



**Edward
River**
COUNCIL

I hereby give notice that an Ordinary Meeting of Council will be held on:

Date: Thursday, 15 March 2018
Time: 9.00am
**Location: Council Chamber 180 Cressy Street
Deniliquin**

BUSINESS PAPER

Ordinary Council Meeting

15 March 2018

**Adam McSwain
General Manager**

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- 1 STATEMENT OF PURPOSE**
- 2 ACKNOWLEDGEMENT OF COUNTRY**
- 3 APOLOGIES AND REQUESTS FOR LEAVE OF ABSENCE**
- 4 DISCLOSURE OF INTEREST**
- 5 CONFIRMATION OF MINUTES FROM PREVIOUS MEETING**
- 6 BUSINESS ARISING FROM MINUTES**
- 7 DEPUTATIONS**

Nil

8 CORRESPONDENCE

8.1 DRAFT MINUTES EDWARD RIVER COUNCIL MEETING 15 FEBRUARY 2018

File Number: 1

Author: Belinda Perrett, Executive Assistant

Authoriser: Adam McSwain, General Manager

BACKGROUND

Draft Minutes of the Edward River Council Meeting held Thursday 15 February 2018 in the Council Chambers 180 Cressy Street Deniliquin

ISSUE/DISCUSSION

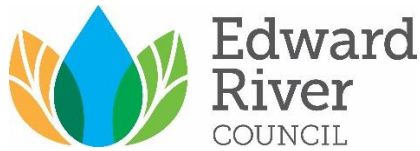
That the minutes be declared a true and correct record.

POLICY/FINANCE

Nil

ATTACHMENTS

- 1. Draft February Council Minutes**



MEETING OF THE EDWARD RIVER COUNCIL HELD IN THE COUNCIL CHAMBERS FEBRUARY 15, 2017 AT 9.00AM

PRESENT:

Mayor Cr Norm Brennan, Deputy Mayor Pat Fogarty, Cr Margaret Bull, Cr Norm McAllister, Cr Mac Wallace, Cr Peter McCrabb, Cr Nick Metcalfe, Cr Peta Betts
Cr Ashley Hall

The Gallery was occupied by two (2).

STAFF PRESENT:

General Manager Adam McSwain, Director of Infrastructure Oliver McNulty, Director of Corporate Services Caroline Wallis, Director Economic & Business Development John Harvie

GUESTS: Nil

CHAIRMANSHIP OF MEETING:

The Mayor, Cr Norm Brennan, chaired the meeting.

INTERPRETATION:

In these Minutes "the Council" means the Edward River Council

DECLARATION OF MEETING OPEN:

The Mayor, Cr Norm Brennan, formally declared the meeting open at 9.00am and welcomed everyone to the meeting.

LEAVE OF ABSENCE: Nil

DECLARATION OF INTERESTS: Nil

ACKNOWLEDGEMENT OF COUNTRY

"I would like to acknowledge that we are here today on the land of the Wamba Perrepa Perrepa people. I would also like to acknowledge and pay my respects to past Aboriginal Elders, the present Aboriginal and Torres Strait Islander people who reside within this area, and their future generations."

STATEMENT OF PURPOSE

I have come here as a Councillor freely and without bias to:

- Represent the views of the community in considering the matters before us today
- To vote in a matter I consider to be in the best interest of the community
- To observe the Code of Conduct and respect the rule of the chair and views of my fellow Councillors.

1/18 CONFIRMATION OF MINUTES – ORDINARY COUNCIL MEETING HELD 14 DECEMBER 2017

Moved Councillor McCrabb

That the Minutes of the Ordinary Council meeting held 14 December 2017 be confirmed as a true and accurate record.

Seconded Councillor Fogarty

CARRIED

2/18 CONFIRMATION OF MINUTES – OPEN AND PUBLIC SPACE STRATEGIC WORKING GROUP MINUTES 6 DECEMBER 2017

Moved Councillor Wallace

That the Resolutions of the Open and Public Space Strategic Working Group meeting held 6 December 2017 be accepted.

Seconded Councillor Bull

CARRIED

3/18 CONFIRMATION OF MINUTES – TRAFFIC COMMITTEE MINUTES 13 DECEMBER 2017

Moved Councillor Wallace

That the Resolutions of the Traffic Committee Meeting held 13 December 2017 be accepted.

Seconded Councillor Bull

CARRIED

Mins 4/18-7/18

4/18 CONFIRMATION OF MINUTES – PROMOTIONS ADVISORY GROUP MINUTES 11 JANUARY 2018

Moved Councillor Wallace

That the Resolutions of the Promotions Advisory Group meeting held 11 January 2018 be accepted.

Seconded Councillor Bull

CARRIED

5/18 SUBJECT: RESOLUTIONS OF COUNCIL**FROM: Adam McSwain
General Manager**

Moved Councillor Betts

RESOLUTION:

That Council note the information in the Resolutions of Council December 2017 update.
Seconded Councillor Fogarty

CARRIED

6/18 MAYORAL MINUTE

Mayor Councillor Norm Brennan wished to publicly recognise the Australia Day Award received by former Deniliquin Council Mayor and Councillor Mr Lindsay Renwick who was bestowed the Order of Australia Medal. Mr Renwick is to be congratulated not only for his previous efforts on behalf of the community and within local government, including receiving the Emeritus Mayor prestigious title, but for the work he continues to do within the community.

Seconded Councillor Fogarty

7/18 SUBJECT: Mayor and General Manager Meetings**FROM: Adam McSwain
General Manager**

Moved Councillor Metcalfe

RESOLUTION:

That Council note the information.

Seconded Councillor Wallace

CARRIED

Mins 8/18-10/18

8/18 SUBJECT: STRONGER COMMUNITIES FUND – MAJOR PROJECTS PROGRAM – JANUARY PROGRESS REPORT

**FROM: ADAM MCSWAIN
General Manager**

Moved Councillor Bull

RESOLUTION:

That Council receive the Stronger Communities Fund – Major Projects Program - Progress Report for January 2018.

Seconded Councillor McCrabb

CARRIED

9/18 SUBJECT: COMMUNITY STRATEGIC PLAN

**FROM: ADAM MCSWAIN
General Manager**

Moved Councillor Betts

RESOLUTION:

That Council:

1. Approve the Draft Community Strategic Plan
2. Place the Draft Community Strategic Plan out for public comment for a minimum 28-day period
3. Receive a further report on any public submissions received and any proposed changes at the April 2018 Council meeting

Seconded Councillor Fogarty

CARRIED

10/18 SUBJECT: JOINT ORGANISATION

**FROM: ADAM MCSWAIN
General Manager**

Moved Councillor McAllister

RESOLUTION:

In accordance with Part 7 of Chapter 12 of the Local Government Act 1993 (Act), Edward River Council resolves:

1. That the Council inform the Minister for Local Government Hon. Gabrielle Upton MP, of the Cou
2. To approve the inclusion of the Council's area in the Joint Organisation's area.

Mins 10/18-11/18

3. That the Joint Organisation be established to cover the Council's area and any one or more of the following council areas:
 - a) Albury City, Balranald, Berrigan, Carrathool, Edward River, Federation, Hay, Leeton, Murray River, Murrumbidgee, Narrandera, Wentworth; and
 - b) Any other Council in the Riverina Murray region as defined by the NSW Department of Planning and Environment
4. That, on the expiry of a period of 28 days from the making of this resolution, the General Manager provide the Minister:
 - a) with a copy of this resolution including the date on which Council made this resolution, and
 - b) inform the Minister that this resolution has not been rescinded, for the purpose of the Minister issuing a certificate under section 400P of the Act.

Seconded Councillor McCrabb

CARRIED

11/18 SUBJECT: CENTRAL MURRAY COUNTY COUNCIL
FROM: ADAM MCSWAIN
General Manager

Moved Councillor McCrabb

RESOLUTION:

That Council

1. Discontinue membership of the Central Murray County Council and advise the Minister for Local Government of this decision
2. Investigate all available options for the continued provision of noxious weeds to ensure Council is meeting its legislative requirements
3. That at a minimum the options investigated include a shared service model under the proposed Riverina and Murray Joint Organisation, shared service models with neighbouring Councils and Council delivering the service internally as a single organisation

Seconded Councillor Bull

CARRIED

12/18 SUBJECT: PEACOCKS AND AVIARY WARING GARDENS

**FROM: ADAM MCSWAIN
General Manager**

Moved Councillor McAllister

RESOLUTION:

That Council:

1. Acknowledge the three petitions received from:
 - a. Angus McKinnon
 - b. Karyn Jukes
 - c. Suzy Weeks
2. Write to the first named petitioner on each of the three petitions and inform them of Councils resolution in relation to this matter
3. Resolve to remove the Waring Gardens aviary
4. Re-allocate \$40,000 from the Waring Gardens capital project funding in the 2017/18 Council budget to undertake these works
5. Establish a 'Friends of the Peacocks Committee' to assist Council in the re-homing
6. Undertake an expression of interest process to re-home the birds

Seconded Councillor Fogarty

CARRIED

(Carried 6 – 3)

13/18 SUBJECT: 2018 ROTARY EASTER ART EXHIBITION

**FROM: ADAM MCSWAIN
General Manager**

Moved Councillor Wallace

RESOLUTION:

That Council note the payment of \$2000.00 to the Rotary Easter Art Exhibition for sponsorship of the "ACQUISITIVE PRIZE" and appoint the Mayor to select the winner.

Seconded Councillor Hall

CARRIED

14/18 SUBJECT: INVESTMENT REPORT AS AT 31 DECEMBER 2017

**FROM: Caroline Wallis
Director Corporate Services**

Moved Councillor McCrabb

RESOLUTION:

That Council:

1. Note and receive the Report on Investments totaling \$41,910,752 inclusive of cash at bank for day-to-day operations;
2. Note that actual interest received for the month of December 2017 was \$53,990.
3. Note that accrued interest earned to 31 December 2017 but not yet received was \$472,272.

Seconded Councillor Betts

CARRIED

15/18 SUBJECT: INVESTMENT REPORT AS AT 31 JANUARY 2018

**FROM: Caroline Wallis
Director Corporate Services**

Moved Councillor Hall

RESOLUTION:

That Council:

1. Note and receive the Report on Investments totaling \$41,351,580 inclusive of cash at bank for day-to-day operations;
2. Note that actual interest received for the month of January 2018 was \$43,982.
3. Note that accrued interest earned to 31 January 2018 but not yet received was \$512,875.

Seconded Councillor Bull

CARRIED

16/18 SUBJECT: QUARTERLY BUDGET REVIEW FOR THE PERIOD 30 SEPTEMBER

**FROM: Caroline Wallis
Director Corporate Services**

Moved Councillor McAllister

RESOLUTION:

That Council receives the December 2017 financial review of the Operational Plan as adopted at the Council Meeting on 29 June 2017.

Seconded Councillor Wallace

CARRIED

Mins 17/18-18/18

**17/18 SUBJECT: END OF YEAR FINANCIAL STATEMENT SUBMISSIONS
2016-2017**

**FROM: CAROLINE WALLIS
Director Corporate Services**

Moved Councillor Wallace

RESOLUTION:

That Council resolves to: -

1. Receive for noting that, following a 28-day public exhibition period for submissions to be received with respect to Edward River Council's 2016 Audited Financial Statements or Auditor's reports, nil submissions were received
2. Publish the 2016 Audited Financial Statements on the Edward River Council website
3. Receive the Management Letter, dated 19 December 2017 from the Audit Office New South Wales
4. Assign responsibility for implementing the action plan from the Management Letter to the General Manager or his/her delegate.

Seconded Councillor McAllister

CARRIED

18/18 SUBJECT: PUBLIC INTEREST DISCLOSURES POLICY

**FROM: CAROLINE WALLIS
Director Corporate Services**

Moved Councillor McAllister

RESOLUTION:

That Council resolves to: -

1. Adopt the reviewed and amended Public Interest Disclosures Policy.

Seconded Councillor Betts

CARRIED

Mins 19/18-10/28

19/18 SUBJECT: AUDIT, RISK, AND IMPROVEMENT COMMITTEE

FROM: CAROLINE WALLIS
Director Corporate Services

Moved Councillor Metcalfe

RESOLUTION:

That Council resolves to: -

1. Adopt the *Audit, Risk, and Improvement Committee Charter* (Charter).
2. Call for applications from suitably qualified independent Audit, Risk, and Improvement Committee (Committee) members by advertising in the local paper and on Council's website.
3. Appoint Councillors Peter McCrabb and Norm McAllister to the committee for a minimum two-year term. Councillors rotating membership in accordance with the Charter.
4. Form a selection panel comprising two other Councillors, the General Manager and the Director Corporate Services to assess applications received, and to interview, select and appoint Audit, Risk, and Improvement Committee members.
5. Set the fees payable to the independent Audit, Risk, and Improvement Committee members at up to \$1000 per committee meeting.
6. Provide reimbursement to independent Committee members for out of pocket expenses for carer fees in accordance with the *Councillor Expenses and Facilities Policy*, to encourage diversity of membership.

Seconded Councillor Betts

CARRIED

20/18 SUBJECT: SALE OF COUNCIL LAND POLICY

FROM: JOHN HARVIE
Director of Economic Development & Business

Moved Councillor McAllister

RESOLUTION:

That Council resolves to: -

1. Adopt the draft 'Sale of Council Land Policy'
2. Place the policy on public exhibition for a period of 28 days
3. Bring a further report to council in April 2018

Seconded Councillor Fogarty

CARRIED

21/18 SUBJECT: EDWARD RIVER COUNCIL BOUNDARY SIGNAGE
FROM: JOHN HARVIE
Director of Economic Development & Business

Moved Councillor Bull

RESOLUTION:

That Council resolves to: -

1. Approve Option One as identified on attachment 2 to this report. Utilise the merger funds budgeted to complete the project.
2. Reword the text on the indigenous panel of the draft sign to read '*Welcome to Wamba Wamba, Perrepa Perrepa Country*' including logo only, no tag line.

Seconded Councillor McCrabb

CARRIED

Councillor Hall left the Chambers at 10.50am and returned at 10.53am

22/18 SUBJECT: COMMUNITY ENGAGEMENT POLICY
FROM: JOHN HARVIE
Director of Economic Development & Business

Moved Councillor McAllister

RESOLUTION:

That Council resolves to: -

1. Adopt the Draft Community Engagement Policy
2. Adopt the Draft Community Engagement Matrix and
3. Place on public exhibition for a period of 28 days.
4. Bring a further report to Council

Seconded Councillor Fogarty

CARRIED

23/18 SUBJECT: COMMUNITY GRANTS PROGRAM

FROM: JOHN HARVIE
Director of Economic Development & Business

Moved Councillor Wallace

RESOLUTION:

That Council resolves to: -

1. Adopt the Draft Grants Policy and the Draft Grants Program Framework and place on public exhibition for a period of 28 days.
2. Receive a further report following the period of public exhibition.

Seconded Councillor McAllister

CARRIED

24/18 SUBJECT: EDWARD RIVER PROMOTIONS ADVISORY COMMITTEE RESOLUTION

FROM: JOHN HARVIE
Director Economic and Business Development

Moved Councillor McCrabb

RESOLUTION:

That Council resolves to: -

1. Receive the minutes of the Edward River Promotion Advisory Group meeting of January 11, 2018
2. Endorse the Edward River Promotion Advisory Group's action to;
 - Undertake the partnership with Moomba to promote Deniliquin in Melbourne over the Victorian Labour Day long weekend;
 - Engage Tilma Group to develop and implement a six-month strategic and integrated campaign to continue the momentum and success of the Visit Deni destination campaign;
 - Engage Massey Online Communications to execute the Facebook, Instagram, and website components of the campaign; and
 - Develop new promotional materials (banners) that carry the Visit Deniliquin branding and the Visit Deni website
3. Approve expenditure of \$43,000 from funds raised through the special rate variation applied to commercial rates from July 2017 to undertake the above activities until June 30, 2018.

Seconded Councillor McAllister

CARRIED

Councillor McAllister left the Chambers at 11.15am and returned at 11.17am

**25/18 SUBJECT: DEVELOPMENT APPLICATION 1/18 – TEMPORARY USE
BEING THE ‘CRUISING NATIONALS’ EVENT**

**FROM: JOHN HARVIE
Director Economic Development and Business**

Moved Councillor McAllister

RESOLUTION:

That Development Application 1/18 for the use being a recreation facility (outdoor) known as the ‘Cruising Nationals’ event on Lot 52 DP1189132, Cemetery Road, Deniliquin dated 8 January 2018 as shown on plan numbered DA1/18 Plans 1 to 8 inclusive and described in detail accompanying the Development Application be **APPROVED** in accordance with section 80(1) of the Environmental Planning and Assessment Act 1979 and subject to the following conditions:

CONDITIONS OF CONSENT:

1. General

1.1 The development is to be carried out in accordance with the plans and documentation submitted with the application except as modified by the conditions of this development consent or as noted in red by Council on the approved plans referenced in Schedule 1 - List of approved plans attached to DA No. 1/18.

Reason: To clarify the terms of the approval.

1.2 This development consent is issued for a period of one (1) year and one (1) event only scheduled for Saturday 17 March 2018.

Reason: To clarify the terms of the approval.

1.3 The sealed runway 06/24 at Deniliquin Airport is to be closed to air traffic on 17 March 2018 from 6am till 6pm inclusive.

Reason: To clarify the terms of the approval.

1.4 The grassed runway 12/30 at Deniliquin Airport is to remain open to air traffic on 17 March 2018. A displaced threshold shall be in operation for the 12/30 runway during this period.

Reason: To clarify the terms of the approval.

1.5 A Method of Works Plan is to be submitted to CASA for the closing of runway 06/24 and the installation of displaced threshold on runway 12/30 during the event **prior to the commencement of the event** and all associated costs including the installation and removal of the displaced threshold are to be paid by the Applicant.

Reason: To clarify the terms of the approval.

1.6 Existing tenants of the airport or any other person accessing the airport for airport or aircraft related matters shall not be charged entry, or prohibited entry, to the airport during this event. Access to all existing buildings, including the terminal building and hangers, is to be maintained at all times.

Reason: To clarify the terms of the approval.

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1.7 Overnight accommodation is not permitted on the site, including camping in tents, cars or otherwise.

Reason: To clarify the terms of the approval.

1.8 The Applicant is to provide Council with a copy of the licence issued under the Motor Vehicle Sports (Public Safety) Act 1985 for the proposed event **no later than seven (7) days prior to the event.**

Reason: To clarify the terms of the approval.

1.9 The Applicant is to meet all the requirements and conditions as specified in the license issued by NSW Office of Sport and Recreation under the Motor Vehicle Sports (Public safety) Act 1985.

Reason: To clarify the terms of the approval.

1.10 No advertising sign and/or structure other than that which is permissible without consent is to be erected as part of the approved development unless a formal application has been submitted to Council and a development consent has been issued.

Reason: To advise that unless shown as part of the development proposal separate development consent is required for any advertising sign and/or structures.

1.11 The Applicant is to contact Council at least 7 days prior to the event to make arrangements for the inspection of the site **24 hours prior to the commencement of the event.**

Reason: To clarify the terms of the approval.

2. Insurance Requirements

2.1 **Prior to the commencement of the event** evidence shall be provided to Council that public liability coverage for a minimum of \$20,000,000 for any one occurrence has been obtained. The following organisations must be noted on the policy as an insured or interested party for their respective rights and interests:

- The State of New South Wales;
- NSW Government, Office of Sport and Recreation;
- NSW Roads and Maritime Services;
- NSW Police; and
- Edward River Council.

Reason: To clarify the terms of the approval.

2.2 **Prior to the commencement of the event** evidence shall be provided to Council that liability insurance coverage for the burn-out event has been obtained. This level of coverage shall include public liability coverage of a minimum of \$20,000,000 for any one occurrence and shall be a separate policy to the general public liability policy.

Reason: To clarify the terms of the approval.

2.3 **Prior to the commencement of the event** evidence shall be provided to Council that a volunteer workers insurance policy has been obtained. The level of coverage shall include public liability coverage of a minimum of \$20,000,000 for any one occurrence and shall be a separate policy than the general public liability policy.

Reason: To clarify the terms of the approval.

3. Eligible Vehicles

3.1 Vehicles participating in any racing event or accessing the airport runway or burn-out arena for any reason must be C-Class vehicles or road registered by NSW Roads and Maritime Services (or equivalent from other states). This does not include the dirt drag event.

Reason: To clarify the terms of the approval.

3.2 Vehicles that are not C-Class or do not hold current RMS road registration (or equivalent from other states) are permitted on the site for the purpose of visual display (i.e. 'show and shine') events and dirt drags only.

Reason: To clarify the terms of the approval.

3.3 Vehicles, other than four wheeled vehicles complying with the conditions 3.1 and 3.2 for the respective events noted in these conditions, shall be prohibited from participating in any event.

Reason: To clarify the terms of the approval.

4. Plans of Management

4.1 A Plan of Management for the event is to be submitted to Council no later than **fourteen (14) days prior to the event** incorporating the following:

- Event Management Plan;
- Emergency Management Plan;
- Traffic Management Plan;
- Spectator Management Plan; and
- Waste Management Plan.

Reason: To ensure safe operation of the event.

4.2 The Plan of Management is to incorporate an Event Management Plan including the installation, operation and decommissioning of the event and providing for the following:

- Anticipated number of entrants, officials, and spectators at the event;
- Measures to prevent potential conflict with aircraft and air traffic. In this regard, it is necessary to provide written advice from the Civil Aviation Safety Authority (CASA) regarding such matters;
- Details on managing alcohol and drug use by competitors and officials, including testing;
- Details regarding how the event shall be managed, including how the races are to be conducted and how it is proposed to protect the safety of competitors, officials, and spectators;
- Details of volunteer management procedures including numbers of volunteers, roles and responsibilities, volunteer amenity including break times and provision of drinking water;
- Details of spectator management measures, including provision of adequate portable toilet facilities, security, traffic, and parking control (with reference to the Traffic Management Plan) seating, first aid and emergency management (with reference to the Emergency Management Plan), management of lost children and other measures relating to spectator management and comfort;

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- Details of vendor and stall management including exact numbers and locations as well as proof of compliance with the requirements of the 'Food Handling Guidelines for Temporary Events';
- Proof of all licenses and approvals from other agencies and organisations;
- Contingency plan in the event of heavy rain;
- Details indicating that access and facilities for persons with disabilities are in accordance with AS 1428.1 – Design for Access and Mobility and Part D3 of the Building Code of Australia;
- Details of means of separating spectators from other areas of the airport (may be incorporated into the Traffic Management Plan);
- Details on the keeping of a complaints register which shall be kept by the organiser and be available for viewing by an authorised officer of Council upon request. All complaints must be recorded in the register and include relevant details such as the nature of the complaint, time, date, and person making the complaint and contact details of the person making the complaint; and
- Details of the number and location of security staff.

Reason: To ensure the installation, operation and decommissioning of the event is consistent with the Event Management Plan.

4.3 The Plan of Management incorporating the Emergency Management Plan is to detail the emergency measures (including preventative and response) for all situations, including but not limited to:

- Injury (both minor and serious) to any person (including competitors, spectators, staff, and volunteers) and first aid;
- Accidents/crashes of vehicles during events;
- Localised fire and explosion (i.e. car fires, oil and fuel fires, stall fires, garbage fires, etc and explosions whether or not resulting from such fires);
- Storage of fuel including design and installation of any fuel tanks in accordance with relevant Australian Standards and WorkCover requirements; and
- Notification of the intended event, including the Plan of Management, to each of the following no later than fourteen (14) days before the event:
 - The officer-in-charge of the nearest police station to the event site;
 - The officer-in-charge of the nearest ambulance station to the event site; and
 - The officer-in-charge of the nearest Fire and Rescue NSW station to the event site.

Reason: To ensure emergency measures are in place for the event.

4.4 The Plan of Management incorporating the Traffic Management Plan is to detail the proposed treatment of traffic, both vehicle and pedestrian, at the event site and along the public roads leading to the event site. The Traffic Management Plan must have consideration for the following:

- Vehicle access to and from the site;
- Access to and from spectator vehicle parking areas;
- Control of authorised and competitor traffic to and from the event sites;
- Signage within the site advising drivers and spectators where to move and what accreditation is required at the different event sites;
- Public access areas for spectators to view the event; and
- Provisions for direction by marshals on the day of the event.

Reason: To ensure the treatment of traffic is suitable for both vehicles and pedestrians in and around the event.

4.5 The Plan of Management incorporating the Waste Management Plan is to detail the proposed methods for management of waste generated by the event. The Waste Management Plan must have consideration for the following:

- Method for collection of waste containers from the site;
- Measures for ensuring that glass is not brought onto the site;
- Measures to address post-event waste management on the runway and apron areas to remove any foreign objects;
- Measures to address post-event waste management with the airport grounds; and
- Details of on-site garbage storage areas that are readily accessible and serviceable by the waste contractor.

Reason: To ensure that treatment of waste is suitable for the event.

4.6 The Event Management Plan is to detail the management of alcohol during the event, giving due consideration to the following matters:

- Drivers with a blood alcohol concentration greater than 0.00 shall be prohibited from participating in any vehicle events such as the drag races, dirt drags or burn-out activities; and
- Method of ensuring that all drivers have a blood alcohol concentration of 0.00.

Reason: To ensure the safety of all participants, volunteers, and spectators.

4.7 The Event Management Plan is to detail the operation of the drag races, giving due consideration to the following matters:

- The event is supervised and managed by people suitably experienced in undertaking this type of activity. Details of the people responsible for running the drag racing, including details of their experience, shall be incorporated into the Event Management Plan;
- All drag racing events shall be conducted in accordance with the requirements of ANDRA for such events. Evidence of this shall be included in the Event Management Plan, including any correspondence from ANDRA regarding the event;
- The maximum length of track shall be 1/8th mile (201.2m);
- All vehicles participating in the drag racing activities shall adhere to the eligible vehicle criteria for the event;
- After each run vehicles shall return the staging area in accordance with the Traffic Management Plan. The next race shall not

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commence until such time as the vehicles from the previous race have cleared the race area and have travelled past the starting line; and

- No material, other than water, shall be placed on the surface of the sealed runway to assist with the undertaking of the drag racing event.

Reason: To ensure the safety of all participants, volunteers, and spectators.

4.8 The Event Management Plan is to detail the operation of the dirt drags, giving due consideration to the following matters:

- Maximum length of track excluding runoff length shall be 130m;
- Competitors shall travel in one direction only along the track from the start to the finish;
- All vehicles participating in the dirt drag racing activities shall adhere to the eligible vehicle criteria for the event; and
- Competitors shall comply with marshal's instructions at all times. Failure to do so shall result in disqualification from the event.

Reason: To ensure the safety of all participants, volunteers and spectators.

5. Burn-out Area

5.1 The Event Management Plan is to detail the operation of the burn-out arena, giving due consideration to the following matters:

- Maximum area for the burn-out arena shall be 36m x 36m (1,296 m²);
- Concrete barriers and protective fencing shall be installed in accordance with ANDRA requirements and with the requirements of the insurance coverage for the event. Copies of these requirements shall be included in the Event Management Plan. Fencing shall be installed in accordance with the terms of the insurance coverage;
- Use of the burn-out arena shall be limited to 1 minute. The Event Management Plan shall detail how the marshals shall advise drivers when this time period has expired to ensure that drivers do not extend their activities beyond 1 minute;
- Vehicles used for burn-out activities shall have alloy rims only. Steel rims shall be prohibited;
- Drivers shall not blow the tyres on the vehicles as part of the burn-out activities. Drivers doing so shall cease immediately and exit the burn-out arena under instruction from the marshals. Drivers blowing tyres shall be given a warning against such action. Upon a second incident drivers shall be disqualified from taking any further part in burn-out activities;
- Authorised officials and marshals located at the and at the entry to the burn-out arena to direct drivers to and from the burn-out arena. Marshals shall record the details of all drivers and vehicles that use the burn-out arena, including any warnings that have been given; and
- A sign placed at the entrance to the burn-out arena advised drivers of the rules for the use of the burn-out arena. Drivers not adhering

to these rules shall be given an initial warning regarding such behaviour. A second incident shall result in the driver being disqualified from taking any further part in burn-out activities.

Reason: To ensure the safety of all participants, volunteers, and spectators.

5.2 The Event Management Plan is to detail the operation of the car show area, giving due consideration to the following matters:

- Speed limit for the event, not including the drag strips or burn-out arena, shall be 10 km/hr;
- Pedestrians and spectators shall have right of way at all times;
- Vehicles shall be parked the allocated areas only. All other areas shall be 'No Parking' for event vehicles;
- Engine tuning, warm-up and/or revving of vehicle engines must be strictly controlled and limited to that required for each upcoming race. Running or revving of engines for show or display purposes shall be prohibited; and
- No objects, including pegs or stakes, shall be hammered through the existing seal surface or cause any damage to the existing seal surface.

Reason: To clarify the terms of the approval.

5.3 A minimum of **fourteen (14) days prior to the event** being held the event organisers shall notify Council details of food businesses that will be trading at your event / market including the following details:

- Business name;
- Business contact details including phone numbers, postal address and e-mail address;
- Trading location;
- Owners details including names, residential address, and phone numbers; and
- The nature of the business. This shall include the type of stall (eg mobile van/ marquee and a description of the nature / type of food to be sold).

Reason: This information is required to be provided in accordance with the provisions of the NSW Food Act & Regulation to provide information for investigation in the incidence of a foodborne illness outbreak.

5.4 All temporary food stalls and mobile food vans are to be constructed and located and have minimum facilities as outlined on the NSW Food Authority website under the headings of Markets and Temporary Events and Mobile Food Vendors.

Reason: To ensure all foods meet the minimum standards necessary for the safe handling of food in accordance with the Food Act & Regulation.

5.6 All food businesses operating mobile food vending vehicles, with the exception of volunteer organisations must appoint a NSW Food Safety Supervisor (FSS) if the food they prepare and serve is:

- ready-to-eat
- potentially hazardous (ie needs temperature control)
- not sold and served in the supplier's original package.

Mins 25/18-25/18

The business must ensure the FSS certificate is available in the temporary stall / mobile food vending vehicle before commencement of operation and upon request by an authorised officer under the Food Act.

Note: Information can be obtained from the Food Safety Supervisor section of the NSW Food Authority website for information on how to obtain a certificate.

Reason: To comply with the requirements of the NSW Food Act and Regulation.

5.7 Any temporary structure such as a tent, marquee, booth having a floor area of more than 300m² or a stage having a floor area of more than 50m² shall have separate consent from Council. Any temporary structure having a floor area less than that specified shall be located on the site and be designed and constructed in accordance with the development standards specified in State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.

Reason: To comply with the NSW SEPP's Code for Exempt and Complying Development.

6. Damage to the Airport

6.1 **Prior to the commencement of the event** a Pre-Event Dilapidation Report will be prepared by Council. The report shall provide detail regarding the pre-event condition of the airport, specifically the runway, taxiway, and sealed apron areas. The applicant shall be responsible for all costs involved with this report and any subsequent actions as required.

Reason: To clarify the terms of the approval.

6.2 **Immediately following the event** an inspection by Council's Airport Reporting Officer shall be undertaken to ensure that the airport is in sufficient condition to be re-opened. The airport shall not be re-opened until such time as the Airport Reporting Officer determines that the airport is in suitable condition to be re-opened. The Applicant shall be responsible for all costs involved with this inspection and any subsequent actions as required.

Reason: To clarify the terms of the approval.

6.3 **Within seven (7) days of the event** a Post Event Dilapidation Report will be prepared by Council. The report shall provide details regarding the post event condition of the airport, specifically the runway, taxiway and sealed apron areas and make reference to any issues found during the pre-event inspection. The Applicant shall be responsible for all costs involved with this costs involved with this report and any subsequent actions as required.

Reason: To clarify the terms of the approval.

6.4 The Applicant shall be responsible for the repair of any damage to the airport due to the event or activities associated with the event. This shall include the runway, taxiways, apron areas as well as the area utilised for the dirt drags.

Reason: To clarify the terms of the approval.

Seconded Councillor Metcalfe

Councillor Fogarty left the Chambers at 11.26am and returned at 11.28am

Mins 25/18-27/18

DIVISION

Name	Division			
	For	Against	Abstain	Absent
Cr Peta Betts	X			
Cr Marg Bull	X			
Cr Pat Fogarty				X
Cr Ashley Hall	X			
Cr Norm McAllister	X			
Cr Peter McCrabb	X			
Cr Nick Metcalfe	X			
Cr Mac Wallace	X			
Mayor Cr Norm Brennan	X			

**26/18 SUBJECT: ENVIRONMENTAL SERVICES REPORT
(December 2017)**

**FROM: DIRECTOR ECONOMIC DEVELOPMENT AND BUSINESS
John Harvie**

Moved Councillor McAllister

RESOLUTION

That Council note the information in the Environmental Services report for December 2017.

Seconded Councillor Betts

**27/18 SUBJECT: ENVIRONMENTAL SERVICES REPORT
(January 2018)**

**FROM: DIRECTOR ECONOMIC DEVELOPMENT AND BUSINESS
John Harvie**

Moved Councillor Betts

RESOLUTION

That Council note the information in the Environmental Services report for January 2018.

Seconded Councillor Metcalfe

28/18 SUBJECT: CAPITAL WORKS UPDATE 2017 2018

FROM: OLIVER McNULTY
Director Infrastructure

Moved Councillor McCrabb

RESOLUTION:

That Council

1. Ratify the use of \$100,000 from the 2017/18 budget for kerb and gutter for the works completed on Sloane Street between Crisp Street and Junction Street
2. Approve the transfer of \$50,000 from the kerb and gutter maintenance budget into a project for the renewal of the kerb and gutter on Poitiers Street between Harding Street and Macauley Street. This will be added to the remaining capital budget
3. Approve the deferment of the kerb and gutter works as outline within the operational plan for Sloane Street, Hetherington Street and Harrison Street.
4. Approve the deferment of the project to rehabilitate Napier Street until a DBD masterplan has been completed.
5. Approve the transfer of \$885,000 from the unexpended specific purpose grants reserve into the projects that were carried over from 2016/17 as outlined within this report
6. Approve that the following funds be transferred into the project for the rehabilitation of Eastmans Road, to enable the entire road be rehabilitated in 2017/18,
 - a. \$407,000 from Councils Roads to Recovery allocation that had been identified for Wright Brothers Road
 - b. \$300,000 from the deferred Napier Street Project
 - c. \$327,000 from the balance of Councils allocation from Roads to Recovery for 2017/18
7. Approve the deferment of Chippenham Park Road and transfer the \$85,000 to complete Myrtel Park Road
8. Approve that footpath works will be completed in priority order until all the current available budget is expended
9. Approve the use of up to \$100,000 from sewage works program funding for the emergency sewer works required at 448 Cressy Street
10. Note the content of this report

Seconded Councillor Metcalfe

CARRIED

Mins 29/18-31/18

29/18 SUBJECT: HEADWORKS CHARGES NOT FOR PROFIT ORGANISATIONS POLICY

FROM: OLIVER McNULTY
Director Infrastructure

Moved Councillor McAllister

RESOLUTION:

That Council resolves to adopt the Headworks Charges Not For Profit Organisations Policy

Seconded Councillor Fogarty

CARRIED

30/18 SUBJECT: ROLLER REPLACEMENT

FROM: OLIVER McNULTY
Director Infrastructure

Moved Councillor Betts

RESOLUTION:

That Council approve the purchase of a multi-tyre roller from GCM Agencies Pty Ltd for \$140,000

Seconded Councillor Fogarty

CARRIED

31/18 SUBJECT: LOCAL TRAFFIC COMMITTEE – SPECIAL EVENT

FROM: MARK DALZELL
Manager Engineering and Assets

Moved Councillor McAllister

RESOLUTION:

1. That Council resolves to adopt the Resolution of the Edward River Council Local Traffic Committee regarding the Do it in Deni Bazaar special event to be held on Saturday, 10 March 2018, and approve this special event.

Seconded Councillor Metcalfe

CARRIED

Meeting Closed 11.41am

8.2 MINUTES OF THE QUARTERLY MEETING OF THE CENTRAL MURRAY REGIONAL LIBRARY COMMITTEE HELD WEDNESDAY 14 FEBRUARY 2018

File Number:

Author: Belinda Perrett, Executive Assistant

Authoriser: Adam McSwain, General Manager

BACKGROUND

Minutes of the Quarterly Meeting of the Central Murray Regional Library committee held Wednesday 14 February 2018 from 9am in the Deniliquin Library.

ISSUE/DISCUSSION

Councillors to note and approve the recommendations contained within the minutes.

POLICY/FINANCE

Nil

ATTACHMENTS

- 1. CMRL Quarterly meeting - minutes 14 February, 2018**



Minutes of the
QUARTERLY MEETING
CENTRAL MURRAY REGIONAL
LIBRARY COMMITTEE
Wednesday 14th February 2018
at 9 am
at Deniliquin Library

Distribution:

Ms J Renwick – Citizens Representative - Edward River Council
Mr John Harvie – Director Economic Development & Business – Edward River Council
Cr Chris Bilkey – Mayor – Murray River Council
Mr Phil Higgins – Director Corporate Services – Murray River Council
Cr Margaret Bull (Chairperson)– Councillor – Edward River Council
Ms Liz Dickie – Citizen’s Representative – Murray River Council
Ms Julie Brack – Customer Service Manager – Murray River Council

Members Present: Cr Margaret Bull (ERC), Ms Liz Dickie (Citizen Rep MRC), Ms Ariane Fehring (Team Leader Library Services CMRL)

Council staff Present: John Harvie (Director of Economic Development & Business ERC)

Meeting Chair: Cr Margaret Bull.

Declaration of meeting open: Meeting opened at 9.20 a.m.

Apologies: Ms Jan Renwick (Citizen Rep ERC)

Moved: Cr Margaret Bull

That the apologies be noted and received.

Seconded: Ms Ariane Fehring

CARRIED

Confirmation of Minutes of previous meeting held on 22nd November 2017

Moved: Ms Ariane Fehring

That the minutes of the last meeting be accepted.

Seconded: Cr Margaret Bull

CARRIED

Business:

1. Update on Library Activities

Team Leader Library Services, Ms Ariane Fehring presented a report on Library activities from October - December 2017

Moved: Ms Liz Dickie

That the Team Leader's quarterly report be accepted

Seconded: Ms Ariane Fehring

CARRIED

2. Financials – Quarterly Budget Review Statements

Moved: Ms Ariane Fehring

That the financial report be received.

Seconded: Ms Liz Dickie

CARRIED

3. Library Statistics

Team Leader Library Services, Ms Ariane Fehring tabled the Library Statistics for the period October - December 2017

Moved: Ms Margaret Bull

That the Library Statistics report be received.

Seconded: Ms Liz Dickie

CARRIED

4. Business arising from previous meeting

There was no business arising from previous meeting

5. Review of the Strategic Plan and the 2002 Deed of Agreement including the appointment of Citizen's Reps

Moved: Ms Margaret Bull

That the Draft Strategic Plan be sent to staff for input and review and that committee members to provide feedback to the Team Leader Library Services by 6th April 2018.

Seconded: Ms Ariane Fehring

CARRIED

Moved: Ms Margaret Bull

That the Draft Deed of Agreement be referred to the General Managers of Edward River Council and Murray River Council.

Seconded: Ms Ariane Fehring

CARRIED

6. Building Maintenance (Extension)

Mr John Harvie gave the committee an update on proposed actions to repair damage to the Library building. Oliver McNulty (Director Infrastructure) has examined the damage, he feels the building is stable. The concrete may need grinding to address the different height between the two slabs and the crack in the ceiling will need to be plastered.

LED fluorescent lights have been installed in the Library.

Mr John Harvie will seek quotes to install a CCTV system, repair of external lighting with the possibility of installing solar outdoor lights, wall mounted or to replace the bollard lights.

7. Appointment of Citizen's Representatives

The Chair Cr Margaret Bull extended her congratulations to the newly appointed Citizen's Reps, Liz Dickie (Murray River Council) and Jan Renwick (Edward River Council), and said that she and other committee members were looking forward to working with them and staff to deliver a high standard of library services to our communities. Each Council appoints citizen's representatives to present their communities vision for library services of the future and participate in the decision-making process for the benefit of all library users

8. General Business

Phil Higgins (Acting Director Corporate Services MRC) and John Harvie (Director Economic Development and Business ERC) to discuss the proposed member contribution to South-West Zone Digital Library with Robert Knight.

9. Next Meeting: Time and Place

9th May, 2018 at Mathoura Visitor and Business Centre, Cobb Highway, Mathoura

Meeting closed: 10.40 a.m.

9 MAYORAL MINUTES

Nil

10 PUBLIC FORUM

11 REPORTS FROM OFFICERS**11.1 RESOLUTIONS OF COUNCIL****File Number:****Author:** Belinda Perrett, Executive Assistant**Authoriser:** Adam McSwain, General Manager**RECOMMENDATION**

That Council note the information in the Resolutions of Council February 2018 update.

BACKGROUND

The attached report details the status of open Resolutions of Council.

This report is brought to Council monthly so Councillors and the community can see the progress of Council Resolutions.

ISSUE/DISCUSSION

Nil

STRATEGIC IMPLICATIONS

Nil

COMMUNITY STRATEGIC PLAN

Nil

FINANCIAL IMPLICATIONS

Nil

LEGISLATIVE IMPLICATIONS

Nil

ATTACHMENTS

1. Council Resolutions February 2018

Council Meeting Recommendations – February 2018

20 July 2017	Recommendation	Responsibility	Status	Expected Date of Completion
	<p>Proposed Retirement Village Development That Council delegate authority to the General Manager to sign the Murray Darling Basin Regional Economic Diversification Program Funding Deed of agreement; prepare and commence a EOI, contract the assistance of a suitably qualified and experienced consultant to advise.</p>	Economic Development & Business	Expression of Interest process complete and submissions have been assessed. Further reports will be brought to Council in March 2018.	15 March 2018
26 July 2017	Recommendation	Responsibility	Status	Expected Date of Completion
	<p>Consolidation of Operational Depots That Council submit a DA for the expansion of the existing depot site and receive a further report regarding detailed layout and costings following further consultation with staff.</p>	Infrastructure	Currently working through DA. Finalising appoint of architect.	30 April 2018
5 September 2017	Recommendation	Responsibility	Status	Expected Date of Completion
	<p>Recovery of Loan Provided to Dongmun Greentech Pty Ltd That Council note and approve the following action taken by the General Manager to recover the loan provided by the former Deniliquin council to Dongmun Greentech. A. Notification to Councils lawyers on 1 September 2017 to prepare and send the Default Notice and Demand pursuant to</p>	General Manager	Real Estate agent being appointed and expected auction to take place in May 2018. Timeframe allows for Dongmun to continue to progress current process to attract funding. If funding is received by Dongmun and the loan to Council is repaid the process can be stopped at any time.	30 May 2018

	Section 76 of the Transfer of Land Act, requiring payment by 30 September 2017 otherwise Court proceedings and/or forced sale of the subject property. B. Notification provided to Council's lawyers on 1 September 2017 to arrange for an auction of the property if the 30 September 2017 date is not met. And note that if the loan is re-paid to Council prior to 30 September 2017, that the process to sell the land will cease.			
19 October 2017	Recommendation	Responsibility	Status	Expected Date of Completion
	<p>Development Application 39/17 - Request to waive headworks charges</p> <p>That a decision on the Water Headworks Charge of \$27,536.00 and the Sewer Headworks Charge of \$34,208.00 in relation to Development Application 39/17 for the Navorina Nursing Home eight bed extension at Lot 153 DP1133106 Macauley Street, Deniliquin be deferred until the 16 November 2017 Council meeting allowing for further information to be presented at a workshop.</p>	General Manager	Complete	Complete
	<p>Development Application 49/17 - Request to waive headworks charges</p> <p>That a decision on the Water</p>	General Manager	Complete	Complete

	<p>Headworks Charge of \$12,873.08 and the Sewer Headworks Charge of \$15,992.24 in relation to Development Application 49/17 for a staged development, stage 1 – demolish existing buildings, erect new childcare building and modify on-street parking, stage 2 – build off street car parking on Lot 6 and 7, Section 22, DP758913, 362-370 Whitelock Street, Deniliquin be deferred until the 16 November 2017 Council meeting allowing for further information to be presented at a workshop.</p>			
	<p>Purchase of Land Depot Expansion That Council resolves to purchase 221 Wanderer Street, Deniliquin for a price up to a maximum amount outlined in the confidential report. That on settlement of the purchase of 221 Wanderer Street, Deniliquin, the Land be declared ‘operational land’. That Council resolves to purchase 219 Wanderer Street, Deniliquin, for a price up to a maximum amount outlined in the confidential report. That on settlement of the purchase of 219 Wanderer Street, Deniliquin, the land be declared ‘operational land’.</p>	<p>Infrastructure and General Manager</p>	<p>Purchase of both properties has been finalised.</p>	<p>Completed</p>

	<p>That the seal of Council be applied as necessary to give effect to these resolutions. That Council fund these purchases through the Depot Refurbishment line item included in the 2017/18 operational plan and budget.</p>			
	<p>Proposed acquisition of land (Lot 1 DP732067) for residential accommodation - VicTrack That Council apply to the Governor of New South Wales and the Minister for Local Government for the consent of both the Governor and Minister to the compulsory acquisition by Council under the Land Acquisition (Just Terms Compensation) Act 1991 of Lot 1 Deposited Plan 732067 for a retirement village. Approve the General manager to purchase the land up to a maximum amount outlined in the confidential report. Authority be granted to the Mayor and General Manager to execute any documents and affix Council seal as necessary to give effect to this resolution. The land detailed above be classified as Operational Land upon its acquisition. The resolution remains confidential pursuant to Section 10A (2) (c) of</p>	<p>Economic Development & Business</p>	<p>Approval received, and final documents currently being signed.</p>	<p>Completed</p>

	the Local Government Act 1993 until the acquisition is concluded.			
16 Nov. 2017	Recommendation	Responsibility	Status	Expected Date of Completion
247/17	Waste Management: That Council resolves to approve the transfer of \$75,000 from the Waste Reserve and combine it with the current \$50,000 allocated within the 2017/18 budget to complete works to; Complete a Waste Management Strategy for Edward River Council; Complete a study and commence the process to expand the landfill at Deniliquin; Complete a study in relation to the options to develop a kerbside recycling and green waste collection service in Deniliquin	Infrastructure	Consultant about to be appointed to progress project.	Completed
249/17	Waring Gardens: That Council approve the postponement of the following capital works at Waring Gardens: Replacement of the fence around the children's playground (\$9,000); Replacement of the pedestrian fence along Napier Street (\$15,000); Replacement of the concrete area around the BBQ (\$8,000); Refurbishment of the rotunda (\$30,000). Note that if any	Infrastructure	Refurbishment of fountain has commenced. Consultant expected to commence in April for Waring Gardens Masterplan.	30 June 2018

	<p>urgent or safety works are required on any of the postponed projects that these works will be undertaken as necessary. Request officers to progress as a priority the project to refurbish the fountain (\$20,000). Note that following the development of a Masterplan and Management Plan for Waring Gardens an updated list of capital projects will be brought to Council for consideration</p>			
<p>250/17</p>	<p>Peacocks Waring Gardens That Council: Acknowledge the petition in relation to the exhibition of caged animals in Waring Gardens; Write to the first named petitioner and inform them of Council's resolution in relation to this matter; Resolve that due to the costs and regulation involved, Council's preferred position is to re-home the peacocks and remove the peacock enclosure from Waring Gardens; Advertise this preferred position, the reasoning for this decision and the costs and regulation associated with maintaining the peacock enclosure; Provide a period of at least 28 days for public submission and comment</p>	<p>Infrastructure</p>	<p>For consideration at February Council meeting.</p>	<p>15 February 2018</p>

	on this proposal; Note that following the public submission period, a further report will be brought to the February 2018 Council meeting.			
14 Dec 2017	Recommendation	Responsibility	Status	Expected Date of Completion
261/17	That the Resolutions of the Central Murray Regional Library Committee held 22 November 2017 be accepted and that officers investigate the building maintenance recommendations made and bring a report, including costings, back to Council.	Infrastructure	Inspection completed. Building is stable at the moment. Maintenance work will be undertaken to remove trip hazard and ensure building is watertight.	30 March 2018
264/17	That Council receive the Stronger Communities Fund – Major Projects Program - Progress Report for December 2017 Advise the Blighty Netball & Tennis Facility Working Group that if a final design isn't completed by 30 March 2018, Council will reconsider the viability of this project.	Infrastructure	Design for Blighty development currently with architect for finalisation.	30 March 2018
267/17	Refer council's financial statements to audit in accordance with section 413 (1) of the <i>Local Government Act 1993</i> . Complete and sign the statement by councillors and management in accordance with section 413(2)(c) of the <i>Local Government Act 1993</i> which confirms that the annual	Corporate		Completed

	<p>financial reports have been compiled in accordance with: *The <i>Local Government Act 1993</i> (as amended) and the regulations made thereunder *The Australian Accounting Standards and Professional pronouncements; and *The Local Government Code of Accounting Practice and Financial Reporting. State that it is not aware of any matter that would render this report false and misleading in any way. Endorse the annual financial reports as fairly presenting the council's operating result and financial position of the year, and that the financial reports accord with council's accounting and other records. In accordance with section 413(2) (c) of the <i>Local Government Act 1993</i> authorises the mayor, deputy mayor, the general manager, and the responsible accounting officer to sign the required statements relating to the general purpose financial report and the special purpose financial report. Delegate to the general manager the authority to issue the financial</p>			
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	<p>statements upon receipt of the auditor's reports.</p> <p>Ensure a further review is undertaken of the financial statements on completion of the audit, prior to submission to the Office of Local Government (OLG), if changes have occurred during the audit process.</p> <p>Ensure publication of the audited financial statements is made at least 7 days prior to the next ordinary meeting of the council to allow for public submissions to be received.</p>			
269/17	<p>That Council resolves to receive and consider the submission received as attached to this report; amend the <i>Councillor Expenses and Facilities Policy</i> to allow for reimbursement of carer expenses of \$20 per hour to a maximum of \$1800 per annum or a higher amount by resolution of council on a case by case basis; adopt the <i>Councillor Expenses and Facilities Policy</i> and upload the <i>Councillor Expenses and Facilities Policy</i> onto council's website.</p>	Corporate		Completed
272/17	<p>That council accept the tender submitted by AllaboutXpert for <i>contract 2.19.239 – Tech One</i></p>	Corporate		Completed

	<i>Reimplementation</i> for the tender price of \$487,782 + GST being a lump sum fixed price and variations as per the schedule of rates, in accordance with the <i>Source IT ICT Consultancy Services (version 2.6) general conditions of contract</i> ; and execute the contract documents including affixing the Council seal for <i>contract 2.19.239 – Tech One Reimplementation</i> .			
273/17	That Council resolves to endorse the Mayor and General Manager's actions; Agreeing to a reduced lease fee of \$9,360 per annum for years 1 and 2 of the lease following which the annual lease fee will be \$55,000 with annual CPI increases and market valuation in years 5, 10, 15 and 20. Signing and affixing the council seal to the lease agreement with Ausway Education Group Pty Ltd for a period of 20 years with an option for a further term of 20 years commencing on 1 December 2017.	Economic Development & Business	Contract signed awaiting ministerial approval. One objection has been received and Crown Lands is waiting for a report on the outcome of the objection before giving ministerial approval.	April 2018
277/17	Proposed Solar Farms. That Council resolves to: i) note this report on the preparation of a	Economic Development & Business		Completed

	technical submission on the development applications for the proposed solar farms known as 'Tarleigh Park' and 'Currawarra' and ii) request officers to work with RES to ensure discussions with the community are adhered to			
278/17	River Street Drainage. That Council resolves to approve the option to construct additional underground stormwater drainage at the intersection of Rose Street and River Street as detailed within this report; approve the allocation of \$15,000 from the budgeted stormwater drainage capital expenditure towards these works; note that officers will consult with adjoining residents and inform them that Council will provide the plant and labour to construct underground drainage along their front boundaries if the residents agree to provide the required materials.	Infrastructure	Review of design commenced.	June 2018
281/17	That Council resolves to place the <i>Headworks Charges Not for Profit Organisations Policy</i> on public exhibition for a period of at least 28 days; and invite public submissions following placement of the policy on public exhibition; and following	Infrastructure	Report on February meeting agenda.	Completed.

	expiry of the public exhibition period, receives a further report considering all submission received and making any appropriate changes to the draft policy.			
282/17	Asset Management Plans That Council resolves to accept the tender from Peak Services Pty Ltd for Contract No. 2.19.236 – Preparation of Asset Management Plans for Edward River Council for the total lump sum price of \$117,150 excluding GST; authorise the General Manager to sign and affix the Common Seal to the contract documentation for Contract No. 2.19.236 – Preparation of Asset Management Plans for Edward River Council; and authorise the General Manager to approve variations to the contract to cover contingencies of up to 30% of the contract amount.	Infrastructure	Consultants have commenced work.	Completed
283/17	Doctor Incentives That Council resolves to note the one submission received in support of the Doctor Incentives Program; approve the implementation of the one-off Doctor Incentive package of \$7,800 following the closure of the section 356 public submission process at 5pm on Friday 15	General Manager	Arrangements for paying contribution are currently underway.	Completed

	December 2017 and note that a Doctor Incentives Policy will be brought to Council for a discussion by April 2018			
15 Feb 2018	Recommendation	Responsibility	Status	Expected Date of Completion
09/18	Draft Community Strategic Plan Approve the Draft Community Strategic Plan and place out for public comment for a minimum 28-day period. Receive a further report on any public submissions received and any proposed changes at the April 2018 meeting.	General Manager	Draft On Display	19 April 2018
10/18	Joint Organisation. In accordance with Part 7 of Chapter 12 of the Local Government Act 1993 (Act), Edward River Council resolves: That the Council inform the Minister for Local Government Hon. Gabrielle Upton MP, of the Council's endorsement of the Minister recommending to the Governor the establishment of a Joint Organisation (Joint Organisation) in accordance with this resolution. To approve the inclusion of the Council's area in the Joint Organisation's area. That the Joint Organisation be established to cover the Council's	General Manager	Required paperwork has been submitted to the Minister for Local Government. Final step is to advise the Minister for Local Government following the March Council meeting that the decision has not been rescinded	30 March 2018

	<p>area and any one or more of the following council areas: a) Albury City, Balranald, Berrigan, Carrathool, Edward River, Federation, Hay, Leeton, Murray River, Murrumbidgee, Narrandera, Wentworth; and b) Any other Council in the Riverina Murray region as defined by the NSW Department of Planning and Environment. That, on the expiry of a period of 28 days from the making of this resolution, the General Manager provide the Minister: a) with a copy of this resolution including the date on which Council made this resolution, and b) inform the Minister that this resolution has not been rescinded, for the purpose of the Minister issuing a certificate under section 400P of the Act.</p>			
<p>11/18</p>	<p>Central Murray County Council. That Council Discontinue membership of the Central Murray County Council and advise the Minister for Local Government of this decision. Investigate all available options for the continued provision of noxious weeds to ensure Council is meeting its</p>	<p>General Manager</p>	<p>Letter to Minister for Local Government has been sent advising of Council's decision. Additional options now under investigation.</p>	<p>30 June 2018</p>

	legislative requirements. That at a minimum the options investigated include a shared service model under the proposed Riverina and Murray Joint Organisation, shared service models with neighbouring Councils and Council delivering the service internally as a single organisation			
12/18	<p>Peacocks and Aviary Waring Gardens.</p> <p>That Council acknowledge the three petitions received from:</p> <ul style="list-style-type: none"> a. Angus McKinnon b. Karyn Jukes c. Suzy Weeks <p>Write to the first named petitioner on each of the three petitions and inform them of Councils resolution in relation to this matter resolve to remove the Waring Gardens aviary. Re-allocate \$40,000 from the Waring Gardens capital project funding in the 2017/18 Council budget to undertake these works</p> <p>Establish a 'Friends of the Peacocks Committee' to assist Council in the re-homing and undertake an expression of interest</p>	General Manager	<p>Advertising for 'Friends of the Peacocks' Committee commenced on Friday 2 March and will close at 5pm on Friday 23 March 2018.</p> <p>Process to call for Expressions of Interest for re-homing will commence on Friday 9 March 2018 and close on Friday 30 March 2018.</p> <p>Development of Development Application underway for the removal of the enclosure</p>	30 July 2018

	process to re-home the birds			
19/18	<p>Audit, Risk and Improvement Committee.</p> <p>That Council resolves to: - Adopt the <i>Audit, Risk, and Improvement Committee Charter</i> (Charter). Call for applications from suitably qualified independent Audit, Risk, and Improvement Committee (Committee) members by advertising in the local paper and on Council's website. Appoint Councillors Peter McCrabb and Norm McAllister to the committee for a minimum two-year term. Councillors rotating membership in accordance with the Charter. Form a selection panel comprising two other Councillors, the General Manager and the Director Corporate Services to assess applications received, and to interview, select and appoint Audit, Risk, and Improvement Committee members. Set the fees payable to the independent Audit, Risk, and Improvement Committee members at up to \$1000 per committee meeting. Provide reimbursement to independent Committee members for out of pocket expenses for carer</p>	Director Corporate Services		In progress, applications open.

	fees in accordance with the <i>Councillor Expenses and Facilities Policy</i> , to encourage diversity of membership.			
20/18	<p>Sale of Council Land Policy</p> <p>That Council resolves to: - Adopt the draft 'Sale of Council Land Policy' Place the policy on public exhibition for a period of 28 days. Bring a further report to council in April 2018</p>	Director of Economic Development & Business	Currently on public exhibition until 16 th March 2018	April 2018
21/18	<p>Edward River Council Boundary Signage</p> <p>That Council resolves to: -Approve Option One as identified on attachment 2 to this report. Utilise the merger funds budgeted to complete the project. Reword the text on the indigenous panel of the draft sign to read '<i>Welcome to Wamba Wamba, Perrepa Perrepa Country</i>' including logo only, no tag line.</p>	Director of Economic Development & Business	Updated Artwork received and approved. Visattak to contact ERC Operations Manager to schedule installation.	April 2018
22/18	<p>Community Engagement Policy</p> <p>That Council resolves to adopt the Draft Community Engagement Policy, Adopt the Draft Community Engagement Matric, place on public exhibition for a period of 28 days, bring a further report to</p>	Director of Economic Development & Business	Currently on public exhibition until 16 th March 2018	April 2018

	Council.			
23/18	Community Grants Program That Council resolves to adopt the Draft Grants policy and the Draft Grants Program Framework and place on public exhibition for a period of 28 days. Received a further report following the period of public exhibition.	Director of Economic Development & Business	Currently on public exhibition until 16 th March 2018	April 2018
24/18	Edward River Promotions Advisory Committee Resolution. That Council resolves to: - receive the minutes of the Edward River Promotion Advisory Group meeting of January 11, 2018. Endorse the Edward River Promotion Advisory Group's action to; Undertake the partnership with Moomba to promote Deniliquin in Melbourne over the Victorian Labour Day long weekend; Engage Tilma Group to develop and implement a six-month strategic and integrated campaign to continue the momentum and success of the Visit Deni destination campaign; Engage Massey Online Communications to execute the Facebook, Instagram, and website components of the campaign; and	Director of Economic Development & Business		Completed

	<p>Develop new promotional materials (banners) that carry the Visit Deniliquin branding and the Visit Deni website</p> <p>Approve expenditure of \$43,000 from funds raised through the special rate variation applied to commercial rates from July 2017 to undertake the above activities until June 30, 2018</p>			
<p>28/18</p>	<p>Capital Works Update 2017-2018</p> <p>That Council</p> <p>Ratify the use of \$100,000 from the 2017/18 budget for kerb and gutter for the works completed on Sloane Street between Crisp Street and Junction Street</p> <p>Approve the transfer of \$50,000 from the kerb and gutter maintenance budget into a project for the renewal of the kerb and gutter on Poictiers Street between Harding Street and Macauley Street. This will be added to the remaining capital budget</p> <p>Approve the deferment of the kerb and gutter works as outline within the operational plan for Sloane Street, Hetherington Street and Harrison Street.</p>	<p>Director Infrastructure</p>		

	<p>Approve the deferment of the project to rehabilitate Napier Street until a DBD masterplan has been completed.</p> <p>Approve the transfer of \$885,000 from the unexpended specific purpose grants reserve into the projects that were carried over from 2016/17 as outlined within this report</p> <p>Approve that the following funds be transferred into the project for the rehabilitation of Eastmans Road, to enable the entire road be rehabilitated in 2017/18, \$407,000 from Councils Roads to Recovery allocation that had been identified for Wright Brothers Road; \$300,000 from the deferred Napier Street Project; \$327,000 from the balance of Councils allocation from Roads to Recovery for 2017/18. Approve the deferment of Chippenham Park Road and transfer the \$85,000 to complete Myrtel Park Road.</p> <p>Approve that footpath works will be completed in priority order until all the current available budget is expended. Approve the use of up to \$100,000 from sewage works program funding for the emergency</p>			
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	sewer works required at 448 Cressy Street. Note the content of this report			
30/18	Roller Replacement That Council approve the purchase of a multi-tyre roller from GCM Agencies Pty Ltd for \$140,000	Director Infrastructure		
31/18	Local Traffic Committee – Special Event. That Council resolves to adopt the Resolution of the Edward River Council Local Traffic Committee regarding the Do it in Deni Bazaar special event to be held on Saturday, 10 March 2018, and approve this special event	Manager Engineering and Assets		

11.2 MAYOR AND GENERAL MANAGER MEETINGS**File Number:****Author:** Belinda Perrett, Executive Assistant**Authoriser:** Adam McSwain, General Manager**RECOMMENDATION**

That Council note the information.

