow</td>
<td>School – government department</td>
<td>$3,000</td>
</tr>
<tr>
<td>White Crane Tai Chi &amp; Qigong</td>
<td>Free Tai Chi &amp; Qigong Classes to all members of Forbes Community</td>
<td>Individuals, not a not for profit</td>
<td>$4,820</td>
</tr>
<tr>
<td>Forbes Netball Association</td>
<td>Council to take over regular cleaning of toilets used exclusively by Forbes Netball</td>
<td>Received one week after closing date, no budget or details in request</td>
<td>-</td>
</tr>
</tbody>
</table>

Total: $18,401

As these requests did not meet the selection criteria in Council's Community Funding Program, it is recommended that Council does not allocate funding to these projects and groups.
RECOMMENDATION

That Council:

1. defer all line item requests from the Community Funding Program to the budget process for discussion as part of the development of the 2019/20 budget;

2. in order to ensure transparency of line item requests going forward, all line item requests for the 2020/21 financial year should be made to go through the Community Funding Program;

3. allocate the $85,000 budget for Community Funding to the projects and groups that Council deems most worthy from Category 2 and Category 3 requests;

4. not allocate funding to any requests that did not meet the selection criteria in Council’s Community Funding Program.

Alignment with Strategic Plan
C3.1: Develop capacity of community groups to achieve their goal Activity C3.1.3 Provide direct financial grants and/or logistical support to community groups across a range of activities.

Financial and Resource Implications
The requests for financial assistance included in this report are in accordance with s 356 of the Local Government Act 1993.

Policy Implications
The request for financial assistance included in this report are in accordance with s 356 of the Local Government Act 1993.

Risk Considerations
Nil.

Statutory/Regulatory Implications
Nil.

Consultation conducted
Nil.

Attachments
Nil.
3.11 NATIONAL HEAVY VEHICLE REGULATOR IMPROVEMENT NOTICE REVIEW

Report Author: Manager Corporate Business
Responsible Officer: Director Corporate Services

Executive Summary

This report provides an update on the RMS Improvement Notice issued to Council for an alleged breach of Chain of Responsibility requirements.

Detailed Report

On 12 July 2018, NSW Roads and Maritime Services (RMS) issued Council an Improvement Notice under s. 572 of the Heavy Vehicle National Law (NSW) for alleged breach of Chain of Responsibility (CoR) requirements related to vehicle movements associated with the Central West Livestock Exchange.

Council subsequently applied to the National Heavy Vehicle Regulator (NHVR) for an internal review of the Improvement Notice, however, the NHVR delegated this internal review to the RMS, who found that the Improvement Notice was sound and remained valid.

Following extensive representation to the NHVR by Council, the NHVR agreed to undertake a further internal review. Council has now received correspondence in regard to this review from the NHVR, which is attached under separate cover for councillor’s information.

In summary the NHVR:

i. do not accept that Council is not a loading manager (Council’s legal advice notes that it does fall within the definition of ‘loading manager’ as written in the legislation);

ii. do not accept that Council have sufficiently and lawfully assigned its responsibilities as a loading manager to agents and, regardless, are of the view that Council would nevertheless retain certain compliance obligations due to the fact that it does fall within the definition of ‘loading manager’.

iii. do accept that the RMS-mandated measures, namely the installation and operation of fixed weighbridge equipment, are not necessary;

iv. do accept that Council would be appropriately managing its CoR responsibilities, at least as relate to mass, if it implement the measures that have been recommended to Council by its legal adviser and to which Council offered to RMS to implement voluntarily – see the list of ‘Amended controls’ at Table 1 of the Draft Improvement Notice Amendment.

Although Council and its legal advisers do not necessarily agree with how the NHVR have characterised some of Council’s arguments, and whilst not necessarily accepting all of the elements that have led to their determinations, Council broadly consider that the determinations and overall outcome are consistent with the law.

The next steps in regards to the NHVR review are for Council to:
i. Respond to the NHVR with any disagreement/comments on the draft review by 12 April 2019;

ii. Within 4 weeks of the final issued review, provide evidence of having implemented the measures set out in the Improvement Notice, as varied by the review.

Council’s legal advice in regard to responding to the NHVR with any disagreements/comments is that from a legal point of view, Council’s disagreement with some aspects are in the scheme of things, non-material – in that even if Council’s criticism/comments are accepted, they will not likely result in a change to the overall determination and outcome. On that basis, if Council were to otherwise accept the outcome, there may be little point in seeking to raise these matters (and taking the time and costs to do so) ‘on principle’.

The Improvement Notice as varied by the review has requested that the following measures be put in place:

<table>
<thead>
<tr>
<th>Control</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. CoR accountabilities clarified in update Deed of Licence</td>
<td>Include CoR compliance assurance terms in updated agent licences including the authority for the FSC to audit compliance and take action under the licenses.</td>
</tr>
<tr>
<td>2. User induction program</td>
<td>Deliver induction program for all agents and transport operators regarding chain of responsibility requirements under the Heavy Vehicle National Law</td>
</tr>
<tr>
<td>3. Sale operators and saleyards stakeholders communications</td>
<td>Issue CoR relevant and accurate advisory material to Agents and other users of the saleyards outlining the CoR obligations arising from the use of the saleyards.</td>
</tr>
<tr>
<td>4. Equipment compliance</td>
<td>Ensure that all livestock weighing equipment at the saleyards is appropriately classed, calibrated and certified as required under the National Measurement Institute rules.</td>
</tr>
<tr>
<td>5. Compliance support and enforcement</td>
<td>Introduce operational policy and processes to support open use of all livestock weighing equipment by any Agent or other users of the saleyards including for livestock that is traditionally not weighed as part of the sale process. Conduct routine CoR compliance observations in order to enforce the CoR compliance assurance terms contained in Licences with specific attention to upper deck loading. Report instances of non-compliance to relevant parties and engage with parties in relation to their response/remediation and, where necessary, sanction unremedied noncompliance. Report serious repeat non-compliance to RMS or the NHVR.</td>
</tr>
<tr>
<td>6. CWLE staff education and engagement</td>
<td>Ensure a CWLE officer is employed to support the implementation of facility CoR compliance program and related policies, systems and procedures. Amend relevant position descriptions of saleyards staff to reflect the conduct of routine CoR compliance observations. Provide training, information and guidance to relevant saleyards staff on how to conduct routine CoR compliance observations. Reports to Council quarterly on CoR compliance performance at the saleyards.</td>
</tr>
</tbody>
</table>
DIRECTOR CORPORATE SERVICES REPORT TO COUNCIL cont’d

<table>
<thead>
<tr>
<th>Control</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>7. Create and maintain records</td>
<td>Create and maintain documentary evidence of the above actions for three years. This evidence must include any noncompliance identified and action taken in response</td>
</tr>
</tbody>
</table>

Council will now consider and prepare the implementation of any amended controls that have not already been implemented.

**RECOMMENDATION**

That Council:

1. provide evidence of having implemented the measures set out in the Improvement Notice, as varied by the review;

2. respond to the NHVR by 12 April 2019 stating that whilst Council does not agree with all aspects of the finding, Council will implement the measures as stated where reasonably practicable.

3. endeavour to influence a change in the definition of ‘Loading Manager’ under Chain of Responsibility provisions.

**Alignment with Strategic Plan**

GR1: Ensure open, accountable and inclusive decision-making processes in government and private sector entities at all levels where decisions have potential to impact local communities.

**Financial and Resource Implications**

There will potentially be a financial sanction if Council is found to have breached the Heavy Vehicle National Law (NSW)

**Policy Implications**

Nil

**Risk Considerations**

**Statutory/Regulatory Implications**

Non compliance will be a breach of the Heavy Vehicle National Law (NSW)

**Consultation conducted**

Nil

**Attachments**

Correspondence from the National Heavy Vehicle Regulated dated 28 February 2019
DIRECTOR PLANNING AND GROWTH
REPORT TO COUNCIL
PART I
4. DIRECTOR PLANNING AND GROWTH REPORT TO COUNCIL

4.1 DEVELOPMENT APPLICATIONS

Report Author: Trainee Health & Building Surveyor
Responsible Officer: Director Planning and Growth

Executive Summary

This report provides details of development applications, modifications to existing development consents and complying development certificates lodged with Forbes Shire Council during the 2019 reporting period.

Detailed Report


Development Type:

<table>
<thead>
<tr>
<th>Development Type</th>
<th>Number</th>
</tr>
</thead>
<tbody>
<tr>
<td>Torrens title Residential Subdivision</td>
<td>2</td>
</tr>
<tr>
<td>Event</td>
<td>2</td>
</tr>
<tr>
<td>Rural Subdivision</td>
<td>1</td>
</tr>
<tr>
<td>Carport</td>
<td>1</td>
</tr>
<tr>
<td>Alterations and Additions</td>
<td>1</td>
</tr>
<tr>
<td>Home Business</td>
<td>1</td>
</tr>
</tbody>
</table>

Total development value: $201,533.00

Application details:

<table>
<thead>
<tr>
<th>DA Number</th>
<th>Location</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>2017/50-2</td>
<td>69 Quarry Road, FORBES NSW 2871</td>
<td>Torrens Title Residential</td>
</tr>
<tr>
<td>2019/8</td>
<td>5 College Road, FORBES NSW 2871</td>
<td>Residential Garage</td>
</tr>
<tr>
<td>2019/9</td>
<td>Forbes Parish, FORBES NSW 2871</td>
<td>Kalari River Arts Festival</td>
</tr>
<tr>
<td>2019/14</td>
<td>Lions Park, junction Street, FORBES NSW 2871</td>
<td>Youth Week Concert 2019</td>
</tr>
<tr>
<td>2019/11</td>
<td>54 McDonald Street, FORBES NSW 2871</td>
<td>Residential Shed</td>
</tr>
<tr>
<td>2019/12</td>
<td>3943 Bedgerabong Road, FORBES NSW 2871</td>
<td>Rural Subdivision</td>
</tr>
<tr>
<td>2019/13</td>
<td>69 Quarry Road, FORBES NSW 2871</td>
<td>Storage Shed</td>
</tr>
<tr>
<td>2019/15</td>
<td>49-51 York Street, FORBES NSW 2871</td>
<td>Torrens Title Subdivision &amp; Community Title Lots</td>
</tr>
<tr>
<td>2019/16</td>
<td>348 Calarie Road, FORBES NSW 2871</td>
<td>Horse Complex</td>
</tr>
<tr>
<td>2019/17</td>
<td>9 Black Street, FORBES NSW 2871</td>
<td>Carport</td>
</tr>
<tr>
<td>2019/18</td>
<td>39 South Gloucester Street, FORBES NSW 2871</td>
<td>Change of use &amp; subdivision</td>
</tr>
<tr>
<td>2019/19</td>
<td>2 Queen Street, FORBES NSW 2871</td>
<td>Alterations and Additions</td>
</tr>
<tr>
<td>2019/20</td>
<td>85 Wambat Street, FORBES NSW 2871</td>
<td>Patio Cover</td>
</tr>
<tr>
<td>2019/21</td>
<td>56 Show Street, FORBES NSW 2871</td>
<td>Home Business</td>
</tr>
</tbody>
</table>
**RECOMMENDATION**

That Council note the lodgement of 13 Development Applications and 1 Modified Development Application with a total value of $201,533.00 for the February 2019 reporting period.

---

**Alignment with Strategic Plan**  
L2.2: Comply with statutory obligations for development control, environmental health and animal control. Activity: Provide an effective development application, assessment and determination system, including a pre-lodgement service and effective customer service within legislative and regulatory requirements.

**Financial and Resource Implications**  
Nil.

**Policy Implications**  
Nil.

**Risk Considerations**  
Nil.

**Statutory/Regulatory Implications**  
Nil.

**Consultation conducted**  
Nil.

**Attachments**  
Nil.
4.3 PROPOSED COMPULSORY ACQUISITION - LOT 696 DP 750158

Report Author: Property Administration Officer
Responsible Officer: Director Planning and Growth

Executive Summary

The report provides Council with a brief of the proposed compulsory acquisition of a parcel of Crown Land on the corner of Junction and Forrester Street being Lot 696 DP 750158.

Detailed Report

Council received a letter from Karl Lupis, Surveyor, concerning the status of the bitumen road on the reserve of Lot 696 DP 750158. Karl acts for the owners of Lots 10 and 11 DP 570932 and Lot 1 DP 556734 to which they enjoy frontage and wish to assure they enjoy frontage notwithstanding any future status of the Reserve.

Council has historically constructed road and services infrastructure located on Lot 696 DP 750158 for the purpose of providing car park access to Lots 10 and 11 DP 570932, Lot 1 DP 556734 and Lot 1 DP 229169. However, upon notice from the Crown Lands Department the parcel of land is Crown Land for Future Public Requirements and not under Council’s care and control.

Council has received advice from Crown Lands Orange that if the road and service infrastructure is to remain on the reserve Council is required to compulsory acquire the reserve (approximately 219.5m²) from Crown Lands under Section 29 of the Land Acquisition (Just Terms Compensation) Act 1991.

There are no known Aboriginal Land claims on this lot and extinction of native title will have to be determined as part of the land acquisition.
RECOMMENDATION

That Council:

1. approve the acquisition of Lot 696 DP 750158 pursuant to the provisions of Sections 186 and 187 of the *Local Government Act 1993*;

2. grant authority to the General Manager to make an application to the Minister for Local Government for the issue of a proposed acquisition notice and to pay any compensation in accordance with the provisions of the *Land Acquisition (Just Terms Compensation) Act 1991*;

3. grant authority to the General Manager to make an application to the Governor for the publication of an acquisition notice in the Government Gazette under the *Land Acquisition (Just Terms Act) 1991* with respect of Lot 696 DP 750158;

4. endorse and affix its common seal to all associated documents relating to the acquisition of Lot 696 DP 750158 and delegate the Mayor and General Manager to execute all relevant documents pertaining to the acquisition of part Lot 696 DP 750158;

5. in accordance with Section 34(2) of the *Local Government Act 1993* give public notice of the intention to classify the land within Lot 696 DP 750158 as Operational Land as of the date of this acquisition;

6. following 28 days public notice where no submissions have been made to Council, classification the land within Lot 696 DP 750158 as Operational Land in accordance with Section 231(2) of the *Local Government Act 1993*;

7. receive a report to Council if a submission is made during the public notice period objecting to the classification of land as Operational.

Alignment with Strategic Plan

IS1: Ensure that community assets and public infrastructure including roads and bridges, public buildings, parks and sporting facilities are well maintained.

Financial and Resource Implications

Council should be mindful of the cost implication from this acquisition that will be set as defined in Section 55 of the *Land Acquisition (Just Terms Compensation) Act 1993* and is determined by the Valuer General.

Policy Implications

Procurement Policy.

Risk Considerations

Nil.

Statutory/Regulatory Implications

Nil.

Consultation conducted

Nil.

Attachments

Arial and Mapping image – Refer Appendix 1
APPENDIX 1 – MAP OF PROPOSED COMPULSORY ACQUISITION OF LOT 696 DP750158
4.4 PROPOSED LAND ACQUISITION – WEST PLAINS ROAD AND LOWS ROAD, FORBES PART LOT 38 DP 753077

Report Author: Property Administration Officer
Responsible Officer: Director Planning and Growth

Executive Summary

The report provides Council with a brief of the proposed land acquisition of part Lot 38 DP 753077 for the purpose of re-aligning the intersection at West Plains Road and Lows Road, Forbes.

Detailed Report

Council has historically constructed a road realignment on the corner of West Plains Road and Lows Road, Forbes being part of Lot 38 DP 753077. However, upon investigations into the matter the parcel of land has never been legally acquired from the owners of the freehold land.

The plan of subdivision prepared by Karl Lupis, Surveyor, dated 11 October 2011 shows that Council is required to acquire a parcel (4629m²) of freehold land from Lot 38 DP 753077 for the purpose of realignment of road. The parcel of land will then become Lot 100 and Lot 101 to which Council will acquire Lot 100 from the owners of the freehold land.

Council entered into an agreement with the owners of the freehold land on 9 November 2011 to which provided Council, its employees and equipment permission to enter upon the subject land, for the purpose of carrying out works prior to the actual acquisition of the land. Within the agreement Council agreed to pay all costs associated with the survey, plan registration and title transfer costs associated with the acquisition.

A resolution of Council is required in order for the matter to proceed.
RECOMMENDATION

That Council:

1. approve the acquisition of part of Lot 38 DP 753077 corner of West Plains Road and Lows Road, Forbes pursuant to Section 177 of the Roads Act 1993 for the purpose of creation of a public road;

2. approve the making of an application to the Minister for Local Government for the issue of a proposed acquisition notice under the Land Acquisition (Just Terms Compensation) Act 1991 with respect to part Lot 38 DP 753077;

3. approve the making of an application to the Governor for the publication of an acquisition notice in the Government Gazettal under the Land Acquisition (Just Terms Compensation) Act 1991 with respect to part Lot 38 DP 753077;

4. grant authority to the General Manager to implement relevant actions to have the acquisition of part Lot 38 DP 753077 transferred into Council published in the NSW Government Gazette page for public road purpose;

5. endorse and affix its common seal to all associated documents relating to the subdivision and purchase of part Lot 38 DP 753077 and delegate the Mayor and General Manager to execute all relevant documents pertaining to the acquisition and purchase of part Lot 38 DP 753077.

Alignment with Strategic Plan
IS1: Ensure that community assets and public infrastructure including roads and bridges, public buildings, parks and sporting facilities are well maintained.

Financial and Resource Implications
Council has agreed to pay all costs associated with the survey, plan registration and title transfer costs associated with the acquisition.

Council should be mindful of the set fees and charges for the gazette set out by NSW Land Registry Services and NSW Government Gazette.

Policy Implications
Procurement Policy.

Risk Considerations
Nil.

Statutory/Regulatory Implications
Nil.

Consultation conducted
Consultation with freehold land owners

Attachments
Subdivision and aerial images – refer Appendix 1
APPENDIX 1 – MAP OF PROPOSED LAND ACQUISITION OF LOT 38 DP753077
4.5 PROPOSED ROAD CLOSURE AND SALE – SOUTH LEAD ROAD

Report Author: Property Administration Officer
Responsible Officer: Director Planning and Growth

Executive Summary

The report provides Council with a brief of proposed permanent road closure and sale within the Forbes Local Government Area.

Detailed Report

Council has received a request from the freehold owner of Lot 8 DP 1151056 to endorse the closure of an unformed road located in the Parish of Wongajong, south of South Lead Road and north of Greens Road, the adjoining properties of 108 South Lead Road (Lot 8 DP 1151056) and 56 South Lead Road (Lot 7 DP 827907). The area proposed to be closed is shown in red on the aerial and mapping images attached.

The unformed road is a Council Road and therefore if Council endorses the closure of the unformed road, then Council is required to advertise the proposal to close Council public road in accordance with Section 38B and 38C of the Roads Act 1993. The advertisement should also notify the public that Council also proposes to sell the portion of closed road to one of the adjoining land owners.

Once the road has been closed and a Lot and DP has been allocated to the parcel of land then Council is required to open expressions of interest to the neighbouring properties and any other interested parties in accordance with Council’s Real Estate Disposal Policy & Procedure.

A resolution of Council is required in order for the matter to proceed.
Commentary

Council’s Corporate, Environmental Services and Engineering and Technical Services Departments have reviewed the matter and agree with the recommendation.

RECOMMENDATION

That Council:

1. agree in principle to the closure of the unformed road adjoining Lot 8 DP 1151056 and Lot 7 DP 827907;

2. delegate authority to the General Manager to implement notification of the proposal to close the unformed road adjoining Lot 8 DP 1151056 and Lot 7 DP 827907 under Section 38B of the Roads Act 1993 and to have it classified as Operational Land under the Local Government Act 1993;

3. receive a report at the May 2019 meeting if submissions are received;

4. delegate authority to the General Manager to implement relevant actions to have the unformed road adjoining Lot 8 DP 1151056 and Lot 7 DP 827907 closed in accordance with Section 38D of the Roads Act 1993 and dedicate land as Operational under the Local Government Act 1993 where no submissions are received.

5. delegate authority to the General Manager to enter into negotiations for the sale of the road reserve adjoining Lot 8 DP 1151056 and Lot 7 DP 827907.

6. endorse and affix its common seal to all associated documents relating to the sale of the closed road reserve and delegate the Mayor and General Manager to execute all relevant documents pertaining to the sale of the closed road reserve adjoining Lot 8 DP 1151056 and Lot 7 DP 827907.

Alignment with Strategic Plan
LG2.1: Provide leadership through ethical, accountable and legislative decision making. Ensure elected members are adequately resourced to enable effective representation.

Financial and Resource Implications
Council should be mindful of the set fees and charges of NSW Land and Registry Services and also of the legal fees in accordance with the sale and transfer.

Council should also take into account that the estimated land value of neighbouring properties is $3.67 calculated per m².

Policy Implications
Real Estate Disposal Policy and Procedure.

Risk Considerations
Nil.

Statutory/Regulatory Implications
Nil.

Consultation conducted
Phone conversation with the owner of Lot 8 DP 1151056.
DIRECTOR PLANNING AND GROWTH REPORT TO COUNCIL cont’d

Attachments
Aerial and mapping images – refer Appendix 1

APPENDIX 1 – PROPOSED ROAD CLOSURE
4.6 SECTION 7.12 CONTRIBUTIONS PLAN:

Report Author: Town Planner
Responsible Officer: Director, Planning & Growth

Executive Summary

This report recommends approval of amendments to the Forbes Section 7.12 Developer Contribution Plan Policy following the public exhibition period. No submissions were received.

Detailed Report

At the December Council meeting, two amendments to the Section 7.12 Developer Contribution Plan were placed on public exhibition. No submissions were received.

Proposed Amendment 1: Transportable Dwellings

As DAs for Transportable Dwellings are an intersection of Section 68 of the Local Government Act 1993 and approvals of the Environmental Planning and Assessment Act 1979, no Construction Certificate or Occupation Certificate is required. As a result, there has been some confusion as to whether Transportable Dwellings are included in the policy. The proposed amendment seeks to clarify this.

In Section 3.11 Payment of Contributions, add:

“In the case of DAs where no Construction Certificate or Occupation Certificate is required, prior to the commencement of works.”

Proposed Amendment 2: Appendix 1 – Projects

The aim of this amendment is to make the approved projects broader to provide flexibility to fund a range of Councils projects over time. The amendment also includes the CBD Masterplan which seeks to upgrade public spaces for the benefit of the community.

In Appendix 1 – replace existing table with the following table:

<table>
<thead>
<tr>
<th>Project</th>
<th>Projected cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>CBD Revitalisation Project</td>
<td>$10,000,000</td>
</tr>
<tr>
<td>Playground Funding Program</td>
<td>$1,240,000</td>
</tr>
<tr>
<td>Footpath Replacement Program</td>
<td>$1,300,000</td>
</tr>
</tbody>
</table>

RECOMMENDATION

That Council:

1. add an additional point to section 3.11 Payment of Contributions that specifies “In the case of Development Applications where no Construction Certificate or Occupation Certificate is required, prior to the commencement of works” to reflect the deadline for fee payment in that circumstance; and

2. delete the existing table in Appendix 1 – Projects and replace it with a table reflecting the following projects and their projected costs:
a. CBD Revitalisation Project projected cost $10,000,000;
b. Playground Funding Program projected cost $1,240,000; and
c. Footpath Replacement Program projected cost $1,300,000

Alignment with Strategic Plan
12.3: Sustainable land use, planning and development.

Financial and Resource Implications
Funding designated to CBD Masterplan, Playground Funding Program and Footpath Replacement Program.

Policy Implications
Amendment to the Section 7.12 Developer Contribution Plan Policy.

Risk Considerations
Nil.

Statutory/Regulatory Implications
Council staff required to notify Department of Planning of the change.

Consultation conducted
Internal consultation with Engineering Department
Public consultation for a 28 day period.

Attachments
Section 7.12 Contributions Plan Policy – amended and tracked changes– refer Appendix 1
1 EXECUTIVE SUMMARY

1.1 What are the development contributions?

Development contributions are contributions made by those undertaking development approved under the Environmental Planning and Assessment Act 1979 (the Act). Contributions may be in the form of money, the dedication of land or some other material public benefit (or a combination of these). The mechanisms available for development contributions are limited to:

- In the case of contributions made under Sections 7.11 or 7.12 of the Act - toward the provision or improvement of amenities or services (or the recouping of the cost of provision or improvement of amenities or services), or

- In the case of contributions made under a planning agreement prepared in accordance with Sections 63F to 63L of the Act toward public purposes.

The Plan deals with Section 7.12 contributions.

1.2 Section 7.12 levies

Sections 7.11 and 7.12 of the Act provide Council the means to levy contributions towards the cost of public facilities and services to meet the increased demand caused by development. Unlike Section 7.11 contributions, there does not have to be a direct nexus between the development being levied under Section 7.12 and the need for the public amenity or service for which the levy is required.

A condition of development consent may be imposed by Council with a requirement that the applicant pay a levy based on a percentage of the total cost of carrying out the development. A condition under Section 7.12 that is allowed by and determined in accordance with a contributions plan may not be disallowed or amended by the Court on appeal.

The money collected will assist Council towards the provision, extension or augmentation of public amenities or public services. The application of the money is subject to any relevant provision of this Contributions Plan and the Works Schedule at Appendix 1.

1.3 Purpose

The purpose of this Contributions Plan is:

- To authorise the Council to impose a condition on certain development consents and complying development certificates requiring the payment of a contribution pursuant to Section 7.12 of the Act;
- To require a certifying authority (the Council or an accredited private certifier) to impose, as a condition of issuing a complying development certificate, a requirement that the applicant pay to Council a levy determined in accordance with this Plan;
- To assist the Council to provide public facilities and amenities which are required to maintain and enhance amenity and service delivery within the area;
- To state the purposes for which the levies are required, and
- To provide for the governance of the contributions and their application in accordance with the Act and Regulations.

1.4 Timescales identified in the Plan

This Plan aims to cater for development to 2025. It is anticipated that the Plan will be reviewed in the intervening period and updated.

Council recognises that demographic change in the existing and new population is driving changes in the demand for public services and amenities, and accordingly this Plan seeks to respond to these future needs.

1.5 Summary of Facilities
This Plan assesses contributions towards the following categories of public services and facilities:

- Roads and related infrastructure
- Pedestrian and cycling infrastructure
- Stormwater drainage
- Open space and recreation
- Fire and community facilities

1.6 Summary of Contribution Rates

The contribution rate is calculated as a percentage of the development value, as per the table below.

<table>
<thead>
<tr>
<th>Cost of Development</th>
<th>Contribution levy rate %</th>
</tr>
</thead>
<tbody>
<tr>
<td>All development valued up to and including $100,000</td>
<td>0.1%</td>
</tr>
<tr>
<td>All development valued between $100,001 to $200,000</td>
<td>0.5%</td>
</tr>
<tr>
<td>All development valued in excess of $200,000</td>
<td>1.0%</td>
</tr>
</tbody>
</table>

Certain types of development are exempt from a Section 7.12 contribution. Details can be found in Section 2.1.2.

1.7 Works Schedule

The Works Schedule can be found in Appendix 1 of the Plan.

2. INTRODUCTION

2.1 Name of Plan

This Plan is the Forbes Shire Section 7.12 Contributions Plan 2018.

This Contributions Plan has been prepared in accordance with the Act, the Environmental Planning and Assessment Regulation 2000 (the Regulations), the NSW Department of Planning and Infrastructure’s Development Contributions Practice Notes 2005, relevant Ministerial Directions, and NSW Department of Planning and Environment Circulars and Guidelines.

2.2 Commencement of Plan

This Contributions Plan takes effect on 28 May 2018. Planning applications (for the purposes of Planning Agreements), development applications and applications for complying development certificates lodged and determined on or after this date will be subject to the provisions of this Plan.

Savings and transitional arrangements

A development application or application for a complying development certificate which has been submitted prior to the adoption of this Plan but not determined shall be determined in accordance with the provisions of the Plan which applied at the date of lodgement.

2.3 Purpose of the Plan

The purpose of this Contributions Plan is:

- To authorise the Council to impose a condition on certain development consents and complying development certificates requiring the payment of a contribution pursuant to Section 7.12 of the Act;
- To require a certifying authority (the Council or an accredited private certifier) to impose, as a condition of issuing a complying development certificate, a requirement that the applicant pay to Council a levy determined in accordance with this Plan.
FORBES SHIRE COUNCIL
SECTION 7.12 CONTRIBUTIONS PLAN

- To assist the Council to provide public facilities and amenities which are required to maintain and enhance amenity and service delivery within the area;
- To state the purposes for which the levies are required and
- To provide for the governance of the contributions and their application in accordance with the Act and Regulations.

2.4 Area to which the Plan applies

This Contributions Plan applies to all land within the Forbes Shire Local Government Area (see Appendix 2).

2.5 Types of development to which this Plan applies

This Plan applies to all applications for development consent and complying development certificates on the land to which the Plan applies.

Note: “development” referred to in this clause has the same meaning as in the Act.

2.6 What does Section 7.12 of the Act provide?

Section 7.12 of the Act provides as follows:

7.12 Fixed development consent levies

- A consent authority may impose, as a condition of development consent, a requirement that the applicant pay a levy of the percentage authorised by a contributions plan, of the proposed cost of carrying out the development
- A consent authority cannot impose as a condition of the same development consent a condition under this Section as well as a condition under Section 7.11.
- A consent authority cannot impose a condition under this Section in relation to development on land within a special contributions area without the approval of:
  (a) the Minister, or
  (b) a development corporation designated by the Minister to give approvals under this subsection.

Money required to be paid by any condition imposed under this Section is to be applied towards the provision, extension or augmentation of public amenities or public services (or towards recouping the cost of their provision, extension or augmentation). The application of the money is subject to any relevant provisions of the contributions plan.

A condition imposed under this Section is not made by reason only that there is no connection between the development the subject of the development consent and the object of expenditure of any money required to be paid by the condition.

The regulations may make provision for or with respect to levies under this Section, including:

(a) that means by which the proposed cost of carrying out development is to be estimated or determined, and

(b) the maximum percentage of a levy.

3. OPERATION OF THE PLAN

3.1 Payment of the Contribution
This Plan authorizes Council to require the payment of a monetary contribution as a condition of development consent in accordance with the provisions of this Plan.

Contributions will be determined on the basis of the proposed cost of development.

3.2 Calculation of the Contribution

The contribution will be calculated as follows:

Levy payable = LC x SC

Where

• LC is the levy rate applicable
• SC is the proposed cost of carrying out the development as certified

3.3 Contribution rate

The contribution rate is calculated as a percentage of the development value, as per the table below:

<table>
<thead>
<tr>
<th>Cost of Development</th>
<th>Contribution levy rates</th>
</tr>
</thead>
<tbody>
<tr>
<td>All development valued up to and including $100,000</td>
<td>0%</td>
</tr>
<tr>
<td>All development valued between $100,000 to $200,000</td>
<td>0.5%</td>
</tr>
<tr>
<td>All development valued in excess of $200,000</td>
<td>1.0%</td>
</tr>
</tbody>
</table>

Certain types of development are exempt from a Section 7.12 contribution. Details can be found in Section 2.13.