BACKGROUND

The report details meetings undertaken by the Mayor and General Manager on behalf of Council during February 2018.

Mayor and General Manager meetings January/February 2018			
Date	Participants	Topic	Council Reps
Jan 31	Jill Ludford, Brett Thompson of Murrumbidgee Health	Health Services	Mayor and General Manager
Feb 7	Deniliquin Hospital Local Heath Advisory Committee and Gayle Murphy, Chair and Jill Ludford CEO of Murrumbidgee Local Health District.	Invitation issued by Deniliquin Hospital Local Health Advisory Committee for an informal meeting.	Cr Hall and General Manager
Feb 14	RAMROC		Mayor and General Manager
Feb 22	Allison Manwaring Dept. Premier & Cabinet	Youth and Community Issues	General Manager
Feb 23	Gary Barnes Teleconference	Murray Darling Diversification Funding; Edward River Council project pipeline	Mayor, General Manager, Director John Harvie, Cr Ashley Hall, Mgr Michelle Cobb
Feb 27	Member for Murray Austin Evans	Health, Education and Funding	Mayor, General Manager
Feb 27	Minister for Tourism and Major Events and Assistant Minister for Skills, the Hon. Adam Marshall and Member for Murray Austin Evans	Dinner	Mayor, General Manager, Director John Harvie

ISSUE/DISCUSSION

Nil

STRATEGIC IMPLICATIONS

Nil

COMMUNITY STRATEGIC PLAN

Nil

FINANCIAL IMPLICATIONS

Nil

LEGISLATIVE IMPLICATIONS

Nil

ATTACHMENTS

Nil

11.3 STRONGER COMMUNITIES FUND - MAJOR PROJECTS PROGRAM - FEBRUARY PROGRESS REPORT

File Number:

Author: Belinda Perrett, Executive Assistant

Authoriser: Adam McSwain, General Manager

RECOMMENDATION

That Council receive the Stronger Communities Fund – Major Projects program – Progress Report for February 2018.

BACKGROUND

The NSW Government established the Stronger Communities Fund to provide newly merged Councils with funding to spend on priority community initiatives.

Edward River Council received \$10 million in funding. An amount of \$1.4 million was allocated to various community groups for projects under the Community Grants Program. The remaining \$8.6 million has been allocated for the Major Project Program.

The projects adopted by the Stronger Communities Fund Assessment Panel are as follows:

Project	Grant Amount
Deniliquin Swim Centre Revitalisation	\$880,000
Community Masterplans & Initial Works	\$2,105,000
Deniliquin Regional Sports & Entertainment Stadium Extension	\$540,000
Blighty Community Netball & Tennis Facility	\$550,000
Deniliquin Children's Centre Extension	\$500,000
Deniliquin Netball Facility Improvement Works	\$320,000
Rural Villages Beautification Project	\$300,000
Beach to Beach Walk Connectivity Improvements	\$300,000
Deniliquin Community Facility Refurbishments	\$165,000
Urban Road Infrastructure Program	\$2,390,000
Deniliquin Airport Heritage Centre Development	\$50,000
Unallocated Funding for New Council	\$500,000

ISSUE/DISCUSSION

A progress report to February 2018 is attached to this report.

Given the importance of these projects to the community and the value of the funding being spent, officers will bring a monthly project update report to each Council meeting. This report will ensure a high level of accountability for progressing these projects and ensure transparency to the community on project progress

STRATEGIC IMPLICATIONS

The Major Projects Program funds several projects that progress strategically important projects for Edward River Council and the region.

COMMUNITY STRATEGIC PLAN

Nil

FINANCIAL IMPLICATIONS

Projects are to be funded from the \$8.6 million in the Stronger Communities fund program. Council staff have included design, documentation, and supervision costs into the requested allocation of funds for each project.

Risk Implications:

Individual risk management plans are being developed for each of the funded projects. As an overall program the key risk to date is scope creep.

As is often the case with combined community and council projects, getting agreement and sign-off on project scope can take a considerable amount of time. Council officers are taking the view that the project submissions received and thus funded are the primary scope for each project. It has been made clear to all project groups that any projects that are completed or expected to be completed under budget are required to get approval from Council prior to adding or modifying the project scope. As part of this discussion, it has also been made clear that Council reserve the right to reallocate any project savings to new or other existing projects.

Consultation

Working groups that are made up of Council officers and community members have been established for relevant projects. These groups are functioning well and provide a close connection between the community, impacted community/user groups and Council.

LEGISLATIVE IMPLICATIONS

Nil

ATTACHMENTS

1. **Stronger Communities Attachment February 2018**

Attachment One - Projects Progress Report – February 2018**Stronger Communities Fund – Major Project Program**

Project Description	Project Phase				Comments
	Initiation	Design & Documentation	Quotes and Tendering	Delivery and Handover	
Deniliquin Swim Centre Revitalisation					
Water Play facility	Draft Project management plan completed, pending finalization and approval	Specification for the design and construct of the splash park to be developed, reviewed and approved.			Project management plan and specification currently being developed for the design and construction of the water play facility in consultation with Community working group.
Lining of Main Pool and Wet Deck Construction	Scope of works to be finalized. Project management plan to be completed and approved	Bendigo Aquatic services were engaged and have undertaken an assessment of the condition of the main pool and associated assets, to inform scoping requirements.			Scope of works currently being identified in consultation with the Community working group.
Solar Heating of medium pool	Scope of works to be finalized. Project management plan to be completed and approved.				Scope of works currently being identified in consultation with the Community working group.
Community Master Plans and Initial Works					
Recreation Strategy	Project brief completed and quotation received				
Memorial Park – Masterplan	Project brief completed and quotation received				

Project Description	Project Phase				Comments
	Initiation	Design & Documentation	Quotes and Tendering	Delivery and Handover	
River Front Master Plan	Tender to be considered at March Council meeting				
Arts & Culture Precinct	On hold pending discussions about Strong Country Communities Round Two				
CBD Streetscape	Tender to be considered at March Council meeting				
Deniliquin Sports and Entertainment Building Extension	Working Group formed, and meetings held. Scope of project being finalised. Existing timber floor being assessed.	Preliminary plans and costings done. To be finalised early 2018.			Stadium operators to project manage design, documentation and construction phases. Draft Funding Deed Agreement completed.
Blighty Community Netball & Tennis Facility	Working Group formed Initial designs being evaluated	Design & Construct process to be used to identify companies to do work and type of building appropriate for site	Tenders to be called in first quarter 2018		Final draft design completed. Currently with architect for design and costing.
Deniliquin Children's Centre Expansion	Working Group formed Deed of Funding Agreement signed by both parties	Completed	Project progressing and scheduled to meet timelines		Project progressing
Deniliquin Netball Facility Improvements					
Deniliquin Oval	Working Group formed, on site meetings held, scope of works decided	Specification and Design to be developed stipulating court runoff extension, line marking and resurfacing to suit Netball Victoria and Netball Australia guidelines.	Tender to be requested for works in June-July 2018	Construction to be Tentatively scheduled for October 2018 to February 2019	Identification of scope of works undertaken (with committee reps.) Specification and Design to commence (to ensure completed works achieve compliance with netball Australia guidelines); Construction to be scheduled for October

Project Description	Project Phase				Comments
	Initiation	Design & Documentation	Quotes and Tendering	Delivery and Handover	
					2018 to February 2019
Memorial Park	Working Group formed, on site meetings held, scope of works decided	Combined tender to be called to repair and resurface courts	Preliminary quotes obtained by club. Tender to be called in first quarter 2018		Identification of scope of works undertaken with committee representatives.
Rural Villages Projects					
Blighty					Meeting with community representatives to be convened following outcome of current range of projects
Boooroban	Working Group formed, on site meetings held, scope of works decided	Develop layout plan – 2018	Works to be programmed for Council crews to deliver		Works around Community Hall are focus of local community
Conargo	Working Group formed, on site meetings held, scope of works decided	Develop path alignments and interpretative signage layout - 2018	Works to be programmed for Council crews to deliver		Continue construction of paths to local sites with interpretive signage
Mayrung	Working Group formed, on site meetings held, scope of works decided	Obtain quotes for fencing Develop road alignments – 2018			Works around Community Hall are focus of local community
Pretty Pine	Working Group formed, on site meetings held, scope of works decided	Place Orders for materials Develop layout for building extension 2018			Works for horse stalls and around Community Hall are focus of local community
Wanganella	Working Group formed, on site meetings held, scope of works decided	Obtain quotes for BBQ & lights – early 2018			BBQ facility, lights for tennis courts.
Beach to Beach Connectivity Walks					
McLean's Beach access pathway	Scope of works and location identified	Likely Design and Construct tender process			Site to be surveyed and best location for path

Project Description	Project Phase				Comments
	Initiation	Design & Documentation	Quotes and Tendering	Delivery and Handover	
					identified
Island Sanctuary Bridge Refurbishment	Scope of Works identified				Bridge to be refurbished Bridge condition to be evaluated
Deniliquin Community Facility Refurbishment					
Scout Hall Refurbishment for Army Cadets	Working Group formed, on site meetings held, scope of works decided	List of building activities prepared to call quotes from local builders - 2018.			Preliminary repairs being carried out by Council staff
Deniliquin Boat Club Accessible Toilet	Working Group formed, on site meetings held, scope of works decided	Funding Deed drafted for Club and ERC to sign.			Deni Boat Club to project manage works
Urban Road Infrastructure Program	ERC Staff generated project List of streets prepared and being evaluated	Scoping of works to be carried out and documented – early 2018			Scoping works commenced, tender currently out for geotechnical investigation to take place
Deniliquin Airport Heritage Centre Development	Working Group formed, on site meetings held, scope of works decided	Master Plan to be prepared Consultant appointed by Dec 17.			A list of projects has been drawn up. Funding to pay for Master Plan and initial works.
Unallocated Funding for New Council	Discussion to be held with Council in early 2018 following the outcome of the Stronger Country Communities funding applications				

11.4 DRAFT MODEL CODE OF MEETING PRACTICE AND DRAFT COUNCILLOR INDUCTION AND PROFESSIONAL DEVELOPMENT GUIDELINES

File Number:

Author: Adam McSwain, General Manager

Authoriser: Adam McSwain, General Manager

RECOMMENDATION

That Council:

1. Make a submission to the Office of Local Government requesting that financial assistance be provided to Councils to implement the proposed mandatory requirement to live-stream Council meetings as included in the Draft Model Code of Meeting Practice
2. Do not make a submission regarding the Draft Councillor Induction and Professional Development Guidelines

BACKGROUND

Amendments made to the *Local Government Act 1993* (the Act) in August last year by the *Local Government Amendment (Governance and Planning) Act 2016* saw two key changes:

1. The inclusion in the prescribed role of councillors a responsibility “to make all reasonable efforts to acquire and maintain the skills necessary to perform the role of a councillor”.

1.

2. Provision for a model code of meeting practice to be prescribed by regulation.

In line with these changes, the Office of Local Government (OLG) have now developed a Draft Model Code of Meeting Practice and Draft Councillor Induction and Professional Development Guidelines to implement the new sections of the Regulations.

OLG is seeking feedback from Councils on these two documents by Friday 16 March 2018.

ISSUE/DISCUSSION

Draft Model Code of Meeting Practice

The Model Meeting Code has two elements:

- 1) It contains mandatory provisions (indicated in black font) that reflect the existing meetings provisions of the Act and adapt those currently contained in the Regulation. The existing meetings provisions of the Regulation have been updated and supplemented to reflect contemporary meetings practice by councils and to address ambiguities and areas of confusion in the existing provisions based on feedback from councils.
- 2) 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 will also operate to set a benchmark based on what OLG sees as being best practice for the relevant area of practice.

A key element of the Model Meeting Code is that it is aiming to make it mandatory for all Councils to ‘webcast’ their Council meetings. Currently Edward River Council do not do this and there would be cost implications in order for us to do so. Estimated costs are included in the financial implications section of this report.

The majority of other changes identified in the Code align with current practices e.g. having Council workshops/briefings, allowing for a structured public forum etc.

Given the proposed cost implications of establishing live streaming of Council meetings, it is recommended that Council make a submission to OLG requesting that if this section of the Code is maintained in the final version, that funding be provided to Councils to cover the costs of establishing live streaming of Council meetings.

Draft Councillor Induction and Professional Development Guidelines

These Guidelines aim to assist councils to develop and deliver induction and ongoing professional development activities for their mayor and councillors in compliance with the proposed regulations.

Under the Guidelines, councils' induction and professional development programs are to consist of three elements:

1. Pre-election candidate sessions – these are to ensure prospective candidates are aware of what will be expected of them if elected (these are not mandatory but are encouraged)
2. Induction program – this aims to equip mayors and councillors with the information they need to perform their role effectively over the first few months and has a particular focus on building positive, collaborative relationships between councillors and with staff
3. Professional development program – this is to be developed in consultation with all councillors and delivered over the term of the council to build the skills, knowledge and personal attributes necessary to be an effective mayor or councillor.

Councils will be required to report to the council on the induction and ongoing professional development activities offered to the mayor and each councillor and whether they participated in them and to make this information publicly available on their websites.

STRATEGIC IMPLICATIONS

Nil

COMMUNITY STRATEGIC PLAN

The Draft Edward River 2030 Community Strategic Plan (CSP) identifies the following relevant targets under 'Outcome 5 – A community working together to achieve its potential':

- Our community is informed and engaged
- Our local government is efficient and financially sustainable

These two draft documents will contribute to both of these targets by ensuring we are conducting transparent meetings that inform the community and ensuring that Councillors are provided with professional development opportunities to undertake their roles.

FINANCIAL IMPLICATIONS

Model Code of Meeting Practice – Discussions with other Councils have been that the purchase of equipment and establishment of a live streaming service requires a budget of approx. \$20,000. Council have currently not allocated any budget to cover this cost.

Councillor Induction and Professional Development Guidelines - Council currently budget annually for Councillor Professional Development, it is proposed that this be in the range of \$20,000 in the 2018/19 budget

LEGISLATIVE IMPLICATIONS

Council currently comply with the legislation through our existing Code of Meeting Practice and training and development provided to Councillors. If the draft documents proposed by OLG are adopted without changes then Council will need to make a number of changes to ensure compliance.

ATTACHMENTS

- 1. Draft Model Code of Meeting Practice**
- 2. Draft Councillor Induction and Professional Development Guidelines**

MODEL CODE OF MEETING PRACTICE

for Local Councils
in NSW

December 2017



CONSULTATION DRAFT

CONSULTATION DRAFT

MODEL CODE OF MEETING PRACTICE FOR LOCAL COUNCILS IN NSW

December 2017

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1 Introduction

December 2017

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

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

Councils must adopt a code of meeting practice that incorporates the mandatory provisions of the Model Meeting Code.

A council's adopted code of meeting practice may also incorporate the non-mandatory provisions of the Model Meeting Code and other supplementary provisions. However, a code of meeting practice adopted by a council must not contain provisions that are inconsistent with the mandatory provisions of this Model Meeting Code.

The provisions of the Model Meeting Code that are not mandatory are indicated in **red font**.

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

2 Meeting Principles

2.1 Council and committee meetings should be:

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

3 Before the Meeting

Timing of ordinary council meetings

- 3.1** The council shall, by resolution, set the frequency, time, date and place of its ordinary meetings.

Note: Under section 365 of the Act, councils are required to meet at least ten (10) times each year, each time in a different month unless the Minister for Local Government has approved a reduction in the number of times that a council is required to meet each year under section 365A.

Extraordinary meetings

- 3.2** If the mayor receives a request in writing, signed by at least two (2) councillors, the mayor must call an extraordinary meeting of the council to be held as soon as practicable, but in any event, no more than fourteen (14) days after receipt of the request. The mayor can be one of the two councillors requesting the meeting.

Note: Clause 3.2 reflects section 366 of the Act.

- 3.3** The mayor or the general manager, in consultation with the mayor, may call an extraordinary meeting without the need to obtain the signature of two councillors to consider urgent business.
- 3.4** For the purpose of clause 3.3, urgent business is any matter that, in the opinion of the mayor or the general manager, requires a decision by the council before the next scheduled ordinary meeting of the council.

Notice to the public of council meetings

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

Note: Clause 3.5 reflects section 9(1) of the Act.

- 3.6** For the purposes of clause 3.5, notice of a meeting of the council and of a committee of council is to be published before the meeting takes place. The notice must be:

- a) published on the council's website, and
- b) published:
 - i) where practicable, in a local newspaper or in a newspaper circulating throughout the state (or both), as determined by the council, or
 - ii) in such other manner as is determined by the council, with the object of bringing notice of the meeting to the attention of as many people as possible.

- 3.7** For the purposes of clause 3.5, notice of more than one (1) meeting may be given in the same notice.

Notice to councillors of ordinary council meetings

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

Note: Clause 3.8 reflects section 367(1) of the Act.

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

Note: Clause 3.9 reflects section 367(3) of the Act.

Notice to councillors of extraordinary meetings

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

Note: Clause 3.10 reflects section 367(2) of the Act.

Giving notice of business to be considered at council meetings

3.11 A councillor may give notice of any business they wish to be considered by the council at its next ordinary meeting by way of a notice of motion. To be included on the agenda of the meeting, the notice of motion must be in writing and must be submitted **[council to specify notice period required]** business days before the meeting is to be held.

3.12 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.

3.13 A councillor may submit no more than **[number to be specified by the council]** notices of motion to be considered at each ordinary meeting of the council.

3.14 If the general manager considers that a notice of motion submitted by a councillor for consideration at an ordinary meeting of the council has legal, strategic, financial or policy implications which should be taken into consideration by the meeting, the general manager may either:

- (a)** prepare a report in relation to the notice of motion for inclusion with the business papers for the meeting at which the notice of motion is to be considered by the council, or
- (b)** by written notice sent to all councillors with the business papers for the meeting for which the notice of motion has been submitted, defer consideration of the matter by the council to such

a date specified in the notice, pending the preparation of such a report.

- 3.15** A notice of motion for the expenditure of funds on works and/or services other than those already provided for in the council's current adopted operational plan must identify the source of funding for the expenditure that is the subject of the notice of motion. If the notice of motion does not identify a funding source, the general manager must either:
- (a)** prepare a report on the availability of funds for implementing the motion if adopted, or
 - (b)** by written notice sent to all councillors with the business papers for the meeting for which the notice of motion has been submitted, defer consideration of the matter by the council to such a date specified in the notice, pending the preparation of such a report.

Questions with notice

- 3.16** A councillor may, by way of a notice submitted under clause 3.11, ask a question for response by the general manager about the performance or operations of the council.
- 3.17** A councillor is not permitted to ask a question with notice under clause 3.16 that comprises a complaint against the general manager or a member of staff of the council, or a question that implies wrongdoing by the general manager or a member of staff of the council.
- 3.18** The general manager or their nominee may respond to a question with notice submitted under clause 3.16 by way of a report included in the business papers for the relevant meeting of the council or orally at the meeting.

Agenda and business papers for ordinary meetings

- 3.19** The general manager must cause the agenda for a meeting of the council or a committee of the council to be prepared as soon as practicable before the meeting.
- 3.20** The general manager must ensure that the agenda for an ordinary meeting of the council states:
- (a)** all matters to be dealt with arising out of the proceedings of previous meetings of the council, and
 - (b)** if the mayor is the chairperson – any matter or topic that the chairperson proposes, at the time when the agenda is prepared, to put to the meeting, and
 - (c)** all matters, including matters that are the subject of staff reports and reports of committees, to be considered at the meeting, and
 - (d)** any business of which due notice has been given under clause 3.11.
- 3.21** Nothing in clause 3.20 limits the powers of the mayor to put a mayoral minute to a meeting under clause 9.6.
- 3.22** The general manager must not include in the agenda for a meeting of the council any business of which due notice has been given if, in the opinion of the general manager, the business is, or the implementation of the business would be, unlawful. The general manager must report, without giving details of the item of business, any such exclusion to the next meeting of the council.

3.23 Where the agenda includes the receipt of information or discussion of other matters that, in the opinion of the general manager, is likely to take place when the meeting is closed to the public, the general manager must ensure that the agenda of the meeting:

- (a) identifies the relevant item of business and indicates that it is of such a nature (without disclosing details of the information to be considered when the meeting is closed to the public), and
- (b) states the grounds under section 10A(2) of the Act relevant to the item of business.

Note: Clause 3.23 reflects section 9(2A)(a) of the Act.

3.24 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 agenda and business papers to the public

3.25 Copies of the agenda and the associated business papers, such as correspondence and reports for meetings of the council and committees of council, are to be published on the council's website, and must be made available to the public for inspection, or for taking away by any person free of charge at the offices of the council, at the relevant meeting and at such other venues determined by the council.

Note: Clause 3.25 reflects section 9(2) and (4) of the Act.

3.26 Clause 3.25 does not apply to the business papers for items of business that the general manager has identified under clause 3.23 as being likely to be considered when the meeting is closed to the public.

Note: Clause 3.26 reflects section 9(2A)(b) of the Act.

3.27 For the purposes of clause 3.25, copies of agendas and business papers must be published on the council's website and made available to the public at a time that is as close as possible to the time they are available to councillors.

Note: Clause 3.27 reflects section 9(3) of the Act.

3.28 A copy of an agenda, or of an associated business paper made available under clause 3.25, may in addition be given or made available in electronic form.

Note: Clause 3.28 reflects section 9(5) of the Act.

Agenda and business papers for extraordinary meetings

- 3.29** The general manager must ensure that the agenda for an extraordinary meeting of the council deals only with the matters stated in the notice of the meeting.
- 3.30** Despite clause 3.29, business may be considered at an extraordinary meeting of the council, even though due notice of the business has not been given, if:
- (a)** a motion is passed to have the business considered at the meeting, and
 - (b)** the business to be considered is ruled by the chairperson to be of great urgency.
- 3.31** A motion moved under clause 3.30(a) can be moved without notice but only after the business notified in the agenda for the extraordinary meeting has been dealt with.
- 3.32** Despite clauses 10.19-10.27, only the mover of a motion moved under clause 3.30(a) can speak to the motion before it is put.
- 3.33** A motion of dissent cannot be moved against a ruling of the chairperson under clause 3.30(b) on whether a matter is of great urgency.

Pre-meeting briefing sessions

- 3.34** Prior to each ordinary meeting of the council, the general manager will arrange a pre-meeting briefing session to brief councillors on the items of business to be considered at the meeting. Pre-meeting briefing sessions may also be held for extraordinary meetings of the council and meetings of committees of the council.
- 3.35** Pre-meeting briefing sessions are to be held in the absence of the public.
- 3.36** The general manager or a member of staff nominated by the general manager is to preside at pre-meeting briefing sessions.
- 3.37** Councillors (including the mayor) are to make all reasonable efforts to attend pre-meeting briefing sessions.
- 3.38** 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.
- 3.39** Councillors (including the mayor) must disclose 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 at a council or committee meeting.

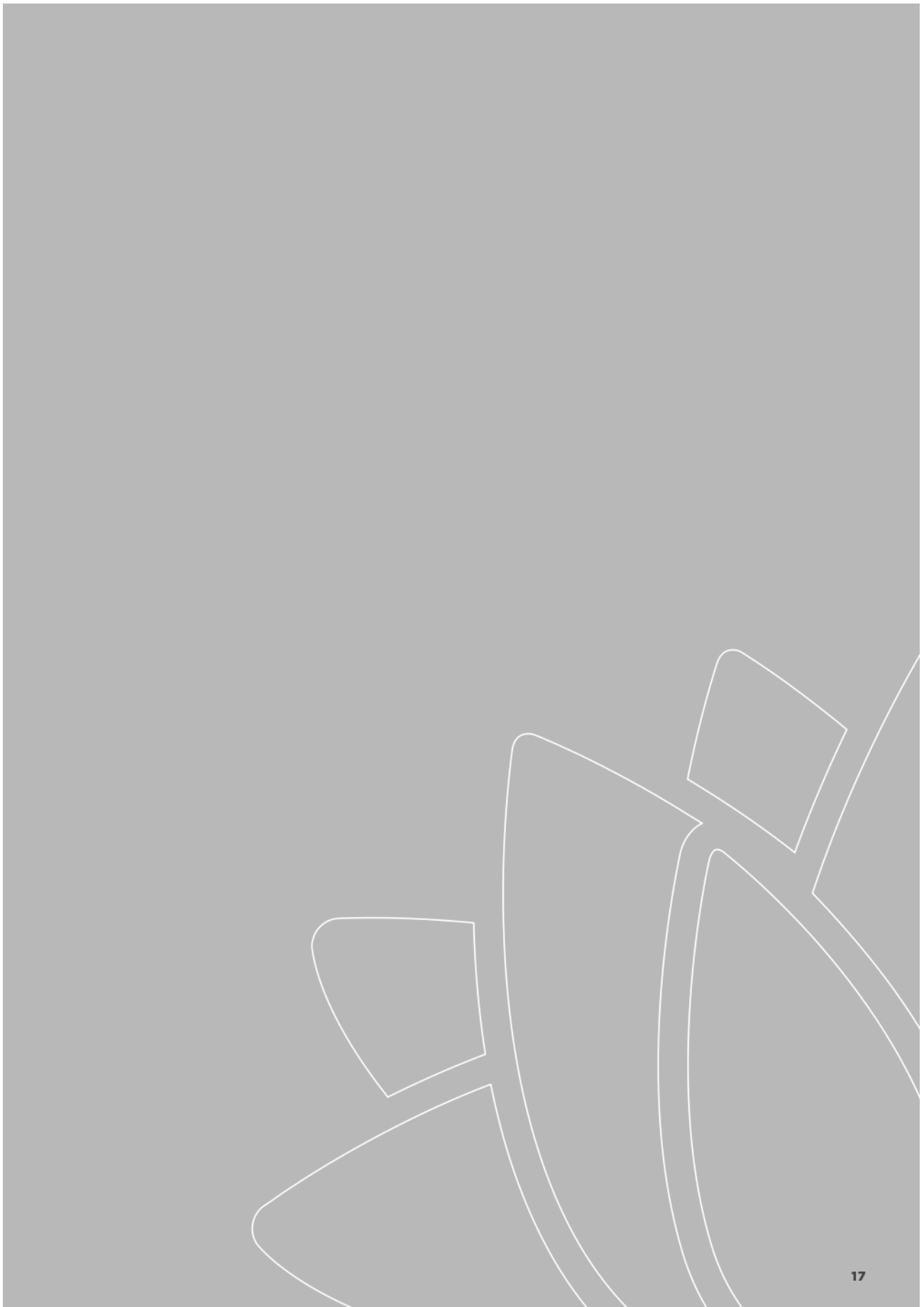
4 Public Forums

- 4.1** The council will hold a public forum prior to each ordinary meeting of the council for the purpose of hearing oral submissions from members of the public on items of business to be considered at the meeting. Public forums may also be held prior to extraordinary council meetings and meetings of committees of the council.
- 4.2** Public forums are to be chaired by the mayor or their nominee.
- 4.3** To speak at a public forum, a person must first make an application to the council in the approved form. Applications to speak at the public forum must be received by **[date and time to be specified by the council]** before the date on which the public forum is to be held, and must identify the item of business on the agenda of the council meeting the person wishes to speak on, and whether they wish to speak 'for' or 'against' the item.
- 4.4** A person may apply to speak on no more than **[number to be specified by the council]** items of business on the agenda of the council meeting.
- 4.5** Nominated candidates at federal, state or local government elections and serving councillors are not permitted to speak at a public forum.
- 4.6** Legal representatives acting on behalf of others are not to be permitted to speak at a public forum unless they identify their status as a legal representative when applying to speak at the public forum.
- 4.7** The general manager or their delegate may refuse an application to speak at a public forum.
- 4.8** No more than **[number to be specified by the council]** speakers are to be permitted to speak 'for' or 'against' each item of business on the agenda for the council meeting.
- 4.9** If more than the permitted number of speakers applies to speak 'for' or 'against' any item of business, the general manager or their delegate may request the speakers to nominate from among themselves the persons who are to address the council on the item of business. If the speakers are not able to agree on whom to nominate to address the council, the general manager or their delegate is to determine who will address the council at the public forum.
- 4.10** Approved speakers at the public forum are to register with the council any written, visual or audio material to be presented in support of their address to the council at the public forum, and to identify any equipment needs no more than **[number to be specified by the council]** days before the public forum. The general manager or their delegate may refuse to allow such material to be presented.
- 4.11** The general manager or their delegate is to determine the order of speakers at the public forum.
- 4.12** Each speaker will be allowed **[number to be specified by the council]** minutes to address the council. This time is to be strictly enforced by the chairperson.
- 4.13** Speakers at public forums must not digress from the item on the agenda of the council meeting they have applied to address the council on. If a speaker digresses to irrelevant matters, the chairperson is to direct the speaker not to so digress. 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.

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- 4.15** Speakers are under no obligation to answer a question put under clause 4.14. Answers by the speaker, to each question are to be limited to **[number to be specified by the council]** minutes.
- 4.16** Speakers at public forums cannot ask questions of the council, councillors or council staff.
- 4.17** The general manager or his or her nominee may, with the concurrence of the chairperson, address the council for up to **[number to be specified by the council]** minutes in response to an address to the council at a public forum after the address and any subsequent questions and answers have been finalised.
- 4.18** Where an address made at a public forum raises matters that require further consideration by council staff, the general manager may recommend that the council defer consideration of the matter pending the preparation of a further report on the matters.
- 4.19** When addressing the council, speakers at public forums must comply with this code and all other relevant council codes, policies and procedures. Speakers must refrain from engaging in disorderly conduct, publicly alleging breaches of the council's code of conduct or making other potentially defamatory statements.
- 4.20** If the chairperson considers that a speaker at a public forum has engaged in conduct of the type referred to in clause 4.19, the chairperson may request the person to refrain from the inappropriate behaviour and to withdraw and unreservedly apologise for any inappropriate comments. Where the speaker fails to comply with the chairperson's request, the chairperson may immediately require the person to stop speaking.
- 4.21** Clause 4.20 does not limit the ability of the chairperson to deal with disorderly conduct by speakers at public forums in accordance with the provisions of Part 15 of this code.
- 4.22** Where a speaker engages in conduct of the type referred to in clause 4.19, the general manager or their delegate may refuse further applications from that person to speak at public forums for such a period as the general manager or their delegate considers appropriate.
- 4.23** Councillors (including the mayor) must disclose 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 at a council or committee meeting.

Note: Public forums should not be held as part of a council or committee meeting. Council or committee meetings should be reserved for decision-making by the council or committee of council.



5 Coming Together

Attendance by councillors at meetings

- 5.1** All councillors must make reasonable efforts to attend meetings of the council and of committees of the council of which they are members.
- 5.2** A councillor cannot participate in a meeting of the council or of a committee of the council unless personally present at the meeting.
- 5.3** Where a councillor is unable to attend one or more ordinary meetings of the council, the councillor should request that the council grant them a leave of absence from those meetings. This clause does not prevent a councillor from making an apology if they are unable to attend a meeting. However the acceptance of such an apology does not constitute the granting of a leave of absence for the purposes of this code and the Act.
- 5.4** A councillor's request for leave of absence from council meetings should, if practicable, identify (by date) the meetings from which the councillor intends to be absent and the grounds upon which the leave of absence is being sought.
- 5.5** The council must act reasonably when considering whether to grant a councillor's request for a leave of absence.
- 5.6** A councillor's civic office will become vacant if the councillor is absent from three (3) consecutive ordinary meetings of the council without prior leave of the council, or leave granted by the council at any of the meetings concerned, unless the holder is absent because he or she has been suspended from office under the Act, or because the council has been suspended under the Act, or as a consequence of a compliance order under section 438HA.
- Note: Clause 5.6 reflects section 234(1)(d) of the Act.**
- 5.7** A councillor who intends to attend a meeting of the council despite having been granted leave of absence should, if practicable, give the general manager at least two (2) days' notice of their intention to attend.

The quorum for a meeting

- 5.8** The quorum for a meeting of the council is a majority of the councillors of the council who hold office at that time and are not suspended from office.
- Note: Clause 5.8 reflects section 368(1) of the Act.**
- 5.9** Clause 5.8 does not apply if the quorum is required to be determined in accordance with directions of the Minister in a performance improvement order issued in respect of the council.
- Note: Clause 5.9 reflects section 368(2) of the Act.**
- 5.10** A meeting of the council must be adjourned if a quorum is not present:
- (a)** within half an hour after the time designated for the holding of the meeting, or
 - (b)** at any time during the meeting.
- 5.11** In either case, the meeting must be adjourned to a time, date and place fixed:
- (a)** by the chairperson, or
 - (b)** in his or her absence, by the majority of the councillors present, or
 - (c)** failing that, by the general manager.

- 5.12** The general manager must record in the council's minutes the circumstances relating to the absence of a quorum (including the reasons for the absence of a quorum) at or arising during a meeting of the council, together with the names of the councillors present.
- 5.13** Where, prior to the commencement of a meeting, it becomes apparent that a quorum may not be present at the meeting, or that the safety and welfare of councillors, council staff and members of the public may be put at risk by attending the meeting because of a natural disaster (such as, but not limited to flood or bushfire), the mayor may, in consultation with the general manager and, as far as is practicable, with each councillor, cancel the meeting. Where a meeting is cancelled, notice of the cancellation must be published on the council's website and using such other means as will bring notice of the cancellation to the attention of as many people as possible.
- 5.14** Where a meeting is cancelled under clause 5.13, the business to be considered at the meeting may instead be considered at an extraordinary meeting called under clause 3.3.

Entitlement of the public to attend council meetings

- 5.15** Everyone is entitled to attend a meeting of the council and committees of the council. The council must ensure that all meetings of the council and committees of the council are open to the public.

Note: Clause 5.15 reflects section 10(1) of the Act.

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

- 5.17** A person (whether a councillor or another person) is not entitled to be present at a meeting of the council or a committee of the council if expelled from the meeting:

- (a) by a resolution of the meeting, or
- (b) by the person presiding at the meeting if the council has, by resolution, authorised the person presiding to exercise the power of expulsion.

Note: Clause 5.17 reflects section 10(2) of the Act.

Note: If adopted, clauses 15.13 and 15.14 confer a standing authorisation on all chairpersons of meetings of the council and committees of the council to expel persons from meetings. If adopted, clause 15.13 authorises chairpersons to expel any person, including a councillor, from a council or committee meeting. Alternatively, if adopted, clause 15.14 authorises chairpersons to expel persons other than councillors from a council or committee meeting.

Webcasting of meetings

- 5.18** All meetings of the council and committees of the council are to be webcast.
- 5.19** Clause 5.18 does not apply to parts of a meeting that have been closed to the public under section 10A of the Act.
- 5.20** At the start of each meeting the chairperson is to make a statement informing those in attendance that the meeting is being webcast and that those in attendance should refrain from making any defamatory statements.

Audio recording of meetings

- 5.21** Audio recordings are to be made of all meetings of the council and committees of the council for the dominant purpose of assisting with the preparation of the minutes for meetings.

Attendance of the general manager and other staff at meetings

- 5.22** The general manager is entitled to attend, but not to vote at, a meeting of the council or a meeting of a committee of the council of which all of the members are councillors.

Note: Clause 5.22 reflects section 376(1) of the Act.

- 5.23** The general manager is entitled to attend a meeting of any other committee of the council and may, if a member of the committee, exercise a vote.

Note: Clause 5.23 reflects section 376(2) of the Act.

- 5.24** The general manager may be excluded from a meeting of the council or a committee while the council or committee deals with a matter relating to the standard of performance of the general manager or the terms of employment of the general manager.

Note: Clause 5.24 reflects section 376(3) of the Act.

- 5.25** The attendance of other council staff at a meeting, (other than as members of public) shall be with the approval of the general manager.

6 The Chairperson

The chairperson at meetings

- 6.1** The mayor, or at the request of or in the absence of the mayor, the deputy mayor (if any) presides at meetings of the council.

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

- 6.2** If the mayor and the deputy mayor (if any) are absent, a councillor elected to chair the meeting by the councillors present presides at a meeting of the council.

Note: Clause 6.2 reflects section 369(2) of the Act.

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

- 6.3** If no chairperson is present at a meeting of the council at the time designated for the holding of the meeting, the first business of the meeting must be the election of a chairperson to preside at the meeting.

- 6.4** The election of chairperson must be conducted:

- (a)** by the general manager or, in their absence, an employee of the council designated by the general manager to conduct the election, or
- (b)** by the person who called the meeting or a person acting on their behalf if neither the general manager nor a designated employee is present at the meeting, or if there is no general manager or designated employee.

- 6.5** If, at an election of a chairperson, two (2) or more candidates receive the same number of votes and no other candidate receives a greater number of votes, the chairperson is to be the candidate whose name is chosen by lot.

- 6.6** For the purposes of clause 6.5, the person conducting the election must:

- (a)** arrange for the names of the candidates who have equal numbers of votes to be written on similar slips, and
- (b)** then fold the slips so as to prevent the names from being seen, mix the slips and draw one of the slips at random.

- 6.7** The candidate whose name is on the drawn slip is the candidate who is to be the chairperson.

- 6.8** Any election conducted under clause 6.3, and the outcome of the vote, are to be recorded in the minutes of the meeting.

Chairperson to have precedence

- 6.9** When the chairperson rises or speaks during a meeting of the council:

- (a)** any councillor then speaking or seeking to speak must, 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

December 2017

- 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.

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8 Order of Business for Ordinary Council Meetings

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- 8.1** At a meeting of the council, the general order of business is as fixed by resolution of the council.
- 8.2** The general order of business for an ordinary meeting of the council shall be:
[councils may adapt the following order of business to meet their needs]
- 01 Opening meeting
 - 02 Acknowledgement of country
 - 03 Prayer
 - 04 Apologies and applications for leave of absence by councillors
 - 05 Confirmation of minutes
 - 06 Disclosures of interests
 - 07 Mayoral minute(s)
 - 08 Reports of committees
 - 09 Reports to council
 - 10 Notices of motions/questions with notice
 - 11 Confidential matters
 - 12 Conclusion of the meeting

Note: Councils must use either clause 8.1 or 8.2.

- 8.3** The order of business as fixed under clause [8.1/8.2] **[delete whichever is not applicable]** may be altered for a particular meeting of the council if a motion to that effect is passed at that meeting. Such a motion can be moved without notice.

Note: If adopted, Part 13 allows council to deal with items of business by exception.

- 8.4** Despite clauses 10.19–10.27, only the mover of a motion referred to in clause 8.3 may speak to the motion before it is put.

9 Consideration of Business at Council Meetings

Business that can be dealt with at a council meeting

- 9.1** The council must not consider business at a meeting of the council:
- (a)** unless a councillor has given notice of the business, as required by clause 3.11, and
 - (b)** unless notice of the business has been sent to the councillors in accordance with clause 3.8 in the case of an ordinary meeting and clause 3.10 in the case of an extraordinary meeting.
- 9.2** Clause 9.1 does not apply to the consideration of business at a meeting, if the business:
- (a)** is already before, or directly relates to, a matter that is already before the council, or
 - (b)** is the election of a chairperson to preside at the meeting, or
 - (c)** subject to clause 9.9, is a matter or topic put to the meeting by way of a mayoral minute, or
 - (d)** is a motion for the adoption of recommendations of a committee, including, but not limited to, a committee of the council.
- 9.3** Despite clause 9.1, business may be considered at a meeting of the council even though due notice of the business has not been given to the councillors if:
- (a)** a motion is passed to have the business considered at the meeting, and
 - (b)** the business to be considered is ruled by the chairperson to be of great urgency.
- 9.4** A motion moved under clause 9.3(a) can be moved without notice. Despite clauses 10.19-10.27, only the mover of a motion referred to in clause 9.3(a) can speak to the motion before it is put.
- 9.5** A motion of dissent cannot be moved against a ruling by the chairperson under clause 9.3(b).

Mayoral minutes

- 9.6** If the mayor is the chairperson at a meeting of the council, the mayor may, by minute signed by the mayor, put to the meeting without notice any matter or topic that is within the jurisdiction of council, or of which the council has official knowledge.
- 9.7** A mayoral minute, when put to a meeting, takes precedence over all business on the council's agenda for the meeting. The chairperson (but only if the chairperson is the mayor) may move the adoption of a mayoral minute without the motion being seconded.
- 9.8** A recommendation made in a mayoral minute put by the mayor is, insofar as it is adopted by the council, a resolution of the council.
- 9.9** A mayoral minute must not be used to put without notice matters that are routine and not urgent, or matters for which proper notice should be given because of their complexity.

Staff reports

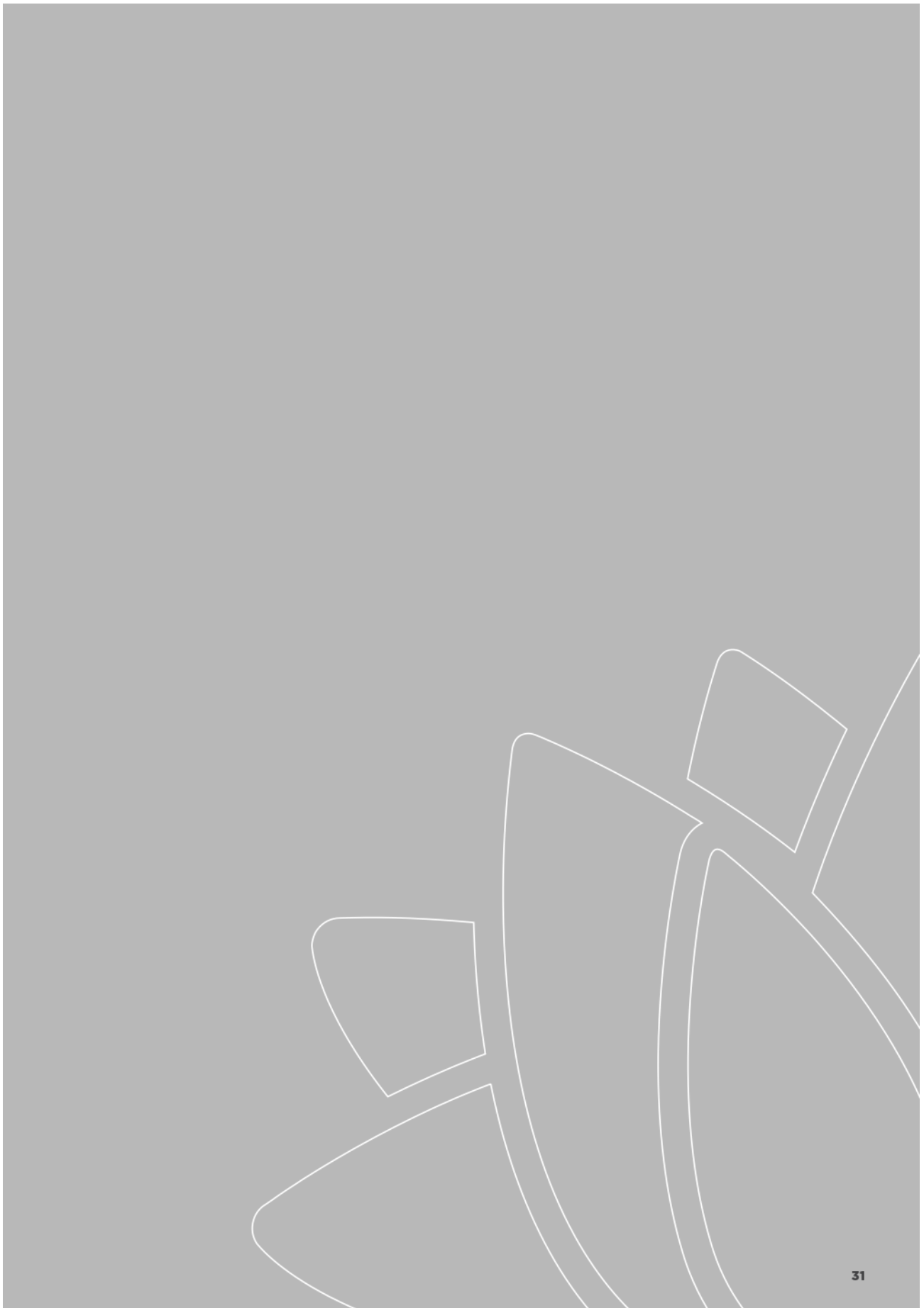
- 9.10** A recommendation made in a staff report is, insofar as it is adopted by the council, a resolution of the council.

Reports of committees of council

- 9.11** The recommendations of a committee of the council are, insofar as they are adopted by the council, resolutions of the council.
- 9.12** If in a report of a committee of the council distinct recommendations are made, the council may make separate decisions on each recommendation.

Questions

- 9.13** A question must not be asked at a meeting of the council unless it concerns a matter on the agenda of the meeting or notice has been given of the question in accordance with clauses 3.11 and 3.16.
- 9.14** A councillor may, through the chairperson, put a question to another councillor about a matter on the agenda.
- 9.15** 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.
- 9.16** A councillor or council employee to whom a question is put is entitled to be given reasonable notice of the question and, in particular, sufficient notice to enable reference to be made to other persons or to documents. Where a councillor or council employee to whom a question is put is unable to respond to the question at the meeting at which it is put, they may take it on notice and report the response to the next meeting of the council.
- 9.17** The councillor must put every such question directly, succinctly and without argument.
- 9.18** The chairperson must not permit discussion on any reply to, or refusal to reply to, a question put to a councillor or council employee.



10 Rules of Debate

Motions to be seconded

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

Notices of motion

- 10.2** A councillor who has submitted a notice of motion under clause 3.11 is to move the motion the subject of the notice of motion at the meeting at which it is to be considered.
- 10.3** If a councillor who has submitted a notice of motion under clause 3.11 wishes to withdraw it after the agenda and business paper for the meeting at which it is to be considered have been sent to councillors, the councillor may request the withdrawal of the motion when it is before the council.
- 10.4** In the absence of a councillor who has placed a notice of motion on the agenda for a meeting of the council:
- (a)** any other councillor may move the motion at the meeting, or
 - (b)** the chairperson may defer the motion until the next meeting of the council at which the motion can be considered.

Chairperson's duties with respect to motions

- 10.5** It is the duty of the chairperson at a meeting of the council to receive and put to the meeting any lawful motion that is brought before the meeting.
- 10.6** The chairperson must rule out of order any motion or amendment to a motion that is unlawful or the implementation of which would be unlawful.
- 10.7** Before ruling out of order a motion or an amendment to a motion under clause 10.6, the chairperson is to give the mover an opportunity to clarify or amend the motion or amendment.
- 10.8** Any motion, amendment or other matter that the chairperson has ruled out of order is taken to have been rejected.

Motions requiring the expenditure of funds

- 10.9** A motion or an amendment to a motion which if passed would require the expenditure of funds on works and/or services other than those already provided for in the council's current adopted operational plan must identify the source of funding for the expenditure that is the subject of the motion. If the motion does not identify a funding source, the council must defer consideration of the matter, pending a report from the general manager on the availability of funds for implementing the motion if adopted.

Amendments to motions

- 10.10** An amendment to a motion must be moved and seconded before it can be debated.
- 10.11** An amendment to a motion must relate to the matter being dealt with in the original motion before the council and must not be a direct negative of the original motion. An amendment to a motion which does not relate to the matter being dealt with in the original motion, or which is a direct negative of the original motion, must be ruled out of order by the chairperson.
- 10.12** The mover of an amendment is to be given the opportunity to explain any uncertainties in the proposed amendment before a seconder is called for.
- 10.13** If an amendment has been rejected, a further amendment can be moved to the motion to which the rejected 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 rejected, debate is to resume on the original motion.

Foreshadowed motions

- 10.16** A councillor may propose a foreshadowed motion 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.
- 10.17** Where an amendment has been moved and seconded, a councillor may, without a seconder, foreshadow a further amendment that they propose to move after the first amendment has been dealt with. There is no limit to the number of foreshadowed amendments that may be put before the council at any time. However, no discussion can take place on foreshadowed amendments until the previous amendment has been dealt with and the foreshadowed amendment has been moved and seconded.
- 10.18** 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

- 10.19** 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 to any amendment to it at the conclusion of the debate before the motion (whether amended or not) is finally put.
- 10.20** 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.
- 10.21** A councillor must not, without the consent of the council, speak more than once on a motion or an amendment, or for longer than five (5) minutes at any one time. However, 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.
- 10.22** Despite clauses 10.19 and 10.20, 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.
- 10.23** The chairperson must immediately put to the vote, without debate, a motion moved under clause 10.22. A seconder is not required for such a motion.
- 10.24** If a motion that the original motion or an amendment be now put is passed, the chairperson must, without further debate, put the original motion or amendment to the vote immediately after the mover of the original motion has exercised their right of reply under clause 10.19.
- 10.25** If a motion that the original motion or an amendment be now put is rejected, the chairperson must allow the debate on the original motion or the amendment to be resumed.
- 10.26** 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.
- 10.27** Once the debate on a matter is closed and a matter has been dealt with, the chairperson must not allow further debate on the matter.

11 Voting

Voting entitlements of councillors

11.1 Each councillor is entitled to one (1) vote.

Note: Clause 11.1 reflects section 370(1) of the Act.

11.2 The person presiding at a meeting of the council has, in the event of an equality of votes, a second or casting vote.

Note: Clause 11.2 reflects section 370(2) of the Act.

11.3 Where the chairperson declines to exercise, or fails to exercise, their second or casting vote, in the event of an equality of votes, the motion being voted upon is lost.

Voting at council meetings

11.4 A councillor who is present at a meeting of the council but who fails to vote on a motion put to the meeting is taken to have voted against the motion.

11.5 If a councillor who has voted against a motion put at a council meeting so requests, the general manager must ensure that the councillor's dissenting vote is recorded in the council's minutes.

11.6 The decision of the chairperson as to the result of a vote is final, unless the decision is immediately challenged and not fewer than two (2) councillors rise and call for a division.

11.7 When a division on a motion is called, the chairperson must ensure that the division takes place immediately. The general manager must ensure that the names of those who vote for the motion and those who vote against it are recorded in the council's minutes for the meeting.

11.8 When a division on a motion is called, any councillor who fails to vote will be recorded as having voted against the motion in accordance with clause 11.4 of this code.