3.4 Cost estimate reports

In order to enable the amount of the contribution to be accurately determined, a cost estimate report must accompany a Development Application or a Complying Development Certificate. The cost estimate report will need to address the requirements of GEGJ of the Environmental Planning and Assessment Regulation 2000, this has been reproduced below:

(1). The proposed cost of carrying out development is to be determined by the consent authority, for the purpose of a section 7.12 levy, by adding up all the costs and expenses that have been or are to be incurred by the applicant in carrying out the development, including the following:

(a). if the development involves the erection of a building, or the carrying out of engineering or construction work—the costs of or incidental to erecting the building, or carrying out the work, including the costs (if any) of and incidental to demolition, excavation and site preparation, decontamination or remediation;

(b). if the development involves a change of use of land—the costs of or incidental to doing anything necessary to enable the use of the land to be changed;

(c). if the development involves the subdivision of land—the costs of or incidental to preparing, assessing and registering the plan of subdivision and any related covenants, easements or other rights.

(2). For the purpose of determining the proposed cost of carrying out development, a consent authority may have regard to an estimate of the proposed cost of carrying out the development prepared by a person, or a person of a class, approved by the consent authority to provide such estimates.

(3). The following costs and expenses are not to be included in any estimate or determination of the proposed cost of carrying out development:

(a). the cost of the land on which the development is to be carried out,
FORBES SHIRE COUNCIL
ORDINARY BUSINESS PAPER – 21 MARCH 2019

(5.) the costs of any repairs to any building or works on the land that are to be retained in connection with the development;

(6.) the costs associated with marketing or financing the development (including interest on any borrowings);

(7.) the costs associated with legal work carried out or to be carried out in connection with the development;

(8.) project management costs associated with the development;

(9.) the cost of building insurance in respect of the development;

(10.) the costs of fittings and furnishings, including any refitting or refurbishing, associated with the development (except where the development involves an enlargement, expansion or intensification of a current use of land);

(11.) the costs of commercial stock inventory;

(12.) any taxes, levies or charges (other than GST) paid or payable in connection with the development by or under any law;

(13.) the costs of enabling access by disabled persons in respect of the development;

(14.) the costs of energy and water efficiency measures associated with the development;

(15.) the cost of any development that is provided as affordable housing;

(16.) the costs of any development that is the adaptive reuse of a heritage item.

(17.) The proposed cost of carrying out development may be adjusted before payment, in accordance with a contributions plan, to reflect quarterly or annual variations to readily accessible index figures adopted by the plan (such as a Consumer Price Index) between the date the proposal was determined by the consent authority and the date the levy is required to be paid.

(18.) To avoid doubt, nothing in this clause affects the determination of the fee payable for a development application.

Where a cost estimate is not provided Council will estimate the cost of the development using the latest version of Council’s Cost Guide.

If the quantum of works exceeds $1,000,000, it must be independently verified by a Quantity Surveyor who is registered with the Australian Institute of Quantity Surveyors or a person who can demonstrate equivalent qualifications.

Without limitation to the above, Council may review the valuation or works and may seek the services of an independent person to verify the costs. In those cases, all costs associated with obtaining such advice will be at the expense of the applicant and no construction certificate will be issued until such time that the levy has been paid.

3.5 Compliance

In accordance with Section 7.12(1) of the Act, an accredited certifier must impose a condition on a complying development certificate where a contribution is required in accordance with this Plan. The amount of the contribution is to be determined in accordance with the formula contained in this Plan (outlined in Section 3.2 and 3.3 of this Plan). It is the responsibility of accredited certifiers to correctly calculate the contribution and apply the Section 7.12 contribution as a condition of consent (if applicable).
3.6 Construction Certificates

In accordance with Clause 14C of the Regulations, a certifying authority must not issue a construction certificate for building work or subdivision works under development consent unless it has verified that each condition requiring the payment of monetary contributions has been satisfied.

In particular, the certifier must ensure that the applicant provides a receipt(s) confirming that contributions have been fully paid and copies of such receipts must be included with copies of the certified plans provided to the Council in accordance with Clause 14C(2) of the Regulations. Failure to follow this procedure may render such a certificate invalid.

The only exception to this requirement is where works in kind, material public benefit, dedication of land or deferred arrangement has been agreed by the Council. In such cases the Council will issue a letter confirming that an alternative payment method has been agreed with the applicant.

3.7 Alternatives to payment

Council may accept an offer by the applicant to provide an “in-kind” contribution (i.e. the applicant completes part or all of works identified in the plan) or through provision of another material public benefit in lieu of the applicant satisfying its obligations under the plan. The decision to accept such offers is at the sole discretion of the Council.

Council may accept such alternatives when made as an offer as part of a development application.

The applicant may include in the relevant development application or in an application for a modification under Section 71 of the Act an offer to carry out works or provide a material public benefit in lieu of the applicant satisfying its obligations under the plan. The decision to accept such offers is at the sole discretion of the Council.

In assessing the applicant’s offer, the Council will have regard to any relevant requirements of the current Practice Note issued by the NSW Government and such other matters as the Council considers relevant in the circumstances of the case including, but not limited to:

- The value of the works to be undertaken is at least equal to the value of the contribution that would otherwise be required under the plan; Council does not issue permits to applicants for works in kind which are provided in excess of the approved condition outside of a standard procedure involving approval by Council, such as staged development; and
- The standard of the works is to Council’s full satisfaction and the works are handed over to the Council at completion without restriction of limitation and
- The provision of the material public benefit will not prejudice the timing or the manner of the provision of public facilities included in the works program.

The value of an offer to provide Works in Kind or a material public benefit towards which the levy is to be applied, in lieu of in part, of satisfying a condition of consent relating to payment of a Section 71/71B/12 contribution will be valued utilizing the following mechanisms:

- Any credit will be calculated based on the actual cost of works or the agreed cost estimate, whichever is the lesser. The agreed cost estimate will be determined by a review of the costs submitted by the applicant via Council’s Engineering Services Department (or a Registered Quantity Surveyor of Council’s discretion);
- The agreed cost estimate can be amended by submission of a variation request by the applicant which will be reviewed and certified by a registered Quantity Surveyor;
- The actual cost of works is required to be evidenced and verified by a registered Quantity Surveyor.
FORBES SHIRE COUNCIL
SECTION 7.12 CONTRIBUTIONS PLAN

- The Quantity Surveyor to act on the project will be chosen by Council from a list of 3 recommended by the applicant all of whom are to be members of Panel A for The NSW Department of Finance, Services and Innovation or Local Government Procurement; and
- Quantity Surveyor services costs are to be borne by the applicant.

Legal agreements pertaining to works in kind

All offers, should they be accepted, to provide Works in Kind, or a material public benefit towards which the levy is to be applied, in lieu (in full or in part) of satisfying a condition of consent relating to payment of a Section 7.12 contribution will be subject to a legal agreement between Council and the applicant. All agreements will include, but not limited to, the following:

- The works to be undertaken;
- The timing of the works;
- The quality of the works;
- The costs of the works;
- Handover and signoff by Council;
- The applicants rights and responsibilities, and
- Council’s rights and responsibilities.

Planning Agreements

An applicant may offer to enter into a Planning Agreement with the Council in connection with a development application or a rezoning application that is made for the purposes of being able to subsequently make a development application. The applicant’s provision under a Planning Agreement may be additional to, or instead of, making contributions under Section 7.12 of the Act.

Provision is made for Planning Agreements under Section 21F of the Act.

Under a Planning Agreement, the applicant may offer to pay money, covenants, land, carry out works, or provide other material public benefits for public purposes.

The offer to enter into a Planning Agreement, together with the draft Agreement, will generally need to accompany the relevant development application or rezoning application. The Council will publicly notify the draft Agreement and explanatory note relating to the draft Agreement along with the relevant application(s) and will consider the Agreement as part of its assessment of the relevant application(s). If the Council agrees to enter into the Agreement, it may impose a condition of development consent requiring the Agreement to be entered into and performed.

Council encourages the use of Planning Agreements, particularly for development:

- For

3.8 Reassessment of Contributions

Council may consider an application for the reassessment of the development monetary contribution payable. This may result in the contribution being reduced, waived or modified.

Where a condition of development consent has already been imposed requiring the payment of a contribution, the applicant will be required to lodge an application to reassess the contribution in accordance with Section 21G of the Act. To reassess the contribution charged:

The request shall be in writing and provide sufficient information to satisfy Council of the inappropriate nature of the contribution and the implications to Council of reducing or waiving the contribution in the particular circumstances.

3.9 Are refunds for payments of levies possible?

For a refund of levy payments to be considered, the applicant/landowner must:

Forbes Shire Council | Section 7.12 Contributions Plan
Version 1 – Adopted 19 April 2019 (File Rev No. 142/2019)
FORBES SHIRE COUNCIL
ORDINARY BUSINESS PAPER – 21 MARCH 2019

FORBES SHIRE COUNCIL
SECTION 7.12 CONTRIBUTIONS PLAN

- Submit a written request to Council;
- In the request demonstrate that the development has not been commenced;
- Submit the request for a refund by within the year following payment of the levy;
- Formally surrender the consent that applied the levy.

Part or full refunds may only be provided in circumstances that are considered reasonable and where a formal request has been made.

2.10 Adjusting Contributions at the time of payment

This Plan authorises Council to undertake these indexed based changes without the necessity of preparing a new or amending contributions plan.

This is to ensure that the value of contributions is not eroded over time by movements in the Consumer Price Index, land value increases, the capital costs of construction of facilities and administration of the Plan, or through changes in the costs of studies to support the Plan.

Contributions required as a condition of development consent will be adjusted at the time of payment using the following formula:

\[ CP = \text{COC} \times \text{Current index} \]

\[ \text{Current index} = \frac{\text{Base index +}\Delta\text{index}}{\text{Base index}} \]

- \( CP \) is the amount of the contribution calculated at the time of payment.
- \( \text{COC} \) is the amount of the original contribution as set out in the development consent.
- The \( \text{Current index} \) is the Consumer Price Index for All Groups Index for Sydney (as currently available from the Australian Bureau of Statistics at the time of payment).
- The \( \text{Base index} \) is the Consumer Price Index for All Groups Index for Sydney which applied at the time of calculation as shown on the development consent.

3.11 Payment of Contributions

The time of payment of contributions shall be as follows:

- Development Applications involving subdivision only – prior to the release of the Subdivision Certificate.
- Development involving both subdivision and building work (e.g. integrated housing developments) – prior to the release of the Construction Certificate, or the release of the Subdivision Certificate, whichever occurs first.
- Prior to the issue of the Complying Development Certificate, and
- Development Applications where no Construction Certificate is required – prior to the issue of an Occupation Certificate.
- In the case of Development Applications where no Construction Certificate or Occupation Certificate is required, prior to the commencement of works.

Where an application is dealt with by an Accredited Certifier other than Council, the development consent shall not operate unless and until the amount required by the consent under this Contributions Plan is paid to Council.

The amount of any monetary contribution to be paid will be the contribution payable at the time of consent, and depending upon the time of payment will be subject to reasonable adjustment due to movements in the Consumer Price Index and/or changes to the rates indicated within this Plan (refer to Section 3.10 of the Plan).
Deferral of Periodic Payments

Council may consider deferring the periodic payments made by periodic installments. This will be a merit based decision, considered on a case by case basis and subject to approval by Council.

A request for deferral or periodic payment must be made in writing to Council, stating the proposed length of deferral, and may only be accepted where:

- There are valid reasons for the deferral or periodic payment;
- The deferral will not prejudice the efficiency and operation of the Plan;
- The granting of the request for deferral payment will not jeopardize the timely provision of works or land identified within the Plan;
- A suitable bank guarantee (or equivalent security) can be and is provided in the event that the request is accepted by Council;
- Where the applicant intends to make a contribution by way of a Planning Agreement, Works in Kind or land dedication in lieu of a cash contribution, and Council and the applicant have a legally binding agreement for the provision of the works or land dedication;
- Residential Incentive Policy; and
- The periodic or deferred contributions are paid, including interest, at no cost to Council.

The conditions under which Council may accept periodic payment for a staged development are:

- That the instalments are paid before the works commence on each relevant stage of the development;
- The amount to be paid at each stage is to be calculated on a pro-rata basis in proportion to the demand for the relevant facility being levied by the overall development, including CFI if required.

2.12 Goods and Services Tax

Monetary Section 7.12 development contributions are exempt from the Federal Government Goods and Services Tax (GST).

3.13 Exemptions

Under Section 7.11E of the Act, levy under Section 7.12 cannot be imposed on development:

- Where the cost of development is $100,000 or less;
- For the purpose of disabled access;
- For the purpose of affordable housing;
- For the purpose of reducing the consumption of mains-supplied potable water, or reducing the energy consumption of a building;
- For the purpose of the adaptive reuse of an item of environmental heritage listed in Schedule 5 of Forbes Local Environmental Plan 2010;
- Where a condition under ST 11 of the Act has been imposed on a previous development consent relating to a subdivision that resulted in the creation of the lot upon which the development is proposed to be carried out. This exemption does not apply to new subdivision developments, and
- For seniors living development under SEPP Seniors Housing 2004 provided by a Social Housing Provider.

2.14 Review of the Plan

This Plan may be reviewed in full, or in part, when considered appropriate having regard to the rate and type of development, cost of facility provision, and community response to service and facility provision.

A complete review of this Plan is anticipated every five (5) years from the date of commencement of the Plan.
2.15 Accountability

Financial management and accountability are important components of Section 7.12, and Council is
obliged to maintain an accurate and up to date register of all Section 7.12 contributions. Council is
required to comply with a range of financial accountability and public access to information
requirements in relation to Section 7.12. These are addressed in Division 6 and 8 of Part 4 of the
Regulations and include:

- Maintenance of, and public access to, a contributions register;
- Maintenance of, and public access to, accounting records for contributions received and spent;
- Annual financial reporting of contributions; and
- Public access to contributions plans and supporting documents.

Monetary contributions received under the authority of this Plan shall be recorded and kept through a
separate account specifically established for this Plan. The records shall indicate the contributions
received, contributions expended and must include the interest, if any, earned on invested funds for
each account. These records are updated on a monthly basis.

Separate accounting records are maintained for all Council’s Section 7.11 and Section 7.12
Contribution Plans. Information on Section 7.11 accounts and funds relating to this Plan will be
provided in a condensed format within Forbes Shire Council’s Annual Reports in accordance with
requirements of the Regulation.

Information is also available in Council’s contribution register relating to this Plan, which can be
inspected at Council during normal business hours.

3.14 Unspent Section 7.11 Funds

This Plan also authorises that unspent moneys collected through the previous Section 7.11 Plan are to
be expended on works identified in the Works Schedule included in Appendix 1.

3.17 Application of the funds

Money paid to the Council under a condition authorised by this plan is to be applied by the Council
towards meeting the cost of the public amenities or services that will be or have been provided within
the area as listed in the Works Schedule at Appendix 1.

3.18 Pooling of Contributions

This Plan expressly authorises monetary Section 7.12 Contributions paid for different purposes to be
pooled and applied (progressively or otherwise) for those purposes. The priorities for the expenditure
of the contributions are shown in the Works Schedule at Appendix 1.

3.19 Conditions of Consent

Unless otherwise determined by Council, the standard conditions will be used on Development
Application determinations and Complying Development Certificates for monetary contributions laved
under this Plan.

3.20 Procedure for obtaining cost estimates

A Development Application or an application for a Complying Development Certificate for works
greater than $100,000 must be accompanied by a report setting out an estimate of the proposed cost
of carrying out the development.

The following shall be provided:

- A cost estimate report must be completed for works with a value greater than $100,000 and no
greater than $3,000,000.
A Quantity Surveyor's Cost Estimate Report must be completed by a registered Quantity Surveyor for works with a value greater than $20,000.00, and

To avoid doubt, Section 251 of the Acts sets out the things that are included in the estimation of the construction costs by adding up all the costs and expenses that have been or are to be incurred by the applicant in carrying out the development, including the following:

- If the development involves the erection of a building, or the carrying out of engineering or construction work—the costs of or incidental to erecting the building, or carrying out the work, including the costs (if any) of and incidental to demolition, excavation and site preparation, decontamination or remediation,

- If the development involves a change of use of land—the costs of or incidental to doing anything necessary to enable the use of the land to be changed, and

- If the development involves the subdivision of land—the costs of or incidental to preparing, executing and registering the plan of subdivision and any related covenants, easements or other rights.

The relevant cost estimate report is required to be submitted with a Development Application or Application for a Complying Development Certificate to allow Council, or an Accredited Certifier for Complying Development, to determine the contribution that will be required as a condition of consent.
## Appendix 1 - Projects

<table>
<thead>
<tr>
<th>Site</th>
<th>Replacement Year</th>
<th>Replacement Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>Goomerooi Park</td>
<td>2018</td>
<td>$55,000</td>
</tr>
<tr>
<td>Nurse Stakes Park</td>
<td>2018</td>
<td>$60,000</td>
</tr>
<tr>
<td>Footpath capital improvement</td>
<td>2018</td>
<td>$35,000</td>
</tr>
<tr>
<td>Stormwater capital works</td>
<td>2018</td>
<td>$90,000</td>
</tr>
<tr>
<td>Playground replacement</td>
<td>2018</td>
<td>$55,000</td>
</tr>
<tr>
<td>Liberal Arts Retreat Program</td>
<td>2018</td>
<td>$50,000</td>
</tr>
<tr>
<td>Kerb and gutter Replacement</td>
<td>2018</td>
<td>$50,000</td>
</tr>
<tr>
<td>Mary-Mill Park</td>
<td>2020</td>
<td>$40,000</td>
</tr>
<tr>
<td>Aquatic Centre</td>
<td>2024</td>
<td>$50,000</td>
</tr>
<tr>
<td>Esplanade Park</td>
<td>2022</td>
<td>$35,000</td>
</tr>
<tr>
<td>Liana Park</td>
<td>2023</td>
<td>$90,000</td>
</tr>
<tr>
<td>Narrabeet Park</td>
<td>2025</td>
<td>$100,000</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Project</th>
<th>Projected Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>CHD Renaturalization Project</td>
<td>$100,000</td>
</tr>
<tr>
<td>Playground Funding Program</td>
<td>$3240,000</td>
</tr>
<tr>
<td>Footpath Replacement Program</td>
<td>$1,300,000</td>
</tr>
</tbody>
</table>

## Appendix 2 - Where the S7.12 Contribution 0 Plan Applies

[Map of Forbes Shire Council showing areas covered by the S7.12 Contribution 0 Plan]
FORBES SHIRE COUNCIL
ORDINARY BUSINESS PAPER – 21 MARCH 2019

Revision History

<table>
<thead>
<tr>
<th>Version</th>
<th>Date</th>
<th>Amended by</th>
<th>Approved by</th>
<th>Revision Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>VII</td>
<td>19/04/2018</td>
<td>New Policy</td>
<td>Director Planning &amp; Growth</td>
<td>16/04/2019</td>
</tr>
</tbody>
</table>

Change History

<table>
<thead>
<tr>
<th>Version</th>
<th>Change Details</th>
</tr>
</thead>
<tbody>
<tr>
<td>VII</td>
<td>New Policy</td>
</tr>
</tbody>
</table>

Related Documents

<table>
<thead>
<tr>
<th>Document Title</th>
<th>Location</th>
</tr>
</thead>
<tbody>
<tr>
<td>Environmental Planning and Assessment Act 1979</td>
<td></td>
</tr>
<tr>
<td>Environmental Planning and Assessment Regulations 2003</td>
<td></td>
</tr>
<tr>
<td>Department Planning and Infrastructure Development Contributions Practice Notes 2005</td>
<td></td>
</tr>
<tr>
<td>Nature Conservation Directions</td>
<td></td>
</tr>
<tr>
<td>NSW Department Planning and Environment Consult and Confident.</td>
<td></td>
</tr>
</tbody>
</table>
### Executive Summary

The report provides Council with a brief of the proposed land within the Forbes Local Government Area be dedicated as a road.

### Detailed Report

The parcel of land is located in the Parish of Forbes, connecting The Bogan Way and Edward Street North West of the Community Business District (“CBD”) and is owned by Council.

The parcel of land is proposed to be dedicated as a Road for public road purposes and form part of Edward Street as evidenced above and in Appendix 1 attached.

None of the residents within the LGA will be affected by the parcel of land being dedicated as road as this parcel of land is already being used as a road but is not legally dedicated as a ‘road’.

The issue has been discussed with land owners adjoining to the parcel of land and have confirmed that they do not object to the parcel being dedicated as a road.
DIRECTOR PLANNING AND GROWTH REPORT TO COUNCIL cont’d

RECOMMENDATION

That Council:

1. receive and note the Proposed Road Gazettal Edward Street – Lot 2 DP1123523 report;

2. delegate authority to Council’s General Manager to implement relevant actions to have Edwards Street Lot 2 DP 1123523 gazetted for public road purposes under Section 10 of the Roads Act 1993.

Alignment with Strategic Plan
IS1: Ensure that community assets and public infrastructure including roads and bridges, public buildings, parks and sporting facilities are well maintained.

Financial and Resource Implications
Council should be mindful of the cost implication from this gazette that will be determined by set fees by NSW Land Registry Services and NSW Government Gazette.

Policy Implications
Nil.

Risk Considerations
Nil.

Statutory/Regulatory Implications
Nil.

Consultation conducted
Nil.

Attachments
Proposed Road Dedication – refer Appendix 1
AERODROME COMMITTEE
REPORT TO COUNCIL
PART I
5. AERODROME COMMITTEE REPORT TO COUNCIL – PART I

A meeting of this Committee was held in the Council Chambers on 12 March 2019 commencing at 5:30 pm.

<table>
<thead>
<tr>
<th>PRESENT</th>
<th>APOLOGY</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cr S Karaitiana (Chair)</td>
<td>Mr S Loane</td>
</tr>
<tr>
<td>Cr C Roylance</td>
<td>Mr L Munroe</td>
</tr>
<tr>
<td>Mr S Robb (Stakeholder)</td>
<td>Mr J Redfern</td>
</tr>
<tr>
<td>Ms M Ewing (Flying Club)</td>
<td>(M Ewing/G Hodges)</td>
</tr>
<tr>
<td>Mr D Redfern (Stakeholder)</td>
<td></td>
</tr>
<tr>
<td>Mr G Hodges (Flying Club)</td>
<td></td>
</tr>
<tr>
<td>Mr G Haley (Stakeholder)</td>
<td></td>
</tr>
<tr>
<td>Mr J Zannes (Director Engineering)</td>
<td></td>
</tr>
<tr>
<td>Ms J Parker (Manager P &amp; I)</td>
<td></td>
</tr>
<tr>
<td>Mr D Speer (Manager – Works)</td>
<td></td>
</tr>
</tbody>
</table>

The Chair acknowledged the Traditional Custodians of the land on which we met today and paid respect to the Elders past, present, and emerging.

CONFLICT OF INTEREST

The Chair asked if any members had a conflict of interest.

Nil recorded.

MINUTES

The record of the previous meeting held 3 October 2018 was adopted by Council at its meeting of 18 October 2018. (D Redfern/M Ewing)

5.1 BUSINESS ARISING FROM PREVIOUS MINUTES

5.1.1 Aerodrome Subdivision

The meeting was advised that the Aerodrome Subdivision has been processed by NSW Land Registry Services and Council is waiting for the Title Deeds for the new lots. Council will be sending out confirmation emails to those who put forth an interest in acquiring the subdivided land seeking a deposit and the name of the interested parties’ legal representation to start the conveyancing process.

Council at its meeting of 21 February 2019 resolved to write to the Aerodrome User Group putting forward Darby Munro Road as a suitable name for the private road at the Forbes Aerodrome.

Letters will be forwarded to the Aerodrome User Group members requesting Darby Munro Road be put forth as a suitable name for the private road at the Forbes Aerodrome.

RECOMMENDATION

That Council:

1. receive and note the update on the Aerodrome Subdivision;

2. put forth Darby Munro Road as a suitable name for the private road at the Forbes Aerodrome and other user groups not represented at the Aerodrome Committee be sent a letter for concurrence on this decision. (M Ewing/G Hodges)

5.1.2 Aerodrome Upgrade

It was noted that the landside design for the roads is complete. The finalisation of the drawings are in progress. Resourcing and competing priorities has slowed the design team’s progress, however it is continuing.
A draft design for the airside has been completed and an estimate has been developed based on this design. The design identified that the pavement requirements for taxiways and aprons is notable, which has meant that the cost to complete these works will be significant. To keep the process moving, a Request For Quotation (RFQ) is being prepared, inviting suitably qualified and experienced airport design specialists to review Council’s airside design and provide advice and solutions as to how Council can achieve cost savings, while still meeting CASA requirements and providing a functional facility. This relates to taxiways, aprons, drainage, lighting and pavement design.

**RECOMMENDATION**

That Council:

1. receive and note the update on the Aerodrome Upgrade.

2. send out a scope to the committee for information. *(M Ewing/G Haley)*

### 5.1.3 Landscaping Tim Meagher Parade and Artie Wright Drive

Council resolved to re-investigate the tree planting at Tim Meagher Parade and Artie Wright Drive. As previously reported, owing to the clay soil, fluctuating between arid and waterlogged due to seasonal conditions, it is felt that a robust native tree should be used.

It was suggested that the Willow Bottlebrush (Callistemon Salignus) might be a suitable tree, as it is an attractive small native tree with a dense growth habit, has pink to red new foliage and yellow flowers. It is a very adaptable bottlebrush, has fast growing bottlebrushes, and can tolerate waterlogged soils for extended periods as well as being drought tolerant.

Tim Meagher Parade is approximately 160m long and if an avenue of trees was planted on either side of the road, spaced at 10m intervals, it is estimated to cost $3,500 to supply and plant semi mature trees. There would be some cost in regular watering until they are established. It should be noted that new plantings would not be undertaken until the cooler months.

To include Artie Wright Drive, would effectively double the costs.

To reduce costs, tube stock could be used, but would take longer to establish. There are numerous options available, but the ongoing issue to be discussed by the Committee is the watering and short term ongoing costs.

**RECOMMENDATION**

That Council put the landscaping of Tim Meagher Parade and Artie Wright Drive on hold indefinitely or if water becomes available on the site for irrigation. *(D Redfern/S Robb)*

### 5.1.4 CASA Audit

Last year, CASA undertook an audit of the Aerodrome and its operations. The findings and actions taken were presented to the October 2018 Aerodrome Advisory Committee for its information. All items highlighted in the audit have been actioned and now closed out by CASA.
RECOMMENDATION

That Council receive and note the completion of the Aerodrome Audit and outstanding matters. *(D Redfern/G Haley)*

5.2 NEW BUSINESS

5.2.1 Aerodrome Manual

Council has reviewed and completely updated its Aerodrome Manual. The manual is not necessarily essential for a registered aerodrome however it is strongly encouraged by CASA. Council had a manual that was out of date and did not reflect current operations or contain current Reporting Officer details. This anomaly was also noted as an issue of concern from the previous CASA audit. The manual now reflects the current operating status of the Aerodrome. CASA has received a copy of the manual and advised that the document meets requirements and the issue of concern has been noted as being addressed.

RECOMMENDATION

That Council receive and note the update of the Aerodrome Manual. *(D Redfern/S Robb)*

5.2.2 AAA Airport Safety Forum

The Australian Airport Association recently held a forum to discuss current safety concerns and issues at airports and aerodromes. Also discussed was the changes to the Manual of Standards (MOS) Part 139 that will be effective from August 2019.

These changes will have potential significant impacts on certified aerodromes, particularly those undergoing expansion or redevelopment. As Forbes is not certified, but registered only, the operational impacts will be minimal but will require:

- The Aerodrome Manual to be updated to reflect changes to Aerodrome Reference Codes (ARCs). Refer to the MOS Part 139 for details.
- Council to develop a Drug and Alcohol Management Plan (DAMP) for the Forbes Aerodrome and incorporate into the Aerodrome Manual.
- Reapply to register the Aerodrome under the new MOS Part 139. This is necessary to grandfather the current status of the facility meaning the changes to the MOS will not be applied to the existing (this is the strategy actively encouraged by CASA at the forum).

RECOMMENDATION

That Council receive and note the AAA Airport Safety requirements *(G Haley/M Ewing)*

5.3 BUSINESS WITHOUT NOTICE

Council confirmed that we have a Development Application progressing for a provider of Fuel to be installed at the Forbes Aerodrome.
5.4 **DATE AND TIME OF NEXT MEETING**

The next date of this Committee will be held on Tuesday 11 June 2019 commencing at 5:30 pm.

5.5 **CLOSE OF MEETING**

There being no further business the meeting closed at 6:17 pm.

**RECOMMENDATION**

5.1.1 **Aerodrome Subdivision**

That Council:

1. receive and note the update on the Aerodrome Subdivision;
2. put forth Darby Munro Road as a suitable name for the private road at the Forbes Aerodrome and other user groups not represented at the Aerodrome Committee be sent a letter for concurrence on this decision.

5.1.2 **Aerodrome Upgrade**

That Council:

1. receive and note the update on the Aerodrome Upgrade;
2. send out a scope to Committee members for information.

5.1.3 **Landscaping Tim Meagher Parade and Artie Wright Drive**

That Council put the landscaping of Tim Meagher Parade and Artie Wright Drive on hold indefinitely or if water becomes available on the site for irrigation.

5.1.4 **CASA Audit**

That Council receive and note the completion of the Aerodrome Audit and outstanding matters.

5.2.1 **Aerodrome Manual**

That Council receive and note the update of the Aerodrome Manual.

5.2.2 **AAA Airport Safety Forum**

That Council receive and note the AAA Airport Safety requirements.
AUDIT, RISK AND IMPROVEMENT COMMITTEE
REPORT TO COUNCIL
PART I
6. AUDIT, RISK AND IMPROVEMENT COMMITTEE REPORT TO COUNCIL

A meeting of this Committee was held in Meeting Room 1 on Tuesday 12 March 2019 commencing at 3:02 pm.

<table>
<thead>
<tr>
<th>PRESENT</th>
<th>APOLOGY</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mr G Twomey (Chair)</td>
<td>Mr S Loane</td>
</tr>
<tr>
<td>Mr P Croft</td>
<td>Cr Susan Chau</td>
</tr>
<tr>
<td>Mr P Moffitt</td>
<td>Mr J O’Malley</td>
</tr>
<tr>
<td>Cr P Miller OAM</td>
<td>(Cr G Miller/P Croft)</td>
</tr>
<tr>
<td>Cr G Miller</td>
<td></td>
</tr>
<tr>
<td>Mr S Murru (Director Corporate Services)</td>
<td></td>
</tr>
<tr>
<td>Mr I Prior (Chief Financial Officer)</td>
<td></td>
</tr>
</tbody>
</table>

APOLOGY

The Chair acknowledged the Traditional Custodians of the land on which we met today and paid respect to the Elders both past and present.

CONFICT OF INTEREST

The Chair asked if any members had a conflict of interest. No conflict of interest in any matter was declared.

MINUTES

The minutes of the meeting held 11 December 2018 were confirmed as correct. (P Croft/P Moffitt)

6.1 BUSINESS ARISING FROM PREVIOUS MINUTES

6.1.1 Draft Corporate Credit Card Policy

A copy of the draft policy and delegations register was tabled for the Committee’s review and comment.

RECOMMENDATION

That Council update the current Draft Corporate Credit Card Policy with reference to policies from other Councils and bring back to the next Audit, Risk and Improvement Committee. (Cr G Miller/Cr P Miller)

6.1.2 Fraud Prevention Matters

Council is currently reviewing the Auditor-General’s report of performance audit into fraud controls in local councils. An overview of the report action recommendations for consideration will be provided to the Committee’s next meeting.

RECOMMENDATION

That Council receive a report on the Auditor-General’s report of performance audit into fraud controls in local government at the next Audit, Risk and Improvement Committee. (P Moffitt/Cr P Miller)

6.1.3 Draft Final Management Letter – Year Ending 30 June 2018

The Committee reviewed the Draft Final Management letter for year ending 30 June 2018.