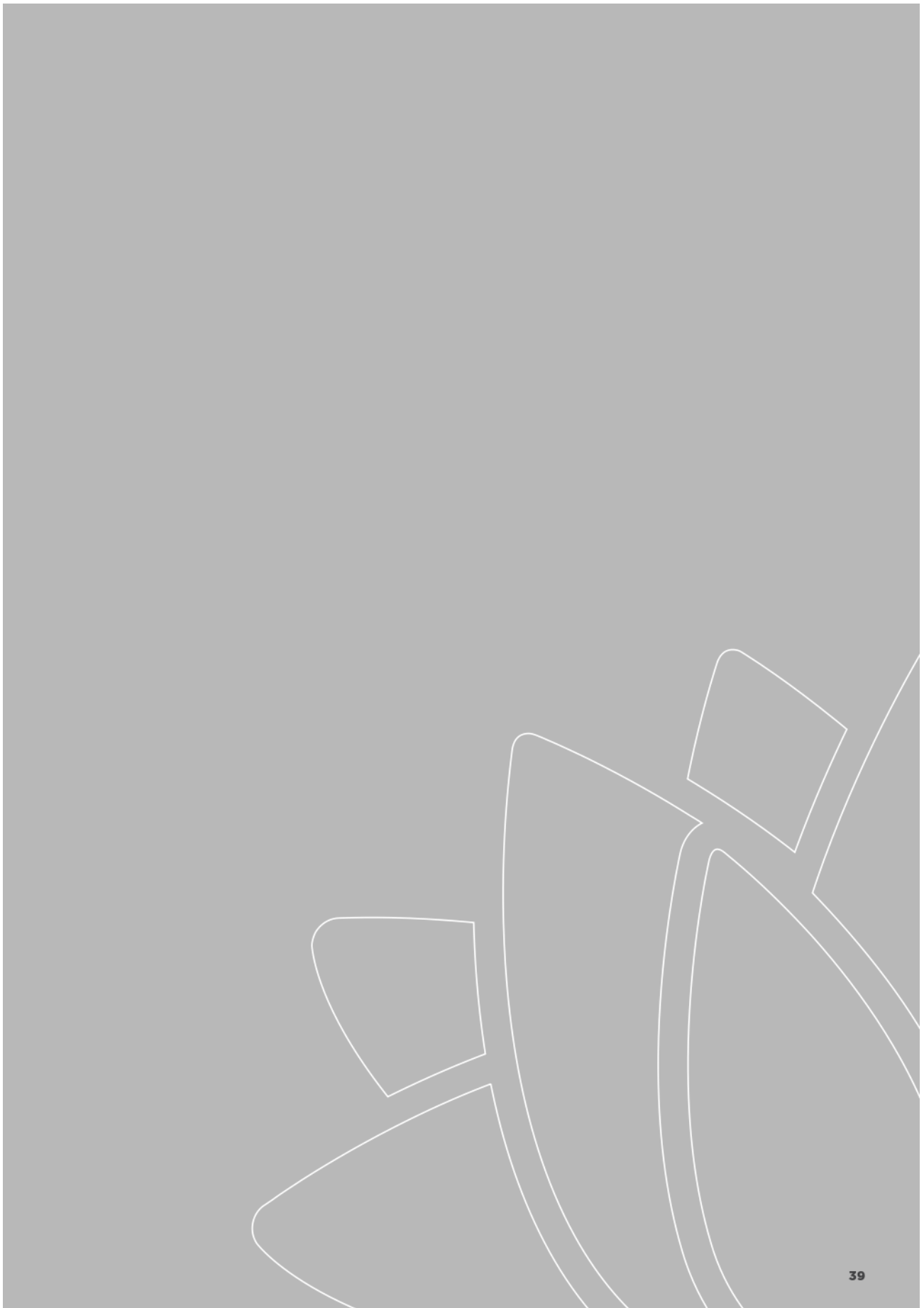
11.9 Voting at a meeting, including voting in an election at a meeting, is to be by open means (such as on the voices, by show of hands or by a visible electronic voting system). However, the council may resolve that the voting in any election by councillors for mayor or deputy mayor is to be by secret ballot.

11.10 All voting at council meetings must be recorded in the minutes of the meeting with the names of councillors who voted for or against a motion or amendment being recorded as if a division had been called under clause 11.6.

Voting on planning decisions

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

Note: Clauses 11.11-11.14 reflect section 375A of the Act.



12 Committee of the Whole

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

Note: Clause 12.1 reflects section 373 of the Act.

- 12.2** All the provisions of this code relating to meetings of the council, insofar as they are applicable, extend to and govern the proceedings of the council when in committee of the whole, except the provisions limiting the number and duration of speeches.

Note: Clauses 10.19-10.27 limit the number and duration of speeches.

- 12.3** The general manager or, in the absence of the general manager, an employee of the council designated by the general manager, is responsible for reporting to the council the proceedings of the committee of the whole. It is not necessary to report the proceedings in full but any recommendations of the committee must be reported.

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

Model Code Of Meeting Practice for Local Councils in NSW

13 Dealing with Items by Exception

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- 13.1** The council or a committee of council may, at any time, resolve to adopt multiple items of business on the agenda together by way of a single resolution.
- 13.2** Before the council or committee resolves to adopt multiple items of business on the agenda together under clause 13.1, the chairperson is to list the items of business to be adopted and ask councillors to identify any of the individual items of business listed by the chairperson that they wish to speak on.
- 13.3** The council or committee must not resolve to adopt any item of business under clause 13.1 that a councillor has identified as being one they wish to speak on.
- 13.4** Where the consideration of multiple items of business together under clause 13.1 involves a variation to the order of business for the meeting, the council or committee must resolve to alter the order of business in accordance with clause 8.3.
- 13.5** A motion to adopt multiple items of business together under clause 13.1 must identify each of the items of business to be adopted and state that they are to be adopted as recommended in the business paper.
- 13.6** Items of business adopted under clause 13.1 are to be taken as having been unanimously adopted.
- 13.7** Councillors must ensure that they disclose and manage any conflicts of interest they may have in relation to items of business considered together under clause 13.1 in accordance with the requirements of the council's code of conduct.

Model Code Of Meeting Practice for Local Councils in NSW

14 Closure of Council Meetings to the Public

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Grounds on which meetings can be closed to the public

14.1 The council or a committee of the council may close to the public so much of its meeting as comprises the discussion or the receipt of any of the following types of matters:

- (a) personnel matters concerning particular individuals (other than councillors),
- (b) the personal hardship of any resident or ratepayer,
- (c) information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business,
- (d) commercial information of a confidential nature that would, if disclosed:
 - (i) prejudice the commercial position of the person who supplied it, or
 - (ii) confer a commercial advantage on a competitor of the council, or
 - (iii) reveal a trade secret,
- (e) information that would, if disclosed, prejudice the maintenance of law,
- (f) matters affecting the security of the council, councillors, council staff or council property,
- (g) advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege,

- (h) information concerning the nature and location of a place or an item of Aboriginal significance on community land,
- (i) alleged contraventions of the council's code of conduct.

Note: Clause 14.1 reflects section 10A(1) and (2) of the Act.

14.2 The council or a committee of the council may also close to the public so much of its meeting as comprises a motion to close another part of the meeting to the public.

Note: Clause 14.2 reflects section 10A(3) of the Act.

Matters to be considered when closing meetings to the public

14.3 A meeting is not to remain closed during the discussion of anything referred to in clause 14.1:

- (a) except for so much of the discussion as is necessary to preserve the relevant confidentiality, privilege or security, and
- (b) if the matter concerned is a matter other than a personnel matter concerning particular individuals, the personal hardship of a resident or ratepayer or a trade secret – unless the council or committee concerned is satisfied that discussion of the matter in an open meeting would, on balance, be contrary to the public interest.

Note: Clause 14.3 reflects section 10B(1) of the Act.

Model Code Of Meeting Practice for Local Councils in NSW

14.4 A meeting is not to be closed during the receipt and consideration of information or advice referred to in clause 14.1(g) unless the advice concerns legal matters that:

- (a) are substantial issues relating to a matter in which the council or committee is involved, and
- (b) are clearly identified in the advice, and
- (c) are fully discussed in that advice.

Note: Clause 14.4 reflects section 10B(2) of the Act.

14.5 If a meeting is closed during the discussion of a motion to close another part of the meeting to the public (as referred to in clause 14.2), the consideration of the motion must not include any consideration of the matter or information to be discussed in that other part of the meeting other than consideration of whether the matter concerned is a matter referred to in clause 14.1.

Note: Clause 14.5 reflects section 10B(3) of the Act.

14.6 For the purpose of determining whether the discussion of a matter in an open meeting would be contrary to the public interest, it is irrelevant that:

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

Note: Clause 14.6 reflects section 10B(4) of the Act.

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

Note: Clause 14.7 reflects section 10B(5) of the Act.

Notice of likelihood of closure not required in urgent cases

14.8 Part of a meeting of the council, or of a committee of the council, may be closed to the public while the council or committee considers a matter that has not been identified in the agenda for the meeting under clause 3.23 as a matter that is likely to be considered when the meeting is closed, but only if:

- (a) it becomes apparent during the discussion of a particular matter that the matter is a matter referred to in clause 14.1, and
- (b) the council or committee, after considering any representations made under section 14.9, resolves that further discussion of the matter:
 - (i) should not be deferred (because of the urgency of the matter), and
 - (ii) should take place in a part of the meeting that is closed to the public.

Note: Clause 14.8 reflects section 10C of the Act.

Representations by members of the public

- 14.9** The council, or a committee of the council, may allow members of the public to make representations to or at a meeting, before any part of the meeting is closed to the public, as to whether that part of the meeting should be closed.
- Note: Clause 14.9 reflects section 10A(4) of the Act.**
- 14.10** A representation under clause 14.9 is to be made after the motion to close the part of the meeting is moved and seconded.
- 14.11** Where the matter has been identified in the agenda of the meeting under clause 3.23 as a matter that is likely to be considered when the meeting is closed to the public, in order to make representations under clause 14.9, members of the public must first make an application to the council in the approved form. Applications must be received by **[date and time to be specified by the council]** before the meeting at which the matter is to be considered.
- 14.12** The general manager (or their delegate) may refuse an application made under clause 14.11.
- 14.13** No more than **[number to be specified by the council]** speakers are to be permitted to make representations under clause 14.9.
- 14.14** If more than the permitted number of speakers applies to make representations under clause 14.9, the general manager or their delegate may request the speakers to nominate from among themselves the persons who are to make representations to the council. If the speakers are not able to agree on whom to nominate to make representations under clause 14.9, the general manager or their delegate is to determine who will make representations to the council.
- 14.15** The general manager (or their delegate) is to determine the order of speakers.
- 14.16** Where the council or a committee of the council proposes to close a meeting or part of a meeting to the public in circumstances where the matter has not been identified in the agenda for the meeting under clause 3.23 as a matter that is likely to be considered when the meeting is closed to the public, the chairperson is to invite representations from the public under clause 14.9 after the motion to close the part of the meeting is moved and seconded. The chairperson is to permit no more than **[number to be specified by the council]** speakers to make representations in such order as determined by the chairperson.
- 14.17** Each speaker will be allowed **[number to be specified by the council]** minutes to make representations, and this time limit is to be strictly enforced by the chairperson. Speakers are to 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 so digress. If a speaker fails to observe a direction from the chairperson, the speaker will not be further heard.

Expulsion of non-councillors from meetings closed to the public

14.18 If a meeting or part of a meeting of the council or a committee of the council is closed to the public in accordance with section 10A of the Act and this code, any person who is not a councillor and who fails to leave the meeting when requested, may be expelled from the meeting as provided by section 10(2)(a) or (b) of the Act.

14.19 If any such person, after being notified of a resolution or direction expelling them from the meeting, fails to leave the place where the meeting is being held, a police officer, or any person authorised for the purpose by the council or person presiding, may, by using only such force as is necessary, remove the person from that place and, if necessary restrain that person from re-entering that place.

Information to be disclosed in resolutions closing meetings to the public

14.20 The grounds on which part of a meeting is closed must be stated in the decision to close that part of the meeting and must be recorded in the minutes of the meeting. The grounds must specify the following:

- (a) the relevant provision of section 10A(2) of the Act,
- (b) the matter that is to be discussed during the closed part of the meeting,

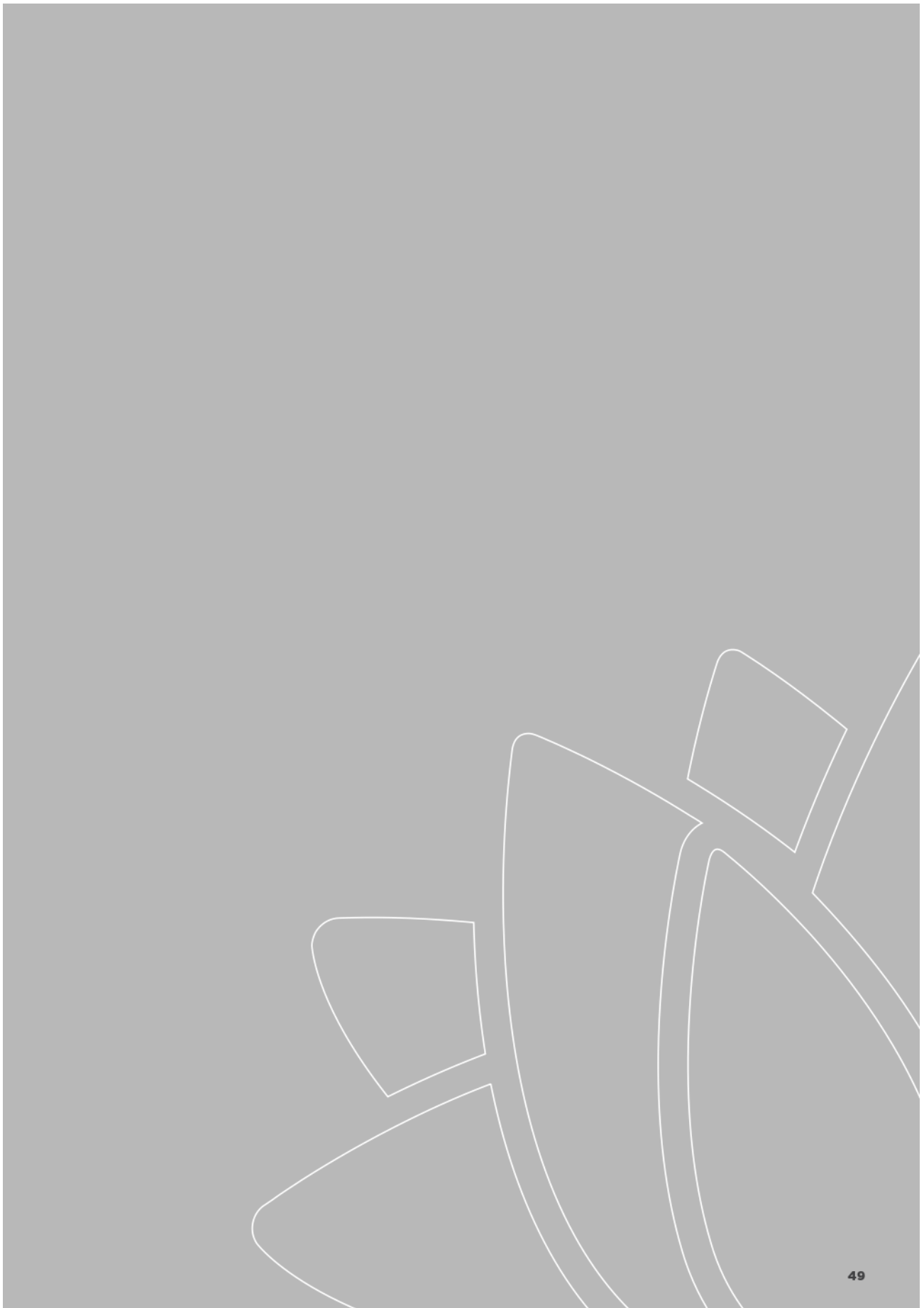
- (c) the reasons why the part of the meeting is being closed, including (if the matter concerned is a matter other than a personnel matter concerning particular individuals, the personal hardship of a resident or ratepayer or a trade secret) an explanation of the way in which discussion of the matter in an open meeting would be, on balance, contrary to the public interest.

Note: Clause 14.20 reflects section 10D of the Act.

Resolutions passed at closed meetings to be made public

14.21 If the council passes a resolution during a meeting, or a part of a meeting, that is closed to the public, the chairperson must make the resolution public as soon as practicable after the meeting, or the relevant part of the meeting, has ended, and the resolution must be recorded in the publicly available minutes of the meeting.

14.22 Resolutions passed during a meeting, or a part of a meeting, that is closed to the public must be made public by the chairperson under clause 14.21 during a part of the meeting that is webcast.



Model Code Of Meeting Practice for Local Councils in NSW

15 Keeping Order at Meetings

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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 must be taken immediately it is raised. The chairperson must suspend 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

- 15.3** 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.
- 15.4** 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.
- 15.5** 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.
- 15.6** The chairperson's ruling must be obeyed unless a motion dissenting from the ruling is passed.

Motions of dissent

- 15.7** 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.
- 15.8** If a motion of dissent is passed, the chairperson must proceed with the suspended business as though the ruling dissented from had not been given. If, as a result of the ruling, any motion or business has been discharged as out of order, the chairperson must restore the motion or business to the agenda and proceed with it in due course.
- 15.9** 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

15.10 A councillor commits an act of disorder if the councillor, at a meeting of the council or a committee of the council:

- (a) contravenes the Act or any regulation in force under the Act or this code, or
- (b) assaults or threatens to assault another councillor or person present at the meeting, or
- (c) moves or attempts to move a motion or an amendment that has an unlawful purpose or that deals with a matter that is outside the jurisdiction of the council or the committee, or addresses or attempts to address the council or the committee on such a motion, amendment or matter, or
- (d) insults or makes personal reflections on or imputes improper motives to any other council official, or alleges a breach of the council's code of conduct, or
- (e) says or does anything that is inconsistent with maintaining order at the meeting or is likely to bring the council or the committee into contempt.

15.11 The chairperson may require a councillor:

- (a) to apologise without reservation for an act of disorder referred to in clauses 15.10(a) or (b), or
- (b) to withdraw a motion or an amendment referred to in clause 15.10(c) and, where appropriate, to apologise without reservation, or
- (c) to retract and apologise without reservation for an act of disorder referred to in clauses 15.10(d) and (e).

How disorder at a meeting may be dealt with

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

Expulsion from meetings

15.13 All chairpersons of meetings of the council and committees of the council are authorised under this code to expel any person, including any councillor, from a council or committee meeting, for the purposes of section 10(2)(b) of the Act.

15.14 All chairpersons of meetings of the council and committees of the council are authorised under this code to expel any person other than a councillor, from a council or committee meeting, for the purposes of section 10(2)(b) of the Act. Councillors may only be expelled by resolution of the council or the committee of the council.

Note: Councils may use either clause 15.13 or clause 15.14.

15.15 Clause [15.13/5.14] [~~delete whichever is not applicable~~], does not limit the ability of the council or a committee of the council to resolve to expel a person, including a councillor, from a council or committee meeting, under section 10(2) (a) of the Act.

- 15.16** A councillor may, as provided by section 10(2)(a) or (b) of the Act, be expelled from a meeting of the council for having failed to comply with a requirement under clause 15.11. The expulsion of a councillor from the meeting for that reason does not prevent any other action from being taken against the councillor for the act of disorder concerned.
- 15.17** A member of the public may, as provided by section 10(2)(a) or (b) of the Act, be expelled from a meeting of the council for engaging in or having engaged in disorderly conduct at the meeting.
- 15.18** Where a councillor or a member of the public is expelled from a meeting, the expulsion and the name of the person expelled, if known, are to be recorded in the minutes of the meeting.
- 15.19** If a councillor or a member of the public fails to leave the place where a meeting of the council is being held immediately after they have been expelled, a police officer, or any person authorised for the purpose by the council or person presiding, may, by using only such force as is necessary, remove the councillor or member of the public from that place and, if necessary, restrain the councillor or member of the public from re-entering that place.

Use of mobile phones and the unauthorised recording of meetings

- 15.20** Councillors, council staff and members of the public must ensure that mobile phones are turned to silent during meetings of the council and committees of the council.
- 15.21** A person must not use a tape recorder, video camera, mobile phone or any other device to make a recording of the proceedings of a meeting of the council or a committee of the council without the prior authorisation of the council or the committee.
- 15.22** Any person who makes a recording or attempts to make a recording of a meeting of the council or a committee of the council in contravention of clause 15.21, may be expelled from the meeting as provided for under section 10(2) of the Act.
- 15.23** If any such person, after being notified of a resolution or direction expelling them from the meeting, fails to leave the place where the meeting is being held, a police officer, or any person authorised for the purpose by the council or person presiding, may, by using only such force as is necessary, remove the first-mentioned person from that place and, if necessary, restrain that person from re-entering that place.

16 Conflicts of Interest

December 2017

- 16.1** All councillors and, where applicable, all other persons, must disclose and manage any conflicts of interest they may have in matters being considered at meetings of the council and committees of the council in accordance with the council's code of conduct.

CONSULTATION DRAFT

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17 Decisions of the Council

Council decisions

17.1 A decision supported by a majority of the votes at a meeting of the council at which a quorum is present is a decision of the council.

Note: Clause 17.1 reflects section 371 of the Act.

17.2 Decisions made by the council must be accurately recorded in the minutes of the meeting at which the decision is made.

Rescinding or altering council decisions

17.3 A resolution passed by the council may not be altered or rescinded except by a motion to that effect of which notice has been given under clause 3.11.

Note: Clause 17.3 reflects section 372(1) of the Act.

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.

Note: Clause 17.4 reflects section 372(2) of the Act.

17.5 If a motion has been rejected by the council, a motion having the same effect must not be considered unless notice of it has been duly given in accordance with clause 3.11.

Note: Clause 17.5 reflects section 372(3) of the Act.

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 rejected by the council, must be signed by three (3) councillors if less than three (3) months has elapsed since the resolution was passed, or the motion was rejected.

Note: Clause 17.6 reflects section 372(4) of the Act.

17.7 If a motion to alter or rescind a resolution has been rejected, or if a motion which has the same effect as a previously rejected motion is rejected, no similar motion may be brought forward within three (3) months of the meeting at which it was rejected. This clause may not be evaded by substituting a motion differently worded, but in principle the same.

Note: Clause 17.7 reflects section 372(5) of the Act.

17.8 The provisions of clauses 17.5–17.7 concerning rejected motions do not apply to motions of adjournment.

Note: Clause 17.8 reflects section 372(7) of the Act.

17.9 A notice of motion submitted in accordance with clause 17.6 may only be withdrawn under clause 3.12 with the consent of all signatories to the notice of motion.

17.10 A notice of motion to alter or rescind a resolution relating to a development application must be submitted to the general manager no later than [council to specify the period of time] after the meeting at which the resolution was adopted.

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

Note: Clause 17.11 reflects section 372(6) of the Act.

17.12 Subject to clause 17.7, in cases of urgency, a motion to alter or rescind a resolution of the council may be moved at the same meeting at which the resolution was adopted, where:

- (a)** a notice of motion signed by three councillors is submitted to the chairperson, and
- (b)** a motion to have the motion considered at the meeting is passed, and
- (c)** the chairperson rules the business that is the subject of the motion is of great urgency.

17.13 A motion moved under clause 17.12(b) can be moved without notice. Despite clauses 10.19-10.27, only the mover of a motion referred to in clause 17.12(b) can speak to the motion before it is put.

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

Recommitting resolutions to correct an error

17.15 Despite the provisions of this Part, a councillor may, with the leave of the chairperson, move to recommit a resolution adopted at the same meeting to correct any error, ambiguity or imprecision in the council's resolution.

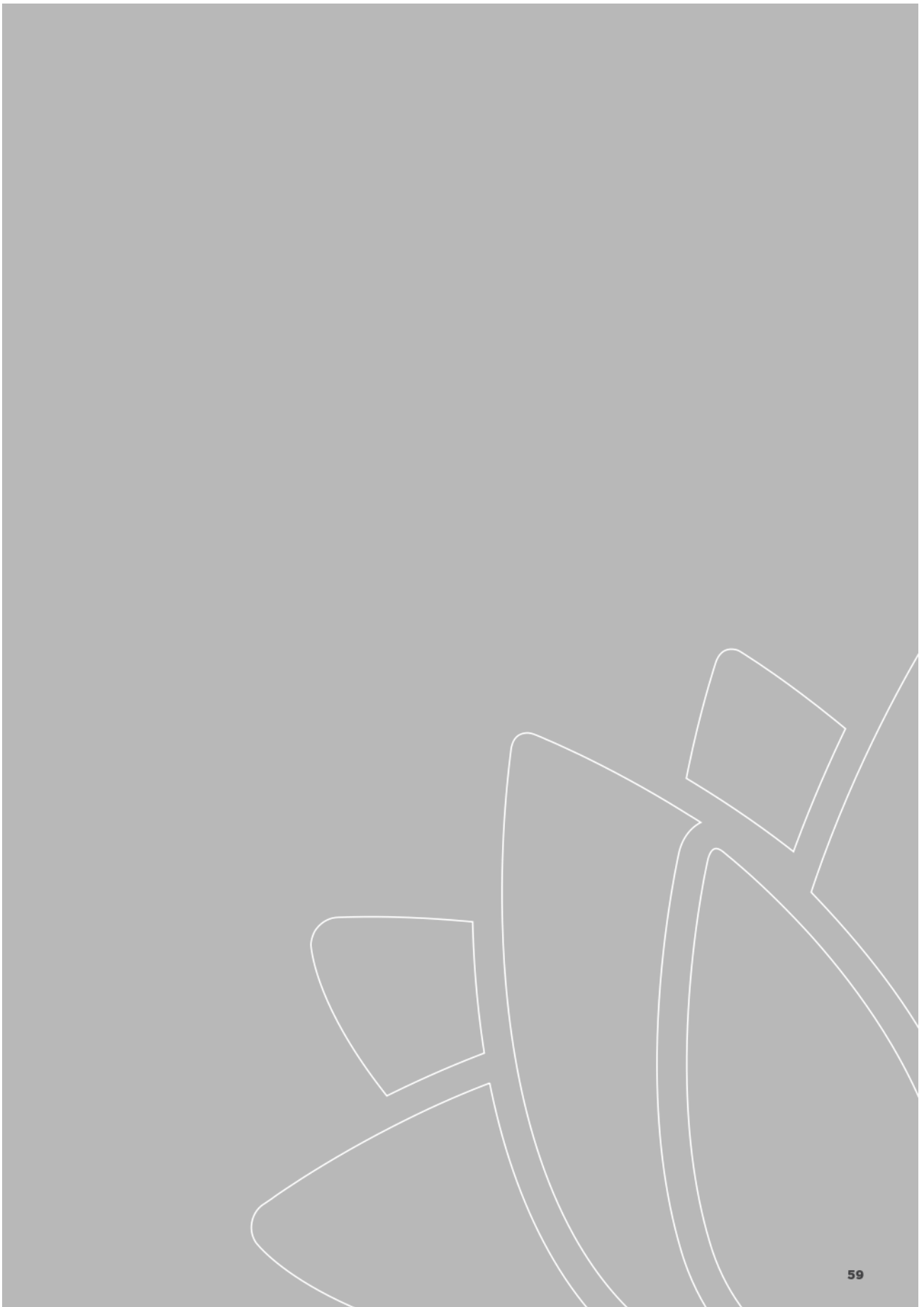
17.16 In seeking the leave of the chairperson under clause 17.15 to move to recommit a resolution adopted at the same meeting, the councillor is to propose alternative wording for the resolution.

17.17 The chairperson must not grant leave under clause 17.15, unless he or she is satisfied that the proposed alternative wording of the resolution would not alter the substance of the resolution previously adopted at the meeting.

17.18 A motion moved under clause 17.15 can be moved without notice. Despite clauses 10.19-10.27, only the mover of a motion referred to in clause 17.15 can speak to the motion before it is put.

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

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



Model Code Of Meeting Practice for Local Councils in NSW

18 Time Limits on Council Meetings

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- 18.1** Meetings of the council and committees of the council are to conclude no later than **[council to specify the time]**.
- 18.2** If the business of the meeting is unfinished at **[council to specify the time]**, the council or the committee may, by resolution, extend the time of the meeting.
- 18.3** If the business of the meeting is unfinished at **[council to specify the time]**, and the council does not resolve to extend the meeting, the chairperson must adjourn the meeting to a time, date and place fixed by the chairperson.
- 18.4** Clause 18.3 does not limit the ability of the council or a committee of the council to resolve to adjourn a meeting at any time. The resolution adjourning the meeting must fix the time, date and place that the meeting is to be adjourned to.
- 18.5** Where a meeting is adjourned under clause 18.3 or 18.4, the general manager must:
- (a)** individually notify each councillor of the time, date and place at which the meeting will reconvene, and
 - (b)** publish the time, date and place at which the meeting will reconvene:
 - (i)** on the council's website, and
 - (ii)** by using such other means that will bring notice of the time, date and place at which the meeting will reconvene to the attention of as many people as possible.

19 After the Meeting

Minutes of meetings

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

Note: Clause 19.1 reflects section 375(1) of the Act.

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

- (a) details of each motion moved at a council meeting and of any amendments moved to it,
- (b) the names of the mover and seconder of the motion or amendment,
- (c) whether the motion or amendment was passed or lost, and
- (d) such other matters specifically required under this code.

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

Note: Clause 19.3 reflects section 375(2) of the Act.

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 that subsequent meeting.

Note: Clause 19.5 reflects section 375(2) of the Act.

19.6 The confirmed minutes of a meeting may be amended to correct typographical or administrative errors after they have been confirmed.

19.7 The confirmed minutes of a council meeting must be published on the council's website. This clause does not prevent the council from also publishing unconfirmed minutes of its meetings on its website prior to their confirmation.

Access to correspondence and reports laid on the table at, or submitted to, a meeting

19.8 The council and committees of the council must, during or at the close of a meeting, or during the business day following the meeting, give reasonable access to any person to inspect correspondence and reports laid on the table at, or submitted to, the meeting.

Note: Clause 19.8 reflects section 11(1) of the Act.

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.

Note: Clause 19.9 reflects section 11(2) of the Act.

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

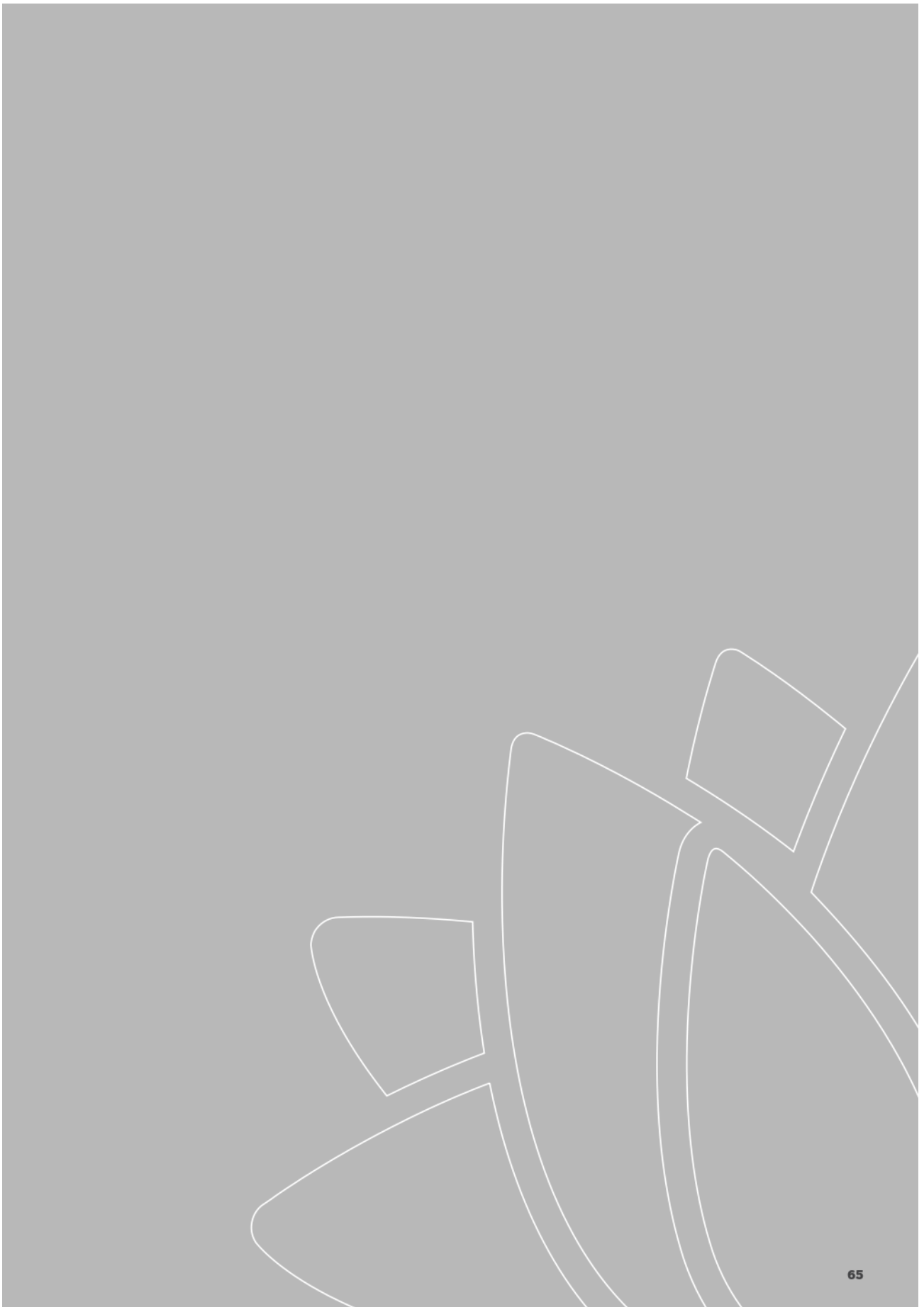
Note: Clause 19.10 reflects section 11(3) of the Act.

19.11 Correspondence or reports to which clauses 19.9 and 19.10 apply are to be marked with the relevant provision of section 10A(2) of the Act that applies to the correspondence or report.

Implementation of decisions of the council

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

Note: Clause 19.12 reflects section 335(b) of the Act.



20 Council Committees

Application of this Part

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

Council committees whose members are all councillors

- 20.2** The council may, by resolution, establish such committees as it considers necessary.
- 20.3** A committee of the council is to consist of the mayor and such other councillors as are elected by the councillors or appointed by the council.
- 20.4** The quorum for a meeting of a committee of the council is to be:
- (a) such number of members as the council decides, or
 - (b) if the council has not decided a number – a majority of the members of the committee.

Functions of committees

- 20.5** The council must specify the functions of each of its committees when the committee is established, but may from time to time amend those functions.

Notice of committee meetings

- 20.6** The general manager must send to each councillor regardless of whether they are a committee member, at least three (3) days before each meeting of the committee, a notice specifying:
- (a) the time, date and place of the meeting, and
 - (b) the business proposed to be considered at the meeting.
- 20.7** Notice of less than three (3) days may be given of a committee meeting called in an emergency.

Attendance at committee meetings

- 20.8** A committee member (other than the mayor) ceases to be a member of a committee if the committee member:
- (a) has been absent from three (3) consecutive meetings of the committee without having given reasons acceptable to the committee for the member's absences, or
 - (b) has been absent from at least half of the meetings of the committee held during the immediately preceding year without having given to the committee acceptable reasons for the member's absences.
- 20.9** Clause 20.8 does not apply if all of the members of the council are members of the committee.

Non-members entitled to attend committee meetings

20.10 A councillor who is not a member of a committee of the council is entitled to attend, and to speak at a meeting of the committee. However, the councillor is not entitled:

- (a) to give notice of business for inclusion in the agenda for the meeting, or
- (b) to move or second a motion at the meeting, or
- (c) to vote at the meeting.

Chairperson and deputy chairperson of council committees

20.11 The chairperson of each committee of the council must be:

- (a) the mayor, or
- (b) if the mayor does not wish to be the chairperson of a committee, a member of the committee elected by the council, or
- (c) if the council does not elect such a member, a member of the committee elected by the committee.

20.12 The council may elect a member of a committee of the council as deputy chairperson of the committee. If the council does not elect a deputy chairperson of such a committee, the committee may elect a deputy chairperson.

20.13 If neither the chairperson nor the deputy chairperson of a committee of the council is able or willing to preside at a meeting of the committee, the committee must elect a member of the committee to be acting chairperson of the committee.

20.14 The chairperson is to preside at a meeting of a committee of the council. If the chairperson is unable or unwilling to preside, the deputy chairperson (if any) is to preside at the meeting, but if neither the chairperson nor the deputy chairperson is able or willing to preside, the acting chairperson is to preside at the meeting.

Procedure in committee meetings

20.15 Subject to any specific requirements of this code, each committee of the council may regulate its own procedure. The provisions of this code are to be taken to apply to all committees of the council unless the council or the committee determines otherwise.

20.16 Without limiting clause 20.15, 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.

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

Closure of committee meetings to the public

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

20.19 If a committee of the council passes a resolution, or makes a recommendation, during a meeting, or a part of a meeting that is closed to the public, the chairperson must make the resolution or recommendation public as soon as practicable after the meeting or part of the meeting has ended, and report the resolution or recommendation to the next meeting of the council. The resolution or recommendation must also be recorded in the publicly available minutes of the meeting.

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

Disorder in committee meetings

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

Minutes of council committee meetings

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

- (a) details of each motion moved at a meeting and of any amendments moved to it,
- (b) the names of the mover and seconder of the motion or amendment,
- (c) whether the motion or amendment was passed or lost, and
- (d) such other matters specifically required under this code.

20.23 All voting at meetings of committees of the council must be recorded in the minutes of the meetings with the names of councillors who voted for or against a motion or amendment being recorded as if a division had been called under clause 11.6.

20.24 The minutes of meetings of each committee of the council must be confirmed at a subsequent meeting of the committee.

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

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

20.27 The confirmed minutes of a meeting may be amended to correct typographical or administrative errors after they have been confirmed.

20.28 The confirmed minutes of a meeting of a committee of the council must be published on the council's website. This clause does not prevent the council from also publishing unconfirmed minutes of meetings of committees of the council on its website prior to their confirmation.

21 Irregularities

- 21.1** Proceedings at a meeting of a council or a council committee are not invalidated because of:
- (a) a vacancy in a civic office, or
 - (b) a failure to give notice of the meeting to any councillor or committee member, or
 - (c) any defect in the election or appointment of a councillor or committee member, or
 - (d) a failure of a councillor or a committee member to disclose a conflict of interest, or to refrain from the consideration or discussion of, or vote on, the relevant matter, at a council or committee meeting in accordance with the council's code of conduct, or
 - (e) a failure to comply with this code.

Note: Clause 21.1 reflects section 374 of the Act.

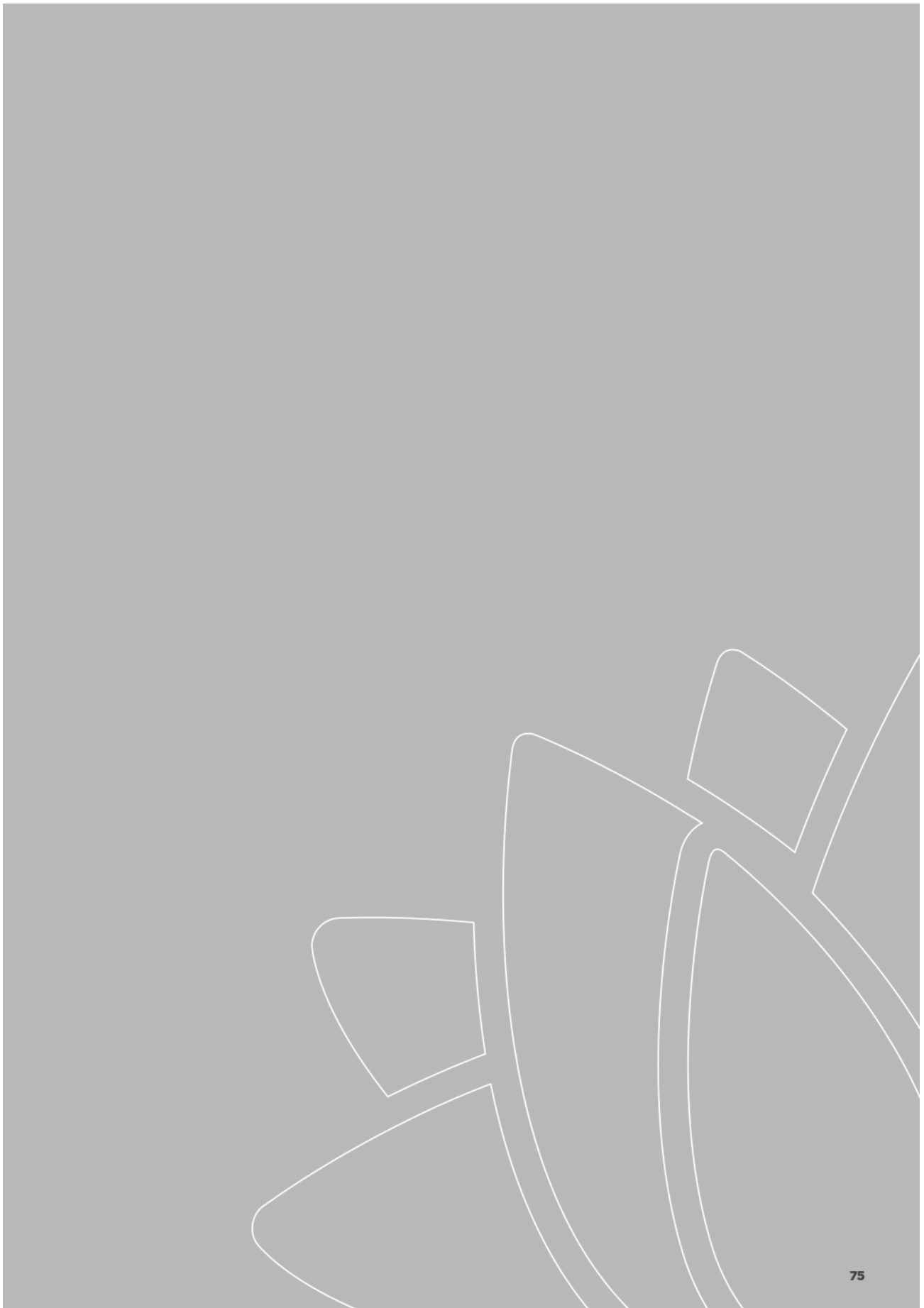
21 Definitions

December 2017

the Act	means the <i>Local Government Act 1993</i> .
act of disorder	means an act of disorder as defined in clause 15.10 of this code.
amendment	in relation to an original motion, means a motion moving an amendment to that motion.
business day	means any day except Saturday or Sunday or any other day the whole or part of which is observed as a public holiday throughout New South Wales.
chairperson	in relation to a meeting of the council – means the person presiding at the meeting as provided by section 369 of the Act and clauses 6.1 and 6.2 of this code; and in relation to a meeting of a committee – means the person presiding at the meeting as provided by clause 20.11 of this code.
this code	means the council's adopted code of meeting practice
committee of council	means a committee established by the council in accordance with clause 20.2 of this code (being a committee consisting only of councillors) or the council when it has resolved itself into committee of the whole under clause 12.1.
council official	has the same meaning as in the Model Code of Conduct for Local Councils in NSW and includes councillors, administrators, council staff, council committee members and delegates of the council.
day	means calendar day.
division	means a request by two councillors under clause 11.6 of this code requiring the recording of the names of the councillors who voted both for and against a motion.
foreshadowed amendment	means a proposed amendment foreshadowed by a councillor under clause 10.17 of this code during debate on the first amendment.
foreshadowed motion	means a motion foreshadowed by a councillor under clause 10.16 of this code during debate on an original motion.
open voting	means voting on the voices or by a show of hands or by a visible electronic voting system or similar means.
planning decision	means a decision made in the exercise of a function of a council under the <i>Environmental Planning and Assessment Act 1979</i> including any decision relating to a development application, an environmental planning instrument, a development control plan or a development contribution plan under that Act, but not including the making of an order under Division 2A of Part 6 of that Act.

Model Code Of Meeting Practice for Local Councils in NSW

performance improvement order	means an order issued under section 438A of the Act.
quorum	means the minimum number of councillors or committee members necessary to conduct a meeting.
the Regulation	means the <i>Local Government (General) Regulation 2005</i>
tape recorder	includes a video camera and any electronic device capable of recording speech, whether a magnetic tape is used to record or not.
year	means the period beginning 1 July and ending the following 30 June.





Councillor Induction and Professional Development Guidelines

December 2017



CONSULTATION DRAFT

CONSULTATION DRAFT

About these guidelines

The Councillor Induction and Professional Development Guidelines (the Guidelines) have been issued under section 23A of the *Local Government Act 1993* (the Act) to assist general managers and council staff to develop, deliver, evaluate and report on the induction and professional development programs they are required to provide mayors and councillors under the Local Government (General) Regulation 2005 (the Regulation). Councils are required to consider the Guidelines when undertaking these activities.

The Guidelines have also been developed to ensure mayors and councillors are aware of the knowledge, skills and personal attributes expected of them in their civic roles under the Act, and of the support their council should be providing to ensure they are able to effectively fulfil their roles.

THESE GUIDELINES ARE DIVIDED INTO FIVE PARTS:

Part 1 introduction

Part 2 explains the statutory requirements for **induction and professional development programs** for mayors and councillors in NSW.

Part 3 guides councils on how to develop and deliver **information sessions** to potential candidates considering nominating for election.

Part 4 guides councils on how to develop and deliver **induction programs** for newly elected and returning mayors and councillors.

Part 5 guides councils on how to develop and deliver **ongoing professional development programs** that ensure mayors and councillors continue to develop their skills and knowledge throughout their terms in office.

Part 6 outlines how councils are to **report** on the induction and professional development activities offered to mayors and councillors and their participation in those activities.

It is acknowledged that many NSW councils already have induction and ongoing professional development programs for mayors and councillors. It is also recognised that the needs and circumstances of councils vary, as do the skills and needs of individual mayors and councillors. The aim of the Regulation and the Guidelines is to ensure that all mayors and councillors across the state have access to such programs, and that the programs delivered by councils meet a consistent minimum standard. The Guidelines have therefore been designed to be used flexibly by councils and to accommodate, and in some cases build upon, existing programs.

These Guidelines include:

- details of the knowledge and skills that mayors and councillors are required to have or acquire in order to fulfil their roles effectively
- a framework for the development of pre-election information sessions for candidates, and induction and ongoing professional development programs for elected members
- information about the developmental stages of each program and what to consider at each stage, and
- checklists of the content that could be included in each program.

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Part 1: Introduction



Background

Mayors and councillors come from a diverse range of backgrounds and bring different knowledge, skills, perspectives and insights to their roles. This is one of the strengths of a democratic and representative system of local government.

However, few new mayors or councillors have extensive knowledge of the system of local government, how a council works or the full range of their roles and responsibilities when they assume office for the first time. Some are unaware of the need for mayors and councillors to work as a team, despite their political differences, to make decisions that are in the best interests of the community. There may be others who, if they had been fully aware, prior to their election, of the nature of the role of a mayor or councillor, and of the time commitment involved, may not have nominated to stand.

The role exercised by mayors and councillors is a very demanding one and the community rightly has high expectations of the performances of the mayor and councillors. As the governing body of the council, mayors and councillors must work together as a cohesive team to meet the needs of the community. The multi-faceted nature of the roles also requires mayors and councillors to have a wide variety of skills, experience and knowledge, along with the time, passion and commitment to achieve results for the community.

From their first council meeting, mayors and councillors will be required to work together to make important decisions on behalf of their communities, and to take responsibility for those decisions. These decisions will impact on local communities, the services and infrastructure delivered by the council, and the local natural and built environments. They will often involve significant use of public money. Proper induction into their roles, and the building of the governing body as a unified and collaborative team, are vital if mayors and councillors are to be effective from the start of their terms in office.

Some mayors and councillors may need to develop knowledge and skills in areas that are unfamiliar to them in order to undertake the breadth of their roles successfully. These may include, for example, understanding council meeting procedures, understanding land use planning regulatory requirements, or interpreting financial statements.

Even experienced mayors and councillors say they can find it challenging to keep abreast of changes to the legislative and policy context for local government as well as changes to their councils' policies and procedures.

Ongoing professional development and training, as well as early relationship building between councillors, is essential if the community is to be well served by their elected representatives on council.

Statutory requirements

The Act prescribes the roles and responsibilities of mayors and councillors collectively as the governing body of the council and as individual members of the governing body. It also places a responsibility on each mayor and councillor to make all reasonable efforts to acquire and maintain the knowledge and skills necessary to perform their roles.

To assist mayors and councillors to meet this obligation, the Regulation requires general managers to deliver induction and professional development programs that will help mayors and councillors to acquire and maintain the knowledge and skills necessary to perform their roles. Mayors and councillors have a reciprocal obligation to participate in these programs.

Part 2 of these Guidelines further explains what is required of councils, mayors and councillors under the Regulation.

Each council is required to publicly report on the activities offered to the mayor and councillors as part of council's induction and professional development programs, and their participation in those activities. **Part 6** of these Guidelines outlines these reporting requirements.

Induction and professional development – an overview

Pre-election candidate information sessions

Whilst not a regulatory requirement, it is recommended that general managers begin induction and professional development activities by holding at least one candidate information session prior to the election for people considering nominating for election.

These sessions should be designed to ensure potential candidates are fully aware and informed of what will be expected of them if they are elected. **Part 3** of these Guidelines provides more information about how each council should develop and deliver candidate information sessions.

Induction programs

An induction program is a process used within many businesses, government agencies and non-government bodies to welcome new people to an organisation and to prepare them for their new roles.

It ensures the organisation provides a person commencing a role with all the information they need to do their job in the first few months. It also enables the person to become a useful, integrated member of the organisation, rather than being 'thrown in at the deep end' without understanding how to perform their role, or how it fits in with the rest of the organisation.

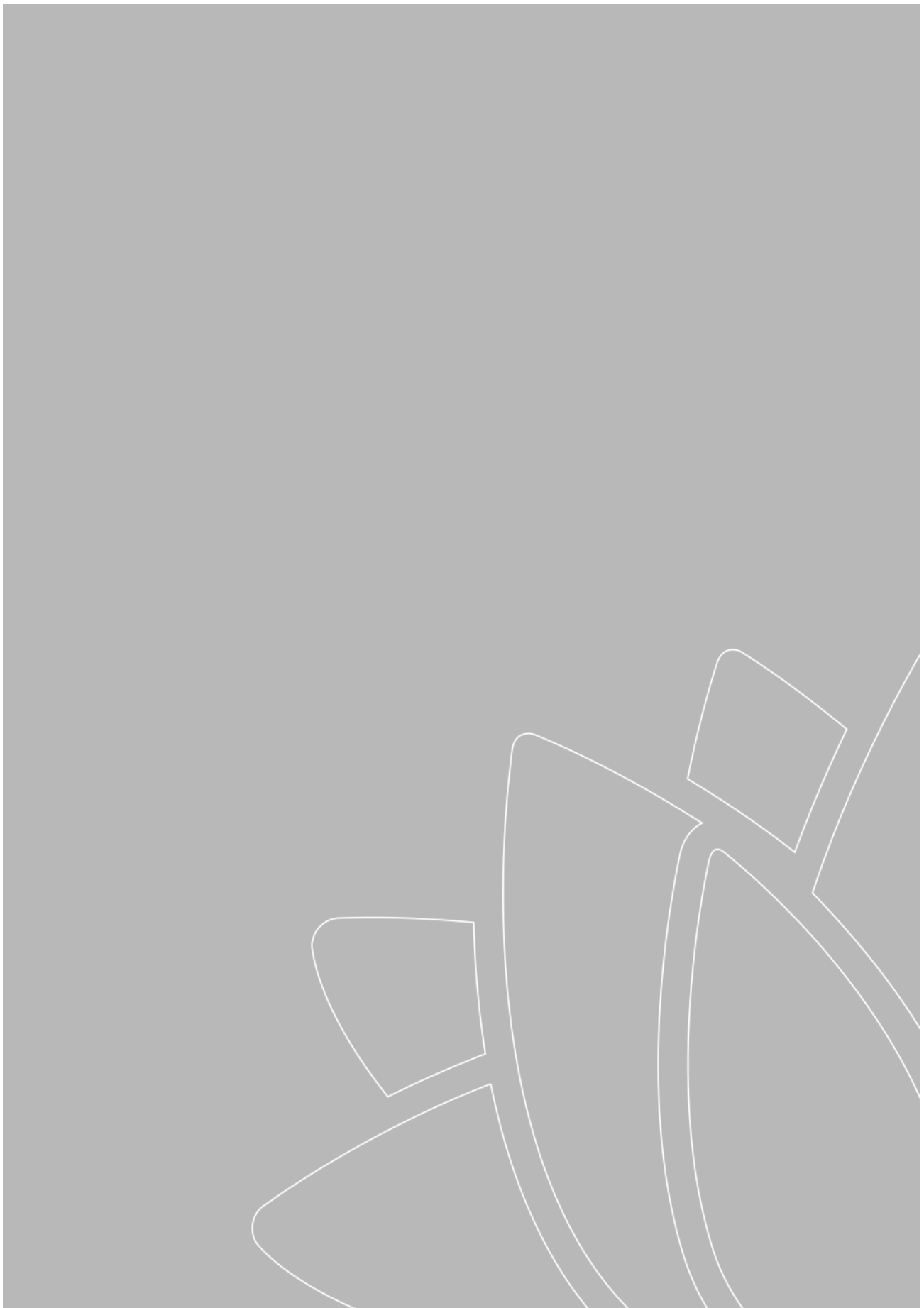
A good councillor induction program can build early positive relationships and teamwork between councillors, increase productivity and provide essential knowledge from the moment a mayor or councillor is elected. This can ensure newly elected mayors and councillors are more productive in a shorter period of time.

Part 4 of these Guidelines outlines how each council should develop its councillor induction program.

Professional development programs

A professional development program is any program which involves a deliberate and ongoing process of improving and increasing the professional knowledge, competence, skill and effectiveness of people in the workplace through training specific to their needs.

In local government, an effective professional development program can ensure mayors and councillors fill any skills or knowledge gaps they have that may otherwise prevent them from making the best possible contributions to their communities. **Part 5** of these Guidelines outlines how each council should develop its councillor professional development program.



Part 2: Statutory Context



Under section 232(1)(g) of the Act, all mayors and councillors have a responsibility to make all reasonable efforts to acquire and maintain the skills necessary to perform their roles.

To support this, the general manager is required under clause x of the Regulation to ensure the delivery of:

- an **induction program** for newly elected and returning councillors and a specialised supplementary induction program for the mayor within six months of their election, and
- an **ongoing professional development program** for the mayor and each councillor over the term of the council to assist them to acquire and maintain the skills and knowledge necessary to perform their roles. The content of the ongoing professional development program is to be determined in consultation with the mayor and each councillor. It must be needs-based and reflect the specific skills and knowledge required by the mayor, each individual councillor and the governing body as a whole, to perform their roles effectively.

Under the Regulation, mayors and councillors must make all reasonable efforts to participate in the activities offered to them as part of an induction or professional development program.

Principles, roles and responsibilities under the Act

Councils are required to apply the five sets of guiding principles prescribed under the Act in exercising their functions. These principles (outlined in **Appendix A**) seek to ensure that each council carries out its functions in a way that facilitates the creation of a strong, healthy and prosperous local community. Mayors and councillors must understand these principles and be able to apply them when exercising their functions.

The Act also prescribes the roles and responsibilities of mayors and councillors, both collectively as the governing body of the council, and individually as members of the governing body (these are outlined in

Appendix B). Mayors and councillors must have a strong understanding of their prescribed roles and responsibilities under the Act in order to be able to fulfil them.

Councils must design their induction and professional development programs to ensure that mayors and councillors have the knowledge and skills needed to apply the guiding principles, and to undertake their roles and responsibilities prescribed under the Act.

Reporting requirements

Mayors and councillors are ultimately accountable to the community that elects them for the performance of their duties.

To facilitate this accountability, the general manager is required under clause x of the Regulation to report to the first council meeting held after the induction program is delivered:

- the activities offered to the mayor and each councillor as part of the induction program, and
- whether or not the mayor and each councillor participated in them.