RECOMMENDATION

That Council receive and note the report on the Draft Final Management Letter for year ending 30 June 2018. (P Croft/Cr P Miller)
6.1.4 Management Letter – Action Items

Outstanding action items from the 18 October 2018 Management letter was submitted to the Committee for review and comment.

**RECOMMENDATION**

That Council receive and note the outstanding action items arising from the 18 October 2018 Management letter. *(P Croft/Cr G Miller)*

6.1.5 Internal Auditor Update

Council, at its meeting held 21 February 2019, resolved to seek quotations to engage an Internal Auditor for a two year period. Council is currently in the process of developing the brief for tender/quotation.

**RECOMMENDATION**

That Council receive and note the update on the engagement of an Internal Auditor for a two year period. *(Cr G Miller/Cr P Miller)*

6.2 **NEW BUSINESS**

6.2.1 Council’s 2019/2020 Budget.

**RECOMMENDATION**

That Council receive a copy of the 2019/2020 Budget at the next Audit, Risk and Improvement Committee. *(P Moffitt/Cr G Miller)*

6.3 **BUSINESS WITHOUT NOTICE**

Nil.

6.4 **DATE AND TIME OF NEXT MEETING.**

The next meeting of this committee will be held at 3:00 pm on Tuesday 11 June, 2019.

6.5 **CLOSE**

There being no further business the meeting closed at 3:34 pm.

---

**RECOMMENDATION**

6.1.1 Draft Corporate Credit Card Policy

That Council update the current Draft Credit Card Policy with reference to policies from other Councils and bring back to the next Audit, Risk and Improvement Committee.
6.1.2 Fraud Prevention Matters

That Council receive a report on the Auditor-General’s report of performance audit into fraud controls in local government at the next Audit, Risk and Improvement Committee.

6.1.3 Draft Final Management Letter


6.1.4 Management Letter – Action Items

That Council receive and note the outstanding action items arising from the 18 October 2018 Management letter.

6.1.5 Internal Auditor Update

That Council receive and note the update on the engagement of an Internal Auditor for a two year period.

6.2.1 Council’s 2019/2020 Budget

That Council receive a copy of the 2019/2020 Budget at the next Audit, Risk and Improvement Committee.
LEADERSHIP AND GOVERNANCE COMMITTEE
REPORT TO COUNCIL
PART I
7. **LEADERSHIP AND GOVERNANCE COMMITTEE REPORT TO COUNCIL**

A meeting of this committee was held at Council’s Administration Office at 8:00 am on Friday 22 February 2019. The meeting commenced at 8:00 am.

<table>
<thead>
<tr>
<th>PRESENT</th>
<th>APOLOGY</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cr Susan Chau (Chair)</td>
<td>Kylie Grayson (Manager Corporate Business)</td>
</tr>
<tr>
<td>Cr Chris Roylance</td>
<td>(S Loane/Cr Chau)</td>
</tr>
<tr>
<td>Cr Phyllis Miller</td>
<td></td>
</tr>
<tr>
<td>Steve Loane (General Manager)</td>
<td></td>
</tr>
<tr>
<td><em>(left the meeting at 8.20am)</em></td>
<td></td>
</tr>
<tr>
<td>Stefan Murru (Director Corporate Services)</td>
<td></td>
</tr>
<tr>
<td>Grace Williams (Senior Governance Officer)</td>
<td></td>
</tr>
</tbody>
</table>

**The Chair acknowledged the Traditional Custodians of the land on which we met today and paid respect to the Elders both past and present.**

**CONFLICT OF INTEREST**

The Chair asked if any members had a conflict of interest. No conflict of interest in any matter was declared.

**MINUTES**

The minutes of the previously meeting held on Monday 17 August 2018 were confirmed as accurate and correct. *(Cr S Chau/S Loane)*

### 7.1 BUSINESS ARISING FROM PREVIOUS MINUTES

#### 7.1.1 Councillors Access to Information and Interaction with Staff Policy

The Committee undertook a review of *Councillor Access to Information and Interaction with Staff Policy (V4 – Draft)* (the policy) and compared against the current version and the NSW Office of Local Government’s *Model Code of Conduct*.

The following amendments have been made and updated in the policy (attached as Appendix 1):

- Cl 3.2.6 – inclusion of wording explicitly expressing that Councillors are not to have contact with developers following the lodgement of a Development Application; and
- Cl. 4 – reinstatement of roles defined in current version of the policy and the inclusion of the definition of a Designated Person under s. 441 of the *Local Government Act 1993*.

**RECOMMENDATION**

That Council endorse the draft *Councillors Access to Information and Interaction with Staff Policy (Version 4)* as amended. *(Cr S Chau/S Loane)*

*DCS Comment: Refer to item 2.7 in this paper for the adoption of Version 4 of the Councillors Access to Information and Interaction with Staff Policy*

### 7.2 NEW BUSINESS

#### 7.2.1 Governance Leadership Committee Priorities

The Committee reviewed the Leadership and Governance Objectives from Council’s *Delivery Program (2017-2021)* to establish areas for oversight priorities.
The defined priorities will become standing agenda items for the Committee to track progress against. Through discussion the following Delivery Program (2017-2012) activities were highlighted as key focus areas and actions have been established:

1. Asset Management (LG1.1)
   i. Director Corporate Services to develop an Asset Management Improvement Plan which defines deliverables and deadlines for the next meeting of the Committee.

2. Community Engagement (LG4.1 and LG4.3)
   i. Director Corporate Services to provide the Committee with the Communications Ecology overview, including supporting statistics, to a future meeting of the Committee.
   ii. Complaint Management System overview, including a customer request management (CRM) report, to be presented to a future meeting of the Committee.

In addition to the above priorities the following actions are to be undertaken:

1. Briefing paper to be presented to a future meeting of the Committee providing an overview of how procurement is conducted.

2. Briefing paper to be presented post implementation of Vault (WHS Management System).

3. Manager People and Strategy to prepare a workshop regarding Councillor Learning and Development Plans to the April Councillor Debrief.

**RECOMMENDATION**

That Council:

1. note the priorities of the Leadership and Governance Committee; and

2. prepare an Asset Management Improvement Plan for to the next Committee Meeting (Cr S Chau/C Roylance)

**7.2.2 Council’s Committee Structure**

Defer to next meeting of the Leadership and Governance Committee.

**RECOMMENDATION**

That Council defer Council’s Committee Structure to the next Leadership and Government Committee meeting. (Cr S Chau/C Roylance)

**7.2.3 AR Bluett Award Application**

The Committee discussed the AR Bluett Awards following the November 2018 resolution of Council (Resolution 476/2018). The Committee noted that the status of Council’s application for the 2019 AR Bluett Award is ‘not commenced’.

Submissions for the 2019 Awards will open from 1 June to 31 July 2019.
RECOMMENDATION

That Council note the status of the AR Bluett Award 2019 Application.
(Cr S Chau/S Loane)

7.3 BUSINESS ON NOTICE

Nil.

7.4 BUSINESS WITHOUT NOTICE

Nil.

7.5 DATE AND TIME OF NEXT MEETING

The next meeting of this Committee is scheduled for 10.00 am, Thursday 17 May 2019.

7.6 TIME OF MEETING CLOSURE

The Chair thanked the members of the Committee for their attendance and closed the meeting at 9.00 am.

RECOMMENDATION

7.1.1 Councillors Access to Information and Interaction with Staff Policy

That Council endorse the draft Councillors Access to Information and Interaction with Staff Policy (Version 4) as amended.

7.2.1 Governance Leadership Committee Priorities

That Council:

1. note the priorities of the Leadership and Governance Committee; and
2. prepare an Asset Management Improvement Plan for the next Committee meeting.

7.2.2 Council’s Committee Structure

That Council defer this item to the next Leadership and Government Committee meeting.

7.2.3 AR Bluett Award Application

That Council noted the status of the AR Bluett Award 2019 Application.
RIVERSIDE COMMUNITY GARDEN
REPORT TO COUNCIL
PART I
8. RIVERSIDE COMMUNITY GARDEN COMMITTEE REPORT TO COUNCIL

A meeting of the above Committee was held at Community Gardens HQ on Wednesday 6 March 2019 at 4:00 pm.

<table>
<thead>
<tr>
<th>PRESENT</th>
<th>APOLOGIES</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cr Steve Karaitiana (Chair)</td>
<td>Di Buckman (G Falconer / N Lambert)</td>
</tr>
<tr>
<td>Cr P Miller OAM</td>
<td></td>
</tr>
<tr>
<td>Cr G Miller (4:04PM)</td>
<td></td>
</tr>
<tr>
<td>Cr Jenny Webb (4:18PM)</td>
<td></td>
</tr>
<tr>
<td>Denis Irvine</td>
<td></td>
</tr>
<tr>
<td>Gail Irvine</td>
<td></td>
</tr>
<tr>
<td>Graham Falconer</td>
<td></td>
</tr>
<tr>
<td>Heather Moore</td>
<td></td>
</tr>
<tr>
<td>Nina Crawford</td>
<td></td>
</tr>
<tr>
<td>Leo Curran</td>
<td></td>
</tr>
<tr>
<td>Anne Hodges</td>
<td></td>
</tr>
<tr>
<td>Neil Lambert</td>
<td></td>
</tr>
<tr>
<td>Briana Wooldridge</td>
<td></td>
</tr>
</tbody>
</table>

The Chair acknowledged the Traditional Custodians of the land on which we met today and paid respect to the Elders both past and present.

CONFLICT OF INTEREST

The Chair asked if any members had a conflict of interest. No conflict of interest in any matter was declared.

MINUTES

No minutes of a previous meeting were available as this was the first meeting of the s355 Riverside Community Garden Committee.

8.1 BUSINESS ARISING FROM PREVIOUS MINUTES

8.1.1 Financial Report

The committee reviewed the financial report for the July 2018 to February 2019 period.

RECOMMENDATION:


8.2 NEW BUSINESS

8.2.1 Operational Costs

The committee was advised that the annual operational costs of $5,000 are a line item which is automatically placed in the budget.

RECOMMENDATION

That Council note the annual $5,000 line item for the Community Gardens in its 2019/20 Budget. (G Falconer / N Lambert)

8.2.2 Interest on the Reserve Fund

The committee was advised that any interest earned on the Community Gardens Reserve Fund is placed into consolidated revenue.
RECOMMENDATION:

That Council note that any interest earned on the Community Gardens Reserve Fund is placed into consolidated revenue. (G Falconer / H Moore)

8.2.3 Proposed 2019/20 Budget

The committee members tabled the 2019/20 Riverside Community Gardens Budget.

RECOMMENDATION:

That Council note the 2019-2020 Riverside Community Gardens Budget. (N Crawford / H Moore)

8.2.4 Requirement for Working with Children Certification (Workshops)

The committee was provided with information from the Office of Children’s Guardian in relation to the process for applying for Working with Children certification, required for the operation of Community Gardens workshops.

RECOMMENDATION:

That Council:

1. note the Community Garden workshop will discuss and identify proposed applicants at their 7 March 2019 workshop meeting; and

2. investigate the requirement for all 355 committees and Councillors to hold working with children certification. (G Falconer / N Lambert)

8.2.5 Resignation of H Moore as Secretary

The committee was advised of the resignation of Heather Moore as Secretary of the Forbes Riverside Community Gardens.

The Chair thanked Heather for her commitment and dedication to the community garden.

RECOMMENDATION:

That Council:

1. Accept Nina Crawford’s nomination as Secretary; and

2. write to Heather Moore and thank her for her commitment and dedication to the Riverside Community Garden. (G Falconer / G Irvine)

8.3 BUSINESS WITHOUT NOTICE

8.3.1 Grant Funding Access

The committee discussed the available funds in the operational account.
It was noted that the low funds are due to the cost of the greenhouse being deducted from the operational account but the grant funding pertaining to the greenhouse not being deposited into the operational account.

**RECOMMENDATION:**

That Council:

1. allocate a separate job number to all grants received by Riverside Community Gardens; and
2. deposit the greenhouse cost already deducted out of the operational budget back into operational budget. (G Falconer / H Moore)

### 8.3.2 Acquisition of artificial turf

Denis Irvine advised the committee that a group of Drought Relief Workers supplied by Council assisted in removing the free turf from the tennis club and depositing it at the community gardens.

Denis gave an overview of the logistics and heavy labour work involved. The committee gave thanks to Council for providing assistance through the Drought Relief Workers program.

**RECOMMENDATION:**

That Council:

1. write a letter to the General Manager and Drought Relief Workers thanking them for helping on the day at short notice; and
2. thank them for erecting the fence outside the cottage. (Cr J Webb / A Hodges)

### 8.3.3 Men’s Shed Correspondence – Construction of Greenhouse

A letter from the Forbes Men’s Shed was tabled at the meeting. The letter was written in response to an action from a previous community gardens working group meeting to approach Forbes Men’s Shed to ascertain availability to assist with the erection of the greenhouse at the community garden.

The timeframe proposed within the letter cannot be adhered to due to the site not being ready and the greenhouse not yet being available.

On discussion with the Men’s Shed 27, 28, 29 March were proposed as alternate dates.

**RECOMMENDATION:**

That Council note the matter will be discussed at the 7 March 2019 community gardens working group meeting. (H Moore / N Lambert)

### 8.3.4 Tubestock for Waste Depot

The existing tubestock for the Waste Depot cannot yet be planted due to the site not being prepared. It was suggested that some of this be sold and replaced for planting later in the year.
RECOMMENDATION:

That Council permit the community gardens to sell 200 of the more advanced tubestock and that these be replaced by 200 other tubestock for planting later in the year.
(Cr J Webb / N Lambert)

8.4 DATE AND TIME OF NEXT MEETING

The next meeting is scheduled to be held on 1 May 2019 at 4:00 pm in the Council Chambers (cool weather venue).

8.5 TIME OF MEETING CLOSURE

The Chair thanked the members for their attendance and closed the meeting at 4:48 pm.

RECOMMENDATION

8.1.1 Financial Report


8.2.1 Operational Costs

That Council note the annual $5,000 line item for the Community Gardens in its 2019/20 Budget.

8.2.2 Interest on the Reserve Fund

That Council note that any interest earned on the Community Gardens Reserve Fund is placed into consolidated revenue.

8.2.3 Proposed 2019/20 Budget

That Council note the 2019-2020 Riverside Community Gardens Budget.

8.2.4 Requirement for Working with Children Certification (Workshops)

That Council:

1. note the Community Garden workshop will discuss and identify proposed applicants at their 7 March 2019 workshop meeting; and
2. investigate the requirement for all 355 committees and Councillors to hold working with children certification.

8.2.5 Resignation of Heather More as Secretary

That Council:

1. accept Nina Crawford’s nomination as Secretary; and
2. write to Heather Moore and thank her for her commitment and dedication to the Riverside Community Garden. (G Falconer / G Irvine)

8.3.1 Grant Funding Access

That Council:

1. allocate a separate job number to all grants received by Riverside Community Gardens; and

2. deposit the greenhouse cost already deducted out of the operational budget back into operational budget.

8.3.2 Acquisition of artificial turf

That Council:

1. write a letter to the General Manager and Drought Relief Workers thanking them for helping on the day at short notice; and

2. thank them for erecting the fence outside the cottage.

8.3.3 Men’s Shed Correspondence – Construction of Greenhouse

That Council note the matter will be discussed at the 7 March 2019 community gardens working group meeting.