The general manager is also required to report to the first council meeting held after 30 June each year:

- the ongoing professional development activities that were offered to the mayor and each councillor in the year to 30 June, and
- whether or not the mayor and each councillor participated in these activities.

The general manager is also required to ensure these reports are published on the council's website.

The Chief Executive of the Office of Local Government may, at the request of the general manager, exempt the council from the requirement to publish details of induction and ongoing professional development activities offered to the mayor or an individual councillor where he or she is satisfied that there are exceptional circumstances.

Part 3:

**Pre-election Information Sessions
for Potential Candidates**



Benefits of a pre-election candidate information session

It is vital that people who are considering nominating for election to a council have a solid understanding of the role before they nominate. This includes an understanding of what will be expected of them should they be elected, and the legislative boundaries they must work within.

Being fully informed will ensure that candidates who nominate have seriously considered whether they have the skills and personal attributes required to fulfil the responsibilities of civic office (noting that the specific knowledge required can be developed if these skills and personal attributes are present). Being fully informed will also assist them to judge whether they will be able to effectively meet the demands of representing their community on council.

The general manager should therefore ensure that at least one candidate information session is held prior to nomination day for people considering nominating for election to council.

The benefits of a pre-election information session/s include:

- candidates being fully informed about the:
 - roles and responsibilities of a mayor and/or councillor
 - the legislation and council policies they are expected to comply with
 - time commitment required, and
 - the skills, knowledge and personal attributes needed.
- candidates being given the opportunity to learn from experienced mayors and councillors
- candidates being given the opportunity to ask council any questions about the role
- candidates being aware of the financial and other support available to them to fulfil the role of a mayor and/or councillor

- candidates understanding that their behaviour as a mayor and/or councillor will be governed by council's code of conduct and that there are penalties for breaches
- council being able to provide potential candidates ahead of time the key dates of any known events that they will be required to participate in during council's term if they are elected (for example, council meetings, induction) so that candidates may then make tentative arrangements to enable them to attend the induction program if they are elected
- the community benefiting from each candidate seeking election based on a platform that reflects what they can and cannot do or achieve as councillor, and
- reduced tension and conflict due to newly elected mayors and councillors having a better understanding of their roles and what can be achieved by a unified governing body.

Delivering a pre-election candidate information session

Timing

Councils should plan to hold at least one candidate information session before the deadline for nomination. The session/s could be held at council premises, or another appropriate public venue/s, at a convenient time that will enable as many potential candidates as possible to attend. For councils divided into wards, consideration should be given to holding sessions in different wards.

Councils will need to ensure that the details of the candidate information session/s are well advertised in the local community (for example, the council's website, local radio, social media, newspapers, and/or any other effective means) so that any potential candidates are aware the information session/s is being held.

Councillor Induction And Professional Development Guidelines

Content

A checklist of the content to be included in a candidate information session/s is provided in **Appendix C**. Recommended content covers:

- the role of council
- the roles and responsibilities of the governing body and mayor and councillors, and of the general manager and other staff
- legal and ethical responsibilities
- the time commitment required of a mayor and councillor
- the support available to assist the mayor and councillors in their roles, and
- the knowledge, skills and personal attributes required to successfully fulfil the roles of mayor and councillor.

The NSW Electoral Commission provides a range of information and educational resources about the election process and the legal obligations of candidates when nominating and campaigning. More information can be found at www.elections.nsw.gov.au and www.votensw.info.

Delivery

The candidate information session/s should be delivered by the person who is best able to engage attendees and deliver the content in a way that will achieve the outcomes sought. This person could be the general manager, another staff member or an external provider. The general manager should be present, however, to answer any questions.

Previous or current mayors or councillors may also be invited to provide overview/s of their experience in council, and any significant issues they think potential candidates should consider before deciding whether to nominate. This could take the form of an informal talk, a panel discussion or a councillor question and answer session.

Consideration should be given to which delivery method, or combination of delivery methods, would best suit the information being conveyed and should recognise that attendees are likely to have a variety of learning styles.

Candidate information pack

Councils should prepare a candidate information pack for attendees that provides key information for continued consideration after the session/s. This can take the form of printed material presented in a folder that potential candidates can take away and read, or a dedicated section on council's website that provides all the necessary information. The pack can also include any relevant information or resources made available by external bodies. The NSW Electoral Commission, for example, provides a range of educational resources that guide candidates through the election process.

Cost

The cost of the information session/s should be covered by council's councillor induction and professional development budget.

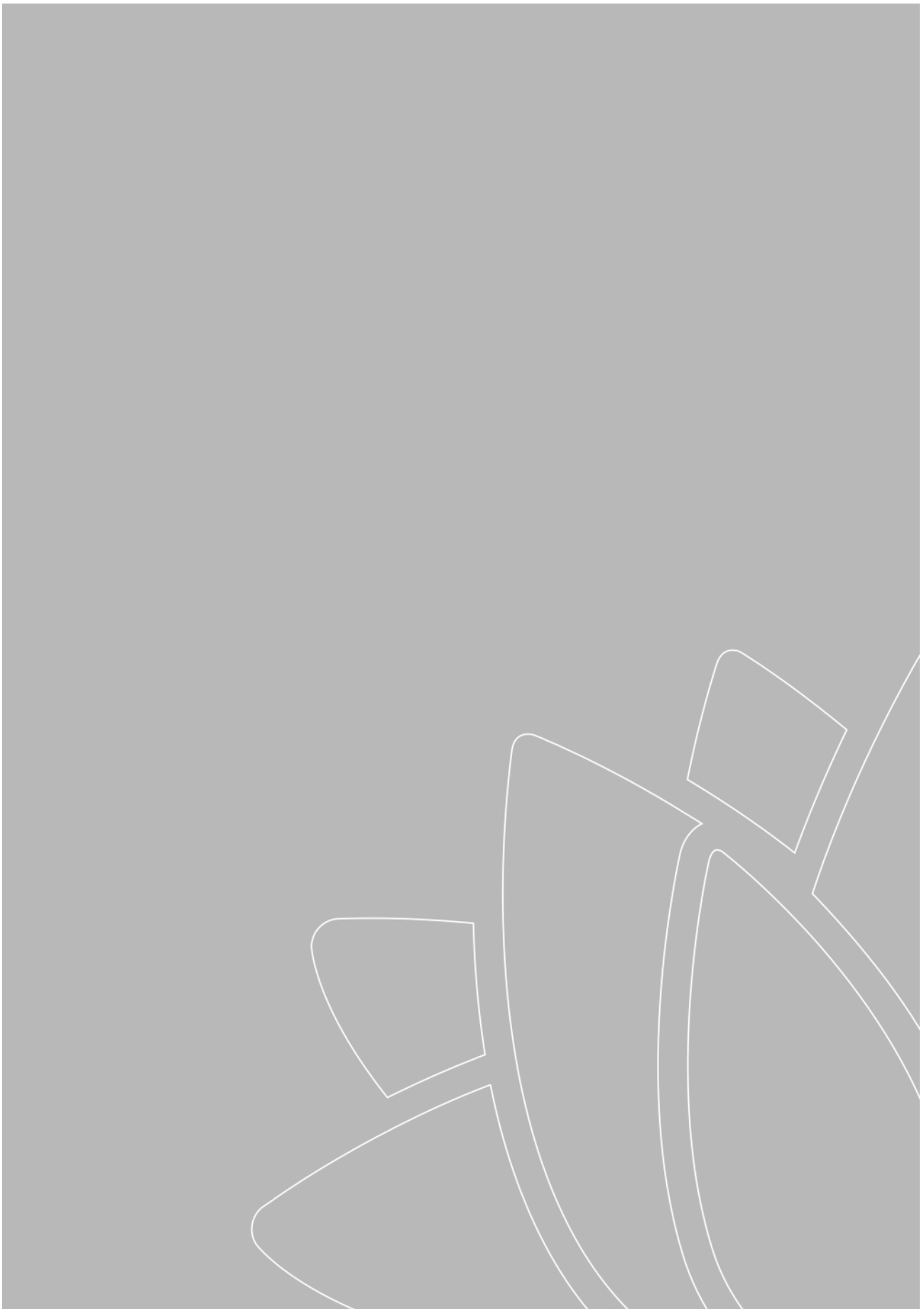
Evaluation

The information session/s should be evaluated by council to determine how effective it was in helping potential candidates understand what is involved in being a councillor or mayor, and to enable them to assess their suitability for these roles.

The outcomes achieved from the information session/s should include, at a minimum, potential candidates fully understanding:

- the roles and responsibilities of a councillor and mayor, including the personal attributes, skills and knowledge needed to perform these roles effectively
- the legislation, code of conduct and other council policies they will need to comply with
- the time commitment that will be required from them, and
- the financial and other support available to them to fulfil the role of a mayor and/or councillor.

The evaluation should assess whether these outcomes were achieved.



Part 4:

**Induction Program for Mayors
and Councillors**



Benefits of a councillor induction program

An induction program enables the mayor and councillors to quickly become familiar with how the council works, the rules under which it operates and the complexities of the roles. It is a vital way to ensure new and returning mayors and councillors get the information they need to be effective leaders from the very beginning of the council's term.

It is important that an induction program is not simply used to present dry facts. It is also a vital opportunity to talk with councillors and the mayor about the accepted values and behaviours of the council that they have become a part of.

The induction program is also an invaluable opportunity to sow the seeds for a governing body that functions as a strong, collaborative team. It provides the chance for the mayor and each councillor to understand what motivated their new colleagues to become councillors, and to bond as a team with a common focus on making a difference for the community. It can also be used as an opportunity to have early conversations about how they would like to operate as a team to work towards common goals and to identify success factors for council and the community.

In this way, an induction program also provides an opportunity to set a positive tone for the governing body, establish clear roles and responsibilities and build trust and positive working relationships from the outset. This lays the foundations for a successful, collaborative and cooperative term in office for new mayors and councillors.

The induction program will benefit mayors and councillors by:

- providing them with access to essential information in a structured and consistent way that will assist them to function well in their role and to make informed and effective decisions from the start of their term in office

- enabling more active and rapid participation in the business of the council
- enabling them to meet, build rapport, share knowledge and experiences, and form positive working relationships with each other
- identifying common goals and a shared vision as a governing body
- introducing councillors to staff to help break down any 'us and them' divide and create one team working for the community whilst still recognising the legislated separation between the two groups
- providing an opportunity for appropriate role models and mentoring relationships to be established between experienced mayors and councillors and new councillors
- helping participants to understand key legislation
- helping participants to understand their prescribed roles and responsibilities
- briefing them on the 'big picture', and providing them with a clear understanding of council's health and performance
- enabling them to understand and agree on the key issues and tasks for the new council, and to build a vision for the governing body's term
- enabling them to understand key council information, policies and procedures
- enabling them to understand the council and the local government area
- enabling them to feel empowered with key information about the integrated planning and reporting processes and their opportunities for influence, and
- increasing their self-confidence in their ability to perform their roles.

Returning councillors

Because local government is complex and subject to change, the mayor and all councillors, both new and experienced, should attend council's induction program at the commencement of each term.

Councillor Induction And Professional Development Guidelines

Whilst returning councillors may already know much of the information provided in the induction program, their attendance at these sessions will demonstrate to new councillors that their roles and responsibilities are important. Returning councillors can also contribute valuable information and lessons learnt from previous council terms, and help build a positive and collaborative culture for the new governing body.

Important aspects of the induction program include building trust and positive relationships between the members of the new governing body, establishing working bonds and determining how they can work together as a team. All councillors need to be part of this process.

Delivering a councillor induction program

Planning

Councils should aim to have their induction programs finalised in time to provide potential candidates the proposed induction timetable at the candidate information sessions. Candidates can then make tentative arrangements to enable them to attend the induction program if they are elected.

It is important that councillors feel welcome when they start their terms. This will send a supportive message that builds on the positive culture being encouraged for the governing body. Council should also ensure that the resources each councillor and the mayor needs are set up and ready when they start. This includes any IT equipment, office facilities or other necessary resources that will ensure they are productive from their first day in office.

Timing

The Regulation allows a maximum of six months for the delivery of the induction program to provide councils the flexibility to develop an approach that best meets the needs of its mayor and councillors.

The first induction training session should take place as soon as possible after the results of the election are declared and prior to the first council meeting. It should aim to provide councillors with the information they need to function in their roles, including in meetings, until the rest of the induction program is delivered. The rest of the induction program must be delivered within six months of the polls being declared.

The delivery of the components of the induction program should be timed to reflect the information the councillors and the mayor need in the first week, the first month and the first three months of council. In addition, the relevant components of the induction program should be delivered before the review of the council's community strategic plan, and before the adoption of its delivery program.

Some councils prefer to deliver the full induction program as soon as possible to provide councillors with all of the information and induction training they need from the start of their term in office. However, this approach runs the risk of councillors feeling overloaded with information.

Other councils prefer to deliver the induction program approximately six weeks after the election so that new councillors have the opportunity to gain some practical experience first. However, this approach runs the risk of councillors not being effective or lacking confidence during the weeks preceding the induction training.

Alternatively, some councils choose to do a mixture of these approaches by staging the induction program over a number of weeks. Ultimately, the optimum timing for delivery of an induction program will vary depending on local circumstances.

Content

A checklist of recommended content for induction programs for councillors and a supplementary program for mayors is provided at **Appendix D**.

Induction Program for Mayors and Councillors

There should be two core components of council's induction program:

- a knowledge-based component that ensures new mayors and councillors have the information they need to undertake their roles during the first few weeks of their term, and
- a team-building component designed to bring councillors together to form a collaborative, positive and united governing body.

Knowledge component

In the first few weeks in particular, new mayors and councillors will need to know:

- their roles, responsibilities and legislative obligations
- what the council does and how the council operates, including an overview of integrated planning and reporting and land use planning
- their financial management responsibilities
- the key issues and tasks for the new council
- the legislation, rules, principles and political context under which councils operate
- the council's organisational structure and the roles and responsibilities of staff
- key council policies and procedures they must comply with
- the role of council meetings and how to participate effectively in them
- the support available to the mayor and councillors, and where they can go to get more information or assistance
- how to speak to the media appropriately and effectively, and
- information on the process for electing the mayor (where applicable).

Mayors will also need to know:

- the roles and responsibilities of the mayor as leader of the council, including ceremonial functions
- how to chair council meetings
- the role and functions of regional and other external bodies council is a member of
- how to oversee the general manager, including understanding recruitment processes and leading performance reviews
- how to lead council's integrated planning and reporting, and
- how to manage code of conduct complaints about the general manager.

Team building component

Team building activities should be held, where necessary, depending on the relationships that exist between councillors and how they are likely to function as a team. The activities should aim to ensure mayors and councillors, as a governing body, understand the need to:

- build relationships with each other based on trust and mutual respect
- contribute to a positive and ethical culture within the governing body
- encourage and facilitate collaboration with each other
- work towards consensus as members of the governing body for the benefit of the community
- win concessions without damaging relationships within the governing body
- champion and communicate the council's vision and strategic plans as a cohesive team
- respect the diversity of skills and experiences on the governing body, and
- communicate and uphold the decisions of council in a respectful way, even if their own positions are not adopted.

Councillor Induction And Professional Development Guidelines

Activities should also help the mayor, as the leader of the governing body, to:

- act as a stabilising influence and show leadership, and
- promote a culture of integrity and accountability within council and when representing council in the community and elsewhere.

Structure and delivery

Each component of the induction program should be presented by the person who is best able to deliver the content and achieve the outcomes sought. This could be the general manager, another staff member or an external provider. Previous or current mayors or councillors may also be invited to provide an overview of their experiences on council, as might an experienced former or current mayor from outside the council.

The induction program should be conducted in a way that avoids the mayor and councillors being overloaded with information, particularly if this is at the expense of team building. This may be achieved by limiting the length of sessions, having a number of short sessions rather than one longer session and/or through the use of a range of delivery modes and materials.

Some councils structure their councillor induction programs intensively over two or more days – possibly a weekend – while others choose to hold shorter, evening sessions over several weeks. Others choose a combination of these two approaches.

When planning and delivering their induction programs, councils may consider making use of resource sharing arrangements with other councils, including Joint Organisations or Regional Organisations of Councils. For example, one part of the induction may be provided at the regional level to cover the more generic and regional issues, and another part within the council may cover local issues, policies and procedures. Printed and face-to-face training resources could also be utilised.

The Office of Local Government also offers 'Hit the Ground Running' workshops, held shortly after each council election, which councils may wish to include in their induction program.

Consideration should be given to which delivery method, or combination of methods, would best suit the information being conveyed and the different learning styles of councillors. Options could include:

- intensive blocks over two or more days (including weekends)
- evening or dinner sessions over several weeks
- a mix of regional and local level induction sessions
- informal briefings from the general manager and other senior staff
- guest speakers and presenters from other councils, state government agencies or other local government groups
- a guided tour of the council's administration building/s, depot, council facilities and local government area
- in-house workshops by council staff and/or professional training providers
- seminars and conferences
- panel discussions
- a mock council meeting or meetings
- training booklets and discussion papers distributed to councillors to work through at their own pace, and/or
- online information and training resources.

Where possible, presentations should be supported by written materials, including an induction manual or handbook that councillors can retain and refer to.

Induction manual

Councils should develop an induction manual or handbook to support councillors in the first weeks following the commencement of the council's term of office. This resource may also include relevant background reference material for the longer term, and printed or online resources specifically developed for new councillors. It could also include a copy

of the Councillor Handbook which has been developed by the Office of Local Government for councillors. The induction handbook may be provided prior to, at or after induction training.

How the information is presented in the induction manual will affect how useful it is. For example, some councils have found that a manual is most likely to be used if the information is presented in a folder. Some councils may consider also providing the information as an online resource. An online resource may be easier for councils to keep updated and can make topic searching easier for users.

Appendix E provides a checklist of the content that could be included in an induction manual or online resource. Recommended content includes:

- basic information about the council
- profiles (demographic, economic etc.) of the local government area
- information about council meetings
- key planning and policy documents and information
- key legislation
- information about support for councillors, and
- other useful resources, such as Bluett's Local Government Handbook NSW, and/or details about where they may be accessed.

It is suggested that online resources include hyperlinks to electronic versions of any plans, policies or other documents referred to in the councillor induction manual.

Cost

The cost of the induction program should be budgeted for within the council's councillor induction and professional development budget.

By-elections

Under the Regulation, an induction program must also be delivered by a council for any newly elected mayor or councillor who joins the council as a result of a by-election to fill a casual vacancy.

Evaluation

Council should evaluate the induction program to determine what elements worked well and whether there were any deficiencies that need to be addressed.

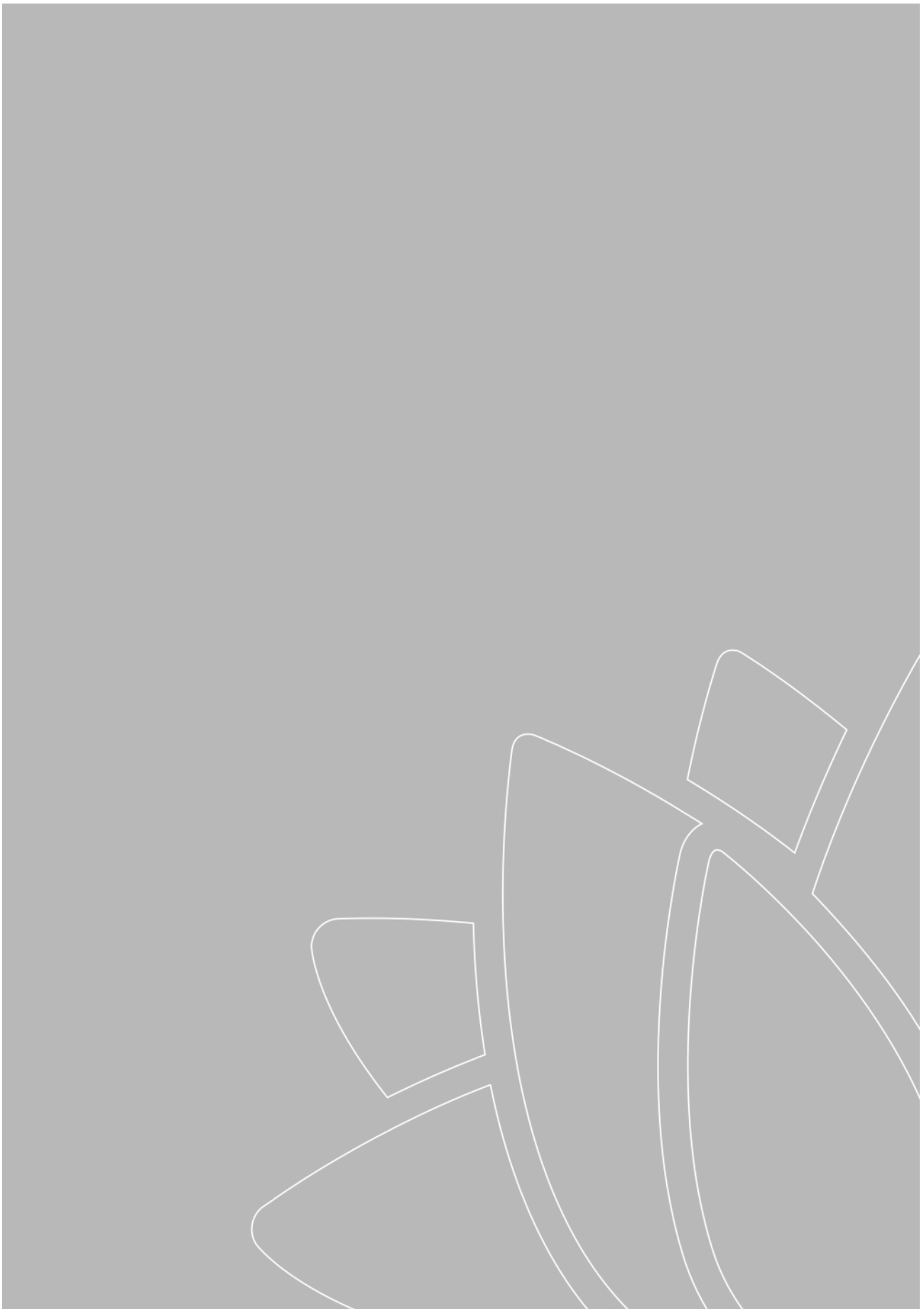
The methodology for the evaluation should be determined when the induction program is being developed to ensure that relevant data is collected. At a minimum, the evaluation should assess whether the induction program resulted in councillors and the mayor:

- understanding the need to build trusting and positive relationships with a common purpose as a team of councillors
- understanding the need to build a cohesive and positive culture for the governing body
- understanding the need to build a positive working relationship with the general manager and other staff
- understanding their roles and the roles of internal and external stakeholders, and feeling confident in their ability to perform their roles
- understanding key council information and how council works
- being aware of all relevant legislation and council policies and procedures, and being committed to complying with them
- understanding the key issues and tasks for the new council
- being able to make informed and effective decisions from the start of their term in office
- being able to effectively participate in council meetings and apply meeting rules correctly from the start of their term in office
- being able to fulfil their integrated planning and reporting responsibilities, including financial management responsibilities
- knowing how to speak to the media appropriately, and
- feeling confident in understanding and using financial information to manage council's finances.

Councillor Induction And Professional Development Guidelines

In the case of the mayor, being able to:

- act as a stabilising influence and show leadership in times of crisis
- build a positive working relationship with the general manager
- oversee the general manager, including leading recruitment processes and performance reviews
- chair council meetings
- undertake his or her ceremonial functions
- lead the council's integrated planning and reporting, and
- manage code of conduct complaints about the general manager.



Part 5:

**Professional Development Program
for Mayors and Councillors**



Benefits of a professional development program for mayors and councillors

Ongoing professional development for mayors and councillors is an investment which will enhance the effectiveness of a council's performance in achieving its goals.

The benefits of an ongoing professional development program for councillors and mayors include:

- mayors and councillors representing their communities to the best of their ability
- mayors and councillors feeling confident and supported in their roles
- the governing body making decisions based on a full understanding of all the key issues and consequences
- improved performance of council overall
- greater understanding of, and compliance with, legal responsibilities
- better management of the council's finances and resources, and
- mayors and councillors developing skills and knowledge that they can take into their personal and professional lives.

Enshrine commitment in council policies

Each council needs to enshrine its commitment to the ongoing professional development of mayors and councillors in all relevant council policies. This will ensure that this commitment is embedded in council's values and operations, and that an effective ongoing professional development program is implemented.

Policy on the provision of expenses and facilities to councillors

Each council's ongoing professional development program should be accommodated by and reflected in its councillor expenses and facilities policy. The expenses and facilities policy should make clear and adequate provision for relevant training and professional development activities as legitimate expenses.

Other mechanisms

Councils may also wish to consider other mechanisms to reinforce their commitment to ongoing professional development for the mayor and councillors, and they may wish to develop a structured approach for realising this commitment in practice.

This may be done through developing and adopting a resolution or a charter as a statement of commitment to support ongoing professional development for the mayor and councillors.

Alternatively, councils may wish to develop and adopt a councillor training and professional development policy. A model policy is provided in **Appendix F**.

Development of a training and professional development plan

As part of council's professional development program, council should develop a professional development plan for the mayor and each councillor. The plan should be developed in consultation with the mayor, each individual councillor and the governing body as a whole, and the general manager.

Councillor Induction And Professional Development Guidelines

Depending on the needs of the council and the governing body, council's professional development program could comprise:

- generic activities delivered to all councillors which address the needs of council (identified in council's needs analysis), with a supplementary program for the mayor, or
- an individualised program for each councillor or mayor which caters to their specific professional development needs, and which addresses the skills and knowledge gaps that the councillor or mayor is identified as having, or
- a generic program that offers activities to meet council's skill and knowledge requirements, supplemented with individual activities to meet the specific needs of individual councillors or groups of councillors and the mayor.

The program can span the council's term, with individual activities implemented over time according to priority.

Needs analysis

The first step in creating a professional development plan is to identify any gaps in the knowledge and skills required by the mayor and each councillor to perform their roles and responsibilities effectively. These needs should be assessed individually for the mayor and each councillor, and for the governing body as a whole.

To do this, each council will first need to conduct a needs analysis prior to each new council term to determine what knowledge and skills their mayor and councillors must have to effectively serve their local community.

The knowledge and skills listed in **Appendix G**, together with any additional needs a council may have (for example, specific services or particular environmental, social or economic challenges facing their community), should form the basis of this needs analysis.

Assessment of skills and knowledge gaps

Once the council has determined the knowledge and skills required of the mayor and councillors, an assessment should be undertaken of what skills and knowledge the mayor and each councillor bring to their roles. The assessment should identify areas where they require development. This should be done for both new and experienced mayors and councillors.

Council, the mayor and councillors can use information obtained through a range of activities to identify any gaps. Examples of information sources include: self-assessments, questionnaires, councillor feedback, observations during council meetings and workshops, and interviews.

Any deficit identified through the assessment process should form the basis of the professional development plans for the mayor and councillors.

Structure and timing

Councillors' professional development plans should outline:

- the outcome of council's needs analysis
- the knowledge and skills the councillor or mayor brings to their role
- the development needs of each councillor or mayor
- the priority given to each development need
- how the knowledge or skill will be developed (i.e. on-the-job training, mentoring, internal training, external training, briefing session etc.)
- timeframes for development
- who is responsible for organising training/development
- approval processes, and
- estimated costs.

The timing of the delivery of each component of the professional development plans for the mayor and councillors should be designed in such a way so as to not overload councillors with learning activities in the early part of council's term. The timing should reflect what knowledge and skills councillors and the mayor need at various points in council's term to undertake their roles.

For example, council should ensure that the mayor and councillors have acquired the knowledge and skills necessary to effectively contribute to the review of the community strategic plan and the development of the delivery program before these activities are undertaken.

Delivery

A range of delivery methods and materials should be used to support the training and development needs of the mayor and councillors, recognising the varied learning styles councillors may have. These could include:

- in-house workshops, seminars and briefing sessions conducted by the council with appropriate staff, trainers and guest speakers
- workshops, seminars and conferences for mayors and councillors offered by external training providers and industry bodies
- printed material, including training booklets and discussion papers, that may be distributed to councillors for information, and
- online training courses and webinars.

Councils could also consider making use of resource sharing arrangements with other councils, including Joint Organisations and Regional Organisations of Councils.

Each councillor's professional development plan should outline possible delivery methods for each training need identified.

Cost

Each year the council should allocate a budget to support professional development activities to be undertaken in that year. Progress against expenditure of the budget allocation should be reported on a quarterly basis as part of the budgetary cycle.

Councils will need to determine the size of the budget allocation, which may change annually, depending on training needs. It is to be expected that costs will be higher in the first year of council's term due to the need to deliver candidate information sessions and the induction program. The delivery program financial estimates and the Long Term Financial Plan will reflect the varying training and development budget requirements over the term of the council.

Evaluation

As with the pre-election information session and the councillor induction program, the professional development program should be evaluated to assist the council to determine the program's effectiveness and to identify areas of possible improvement.

The outcomes of the professional development program should, at a minimum, include councillors and mayors demonstrating the core skills and knowledge areas listed in council's needs analysis.

The evaluation should assess whether these outcomes were achieved.

Part 6:
Public Reporting



Holding elected office in a council is a role that carries with it significant responsibilities. All holders of elected offices in councils owe it to the communities that entrust them with this responsibility to ensure that they hold and maintain the knowledge and skills necessary to exercise their functions effectively on behalf of the community.

Mayors and councillors are ultimately accountable to the community that elects them for the performance of their functions. For this reason, councils are required to publicly report on the activities offered to the mayor and each councillor as part of induction and professional development programs and their participation in those activities.

In the case of induction programs, the general manager must prepare a report for the first council meeting held after the induction program is delivered. The report must identify the activities offered to the mayor and each councillor as part of the induction program and indicate whether they participated in them.

In the case of ongoing professional development programs, general managers must prepare a report to the first council meeting held after 30 June in each year. The report must identify the professional development activities offered to the mayor and each councillor in the year to 30 June and indicate whether they participated in them.

The general manager is also required to ensure these reports are published on the council's website.

Under the Regulation, the Chief Executive of the Office of Local Government may, at the request of a general manager, exempt a council from the requirement to publish details of induction and professional development activities offered to the mayor or an individual councillor where he or she is satisfied that there are exceptional circumstances.

Such an exemption would be likely to be granted in circumstances where the public reporting of a development activity offered to a mayor or councillor would cause them undue embarrassment, may serve to deter them from identifying a training or development need, or where there are other compelling public interest grounds not to do so.

Appendix H of these Guidelines provides a suggested template for public reporting on participation in induction and ongoing professional development program activities.

Appendix A: Guiding Principles for Councils



General principles (section 8A(1))

Councils should:

- provide strong and effective representation, leadership, planning and decision-making
- carry out functions in a way that provides the best possible value for residents and ratepayers
- plan strategically, using the integrated planning and reporting framework, for the provision of effective and efficient services and regulation to meet the diverse needs of the local community
- apply the integrated planning and reporting framework in carrying out their functions so as to achieve desired outcomes and continuous improvements
- work cooperatively with other councils and the state government to achieve desired outcomes for the local community
- manage lands and other assets so that current and future local community needs can be met in an affordable way
- work with others to secure appropriate services for local community needs
- act fairly, ethically and without bias in the interests of the local community, and
- be responsible employers and provide a consultative and supportive working environment for staff.

Decision-making principles (section 8A(2))

Councils should:

- recognise diverse local community needs and interests
- consider social justice principles
- consider the long-term and cumulative effects of actions on future generations, and
- consider the principles of ecologically sustainable development

Council decision-making should be transparent and decision-makers are to be accountable for decisions and omissions.

Community participation principle (section 8A(3))

Councils should actively engage with their local communities, through the use of the integrated planning and reporting framework and other measures.

Principles of sound financial management (section 8B)

Council spending should be responsible and sustainable, aligning general revenue and expenses.

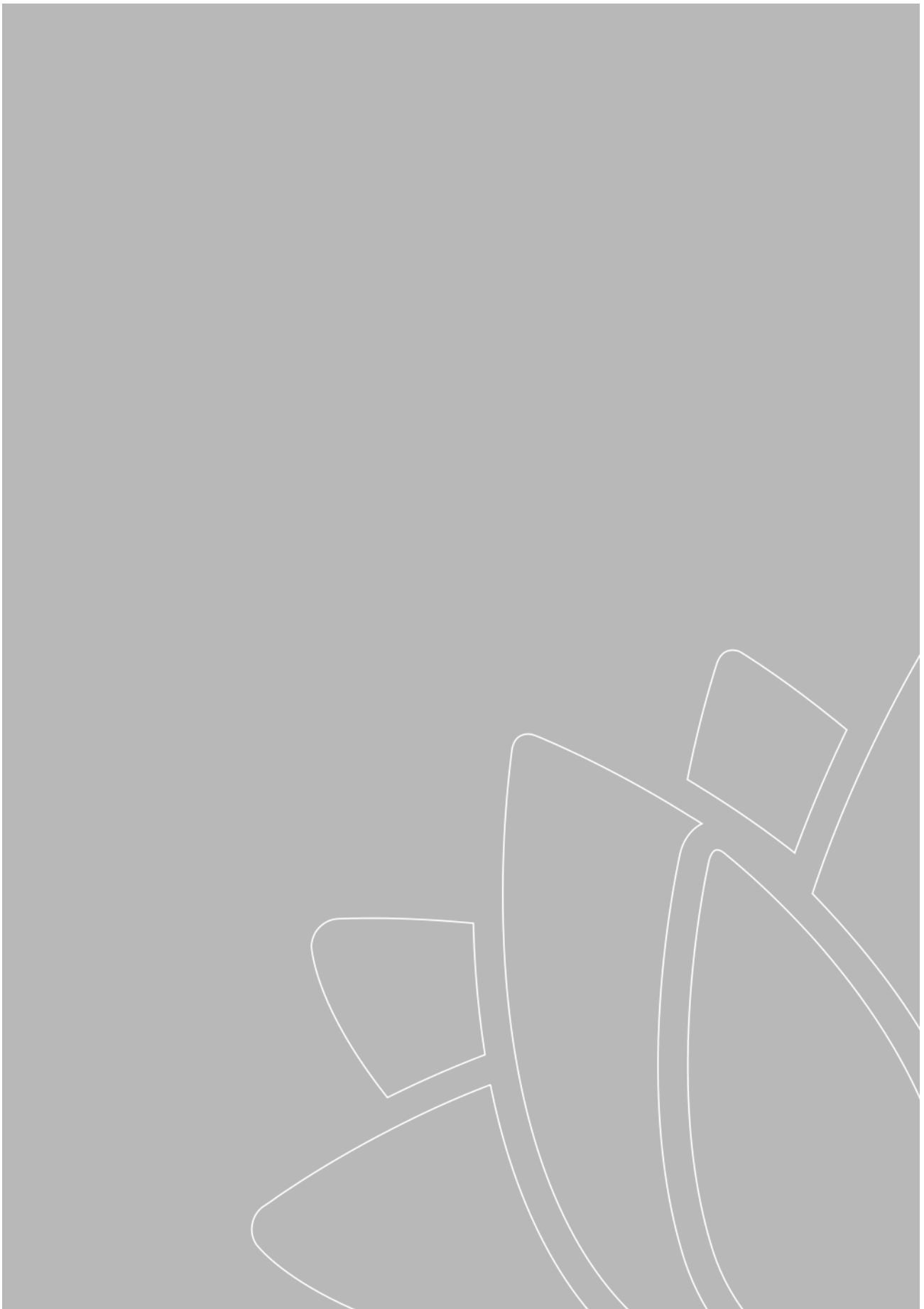
Councils should:

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

Integrated planning and reporting principles (section 8C)

Councils should:

- identify and prioritise key local community needs and aspirations and consider regional priorities
- identify strategic goals to meet those needs and aspirations
- develop activities, and prioritise actions, to work towards the strategic goals
- ensure that the strategic goals, and the activities developed to work towards them, may be achieved within council resources
- regularly review and evaluate progress towards achieving strategic goals
- maintain an integrated approach to planning, delivering, monitoring and reporting on strategic goals
- collaborate with others to maximise the achievement of strategic goals
- manage risks to the local community or area or to the council effectively and proactively, and
- make appropriate evidence-based adaptations to meet changing needs and circumstances.



Appendix B:
Roles and Responsibilities
Under the Act



Governing body of a council (section 223)

The mayor and councillors collectively comprise the governing bodies of councils. The role of the governing body is to:

- direct and control the affairs of the council in consultation with the general manager
- provide effective civic leadership to the local community
- ensure as far as possible the financial sustainability of the council
- ensure as far as possible that the council acts in accordance with the principles prescribed under the Act and the council's plans, programs, strategies and policies
- develop and endorse the community strategic plan, delivery program and other strategic plans, programs, strategies and policies
- determine and adopt a rating and revenue policy and operational plans that support the optimal allocation of the council's resources to implement the council's strategic plans and for the benefit of the local area
- keep the performance of the council under review, including service delivery
- make decisions necessary for the proper exercise of the council's regulatory functions
- determine the process for the appointment of the general manager and for monitoring their performance
- determine the senior staff positions within the organisation structure of the council
- consult regularly with community organisations and other key stakeholders and keep them informed of the council's decisions and activities, and
- ensure that the council acts honestly, efficiently and appropriately.

The governing body is to consult with the general manager in directing and controlling the affairs of the council.

Individual councillors (section 232)

Councillors are individually and collectively accountable to the local community for the performance of the council. Each councillor has a responsibility to:

- be an active and contributing member of the governing body
- make considered and well informed decisions as a member of the governing body
- participate in the development of the council's integrated planning and reporting framework
- represent the collective interests of residents, ratepayers and the local community
- facilitate communication between the local community and the governing body
- uphold and represent accurately the policies and decisions of the governing body, and
- make all reasonable efforts to acquire and maintain the skills necessary to perform the role of a councillor.

The mayor (section 226)

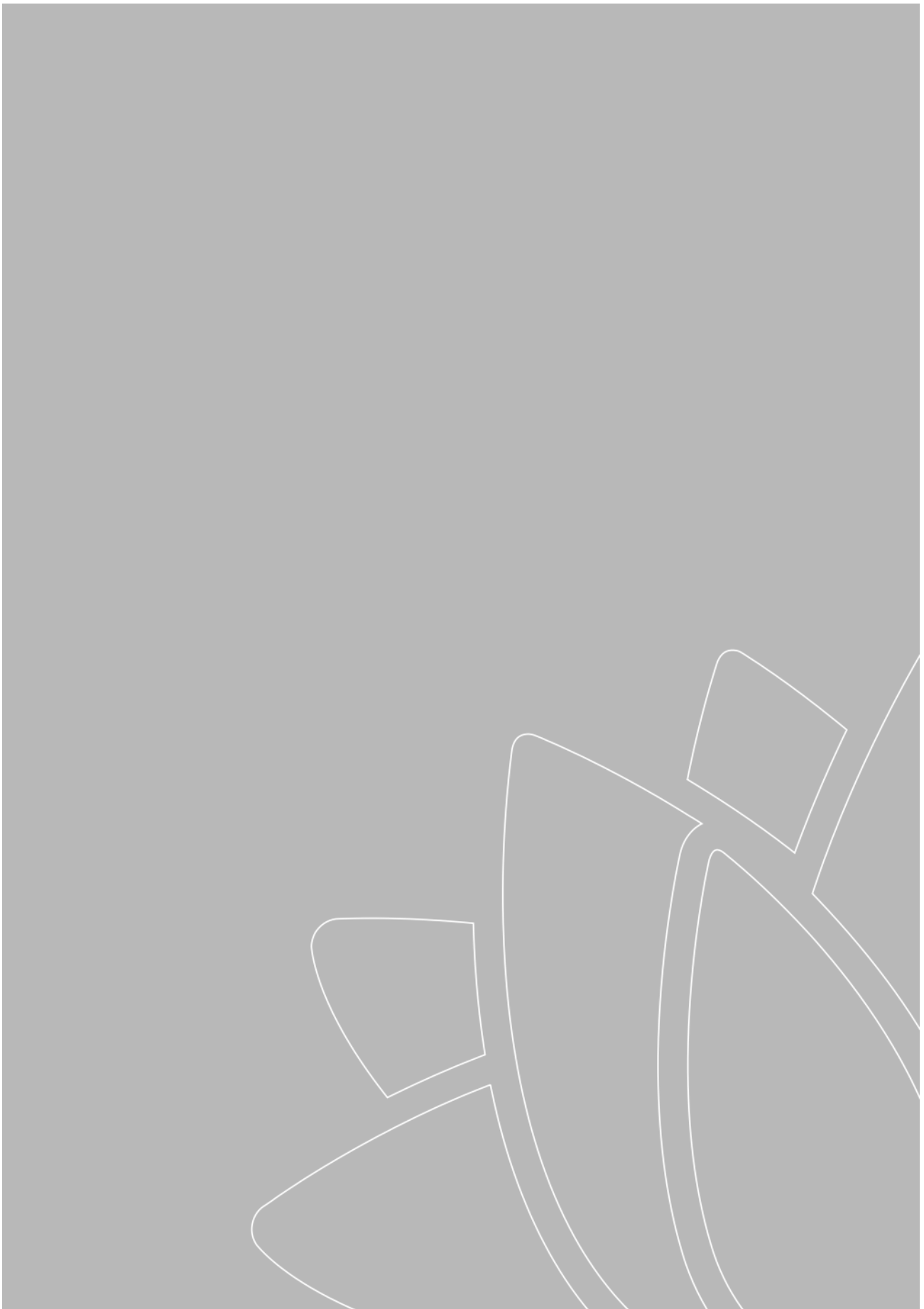
The mayor is often considered the voice of the council and the leader of the community. While the mayor has the same roles and responsibilities as councillors, the mayor is essentially the "first among equals" and is expected to exercise a leadership role within a council. This leadership role is reflected in the mayor's extra responsibilities.

The role of the mayor is to:

- be the leader of the council and a leader in the local community
- advance community cohesion and promote civic awareness
- be the principal member and spokesperson of the governing body, including representing the views of the council in regard to its local priorities
- exercise, in cases of necessity, the policy-making functions of the governing body of the council between meetings of the council

Councillor Induction And Professional Development Guidelines

- preside at meetings of the council and ensure that meetings of the council are conducted efficiently, effectively and in accordance with the Act
- ensure the timely development and adoption of the council's strategic plans, programs and policies
- promote the effective and consistent implementation of the council's strategic plans, programs and policies
- promote partnerships between the council and key stakeholders
- advise, consult with and provide strategic direction to the general manager in relation to the implementation of the council's strategic plans and policies
- in conjunction with the general manager, ensure adequate opportunities and mechanisms for engagement between the council and the local community
- carry out the civic and ceremonial functions of the mayoral office
- represent the council on regional organisations and at inter-governmental forums at the regional, state and commonwealth levels
- in consultation with the councillors, lead performance appraisals of the general manager, and
- exercise any other functions of the council that the council determines.



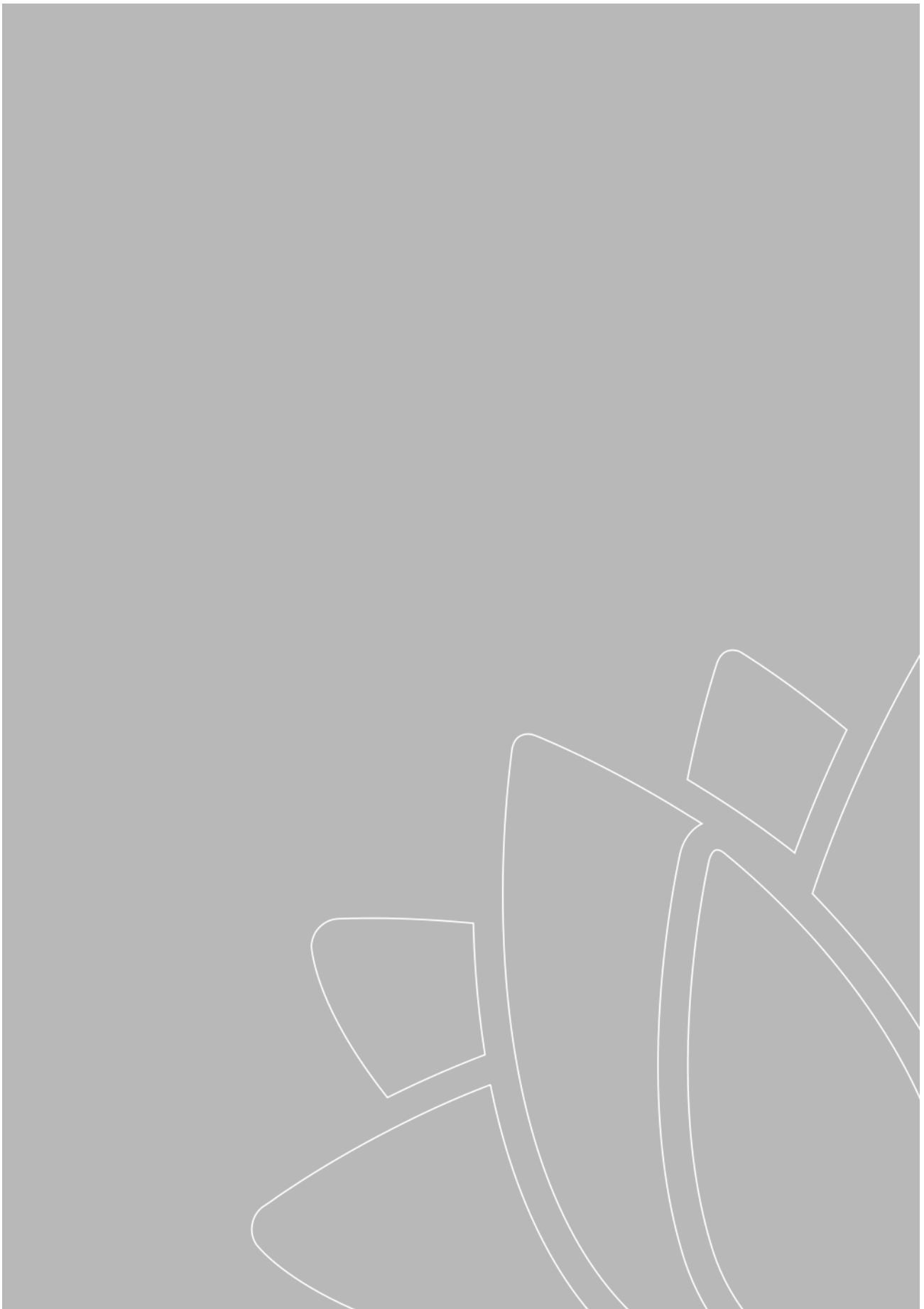
Appendix C:
Candidate Information Session
Content Checklist



Topic Area	Suggested Content
Role of council	<ul style="list-style-type: none"> • The role and responsibilities of local government • The guiding principles under the Act that govern council's functions • The purpose of council and committee meetings
Roles and responsibilities of councillors and staff under the Act	<ul style="list-style-type: none"> • The roles and responsibilities of the governing body and individual councillors under the Act, including in relation to integrated planning and reporting • The roles and responsibilities of the mayor as leader of the governing body, including oversight of the general manager • The strategic nature of the roles of elected members compared to the operational roles of the general manager and council staff • The regional and other bodies the council is a member of and the roles of those bodies
Legal and ethical responsibilities	<ul style="list-style-type: none"> • Requirement to take an oath of office • Requirement to meet the ethical standards prescribed under the Act, including managing pecuniary and non-pecuniary interests • Outline of the legal responsibilities of councillors under the Act and their personal responsibilities under other legislation, for example in relation to: <ul style="list-style-type: none"> - work health and safety - anti-discrimination - privacy - public access to information - records management • Outline of any council policies that councillors will be expected to comply with, for example: <ul style="list-style-type: none"> - councillor and staff interaction policy - code of meeting practice - code of conduct - councillor expenses and facilities policy - gifts and benefits policy - councillor induction and professional development policy

Councillor Induction And Professional Development Guidelines

Topic Area	Suggested Content
Skills and knowledge	<ul style="list-style-type: none"> • Participation in council's councillor induction program • Participation in the mayor's supplementary induction program • Expected attendance at council meetings, their frequency and possible duration • Preparation required for council meetings, for example: <ul style="list-style-type: none"> - attending pre-meeting briefings - reading business papers - ensuring councillors have a full understanding of issues requiring • decisions • Potential participation in other meetings, for example extraordinary council meetings, regional bodies, external bodies • Potential attendance at community events, ceremonies and other functions • Responding to media requests and inquiries • Potential participation in formal community consultation processes • Answering letters, emails and phone calls from residents and ratepayers as well as participating in regular informal conversations • Participation in any other activities that are likely to arise and require the mayor or councillors' time
Support available to assist councillors in the role	<ul style="list-style-type: none"> • The annual fees paid to councillors and the mayor • Council's policy on the payment of expenses incurred and the provision of facilities and resources to the mayor and councillors • Induction and professional development programs for councillors and the mayor • The responsibility of the general manager and staff to provide timely information and advice and the administrative and professional support necessary for councillors to effectively discharge their functions.



Appendix D:
Induction Program
Content Checklist



Topic Area	Suggested Content
Establishment of a well-functioning governing body	<ul style="list-style-type: none"> • Team building activities to help councillors and the mayor: <ul style="list-style-type: none"> - identify how they would like to work together as a team - understand why each councillor is in office and help identify a common purpose and bond between councillors - identify a common vision for the governing body - identify what a successful term in office will look like for council and the community and what is needed from individual councillors and the mayor to achieve this - identify accepted values and behaviours - build relationships with each other based on trust and mutual respect - contribute to a positive and ethical culture within the governing body - value and develop teamwork and collaboration skills - work towards consensus as members of the governing body for the benefit of the community - win concessions without damaging relationships within the governing body - develop respectful negotiation and conflict resolution skills - champion and communicate the council's vision and strategic plans as a cohesive team - respect the diversity of skills and experience of the other members of the governing body - communicate and uphold the decisions of council in a respectful way, even if their own position was not adopted - understand what supports or undermines the effective functioning of the governing body - identify appropriate council meeting practice and behaviours - understand their opportunities for influence
Orientation to council facilities and local government area	<ul style="list-style-type: none"> • Guided tour of the council facilities available to councillors, for example, chambers, offices, utilities • Guided tour of the local government area including council facilities, significant sites and projects • Introduction to council staff to help build a positive team culture between the governing body and administration (whilst respecting the legislated separation between the two)

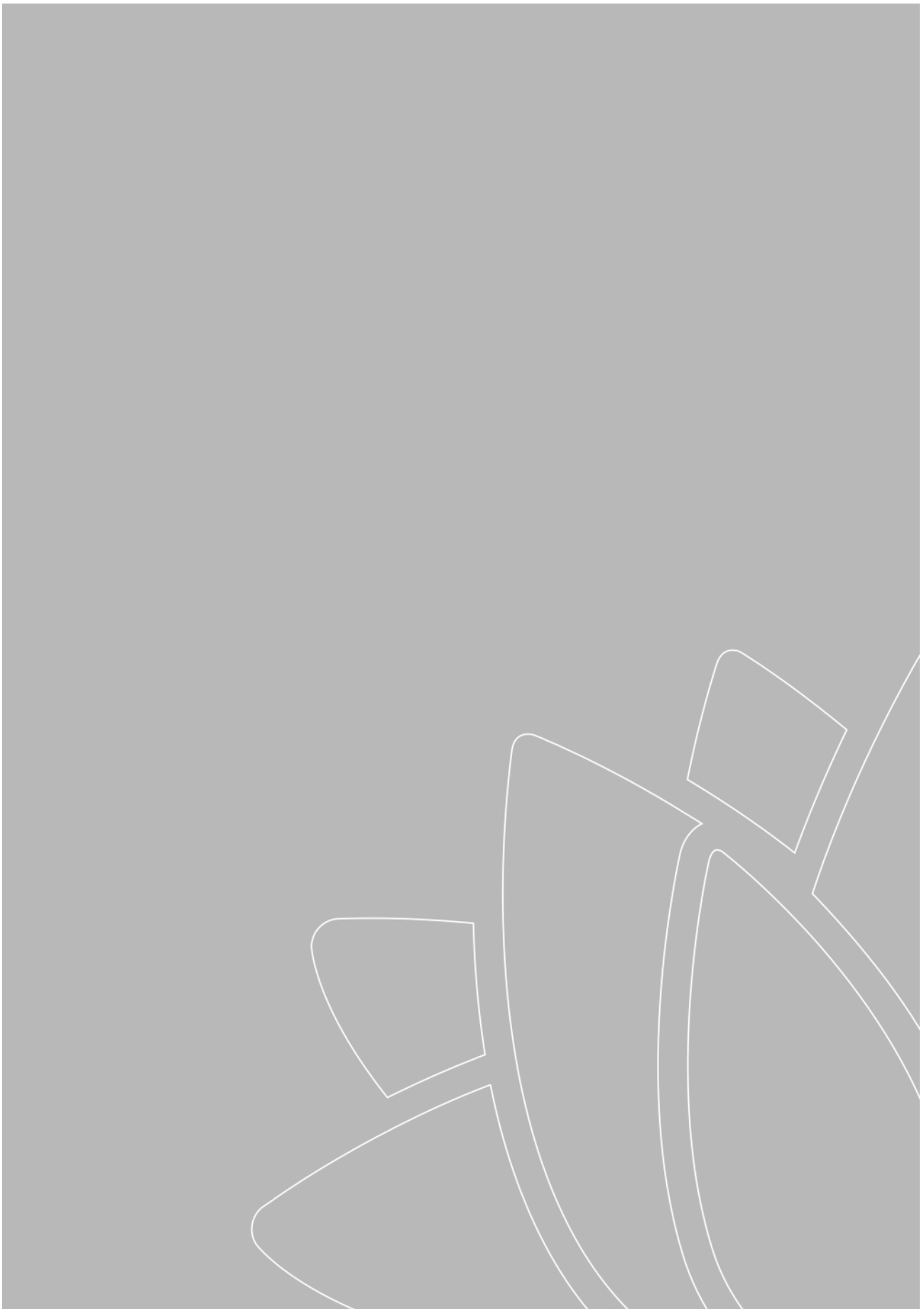
Councillor Induction And Professional Development Guidelines

Topic Area	Suggested Content
Overview of the key issues and tasks for the new council	<ul style="list-style-type: none"> - The demographic profile of the local government area - Council's current social and economic health and performance - The key social, environmental and economic concerns facing the community - The key issues and tasks the new council will need to address - Any issues faced by previous councils or useful historical information that may impact or assist the new council - The current community strategic plan and the process that led to its development, including its role in informing the new council's activities - Council's current delivery program, operational plan, resourcing strategy and community engagement strategy
Legal and political context of local government	<ul style="list-style-type: none"> • The relationship of state and commonwealth governments to local government • The guiding principles under the Act that govern council's functions • The roles and responsibilities of oversight agencies such as the: <ul style="list-style-type: none"> - Office of Local Government - Department of Planning and Environment - Environment Protection Authority - Audit Office - Independent Commission Against Corruption, and - NSW Ombudsman
Roles and responsibilities of councillors and staff	<ul style="list-style-type: none"> - The roles and responsibilities of the governing body and individual councillors under the Act - The role and responsibilities of the mayor - The roles and responsibilities of the general manager and council staff - Council's policy on councillor and staff interaction and how councillors can request assistance from staff - The regional and other bodies the council is a member of and the roles of those bodies - Delegations - Integrated planning and reporting responsibilities
Overview of the key functional areas of council operations and staffing	<ul style="list-style-type: none"> • Council's organisational structure • The role and responsibilities of each business unit within council, for example: <ul style="list-style-type: none"> - planning and other regulatory functions - assets and infrastructure - financial management - community services - governance - teams responsible for implementing key council policies, strategies or programs • Council's workforce strategy

Topic Area	Suggested Content
Legal and ethical responsibilities and risk management	<ul style="list-style-type: none"> • Preparation for taking the oath or affirmation of office • Requirement to meet the ethical standards prescribed under the Model Code of Conduct for Local Councils in NSW, including disclosing and managing pecuniary and non-pecuniary interests • The legal responsibilities of councillors under the Act and their personal responsibilities under other legislation, for example in relation to: <ul style="list-style-type: none"> - work health and safety - anti-discrimination - privacy - public access to information - records management • Council policies that councillors will be expected to comply with, for example: <ul style="list-style-type: none"> - councillor and staff interaction policy - code of meeting practice - code of conduct - councillor expenses and facilities policy - gifts and benefits policy • Participation in the councillor induction and professional development program • How the council manages risk, including: <ul style="list-style-type: none"> - council's risk management framework - the role of the Audit, Risk and Improvement Committee - internal audit
Decision-making	<ul style="list-style-type: none"> • The purpose of council meetings • Prescribed meeting rules • Council's code of meeting practice • The role of the chair • How to use closed meetings appropriately • What an orderly, effective and efficient council meeting looks like and how it is conducted • How councillors should prepare for a council meeting, including pre-meeting briefings • The role of business papers and meeting minutes and how to understand and interpret them • The role of committees and how they are established and structured

Councillor Induction And Professional Development Guidelines

Topic Area	Suggested Content
Strategic planning	<ul style="list-style-type: none"> • The statutory requirements for integrated planning and reporting • How integrated planning and reporting is conducted by council including: <ul style="list-style-type: none"> - council's integrated planning and reporting frameworks, timelines and processes - the mayor's and councillors' roles - community consultation and participation - change management processes - reporting mechanisms
Land use planning	<ul style="list-style-type: none"> • Overview of the land use planning system, including: <ul style="list-style-type: none"> - relevant legislation - the role of council in land use and development approvals - how development applications are considered and decided by council, including independent panels - the role of environmental planning instruments and how to interpret them - delegations - the role of oversight agencies, for example, the Department of Planning
Natural resource management	<ul style="list-style-type: none"> • Council's public land management responsibilities and regulatory frameworks • Council's natural resource management responsibilities and regulatory frameworks
Financial processes and financial management	<ul style="list-style-type: none"> • The responsibility of councillors for the financial management and sustainability of the council under the Act • Council's long-term financial plan and other components of council's resourcing strategy • How to interpret and understand the financial information contained in financial reports prepared by council
Customer services and complaints handling	<ul style="list-style-type: none"> • Council's complaints handling process and how councillors should handle constituents' concerns
Support available to assist councillors in the role	<ul style="list-style-type: none"> • The annual fees paid to councillors and the mayor • Council's policy on the payment of expenses incurred and the provision of facilities and resources to the mayor and councillors • Ongoing professional development for the mayor and councillors • The responsibility of the general manager and staff to provide timely information and advice and the administrative and professional support necessary for councillors to effectively discharge their functions
Supplementary topics for mayor	<ul style="list-style-type: none"> • How to be an effective leader of the governing body and the council • The role of the chair and how to chair council meetings • How to manage code of conduct complaints about the general manager • How to conduct day-to-day oversight of the general manager • How to lead recruitment and performance reviews of the general manager • Citizenship and other ceremonial functions.