8.3.4 Tubestock for Waste Depot

That Council permit the community gardens to sell 200 of the more advanced tubestock and that these be replaced by 200 other tubestock for planting later in the year.
SPORTS ADVISORY COMMITTEE
REPORT TO COUNCIL
PART I
9. SPORTS ADVISORY COMMITTEE REPORT TO COUNCIL – PART I

A meeting of this Committee was held in the Council Chambers on 7 March 2019 commencing at 5:30 pm

<table>
<thead>
<tr>
<th>PRESENT</th>
<th>Cr J Nicholson (Chair)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Mrs R Kenny (Elected Member &amp; Forbes Netball Association)</td>
</tr>
<tr>
<td></td>
<td>Ms M West (Elected Member &amp; Forbes Touch, Forbes Sorting and Penning)</td>
</tr>
<tr>
<td></td>
<td>Ms A Morrison (Elected Member &amp; Forbes Sportsperson of Year)</td>
</tr>
<tr>
<td></td>
<td>Mr D Speer (Manager - Works)</td>
</tr>
<tr>
<td></td>
<td>Ms K Grayson (Manager - Corporate Business, Secretary)</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>APOLOGY</th>
<th>Mayor Cr P Miller, OAM</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Mr J Zannes (Director Engineering)</td>
</tr>
<tr>
<td></td>
<td>Mr P Rudd (Elected Member)</td>
</tr>
<tr>
<td></td>
<td>Mr. D McKenzie (Forbes and District Soccer Club)</td>
</tr>
<tr>
<td></td>
<td>Mr A Curry</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>OBSERVER</th>
<th>Mr A Glasson (Forbes and District Cricket Club)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Mr B Godden (Forbes Junior Rugby League Club)</td>
</tr>
<tr>
<td></td>
<td>Mr R Woods (Forbes Rugby Union Club)</td>
</tr>
<tr>
<td></td>
<td>Ms L Tandy (Forbes and District Soccer Club)</td>
</tr>
<tr>
<td></td>
<td>Mrs J Parker (Manager - Property and Investment)</td>
</tr>
<tr>
<td></td>
<td>(M West/R Kenny)</td>
</tr>
</tbody>
</table>

The Chair acknowledged the Traditional Custodians of the land on which we met today and paid respect to the Elders past, present, and emerging.

CONFLICT OF INTEREST

The Chair asked if any members had a conflict of interest. Nil recorded.

MINUTES

The record of the previous meeting was adopted by Council at its meeting of 13 December 2018. (M West/R Kenny)

9.1 BUSINESS ARISING FROM PREVIOUS MINUTES

Nil

9.2 NEW BUSINESS

9.2.1 Over-sowing of Winter Grasses

As previously resolved by Council, works have been programmed for the aeration, fertilising and over-sowing of winter grasses in late March. The playing surfaces to be treated are Grinsted, South Circle and Spooner Ovals. Botanical Gardens will be aerated and fertilised, but not over-sown as requested by the Soccer Club. In line with this resolution, an eradication program for the winter grasses has been also been programmed for the end of the winter sports season.

RECOMMENDATION

That Council receive and note the update of the over-sowing of winter grasses. (M West/R Kenny)
9.2.2 Update on Botanical Gardens Toilet Block and Change Rooms

The tender for the supply and construction of a new toilet block and change room has been awarded. Construction of the building has commenced at the manufacturing base with installation planned be completed in the coming months.

Council’s Manager Property and Investment provided an update on project noting that following the success of three funding sources, the demolition of the old toilets, removal of trees and sewerage works was now been included in the project. The project is expected to be completed end of May 2019

**RECOMMENDATION**

That Council receive and note the update on the Botanical Gardens Toilet Block and Change Rooms. (M West/R Kenny)

9.2.3 Long Term Renewal Program for Sporting Ground Irrigation

With regard to sporting ground irrigation, Council has resolved to develop a long term renewal program, prioritised by frequency of use and based on-going maintenance costs and report on progress at the next meeting of the Committee.

Investigations of historical records have identified that an audit of the current raw water system in Forbes was completed in 1982. This audit includes maps for a number of parks and main line layout plans, but unfortunately does not cover sporting ovals such as Spooner Hughie Wilson, South Circle, Grinstead Ovals or Halpins Flat. It also fails to make any upgrade recommendations however it will provide a foundation to commence an audit.

A budget allocation for a comprehensive audit in 2019/20 followed by an annual renewal program for the replacement of irrigation systems, has been included in the proposed 10 Year Capital Works Budget. A minimum of $150,000 per annum has been proposed for renewals. This will be considered by Council for funding in the coming months.

**RECOMMENDATION**

That Council receive and note the progress on long term renewal program for sporting ground irrigation. (R Kenny/M West)

9.2.4 Hughie Wilson Oval Surface Redevelopment

Council resolved to obtain estimates to redevelop the playing surface at Hughie Wilson Oval and present details to the next Committee meeting. Council engaged a sporting field surface and horticultural specialist to undertake the investigation and provide an estimate to completely reshape and resurface the field. The estimate provided was $250,000. The extensive shaping of the field will require the irrigation to be renewed which Council has received an estimate of $150,000.

A Masterplan for the Spooner/Hughie Wilson Oval precinct is currently being developed and any upgrade works should form part of that plan. The works have been included in the proposed 10 Year Capital Works Budget which will be considered by Council for funding in the coming months. The timing of the works will depend on competing priorities and budget capacity at the time.

Mr A Glasson requested that as the primary user of Hughie Wilson Oval Forbes and District Cricket Club be included in the Masterplan’s consultation and communication process.
RECOMMENDATION

That Council receive and note the progress on the Hughie Wilson Oval Surface Redevelopment. *(R Kenny/A Morrison)*

9.2.5 Stephan Field Cricket Field

Council resolved to investigate the footprint of the soon-to-be redeveloped netball courts on the existing cricket field currently used by junior cricket and report to the next Committee meeting. Investigations have found that a cricket field with a 40m boundary will fit in the remaining space. A field with a 40m boundary is the recommended minimum for a 12 years and under field. To facilitate this, a new synthetic pitch will need to be constructed.

During these investigations, it was confirmed that the synthetic pitch at Gaggin Oval (the field across the road) is deficient in width and the mat laid incorrectly. The recommended minimum width is 2.4m wide whereas this pitch is only 1.8m wide. To resolve the cricket pitch issues in the Stephan Field/Gaggin Oval precinct, two new pitches will need be constructed at the current recommended width of 3.05m wide.

In addition to this, investigations into the Stephan Field area revealed that there is sufficient space for additional uses such as urban small-side soccer fields, expansions to the skate park and a playground, just some options to consider in the future (refer to the layout plan attached – appendix 1).

Cr Nicholson advised that Cricket Australia guidelines stipulate a 45m to boundary as the recommended minimum for a 12 years and under field. Mr A Glasson advised that first, it would be ideal to have all age groups at one location and second, that less than 45m for under 12s means there is no ability to attract representative carnivals to Forbes.

*Note from the Manager Works post meeting. Further investigations have identified that the guideline advises that a maximum boundary of 45m is recommended for local games and 50m for representative games. There is no set minimum, but only what is imposed by the local clubs.*

RECOMMENDATION

That Council:

1. receive and note the report on the Stephan Field layout; and
2. consider reconstructing the synthetic cricket pitches at Stephan Field and Gaggin Oval in the 2019/20 Budget. *(R Kenny/A Morrison)*

9.2.6 Masterplans and Plans of Management

Council resolved to provide an update on Masterplans and Plans of Management to a future Committee meeting. Masterplans for Spooner Oval (including Hughie Wilson Oval), the Botanical Gardens and the Equestrian Precinct are scheduled for the next year. Spooner Oval consultation has been done and the development of the plan has commenced. There is to be extra consultation with the Cricket Clubs in the near future. Botanical Gardens and the Equestrian Zones are getting working groups together to start the input process.

The Manager Property and Investment advised that the South Circle/Grinstead Oval (rugby union and cricket) would be included in the Lake Forbes Activation Plan.
RECOMMENDATION

That Council receive and note the information relating to the Masterplans and Plans of Management. (M West/R Kenny)

9.3 BUSINESS ON NOTICE:

9.3.1 Ground Fees for Junior Sports

The Committee discussed asking Council to consider waiving ground fees for all junior sports clubs as a way of removing barriers to children getting involved in organised sports. The Manager Works noted that the total ground fees equated to 1-2% of the sporting fields maintenance budget. The Committee note that any waiving of fees to juniors should not be cost-shifts to seniors clubs.

RECOMMENDATION

The Council consider removing the junior sport clubs ground fees from its Fees and Charges. (A Morrison/M West)

9.3.2 Maintenance at Sporting Fields

The Committee discussed the speaker system issue at the Botanical Gardens and was advised that the Manager Property and Investment is investigating the on-going issue and options for system replacement. Council will continue to arrange repair of the old speaker system until a new system is installed.

Mr B Godden advised that maintenance of the toilets at Spooner Oval are required before the junior rugby league gala in early April.

RECOMMENDATION

That the Committee receive and note the information in relation to maintenance at sporting fields. (M West/A Morrison)

9.3.3 Netball Courts Expansion

The Manager Works advised that construction at the Netball Courts was two weeks ahead of schedule with the program scheduled to finish in June 2019. This first stage of the works includes four new courts with one being multi-use court for basketball, plus new lights. This first stage has been designed to future-proof the precinct with the installation of footings to allow for roofing in any future works.

RECOMMENDATION

That the Committee receive and note the progress of the netball courts expansion. (R Kenny/M West)

9.3.4 Communications

The Committee discussed communication issues and channels with Council. Various communication issues include:
i. clubs not being advised of works to grounds during playing seasons;
ii. advising Council of ground/maintenance issues (i.e. CRMs);
iii. bookings ground and grandstands;
iv. promotion of sporting events to the business sector and community;
v. central repository of sporting club contact details on Council’s website/Facebook.

**RECOMMENDATION**

That Council develop a stakeholder engagement plan for communication with sporting clubs.

(R Kenny/M West)

### 9.3.5 Sports Strategy

The Committee asked for an update of the proposed Sports Strategy. The Manager Works advised that Council has investigated concepts and funding costs. Funding for the strategy has been included in the draft 2019/20 budget for consideration.

**RECOMMENDATION**

That the Committee receive and note the update of the proposed Sports Strategy.

(A Morrison/M West)

### 9.3.6 Representation of Sporting Groups

The meeting noted various sporting groups are invited to provide the Committee with an update on their activities and any issues. Mr R Woods on behalf of Forbes Rugby Union Club, provided an update on the women’s and Walla (junior) competitions. Mr B Godden (Forbes Junior Rugby League Club) provided an update on the juniors’ gala to be held 13 April 2019.

The Committee agreed to issue an invitation to the next meeting to Junior Basketball, Squash and Hockey.

**RECOMMENDATION**

That Council invite Junior Basketball, Squash and Hockey to the next meeting.

(R Kenny/M West)

### 9.3.7 Working with Children Check

The Chair reminded the Committee of the importance of clubs/groups checking their own requirement for Working With Children Check.

**RECOMMENDATION**

That Council receive and note the information in relation to Working with Children Checks.

(R Kenny/M West)

### 9.4 DATE AND TIME OF NEXT MEETING

The next meeting of the Sports Advisory Committee will be held Tuesday 4 June 2019 at 5.30 pm.
9.5 **TIME OF MEETING CLOSURE**

The Chair thanked the members of the Committee and invited sporting bodies for their attendance and declared the meeting closed at 6.42 pm.

---

**RECOMMENDATION**

9.2.1 **Over-sowing of Winter Grasses**

That Council receive and note the update of the over-sowing of winter grasses.

9.2.2 **Update on Botanical Gardens Toilet Block and Change Rooms**

That Council receive and note the update on the Botanical Gardens Toilet Block and Change Rooms.

9.2.3 **Long Term Renewal Program for Sporting Ground Irrigation**

That Council receive and note the progress on long term renewal program for sporting ground irrigation.

9.2.4 **Hughie Wilson Oval Surface Redevelopment**

That Council receive and note the progress on the Hughie Wilson Oval Surface Redevelopment.

9.2.5 **Stephan Field Cricket Field**

That Council:

1. receive and note the report on the Stephan Field layout; and

2. consider reconstructing the synthetic cricket pitches at Stephan Field and Gaggin Oval in the 2019/20 Budget.

9.2.6 **Masterplans and Plans of Management**

That Council receive and note the information relating to the Masterplans and Plans of Management.

9.3.1 **Ground Fees for Junior Sports**

That Council consider removing the junior sport clubs ground fees from its Fees and Charges.

9.3.2 **Maintenance at Sporting Fields**

That Council receive and note the information in relation to maintenance at sporting fields.
SPORTS ADVISORY COMMITTEE – REPORT TO COUNCIL – PART I – cont’d

9.3.3 Netball Courts Expansion

That Council receive and note the progress of the netball courts expansion.

9.3.4 Communications

That Council develop a stakeholder engagement plan for communication with sporting clubs.

9.3.5 Sports Strategy

That Council receive and note the update of the proposed Sports Strategy.

9.3.6 Representation of Sporting Groups

That Council invite Junior Basketball, Squash and Hockey to the next meeting.

9.3.7 Working With Children Check

RECOMMENDATION

That Council receive and note the information in relation to Working with Children Checks.
TRAFFIC ADVISORY COMMITTEE
REPORT TO COUNCIL
PART I
10. FORBES TRAFFIC ADVISORY COMMITTEE REPORT TO COUNCIL

A meeting of this Committee was held in the Council Chambers on 22 February 2019 commencing at 2:00 pm.

<table>
<thead>
<tr>
<th>PRESENT</th>
<th>APOLOGY</th>
<th>OBSERVER</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cr C Roylance (Chair)</td>
<td>Cr P Miller OAM</td>
<td>Ms J Jones (Events Officer FSC).</td>
</tr>
<tr>
<td>Mr G Gunn (Member’s Rep)</td>
<td>Mr S Loane (GM)</td>
<td></td>
</tr>
<tr>
<td>Mr D Vant (RMS)</td>
<td>Ms M Suitor (RS&amp;IPO)</td>
<td></td>
</tr>
<tr>
<td>Sgt C Jessep (NSW Police Force)</td>
<td>Sgt M Hever (NSW Police Force)</td>
<td></td>
</tr>
<tr>
<td>Mr R Olsen (Manager – Technical)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>C Cornell (ESO)</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

The Chair acknowledged the Traditional Custodians of the land on which we met today and paid respect to the Elders past, present, and emerging.

CONFLICT OF INTEREST

The Chair asked if any members had a conflict of interest. Nil recorded.

MINUTES

The record of the previous meeting held 22 November 2018 was adopted by Council at its meeting of 13 December 2018.

10.1 BUSINESS ARISING FROM PREVIOUS MINUTES:

Nil.

10.2 NEW BUSINESS:

10.2.1 Anzac Day 2019 – 25 April 2019

Council has received letters and Special Events forms for the conduct of two Anzac Day processions and services. The first dawn procession and service is planned to be held between 5:00am and 6:00am with up to 200 participants assembling in Templar Street outside the Services Club and marching with a Police escort along Templar Street, Lachlan Street, Court Street and Harold Street to Victoria Park. A section of Harold Street is to be closed between Victoria Lane and Court Street between these times.

A second larger mid-morning procession and service is planned to be held between 9:00am and 11:00am with up to 500 participants. Participants will be assembling in Cross Street and marching via Lachlan Street, Court Street and Harold Streets to the Cenotaph for the mid-morning service. The assembly and procession routes will be closed during the procession and Harold Street will still be closed from the dawn service.

Currently No Risk Assessment has been complete and no Public Liability Insurance is supplied. The meeting noted that Council is in discussion with the Event Organisers to complete the outstanding documentation. As such Council will give conditional approval based on the event providing the documentation prior to Council’s resolution in the March 2019 meeting.

RECOMMENDATION:

That Council:

1. approve the road closure of Harold Street between the hours of 5:00am and 5:00pm on 25 April 2019.
2. approve the road closure for Cross Street, Lachlan Street and Court Street between the hours of 9:00 am and 11:00am on 25 April 2019.