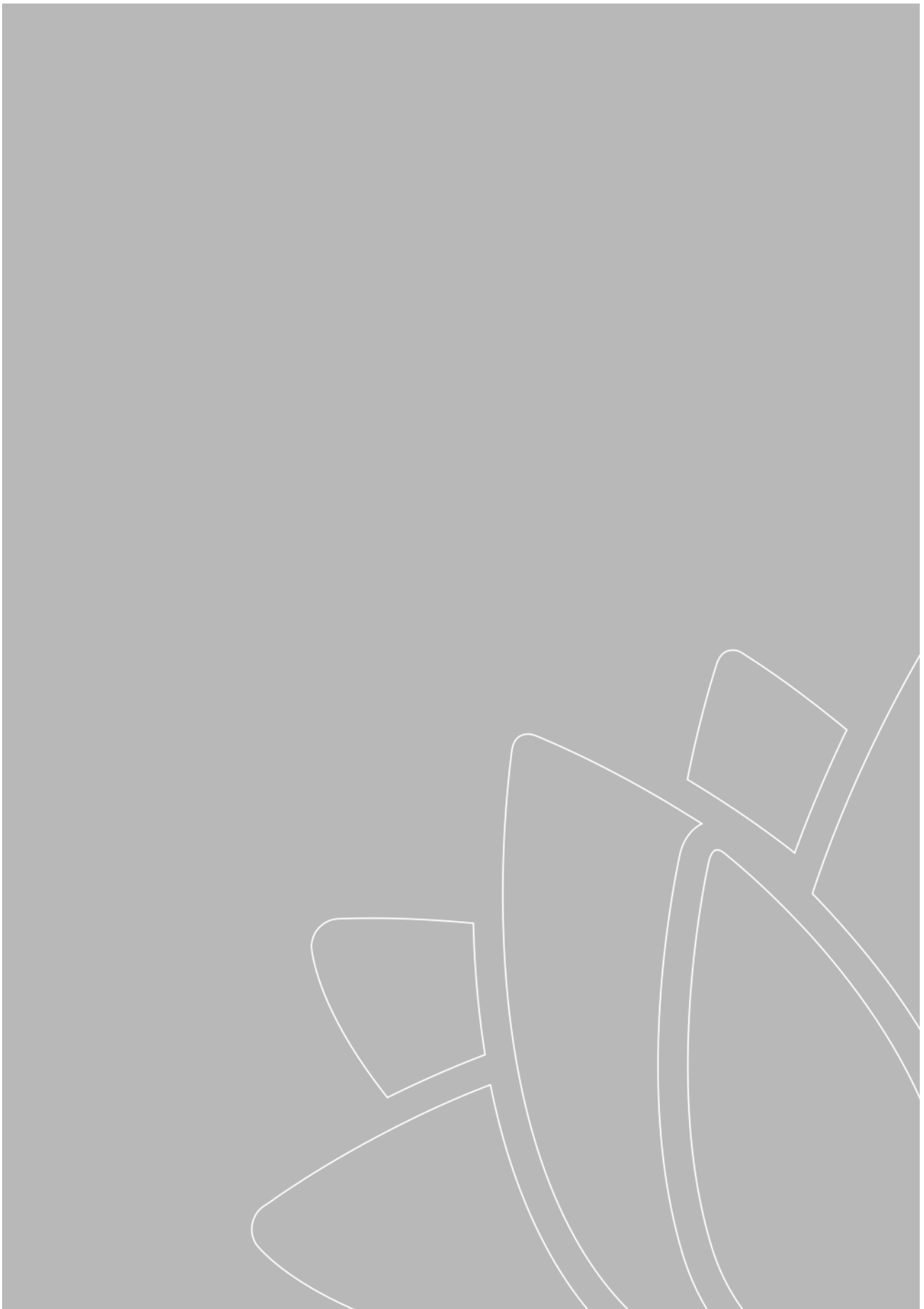
Appendix E:
Councillor Induction Manual
Content Checklist



Topic Area	Suggested Content
Governing body	<ul style="list-style-type: none"> • Summary of the shared purpose, goals, vision and success markers identified by the governing body during the induction process • Summary of the values and behaviours identified by the governing body during the induction process that will characterise the council term
Basic information about the council	<ul style="list-style-type: none"> • Organisational chart and outline of key function and service areas, including those of senior staff • Information and/or chart showing the relationships between councillors and council staff and decision-making processes • List of council facilities and map of the local government area
Profile of the local government area	<ul style="list-style-type: none"> • Wards • Population statistics • Useful information about the local government area • Useful information about key issues or tasks for the new council
Information about council meetings	<ul style="list-style-type: none"> • Code of meeting practice • Agenda and minutes of recent meetings • Meeting times and venues • Deadlines related to meetings, business papers and minutes • List of council committees and their composition
Key planning and policy documents and information	<ul style="list-style-type: none"> • Integrated planning and reporting documents, for example, the current community strategic plan, delivery program, operational plan, community engagement strategy and resourcing strategy etc. • Delegations • Most recent annual report • End-of-term report of last council • Code of conduct • Policy on the provision of councillor expenses and facilities • Policy on access to information • Policy on councillor and staff interaction • Policy on gifts and benefits • Council's workforce strategy • Council's risk management framework and relevant audit- and risk management-related documents • Other relevant plans, policies and procedures • Policy register/list of policies

Councillor Induction And Professional Development Guidelines

Topic Area	Suggested Content
Key legislation	<ul style="list-style-type: none"> • Copy of key legislation or relevant excerpts from legislation such as the Act and the Regulation • List of key legislation under which council exercises its functions, for example: <ul style="list-style-type: none"> - <i>Environmental Planning and Assessment Act 1979</i> - <i>Protection of the Environment Operations Act 1997</i> - <i>Work Health and Safety Act 2011</i> - <i>State Records Act 1998</i> • How to access up-to-date versions of the legislation online (www.legislation.nsw.gov.au)
Information about support for councillors	<ul style="list-style-type: none"> • How to make a request or claim under council's expenses and facilities policy • Information about the induction and professional development program • Contact details of council officer/s that councillors may contact for information
Other useful resources and/or details about where they may be accessed	<ul style="list-style-type: none"> • Induction program presentations and materials • Contact details for key organisations such as the Office of Local Government and Local Government NSW • A copy of useful publications such as the Councillor Handbook and the Meetings Practice Note and Bluett's Local Government Handbook NSW.



Appendix F:
Model Councillor Training
and Development Policy



Purpose

The purpose of this policy is to demonstrate X Council's commitment to ensuring that the mayor and councillors have access to training and educational opportunities which will assist them to develop and maintain the skills and knowledge required to effectively perform their civic role and responsibilities under the *Local Government Act 1993* ('the Act').

Scope

This policy applies to all councillors of X Council, including the mayor.

Policy

Statement of commitment

X Council is committed to developing an induction and ongoing professional development program for the mayor and councillors to ensure they can fulfil their statutory roles and responsibilities. As part of this program, the general manager will work with the mayor and each councillor to develop a professional development plan that identifies and addresses the specific gaps in skills and knowledge that the mayor and councillors and/or Council has recognised as needing attention.

Induction program

X Council will develop an induction program for new and returning councillors as well as a supplementary program for the mayor to ensure they are provided all the information they need to effectively fulfil their roles in the first few months of Council's term and feel confident in their ability to do so. The induction program will cover:

- their roles, responsibilities and formal obligations
- what the council does and how the council operates, including an overview of integrated planning and reporting and land-use planning
- their financial management responsibilities

- the key issues and tasks for the new council
- the legislation, rules, principles and political context under which councils operate
- Council's organisational structure and the roles and responsibilities of staff
- key Council policies and procedures they must comply with
- the role of Council meetings and how to participate effectively in them
- the support available to the mayor and councillors and where they can go to get more information or assistance,
- how to speak to the media appropriately and effectively, and
- information on the process for electing the mayor (where applicable).

In the case of the mayor, the program will also cover:

- the role and responsibilities of the mayor as leader of the council, including ceremonial functions
- how to chair Council meetings
- the roles and functions of regional and other external bodies Council is a member of
- how to oversee the general manager, including understanding recruitment processes and leading performance reviews
- how to lead Council's integrated planning and reporting, and
- how to manage code of conduct complaints about the general manager.

The mayor and councillors must have a working knowledge and understanding of these areas by the end of the induction program.

The induction program will also include activities to help the governing body establish itself as a cohesive and collaborative team focused on a common purpose with shared values and goals. Activities will aim to ensure mayors and councillors, as a governing body, understand the need to:

- build relationships with each other based on trust and mutual respect

Councillor Induction And Professional Development Guidelines

- contribute to a positive and ethical culture within the governing body
- encourage and facilitate collaboration with each other
- work towards consensus as members of the governing body for the benefit of the community
- win concessions without damaging relationships within the governing body
- champion and communicate the council's vision and strategic plans as a cohesive team
- respect the diversity of skills and experiences on the governing body, and
- communicate and uphold the decisions of Council in a respectful way, even if their own position was not adopted.

Activities should also help the mayor, as the leader of the governing body, to:

- act as a stabilising influence and show leadership, and
- promote a culture of integrity and accountability within Council and when representing Council in the community and elsewhere.

The mayor and councillors must attend all induction sessions when first elected. Returning councillors (including the mayor) must also attend all induction sessions to ensure the effective and cohesive operation of the governing body.

X Council will evaluate the induction program at the end of each Council term to determine whether it has achieved these outcomes, and to identify and address areas for improvement.

Assessment of skills and knowledge

The minimum skills and knowledge required of councillors to perform their roles and responsibilities effectively are listed at the end of this policy. Council will conduct a needs analysis prior to each new term to determine whether this list is appropriate and whether it reflects Council's needs.

An assessment will be made of the skills and knowledge each councillor brings to their role against these minimum requirements to identify any gaps that their professional development plan should address.

To identify any gaps, Council will obtain this information through activities such as self-assessments, questionnaires, councillor feedback, observations during Council meetings and workshops and interviews.

Ongoing professional development program

A professional development plan will be developed for the mayor and each councillor to address the gaps identified. The plans will include:

- the outcome of Council's needs analysis
- the knowledge and skills the councillor or mayor brings to their roles
- the development needs of each councillor or mayor and the priority given to each development need
- how the knowledge or skill will be developed (i.e. on-the-job training, mentoring, internal training, external training, briefing session etc.), and
- operational information such as timeframes for development, who is responsible for organising training/development, approval processes and estimated costs.

Training activities may include:

- in-house workshops and briefing sessions conducted by the council with appropriate staff, trainers and guest speakers
- attendance at external training courses and events, for example, seminars, conferences and workshops
- practical on-the-job training
- printed materials such as training booklets
- mentoring and/or
- online training resources.

The professional development plans are to be developed in consultation with the mayor, each individual councillor and the governing body as a whole, and the general manager.

X Council will evaluate the professional development program at the end of each council term to assess whether it was effective in assisting the mayor and councillors to develop the skills and knowledge listed in Council's needs analysis.

Responsibilities

The mayor and each councillor are responsible for making themselves available to attend any development activities identified in the professional development plan. The mayor and all councillors must make all reasonable endeavours to attend and participate in the induction sessions and professional development activities arranged for them during the term of the council.

[Identify the role or responsible staff member] is responsible for planning, scheduling and facilitating induction and professional development sessions for the mayor and councillors in consultation with the general manager.

The general manager has overall responsibility for X Council's induction and professional development program.

Notification of induction and professional development activities to the mayor and councillors

The mayor and councillors will be provided with as much notice as possible for upcoming induction and professional development activities.

Budget

An annual budget allocation will be provided to support the training and professional development activities undertaken by the mayor and councillors. Expenditure will be monitored and reported quarterly.

Approval of training and/or expenses

The mayor and councillors are encouraged to identify professional development opportunities and may seek approval from the general manager to attend any such activities.

Approval of training and payment and reimbursement for expenses relating to a councillor's registration and attendance at training, will be determined in accordance with X Council's Councillor Expenses and Facilities Policy.

Reporting

[Identify responsible team or unit] will maintain data pertaining to councillor induction and professional development activities and attendance.

The general manager of X Council will:

- report to the first Council meeting held after the induction program is delivered the activities offered to the mayor and each councillor as part of the induction program, and whether or not they participated in them
- report to the first Council meeting held after 30 June each year identifying the professional development activities offered to the mayor and each councillor in the year to 30 June and whether or not they participated in them, and
- publish these reports on Council's website.

Appendix G:
Skills and Knowledge Required
by Councillors and Mayors



The core skills and knowledge required by mayors and councillors to exercise their roles and responsibilities are listed below. These are drawn from the Municipal Association of Victoria's Councillor Competency Framework (but have been adapted to reflect NSW statutory and operational requirements) and the Local Government Capability Framework developed by Local Government NSW.

Additional attributes, skills and knowledge are included for mayors given the additional responsibilities of their roles under the Act. Induction and professional development in these areas can be included in the mayor's supplementary program if required.

Highest priority

A ranking system has been applied to the skills, attributes and knowledge needed by councillors and mayors to reflect the influence each has on how successfully a person will be able to fulfil these roles.

To '**understand**' means to know and be able to apply this knowledge in a practical way without the assistance of others. This refers to the **knowledge** that a councillor or mayor must have and be able to apply if they are to be successful in their civic role.

To '**be able to**' means is capable of demonstrating in action without the assistance of others. This phrase is generally used in connection with the **personal attributes** or **skills** that a councillor or mayor must have in order to fulfil their roles effectively.

Skills, attributes and knowledge that mayors and councillors need to 'understand' or 'be able to' demonstrate are classified the **highest priority** because a councillor or mayor will not be able to fulfil their roles or responsibilities effectively if they do not know or are unable to apply this skill, attribute or knowledge in a practical way while performing their civic duties.

Lower priority

To '**have knowledge of**' means to know that this information/policy exists and affects their role, and to be able to source more information or assistance if application is needed. These attributes, skills or knowledge are considered a **lower priority** as they can be acquired when needed.

Councillor Induction And Professional Development Guidelines

A. LEADERSHIP

**Mayors and
councillors**

are able to:

- fulfil their civic roles in accordance with the Act
- be positive and unifying members of the governing body
- provide effective and positive leadership to their community, as well as the council administration
- build relationships with a diverse range of people in the community
- listen to, understand and promote the interests of the community they represent, particularly on complex issues
- initiate, support and champion change in their community
- work with external stakeholders for the benefit of the community, including regional bodies, organisations, private businesses and other levels of government
- represent council and the community in the media effectively.

understand:

- the prescribed roles and responsibilities of the governing body, councillors and the mayor
- each of the guiding principles under the Act
- the key accountabilities of the council to the community, the NSW Government and oversight agencies.

have knowledge of:

- council's media policy
- the regional and other bodies the council is a member of and the roles of those bodies.

**Mayors
(additional)**

are able to:

- lead and unify the governing body, particularly through contentious issues and decision-making
- promote a positive community and council culture
- represent council at community events and on regional/ external bodies to the benefit of the community.

understand:

- the prescribed role and responsibilities of the mayor under the Act
- the mayor's civic and ceremonial role and the functions they exercise under it
- how to be an effective leader.

B. COMMUNICATION AND WORKING WITH OTHERS**Mayors and
councillors****are able to:**

- communicate effectively with individuals and groups and adjust their communication styles to cater to different audiences
- work collaboratively and cooperatively with other councillors, the mayor, the general manager, council staff, external stakeholders and community members
- listen to others and ask appropriate respectful questions
- show sensitivity to religious and cultural differences
- be open to the advice of others and reflect on and integrate feedback
- negotiate and resolve differences respectfully and sensitively, with the aim of reaching consensus and finding common ground
- manage their emotions and remain objective in challenging situations.

understand:

- the functions of the general manager and council staff prescribed under the Act
- the different roles of the governing body and the general manager in relation to council's organisational structure and statutory requirements for consultation
- the governing body's responsibility for appointing the general manager and monitoring their performance
- the mayor's responsibility for exercising day-to-day oversight of the general manager and for leading performance reviews of the general manager
- the strategic nature of their role compared to the operational roles and responsibilities of the general manager and council staff
- the importance of good working relationships with the general manager to the effective performance of the council
- the responsibility of the general manager and staff to provide timely information and advice and the administrative and professional support necessary to effectively discharge their functions
- the council's adopted protocol for interaction with council staff
- how to forward constituent and other action requests or information requests to council staff
- their obligations under the council's code of conduct and the *Work Health and Safety Act 2011* in their dealings with and behaviour towards the general manager and other council staff.

have knowledge of:

- the council's workforce management strategy
- each of the functional areas of responsibility of the council
- the general manager's contract of employment and the need for key performance indicators for the general manager to align with council's integrated planning and reporting goals
- the Guidelines for the Appointment and Oversight of General Managers.

Councillor Induction And Professional Development Guidelines

Mayors (additional)

are able to:

- foster collaboration between councillors to build a unified governing body
- support productive working relationships between the governing body and the general manager
- guide debate towards achieving acceptable outcomes
- build a productive working relationship with the general manager based on clear expectations, trust and respect
- provide strategic direction and day-to-day oversight of the general manager
- build partnerships between council and external stakeholders that are of strategic value to council and benefit the broader region.

understand:

- how to lead the general manager's performance review and recruitment.

C. ETHICAL CONDUCT AND ACCOUNTABILITY

Mayors and councillors

are able to:

- follow all legislation, rules, policies and the code of conduct applicable to councillors and mayors
- observe the highest standards of personal and ethical conduct at all times
- be honest, transparent and accountable for their words, actions, decisions and behaviour
- demonstrate council values
- identify and manage different types of conflicts of interest
- treat all people in the community equally
- maintain confidentiality
- contribute to a positive and ethical culture within the governing body
- take responsibility and be accountable for fulfilling the roles of councillor and mayor to the best of their ability
- uphold the principles of social justice.

understand:

- their ethical obligations under the council's code of conduct
- their obligations under council's councillor expenses and facilities policy.

have knowledge of:

- the process for making and managing code of conduct complaints under the Procedures for the Administration of the Model Code of Conduct for Local Councils in NSW
- the consequences of a breach of council's code of conduct
- the definition of "corrupt conduct" under the *Independent Commission Against Corruption Act 1988* and the potential consequences of engaging in corrupt conduct.

Mayors (additional)

are able to:

- manage code of conduct complaints about the general manager
- promote a culture of integrity and ethical conduct within council and when representing council in the community and elsewhere.

D. GOVERNANCE**Mayors and councillors****understand:**

- what is good governance and its importance
- the statutory framework that applies to local government
- the role of the council's Audit, Risk and Improvement Committee and the role of internal audit

have knowledge of:

- council's statutory compliance and risk management frameworks
- council's obligations in relation to the management of council information under the *State Records Act 1988*, the *Government Information (Public Access) Act 2009* and the *Privacy and Personal Information Act 1998* and understand their personal responsibilities under that legislation
- council's complaints management processes

E. STRATEGIC PLANNING**Mayors and councillors****are able to:**

- contribute effectively to integrated planning and reporting at council
- contribute to and communicate the strategic plan, goals, priorities and vision for the community
- make resourcing and budget decisions and strategies to achieve these goals
- take account of the wider context and long-term impacts on future generations when considering options
- participate effectively in community engagement processes relating to strategic planning
- set performance goals that include quality measures, timeframes and budgets for delivery
- consider the impact of changes (e.g. government policy, economic conditions) on council's strategic plan and goals
- identify potential risks to the achievement of council goals and take steps to address these
- understand council performance reports and develop strategies to improve performance.

Councillor Induction And Professional Development Guidelines

understand:

- the statutory requirements for integrated planning and reporting, including its conceptual basis and the guiding principles under the Act
- the relevance of integrated planning and reporting to the general principles and decision-making principles prescribed under the Act
- the prescribed roles and responsibilities of the governing body, individual councillors, the mayor and the general manager in relation to integrated planning and reporting
- the community strategic plan and the process that led to its development, as well as its role in informing council's activities over the current term of the council
- council's delivery program, operational plan, resourcing strategy and community engagement strategy
- the reporting mechanisms under the integrated planning and reporting framework and the importance of clear and measurable key performance indicators to ensure progress towards council's goals can be measured.

Mayors (additional)

are able to:

- work with the general manager to translate the council's strategic direction into a delivery program and operational plan
- continuously monitor progress against the delivery program and operational plan, ensuring the resourcing strategy is appropriate.

F. DECISION-MAKING

Mayors and councillors

are able to:

- make and uphold considered, timely and transparent decisions based on merit and the best interests of the community as a whole
- exercise good judgement
- research, understand and evaluate a wide range of information
- understand how to read and interpret council business papers and contribute constructively to debate in council
- work towards consensus as a member of the governing body for the benefit of the community
- weigh up the following when making decisions:
 - financial and budget implications (including value for money)
 - legislative and regulatory requirements
 - community and social impacts
 - environmental, social and economic sustainability
 - the wider context
 - the long-term impacts on future generations.

Skills and Knowledge Required by Councillors and Mayors

Mayors	<p>understand:</p> <ul style="list-style-type: none"> the purpose of council and committee meetings the meeting rules prescribed under the Act and the council's code of meeting practice how to use closed meetings appropriately the importance and attributes of orderly, effective and efficient meetings, and their individual roles in creating these types of meetings the importance of preparing for meetings, including attending pre-meeting briefings and reading business papers recognise the role of the Chair.
	<p>have knowledge of:</p> <ul style="list-style-type: none"> the committee structure adopted by the council and the functions of each of the council's committees the delegations made by the council.
	<p>are able to:</p> <ul style="list-style-type: none"> lead constructive, orderly council meetings with a view to reaching consensus.
	<p>understand:</p> <ul style="list-style-type: none"> their role and responsibilities as Chair.

G. LAND-USE PLANNING AND REGULATORY FUNCTIONS

Mayors and councillors	<p>are able to:</p> <ul style="list-style-type: none"> make appropriate land-use planning and development approval decisions.
	<p>understand:</p> <ul style="list-style-type: none"> the role of the council in relation to land use planning and development approvals.
	<p>have knowledge of:</p> <ul style="list-style-type: none"> the <i>Environmental Planning and Assessment Act 1979</i> and relevant land use planning concepts the environmental planning instruments that apply to the council's area and the development control plans adopted by the council the role of the Minister for Planning, the Department of Planning and Environment and the Greater Sydney Commission (where relevant) in relation to land use planning the development assessment and approval process and the statutory criteria prescribed under section 79C of the <i>Environmental Planning and Assessment Act 1979</i> the delegations made with respect to development assessments and approvals the role of Joint Regional Planning Panels and Independent Hearing and Assessment Panels in relation to development approvals.

Councillor Induction And Professional Development Guidelines

H. FINANCIAL MANAGEMENT

**Mayors and
councillors**

are able to:

- use basic financial terminology and demonstrate an understanding of recurrent and capital spending
- interpret information in council's financial reports
- make informed contributions to debate about the allocation of financial resources to community priorities
- display an awareness of financial risk and exposure and solutions to mitigate these
- identify and discuss the implications of council's long-term financial plan, audited financial statements and budget reviews.

understand:

- the statutory responsibility of the governing body to ensure as far as possible the financial sustainability of the council
- the statutory responsibility of the governing body to determine and adopt a rating and revenue policy and operational plans that support the optimal allocation of the council's resources for the benefit of the local area
- the guiding principles of sound financial management under the Act
- council's long-term financial plan and other components of the council's resourcing strategy
- financial reporting requirements
- their responsibilities in relation to the review and approval of capital expenditure
- the statutory principle that councils should manage lands and other assets so that current and future local community needs can be met in an affordable way.

have knowledge of:

- council's revenue sources
- the role of external audit and the Audit Office
- the tendering requirements under the Act and their responsibilities in relation to the acceptance of tenders.

I. ENVIRONMENTAL AND ASSET MANAGEMENT

**Mayors and
councillors**

are able to:

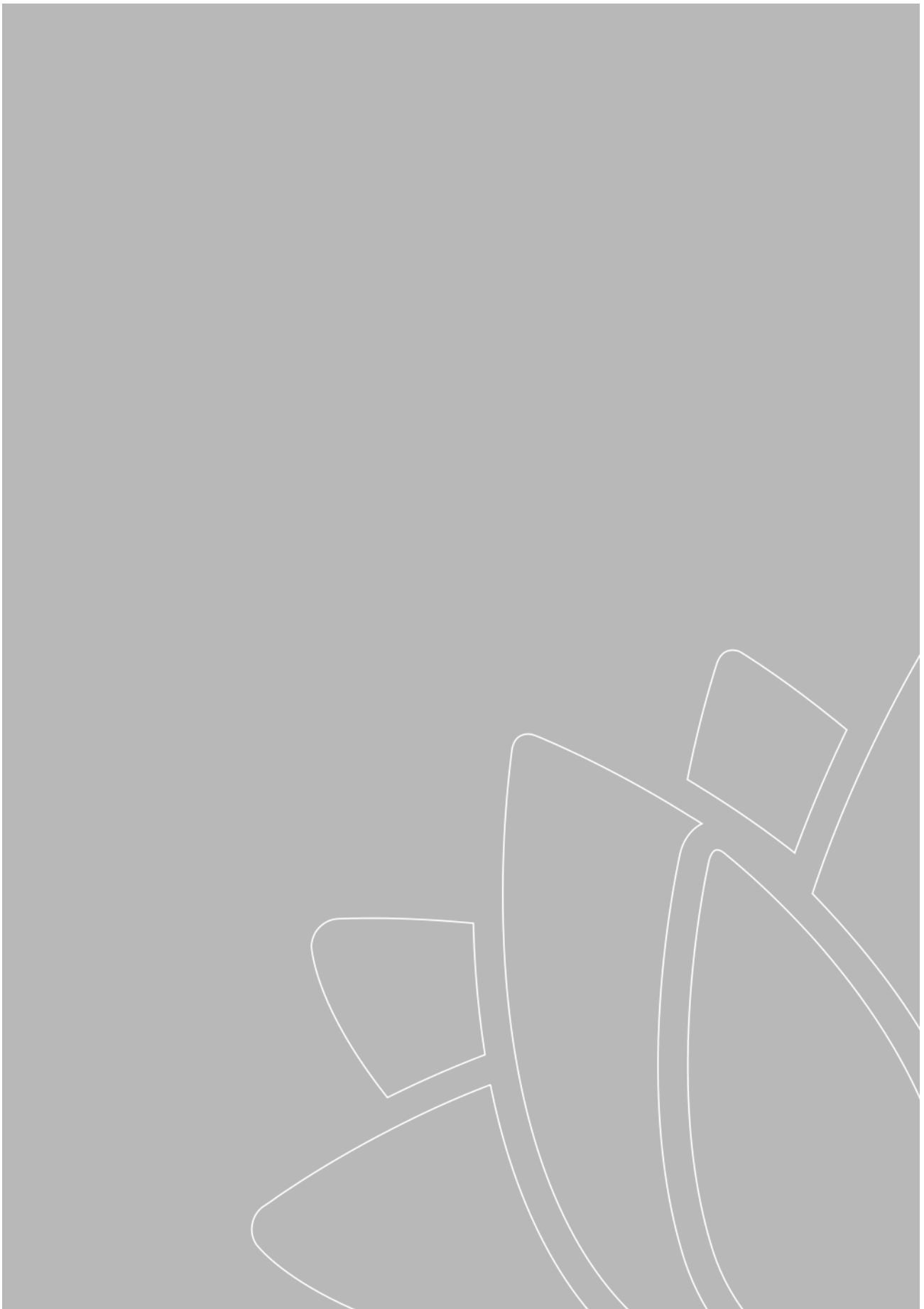
- meet their obligations as custodians of council and community assets.

understand:

- the council's public land management responsibilities and the statutory requirements that apply to public land management
- the importance of sound asset management and its impact on council finances
- asset management planning requirements
- the council's natural resource management responsibilities and the regulatory frameworks under which it exercises its functions.

have knowledge of:

- the principles of ecologically sustainable development
- council's asset management strategy.



Appendix H: Reporting Template





11.5 DELIVERY PROGRAM/OPERATIONAL PLAN SIX MONTHLY UPDATE**File Number:****Author:** Adam McSwain, General Manager**Authoriser:** Adam McSwain, General Manager**RECOMMENDATION**

That Council

1. Note and receive the six-monthly update on the 2017-18 Delivery Program and Operational Plan

BACKGROUND

Section 404 of the Local Government Act 1993, requires that a report be provided to Council at least every six months on progress towards the Delivery Program and Operational Plan. The last update was provided at the November 2017 Council meeting.

ISSUE/DISCUSSION

For the 2017/18 financial year, Council's Operational Plan is largely made up of the budget document. There is little included in the document as specific goals, measures or targets, this is being rectified for the 2018/19 year with the development of a new 2018-2021 Delivery Program and 2018/19 Operational Plan. Both documents will be brought to the April 2018 Council meetings as drafts.

For this six-monthly update of the 2017/18 Operational Plan a spreadsheet has been developed and attached that provides a high-level overview against service areas and key projects. An update on Capital Works was provided at the February 2018 Council meeting so additional detail hasn't been included in this document.

STRATEGIC IMPLICATIONS

Nil

COMMUNITY STRATEGIC PLAN

Actions contained within the 2017/18 Operational Plan align with the Community Strategic Plans (CSP) for the two former Councils. The vast majority of services and projects being undertaken also align with the draft Edward River 2030 CSP.

FINANCIAL IMPLICATIONS

All of the actions undertaken in the 2017/18 Operational Plan are conducted in line with the 2017/18 budget

LEGISLATIVE IMPLICATIONS

This report and attachment ensure that Council is meeting the obligation under Section 404 of the Local Government Act

ATTACHMENTS

1. 2017-18 Operational Plan Six Monthly Update

2017-18 Oper

Action	Responsibility
Australia Day	Office GM
Street Xmas Party	Office GM
	Office GM
Councillors	
Membership to LGNSW	Office GM
Membership to RAMROC	Office GM
	Office GM
In-Kind Donations and Contributions	
Bush Bursary	Office GM
Deniliquin Menshed Support	Office GM
Deniliquin Ute Muster Support	Office GM
Can Assist Riverina - Laptop, printer and printing costs	Office GM
The Riverina Collective - Women in Water Event	Office GM
Election Expenses	Office GM
	Office GM
Edward River Council Merger Funding - \$10 million	
	Infrastructure
Plant Program	
	Infrastructure
Waste Management	
	Infrastructure
Cemeteries	
	Infrastructure
County Council	
Flood Works	Infrastructure
	Infrastructure
State Road Maintenance	
Capital Works	Infrastructure

Depot Consolidation	Infrastructure
Sewerage System	Infrastructure
Water Supply System	Infrastructure
Parks and Gardens	Infrastructure
Smart Water Meters	Infrastructure
Animal Control	Eco Dev
Health services	Eco Dev
IWD	Eco Dev
Library	Eco Dev
Visitor Centre/Peppin	Eco Dev
Heritage services	Eco Dev
Brick kiln creek vegetation management plan	Eco Dev
Rural residential strategy	Eco Dev
Disability inclusion action plan implementation	Eco Dev
Cemetery management plan	Eco Dev
Industrial land strategy	Eco Dev
North Deniliquin flood levee feasibility and design	Eco Dev

Eco Dev

Eco Dev and Business

Corporate

TechOne project

Corporate

Information Technology

Corporate

Customer Service

Corporate

Finance

Corporate

Governance

Corporate

People (HR)

Corporate

Edward River Council Merger Funding - \$5 million

Rate Revenue

Corporate

Corporate

Emergency services support

Operational Plan Update

Notes/ Update

Complete - Successful Australia Day event held in Waring Gardens
 Complete - Partnered with Christmas Carols
 Induction program completed through September 2017 to December 2017
 Monthly Council meetings and workshops being conducted
 IT set-up for Councillors complete, training ongoing
 Budget remaining for any additional Councillor training
 Complete - Council are members
 Complete - Council are members
 \$30,000 budget fully allocated for 2017/18 year, includes:
 Funding for doctor relocation
 English Channel Swim
 Complete - Support provided for 2017/18 year
 Invoice not yet received, will follow-up with Mens Shed
 Complete - Support provided to the 2017 event
 Complete - Support provided
 Complete - Support provided
 Complete - Election completed within budget
 Separate report in agenda to update on this item
 Process for funding to be assigned has been completed and projects commenced
 A new 10 year plant replacement plan is being established which will ensure our plant and equipment are up to date and fit for purpose
 Fleet continues to be updated as per the current plan
 Plant purchased this year include a multi tyred roller, Jet patcher, smooth drum roller and a number of works vehicles

Tender for completing a Waste Management Strategy has now closed and a contractor is about to be appointed. This project will investigate expansion of the existing Deniliquin Tip, undertake the business case for recycling and provide a strategic direction for Council's waste services
 Work on-going to ensure suitable plan in place for maintaining the general cemetery. Works recently undertaken in partnership with cemetery committee.
 Council has again completed the strategic fire break works which is part funded by the NSW Rural Fire Service.
 CMCC continue to monitor and spray roadsides and reserves for Khaki Weed and Spinney Burr Grass as needed.
 Other activities include spraying of the cemetery and sewer pump stations
 Planning work currently being finalised with a tender for flood works to be opened in the first half of 2018

Under the Road Maintenance Council Contract (RMCC), Council has undertaken approximately \$240,000 of heavy patching on the state road network on behalf of RMS.
 This is on top of general maintenance of the network within the Deniliquin town area.
 Additional works in 2017/18 shall include upgrades to the intersection of Hardinge Street and George Street and additional heavy patching works.
 As per the update at the February Council meeting

Funding has been utilized to purchase properties
Tender process complete to appoint consultant for design of depot
Masterplan layout for depot will commence shortly

Renewal and maintenance works at the Sewerage Treatment Plant and various pump stations have continued to ensure that the facility meets the requirements of Environmental Protection Authority and Office of Environment and Heritage. This has included re-surfacing of the inlet channel at the Sewerage Treatment plant and refurbishment of the Lily Street pumpstation. Extension of the 200mm water main along Fowler Street, from the reservoir to Ochertyre Street, has been completed. This work is part of works that shall improve water flow and water pressure to the south western area of Deniliquin. Replacement of water mains in Wanganella has commenced with materials having been purchased and physical works commencing in March 2018.

The refurbishment of the Waring gardens fountain has been well received by the public. Council's parks and gardens team have also assisted numerous community groups to date including the show society and RSL fishing club with in kind works at their events. Council commenced the Electronic Water Meter Replacement program with approximately 3,300 of the 3,600 existing meters having been replaced. The replacement of the meter has included the installation of an electronic pulse meter that allows meter reading to be undertaken remotely. Once the system is fully commissioned property owners shall be able to manage their water usage through a customer portal. It is anticipated that this project shall be completed in April 2018. Free micro chipping day currently being advertised

Regular animal management services taking place. There have been a number of dog attacks that Council staff have been working through
Skin penetration, food premises inspections, arbovirus monitoring are all underway
Complete - Partnership formed with Business Chamber to deliver event for 2017
A Draft deed of Agreement has been prepared and council will consider at the March meeting. A new CMRL Strategic Plan and Operation plan has been adopted by the committee and is now in the implementation phase.
The special rate variation has been levied for the final time in 2017/18. Phase two of the Destination Deniliquin marketing program completes in April 2018. The funds collected in 2017/18 will be allocated to further promotions campaigns.

Heritage advice - Development matters regularly referred to heritage advisor
Heritage grants - Project offers have been made and are to be finalised in this financial year
Not proceeding as grant application was not successful.
Draft with Department of Planning for review. At this stage unlikely to complete before the end of financial year but it is back on track.
Council to consider creating the access committee at the March meeting. Once committee is formed will look to spend money before end of financial year.
Not proceeding. Have had discussion with Infrastructure about projects at cemetery.
Not commenced. Budget bid for 18/19 to increase budget and undertake project.
Successful and receiving grant fund. Project is currently out to tender.

Deniliquin Airport Project Final Report has been received from KPMG and a report has been prepared for councils meeting on 15/03/18.

The Deniliquin Retirement Village Project is on track with the phase two report by Brand Partners Equity One being considered by council at the meeting on 15/03/18.

Railway Land compulsory acquisition of Lot 1 DP732067 is in the final stages and waiting for final approval from the Minister for Local Government. The matter should be concluded by April 2018. Negotiations have commenced to acquire the final parcel of railway land lot 2 DP732067.

Ausway Education Group Pty Ltd have signed a 20 X 20 year lease of Murray Valley Industry Park for the purpose of developing an agricultural education and research facility. The lease is currently waiting for final ministerial approval.

The draft Edward River Economic Development Strategy is currently being finalised and will be considered by council in April 2018.

Project budget approved by Council

Project Plan completed

Contractors commenced on-ground

Unable to yet engage a Business Analyst to assist with project

Upgrade of domain and servers complete

Commencement of Technology One reimplementation project

Upgrade of hardware complete

Microwave connectivity to depot completed

Records management recruitment completed

After hours service provision reviewed and improved

CARS system implemented

End of Year financial process completed

Audit, Risk and Improvement Committee charter adopted

Improvement program identified and underway

Preparation for preliminary audit underway

Conargo Rates Date Migration commenced

Policies updated and completed

Councillor induction, code of meeting practice, code of conduct completed

IP&R commenced

Statutory reporting ongoing – completed on time

Implementation of WHS program commenced

Position descriptions update complete

Recruitment of vacant positions – 90% complete

Update of policies ongoing

Cultural survey – under development

ICAC training for key personnel completed

These funds have been fully expended or committed. Projects completed include:

- Staff accommodation/office
- Depot connectivity
- Organisational restructure and recruitment
- IT systems
- Specialist management services

Projects still to be completed include:

- TechOne reimplementation
- Town signage
- Asset Management Strategy

In progress - rates notices issued as per schedule and no significant change to outstanding rates

Council is partnering with NSW RFS for the construction of a zone Fire Control Centre at the Deniliquin Airport.

This project is funded by NSW RFS with Council project managing the design and construction of the works.

Documentation of the project has been completed, including Development Approval and the issuing of a Construction Certificate, to the point that a tender for the construction work has been advertised.

This project is anticipated to be completed in October 2018.

11.6 GENERAL MANAGER PERFORMANCE REVIEW COMMITTEE POLICY**File Number:****Author:** Adam McSwain, General Manager**Authoriser:** Adam McSwain, General Manager**RECOMMENDATION**

That Council

1. Approve the General Manager Performance Review Committee Policy

BACKGROUND

The Standard Contract of Employment for General Managers of Local Councils in NSW developed by the Office of Local Government (OLG) states that at a minimum Council are required to undertake an Annual Performance Review of the General Manager.

ISSUE/DISCUSSION

In order to facilitate this process, it is proposed that Council establish a Performance Review Committee (Committee) to cover off on some elements of the General Manager Performance Review process. Primarily the Committee will act as the group to provide feedback to the General Manager following the annual review and will commence the process to develop the annual performance agreement.

STRATEGIC IMPLICATIONS

An effective performance review process for the General Manager will ensure that strategic priorities are identified and built in to the performance process.

COMMUNITY STRATEGIC PLAN

The Edward River 2030 Community Strategic Plan (CSP), identifies 'Our local government is efficient, innovative and financially sustainable'. An effective performance review process for the General manager helps to ensure this takes place.

FINANCIAL IMPLICATIONS

Nil

LEGISLATIVE IMPLICATIONS

The establishment and annual implementation of this Policy will ensure that the annual review process required by the Local Government Act 1993 and Local Government Regulations 2005 are complied with

ATTACHMENTS

1. Draft General Manager Performance Review Committee Policy

POLICY OBJECTIVE

This policy outlines Council's adopted process for the performance review of the General Manager. It provides the framework for who will conduct the review and when the review will be conducted in accordance with the General Manager's Contract and the NSW Local Government Act 1993. It ensures there is a performance monitoring process in place so that the General Manager has appropriate guidance and feedback from Council on performance expectations.

SCOPE

This policy applies to Edward River Council Councillors

LEGISLATIVE REQUIREMENTS

The Local Government Act 1993 and Standard General Manager Contract apply to this policy

POLICY STATEMENT

1. Delegation to the Review Panel

- 1.1 By adopting this policy, Edward River Council delegates to the Performance Review Committee the authority to undertake performance assessments of the General Manager annually between March 2018 to April 2022 in accordance with this policy.
- 1.2 This delegation is to be exercised in accordance with:
 - 1.2.1 The requirements of the Local Government Act 1993 and the Local Government Regulations 2005 (NSW);
 - 1.2.2 The requirements of any other relevant act, law or regulation; and
 - 1.2.3 Any relevant resolution or policy of Council.
- 1.3 This delegation is effective from the date of the Council resolution adopting this policy to the completion of the delegated performance management tasks at the end of the term of the General Manager's contract.

2. Review Panel Members

- 2.1 The Review Panel will comprise of:
 - 2.1.1 The Mayor
 - 2.1.2 The Deputy Mayor
 - 2.1.3 Two Councillors elected by Council

3. Training

- 3.1 Review Panel members will receive training to conduct a performance review of the General Manager prior to being required to conduct a Performance Review.

4. Appointment of Facilitator

- 4.1 The Review Panel and General Manager will appoint an independent Facilitator to facilitate the Performance Review Process.

5. Development of the Performance Agreement

- 5.1 The Performance Agreement will be developed at the commencement of the Annual Performance Review Period in consultation with the whole Council.
- 5.2 The Performance Agreement will include clearly defined and measurable performance indicators against which the General Manager's performance will be measured.
- 5.3 The Performance Agreement will include key indicators that measure how well the General Manager has met the Council's expectations with respect to:
 - 5.3.1 Annual projects and priorities;
 - 5.3.2 Role and overall responsibilities from Position Description;
 - 5.3.3 Core Competencies;
 - 5.3.4 Values and Behaviours; and
 - 5.3.5 Corporate Key Performance Indicators;
- 5.4 The Performance Agreement will be presented to Council in a closed meeting together with the outcomes of the previous Performance Review Period.
- 5.5 Prior to the presentation of these items at a closed meeting of Council, they will be workshopped and discussed with Councillors
- 5.6 The Performance Agreement may be varied from time to time during the term of the Performance Agreement by agreement between the General Manager and the Review Panel, such agreement not to be unreasonably withheld.

6. Link to Directors Performance Agreements

- 6.1 The General Manager will ensure that the Performance and Development Plans of the Directors:
 - 6.1.1 Align with the General Managers Performance Agreement;
 - 6.1.2 Support the achievement of the Council's expectations of the General Manager; and
 - 6.1.3 Ensure the General Manager's expectations of the Directors are clearly articulated and reviewed

7. Annual Performance Review

- 7.1 Notification by General Manager

As per the Standard General Manager Contract, at least 21 days prior to the Annual Performance Review due date, the General Manager will:

- 7.1.1 Submit a Self-Assessment to the Facilitator; and
 - 7.1.2 Notify the Elected Council that the Annual Performance Review is due.
- 7.2 Assessment by elected Council

- 7.2.1 The General Manager's Self-Assessment and a questionnaire relating to performance against the Performance Agreement will be distributed to Councillors and the Mayor by the Facilitator.
- 7.2.2 The General Manager will also present this information to the whole Council at a Council Workshop session.
- 7.2.3 Councillors and the Mayor will individually and independently, rate the performance of the General Manager against the Performance Agreement using the assessment scale outlined in it.
- 7.2.4 If required, a group discussion with all Councillors may also take place
- 7.2.5 Any extreme scores will be discussed with the relevant Councillor and the Facilitator prior to inclusion in the Performance Review meeting.
- 7.2.6 The Facilitator will receive and collate the assessments of the elected Council in preparation for the formal Performance Review meeting.

7.3 Review Panel meeting

The Review Panel, in conjunction with the Facilitator, will meet to:

- 7.3.1 Review the average of all the responses received from the Panel; and
- 7.3.2 Agree on development actions for the General Manager.

7.4 Review Panel Meeting with General Manager

- 7.4.1 As per the Standard General Manager Contract, Council will provide the General Manager at least 10 days' notice that a Performance Review meeting is to be conducted.
- 7.4.2 A meeting between the General Manager and the Review Panel will be held to discuss the Panel's rating and opportunities for future development of the General Manager.

8. Reporting

- 8.1 To General Manager - within six weeks from the conclusion of the Performance Review, the Mayor will prepare and send to the General Manager a written statement that sets out:
 - 8.1.1 Council's conclusions about the General Manager's performance during the performance review period;
 - 8.1.2 Any proposal by Council to vary the performance criteria as a consequence of a performance review, and
 - 8.1.3 Any directions or recommendations made by Council to the General Manager in relation to the General Manager's future performance of the duties of the position.

- 8.2 To Council - The Review Panel will report the findings and recommendations of the Performance Review to a closed meeting of the elected Council as soon as practicable following the annual Performance Review. The General Manager should not be present when the matter is considered.

ASSOCIATED POLICIES AND PROCEDURES

Nil

DEFINITIONS

Nil

POLICY VERSION CONTROL

Policy Title	General Manager Performance Review Committee
Document ID	
Department	Office of General Manager
Function	Office of General Manager
Policy Group	Office of General Manager
Responsible Officer	General Manager
Adopted	TBC
Next revision	April 2022

11.7 INVESTMENT REPORT AS AT 28 FEBRUARY 2018**File Number:** na**Author:** Caroline Wallis, Director Corporate Services**Authoriser:** Caroline Wallis, Director Corporate Services**RECOMMENDATION**

That Council:

1. Note and receive the Report on Investments totalling \$42,230,019 inclusive of cash at bank for day-to-day operations;
2. Note that actual interest received for the month of February 2018 was \$56,376.
3. Note that accrued interest earned to 28 February 2018 but not yet received was \$531,969.

BACKGROUND

The purpose of this report is to update Council on the investment of surplus funds and interest earned as required in Regulation No 264 (Part 19) of the Local Government Act 1993.

All investments have been made in accordance with Council's Policy, Section 625 of the Local Government Act 1993, and Regulation No 264.

As at 28 February 2018, Council has a total of \$42,230,019 in invested funds and cash at bank. This balance does not include unrepresented receipts or cheques.

Interest received from investments during the month of February 2018 was \$56,376 consisting of \$10,978 for on-call/ bank accounts and \$45,398 for term deposits. Year to date interest received to 28 February 2018 for Edward River Council is \$580,145. Accrued interest of \$531,969 has been earned to 28 February 2018 but is not yet received as these investments mature in later months.

To optimise returns and to reduce exposure to risk, Council is investing surplus funds prudently in authorised financial institutions under current legislation in accordance with the Council's Investment Policy.

ISSUE/DISCUSSION

At 28 February 2018 Council investments had a carrying value of \$42,230,019 as detailed on the following page

Cash and Investments held as at 28 February 2018

Schedule of Investments										
This Report is at date							28-February-2018			
Financial Institution		Account No.	Rating at End of Month (S&P)	Date Invested	Maturity Date	Days	Rate	Face Value Amount	% of Portfolio	Estimated Interest
On-Call/ CMT Accounts										
Westpac Business Cheque Plus Account	Deniliquin	032-870 16-6545	A1+	N/a	N/a	365	0.01%	1,208,062.55	2.86%	Monthly
Westpac Business Cash Reserve	Deniliquin	032-870 17-9231	A1+	N/a	N/a	365	0.70%	2,250,000.00	5.33%	Monthly
Westpac 31 Day Notice Account	Deniliquin	032-870 23-2696	A1+	N/a	N/a	365	2.50%	2,086,575.29	4.94%	Monthly
Commonwealth Bank General Fund	Conargo	062-533 000 000 10	A1+	N/a	N/a	365	0.00%	1,101,666.47	2.61%	Monthly
Commonwealth Bank Business On Line Acc	Conargo	062-533 101 511 17	A1+	N/a	N/a	365	0.60%	1,765,862.22	4.18%	Monthly
NAB Business Cheque Account	Deniliquin	89-575-7273	A1+	N/a	N/a	365	0.00%	2,857.96	0.01%	Monthly
Macquarie Bank - Rates	Deniliquin	3005-79778	A1+	N/a	N/a	365	0.00%	7,493.39	0.02%	Monthly
Macquarie Bank - Water	Deniliquin	2643-18940	A1+	N/a	N/a	365	0.00%	889.34	0.00%	Monthly
AMP Business Saver Account	Edward River	939-200 164957532	A1+	N/a	N/a	365	2.05%	2,056,611.88	4.87%	Monthly
Total Oncall/ CMT Accounts								10,480,019.10	24.82%	
Term Deposits										
St George	Deniliquin	354032747	A1+	10-Sep-17	04-Sep-18	359	2.60%	1,250,000.00	2.96%	31,965.75
St George	Deniliquin	354775348	A1+	07-Oct-17	02-Oct-18	360	2.55%	1,500,000.00	3.55%	37,726.03
St George	Deniliquin	355276209	A1+	02-Sep-17	02-Sep-18	364	2.60%	1,000,000.00	2.37%	25,928.77
St George	Deniliquin	355296525	A1+	12-Sep-17	11-Sep-18	364	2.59%	1,000,000.00	2.37%	25,829.04
Westpac	Deniliquin	033-621 357900	A1+	21-Nov-17	27-Nov-18	371	2.53%	3,000,000.00	7.10%	77,147.67
Westpac	Conargo	032-870 22-6835	A1+	27-Feb-18	29-Mar-18	30	1.90%	500,000.00	1.18%	780.82
Westpac	Conargo	032-870 22-6448	A1+	19-Dec-17	24-Jul-18	217	2.50%	1,000,000.00	2.37%	14,863.01
Westpac	Conargo	032-870 22-2287	A1+	10-Oct-17	16-Oct-18	371	2.59%	1,500,000.00	3.55%	39,488.63
Westpac	Conargo	032-870 22-8830	A1+	10-Oct-17	10-Apr-18	182	2.50%	1,000,000.00	2.37%	12,465.75
Westpac	Edward River	032-870 23-4616	A1+	21-Nov-17	27-Nov-18	371	2.53%	1,000,000.00	2.37%	25,715.89
Commonwealth Bank	Conargo	062-533 37543602	A1+	17-Oct-17	17-Apr-18	182	2.42%	500,000.00	1.18%	6,033.42
National Australia Bank	Conargo	24-710-0644	A1+	08-Aug-17	27-Apr-18	262	2.42%	500,000.00	1.18%	8,685.48
National Australia Bank	Edward River	31-162-5542	A1+	08-Aug-17	08-Aug-18	365	2.45%	750,000.00	1.78%	18,375.00
Total A1+ Deposits								14,500,000.00	34.34%	
AMP Bank	Deniliquin	085241479-427214	A1	16-Jan-18	23-Oct-18	280	2.65%	1,000,000.00	2.37%	20,328.77
AMP Bank	Deniliquin	620718403-429092	A1	30-May-17	29-May-18	364	2.60%	1,000,000.00	2.37%	25,928.77
AMP Bank	Edward Rier	286870456-429501	A1	27-Feb-18	28-Aug-18	182	2.60%	1,000,000.00	2.37%	12,964.38
Total A1 Deposits								3,000,000.00	7.10%	
Bendigo and Adelaide Bank	Deniliquin	2112060	A2	28-Nov-17	04-Sep-18	280	2.50%	1,000,000.00	2.37%	19,178.08
Bendigo and Adelaide Bank	Deniliquin	1793598	A2	05-Dec-17	04-Dec-18	364	2.60%	1,000,000.00	2.37%	25,928.77
Bendigo and Adelaide Bank	Edward River	10 Term Deposits	A2	17-Jun-16	17-Jun-18	730	3.15%	5,000,000.00	11.84%	315,000.00
ING Bank (Curve)	Edward River	274746	A2	25-Jul-17	26-Jun-18	336	2.60%	1,000,000.00	2.37%	23,934.25
Bank Australia	Edward River	313-140 138363486	A2	16-Jan-18	16-Jul-18	180	2.60%	1,000,000.00	2.37%	12,821.92
Bank Australia	Edward River	313-140 138364459	A2	16-Aug-17	10-Apr-18	244	2.80%	750,000.00	1.78%	14,038.36
ME Bank (RIM)	Edward River	11379100	A2	09-Jun-17	06-Mar-18	270	2.62%	1,000,000.00	2.37%	19,380.82
Defence Bank Limited	Edward River	171548852	A2	30-May-17	27-Mar-18	301	2.70%	500,000.00	1.18%	11,132.88
Total A2 Deposits								11,250,000.00	26.64%	
BananaCoast Credit Union	Deniliquin	112214	NR	11-Jul-17	10-Jul-18	364	2.80%	500,000.00	1.18%	13,961.64
Police Credit Union	Deniliquin	13188749	NR	27-Feb-18	28-Aug-18	182	2.65%	1,000,000.00	2.37%	13,213.70
Police Credit Union	Deniliquin	69759	NR	06-Jun-17	12-Jun-18	371	2.90%	500,000.00	1.18%	14,738.36
Police Credit Union	Deniliquin	25386	NR	13-Jun-17	15-May-18	336	2.85%	1,000,000.00	2.37%	26,235.62
Total Non Rated Deposits								3,000,000.00	7.10%	
Average Interest Rate							2.13%	42,230,019.10	100.00%	893,791.58

The cash and investments balance is restricted as follows:

Internal Restrictions

Infrastructure replacement	\$ 3,112,631
Plant replacement reserve	\$ 1,798,670
Recreation reserves/villages	\$ 1,113,000
Employee entitlements	\$ 692,727
Land Development Fund	\$ 400,000
Airport Development	\$ 291,447
Deposits, retentions and bonds	\$ 234,875
Other internal reserves	\$ 764,076
Total Internal Restrictions	\$ 8,407,426

External Restrictions

Water supplies fund	\$ 7,979,878
Sewerage services fund	\$ 3,987,417
Tip remediation	\$ 1,300,000
Business promotion levy	\$ 30,271
Unexpended Merger Funds	\$ 10,338,593
Library fund	\$ 435,742
Other external reserves	\$ 136,506
Total External Restrictions	\$ 24,208,407

Unrestricted Funds \$ 9,614,186

Total Funds \$ 42,230,019

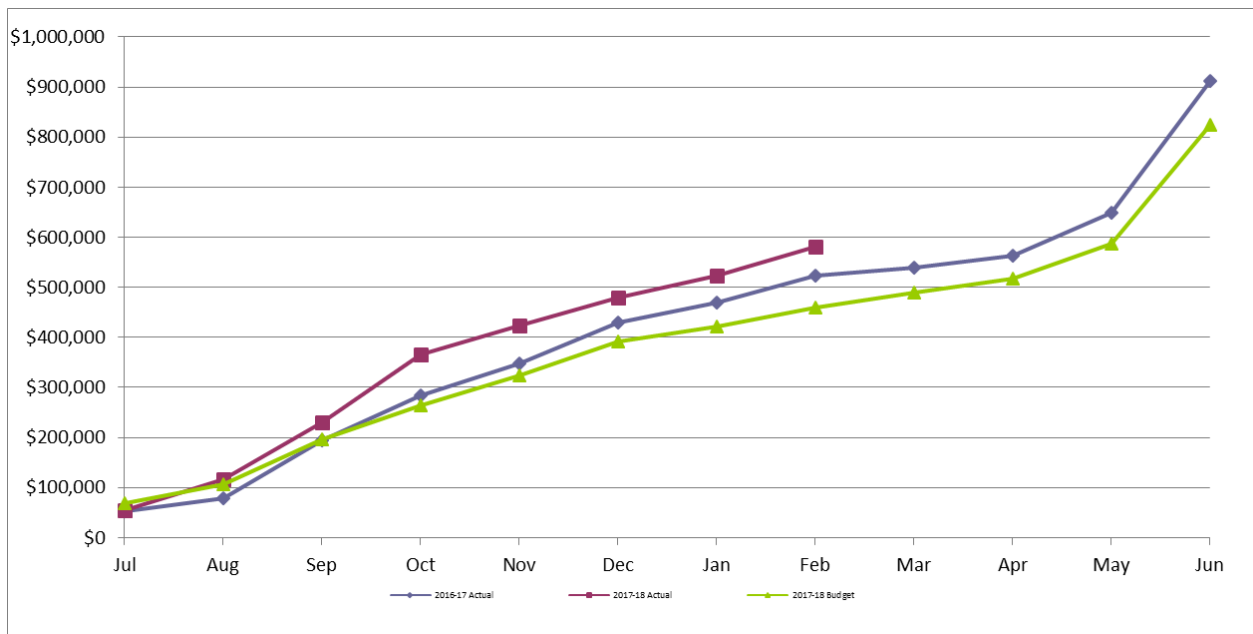
The Total Funds above are held between General, Water and Sewer as follows:

Fund Name	Bank and Investments	Percentage
General	\$ 30,262,724	71.66%
Water	\$ 7,979,878	18.90%
Sewer	\$ 3,987,417	9.44%
Total Funds	\$ 42,230,019	100.00%

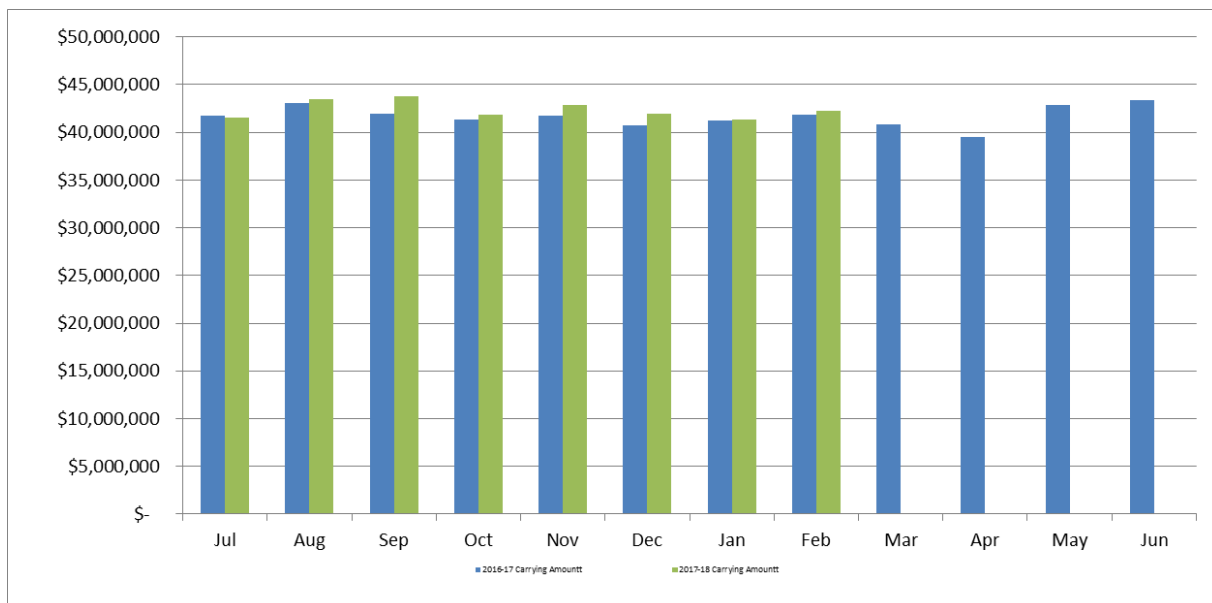
Investments matured during February 2018

Financial Institution	Date Invested	Maturity Date	Days	Interest Rate	Amount	Actual Interest Received	Action Taken
Feb-18							
Westpac	23-May-17	27-Feb-18	279	2.55%	500,000	9,745.89	Rolled over 30 days @ 1.90%
NAB	29-Aug-17	27-Feb-18	182	2.50%	1,000,000	12,465.75	Redeemed & moved to Police Credit Union 6 months @ 2.65%
AMP	30-May-17	27-Feb-18	273	2.60%	500,000	9,723.29	Increased to \$1M 6 months @ 2.6%
WAW Credit Union	28-Feb-17	27-Feb-18	364	2.70%	500,000	13,463.01	Redeemed & added to AMP TD
						45,397.95	

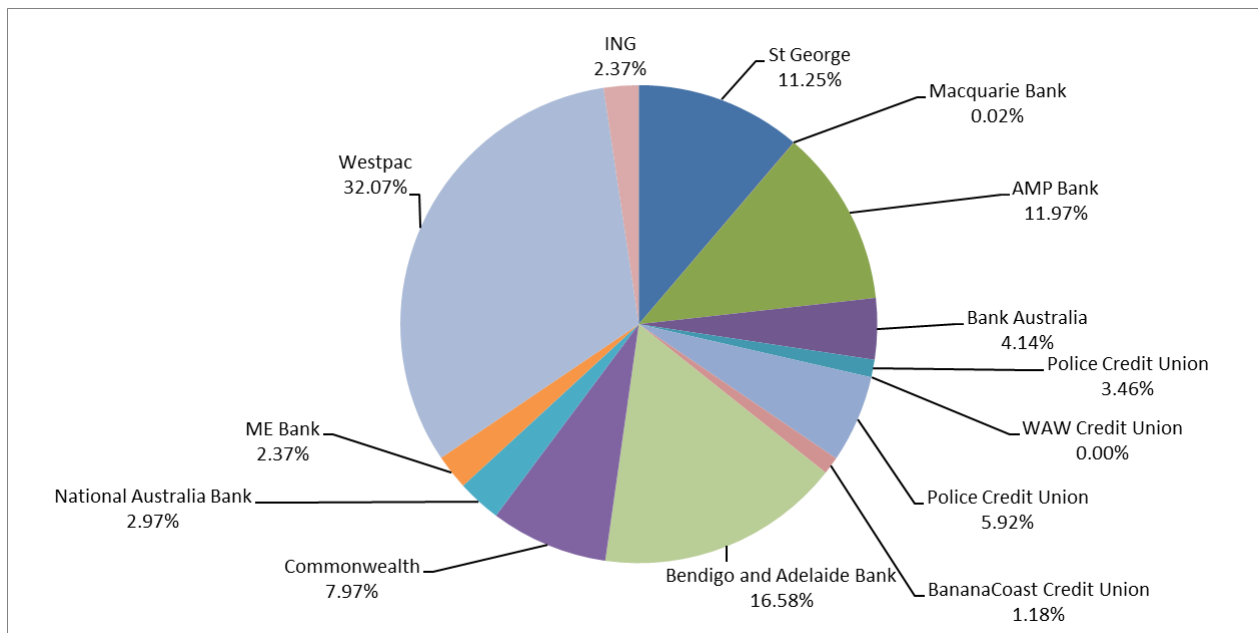
Actual year to date investment revenue earned



Total funds invested



Cash and investments total breakup by institution



STRATEGIC IMPLICATIONS

Investments have been made in accordance with Council’s investment policy, which was adopted on 17 May 2017.

All investments have been made in accordance with Section 625 of the Local Government Act 1993 and Regulation No. 264.

Under Council’s investment policy, investments are made with a range of banks, with Council funds invested with a single institution not going above a percentage of the total portfolio as follows:

50%	A1+ rated institutions
45%	A1 rated institutions
40%	A2 rated institutions
20%	A3 rated institutions
10%	Unrated authorised deposit taking institutions

COMMUNITY STRATEGIC PLAN

na

FINANCIAL IMPLICATIONS

Current low interest rates will reduce expected investment revenue.

LEGISLATIVE IMPLICATIONS

Nil

ATTACHMENTS

Nil

11.8 ENVIRONMENTAL SERVICES PROJECTS QUARTERLY REPORT**File Number:** -**Author:** Julie Rogers, Manager Environmental Services**Authoriser:** John Harvie, Director Economic Development & Business**RECOMMENDATION**

That Council receive the Environmental Services Projects Quarterly Report.

BACKGROUND

This report is a quarterly update on projects within the Environmental Services division of the Economic and Business Development Directorate.

ISSUE/DISCUSSION**Deniliquin Public Space Strategy**

The draft Deniliquin Public Space Strategy (draft DPSS) was reviewed by Council at its workshop on 1 February 2018 and by the Open and Public Space Strategic Working Group at its meeting on 13 February 2018. Comments from this review were forwarded to the consultant on 16 February 2018 and discussed with the consultant on 20 February 2018. Currently awaiting an updated version of the draft document and draft exhibition material.

Edward River Open Space Strategy

Council is currently awaiting a copy of the discussion paper.

Kyalite Planning Proposal

This planning proposal relates to 21701-21703 Riverina Highway, Deniliquin and consists of three titles being Lots 2 and 3 DP562598 and Lot 1 DP1121183. Figure 1 shows the location of the subject site. The amendment to the Deniliquin Local Environmental Plan 2013 was made on 16 February 2018 and included the following changes for the subject site:

- Rezoning part of the site from RU1 Primary Production to R5 Large Lot Residential and SP2 Infrastructure (Classified Road);
- Identification of minimum lot size for the land being 1.2ha and 2ha;
- Identification of the flood planning area and flood planning levels for the site; and
- Identification of a river front area and accompanying clause.

In addition to the above, the Deniliquin Development Control Plan 2016 has been amended to include site specific provisions for the subject site.

This matter is now finalised and it is anticipated that the owner of the land will submit a development application for the subdivision of the subject site.



Figure 1 Location of subject site – Kyalite Stables

Flood Planning Controls

The Edward River at Deniliquin Floodplain Risk Management Study and Plan makes recommendations relating to flood planning controls for the former Deniliquin local government area. In response to these recommendations a planning proposal and amendments to the Deniliquin Development Control Plan 2016 have been prepared for consideration by Council at its March meeting.

Rural Residential Strategy

The rural residential strategy applies to land within the former Deniliquin Council area and identifies land for future investigation for rezoning to R5 Large Lot Residential under the Deniliquin Local Environmental Plan 2013. The draft strategy is currently being reviewed by the Department of Planning and Environment prior to finalisation.

Barham Road Planning Proposal

This planning proposal relates to Lots 3 and 4 DP286006 Barham Road, Deniliquin and rezones the land from RU1 Primary Production to IN1 General Industrial under the Deniliquin Local Environmental Plan 2013. The amendment was made on 19 January 2018. Figure 2 shows the location of the subject site.

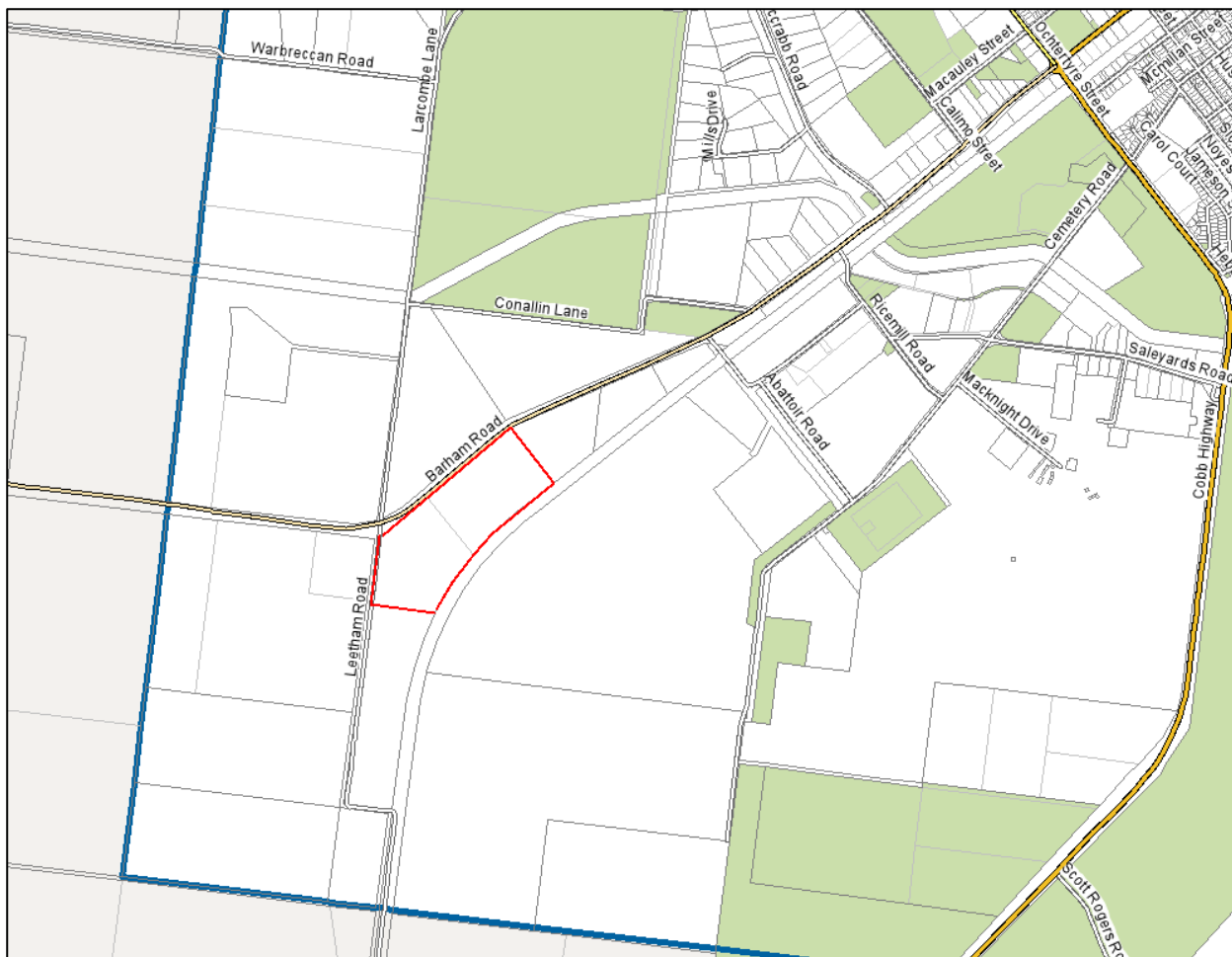


Figure 2 Location of subject site – Barham Road planning proposal

Local Approvals Policy

A local approvals policy under the Local Government Act 1993 has been drafted and is currently being reviewed by staff. The policy applies to section 68 approvals (also known as a local activity approval) and will exempt certain activities from requiring approval, list the criteria that must be considered when Council is determining an activity approval and other matters around the application process, information required etc.

Bushfire Mapping

The bushfire mapping for the whole Council area is currently being combined and reviewed. Council has received a draft of the mapping.

Free Microchipping

Council is proposing free microchipping for companion animals for the week commencing 19 March 2018. The aim of this program is get more companion animals identified. It is proposed that the Council ranger will travel to people to undertake the microchipping and will then encourage people to register their companion animals.

Registration of Companion Animals

Council has identified approximately 400 companion animals that were microchipped in 2017 but were not registered. The owners of these companion animals will be contacted during 2018 requesting that they register their animals under the Companion Animals Act or risk being fined.

Parking Restrictions in Deniliquin Town Centre

Council will be issuing a press release to inform the community that parking restrictions in the Deniliquin town centre will be enforced from 12 March 2018. In addition to the press release, letters will be distributed to business owners and on vehicles parking in the Whitelock Street

vicinity advising them of the enforcement of parking restrictions. Until 12 March 2018 any vehicles overstaying the parking restrictions will receive a warning.

STRATEGIC IMPLICATIONS

[Type here](#)

COMMUNITY STRATEGIC PLAN

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FINANCIAL IMPLICATIONS

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LEGISLATIVE IMPLICATIONS

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ATTACHMENTS

Nil

11.9 FLOOD PLANNING CONTROLS**File Number:** -**Author:** Julie Rogers, Manager Environmental Services**Authoriser:** John Harvie, Director Economic Development & Business**RECOMMENDATION**

Division

In accordance with the requirements of the Local Government Act, it is necessary for Council to call a division when voting on any resolution that involves making a planning decision.

That Council

1. Prepare a planning proposal to amend the Deniliquin Local Environmental Plan 2013 and Deniliquin Local Environmental Plan 1997 in accordance with section 3.33 of the Environmental Planning and Assessment Act 1979 to insert flood planning controls;
2. Forward the planning proposal to the Minister for Planning and Infrastructure in accordance with section 3.34(1) of the Environmental Planning and Assessment Act 1979.
3. Request that the local plan making functions in relation to this planning proposal be delegated to Council.
4. In relation to Chapter 10 Hazards of the Deniliquin Development Control Plan 2016:
 - (a) Prepare an amendment to this chapter relating to flood controls in accordance with section 3.43 of the Environmental Planning and Assessment Act.
 - (b) Publicly exhibit the amendment in accordance with Part 3 Division 2 of the Environmental Planning and Assessment Regulation.
 - (c) Receive a further report upon completion of the public exhibition.

BACKGROUND

Council adopted the Edward River at Deniliquin Floodplain Risk Management Study and Plan (FRM study and plan) at its meeting on 17 May 2017. It makes recommendations for the management of flood risk within the former Deniliquin local government area.

This report addresses the introduction of flood planning controls into the Deniliquin Local Environmental Plan 2013 (LEP 2013) and Deniliquin Local Environmental Plan 1997 (LEP 1997) and an amendment to flood planning controls in the Deniliquin Development Control Plan 2016 (DCP 2016).

ISSUE/DISCUSSION

Recommendations PM01 and PM02 of the FRM study and plan relate to flood planning controls and each recommendation has a series of actions. Attachment 1 details the two recommendations and how it is proposed to respond to them.

The primary response to these two recommendations is the preparation of a planning proposal to introduce and/or amend flood planning controls in LEP 2013 and LEP 1997 and propose an amendment to chapter 10 (hazards) of DCP 2016.

Planning Proposal

In order to introduce flood planning controls into the two LEPs, a planning proposal has been prepared (attachment 2). This has been prepared in accordance with 'A Guide for Preparing Planning Proposal' (Department of Planning and Environment).

The following changes are proposed to LEP 2013 and LEP 1997:

LEP 2013

Clause 6.2 of LEP 2013 was recently amended for the Kyalite Stables rezoning (21701-21703 Riverina Highway, Deniliquin) and this clause currently includes many of the changes that are proposed for LEP 1997. Essentially a small amendment to subclause 6.2(2)(b) will be required to delete the reference in the clause to 'any other flood liable land'. The existing Flood Planning Map Sheet FLD_005 will be amended to identify all the flood planning area (FPA) to land to which this map applies and additional flood planning map sheets will be prepared to identify the FPA under the DLEP 2013. The planning proposal includes the details of the existing clause 6.2 and an extract from the Flood Planning Map Sheet FLD_005 showing the extent of the existing FPA mapping (see appendix 1 of the planning proposal).

LEP 1997

Clause 21 of LEP 1997 will be deleted and replaced with the model flood planning clause. Attachment 3 is the model flood planning clause. The FPL will be 1%AEP + 500mm within the mapped floodway extent and 1%AEP + 300mm outside the mapped floodway extent and within the FPA. Flood planning maps will be prepared to identify the FPA under DLEP 1997. It should be noted that the proposed changes to LEP 1997 will only apply to the 'deferred area' under LEP 2013 (essentially being Davidson Street).

DCP 2016

Chapter 10 of DCP 2016 addresses hazards being bush fire prone land, contaminated land and flooding. The FRM study and plan makes recommendations for amendments to the DCP 2016 including (and proposed changes are noted in italics):

- Changes to terminology to ensure that it is consistent with the NSW Floodplain Development Manual – *terminology has been changed to ensure consistency with the Manual;*
- Insertion of one additional objective in chapter 10 – *an objective has been inserted in part 10.3 of chapter 10 being 'to avoid significant adverse impacts on flood behaviour and the environment';*
- Insertion of a control stating that existing dwellings and replacement dwellings cannot exist simultaneously – *this control has been inserted into the controls for the floodway;*
- Safe paths of travel must be maintained – *the control requiring 'a safe path of travel, at the same height as the adjoining road network, must be provided for pedestrians and/or vehicles at a height that is equivalent to the adjoining road network' has been amended so that safe paths of travel must be 'provided and maintained' and must be to the adjoining public road network;*
- Rewording of controls 1 and 4 for development in residential and rural zones so that they are considered as one control – *the two controls have not been combined and will be retained as two separate controls.*
- Include requirement for impacts of development to be documented – *this control has been inserted for development within the floodway and in the FPA excluding the floodway.*

It is recommended to Council that the DCP 2016 be amended at the same time as the two LEPs. Attachment 4 is the current Chapter 10 Hazards of DCP 2016 and attachment 5 is the proposed Chapter 10 Hazards.

STRATEGIC IMPLICATIONS

The proposed changes to the LEPs and DCP 2016 are implementing two of the recommendations of the FRM study and plan. They will assist in ensuring adequate consideration of flood hazard in development assessment.

COMMUNITY STRATEGIC PLAN

The changes to the flood planning controls meet the following targets of the draft community strategic plan:

- 3.3 We plan for the future to accommodate and facilitate sustainable growth and development; and
- 4.1 Our built environment is managed, maintained and improved.

FINANCIAL IMPLICATIONS

There are no financial implications for Council undertaking this work.

LEGISLATIVE IMPLICATIONS

To amend the two LEPs a planning proposal must be prepared in accordance with section 3.33 of the Environmental Planning and Assessment Act (the Act). This planning proposal is then forwarded to the Department of Planning in accordance with section 3.34(1) of the Act and a gateway determination is then issued in accordance with section 3.34(2).

Council will request that the plan making delegations functions be delegated to Council due to the minor nature of the planning proposal. Attachment 6 is the request for the delegation of plan making functions to Council is attached.

A DCP must be made or amended in accordance with Part 3 Division 3.6 of the Act. The DCP amendment must be publicly exhibited for a minimum period of 28 days in accordance with clause 18 of the Environmental Planning and Assessment Regulation (the Regulation). During this time any person may make a written submission about the draft DCP.

Upon completion of the public exhibition Council will be required to consider approving the draft DCP with or without amendment or Council may decide not to proceed. Council must give public notice of its decision in a local newspaper within 28 days. If Council approves a DCP then it comes into effect on the date that public notice of its decision is given in a local newspaper or on a later date specified in the notice.

ATTACHMENTS

1. **Attachment 1 - FRM Study and Plan Recommendations PM01/PM02 (under separate cover)**
2. **Attachment 2 - Planning Proposal (under separate cover)**
3. **Attachment 3 - Model Clause (under separate cover)**
4. **Attachment 4 - DCP 2016 Chapter 10 Hazards (under separate cover)**
5. **Attachment 5 - Draft DCP 2016 Chapter 10 Hazards (under separate cover)**
6. **Attachment 6 - Evaluation Criteria for the Delegation of Plan Making Functions (under separate cover)**

11.10 ACCESS COMMITTEE**File Number:** -**Author:** Julie Rogers, Manager Environmental Services**Authoriser:** John Harvie, Director Economic Development & Business**RECOMMENDATION**

That Council:

1. Establish an access committee;
2. Invite Intereach and Kurrajong to provide one representative each on the committee; call for expressions of interest from the community to join the committee; Council to receive a report to determine the membership of the committee; and
3. Appoint the Mayor or a delegate to be a Councillor representative on this Committee.

BACKGROUND

At its meeting on 20 July 2017 Council resolved to adopt the Edward River Council Disability Inclusion Action Plan 2017 (DIAP). The DIAP makes recommendations for its implementation and resourcing across Council. These will be linked to the community strategic plan (CSP) and delivery program once developed by Council.

This report proposes the creation of an access committee. Attachment 1 is the draft terms of reference.

ISSUE/DISCUSSION

The DIAP makes 14 recommendations for Council to improve disability inclusion one of which is to create an access committee.

The creation of an access committee would provide an avenue for the implementation of the DIAP and the CSP as well as providing the community with an opportunity to present and discuss issues related to disability access and inclusion particularly around Council's areas of service delivery.

It is proposed that the role of the committee would be:

- Provide informed advice to Council on the development, implementation, monitoring and review of policies, strategies and actions to improve access and inclusion for people with a disability;
- Assist Council to identify and remove barriers to participation for people with a disability;
- Respond to matters referred to the committee;
- Monitor the development, implementation and review of the DIAP; and
- Support the implementation of the CSP.

As a minimum it will meet twice a year and it is proposed that it will consist of the Mayor or delegate, 2 community representatives and one representative each from Intereach and Kurrajong would be invited to join the committee. Council staff will act as advisory members.

STRATEGIC IMPLICATIONS

The committee will oversee the implementation of the DIAP.

COMMUNITY STRATEGIC PLAN

The establishment of the access committee satisfies the following targets of the draft CSP 2018-2030:

- 1.1 Our community has access to essential services;
- 1.2 Our community is safe, happy and healthy, both physically and mentally;
- 1.3 We embrace our community strengths and areas of interest;
- 4.1 Our built environment is managed, maintained and improved;
- 5.1 Our community is informed and engaged; and
- 5.2 We collaborate, partner and facilitate with other agencies and community groups to achieve great outcomes;

FINANCIAL IMPLICATIONS

Council allocated in the 17/18 budget \$20 000 for DIAP implementation and has received \$2 000 from Intereach to support the project.

LEGISLATIVE IMPLICATIONS

Section 12 of the Disability Inclusion Act 2014 states that a public authority (which includes a council) must have a DIAP and must report on implementation in its annual report.

ATTACHMENTS

1. Attachment 1 - Draft terms of reference



CHARTER

ACCESS COMMITTEE

Adopted by Council <>
(Minute No <>)

PURPOSE

The role of the Access Committee is to:

- Provide informed advice to Council on the development, implementation, monitoring and review of policies, strategies and actions to improve access and inclusion for people with a disability;
- Assist Council to identify and remove barriers to participation for people with a disability;
- Respond to matters referred to the Committee;
- Monitor the development, implementation and review of the Disability Inclusion Action Plan;
- Support the implementation of Council's Community Strategic Plan; and
- Provide feedback on development applications for public facilities and Council infrastructure projects, where appropriate.

The Disability Inclusion Act 2014 defines disability as *'the long term physical, mental, intellectual or sensory impairment which in interaction with various barriers may hinder the full and effective participation in society on an equal basis with other'*.

AUTHORITY

The Council authorises the Committee to act within the scope of its role and responsibilities as set out in this Charter.

VISION

To make Edward River a more inclusive community that provide people with disability equal opportunities to be actively involved in their community.

MEMBERSHIP

The membership of the Committee will be:

Voting Members

- The Mayor or delegate;
- 2 community representatives;
- 1 representative of Intereach;
- 1 representative of Kurrajong.

Advisory Members (no voting rights)

- General Manager
- Director Infrastructure or delegate
- Director Economic and Business Development or delegate
- Manager Environmental Services

Voting Rights

The Working Group members shall endeavour to resolve all issues before it by consensus. If in the event that the Chairperson, after due discussion with the members of the Working Group present, decides that consensus cannot be reached on particular matter/s before the Working Group by those present, the Chairperson should call for a vote on such matter/s.

Each member of the Working Group shall have one vote only. Council staff shall participate in the provision of professional advice and discussion but shall not participate in casting of votes.

Term of Appointment

Each term of membership shall be aligned with the elected term of the Council. A member of the Committee may resign their position at any time.

OFFICE BEARERS

The Committee will elect a Chair and Deputy Chair on an annual basis. The role of the Chair is to chair all meetings of the Committee, to act as the liaison person between the Committee, Council and the community, to represent the Committee as and where appropriate.

REPORTING

The Council staff who are appointed to the Committee as advisory members will prepare the agenda and minutes for each meeting and the Committee will through Council staff will provide a report after each meeting to the Council.

STAFF

The Committee has no delegated authority to employ staff.

FINANCES

The Committee has no delegated authority to expend monies.

INSURANCES

The Council shall arrange and maintain a portfolio of insurances to cover all possible risk, including a Personal Accident Policy, a Voluntary Worker's Policy and an indemnity policy for Committee members.

MEETINGS FOR COMMITTEE

A minimum of two meetings per annum will be convened. A quorum shall consist of 3 Committee members.

PECUNIARY INTEREST

All members of the Committee shall be required to disclose a pecuniary interest in any matter with which the Council is concerned, and who is present at a meeting of the Committee, at which the matter is considered, must disclose the nature of the interest to the meeting as soon as practicable.

The member must not be present at, or in sight of, the meeting of the Committee at any time during which the matter is being considered or discussed by the Committee or at any time during which the Committee is voting on any question in relation to the matter.

REVIEW

Council shall review the Charter regularly. If changes are proposed at least one month's notice in writing of the proposals will be forwarded to members of the Working Group.

In addition to Council's regular reviews, the Council may carry out a review of the Charter at the written request of the Working Group.

The Council shall consult with the Working Group prior to giving its consideration to any proposals to amend the Charter.

All changes to the Charter shall be subject to the approval of the Council.

CODE OF CONDUCT

All members of the Working Group must comply with the applicable provisions of Council's Code of Conduct.

MEDIA PROTOCOL

Members of the Committee are not to speak to the media in their capacity as Committee members. All media enquiries are to be referred to Council.

CONFIDENTIALITY

The Committee may consider items in confidence. Members will be advised if a matter is classified as confidential. Members must not disclose or distribute information that is confidential.

11.11 OPEN AND PUBLIC SPACE STRATEGIC WORKING GROUP**File Number:** -**Author:** Julie Rogers, Manager Environmental Services**Authoriser:** John Harvie, Director Economic Development & Business**SUGGESTED OPTIONS**

That Council note the minutes of the Open and Public Space Strategic Working Group from its meeting on 13 February 2018.

BACKGROUND

The Open and Public Space Strategic Working Group met on 13 February 2018 and attachment 1 is the minutes.

ISSUE/DISCUSSION

Nil.

POLICY/FINANCE

Nil.

ATTACHMENTS

1. Attachment 1 - Minutes of the Open and Public Space Strategic Working Group

MINUTES OF THE MEETING OF THE OPEN AND PUBLIC SPACE STRATEGIC WORKING GROUP HELD IN COUNCIL CHAMBER, 180 CRESSY STREET, DENILQUIN ON TUESDAY 13 FEBRUARY 2018, COMMENCING AT 5.35PM

PRESENT:

Cr Marg Bull, Mrs Felicity Michael, Mrs Justine Keech, Mrs Marie Drennan

COUNCIL STAFF PRESENT:

Mr Adam McSwain (General Manager), Mr John Harvie (Director Economic and Business Development), Mrs Julie Rogers (Manager Environmental Services), Mr Oliver McNulty (Director Infrastructure)

ATTENDEES:

Nil

APOLOGIES

Mayor, Cr Norm Brennan, Mrs Janet Renehan, Mr Frank White, Mrs Kellie Crossley, Ms Michelle Cobb (Manager Tourism and Economic Development)

CHAIR OF MEETING:

The meeting was opened by the Chair, Mrs Felicity Michael.

DECLARATION OF MEETING OPEN AND WELCOME TO MEMBERS

The Chair Mrs Felicity Michael formally declared the meeting open at 5.35pm and welcomed members to the meeting.

1 APOLOGIES

Apologies were received from Mayor, Cr Norm Brennan, Mrs Janet Renehan, Mr Frank White, Mrs Kellie Crossley, Ms Michelle Cobb (Manager Tourism and Economic Development)

RECOMMENDATION

Moved Mrs Mari Drennan

That the apologies be accepted.

Seconded Mrs Justine Keech

CARRIED

2 CONFIRMATION OF MINUTES

Moved Mrs Mari Drennan

That the Minutes of the Open and Public Space Strategic Working Group meeting held on 6 December 2017 be confirmed as a true and accurate record.

Seconded Mrs Justine Keech

4. BUSINESS ARISING FROM PREVIOUS MINUTES

There is no business arising from minutes of the previous meeting.

5. REPORTS**Draft Deniliquin Public Space Strategy**

The working group reviewed and provided comments on the draft Deniliquin Public Space Strategy which will be forwarded to Liesl Malan Landscape Architects.

Masterplans

Mr Adam McSwain (General Manager) provided an update to the working group on the briefs and project tenders for the masterplan work.

CLOSURE OF MEETING

The meeting closed at 7.35pm

11.12 CENTRAL MURRAY REGIONAL LIBRARY - DRAFT DEED OF AGREEMENT**File Number:** 3**Author:** John Harvie, Director Economic Development & Business**Authoriser:** John Harvie, Director Economic Development & Business**RECOMMENDATION**

That council;

1. Receive the report
2. Agree to adopt and sign the draft Central Murray Regional Library Deed of Agreement

BACKGROUND

The Central Murray Regional Library currently operates under a Deed of Agreement with Deniliquin Council, Murray Shire Council and Conargo Shire Council.

ISSUE/DISCUSSION

Due to the merger between Deniliquin Council and Conargo Shire Council to form Edward River Council and the merger of Murray Shire with Wakool Shire to form Murray River Council, the current Deed of Agreement is no longer relevant.

A new Draft Deed of Agreement (DDOA) has been prepared with the assistance of the State Library of NSW and is presented for the consideration of the council.

Some of the proposed changes to the current DOA include;

1. The current DOA delegates all management functions except employment of staff, to the management committee.
1. The new DDOA proposes that the CMRL committee be an advisory committee and that management of library Services will be the responsibility of Edward River Council through the Team Leader Library Services.
 - 2.
 2. The current DOA entitles each participating council to have one councillor representative and one citizens representative on the Management committee as well as the Team Leader Library Services.
 3. The new DDOA proposes that each participating council has one councillor representative, one council staff member and one citizens representative as well as the Team Leader Library Services.
 - 4.
 3. The current DOA entitles any member of the committee to be elected as chairperson. The new DDOA proposes that the Chairperson will be an elected representative.

It is necessary to have a Deed of Agreement to effectively operate a regional library service and to get access to state library funding.

POLICY/FINANCE

It is proposed that the current funding formula is reviewed and amended to ensure that the sum of the contributions from the former Deniliquin & Conargo Councils will form the basis for the new

contribution by Edward River Council provided that there is no significant change to the library grants received by ERC or MRC following the mergers.

ATTACHMENTS

1. **Draft Central Murray Regional Council - Deed of Agreement**

CENTRAL MURRAY REGIONAL LIBRARY

DEED OF AGREEMENT

2018

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Library Act 1939 Agreement

THIS AGREEMENT is made on 2nd of April 2018.

Between

1. Edward River Council; and
 2. Murray River Council;
 3. Background
- A. This is an Agreement made pursuant to s. 12(1) of the Act.
 - B. The Administering Council agrees to undertake the function of controlling and managing libraries, library services or information services within the area of the Delegating Council.
 - C. The Delegating Council agrees to delegate to the Administering Council the function of providing, controlling, and managing libraries, library services or information services within the area of the Delegating Council.
 - D. This Agreement specifies the terms and conditions upon which the libraries, library services or information services will be provided, controlled, and managed by the Administering Council.
 - E. The Participating Councils note the intention of the Administering Council to constitute a committee in respect of the Regional Library Service pursuant to s. 11 of the Act.
 - F. Each Participating Council has resolved to adopt the Act.

Operative provisions

1. Definitions and interpretation

1.1 In this Agreement, unless the context otherwise requires:

“Act” means the *Library Act 1939*.

“Administering Council” means the council described as such in the Agreement Details.

“Agreement” means this agreement which includes the attachments that are incorporated into this agreement by reference, as amended from time to time in accordance with the terms of this agreement.

“Agreement Details” means the details specified in Attachment A.

“Area” in relation to a Participating Council means:

- (a) for a Delegating Council, the geographic area of the Delegating Council; and

- (b) for the Administering Council, the geographic area of the Administering Council which, for the avoidance of doubt, excludes the geographic area of a Delegating Council.

“Commencement Date” means the date specified as such in the Agreement Details.

“Delegating Council” means a council described as such in the Agreement Details.

“Executive Officer” has the meaning given in cl. 9.1.

“Library Council” means Library Council of New South Wales.

“Net assets” means the assets acquired for or by the Regional Library Service after the commencement of this Agreement, not being assets referred to in cls 6.4 or 8.1.

“Participating Council” means a party to this Agreement.

“Region” means the geographic area covered by the Participating Councils.

“Regional Library Manager” means the Regional Library Manager referred to in cl. 9.3.

“Regional Library Service” means the service formed after the Commencement Date and constituted by the libraries, library services or information services provided, controlled, and managed by the Administering Council in the area of each Participating Council.

“Service Level Agreement” means the service level agreement at Attachment B, which forms part of this Agreement.

“Term” means the duration of this Agreement as specified in the Agreement Details or until the date on which this Agreement is terminated, whichever occurs first.

1.2 Except where the context otherwise requires:

- (a) **References to legislation.** A reference to a statute, regulation, ordinance or by-law (“Law”) will be deemed to extend to include a reference to all statutes, regulations, ordinances or by-laws amending, consolidating or replacing that Law from time to time.
- (b) **Reconstitution of a party.** A reference to a person which has ceased to exist or has been reconstituted, amalgamated or merged, or other functions of which have become exercisable by any other person or body in its place, shall be taken to refer to the person or body established or constituted in its place by which its said functions have become exercisable.

- (c) **Time Limits.** Where any time limit pursuant to this Agreement falls on a non-business day then that time limit shall be deemed to have expired on the next business day.
- (d) **Grammatical forms.** Where a word or phrase is given a defined meaning in this Agreement, any other part of speech or other grammatical form in respect of such word or phrase shall unless the context otherwise requires have a corresponding meaning.
- (e) **Rules of Construction.** No rule of construction operates to the detriment of a party only because that party was responsible for the preparation of this Agreement or any part of it.
- (f) **Headings.** The headings and index in this Agreement are for convenience only and do not affect the interpretation of this Agreement.
- (g) **References to groups.** A reference to a group of persons is a reference to all of them collectively and to any two or more of them collectively and to each of them individually.
- (h) **References to persons.** Persons will be taken to include any natural or legal person.

2. Term

- 2.1 This Agreement commences on the Commencement Date and will continue for the Term.

3. Delegation

- 3.1 Pursuant to s. 12(1) of the Act, the Delegating Council hereby delegates to the Administering Council the function of controlling and managing Mathoura library and library services within its area except for those functions identified in cls 3.2.
- 3.2 The delegating council will retain responsibility for selection and appointment of library staff at the Mathoura library.

4. Responsibilities of the Administering Council

- 4.1 The Administering Council is to provide, control and manage the Regional Library Service in accordance with the Act.
- 4.2 The Administering Council is to provide full administrative services to the Regional Library Service including:
 - (a) keeping and auditing all records and accounts, in accordance with all relevant legislation and by-laws;
 - (b) managing funds and reserves to maximise income for and on behalf of the Regional Library Service;

- (c) signing all contracts and agreements relating to the Regional Library Service; and
 - (d) setting the employment conditions of all the staff employed on behalf of the Regional Library Service except for those staff identified in cls 3.2.
- 4.3 The Administering Council is to develop, implement, maintain, and monitor the implementation of a management plan for the Regional Library Service.
- 4.4 The Administering Council is to prepare policy statements on relevant aspects of the Regional Library Service and annually review all policies to improve the provision of library services for residents of the Region.
- 4.5 The Administering Council is to use its best endeavours to obtain the full benefit of grants and maximum subsidies made available by the Commonwealth, the State and other respective instrumentalities, and agencies for the Regional Library Service.
- 4.6 The Administering Council is to cooperate with libraries and library systems in the wider library network on such terms and conditions as may be agreed between them.
- 4.7 The Administering Council is to submit to each Delegating Council in respect of the previous financial year:
- (a) an annual report which includes a copy of the audited statement of accounts for the Regional Library Service;
 - (b) details of the activities of the Regional Library Service including, and not limited to, statistics of purchases for the library collection;
 - (c) a report outlining:
 - (i) the collection size, including its age and distribution;
 - (ii) the number of borrowers and of items borrowed;
 - (iii) the number of library visits;
 - (iv) the number and type of value-added services; and
 - (v) an assessment of the quality of service provided to each Participating Council by the Regional Library Service.
- 4.8 The Participating Councils are to engage staff for the Regional Library Service in accordance with Australian Library and Information Association standards, as amended from time to time, the *Library Regulation 2010* and subject to the provisions of cl 6.3 of this agreement.

- 4.9 Staff engaged at branch libraries are:
- (a) subject to the disciplinary control of the Participating Council; and
 - (b) accountable to the Regional Library Manager for:
 - (i) library procedures;
 - (ii) the standard of customer service; and
 - (iii) such promotion of the service as is necessary to implement the library policies of the Administering Council;

5. Library Committee pursuant to s. 11 of the Act

5.1 Nothing in this Agreement prevents the Administering Council from delegating any of its functions, including any conferred or imposed under this Agreement, in relation to the provision, control and management of libraries, library services and information services, to a committee constituted by it in accordance with s. 11 of the Act.

5.2 On execution of this Agreement, the participating Councils agree to appoint a Regional Library Advisory Committee.

5.3 The Regional Library Advisory Committee shall;

- Meet at least four times annually in February, May, August and November.
- Comprise one elected representative from each of the participating councils, one staff member from each participating council, one community representative from each participating council area and the library team leader.
- Elect a Chairperson each year at the November meeting of the committee. (Only elected representatives are eligible to be elected to the position of Chairperson.
- Be appointed to the regional library advisory committee shall be for a period equivalent to the term of participating councils.
- Develop and monitor the Central Murray Regional Library strategic plan.
- Develop an annual budget for consideration and endorsement of participating councils.
- Develop and monitor a service level agreement for each branch.

5.4 Vacancies

- A vacancy in the office of the member of the Committee of Management shall occur if any person appointed hereto:

- Resigns by letter addressed to the Council which appointed him/her, or, in the case of the Citizen Representatives, by a letter received by the Manager Regional Library Services.
- Is absent from three consecutive meetings of the Advisory Committee without having obtained leave of absence.
- Where the position of a member of the Committee of Management becomes vacant the Council which has nominated him/her shall appoint another member thereto at its next Ordinary Meeting. In the case of a Citizen's Representative position falling vacant the Council shall take the necessary action to nominate a replacement for appointment at the next meeting of the advisory committee.

Responsibilities of the Participating Councils

- 5.5 Each Participating Council is to be responsible for the provision, maintenance, furnishing, equipping, lighting, cleaning and security of any branch of the Regional Library Service in its area.
- 5.6 In planning new buildings for branch libraries or the refurbishment of existing libraries, a Participating Council is to seek the advice of the Regional Library Manager.
- 5.7 Where a Delegating Council requires an additional library branch, it will at its own expense, and after consultation with the Administering Council, provide suitable branch library buildings and ensure provision of the necessary staff, fittings and furnishings, computer equipment and establishment collection at a standard agreed to by the Administering Council.
- 5.8 Such buildings, fittings and furnishings, computer equipment and establishment stock are to remain the property of the individual Participating Council.
- 5.9 Where the establishment of an additional branch facility increases a Participating Council's use of the Regional Library Service's resources, that Participating Council, unless otherwise agreed to by the other Participating Councils, shall directly bear the increased cost to the Regional Library Service caused by the additional branch facility.
- 5.10 The Participating Councils agree to provide sufficient resources to support and maintain those assets necessary for the effective operation of the Regional Library Service.
- 5.11 The Participating Councils are responsible for determining the opening hours of the branch libraries in their areas.
- 5.12 Where a mobile library is provided in the area of one Participating Council only, it is to be provided and maintained by that Participating Council at its own cost.
- 5.13 Where a mobile library is provided in the area of more than one Participating Council, it is to be provided and maintained by each of those Participating Councils, with the costs of doing so to be met by each in proportion to the extent of service provided in each area.
- 5.14 Mobile library timetables will be established by negotiation between the Participating Councils.
- 5.15 A Participating Council is responsible for the cost of providing any service or resource additional to that outlined in this Agreement, which is to be paid within thirty days of the Participating Council receiving an invoice from the Administering Council for the provision of such service or resource.

6. Liability

- 6.1 Any liability incurred by the Administering Council in connection with the performance of its functions as Administering Council under this Agreement, except where the Administering Council has been negligent in the performance of its functions, is to be borne by each Participating Council in the same proportion as its financial contribution to the Regional Library Service bears to the sum of all the Participating Councils' financial contributions to the Regional Library Service over the duration of this Agreement.
- 6.2 The duration of this Agreement, for the purposes of cl. 7.1, is the period between the Commencement Date and the date the liability is incurred, to a maximum five-year period.

7. Assets

- 7.1 All library materials, equipment and other assets held by the Participating Councils prior to the execution of this Agreement and specified in Attachment B are for the use of the Regional Library Service.
- 7.2 The Administering Council is to maintain a register of the assets provided for the use of the Regional Library Service which must indicate which Participating Council owns each asset.
- 7.3 A Participating Council must, unless otherwise agreed to by the other Participating Councils, give a minimum of twelve months notice in writing of its intention to withdraw an asset from use by the Regional Library Service.

8. Management and Administration

- 8.1 The Executive Officer of the Regional Library Service:
- (a) is to be the General Manager of the Administering Council; or
 - (b) is to be appointed by the General Manager of the Administering Council.
- 8.2 The Executive Officer is responsible to the Administering Council for the financial operation and administration of the Regional Library Service.
- 8.3 A Regional Library Manager is to be appointed by the Administering Council and:
- (a) is to be a qualified librarian as recognised by the *Australian Library and Information Association*;
 - (b) is to be responsible to the Executive Officer for the administration of the services provided by the Regional Library Service; and
 - (c) is to supervise and control staff employed by the Participating Councils on behalf of the Regional Library Service.
- 8.4 The duties of the Regional Library Manager include:
- (a) to develop, maintain and implement a management plan;
 - (b) to provide advice to the Administering Council on all matters relevant to the policy, planning and development of the Regional Library Service;
 - (c) to implement or assist in the implementation of decisions made by the Administering Council upon matters delegated to it under this Agreement;

- (d) to manage the resources of the Regional Library Service in a cost-effective manner;
- (e) to select and purchase library books and materials within an agreed collection management plan and in accordance with the annual budget;
- (f) to advise Participating Councils on the operation and staffing of branch libraries in their areas;
- (g) to represent the Regional Library Service always in a professional and competent manner;
- (h) to control and supervise staff;
- (i) to develop and implement a training plan for all staff and volunteers engaged in the Regional Library Service;
- (j) to provide reports to the Administering Council as required on the management of the Regional Library Service and implementation of the management plan; and
- (k) such other duties as determined by the Executive Officer in consultation with the Administering Council from time to time.

8.5 A written plan for the management and development of each branch library shall be jointly prepared by each Participating Council, the Regional Library Manager and the branch librarian which will include objectives for:

- (a) collection development;
- (b) service development and delivery;
- (c) staff training and development;
- (d) staff evaluation criteria and performance measures; and
- (e) building maintenance and improvement.

9. Finance

9.1 The Administering Council will by 30th April each year provide each Delegating Council with a copy of the Regional Library Service's proposed annual budget for the following financial year.

9.2 The proposed annual budget will include:

- (a) the amount of funds currently held by or for the Regional Library Service;
- (b) the amount of each Participating Council's proposed financial contribution to or for the Regional Library Service for the financial year commencing 1 July;
- (c) the estimated amount of funds to be received from government subsidies and grants by or for the Regional Library Service in the financial year commencing 1 July; and
- (d) the amount of funds to be received from any other source by or for the Regional Library Service in the financial year commencing 1 July.

9.3 The annual budget is adopted when signed notices to that effect, are served by both Participating Councils on the other Participating Councils.

9.4 The Administering Council is to use its best endeavours to ensure that an annual budget is adopted by 30th June in each year.

- 9.5 If the annual budget is not adopted by the date specified in cl. 10.4, contributions from Participating Councils will remain unchanged from the previous year until the annual budget is resolved.
- 9.6 In respect of the budget contribution:
- (a) the amount to be contributed to or for the Regional Library Service by each Participating Council during each financial year is to be the amount specified in the Regional Library Service's adopted annual budget as the contribution of that Participating Council;
 - (b) Each of the participating Councils shall in each year pay to the Committee of Management a sum which is not less than the sum which entitles the Council concerned to the maximum subsidy under Section 13 of the Library Act 1939, and shall pay such other amounts as the Committee of Management may determine. Each of the participating Council shall in each year lodge an application with the Library Council of New South Wales for the payment of subsidy and upon receipt of such subsidy shall forthwith pay the same to the Committee of Management
 - (c) Provided that in any case where a Council is also a member of another Library Service the Committee of Management may accept a lesser sum from such Council. This reduction in contribution shall not affect any right of such Council to representation on the Advisory Committee each participating Council's financial contribution to the Regional Library Service shall be paid in quarterly instalments on the first days of July, October, January and April of each year.
- 9.7 Interest on any amount payable under this Agreement which is not received by the Executive Officer within fourteen days of the due date must be paid at the rate specified from time to time by the Local Government Minister by notice published in the Gazette pursuant to s. 566 of the *Local Government Act 1993*, until the date it is received by the Executive Officer.

10. Dispute resolution

- 10.1 Where a Participating Council claims that a dispute has arisen, it may give written notice of the dispute to the other Participating Council.
- 10.2 The Participating Councils must seek to resolve the dispute within 14 days of receipt of a notice under cl. 11.1.
- 10.3 If the dispute is not resolved within this 14-day period, or within such further period as the Participating Councils agree in writing, then the dispute is to be referred to the Australian Commercial Dispute Centre ("ACDC") for mediation.

- 10.4 The mediation shall be conducted in accordance with the ACDC Mediation Guidelines which set out the procedures to be adopted, the process of selection of the mediator and the costs involved.
- 10.5 Notwithstanding anything else in this clause, pursuant to s. 12(5) of the Act, any dispute arising under the agreement must, on the application to the Library Council of a Participating Council, be settled by arbitration by an arbitrator appointed by the Library Council.

11.

Public Liability

Upon signature of this Agreement the participating Councils jointly and severally agree to indemnify and at all times save harmless and indemnified the Committee of Management and the Chairman and members.

12. Termination

12.1 This Agreement may be terminated by agreement of at least one Participating Council.

12.2 If this Agreement is terminated:

(a) each Participating Council will be entitled to a portion of the Regional Library Service's assets; and

(b) each Participating Council will be liable for a portion of the liabilities and contingent liabilities of the Regional Library Service;

in the same proportion as its financial contribution to the Regional Library Service bears to the total of all the financial contributions by each Participating Council to the Regional Library Service over the duration of this Agreement to a maximum five-year period.

(c) any participating Council may, by twelve months' notice In writing, notify the Advisory Committee of its Intention to terminate such Agreement, and at the end of such period, the Agreement shall become null and void insofar as it affects the Council electing to so terminate.

12.3 The duration of this Agreement, for the purposes of cl. 12.2, is the period between the Commencement Date and the date the Agreement is terminated, to a maximum five-year period.

13. Notices

13.1 A notice under this Agreement must be:

(a) in writing, directed to the representative of the other Participating Councils as specified in the Agreement Details; and

(b) forwarded to the address, facsimile number or the email address of that representative as specified in the Agreement Details or the address last notified by the intended recipient to the sender.

13.2 A notice under this Agreement will be deemed to be served:

(a) in the case of delivery in person - when delivered to the recipient's address for service and a signature received as evidence of delivery.

(b) in the case of delivery by post - within three business days of posting.

- (c) in the case of delivery by facsimile – at the time of dispatch if the sender receives a transmission report which confirms that the facsimile was sent in its entirety to the facsimile number of the recipient.
 - (d) in the case of delivery by email, on receipt of confirmation by the recipient that the recipient has received the email.
- 13.3 Notwithstanding the preceding subclause, if delivery or receipt of a communication is on a day which is not a business day in the place to which the communication is sent or is later than 5pm (local time in that place) it will be deemed to have been duly given or made at 9am (local time at that place) on the next business day in that place.

14. Miscellaneous

Writing

- 14.1 All amendments to this Agreement and all consents, approvals, waivers and agreements made under or pursuant to this Agreement must be evidenced in writing.

Consents

- 14.2 A Participating Council may give its consent or approval conditionally or unconditionally or may withhold its consent, in its absolute discretion, unless this Agreement specifically provides otherwise.

Severability

- 14.3 If any part of this Agreement is prohibited, void, voidable, illegal or unenforceable, then that part is severed from this Agreement but without affecting the continued operation of the remainder of the Agreement.
- 14.4 If any part of this Agreement is not in accordance with the provisions of the Act, then that part is severed from this Agreement but without affecting the continued operation of the remainder of the Agreement.

Inconsistency

- 14.5 In the event of an inconsistency between the terms of this Agreement, for the purpose only of resolving the inconsistency, the following order of decreasing priority applies:
- (a) Operative provisions of this Agreement.
 - (b) Agreement Details (Attachment A).
 - (c) Service Level Agreement (Attachment C).
 - (d) Other attachments (if any).

Legal advice and costs

- 14.6 Each Participating Council will bear its own costs incurred in relation to this Agreement.

This agreement is executed on _____ 20____.

Execution by the Administering Council:

Signed for and on behalf of Edward River)
Council)

)

) (signature of Administering Council's representative)

By Adam McSwain, General Manager)

in the presence of.....)
(insert name of witness))

) (signature of witness)

)

)

)

)

Execution by the Delegating Council(s):

Signed for and on behalf of Murray River)
Council)
)
) (signature of Delegating Council's representative)
By Desmond Bilske, Acting General Manager)
)
)
in the presence of.....)
(insert name of witness)) (signature of witness)
)
)
)
)
)

ATTACHMENT A AGREEMENT DETAILS

This attachment forms part of the Agreement between the Participating Councils.

Item 1 Administering Council

Name: Edward River Council

Address 180 Cressy Street, Deniliquin NSW 2710

Item 2 Delegating Council

Name: Murray River Council

Address 21-25 Conargo Street, Mathoura NSW 2710

Item 4 TERM

Commencement 2nd April 2018
Date:

Ending On: 1st April 2023

1.