3. give conditional approval for the event organisers (Forbes Returned and Services League) to hold the event subject to the following conditions:
   
i) providing evidence of public liability insurance to the value of $20M for the event and includes Forbes Shire Council and NSW Police as declared interested parties for the event;

   ii) notifying all road closures to emergency services, the impacted businesses and the general community prior to the event;

   iii) implementing the Traffic Control Plan provided in full on the day;

   iv) obtaining Schedule 1 approval from NSW Police Force for the gathering;

   v) complying with any directive or conditions as imposed by NSW Police Force;

   vi) complying with any directive or conditions imposed by Forbes Shire Council;

   vii) completion of a Risk Assessment for the event supplied to Forbes Shire Council. (Sgt C Jessep/D Vant)

10.2.2 Cyclo Sportif 2019 – 19 May 2019

Forbes Shire Council has received a Special Event notice to hold a Forbes Road Cycling Event along a number of rural roads around the Shire. The event was successfully held in 2018 and plans for 2019 to follow the same route.

This event is a moving event with a Race on Road to be completed as a loop and all riders will be located in the LEFT lane at all times. Although there are no road closures proposed there will be traffic control positioned at key areas to ensure safe travel. The Traffic Control Plan (TCP) attached shows the details of where dedicated traffic control will be positioned with the rest of the race completed with signage shown on Map 8 of the TCP. This event will be completed on both Local and Regional Roads (The Bogan Way). The event will be held from 8.30am - 2.30pm on 19 May 2019 and all traffic control will be positioned at the times detailed in the TCP.

It is anticipated that due to the one direction of the race, traffic control will be set up and removed at varying times throughout the event.

The event will have two courses, one 75km and the other 120km proposed to start at the Aquatic Area at different times as noted on the TCP. The participants will start at the Aquatic Area turn right onto Bedgerabong Road, left onto Edward Street, left onto The Bogan Way and then left again onto Yarrabandai Road. Both courses will have a common route for the first half.

The shorter event will turn left onto Noakes Road and then left on to Bedgerabong Road finishing back at the Aquatic Area, while the longer event will continue along Yarrabandai Road, turning left onto Bedgerabong Road and then back to the Aquatic Area.
FORBES TRAFFIC ADVISORY COMMITTEE REPORT – cont’d

The event organisers have provided a traffic management plans with traffic control at the Aquatic Area and along the intersections of Edward Street and Bedgerabong Road and Edward Street and The Bogan Way. They are also installing advanced warning cyclists signage along the route to warn motorists of cyclists ahead.

It was noted that in the future the event should have two (2) separate applications as it is considered that there are 2 events, one 75km and another 120km.

RECOMMENDATION:

That Council approve

1. the traffic control for the event as per the Traffic Control Plan between the hours of 8.30am and 2.30pm on 19 May 2019.

2. for the event organisers (Forbes Flatlands Cyclo Sportif Inc.) to hold the event subject to the following conditions:

   i). providing evidence of public liability insurance to the value of $20M for the event and includes Forbes Shire Council and NSW Police as declared interested parties for the event;

   ii). notifying all road closures to emergency services, the impacted businesses and the general community prior to the event;

   iii). implementing the Traffic Control Plan provided in full on the day;

   iv). obtaining NSW Police Force approval via a Bicycle Race Event Permit and provide a copy to Council prior to the event;

   v). obtaining approval from Roads and Maritime Services for the use of a Regional Road (S144);

   vi). for bicycle events having participant registration forms, NSW Police Forbes and Forbes Shire Council to be included in a statement of waiver or release of damages for signature by the bicycle event participants or guardians;

   vii). riders shall follow road rules unless special traffic control is provided;

   viii). complying with any directive or conditions as imposed by NSW Police Force;

   ix). complying with any directive or conditions imposed by Forbes Shire Council.

(D Vant/G Gunn)

10.2.3 Kalari River Arts Festival 15 June 2019

Council has received an application for the conduct of the Kalari River Arts Festival on Saturday 15 June 2019. In this year’s event it will be held in Victoria Park where there will be stalls set up which will require Harold Street to be closed between 6:00am and 11:00pm. It is noted that this event is supported by Forbes Shire Council.
RECOMMENDATION:

That Council

1. approve the road closures for Harold Street between the hours of 6:00am and 11:00pm on 15 June 2019.

2. approve the event organisers (Kalari – Lachlan River Arts Festival Inc.) to hold the event subject to the following conditions:
   i). providing evidence of public liability insurance to the value of $20M for the event and includes Forbes Shire Council and NSW Police Force as a declared interested party for the event;
   ii). notifying all road closures to emergency services, the impacted businesses and the general community prior to the event;
   iii). implementing the Traffic Control Plan provided in full on the day;
   iv). obtaining Schedule 1 approval from NSW Police Force for the gathering;
   v). complying with any directive or conditions as imposed by NSW Police Force;
   vi). complying with any directive or conditions imposed by Forbes Shire Council.

(G Gunn/D Vant)

10.2.4 Forbes Eisteddfod – 19, 20, 21 & 24 June 2019

Council has received an application for the conduct of the Forbes Eisteddfod in Town Hall on 19, 20, 21 and 24 June 2019. This year’s event will require Harold Street to be closed between 8:00am and 3:30pm on each of these dates to allow for the volume of children to assemble and allow buses to drop students off outside Town Hall.

RECOMMENDATION:

That Council

1. approve the road closure of Harold Street between the hours of 8.00am and 3.30pm on 19, 20, 21 and 24 June 2019.

2. approve the event organisers (Forbes Eisteddfod) to hold the event subject to the following conditions:
   i). providing evidence of public liability insurance to the value of $20M for the event and includes Forbes Shire Council and NSW Police Force as a declared interested party for the event;
   ii). notifying all road closures to emergency services, the impacted businesses and the general community prior to the event;
   iii). implementing the Traffic Control Plan provided in full on the day;
   iv). complying with any directive or conditions as imposed by NSW Police Force;
10.2.5 Walk to D'Feet MND – 14 April 2019

Council has received an application for the conduct of the Forbes Walk to D'Feet MND walking around Lake Forbes on 14 April 2019. This year’s event will start from Loins park walking around the Lake and finishing back at Lions park. The event will have traffic control setup at three sites as per the Traffic Control Plan (TCP). Authorised traffic controllers will be positioned at Camp Street Bridge, Johnny Woods’ Crossing (Wambat Street) and Bates Bridge (Lachlan Street) during the times of 10.00am to 12.00noon. Traffic controller will be present to ensure safe crossing of the road for all involved in the event and the expected delays (especially across Camp Street) are expected to be minimal to traffic.

RECOMMENDATION:

That Council

1. approve the Traffic Control for Camp Street Bridge, Johnny Woods’ Crossing (Wambat Street) and Bates Bridge (Lachlan Street) between the hours of 10.00am and 12.00noon on 14 April 2019.

2. approve the event organisers (Motor Neurone Disease Association of NSW) to hold the event subject to the following conditions:

   i). providing evidence of public liability insurance to the value of $20M for the event and includes Forbes Shire Council and NSW Police as declared interested parties for the event;

   ii). notifying all road closures to emergency services, the impacted businesses and the general community prior to the event;

   iii). implementing the Traffic Control Plan provided in full on the day;

   iv). obtaining Schedule 1 approval from NSW Police Force for the gathering;

   v). complying with any directive or conditions as imposed by NSW Police Force;

   vi). complying with any directive or conditions imposed by Forbes Shire Council.

(Sgt C Jessep/G Gunn)

10.2.6 Forbes Reading Downtown Day - 23 August 2019

Council has received an application for the conduct of the Forbes Reading Downtown Day in Victoria Park 23 August 2019. This year’s event will require Harold Street to be closed between 8.00am and 1.30pm to allow for the safe crossing of children into activities planned at the Town Hall.

RECOMMENDATION:

That Council:

1. approve the road closure of Harold Street between the hours of 8.00am and 1.30pm on 23 August 2019.
2. approve the event organisers (Forbes Birth To Kinder Inc.) to hold the event subject to the following conditions:

i). providing evidence of public liability insurance to the value of $20M for the event and includes Forbes Shire Council and NSW Police as declared interested parties for the event

ii). notifying all road closures to emergency services, the impacted businesses and the general community prior to the event;

iii). implementing the Traffic Control Plan provided in full on the day;

iv). obtaining Schedule 1 approval from NSW Police Force for the gathering;

v). complying with any directive or conditions as imposed by NSW Police Force;

vi). complying with any directive or conditions imposed by Forbes Shire Council.

(Sgt C Jessep/D Vant)

10.2.7 Vanfest 2019 - 10 and 11 May 2019

Council has received a Special Event request form from event organisers for road closures as part of the traffic management for the event, similar to the past years. There will be two concerts occurring over the weekend, one on the night of 10 May 2019 and the second on 11 May 2019 starting in early afternoon.

Organisers have advised that the traffic management is proposed to be similar to the previous events with modifications that were developed as part of debriefings, as it was reasonably successful dealing with the pedestrian and traffic impacts. A copy of the 2019 Traffic Management Plan and Traffic Control Plans are provided.

There is planned closure of Show Street prior to and during these events from 4:00pm to 1:00am on 10 May, and from 12.00noon to 1:00am on 11 May 2019. As Show Street is a B-Double route, with no other permissible route, they will be allowed through the closed road under traffic control escort. Buses delivering patrons to the event will also be allowed access to the closed section of Show Street.

To avoid backing up of cars on arrival the event proposes to close Racecourse Road to one way and allow 2 streams of traffic entering into the site.

This will be in effect from 11.30am – 6.00pm only on 10 May 2019 and will be monitored by Traffic Controllers as to the volume and the need to close the road for this period of time.

There will also be short term closures of the section of Racecourse Road, and Farnell Street between Bedgerabong Road roundabout to the intersection of Junction Street, during the event closing time when there are high numbers of pedestrians on the roads around the venue.

A drop off and pickup area is proposed near the intersection of Junction Street and Show Street and variable message boards providing advanced warning of the road closures and direction signage prior to and during the event.

The event is considered to be a Class 2 special event as it:
Impacts on local traffic only.
- Only disrupting the non-event community in the area around the event.
- Requires Police and Local Council involvement.
- Requires a detailed Traffic Management Plan.

The meeting noted that Council is waiting on the event organiser to complete and give evidence of Public Liability Insurance. Council has been advised by the event organisers that this is still about 6 weeks away. It was noted that Council is to make contact with the event organiser to have the public liability insurance provided as a priority.

Further that any variable message signage used in conjunction with the TCP is not to have advertising on it.

In relation to the TCP, general discussion ensued noting that there was a “U” turn manoeuvre required and requested the Manager Technical investigate this. It was suggested that a left turn into Show Street would keep vehicles moving under marshal, alternatively close from Junction Street north to allow left turn only. It was also discussed that Marcia Street be one-way traffic and then over Bates’ Bridge to Lachlan Street.

Manager Technical Comment – post meeting – emails have been received from Sgt Jessep, D Vant, G Gunn and Cr Roylance giving preference to Marcia Street as the drop off/pick up zone.

RECOMMENDATION:

That Council

1. approve the road closures and traffic control for Show Street and Racecourse Road (from Shows Street to Showground entrance) between the hours of 4.00pm and 1.00am on 10 May 2019 and 12.00noon to 1:00am on the 11 May 2019.

2. approve the event organisers (Vanfest Pty Ltd) to hold the event subject to the following conditions:
   i). providing evidence of public liability insurance to the value of $20M for the event and includes Forbes Shire Council and NSW Police Force as a declared interested party for the event;
   ii). notifying all road closures to emergency services, the impacted businesses and the general community prior to the event;
   iii). implementing the Traffic Control Plan and Traffic Management Plan provided in full on the day;
   iv). obtaining Schedule 1 approval from NSW Police Force for the gathering;
   v). complying with any directive or conditions as imposed by NSW Police Force;
   vi). complying with any directive or conditions imposed by Forbes Shire Council.

(Sgt C Jessep/D Vant)
10.2.8 Disabled Carpark at the Medicine and Mind

Council received a request for a disabled parking space to be installed in Cross Street at the front of 12 Cross Street for the business Medicine and Mind. As shown in the supporting documentation disable parking signage was in place in 2010 (google street view) and has since been removed from the area and not replaced. This was done when the previous medical practice relocated to the Elgin Street precinct. Medicine and Mind is requesting placement of a disable signage to be installed.

Due to the width of the street and minimal traffic it would be recommended that the Council give support for the installation of a Disabled Carpark provided the design complies with AS 2890.5 - On-street Parking.

RECOMMENDATION:

That Council give support for the installation of a Disabled Carpark in front of 12 Cross Street provided the design complies with AS 2890.5 - On-street Parking.

(G Gunn/D Vant)

10.2.9 Request for No Stopping Signage to be Installed along Newell Highway at Browne Street Intersection

Council has received a request for the installation of no stopping signage at the intersection of Newell Highway and Browne Street. The applicant advises that cars are parking right up to the corner of the intersection on the Newell Highway and they find it difficult to see vehicles heading south on Newell Highway. The parked vehicles are interfering with their sight distance creating a safety issue.

An inspection of the site was undertaken and at the time no one was parked in the location mentioned. If cars are parking in the location identified they are breaking the law. To avoid confusion with the road rules and give drivers reinforced notice of the “no parking” it is recommended that No Stopping signs be install in the location detailed in the image below.
Whilst the road users handbook notes vehicles can park up to 10m of an intersection, due to this being a busy highway Council believes this to be a valid issue.

RECOMMENDATION:

That Council install a “No Stopping” sign" 10m from the intersection of Newell Highway and Browne Street, closing out on the other side to stop vehicles parking too close to the intersection and give increased sight distance for vehicles turning onto the Newell Highway.

(D Vant/G Gunn)

10.2.10 Request for No Parking Signage to be installed along Johnson Street

Council has received a request through a Development Application for the installation of No Parking signage in front of Northside Chapel, 59 Johnson Street.

The applicant advises the Chapel has a small bus with access to the driveway and when reversing if cars are parking right up to the corner of the layback they find it difficult to see traffic along Johnston Street. Having the no parking signage would allow the bus to turn well before exiting the driveway and would allow the bus to use the wide shoulder to complete the turn avoiding potential collisions when reversing.

The RMS representative advised that he was not supportive of the proposal because it would require a TMP with a spotter for the driver to undertake a reversing manoeuvre.

It was noted in the meeting that the No Parking signs would not be supported as the bus needs to enter and exit the premises in a forward direction and that the only other option may be that the Developer is to have a Traffic Management Plan signed and submitted to Council, detailing
FORBES TRAFFIC ADVISORY COMMITTEE REPORT – cont’d

- A spotter for the bus when reversing must be present at times of the bus reversing out of the property.
- The spotter must be dressed appropriately.
- The spotter must **only** direct the driver of the bus and advise pedestrians of the reversing bus.
- The Spotter must **NOT** direct or stop traffic in any way.

**RECOMMENDATION:**

That Council:

1. not support the application for a “no parking” zone in its present form;
2. make contact with the developer in relation to requirements for parking the bus off street. (D Vant/G Gunn)

**10.3 GENERAL BUSINESS:**

**10.3.1 Mother’s Day Walk – 12 May 2019**

Council has received an application for the conduct of the Forbes Mother’s Day Classic around Lake Forbes and Lions Park. In this year’s event no traffic control will be required with event marshals stopping the parade to allow cars to pass and only letting walkers cross when no traffic is coming.

**RECOMMENDATION**

That Council receive and note the conduct of the Mother’s Day Walk on 12 May 2019. (G Gunn/Sgt C Jessep)
10.3.2 President’s Lunch 2019 – 23 March 2019

Council has received an application for the conduct of the Forbes Presidents Lunch in South Circle Oval. In this year’s event no traffic control will be required as the event will not be held on the road. Parking will be allocated off street around Gordon Duff Drive.

RECOMMENDATION

That Council receive and note the conduct of the 2019 President’s Lunch on 23 March 2019. (G Gunn/Sgt C Jessep)

10.3.3 Camel Races – 19 April 2019

Council has received an application for the conduct of the Forbes Camel Races at Racecourse. In this year’s event no traffic control will be required as the event will not be held on the road. Parking will be allocated on the road reserve around Racecourse Road. It is noted that this event is supported by Forbes Shire Council.