Attachment A Agreement Details

FUNCTION	Edward River Council (executive council)	Murray River Council (member council)
PHYSICAL		
<i>Building Ownership/Maintenance Deniliquin Branch Mathoura Branch</i>	EDWARD RIVER COUNCIL	MURRAY RIVER COUNCIL
<i>Computers Ownership/Maintenance Deniliquin Branch Mathoura Branch</i>	EDWARD RIVER COUNCIL	MURRAY RIVER COUNCIL
<i>Library Management System Ownership (Software/Hardware)</i>	EDWARD RIVER COUNCIL	
<i>Internet Service Provider</i>	EDWARD RIVER COUNCIL	
<i>Refurbishment/Capital Works Deniliquin Branch Mathoura Branch</i>	EDWARD RIVER COUNCIL	MURRAY RIVER COUNCIL
<i>Resources Ownership/Maintenance</i>	EDWARD RIVER COUNCIL	MURRAY RIVER COUNCIL
<i>Resource Vote</i>	EDWARD RIVER COUNCIL	MURRAY RIVER COUNCIL
CORE SERVICES		
<i>Acquisition of stock and invoicing</i>	EDWARD RIVER COUNCIL	
<i>Bibliographic Control - Cataloguing/Indexing/Libraries Australia/Freight</i>	EDWARD RIVER COUNCIL	
<i>Book Tender Arrangement</i>	NA	NA
<i>Regional Library Advisory Committee Agenda/Minutes/Papers</i>	EDWARD RIVER COUNCIL	
<i>Financial Reporting Sign-off</i>	EDWARD RIVER COUNCIL EDWARD RIVER COUNCIL	
<i>Library Management System Maintenance</i>	EDWARD RIVER COUNCIL	

<i>Library Grant and Subsidy Applications</i>	<i>EDWARD RIVER COUNCIL</i>	<i>MURRAY RIVER COUNCIL</i>
<i>Sign-off</i>	<i>EDWARD RIVER COUNCIL</i>	<i>MURRAY RIVER COUNCIL</i>
<i>Local Studies and Family History</i>	<i>EDWARD RIVER COUNCIL</i>	
<i>Opening Hours</i> <i>Deniliquin Branch</i>	<i>EDWARD RIVER COUNCIL</i>	
<i>Mathoura Branch</i>		<i>MURRAY RIVER COUNCIL</i>
<i>Outreach Services -</i> <i>Ordering/Maintenance Collection</i>	<i>EDWARD RIVER COUNCIL</i>	
<i>Public Library Directory Entries</i>	<i>EDWARD RIVER COUNCIL</i>	
<i>Reporting - Statistical Quarterly Reports/State</i> <i>Library Annual Return</i>	<i>EDWARD RIVER COUNCIL</i>	
ON REQUEST SERVICES		
<i>Collection Management – Barcodes/Covering</i>	<i>EDWARD RIVER COUNCIL</i>	
<i>Information & Research Centre – Interlibrary</i> <i>loans/Enquiries</i>	<i>EDWARD RIVER COUNCIL</i>	
<i>IT Librarian assistance on site</i>	<i>EDWARD RIVER COUNCIL</i>	
<i>Library Members cards</i> <i>Deniliquin Branch</i>	<i>EDWARD RIVER COUNCIL</i>	
<i>Mathoura Branch</i>		<i>MURRAY RIVER COUNCIL</i>
<i>Wacky Wombat - Children's Program</i>	<i>NA</i>	<i>NA</i>
POLICIES		
<i>Business Plan</i>	<i>EDWARD RIVER COUNCIL</i>	
<i>Collection Development Policy</i>	<i>EDWARD RIVER COUNCIL</i>	
<i>LMS Fees & charges – Holds/Overdues</i>	<i>EDWARD RIVER COUNCIL</i>	<i>MURRAY RIVER COUNCIL</i>
<i>Procedures Manual</i>	<i>EDWARD RIVER COUNCIL</i>	<i>MURRAY RIVER COUNCIL</i>
STAFFING		
<i>Performance Development/Discipline</i> <i>Deniliquin Branch</i>	<i>EDWARD RIVER COUNCIL</i>	
<i>Mathoura Branch</i>		<i>MURRAY RIVER COUNCIL</i>
<i>Occupational Health & Safety</i> <i>Deniliquin Branch</i>	<i>EDWARD RIVER COUNCIL</i>	
<i>Mathoura Branch</i>		<i>MURRAY RIVER COUNCIL</i>

<i>Recruitment Deniliquin Branch Mathoura Branch</i>	<i>EDWARD RIVER COUNCIL</i>	<i>MURRAY RIVER COUNCIL</i>
<i>Training – General</i>	<i>EDWARD RIVER COUNCIL</i>	
<i>Training –LMS</i>	<i>EDWARD RIVER COUNCIL</i>	
<i>Uniforms</i>	<i>EDWARD RIVER COUNCIL</i>	<i>MURRAY RIVER COUNCIL</i>

Attachment B Assets Register

Attachment C Service Level Agreement**ATTACHMENT C – SERVICE LEVEL REGISTER - INITIAL CORE SERVICES**Administration and Management

The Economic Development and Business Directorate, Edward River Council section is responsible for the effective management of Central Murray Region Library and the operation of the Central Murray Region Library Agreement. This section comprises the Library Manager and Director and undertakes to:

- administer the Central Murray Region Library Agreement and Service Specifications.

The Regional Library Manager is responsible for;

- ensuring that the management of areas covered by this Agreement are informed about and comply with the conditions of this Service Specification
- support the Regional Library Advisory Committee with general administrative services including preparation of meeting papers and minutes and reports
- develop and implement policies pertinent to the effective operation of libraries that are signatories to the Central Murray Library Agreement
- provide professional support to libraries on request.
- arrange for bulk purchasing of book maintenance materials
- prepare annual Library Support Costing Schedules and budgets
- prepare quarterly invoices for administration quarterly charge and additional services provided on request to be received in January, April, July and October

Collection management

The Collection Management Team acquire and catalogue materials and are responsible for collating and verifying all bibliographic details necessary for ordering, receiving and financial accounting of materials for target groups. It is also responsible for the creation and maintenance of accurate user-friendly catalogue records for each item acquired.

Acquisitions and Serials:

- Manage expenditure of capital book votes and serial budgets
- Procedures include high level bibliographic verification, placing of orders and the receiving and invoicing of all acquisitions
- Establish and maintain arrangements with suppliers, getting the best deal for the library in discounting and other financial or service arrangements

- Provide specialised knowledge and advice on acquisitions and serials issues.
- Evaluate financial performance regularly, deviations and potential problems are identified, and appropriate action is taken and/or reported to the appropriate people with minimal delay.

Cataloguing:

- Catalogue records are produced using the latest editions of AACR2, Library of Congress subject headings, DDC and Marc. Items catalogued include books, audio-visual material, electronic resources, community language items, high level reference material and unique local history items, including maps, pictures, microfilm and fiche and archives.
- Records can be tailored in response to specific requirements of users including the addition of extra fields and notes
- Authority files and catalogue records are monitored regularly to maintain the integrity of the catalogue

When an item is dispatched from Collection Management, it has a detailed catalogue record and is barcoded, stamped, and lettered (if required). Items are not covered unless this service is provided by the library supplier.

Information Technology Services

The Edward River Council Information Technology Support Team is responsible for the operation and maintenance of all the library systems including: the Libro Library Management System and Library website, and Traffic Pro People Counters. The system servers are located in the computer room at the Edward River Council IT Services. System administration tasks including daily data backup, server maintenance, system security and configuration, parameter settings, statistical data collection and analysis, and system upgrades are performed by the Support Team.

Library staff access the system by PC based client software using the Edward River Council network. HIP users access by web browser either from the OPAC terminals at the library service points or remotely from home or work. A Help Desk phone facility is available to all internal users to provide assistance with system problems. Support coverage is between 8am to 5pm on weekdays.

A standard set of system statistical reports are scheduled for production and distribution to users at regular intervals. Additional ad hoc reports are supplied on request. Client Council hardware is generally maintained by their IT personnel, but the Support Team consultation can be negotiated.

Outreach services

Outreach Services includes a stock rotation and collection management and maintenance service at Mathoura branch library.

ATTACHMENT C – SERVICE LEVEL REGISTER - SERVICE SPECIFICATIONS

1. PURPOSE OF SERVICE SPECIFICATIONS

- 1.1. The Participating Councils have agreed to adopt a model of Regional Library Service that will operate in the local government areas of the Participating Councils upon the terms and conditions set out in the Central Murray Library Agreement.
- 1.2. The intention of the Service Specification is to describe the services provided and the commitment to service delivery between the parties covered by the Central Murray Library Agreement.

2. AGREED PRINCIPLES

- 2.1. Services will be provided in accordance with safe working practices
- 2.2. Service providers will utilise continuous improvement processes to review and implement improvements in service delivery

3. SCOPE OF SERVICE SPECIFICATIONS

- 3.1. These Service Specifications cover the core services provided by Edward River Council: Administration and Management, Collection Management, Information Technology, Local Studies, Outreach, Public Programs and Reference.
- 3.2. Costs of services are not included in this Agreement. The Participating Councils have agreed that a Library Support Costing Schedule which includes administration and direct service charges will be prepared by the Administering Council on an annual basis. The Schedule will provide a transparent calculation of the cost of library services, inclusive of ABM costs as agreed by the Regional Library Advisory Committee

4. DESCRIPTION OF SERVICE AND RESPONSE LEVEL**4.1. Administration and Management**

The Administration and Management section is responsible for the effective management of Central Murray Regional Library and the operation of the Central Murray Library Agreement. This section comprises the Regional Library Manager and administration staff and undertakes to:

- administer the Central Murray Regional Library Agreement and Service Specifications. The Regional Library Manager is responsible for ensuring that the management of areas covered by this Agreement are informed about and comply with the conditions of this Service Specification
- support the Regional Library Advisory Committee with general administrative services including preparation of meeting papers and minutes and reports
- develop and implement policies pertinent to the effective operation of libraries that are signatories to the Central Murray Regional Library Agreement
- provide professional support to libraries on request.
- arrange for bulk purchasing of book maintenance materials
- prepare annual Library Support Costing Schedules and budgets
- prepare quarterly invoices for administration quarterly charge and additional services provided on request to be received in January, April, July and October

Committee Meeting Agenda Papers and Minutes	Agenda and papers distributed one week before meeting date. Minutes distributed one week after meeting date
Preparation and distribution of quarterly statistical reports	Distributed
Preparation of the State Library of NSW annual statistical return for the collection of NSW Public Library Statistics	Completed by 30 September each year
Annual Library Support Costing Schedule and Budget	Distributed by 30 April each year
Freight tender preparation and contract management	Completed every two years
Library book and materials tender preparation and contract management	Completed every five years and report on level of discount achieved within range of 10-30%, depending on format

4.2. Collection Management

The Collection Management Team acquire and catalogue materials and are responsible for collating and verifying all bibliographic details necessary for ordering, receiving and financial accounting of materials for target groups. It is also responsible for the creation and maintenance of accurate user-friendly catalogue records for each item acquired.

4.2.1. Acquisitions and Serials:

- Manage expenditure of capital book votes and serial budgets
- Procedures include high level bibliographic verification, placing of orders and the receiving and invoicing of all acquisitions
- Establish and maintain arrangements with suppliers, getting the best deal for the library in discounting and other financial or service arrangements
- Provide specialised knowledge and advice on acquisitions and serials issues.
- Evaluate financial performance regularly, deviations and potential problems are identified and appropriate action is taken and/or reported to the appropriate people with minimal delay.

4.2.2. Cataloguing:

- Catalogue records are produced using the latest editions of AACR2, Library of Congress subject headings, DDC and Marc. Items catalogued include books, audio-visual material, electronic resources, community language items, high level reference material and unique local history items, including maps, pictures, microfilm and fiche and archives.
- Records can be tailored in response to specific requirements of users including the addition of extra fields and notes
- Holdings are added to the Libraries Australia database and matching records are downloaded onto the library management system and edited and enhanced to suit local requirements. For any material without a matching record, original records are created and added to the Libraries Australia database using the Libro Management System.
- Authority files and catalogue records are monitored regularly to maintain the integrity of the catalogue

When an item is dispatched from Collection Management, it has a detailed catalogue record and is barcoded, stamped, and lettered (if required). Items are not covered unless this service is provided by the library supplier.

Acquisitions	80% of orders will be filled within 6 weeks of receiving order
Cataloguing – new stock	95% of cataloguing dispatched within 8 days
Cataloguing – donations	80% processed within 20 working days

4.3. Information & Research Centre and Local Studies

The Library team provide specialist help in searching for and locating information relevant to users needs. The service is able to draw on a wide variety of information resources both in-house and remotely to satisfy requests for information.

4.3.1. Information and Research Centre Services

- Answers to simple questions such as requests for contact details, book and resource locations, statistics, encyclopaedic facts, website addresses and biographical information.
- Answers to more complex subject enquiries including supply of a book/books on loan, copies of newspaper or journal articles, bibliographies, company information or contact details for referral.
- Compile and package both standard and tailored Australian Bureau of Statistics and Census statistical data in several formats including tables and maps for incorporation into reports, marketing strategies and other planning documents.
- Training for staff on advanced internet and database searching, retrieving Census information, the reference interview and providing legal information.
- Interlibrary Loan Service with same day requesting of items and prompt delivery. The Libraries Australia loan system allows thorough record keeping and tracking of request status with prompts for progress reports.
- Information provided for a range of clients including Local Government staff (eg subject bibliographies, supply of articles and book loans, factual information for media releases / interviews, company searches and legal support documents); business customers (eg growing a business, research is provided for targeting marketing, compiling reports, competitor analysis, and industry trends); students (eg journal resources, websites, electronic sources, study guides, past papers, reports and research material)

4.3.2. Information and Research Centre Resources

- A large book collection, including, history, biographies, Australian literature, art and true crime.
- Archive and current newspapers and journals including the SMH, The Australian and Financial Review. Strengths in the journal collection include current affairs, conservation, arts and crafts, science, motoring and business.
- Material which cannot be borrowed due its age, uniqueness or frequent use within the Information Centre can be copied in part (within copyright restrictions) and sent to the requesting library.
- Ability to supply and present data in a variety of formats, printed and electronic via fax, email and mail.

4.3.3. Local Studies

Local Studies offers a comprehensive research and information service on the Edward River Region for historians, genealogists and other researchers. The section can call upon a range of unique resources in the collection, including archival records, newspapers, photographs, maps, plans and historical documents relating to the Edward River Region.

- The imaging service offers a range of photographic formats suitable for personal or commercial use. Scanned or photographic copies of images can be ordered from the Library. A selection of images is available on XXX Photo Bank. Images from other public and private collections can also be scanned.
- The reproduction services and copyright clearance will vary depending on the image and the proposed use of that image. Separate permission must be sought from the Library before reproduction or publication of images.
-

There are a variety of resources available, including Valuation and Rate Books, which can be used to document a building's history. The information available will vary from house to house.

Information enquiries	95% of enquiries met within 24 hours
Inter-Library Loans	Requests placed within 24 hours. If first library does not reply within 7 days a follow up is made. If unable to supply, a request is made to a second library
Local Studies	95% of enquiries met within 24 hours
House search	Completed in one week
Scanning	Orders for images scanned from the Library Collection will be completed in 48 hours Orders for photographic images can be scanned in two weeks

4.4. Information Technology Services

The Library Information Technology Support Team is responsible for the operation and maintenance of all the library systems including: the Libero Library Management System, Information Portal. The system servers are located in the computer room at the Central Murray Regional library headquarters or with Edward River Council IT Services. System administration tasks including daily data backup, server maintenance, system security and configuration, parameter settings, statistical data collection and analysis, and system upgrades are performed by the Support Team.

Library staff access the system through the Edward River Council network.

A standard set of system statistical reports are scheduled for production and distribution to users at regular intervals. Additional ad hoc reports are supplied on request. Client Council hardware is generally maintained by their IT personnel.

Library Management Software enquiries	LMS enquiries will be responded to within 15 mins of receiving a phone call and 95% of issues will be resolved within one full working day
IT visits	IT visits will be made on request and requests will be responded to within two full working days
IT training	General IT training will be made available on request and within a negotiated timeframe
Library Management Software training	Training will be provided no later than 4 weeks after upgrades
Membership cards	Orders for cards will be fulfilled on next courier delivery
Consumables	Orders for consumables will be fulfilled on next courier delivery
System reports	Requests for system reports will be fulfilled within 24 hours

4.5. Outreach Services

Outreach Services provided includes purchasing, stock rotation and collection management and maintenance service for Mathoura branch library.

A section of the collection at Mathoura branch library is rotated each fortnight ensuring that the collection is rotated in full at least three times annually.

4.6. Public Programs

Public Programs provides printed library membership and promotional materials and conducts programs for library users. Specifically, the section delivers:

- printed Membership Brochure to be provided to all new library members
- printed library user, information and promotion brochures
 - Printed brochures Orders for updated brochures and publicity material will be fulfilled on next courier delivery as stocks allow

5. AMENDMENTS

- 5.1. This Service Specification will be reviewed on an annual basis by the Regional Library Advisory Committee in accordance with the Central Murray Regional Library Agreement.
- 5.2. This Service Specification will be amended following the Regional Library Advisory Committee's acceptance of a new service by a Participating or Part-participating Council in accordance with the Central Murray Regional Library Agreement

11.13 SERVICES NSW AGREEMENT**File Number:** 2**Author:** John Harvie, Director Economic Development & Business**Authoriser:** John Harvie, Director Economic Development & Business**RECOMMENDATION**

That Council;

1. Agrees to participate in the Service NSW Easy to do Business Program
2. Delegates authority to the General manager to enter into a contract with Service NSW for the Easy to do Business Program.
3. Authorises the application of the Common Seal of Council to any required documentation.

BACKGROUND

The 'Easy to Do Business' program proposes to make it easier and faster for cafés, restaurants and small bars to commence operations. This is a joint initiative between Service NSW, the Offices of the NSW Small Business Commissioner, NSW Customer Service Commissioner and Local Government.

ISSUE/DISCUSSION

Service NSW has indicated it can take up to eighteen months to set up a café in NSW, people need to complete up to 48 forms (across three levels of Government) and comply with up to 75 different regulations across different jurisdictions. The initiative aims to reduce the time it takes to set up a café to three months.

Service NSW has conducted a six-month pilot with Parramatta and Dubbo Councils which is now complete and Service NSW are moving into the business as usual phase.

Service NSW contacted Edward River Council to see if Council would like to participate in this initiative by signing up to the service for an initial period of 12 months. A draft of the Service Partnership Agreement is attached.

The initiative will provide a customer, who wishes to set up cafés, restaurants, or small bar, with a single point of contact within Service NSW who will help them navigate all the required approvals to operate the business, for example registering the business, obtaining an ABN, and required Council approvals.

Service NSW will provide monthly reports to Council on the number of requests they have received under the 'Easy to Do Business' initiative. This will include the number of initial enquiries through to new business commencing.

POLICY/FINANCE

NIL

ATTACHMENTS

1. Easy to do Business Presentation

Easy to do Business

Program overview



Small
Business
Commissioner



**Service
NSW**
Making it easier



Robyn Hobbs
NSW Small Business Commissioner
Easy to do Business Program Sponsor



Small
Business
Commissioner



Service
NSW
Making it easier



“Advances in technology and changes to the way we work are creating endless opportunities for small business to develop and grow. Easy to do Business will lead the way in removing barriers and making it faster and easier to start, grow and run a small business.”

Winner of the 2017 Premiers Award for Creating Jobs, Easy to do Business is an important part of the work we are doing at the Office of the NSW Small Business Commissioner. It is an integral component of our Small Business Friendly Councils initiative, launched in 2014, that recognises and supports the important role local government plays in creating small business friendly environments in their communities.”

Easy to do Business

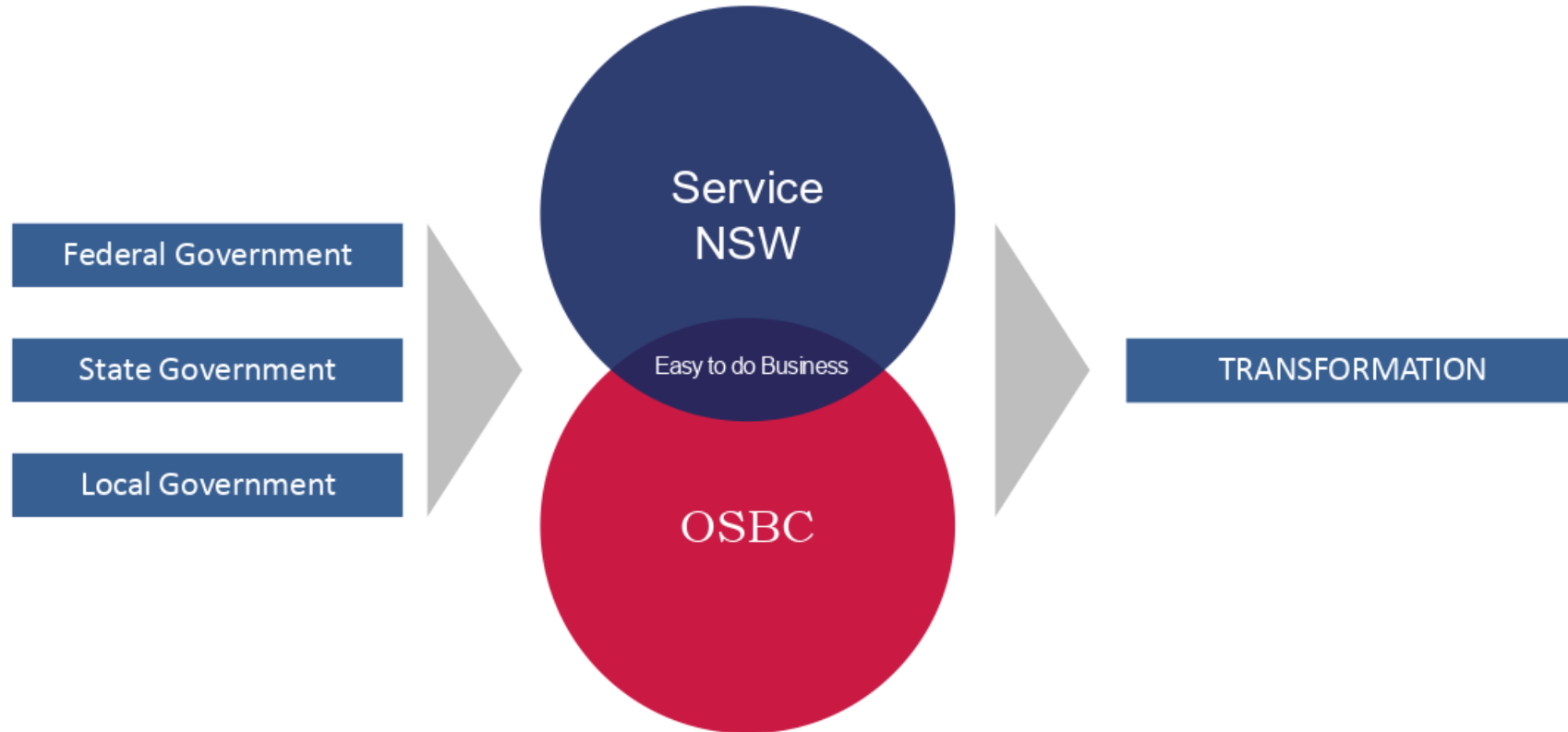
A Service NSW and OSBC Partnership



Small Business Commissioner



Service NSW
Making it easier

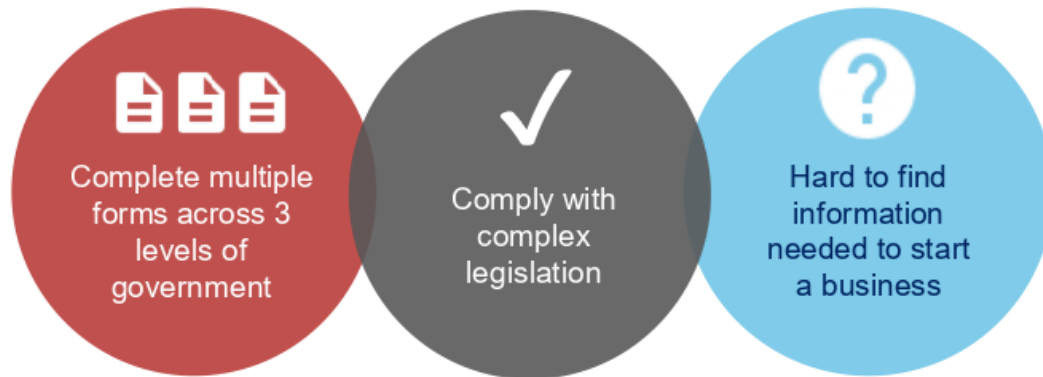


Small Business - the case for change



CUSTOMER

How do I secure and maintain all the required government licenses and cover all the regulations?



EASY TO DO BUSINESS

We're making it easier



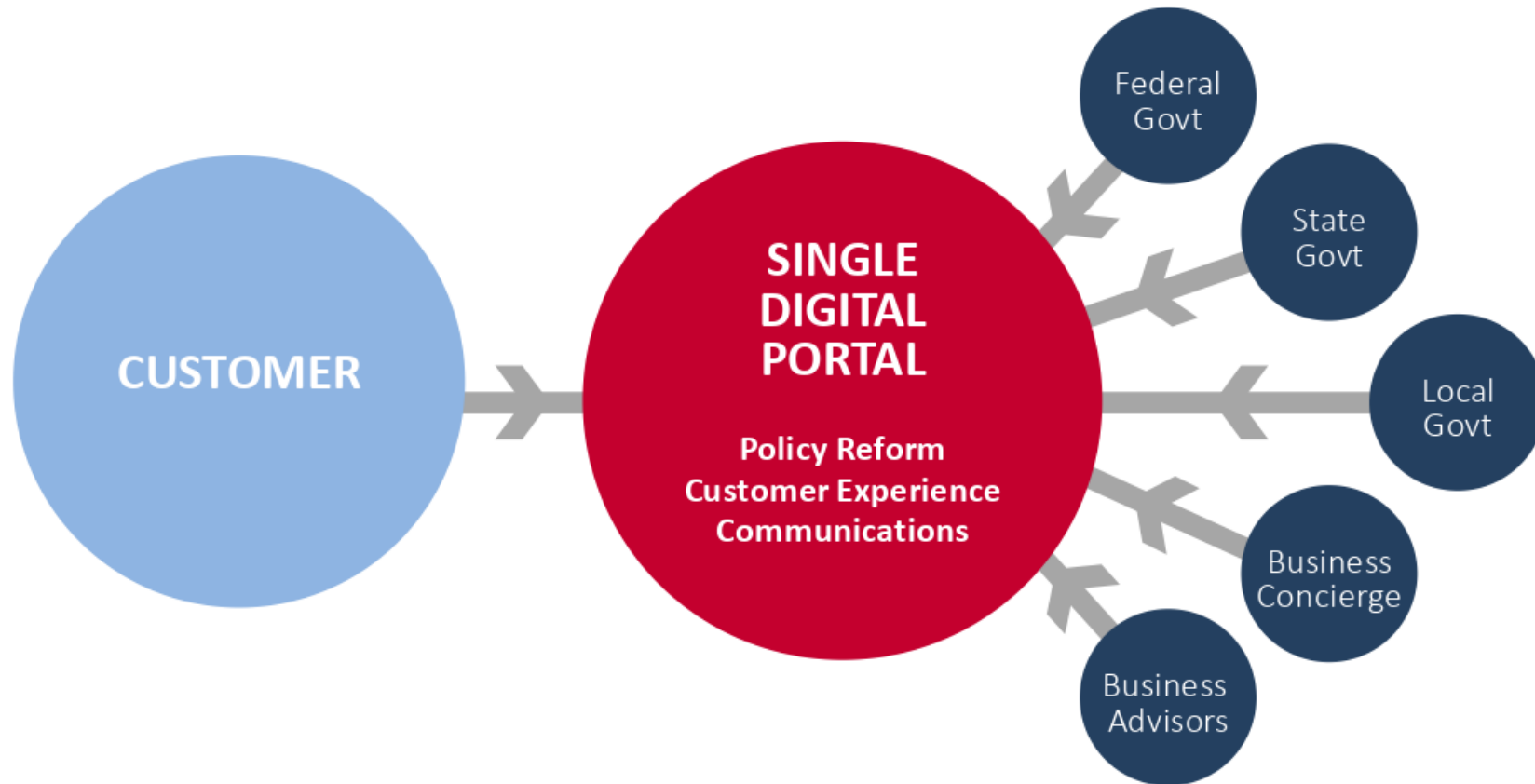
Looking to the future



Small Business Commissioner



Service NSW
Making it easier



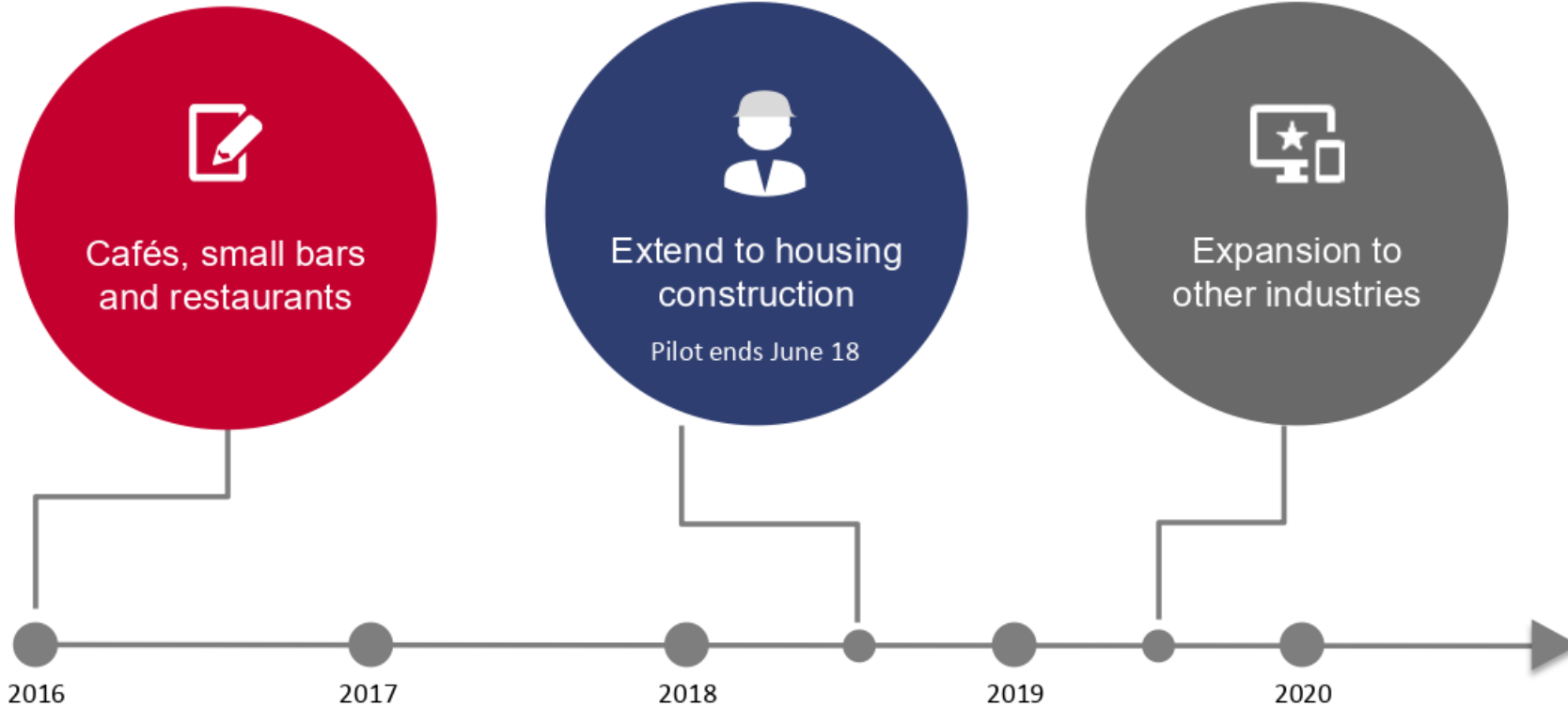
Current program industries



Small Business Commissioner



Service NSW
Making it easier



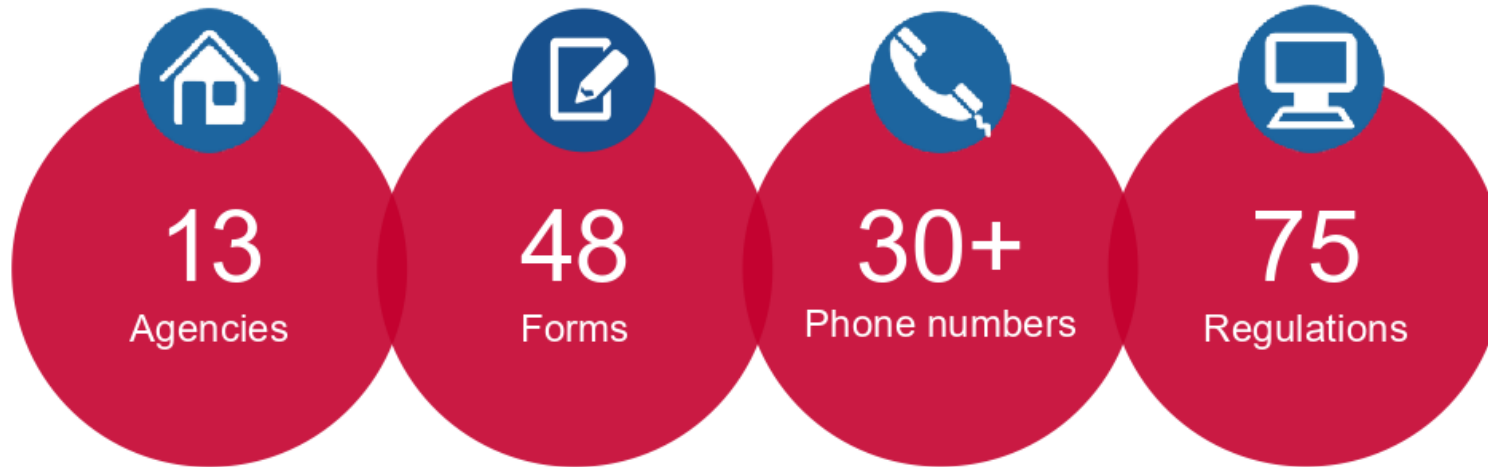
Industry complexity



Small Business Commissioner



Service NSW
Making it easier



Outcomes to date



Small Business Commissioner



Service NSW
Making it easier



Key benefits for Councils



Small Business Commissioner



Service NSW
Making it easier



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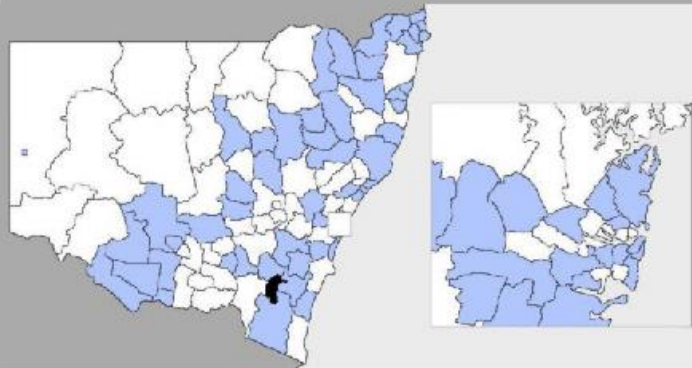
Small Business Commissioner



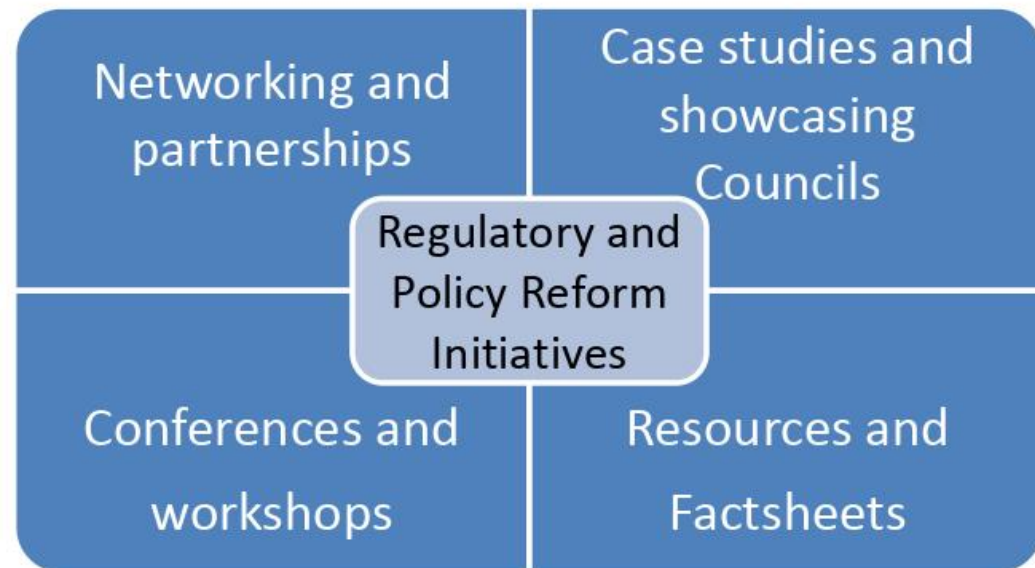
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True partnership



Review meetings

Joint events and comms

Upcoming industries

Positive ratepayer experience

From here . . .

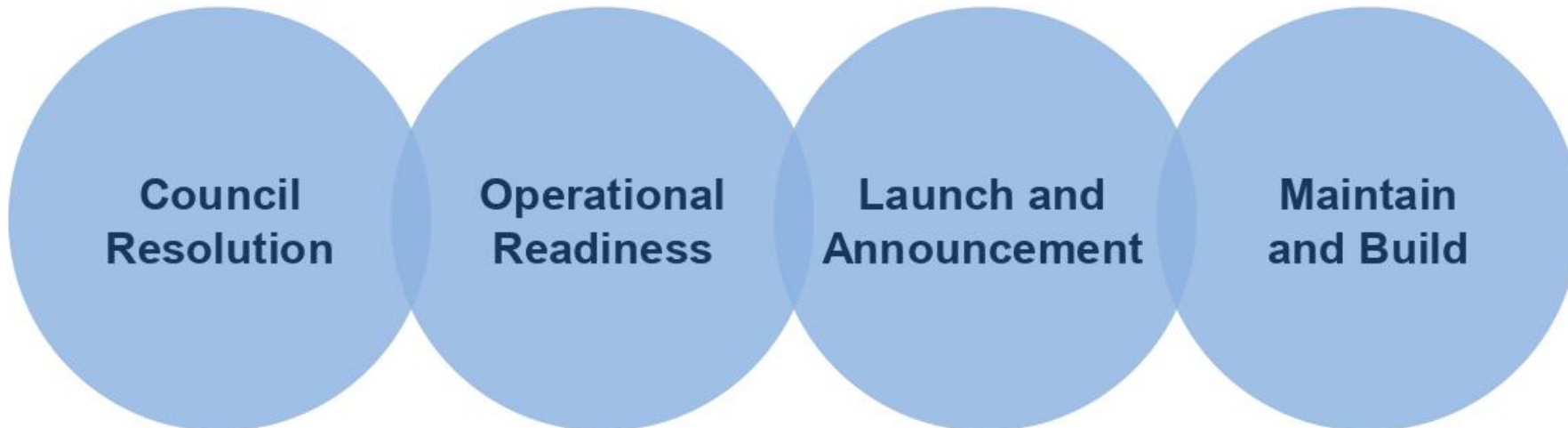


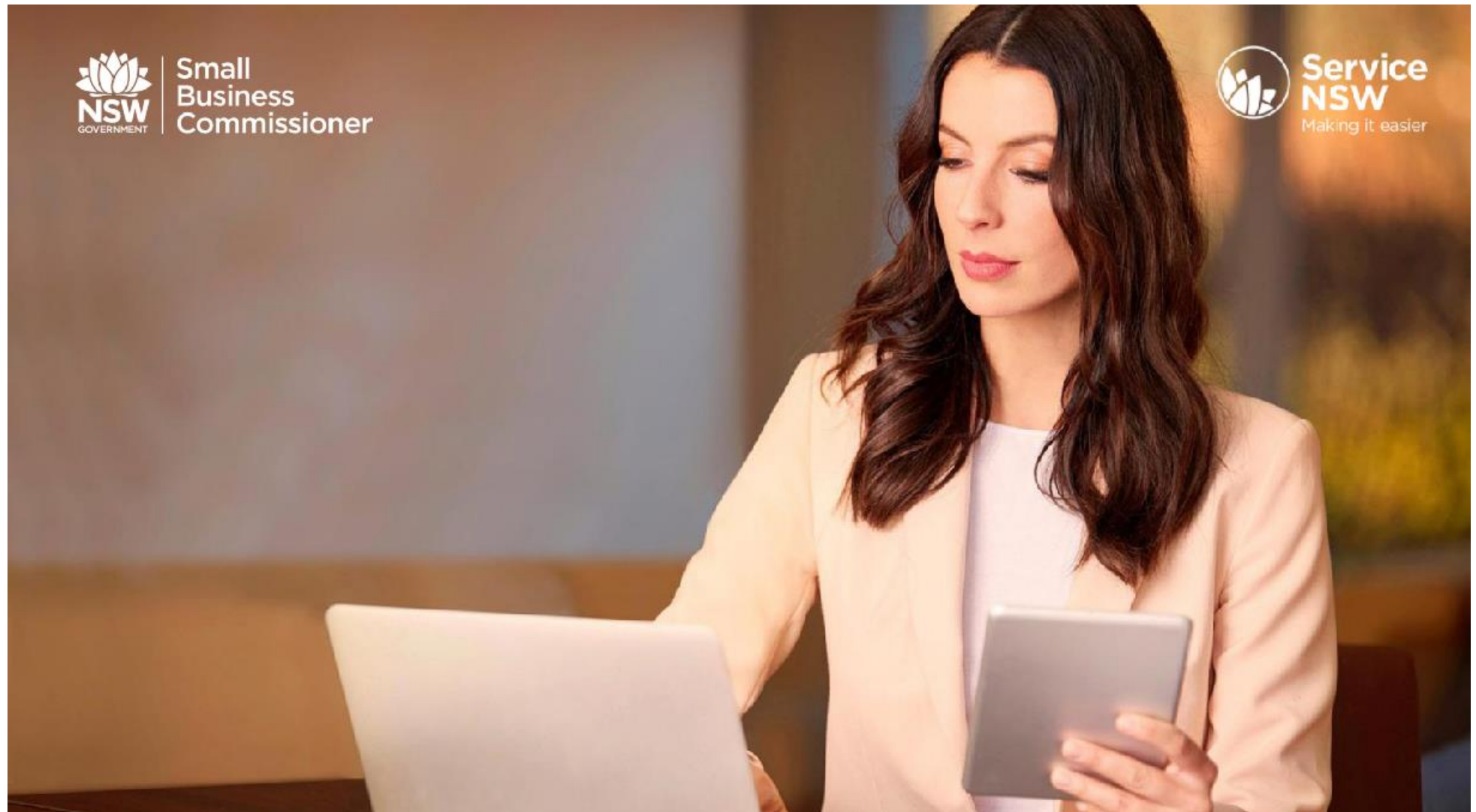
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NEXT STEPS





11.14 DENILIQVIN AIRPORT PROJECT BUSINESS CASE REPORT**File Number:****Author:** John Harvie, Director Economic Development & Business**Authoriser:** John Harvie, Director Economic Development & Business**RECOMMENDATION**

That Council

1. Receive the Deniliquin Airport Project Final Report prepared by KPMG.
2. Commence discussions with state and federal government in relation to the project.
3. Commence discussions with Brisbane West Wellcamp Airport regarding terms of agreement for the link between Deniliquin Airport and Brisbane West Wellcamp Airport should council proceed with the proposed upgrade.
4. Commence discussions with stakeholders identified in the KPMG report and any other stakeholders that may be identified through this process.
5. Seek formal letters of support from commercial partners and investors.
6. Further develop the phased approach regarding construction of a business park in the airport precinct. This should include site planning for a large indoor farming operation.
7. Develop a detailed risk management plan for the project to address or mitigate all identified risks.
8. Further develop financial modelling for the project to understand project costs depending on the level of government or private funding able to be received.
9. Request a further report be prepared for council updating on the outcome of each of the above items prior to further progressing the project.

BACKGROUND

The Deniliquin Airport Masterplan 2011 identified that the asphalt runway, originally constructed in the 1940's, had deteriorated to such an extent as to prohibit use by commuter and larger commercial aircraft.

Weight restrictions were placed on operating aircraft which effectively means that the runway can only be used by light aircraft.

The options included replacement of the existing 1214m X 30m runway at a cost of \$7 million or constructing a longer and wider runway, 1960m X 45m, at a cost of \$15 million.

The former Deniliquin Council commissioned a business case to attract funding for the larger runway through the Building Better Regions Fund. The report was produced by Morrison Low of Sydney, but the funding application was unsuccessful.

Edward River Council, in 2017, commissioned KPMG to produce a more robust business case and a copy of that confidential report has been provided to councillors.

ISSUE/DISCUSSION

The KPMG report identified the vision as;

- Regional Australia and its farm sector are transitioning to a new period of trade that will be led by customers seeking fresh, high quality food and other services such as training and tourism.
- Regions that have vision and provide enablers to service new markets in Australia, China, South East Asia and the Middle East are likely to attract investment.

- A modern regional airport can act as a catalyst for services that we can identify today but prepare a region for services of the future.

The report by KPMG also concluded that;

- Analysis indicates that extending the Deniliquin runway to 1960m could have a positive payback over 30 years.
- The financial benefit of the investment would be subject to attracting key investment to the region. Specifically;
 - a) Enhance the chilled lamb supply chain and further develop other complimentary food supply chains.
 - b) Attract Investment and develop indoor farming capability for key horticultural crops.
 - c) Enhance income through attracting the delivery of training and education into the airport precinct.
 - d) Develop and implement safe and simple management protocols.
- There are also several commercial risks that must be addressed to support successful delivery.
- It is likely that the construction of an extended runway will be the catalyst to drive investment and jobs in the region.
- The annual cost of servicing the debt from the investment is relatively low (based on the assumption that Council borrow money for the project, the primary focus would be to maximise State, Federal and/or private funding into the project to reduce the need for Council to borrow funding)

KPMG suggested that the next steps should be to form a working Group/Steering committee comprising a number of different skill sets to manage the following approach;

- Commence discussions with the State/Federal Governments to assist with funding the construction of the extended runway.
- Firm up the relationship with Brisbane West Wellcamp Airport (BWWA) to better establish transport costs between Deniliquin Airport and BWWA.
- Continue discussions with potential commercial partners. These discussions should be held in parallel to other funding discussions.
- Seek formal letters of support from commercial partners and investors.
- Formalise the phased approach regarding construction of a business park in the airport precinct. This should include site planning for a large indoor farming operation.
- Address or plan to mitigate the commercial risks that have been identified

At this stage it is recommended that Council establish an internal working group for the project and undertake the discussions and next steps required to further develop the project. Once this work is complete and an additional report is brought to Council for consideration, then a Working Group that includes external expertise should be established.

STRATEGIC IMPLICATIONS

Construction of a new runway and implementation of the steps outlined in the KPMG report will provide Edward River with a strategic advantage in the region, particularly, in relation to air freight, aviation training and supply chain link to Asia.

COMMUNITY STRATEGIC PLAN

The Draft Edward River 2030 Community Strategic Plan identifies a key target as 'Our economy is strong and diverse', this project has the potential to make a significant contribution towards achieving this target.

FINANCIAL IMPLICATIONS

If council proceed with the project, financial implications will depend on how much of the cost is contributed by private enterprise or government grants and how much council will need to invest in the project.

As part of the recommendation for this report, it is identified that additional financial modelling will take place for the project. This modelling will identify all costs to Council as part of the project.

LEGISLATIVE IMPLICATIONS

There are a number of risks identified with this project. As part of the recommendation for this report, it is proposed that Officers undertake work to develop a risk management plan and mitigation actions for this project.

ATTACHMENTS

1. **Deniliquin Airport Project Final Report - Confidential**

11.15 ENVIRONMENTAL SERVICES REPORT - FEBRUARY 2018

File Number: -

Author: Julie Rogers, Manager Environmental Services

Authoriser: John Harvie, Director Economic Development & Business

RECOMMENDATION

That Council notes the report.

BACKGROUND

Attachment 1 details the activities for Environmental Services for February 2018.

ISSUE/DISCUSSION

Nil.

POLICY/FINANCE

Nil.

ATTACHMENTS

1. Attachment 1 - Environmental Services Report (February 2018)

Application	Date Rec'd	Applicant	Location	Proposal	Status
Development Applications/Construction Certificates					
CC 55/14	10/11/14	Jamie Park/JNP Architecture & Associates Pty Ltd	Lot 272 DP756325, 234 Barham Road	Erection of a shed for use as 'rural industry' (maintenance & construction shed for the proposed ethanol plant)	Awaiting advice from the applicant
DA 1/16 CC 1/16	4/1/2016	Tikaro Pty Ltd	Lot 21 DP1063042, 356 Augustus Street	Shed	Awaiting advice from applicant
CC 47/16	31/10/16	P&A Society of Deniliquin	Lot 487 DP731813, Memorial Park	Demountable office building	Awaiting advice from applicant
DA 2/17	11/01/17	Murray Constructions	Lots 11 & 12 DP1018080, 475-477 George Street	Replacement of existing concrete retaining walls including an extension of jetty	Awaiting advice from applicant
DA 59/17	25/08/2017	James Puniard	Lot 11, Section 15, DP758138, Wargam Road, Boorooban	2 bay fire station and 22,000 litre tank	Awaiting owners consent
DA 89/17	18/12/2017	Bayruby Pty Ltd	Lot 4, DP219411, 312-328 Morris Street, Deniliquin	Single storey dwelling	Under assessment
DA 90/17	20/12/2017	Justin Zanatta	Lot 15, DP38670, 521 St Michael Street, Deniliquin	Installation of a replacement retaining wall and jetty (to be used as a mooring) including the installation of an additional deck	Under assessment
DA 2/18	10/01/2018	Yuille Holdings Pty Ltd	Lot 52, DP756325, 125-127 Hardinge Street, Deniliquin	Additions to fuel depot	Under assessment
DA 8/18 CC 7/18	31/01/2018	Ricegrowers Limited	Lot 381, DP239381, 345-357 Ricemill Road, Deniliquin	Installation of elevated storage silos for milled rice products	Under assessment
DA 9/18 CC 4/18	5/02/2018	Deniliquin Boat Club	Lot 101, DP831207, 144 Riverview Drive, Deniliquin	Disbled access and disabled toilet block	Under assessment
DA 10/18	9/02/2018	Tristan Donaldson	Lot 40, DP1122628, 94 Aratula North Road, Deniliquin	Intensive livestock agriculture – 2000 head piggery	Under assessment
DA 12/18 CC 6/18	15/02/2018	Brunker Fabrications Pty Ltd	Lot 9, DP 257124, 447-449 Ochertyre Street, Deniliquin	Truck storage shed and offices	Under assessment
Complying Development Certificates					
CDC 3/18	21/02/2018	Shane & Tenille Blake	Lot 3, DP1227113, 609 Ochertyre Street, Deniliquin	Single storey dwelling	Under assessment
S68 Applications					

S68 15/17	24/03/17	Precise Build	Lot 4 DP285832, 316 Wakool Road	Sewer connection	Awaiting further advice
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Applications Determined February 2018

Application	Property Description	Applicant	Development	Amount
DA 4/18 CC 2/18	Lot 3, DP583159, 348 Harfleur Street	Colin Sander & Alison Thorne	Dwelling alterations and additions	430,000.00
CC 3/18	Lots 49 & 52, DP 1189132, Macknight Drive, Deniliquin	Resource Architecture	Construction of an emergency services facility and depot	3,500,000.00
DA 91/15 A	Lots 49 & 55, DP756325, 158-166 Hardinge Street, Deniliquin	North East Survey Design Echuca	Modification to DA 91/15 – new boundary layout, creation of 60m wide right of access	-
DA 81/17	Lot 100, DP1061466, Ochertyre Street	David Malcolm, Ecotech Energy	Installation of a ground and roof mounted solar system	140,000.00
DA 1/18	Lot 52, DP1189132, Cemetery Road, Deniliquin	Troy Fava	Temporary use being the 'Cruising National' event	-
DA 3/18	Lot 14, DP1134284, 14-18 Napier Street, Deniliquin	Anthony Smith	Add signage to wall (George Street)	2,000.00
DA 5/18	Lot 487, DP731813, Memorial Drive, Deniliquin	Decentralised Demountables	Addition of coolroom and dry store room to existing clubrooms	32,120.00
DA 6/18	Lot 1, DP1057173, 65 Hardinge Street, Deniliquin	Neil Olivier (Signific)	Install new signage to Goodstart Children's Centre	3,000.00
DA 7/18	Lot 1, DP503099, 343 Wood Street, Deniliquin	William O'Brien	Demolish dwelling	6,000.00
CDC 1/18	Lot 22, DP 634995, 22 Todds Road, Deniliquin	Hector Bain	Inground swimming pool	34,980.00
CDC 2/18	Lot 2, DP521086, 423 Charlotte Street, Deniliquin	Philip Hodgkinson	Addition to dwelling	25,000.00
DA 11/18 CC 5/18	Lot 11, DP564473, 200-204 Cressy Street, Deniliquin	Brunker Fabrications Pty Ltd	Replacement of storm damaged shop front and verandah	80,000.00
S68 1/18	Lot 13, DP719544, Phylands Lane, Deniliquin	Stephen Grimshaw	Onsite sewer management system	3,000.00
S68 2/18	-	Dipalee Anil Parab	Operate a food van	-
S68 3/18	Lot 1, DP583366, 399-417 Poitiers Street, Deniliquin	Cooke & Dowsett Plumbing	New drainage works	70,000.00

Processing Times for February 2018

Application Type	Mean Gross Days	Mean Net Days
DA	33	28
Mod (S96) of DA & DA/CC	152	69
CDC	11	11
CC	21	21
S68 Applications	12	12

Value and Number of Applications Determined 2017 and 2018

Month	DAs 2017	DAs 2018	CDCs 2017	CDCs 2018	S68 2017	S68 2018	Value 2017	Value 2018
January	6	3	2	0	0	0	\$953,130	\$96,900
February	4	8	1	2	9	3	\$1,121,555	\$753,100
March	7		3		3		\$436,881	
April	5		2		3		\$998,414	
May	11		3		7		\$1,853,315	
June	9		5		5		\$717,371	
July	11		4		2		\$2,721,000	
August	6		4		4		\$1,099,213	
September	12		5		2		\$1,625,621	
October	13		4		4		\$3,171,654	
November	9		5		1		\$4,456,450	
December	3		2		1		\$2,220,230	
TOTALS	96	11	40	2	41	3	\$21,374,834.00	\$850,000

Notes: numbers of application determined does not include construction certificates, modifications and applications determined by private certifiers. Value of application determined does not include the value of work for s68 applications.

Section 149 Certificates/Sewerage Drainage Diagrams

There were 21 Section 149 Certificates completed and 11 Sewerage Drainage Diagrams issued in February 2018.