RECOMMENDATION:

That Council receive and note the conduct of the 2019 Camel Races on 19 April 2019. (G Gunn/Sgt C Jessep)

10.3.4 Easter Egg Hunt – 20 April 2019

Council has received an application for the conduct of the Forbes Easter Egg Hunt at Apex Lakeside Park. In this year’s event no traffic control will be required as the event will not be held on the road. Parking will be allocated off the road at the apex parking.

RECOMMENDATION:

That Council receive and note the conduct of the 2019 Easter Egg Hunt at Apex Lakeside Park on 18 April 2019. (Sgt C Jessep/G Gunn)

10.3.5 Public Ignoring Road Closed Signs

The Event Organisers of the Forbes Christmas Carnival have raised their concerns with Forbes Shire Council detailing that members of the public are ignoring/moving and pushing to the side Road Closed signs while events are in progress.

It was requested that the issue of members of the public disobeying road closed signage be discussed with a view to providing advice to the Forbes Business Chamber and event teams to improve traffic communication.

The Committee noted the issue and were advised that in instances like this the Police should be called to attend.

RECOMMENDATION:

That Council receive and note the issue of members of the public ignoring road closed signage. (Sgt C Jessep/D Vant)
10.3.6 NSW Police Force – Speed Monitoring

Sgt Jessep requested the support of Council with the following matters to assist the NSW Police Force to task specific areas of concern.

i) Calarie Road - Due to a number of complaints received, it was requested that a speed counter be placed on Calarie Road to check the speed of vehicles.

ii) Farnell Street - Request for installation of repeater speed signage along the entire street, including the northern end in the Cypress Street area.

iii) School Road - Request for speed road review from Farnell Road to Calarie Road.

10.3.7 Roads & Maritime Services Update

i) Northern Heavy Vehicle Bypass
RMS representative advised that a review of the Northern Heavy Vehicle Bypass has been undertaken with the result that Daroobalgie Road and Dawes Road through to The Bogan Way (MR350) will be posted as 80KPH. It was advised that Forbes Shire Council has been requested to provide quotation for the installation of the regulatory signs.

General discussion took place in relation to ongoing concerns of a resident at the intersection of Dawes Road/Daroobalgie Road/Calarie Road. It was noted that Manager Technical would provide copies of all reports presented to the Committee in relation to this intersection to the next meeting.

ii) Forbes Central Business District
RMS representative advised that the Forbes Central Business District precinct would be reverting to a 40KPH speed zone this financial year. Further that the RMS will cover the costs of this initiative.

10.3.8 Public Liability Insurance – Certificates of Currency

Members discussed the number of public liability insurance certifications supplied with Special Event applications that expire prior to the conduct of the event and the need to re-enforce with applicants the requirement for current certification for an application to be considered.

RECOMMENDATION

That Council re-enforce with applicants the requirement for current certificates prior to Special Event applications being progressed. (D Vant/G Gunn)

10.3.9 Special Event – Training

RMS representative informed members in relation to the benefits of Special Event Application training.

RECOMMENDATION

That Council host a training workshop on 14 March 2019 commencing at 3:00pm conducted by RMS representative, Mr David Vant, in relation to requirements for the completion of Special Event Applications for interested members and Council staff. (D Vant/G Gunn)
10.4 DATE & TIME OF FUTURE MEETINGS:

Meeting dates for 2019 are 23 May, 22 August at 2pm and 28 November commencing at 4pm. All meetings are to be in the Council Chambers unless notified otherwise.

10.5 TIME OF MEETING CLOSURE:

There being no further business the Chair thanked members for their attendance and declared the meeting closed at 3:08 pm.

RECOMMENDATION

10.2.1 Anzac Day 2019

That Council:

1. approve the road closure of Harold Street between the hours of 5:00am and 5:00pm on 25 April 2019.

2. approve the road closure for Cross Street, Lachlan Street and Court Street between the hours of 9:00 am and 11:00am on 25 April 2019.

3. give conditional approval for the event organisers (Forbes Returned and Services League) to hold the event subject to the following conditions:
   
i) providing evidence of public liability insurance to the value of $20M for the event and includes Forbes Shire Council and NSW Police as declared interested parties for the event;

   ii) notifying all road closures to emergency services, the impacted businesses and the general community prior to the event;

   iii) implementing the Traffic Control Plan provided in full on the day;

   iv) obtaining Schedule 1 approval from NSW Police Force for the gathering;

   v) complying with any directive or conditions as imposed by NSW Police Force;

   vi) complying with any directive or conditions imposed by Forbes Shire Council;

   vii) completion of a Risk Assessment for the event supplied to Forbes Shire Council.

10.2.2 Cyclo Sportif 2019

That Council:
1. approve the traffic control for the event as per the Traffic Control Plan between the hours of 8.30am and 2.30pm on 19 May 2019.

2. give conditional approval for the event organisers (Forbes Flatlands Cyclo Sportif Inc.) to hold the event subject to the following conditions:

   i). provide evidence of public liability insurance to the value of $20M for the event and includes Forbes Shire Council and NSW Police as declared interested parties for the event;

   ii). notify all road closures to emergency services, the impacted businesses and the general community prior to the event;

   iii). implement the Traffic Control Plan provided in full on the day;

   iv). obtain NSW Police Force approval via a Bicycle Race Event Permit and provide a copy to Council prior to the event;

   v). obtain approval from Roads and Maritime Services for the use of a Regional Road (S144);

   vi). for bicycle events having participant registration forms, NSW Police Forbes and Forbes Shire Council to be included in a statement of waiver or release of damages for signature by the bicycle event participants or guardians;

   vii). riders shall follow road rules unless special traffic control is provided;

   viii). comply with any directive or conditions as imposed by NSW Police Force;

   ix). comply with any directive or conditions imposed by Forbes Shire Council.

10.2.3 Kalari River Arts Festival

That Council:

1. approve the road closures for Harold Street between the hours of 6:00am and 11:00pm on 15 June 2019.

2. give conditional approval for the event organisers (Kalari – Lachlan River Arts Festival Inc.) to hold the event subject to the following conditions:

   i) providing evidence of public liability insurance to the value of $20M for the event and includes Forbes Shire Council and NSW Police Force as a declared interested party for the event;

   ii) notifying all road closures to emergency services, the impacted businesses and the general community prior to the event;

   iii) implementing the Traffic Control Plan provided in full on the day;

   iv) obtaining Schedule 1 approval from NSW Police Force for the gathering;
v) complying with any directive or conditions as imposed by NSW Police Force;

vi) complying with any directive or conditions imposed by Forbes Shire Council.

10.2.4 Forbes Eisteddfod

That Council:

1. approve the road closure of Harold Street between the hours of 8.00am and 3.30pm on 19, 20, 21 and 24 June 2019.

2. give conditional approval for the event organisers (Forbes Eisteddfod) to hold the event subject to the following conditions:

   i) providing evidence of public liability insurance to the value of $20M for the event and includes Forbes Shire Council and NSW Police Force as declared interested party for the event;

   ii) notifying all road closures to emergency services, the impacted businesses and the general community prior to the event;

   iii) implementing the Traffic Control Plan provided in full on the day;

   iv) complying with any directive or conditions as imposed by NSW Police Force;

   v) complying with any directive or conditions imposed by Forbes Shire Council.

10.2.5 Walk to D’Feet MND

That Council:

1. approve the Traffic Control for Camp Street Bridge, Johnny Woods’ Crossing (Wambat Street) and Bates Bridge (Lachlan Street) between the hours of 10.00am and 12.00noon on 14 April 2019.

2. give conditional approval for the event organisers (Motor Neurone Disease Association of NSW) to hold the event subject to the following conditions:

   i) provide evidence of public liability insurance to the value of $20M for the event and includes Forbes Shire Council and NSW Police as declared interested parties for the event;

   ii) notify all road closures to emergency services, the impacted businesses and the general community prior to the event;

   iii) implement the Traffic Control Plan provided in full on the day;

   iv) obtain Schedule 1 approval from NSW Police Force for the gathering;
v) comply with any directive or conditions as imposed by NSW Police Force;

vi) comply with any directive or conditions imposed by Forbes Shire Council.

10.2.6 Forbes Reading Downtown Day

That Council:

1. approve the road closure of Harold Street between the hours of 8.00am and 1.30pm on 23 August 2019.

2. give conditional approval for the event organisers (Forbes Birth To Kinder Inc.) to hold the event subject to the following conditions:

   i) provide evidence of public liability insurance to the value of $20M for the event and includes Forbes Shire Council and NSW Police as declared interested parties for the event

   ii) notify all road closures to emergency services, the impacted businesses and the general community prior to the event;

   iii) implement the Traffic Control Plan provided in full on the day;

   iv) obtain Schedule 1 approval from NSW Police Force for the gathering;

   v) comply with any directive or conditions as imposed by NSW Police Force;

   vi) comply with any directive or conditions imposed by Forbes Shire Council.

10.2.7 Vanfest 2019

That Council:

1. approve the road closures and traffic control for Show Street and Racecourse Road (from Shows Street to Showground entrance) between the hours of 4.00pm and 1.00am on 10 May 2019 and 12.00noon to 1:00am on the 11 May 2019.

2. give conditional approval for the event organisers (Vanfest Pty Ltd) to hold the event subject to the following conditions:

   i) provide evidence of public liability insurance to the value of $20M for the event and includes Forbes Shire Council and NSW Police Force as a declared interested party for the event;

   ii) notify all road closures to emergency services, the impacted businesses and the general community prior to the event;

   iii) implement the Traffic Control Plan and Traffic Management Plan provided in full on the day;
iv) obtain Schedule 1 approval from NSW Police Force for the gathering;

v) comply with any directive or conditions as imposed by NSW Police Force;

vi) comply with any directive or conditions imposed by Forbes Shire Council.

10.2.8 Disabled Carpark at the Medicine & Mind

That Council give support for the installation of a Disabled Carpark in front of 12 Cross Street provided the design complies with AS 2890.5 - On-street Parking.

10.2.9 Request for No Stopping Signage to be installed along Newell Highway at the Browne Street Intersection

That Council install a “No Stopping” sign” 10m from the intersection of Newell Highway and Browne Street, closing out on the other side to stop vehicles parking too close to the intersection and give increased sight distance for vehicles turning onto the Newell Highway.

10.2.10 Request for No Parking Signage to be installed along Johnson Street

That Council:

1. not support the application for a “no parking” zone in its present form;

2. make contact with the developer in relation to requirements for parking the bus off street.

10.3.1 Mother’s Day Walk

That Council receive and note the conduct of the Mother’s Day Walk on 12 May 2019.

10.3.2 President’s Lunch 2019

That Council receive and note the conduct of the 2019 President’s Lunch on 23 March 2019.

10.3.3 Camel Races 2019

That Council receive and note the conduct of the 2019 Camel Races on 19 April 2019

10.3.4 Easter Egg Hunt – 2019


10.3.5 Public Ignoring Road Closed Signs

That Council receive and note the issue of members of the public ignoring road closed signage.
10.3.8 Public Liability Insurance – Certificates of Currency

That Council re-enforce with applicants the requirement for current certificates prior to Special Event applications being progressed.

10.3.9 Special Event Training

That Council host a training workshop on 14 March 2019 commencing at 3:00pm conducted by RMS representative, Mr David Vant, in relation to requirements for the completion of Special Event Applications for interested members and Council staff.
11. **INWARD CORRESPONDENCE – OPEN COUNCIL – PART I**

11.1 **LETTERS OF APPRECIATION**

**Report Author:** Executive Assistant  
**Responsible Officer:** Director Corporate Services

---

**Executive Summary**

This report provides Council with a brief of letters of appreciation received since the last Council meeting.

---

**Detailed Report**

During the exercise of its various functions, Council frequently receives letters of appreciation for services rendered or actions taken by Councillors and staff. The most recently received were from:

1. Binaal Billa Family Violence Prevention Legal Service - thanking Council for your support and contribution to the Ochre Ribbon Campaign. We feel the day was a great success and the community enjoyed it and we look forward to working with you in the future.

2. John Ridley – thanking Council staff for the very high standard for which you manage the Forbes Olympic Pool facility and surrounds. As a consequence it seems to me more than ever locals are coming to the Olympic Pool to enjoy the facility.

3. Country Women’s Association – thanking Council for their most generous donation of $300 towards the Junior Public Speaking Competition organised by Oxley Group. In past years, the branches have contributed to the expenses with the Group picking up the shortfall. Any contributions towards the day is very much appreciated. Be assured that Forbes Shire Council will be acknowledged for their help.

Councillors not having prior commitments on 28 May 2019, are invited to come and listen in if they choose. It's the best free entertainment that you will ever get!

4. Bedgerabong War Memorial Union Church - Thanking Council for organising the ‘Clean Up’ of fallen timber in the Bedgerabong Church yard. The Committee is very grateful to you for assisting us during our time of needs.

5. Libby Malter – congratulating Council on our wonderful pool complex. “A clean facility, friendly and welcoming staff all made my visit there an excellent experience.

---

**RECOMMENDATION**

That Council receive and note the information.

---

**Alignment with Strategic Plan**

LG2.1: Provide leadership through ethical, accountable and legislative decision-making process. Ensure elected members are adequately resourced to enable effective representation.

**Financial and Resource Implications**

Nil.

**Policy Implications**

Nil.
**Risk Considerations**
Nil.

**Statutory/Regulatory Implications**
Nil.

**Consultation conducted**
Meetings with Councillors and staff.

**Attachments**
Nil.

---

**WRITTEN QUESTIONS WITHOUT NOTICE**
PUBLIC ACCESS TO COUNCIL MEETINGS

In accordance with the provisions of the Local Government Act 1993 and Local Government (General) Regulations 2005, in the opinion of the General Manager, the following business is of a kind as referred to in section 10A(2) of the Act, and should be dealt with in a part of the meeting closed to the media and public.

In accordance with Section 10A of the Local Government Act 1993 -

Which parts of a meeting can be closed to the public?

S10A Which parts of a meeting can be closed to the public?

(1). A Council, or a committee of the Council of which all the members are councillors, may close to the public so much of its meeting as comprises:

(a). the discussion of any of the matters listed in subclause (2), or
(b). the receipt or discussion of any of the information so listed;

(2). The matters and information are the following:

(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 or 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 any code of conduct requirements applicable under section 440.

(3). A Council, or a committee of the Council of which all the members are Councillors, 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.

(4). A Council, or a committee of a 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.
For the information of the public Council now advises that the following business, in part or in whole, is contained in the Confidential Business Paper which will be dealt with at today’s meeting.

The reason the particular matter is included in the Confidential Business Paper is stated following the description of the item of business.

**MAYORAL MINUTE**

1.1 General Manager’s Annual Performance Review

(2). The matters and information are the following:

(a). personnel matters concerning particular individuals

**DIRECTOR CORPORATE SERVICES:**

2.1 Contract for Traffic Control Training for Centroc Councils

(2). The matters and information are the following:

(c). information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting *(or proposes to conduct)* business;

**DIRECTOR ENGINEERING**

3.1 Contract: Provision of Load, Haul and Float Hire

(2). The matters and information are the following:

(c). information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting *(or proposes to conduct)* business;

3.2 Tender: Supply and Delivery of Solar bollard Lighting.

(2). The matters and information are the following:

(c). information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting *(or proposes to conduct)* business;

3.3 Tender: Upgrade of Two Water Filters at Forbes Water Treatment Plan

(2). The matters and information are the following:

(c). information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting *(or proposes to conduct)* business;

**DIRECTOR PLANNING AND GROWTH**

4.1 Aerodrome Subdivision Sale

(2). The matters and information are the following:

(c). information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting *(or proposes to conduct)* business;
RECOMMENDATION

That the meeting be closed for consideration of the listed items as they involve: information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business; personnel matters concerning particular individuals (other than Councillors); and commercial information of a confidential nature that would if disclosed prejudice the commercial position of the person who supplied it.