Swimming Pool Inspection Program

Month	1 st Inspection	2 nd Inspection	3 rd Inspection
February 2018	1	1	0

Ranger's Report

Companion Animals			
	Cats	Dogs	Other
Animals seized/surrendered	2	11	
Animals released to owner	1	6	
Animals euthanised	2	1	
Animals housed at pound at 28 February 2018	0	4	
Dogs declared dangerous / menacing	0	3	
Animals microchipped by Council	0	5	
Animals registered		13	
Animal registration notices sent			18
Animal fines			3
Clean Up Notices			
Property clean up notices			4
Parking Fines			
Parking Fines			1
Impoundment (Impounding Act 1993)			
Vehicles			2
Livestock			3 (bulls)

11.16 RETIREMENT VILLAGE PROJECT TENDER**File Number:****Author:** Oliver McNulty, Director Infrastructure**Authoriser:** Oliver McNulty, Director Infrastructure**RECOMMENDATION**

That Council

1. Approve the delegation for the General Manager to award a contract to the preferred contractor to carry out works to the proposed retirement village site on the land, situated between Harfluer, Poictiers, Hardinge and Napier Streets.
2. Note that this contract is likely to be in excess of \$150,000
3. Note that a further report will be presented to Council to inform them of the outcomes of the tender process and this project.

BACKGROUND

5. Following calls from members of the community for council to facilitate the development of a Retirement Village in Deniliquin council had to locate a suitable site, close to supermarkets, CBD and other amenities.

6.

7. In 2016 council purchased Lot 2 DP1129050 from VicTrack at a cost of \$240,000.

8.

9. The land, situated between Harfluer, Poictiers, Hardinge and Napier Streets, comprises 1.1ha and previously housed the Deniliquin Railway Station of which only the platforms and turntable recess remain.

10.

11. Having secured the land for the Retirement Village project council issued a request for Expressions of Interest (EOI) from suitably qualified consultants to advise council in relation to the proposed development of the Retirement Village. This process is ongoing.

12.

Council was successful in applying for funding for this project through the Murray Darling Basin Regional Economic Development Program. Council will receive \$495,000 towards preparation of the site and installation of water, sewer, roads and street lighting to the site.

The funding agreement has two payment milestones and the funding must be expended by 28th February 2018. This funding agreement has been extended to May 2018 to enable Council to proceed to clear the site to enable the future development.

ISSUE/DISCUSSION

Council carried out a tender in December 2017 to commence works to clear the sections of the site that had previously been owned and managed by VikTrack. This work included the removal of the platforms, infill of the old train turntable and some civil works. This work was to be completed by the 28 February as per the funding agreements original timetable.

After this time the funding deadline has been extended to May 2018. Council officers have completed further tender documentation to enable additional necessary work to proceed. This work includes but is not limited to the removal of contamination from the site adjacent to Harding Street and the construction of a road access point with service connections. This tender process will close on March 22. It is anticipated that this works will cost more than \$150,000 and will require a Council resolution to enable it to proceed. Taking into account the time available to complete works by May 2018, this report request that Council delegation for the General Manager to award the contract once the tender process is completed.

STRATEGIC IMPLICATIONS

The completion of the works outlined in this report will facilitate the development retirement village on this site. This retirement village has been identified as a critical service with Deniliquin and provide for essential aged care services for the future.

COMMUNITY STRATEGIC PLAN

The Edward River community has identified a need to advocate for improved aged care and health services within the municipality. The completion of the proposed works will enable Council to work with a preferred supplier to improved aged care services in Deniliquin.

FINANCIAL IMPLICATIONS

Should Council not proceed and complete as much work as possible by the end of May 2018 any remaining funds from the \$495,000 allocated will have to be reimbursed to the Murray Darling Basin Economic Development Program.

LEGISLATIVE IMPLICATIONS

In line with the Local Government Act Council must approve the award of any contract in excess of \$150,000. Alternatively Council may choose to provide the General Manager with the ability to award this contract.

ATTACHMENTS

Nil

11.17 SPECIAL EVENT APPLICATION - 2018 CRUISING NATIONALS**File Number:****Author:** Mark Dalzell, Manager Engineering Assets**Authoriser:** Oliver McNulty, Director Infrastructure**RECOMMENDATION**

That Council resolves to approve the Special Event Application for the 2018 Cruising Nationals, to be held between Friday, 16 March 2018 and Sunday, 18 March 2018, subject to the following conditions:

1. The organisers of the event provide Council with a certificate of currency for public liability insurance for the event of not less than \$20M for any one instance prior to the commencement of the event;
2. That Edward River Council, NSW Police and Roads and Maritime Services are noted as interested parties on the certificate of currency for public liability insurance; and
3. That the members of the Edward River Council Local Traffic Committee provide in writing their agreement for the special event to proceed prior to the event commencing.

BACKGROUND

The organisers of the 2018 Cruising Nationals, to be held between Friday, 16 March 2018 and Sunday, 18 March 2018, have submitted a Special Event Application to obtain Council's approval for this event to proceed.

The event shall be centred around the Deniliquin RSL and Waring Gardens, with Duncan Street being closed on Friday night and the streets around Waring Gardens being closed Saturday evening through to Sunday afternoon.

It is noted that a Special Event Application is not required for the parts of the event that occur at the Deniliquin airport as they do not impact on the public road network.

ISSUE/DISCUSSION

A formal Resolution from Council is required under the guide to the delegation to Council for the regulation of traffic. As there is not enough business to hold a Local Traffic Committee Meeting therefore approval has been sought from all voting members of the Local Traffic Committee and formal resolution is required from Council.

At the time of preparing this report, Council staff had not received approvals from the voting members of the Edward River Council Local Traffic Committee. This is due to the organisers not providing a certificate of currency for public liability. Both RMS and Police have advised that support for the application shall be granted following receipt of the certificate of currency for public liability insurance.

As part of the communication strategies for the event, the road closures on Friday, Saturday and Sunday shall be advertised on the Council website, on local radio and in the local newspaper.

STRATEGIC IMPLICATIONS

The special event application has been submitted in accordance with Council's requirements for these types of events.

COMMUNITY STRATEGIC PLAN

Council's support for this event is in accordance with the strategic objective of supporting community and tourist events.

FINANCIAL IMPLICATIONS

Council staff shall undertake the preparation and implementation of the Traffic Control Plan as part of Council's support for the event.

LEGISLATIVE IMPLICATIONS

This report has been provided in accordance with Council's obligations under the Delegation to Council for Regulation of Traffic.

ATTACHMENTS

1. **Report to the Edward River Council Local Traffic Committee**
2. **2018 Cruising Nationals - Special Event Application**
3. **2018 Cruising Nationals - Event Management Plan**
4. **2018 Cruising Nationals - Event Risk Assessment**
5. **2018 Cruising Nationals - Notification to Emergency Services and Neighbour Notifications**
6. **2018 Cruising Nationals - Traffic Control Plan for Duncan Street**
7. **2018 Cruising Nationals - Traffic Control Plan for Waring Gardens**

SUBJECT: 2018 CRUISING NATIONALS CAR SHOW – SPECIAL
EVENT APPLICATION

FROM: MARK DALZELL
Manager Engineering and Assets

REPORT TO: EDWARD RIVER COUNCIL LOCAL TRAFFIC COMMITTEE

In providing this advice to Council's Local Traffic Committee, I, Mark Dalzell, have no interests to disclose in this report.

Recommendation:

That the Local Traffic Committee advises Council that the 2018 Cruising Nationals Car Show to be held between Friday, 16 March 2018 and Sunday, 20 March 2018, be approved subject to the following conditions:

1. Confirmation of a current public liability insurance policy for the event with coverage of not less than \$20M for any one instance and naming Edward River Council, NSW Police and Roads and Maritime Services as interested parties on the policy; and
2. Confirmation of Certificate of Currency for volunteer insurance is provided.

Background:

An application has been received from Cruising Nationals to hold a three day car show in Deniliquin utilising the Deniliquin RSL on Friday 16 March 2017 and Waring Gardens on Saturday evening 17 March 2017 and Sunday 18 April 2017.

Issue/Discussion:

On the Friday night a registration evening will be held at the Deniliquin RSL. Event organisers are asking that Duncan Street can be closed at this time to allow cars to be on display. Saturday evening there will be a function in the Waring Gardens which will include a band and trade stalls. Sunday will be an exhibit of all the cars for attendees to see.

The Car Show requires – closure of Duncan Street from Crispe to Junction on Friday 31 March 2017 from 12 midday until 10.00pm (approval from the RSL has been sought). Closure of Cressy Street from Hardinge Street to Wellington Street, Edwardes Street from Poitiers to Wise Lane, Harrison Street from Wellington Street to Napier, Napier Street from Poitiers to George Street and Whitelock Street from Napier to Hardinge Street for the running of the event from 4.00pm until 11pm on Saturday 1st April 2017 and from 7.00am until 3.00pm Sunday 2nd April 2017. Please refer to attached TCP.

All of the relevant documentation is attached at the end of this report.

At the time of this report the organisers of the event had not provided evidence of suitable public liability insurance coverage for this event. Council staff have requested this information be provided as a matter of urgency and note that the recommendation of the Traffic Committee be subject to the provision of the suitable Public Liability insurance for the event.

Policy and Strategic Implications:

The special event application has been submitted in accordance with Council's requirements for these types of events.

Financial and Resource Implications:

Council staff shall undertake the preparation and implementation of the Traffic Control Plan as part of Council's support for the event.

Risk Implications:

A risk assessment and Event Management Plan have been included in the submission for the special event approval.

Consultation:

As part of this report Council staff have consulted with Police and adjoining property owners along Harrison Street who may be affected by the event. It is noted that Cressy Street is only partially closed and that access to parking adjacent to the shops along the northern side of Cressy Street is maintained.

Attachments:

Special Event Application including:

- Application form;
 - Event Management Plan;
 - Risk assessment;
 - Emergency Services and neighbourhood notifications;
 - Traffic Control Plan for Friday 16 March 2018 – Duncan Street;
 - Traffic Control Plan for Saturday, 17 March 2018 and Sunday, 18 March 2018 – Waring Gardens.
-



Special Event Resources

Special Event Transport Management Plan Template

Refer to Chapter 7 of the Guide for a complete description of the Transport Management Plan

I EVENT DETAILS

I.1 Event summary

Event Name: CRUISING NATIONALS
 Event Location: DENILIRUIN AIRPORT & WARING-GUNS
 Event Date: 12/3/18 Event Start Time: 8.00AM Event Finish Time: 11.00AM
 - 16/3/18 8.00AM 4.00PM
 Event Setup Start Time: 6.00AM Event Packdown Finish Time: 4pm
 Event is off-street on-street moving on-street non-moving
 held regularly throughout the year (calendar attached)

I.2 Contact names

Event Organiser * TROY FAVA
 Phone: 0393121855 Fax: 0393112510 Mobile: 0417535565 E-mail: Info@thecruisingretreat.com
 Event Management Company (if applicable) NA
 Phone: _____ Fax: _____ Mobile: _____ E-mail: _____
 Police _____
 Phone: _____ Fax: _____ Mobile: _____ E-mail: _____
 Council EDWARD RIVER COUNCIL
 Phone: 0357983000 Fax: _____ Mobile: _____ E-mail: _____
 Roads & Traffic Authority (if Class I) _____
 Phone: _____ Fax: _____ Mobile: _____ E-mail: _____

*Note: The Event Organiser is the person or organisation in whose name the Public Liability Insurance is taken out.

I.3 Brief description of the event (one paragraph)

HOT ROD, CRUISING, SHOW 'N' SHINE, 1/4 MILE DRAGS & BURNOUT COMP.

2 RISK MANAGEMENT - TRAFFIC

- | | |
|-------------------------------|---|
| CLASS 1
CLASS 2
CLASS 3 | 2.1 Occupational Health & Safety - Traffic Control |
| | <input checked="" type="checkbox"/> Risk assessment plan (or plans) attached |
| | 2.2 Public Liability Insurance |
| | <input type="checkbox"/> Public liability insurance arranged. Certificate of currency attached. |
| | 2.3 Police |
| | <input checked="" type="checkbox"/> Police written approval obtained |
| | 2.4 Fire Brigades and Ambulance |
| | <input checked="" type="checkbox"/> Fire brigades notified |
| | <input checked="" type="checkbox"/> Ambulance notified |

3 TRAFFIC AND TRANSPORT MANAGEMENT

- | | |
|-------------------------------|--|
| CLASS 1
CLASS 2
CLASS 3 | 3.1 The route or location |
| | <input checked="" type="checkbox"/> Map attached |
| | 3.2 Parking |
| | <input checked="" type="checkbox"/> Parking organised - details attached |
| | <input type="checkbox"/> Parking not required |
| | 3.3 Construction, traffic calming and traffic generating developments |
| | <input checked="" type="checkbox"/> Plans to minimise impact of construction activities, traffic calming devices or traffic-generating developments attached |
| | <input checked="" type="checkbox"/> There are no construction activities, traffic calming devices or traffic-generating developments at the location/route or on the detour routes |
| | 3.4 Trusts, authorities or Government enterprises |
| | <input checked="" type="checkbox"/> This event uses a facility managed by a trust, authority or enterprise: written approval attached |
| | <input checked="" type="checkbox"/> This event does not use a facility managed by a trust, authority or enterprise |
| | 3.5 Impact on/of Public transport |
| | <input checked="" type="checkbox"/> Public transport plans created - details attached |
| | <input checked="" type="checkbox"/> Public transport not impacted or will not impact event |
| | 3.6 Reopening roads after moving events |
| | <input checked="" type="checkbox"/> This is a moving event - details attached. |
| | <input type="checkbox"/> This is a non-moving event. |
| | 3.7 Traffic management requirements unique to this event |
| | <input checked="" type="checkbox"/> Description of unique traffic management requirements attached |
| | <input type="checkbox"/> There are no unique traffic requirements for this event |
| | 3.8 Contingency plans |
| | <input checked="" type="checkbox"/> Contingency plans attached |

Class 1	Class 2	3.9 Heavy vehicle impacts	
		<input checked="" type="checkbox"/> Impacts heavy vehicles - RTA to manage <input checked="" type="checkbox"/> Does not impact heavy vehicles	
Class 1	Class 2	3.10 Special event clearways	
		<input type="checkbox"/> Special event clearways required - RTA to arrange <input checked="" type="checkbox"/> Special event clearways not required	
4 MINIMISING IMPACT ON NON-EVENT COMMUNITY & EMERGENCY SERVICES			
Class 1	Class 2	Class 3	4.1 Access for local residents, businesses, hospitals and emergency vehicles
			<input checked="" type="checkbox"/> Plans to minimise impact on non-event community attached <input type="checkbox"/> This event does not impact the non-event community either on the main route (or location) or detour routes
Class 1	Class 2	Class 3	4.2 Advertise traffic management arrangements
			<input checked="" type="checkbox"/> Road closures or restrictions - advertising medium and copy of proposed advertisements attached <input type="checkbox"/> No road closures or restrictions but special event clearways in place - advertising medium and copy of proposed advertisements attached <input type="checkbox"/> No road closures, restrictions or special event clearways - advertising not required
Class 1	Class 2	Class 3	4.3 Special event warning signs
			<input type="checkbox"/> Special event information signs are described in the Traffic Control Plan/s <input checked="" type="checkbox"/> This event does not require special event warning signs
Class 1	Class 2	Class 3	4.4 Permanent Variable Message Signs
			<input type="checkbox"/> Messages, locations and times attached <input checked="" type="checkbox"/> This event does not use permanent Variable Message Signs
Class 1	Class 2	Class 3	4.5 Portable Variable Message Signs
			<input type="checkbox"/> The proposed messages and locations for portable VMS are attached <input checked="" type="checkbox"/> This event does not use portable VMS
5 PRIVACY NOTICE			

The "Personal Information" contained in the completed Transport Management Plan may be collected and held by the NSW Police, the NSW Roads and Traffic Authority (RTA), or Local Government.

I declare that the details in this application are true and complete. I understand that:

- The "personal information" is being collected for submission of the Transport Management Plan for the event described in Section 1 of this document.
- I must supply the information under the Road Transport Legislation (as defined in the *Road Transport (General) Act 1999*) and the *Roads Act 1993*.
- Failure to supply full details and to sign or confirm this declaration can result in the event not proceeding.
- The "personal information" being supplied is either my own or I have the approval of the person concerned to provide his/her "personal information".
- The "personal information" held by the Police, RTA or Local Government may be disclosed inside and outside of NSW to event managers or any other person or organisation required to manage or provide resources required to conduct the event or to any business, road user or resident who may be impacted by the event.
- The person to whom the "personal information" relates has a right to access or correct it in accordance with the provisions of the relevant privacy legislation.

6 APPROVAL

TMP Approved by: Event OrganiserDate

7 AUTHORISATION TO *REGULATE TRAFFIC

Council's traffic management requirements have been met. Regulation of traffic is therefore authorised for all non-classified roads described in the risk management plans attached to this TMP.

Regulation of traffic authorised by: CouncilDate

The RTA's traffic management requirements have been met. Regulation of traffic is therefore authorised for all classified roads described in the risk management plans attached to this TMP.

Regulation of traffic authorised by: RTADate

* "Regulate traffic" means restrict or prohibit the passage along a road of persons, vehicles or animals (Roads Act, 1993). Council and RTA require traffic to be regulated as described in the risk management plans with the layouts installed under the direction of a qualified person.

Schedule I Form - Notice of Intention to Hold a Public Assembly

SUMMARY OFFENCES ACT 1988 - Sec 23

To the Commissioner of Police

1 I TROY FAVA (name)
of 13 BUNNETT ST SUNSHINE VIC 3020 (address)
on behalf of CRUISINE NATIONALS (organisation)
notify the Commissioner of Police that
on the 17 (day) of 3 (month), 2018 (year), it is intended to hold
either:
(a) a public assembly, not being a procession, of approximately
1000 (number) persons,
which will assemble at DENILBOIN AIRPORT & WARING GARDENS (place)
at approximately 8 am/pm,
and disperse at approximately 11 am/pm.
or
(b) a public assembly, being a procession of approximately
..... (number) persons,
which will assemble at approximately am/pm, and at
approximately am/pm the procession will commence and shall proceed
.....
.....
.....
(Specify route, any stopping places and the approximate duration of any stop; and the approximate time of
termination. A diagram may be attached.)

2 The purpose of the proposed assembly is TO CONDUCT A
HOT ROD CAR EVENT
- SHOW 'N' SHINE
- CRUISING
- 1/8 MILE DRAGS
- BURNOUT COMPETITION

3 The following special characteristics associated with the assembly would be useful for the Commissioner of Police to be aware of in regulating the flow of traffic or in regulating the assembly (strike out whichever is not applicable):

(i) There will be 400 (number) of vehicles and/or (number) of floats involved.
 The type and dimensions are as follows:
HOT RODS & CLASSIC CARS

(ii) There will be 1 (number) of bands, musicians, entertainers, etc. which will entertain or address the assembly.

(iii) The following number and type of animals will be involved in the assembly:
NA

(iv) Other special characteristics of the proposed assembly are as follows:
NIL (AS ABOVE)

4 I take responsibility for organising and conducting the proposed assembly.

5 Notices for the purposes of the *Summary Offences Act 1988* may be served upon me at the following address:
18 BUNNETT ST
SUNSHINE VIC 3020
 Postcode.
 Telephone No. 03 9312 1858

6 Signed
 Capacity/Title
 Date



EVENT MANAGEMENT PLAN



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Event Management Plan

1. EVENT DETAILS

1.1. Event Place & Time

Name of Event: The Cruising Nationals

Address of Event: Deniliquin NSW (Held at Deniliquin RSL, Deniliquin Aerodrome and Waring Gardens)

Details of Venue: Deniliquin RSL (Registration Night), Deniliquin Aerodrome (Racing Events), Waring Gardens (car shows and cruising)

Activities:

The Cruising Nationals is a 3 day car & bike event in Deniliquin NSW, on from the 31st March – 2nd April 2017. On Friday the 31st, the registration night will be held at Deniliquin RSL. Free food, soft drink & water will be provided and alcohol will be sold at Happy Hour prices all night. Bands will also be playing on the night. On Saturday the 1st April, the event moves to the Deniliquin Aerodrome where the racing events will be held, such as 1/8 mile drag racing, burnout competition and dirt drag racing. There will also be a car show at the aerodrome. From Saturday afternoon, the event moves to Waring Gardens, where the event will be held for the rest of its duration. There will be a car show, bands, and cruising on the Saturday night and Sunday will hold the car show, bands and the raffle will be drawn.

Estimated Number of People expected to attend: Approx. 500-1500 people

Date and Time Set Up Commences: Friday 16th March 2017 at 9:00am approx.

Date and Time Event starts or is open to the public: Friday 16th March 2018 at 11:00am.

Date and Time Event Finishes: Sunday 18th March 2018 at 4:00pm.

Date and Time dismantling commences and anticipation conclusion time: 4:00pm on Sunday

Day 1 Start: 9:00am	Finish: 1:00am approx. (Deniliquin RSL)
Day 2 Start: 6:00am	Finish: 3:30pm approx. (Aerodrome)
Day 2 (Pt 2)	
Start: 3:00pm	Finish: 11:00pm (Waring Gardens)
Day 3 Start: 8:00am	Finish: 4:00pm (Waring Gardens)

Times include setup times.

1.2. Event Manager Details:

Event Manager: Troy Fava

Address: 16-18 Bunnett Street Sunshine North VIC 3020

Phone (Work): 03 9312 1858

Phone (Home): 0417 535 565

Fax: 03 9311 2510

Email: wessmash@bigpond.net.au | info@thecruisingnationals.com

Contact During Event:

Phone: 0417 535 565

Mobile: 0417 535 565

2. INSURANCE

2.1. Insurance Details

Name of Insurer:
Address:
Phone: **Fax:**
Email:
Policy Number and Expiry Date:
Public Liability Value and Asset Value:

VENUE & ACTIVITIES

4. Deniliquin RSL (Friday):

- **Patrons drinking Alcohol** – Alcohol may be sold at Happy Hour prices but it is up to the bar tending staff to ensure no patron gets heavily intoxicated, as part of their Responsible Service of Alcohol (RSA) Training. All bar tending staff must have their RSA to work on the night.
- **Emergency Evacuation of RSL** – All patrons to follow the evacuation procedures of the RSL as displayed in numerous areas of the RSL. RSL staff and event managers to enforce the emergency evacuation procedure in a time of emergency.
- **Food** – Food must be prepared fresh on the day to prevent potential food borne illnesses to patrons. Responsibility lies with the cooks and chefs of Deniliquin RSL

Deniliquin Aerodrome (Saturday)

- **Drag Racing and Dirt Drag Racing** – Drag racing to be limited to 1/8 mile drag racing to prevent high powered cars hitting excessive speed and to allow cars time and distance to stop and turn around. Barriers around the drag racing and dirt drag racing to be in place. Ambulance and Fire Brigade to be on standby in case of any accidents.
- **Burnout Competition** – Burnout Competition will be fenced off and have water barriers in place to ensure safety of spectators. Ambulance and Fire Brigade to be on standby in case of any accidents. Burnouts are to be a maximum of 1 minute long to prevent tyre blowouts. Competitors are responsible for disposing or removing worn tyres.
- **Food** – Food must be prepared fresh on the day to prevent potential food borne illnesses to patrons. Responsibility lies with trade stall vendors as per trade stand application form terms.

- **Traffic Control & Management** – Spectators and vehicles do share the same walkway. Traffic control should be directing traffic at all times to ensure that spectators don't get hurt. Entry Gate: Vehicles entering the aerodrome must pay if they haven't pre-registered. Traffic should be controlled to direct pre-registered entrants and new arrivals accordingly.
- **Planes, Helicopters & Aerodrome Use** – The aerodrome will still be open to planes & helicopters during The Cruising Nationals Aerodrome events. Pilots and airport staff are advised to let The Cruising Nationals event organisers know at least 10 minutes in advance to allow time to clear the runway.

Waring Gardens (Saturday)

- **Patrons drinking Alcohol (Saturday Night)** – The Saturday night is BYO alcohol. Event organisers and security will ensure responsible consumption of alcohol by patrons. There will be designated drinking areas in Waring Gardens as The Cruising Nationals is a family friendly event.
- **Traffic Control & Management** – Spectators and vehicles do share the same walkway. Traffic control should be directing traffic at all times to ensure that spectators don't get hurt. Entry Gate: Vehicles entering Waring Gardens must pay if they haven't pre-registered. Traffic should be controlled to direct pre-registered entrants and new arrivals accordingly. The Cruise Night will have cars driving around Waring Gardens with open exhaust systems until 10:00pm Saturday 1st April. No hooning allowed throughout the Cruise Night. Anyone caught hooning in any form will be removed from the event.
- **Stage** – The stage is high off the ground. It is important to note that no person is to be no closer than 2 metres from the edge of the stage to prevent anyone from falling off the edge.
- **Food** – Food must be prepared fresh on the day to prevent potential food borne illnesses to patrons. Responsibility lies with trade stall vendors as per trade stand application form terms.

4.2. Site Plan

Include meeting points for emergency services
(See attached maps)

4.3. Contingency Plan

Rain (General) – Rain throughout the weekend will cut down the number of patrons at the event. The event will still run regardless of the weather for keen patrons.

Rain (Deniliquin RSL) – Rain should not affect the function of the event at Deniliquin RSL unless of the unlikely chance of flooding. If flooding occurs, patrons are to follow the evacuation procedures of Deniliquin RSL.

Rain (Aerodrome) – drag racing and dirt drags will be called off. The burnout competition may still go ahead subject to input from event organisers, ERC officials and emergency service representatives.

5. TRAFFIC AND PEDESTRIAN MANAGEMENT

5.1. Traffic Management Plan

Has a Traffic Management Plan been developed for this event? YES

5.2. Road Closures

Do you require any roads to be closed for the event: YES

Street in which function is to be held: Friday – Duncan Street from Junction to Crispe Street
Closure around Waring Gardens Saturday pm – until Sunday (All surrounding streets as per site map for Waring Gardens)
Closure of some aerodrome facilities, Saturday –DA Approval

5.3. Adjoining Properties

Have adjoining property occupants been contacted regarding the proposal of this event. YES

How and when: Letters typed up and sent to occupants, business owners, fire brigade, ambulance & the hospital.

If the event is likely to impact in any way on these adjoining properties – e.g. noise, extra cars, road closures it is highly recommended that you contact the occupants well in advance of the event.

6. INCIDENT MANAGEMENT PLAN

6.1. Incident Control Centre

Ensure the Incident Control Centre is clearly marked on your Site Plan and detail where First Aid will be supplied.

Ensure exit/evacuation points and fire extinguishers are clearly marked on the site plan.

How will communication be conducted on the day of the event with event officials?

Two way radios, P.A systems and mobile phone contacts

How will communication be conducted with the public?

Announcements:

Deniliquin RSL – Announcements will be made through the in-house system of the Deniliquin RSL. Announcements will also be conducted through band P.A systems if available. Security and event managers and organisers will also have two way radios to communicate with each other.

Aerodrome – Charlie Cutajar or MC to communicate with public via the public-address system. Security and event managers and organisers will also have two-way radios to communicate with each other.

Waring Gardens – Charlie Cutajar or MC to communicate with public via the public-address system. Security and event managers and organisers will also have two way radios to communicate with each other.

If required, who will request further police and other emergency services assistance?

Police & Security to be on site throughout event. Sargent Peter Kirk to request further police and other emergency services assistance.

6.2. Incident Management Contact Details

First Aid Officer

Name Charlie Cutajar

Contact details 0408 109 728

6.3. Fire Fighting Equipment

Will portable fire protection equipment be strategically located throughout the venue for initial attack of the fire by the public and/or safety officers? YES

6.4. Fire Danger Period

Has a day of total fire ban or fire danger period been considered? YES

The Fire Brigade have been notified of The Cruising Nationals event and will be attending the event to ensure that anything fire related is dealt with as soon as possible.

6.5. Lost and Stolen Property / Lost Children

What arrangements have been made for lost or stolen property and lost children?

Lost property / lost children will be reported to The Cruising Nationals staff or security throughout the event.

Deniliquin RSL – Lost or stolen property or lost children to be reported to the Deniliquin RSL main desk for announcements to be made.

Deniliquin Aerodrome - Lost or stolen property or lost children to be reported to the Aerodrome clubhouse or Charlie Cutajar so announcements can be made.

Waring Gardens - Lost or stolen property or lost children to be reported to the The Cruising Nationals Marquee, security or main stage for announcements to be made.

6.6. Incident Reports

All incidents are to be recorded in the following format:

- The name of the person(s) affected and the names of any witnesses to an incident
- Where and when the incident occurred
- The events surrounding the incident
- Whether an injury occurred as a direct result of the incident
- The response and corrective measures that were taken
- It should be signed and dated prior to handing it in to the appropriate person, such as the event manager.

Name of Event: The Cruising Nationals

Event Manager: Troy Fava

Contact: 0417 535 565

7. PUBLIC HEALTH

Controlling Authority – Edward River Council Environmental Services

7.1. List of Vendors

Will you or other vendors at your event be selling any article of food? **YES** NO

List of the food businesses and type of food being provided at the event:

- | | |
|--|---|
| 1. Relens Mini Donuts
Ralph Nicholls
28 Florence Ave
Berwick VIC 3806
relens@tpg.com.au
0425 751 405 | 2. Espressgo
Michael Pitt
110 Decimus Street
Deniliquin NSW 2710
hilux77@bigpond.com
0415 556 162 |
| 3. Pizza de Wheels
Robert Johnson
7 Elliot Street
Castlemaine VIC
robert@pizzadewheels.com.au
0402 394 549 | |
| 4. Pizza 2 U | |

Susan Petrie
19 Hotham Street
Moonee Ponds VIC 3039
melbcatering@bigpond.com.au
0417 013 736

7.2. Alcohol

Will there be alcohol at the event? YES

If yes, will alcohol will be sold and consumed or BYO BYO

Local council permission has given received YES

Has a Liquor Licence been obtained? NO

If no, alcohol will be prohibited.

7.3. Toilets

How many toilets will be provided at the event?

Male.....

Female.....

Disabled.....

Who will be responsible for the cleaning of toilets? ERC Council / Robert Matthews
Decentralised Demountables for portable toilets.

Contact details during the event:

Name: Robert Matthews

Mobile: 0418629257

7.4. Water

Is the location of water clearly signposted and marked on the site plan? NO

How will extra water be supplied to patrons on very hot days if needed? Water available for sale from several shops along route.

What is the source of water? Water available for sale from several shops along route.

7.5. Shelter

Describe where shelter will be provided at the event. Mark on your site plan.

Members of the public have shade from verandahs of shops and trees.

Will sunscreen be available at the event? YES

7.6. Waste Management

Extra bins are to be supplied by Deniliquin Council throughout the event

What arrangements have you made for the rubbish to be removed appropriately on the day? |
Cleaners will clean up areas of the event as the event progress and a bigger clean-up will take place after each stage of the event.

7.7. Noise

Describe the activities/mechanisms likely to create higher noise levels at your event.

Drag Racing, Dirt Drag Racing, Burnout Competition and cruising around Waring Gardens with no exhaust pipes will create high noise levels throughout the event

Describe how you will monitor and minimise noise levels.

We have put the Drag Racing, Dirt Drag Racing, Burnout Competition at the Deniliquin Aerodrome as it is not close to residential areas and that noise produced by cars will be similar noise levels produced by aircraft. As for cruising around Waring Gardens, cars are to cease cruising without pipes by 10:00pm approx.

8. PUBLIC SAFETY**8.1. Security & Crowd Control**

What type of security has been selected for the event?

Crowd Control Security

If a security firm has been contracted, provide details.

Name of Company: Premier Protection Services. (Licence No: 410 537 139)

Contact Details: Tony Fazzolari
Phone/Mobile: 0400897900
Number of Security Personnel at Event: TBA
Who is the police contact?
Name: Peter Kirk
Station: Deniliquin Police Station
Phone: 03 5881 9499 (Ask for Peter Kirk)

8.2. Public Assembly

Will you be fencing off the boundary of your event, restricting access and egress?
YES

If yes, you will need approval from your local government authority. In DA Approval

8.3. Lighting and Power

Do you have emergency power & lighting? YES

It is recommended that an electrician be available for the event.

Name of Certified Electrician: Tim Maher
Contact Details during the event: 0408 558 130

8.4. Temporary Structures

Will there be temporary structures at the event? YES

Details

Stages & Platforms YES
 Break-away Stage Skirts NO
 Seating YES
 Marquees/Tents YES

8.5. Fireworks and Pyrotechnics

Will there be fireworks and pyrotechnics at the event? NO

Has a permit been obtained? NA

Permit Number:
 Person Responsible for Fireworks:
 Contact Details During Event:.....
 Phone:.....

9. EVENT PROMOTION

9.1. Ticketing

Are there tickets for the event? YES

- Pre-sold
- At the Gate
- Both

Will the tickets provide information about the event? YES

9.2. Signage

The following signage will be installed, as per the site plan, at the venue -
 NIL

9.3. Health Promotion

List any messages that will be promoted on the day

Messages and licences about the drag racing will be provided throughout the event.

9.4. Promotion

Advertising has been conducted throughout the year leading up to The Cruising Nationals through the raffle and printed flyers.

TV advertising for The Cruising Nationals will be conducted on C31 and WIN TV from March 2018

10. USEFUL CONTACT NUMBERS

SERVICE PROVIDER	NAME	TELEPHONE NUMBER
Official - Event Organiser	Troy Fava	0417535565
Official - Event Organiser	Charlie	0408109728
Official - Deniliquin Council – Engineering and Compliance	Mark Dalzell	0488015497
Deniliquin Council Work Supervisor	Paul Hussey	0417629325
Liquor licensee	Robert Hallum	0428814087
Safety Officer	Event Organiser	0417535565
Security	Premier Protection Services Tony Fazzolari	0400897900
Plumber Toilet pump out	Robert Matthews	0418629257
Electrician – Maher' Electrical	Tim Maher	0408558130

11. DA Conditions of Consent Requirements: Questions to be answered

4.2 Event Management Plan

- **Anticipated number of entrants, officials and spectators at the event**
The Cruising Nationals are expecting approx. 1000 people at the event. This figure includes entrants, officials and spectators.
- **Details on managing alcohol and drug use by competitors and officials, including testing**
Drivers sign an indemnity form on application before they compete in any motorsport. This includes
- **Detail how the event shall be managed, including how the races are to be conducted and how it is proposed to protect the safety of competitors, officials and spectators**
The Cruising Nationals will manage the event as per details in Event Management Plan. Drag Racing and Burnouts are to be managed by Ballarat Drag Racing Club. Contact 0409 561 080 or email ballaratdrags@gmail.com
- **Details of volunteer management procedures including numbers of volunteers, roles and responsibilities, volunteer amenity including break times and provision of drinking water**
Volunteers will be needed for The Cruising Nationals. We will be having 4 Volunteers at the Deniliquin RSL, 6 Volunteers at Deniliquin Aerodrome and 4 Volunteers at Waring Gardens. Volunteers can take a break every two (2) hours or may request permission for a break at any point. Volunteers can bring their own water bottles, buy water from any of the food vendors or get drinking water from the tap.
- **Spectator Evacuation Management**
Deniliquin RSL: Deniliquin RSL have their own evacuation procedures. Cruising Nationals Officials and RSL staff are to work together to in regards to the RSL evacuation plan. Evacuation plans are in numerous areas around the RSL.
Deniliquin Aerodrome: Spectators are to be evacuated to the club house in the event of an emergency. If the club house is unavailable, the public car park is the next option. Troy Fava and Charlie Cutajar can make final decisions in regards to evacuation depending on the situation.
Waring Gardens: Spectators are to be evacuated to the nursing home (entry point) in the event of an emergency. If the nursing home is unavailable, the church is the next option. Troy Fava and Charlie Cutajar can make final decisions in regards to evacuation depending on the situation.
- **Details of vendor and stall management including exact numbers and locations as well as proof of compliance with the requirements of the 'Food Handling Guidelines for Temporary Events.'**
All vendors must submit an application to make sure their stall is approved before entering The Cruising Nationals event. All vendors must have at least 20 million dollars in public liability insurance cover as part of the application conditions. Food vendors must have their NSW Food Handling Certificate and must present the Food Handling Certificate with their application and on demand if asked at any time of the event. The Cruising Nationals also have vendor details and must provide them on request. Vendor details are as follows:

Relens Mini Donuts	Espresso
Ralph Nicholls	Michael Pitt
28 Florence Ave	110 Decimus Street
Berwick VIC 3806	Deniliquin NSW 2710
relens@tpg.com.au	hilux77@bigpond.com
0425 751 405	0415 556 162

Pizza de Wheels
Robert Johnson
7 Elliot Street
Castlemaine VIC
robert@pizzadewheels.com.au
0402 394 549

Pizza 2 U
 Susan Petrie
 19 Hotham Street
 Moonee Ponds VIC 3039
melbcatering@bigpond.com.au
 0417 013 736

Hot Rock Gear
 Julie Harvey
 47 Branzwing Road
 La Lal VIC 3352
hotrockgear@gmail.com
 0403 170 889

Good Prices Australia Pty Ltd
 Adrian Lawrence (Hoists)
 Melton VIC
 03 9743 4859

Affordable Paint Supplies
 Eddie Arfoui
 149a Anderson Rd, Sunshine 3020
 Phone: 03 9312 5001

Troy has marked out where each vendor is placed. For more information, see Troy Fava at any part of the event.

- **Contingency Plan In The Event Of Heavy Rain**
 The event will still go ahead as planned with the exception of the Motorsport activities. All tracks must be dried up before they are used. If it is pouring rain, it is up to Troy Fava to make the call to cancel the motorsport events if it is too dangerous to proceed.
- **Details indicating that access and facilities for persons with disabilities are in accordance with AS 1428.1 – Design for Access and Mobility and Part D3 of the Building Code of Australia**
 Current public disability facilities will be used throughout the event.

4.3 Emergency Management Plan

- **Injury (both minor and serious) to any person (including competitors, spectators, staff and volunteers) and first aid**
 Minor injuries will be dealt with by the first aid officer (Charlie Cutajar). Major injuries will be reported to the ambulance and Deniliquin Hospital.
- **Accidents/crashes of vehicles during events**
 Seriously damaged cars will be removed via tow truck. Barriers are put in place to ensure vehicle crashes won't hit spectators. Oil, fuel or other car liquid spills must be cleaned up before any motorsport recommences.
- **Localised fire and explosion (i.e. car fires, oil and fuel fires, stall fires, garbage fires, etc and explosions whether or not resulting from such fires);**
 The fire brigade will be on site during the motorsport activities at the Aerodrome. The fire brigade will be notified of any other fires or explosions via 000 at Waring Gardens and Deniliquin RSL. The fire brigade were notified via letter of The Cruising Nationals event.
- **Storage of fuel including design and installation of any fuel tanks in accordance with relevant Australian Standards and WorkCover requirements.**

Fuel will not be externally stored by The Cruising Nationals. However, participants may bring their own supply of fuel. It is up to the participant to store the fuel container safely and any participant not storing fuel appropriately will have their entry terminated.

- **Notification of the intended event, including the Plan of Management, to each of the following no later than fourteen (14) days before the event:**
 - The officer-in-charge of the nearest police station to the event site;
 - The officer-in-charge of the nearest ambulance station to the event site; and
 - The officer-in-charge of the nearest Fire and Rescue NSW station to the event site
- The Police, Ambulance, Fire and Rescue NSW station were notified via letter. Letters were sent to Simone Tonkin and then Simone was to disperse of the letters accordingly.

Waste Management:

- **Method for collection of waste containers from the site**
It is up to council to supply extra bins and waste containers. It is also the responsibility of Council to pick up the waste.
- **Measures for ensuring that glass is not brought onto the site**
Cars will be quickly searched by an official or volunteer at the entry gate.
- **Measures to address post-event waste management within the airport grounds**
Measures to be sorted out on day with Mark Dalzell to note down improvements for the following year's Cruising Nationals.
- **Details of on-site garbage storage areas that are readily accessible and serviceable by the waste contractor**
Council and food vendors will have access to rubbish bins

Alcohol Management:

- **Drivers with a blood alcohol concentration greater than 0.00 shall be prohibited from participating in any vehicle events such as the drag races, dirt drags or burn-out activities**
Participants sign an indemnity form as part of the application. Anyone suspected of being intoxicated while behind the wheel will be removed from all events.
- **Method of ensuring that all drivers have a blood alcohol concentration of 0.00**
Breathalysers will be available and entrants competing in motorsport events will be breathalysed if there are any doubts that the entrant is has a blood alcohol reading of 0.00.

Drag Racing:

- **The event is supervised and managed by people suitably experienced in undertaking this type of activity. Details of the people responsible for running the drag racing, including details of their experience, shall be incorporated into the Event Management Plan**
Drag Racing and Burnouts are to be managed by Ballarat Drag Racing Club. It is up to Ballarat Drag Racing Club to employ suitable persons in regards to drag racing. Contact 0409 561 080 or email ballaratdrags@gmail.com for more information.
- **All drag racing events shall be conducted in accordance with the requirements of ANDRA for such events. Evidence of this shall be included in the Event Management Plan, including any correspondence from ANDRA regarding the event**
All drag racing events are conducted in accordance to NSW Sport & Recreation rules.
- **All vehicles participating in the drag racing activities shall adhere to the eligible vehicle criteria for the event**
Eligible vehicles include any vehicles that get the "OK" from the Cruising Nationals scrutineering team. Vehicles must meet all scrutineering criteria as outlined in the scrutineering checklist found on http://www.thecruisingnationals.com/the_cruising_nationals_scrutineering_form_2017.pdf
- **No material, other than water, shall be placed on the surface of the sealed runway to assist with the undertaking of the drag racing event.**

Dirt Drags:

- **All vehicles participating in the dirt drag racing activities shall adhere to the eligible vehicle criteria for the event;**
Eligible vehicles include any vehicles that get the "OK" from the Cruising Nationals scrutineering team. Vehicles must meet all scrutineering criteria as outlined in the scrutineering checklist found on http://www.thecruisingnationals.com/the_cruising_nationals_scrutineering_form_2017.pdf
Competitors shall comply with marshal's instructions at all times. Failure to do so shall result in disqualification from the event
Competitors shall comply with marshal's instructions at all times. Failure to do so shall result in disqualification from the event. One main marshal will be needed for dirt drags but more can be allocated if needed.

Burn-out activities:

- **Concrete barriers and protective fencing shall be installed in accordance with ANDRA requirements and with the requirements of the insurance coverage for the event. Copies of these requirements shall be included in the Event Management Plan**
The Cruising Nationals are conducting their Burn-out activities in accordance to NSW Sport & Recreation rules.
- **Vehicles used for burn-out activities shall have alloy rims only. Steel rims shall be prohibited**
Burnouts are limited to ONE minute to prevent any tyre blow outs. Rules of the burnout competition can be found here ->
http://www.thecruisingnationals.com/the_cruising_nationals_scrutineering_form_2017.pdf
- **Drivers shall not blow the tyres on the vehicles as part of the burn-out activities. Drivers doing so shall cease immediately and exit the burn-out arena under instruction from the marshals. Drivers blowing tyres shall be given a warning against such action. Upon a second incident drivers shall be disqualified from taking any further part in burn-out activities**
Drivers shall not blow the tyres on the vehicles as part of the burn-out activities. Drivers doing so shall cease immediately and exit the burn-out arena under instruction from the marshals. Drivers blowing tyres shall be given a warning against such action. Upon a second incident drivers shall be disqualified from taking any further part in burn-out activities. The marshals will be timing every burnout and will tell participants when to stop. No rim to road burnouts allowed.
- **Authorised officials and marshals located at the and at the entry to the burn-out arena to direct drivers to and from the burn-out arena. Marshals shall record the details of all drivers and vehicles that use the burn-out arena, including any warnings that have been given**
- **A sign placed at the entrance to the burn-out arena advised drivers of the rules for the use of the burn-out arena. Drivers not adhering to these rules shall be given an initial warning regarding such behaviour. A second incident shall result in the driver being disqualified from taking any further part in burn-out activities**
The rules of the burn-outs will be displayed around the burn-out area. Marshal's will direct competitors to the entrance and exit of the burn-out pad.

Car Show

- **Engine tuning, warm-up and/or revving of vehicle engines will be strictly controlled and limited to that required for each upcoming race. Running or revving of engines for show or display purposes shall be prohibited**
The car show area itself is not a race area and maximum speed is limited to 10km/hr. Engine revving for show or display purposes is not allowed unless permission is sought after from officials first. Officials reserve the right to remove any participants if they disobey marshal instructions.
- **No objects, including pegs or stakes, shall be hammered through the existing seal surface or cause any damage to the existing seal surface.**
Marshal's, officials and council to ensure that no trade stand operator, patron or participant are to hammer any objects through the existing seal surface.

CRUISING NATIONALS CAR SHOW 16th MARCH – 18th MARCH 2018

RISK ASSESSMENT							
Conducted by:							
Activity : Cruising Nationals Car Show - Waring Gardens							
Critical Steps in this activity:	Potential Hazards:	Risk assessment		Risk Level	Risk Controls:	Action Required	Who & When
		Consequence	Likelihood				
Setting up	Traffic	Major	Possible	H	Close roads prior to the setting up of the event	Obtain road closure permit from Council and Police Traffic Control Plan	Council staff
Traffic entering	Vehicle accidents Pedestrians hit by vehicles	Moderate	Rare	M	Road blocked to traffic and security fencing to be installed at the perimeter of the venue	Obtain road closure permit from Council and Police Erect barricades etc	Council staff
Public attendance	Public disturbance, overcrowding, disruption to event	Minor	Rare	L	Security will be on site at all times monitoring crowd behavior. Police will also have a presence. Pre-communication to public in regard to onsite conditions.	Police informed, and Emergency Services advised	Troy
First Aid	Minor Injuries	Minor	Possible	M	Volunteer Rescue Association on site to provide First aid. Site plan distributed to identify the first aid area for patrons.	VRA have committed to attend	Charlie
Heat	Sunburn Dehydration	Moderate	Unlikely	L	Participants encouraged to wear hats, sunscreen and provide sun protection. Members of the public have shade from verandahs of shops and trees. Water available for sale from several shops along route.	Inform participants	Charlie

CRUISING NATIONALS CAR SHOW 16th MARCH – 18th MARCH 2018

RISK ASSESSMENT							
Conducted by:							
Activity : Cruising Nationals Car Show - Waring Gardens							
Critical Steps in this activity:	Potential Hazards:	Risk assessment		Risk Level	Risk Controls:	Action Required	Who & When
		Consequence	Likelihood				
Other Emergency	Fire Accident	Moderate	Rare	L	Emergency services advised if emergency vehicle has to access to area. Lights and sirens are to be activated and all participants moved to the left hand side of the roadway and then stopped to allow a clear path.	Advise emergency services Advise participants	Charlie
Toilet facilities	Not enough facilities for crowd size.	Minor	unlikely	L	Public toilet facilities available at Waring Gardens and portable toilets will be hired as per NSW Health regulations.	Organise to have public toilets open. And portable toilets deliver onsite. Have Robert Matthews on standby should toilets need emptying.	Council Works Staff Troy Troy
Stage	Participants fall from stage	Major	Poss	H	Stage to be in a fixed location No people or equipment to be at edge of stage. Half meter setback from edge. Any equipment likely to move around is to be secured. All cords for power supply are to be covered to avoid trip hazard.	Advise of requirements	Council

CRUISING NATIONALS CAR SHOW 16th MARCH – 18th MARCH 2018

RISK ASSESSMENT							
Conducted by:							
Activity : Cruising Nationals Car Show - Waring Gardens							
Critical Steps in this activity:	Potential Hazards:	Risk assessment		Risk Level	Risk Controls:	Action Required	Who & When
		Consequence	Likelihood				
Lagoon	Patron fall in	Minor	Poss	M	Entire lagoon to have barrier mesh erected to prevent any access to the lagoon.	Barrier mesh to be installed.	Council Works Staff
		Major	Poss	H			
Wet Weather	Event would be cancelled			L	Notification would be through social media, newspaper, radio		Troy
Transport disruption	Accident, angry commuters	Minor	Poss	L	Local residents and businesses notified in writing of the event and road closures. Parking areas identified.	Requirement of the Special Events application to Council	Event organizer
End	Traffic incident while participants and public disperse	Major	Poss	H	Road closures to remain in place until all participants and participant traffic has safely disbursed.	Traffic Control Plan	Council Works Staff

EMERGENCY CONTACT NUMBERS

In an emergency the following Emergency contact numbers are to be used

Service Provider	Telephone Number	Emergency Contact (24 Hrs)
Police	03 58819499	000
Fire – Martin Smith	0407469805	000

CRUISING NATIONALS CAR SHOW 16th MARCH – 18th MARCH 2018

Ambulance	000	000
Deniliquin Hospital	03 5882 2800	03 5882 2800

COUNCIL AND EVENT CONTACT NUMBERS

SERVICE PROVIDER	NAME	TELEPHONE NUMBER
Official - Event Organiser	Troy Fava	0417535565
Official - Event Organiser	Charlie	0408109728
Official - Deniliquin Council – Engineering and Compliance	Mark Dalzell	0488015497
Deniliquin Council Work Supervisor	Paul Hussey	0417629325
Liquor licensee	David Hart	58811455
Safety Officer	Event Organiser	0417535565
Security	Premier Protection Services	Tony 0400897900
Plumber Toilet pump out	Robert Matthews	0418629257
Electrician – Maher' Electrical	Tim Maher	0408558130



IMPORTANT ACCESS INFORMATION

THE CRUISING NATIONALS CAR SHOW! 16th – 18th MARCH 2018

This letter is to respectfully advise residents and business owners of the above mentioned event.

On Saturday 17th March 2018 from 4.00pm until midnight and Sunday 18th March 2018 from 7.00am until 4.00pm.

PLEASE NOTE: the following Roads will be closed:

- Harrison Street from Edwards to Napier,
- Napier Street from Harrison Street to Cressy Street
- Cressy Street from Napier to Edwards Street
- Edwards Street from Cressy to Harrison.

On Saturday 17th March security fencing will be erected to enclose the Waring Gardens and the above-mentioned roads. Pedestrian access to businesses will be maintained and free parking is available in the Council Car park in George Street. Normal parking will apply to Napier Street from Cressy to George and access to the Catholic Church will be as normal on all streets except adjacent to the Catholic Church in Harrison Street. Whitelock Street will be accessible between Harding Street and Napier Street, however, there will be no vehicular access into Napier Street.

Emergency Vehicles will be given priority access to the closed areas should the need arise.

Yours faithfully



TROY FAVA



16th January 2018

Robert Crampton
Station Officer
NSW Ambulance
Dick Street
DENILQUIN NSW 2710

THE CRUISING NATIONALS CAR SHOW 16th – 18th March 2018

This letter is to respectfully advise your emergency service of the above mentioned event. The event is to be held over three days from Friday 16th March to 18th March 2018.

Friday 16th March 2018 a registration evening will be held at the Denilquin RSL Club with Duncan Street being closed from Crispe Street to Junction Street.

On Saturday 17th March 2018 from 8.30am until 3.30pm the Denilquin Airport will be used to host drag races, burn out competition etc and a family fun day. Saturday 17th March 2018 from 4.00pm until midnight there will be a concert in Waring Gardens and Sunday 18th March 2018 in Waring Gardens from 7.00am until 4.00pm.

PLEASE NOTE: the following Roads will be closed:

- Harrison Street from Edwards to Napier,
- Napier Street from Harrison Street to Cressy Street,
- Cressy Street from Napier to Edwards Street
- Edwards Street from Cressy to Harrison.
- Duncan Street from Crispe to Junction (Friday from 12noon until 10pm only)

On Saturday 17th March security fencing will be erected to enclose the Waring Gardens and the above mentioned Roads. Pedestrian access to businesses will be maintained and free parking is available in the Council owned Car park in George Street and as normal parking will apply to Napier Street from Cressy to George and for access to the Catholic Church will be as normal on all Streets except the parking directly adjacent the Catholic Church in Harrison Street. Whitelock Street will be accessible from Harding Street with no vehicular access onto Napier Street.

Emergency Vehicles will be given priority access to the closed areas should the need arise.

Yours faithfully



TROY FAVA



7 March 2017

**St Michaels Catholic Church
Harrison Street
DENILQUIN NSW 2710**

THE CRUISING NATIONALS CAR SHOW 16th – 18th March 2018

This letter is to respectfully advise the Catholic Church of the above-mentioned event. The event is to be held of three days from Friday 16th March to 18th March 2018.

Friday 16th March 2018 a registration evening will be held at the Denilquin RSL with Duncan Street being closed from Crispe Street to Junction Street.

On Saturday 17th March 2018 from 8.30am until 3.30pm the Denilquin Airport will be used to host drag races, burn out competition etc and a family fun day. Saturday 17th March 2018 from 4.00pm until midnight there will be a concert in Waring Gardens and Sunday 18th March 2018 in Waring Gardens from 7.00am until 4.00pm the following Roads will be closed:

- Harrison Street from Edwards to Napier,
- Napier Street from Harrison Street to Cressy Street,
- Cressy Street from Napier to Edwards Street
- Edwards Street from Cressy to Harrison.
- Duncan Street from Crispe to Junction (Friday from 12noon until 10pm only)

Sunday the 18th March there will be security fencing erected to enclose the Waring Gardens and the above mentioned Roads. Pedestrian access to businesses will be maintained and free parking is available in the Council owned Car park in George Street and as normal parking will apply to Napier Street from Cressy to George and for access to the Catholic Church will be as normal on all Streets except the parking directly adjacent the Catholic Church in Harrison Street. Whitelock Street will be accessible from Harding Street with access onto Napier Street closed.

Emergency Vehicles will be given priority access to the closed areas should the need arise.

Yours faithfully

TROY FAVA



7 March 2017

Deniliquin Hospital
411 Charlotte Street
DENILIKUIN NSW 2710

THE CRUISING NATIONALS CAR SHOW 16th – 18th March 2018

This letter is to respectfully advise the Deniliquin Hospital of the above-mentioned event. The event is to be held of three days from Friday 16th March to 18th March 2018.

Friday 16th March 2018 a registration evening will be held at the Deniliquin RSL with Duncan Street being closed from Crispe Street to Junction Street.

On Saturday 17th March 2018 from 8.30am until 3.30pm the Deniliquin Airport will be used to host drag races, burn out competition etc and a family fun day. Saturday 17th March 2018 from 4.00pm until midnight there will be a concert in Waring Gardens and Sunday 18th March 2018 in Waring Gardens from 7.00am until 4.00pm the following Roads will be closed:

- Harrison Street from Edwards to Napier,
- Napier Street from Harrison Street to Cressy Street,
- Cressy Street from Napier to Edwards Street
- Edwards Street from Cressy to Harrison.
- Duncan Street from Crispe to Junction (Friday from 12noon until 10pm only)

Sunday the 18th March there will be security fencing erected to enclose the Waring Gardens and the above mentioned Roads. Pedestrian access to businesses will be maintained and free parking is available in the Council owned Car park in George Street and as normal parking will apply to Napier Street from Cressy to George and for access to the Catholic Church will be as normal on all Streets except the parking directly adjacent the Catholic Church in Harrison Street. Whitelock Street will be accessible from Harding Street with access onto Napier Street closed.

Emergency Vehicles will be given priority access to the closed areas should the need arise.

Yours faithfully

TROY FAVA



7 March 2017

Capt Martin Smith
NSW Fire Brigade
George Street
DENILQUIN

THE CRUISING NATIONALS CAR SHOW 16th – 18th March 2018

This letter is to respectfully advise Fire and Rescue NSW of the above-mentioned event. The event is to be held of three days from Friday 16th March to 18th March 2018.

Friday 16th March 2018 a registration evening will be held at the Denilquin RSL with Duncan Street being closed from Crispe Street to Junction Street.

On Saturday 17th March 2018 from 8.30am until 3.30pm the Denilquin Airport will be used to host drag races, burn out competition etc and a family fun day. Saturday 17th March 2018 from 4.00pm until midnight there will be a concert in Waring Gardens and Sunday 18th March 2018 in Waring Gardens from 7.00am until 4.00pm the following Roads will be closed:

- Harrison Street from Edwards to Napier,
- Napier Street from Harrison Street to Cressy Street,
- Cressy Street from Napier to Edwards Street
- Edwards Street from Cressy to Harrison.
- Duncan Street from Crispe to Junction (Friday from 12noon until 10pm only)

Sunday the 18th March there will be security fencing erected to enclose the Waring Gardens and the above mentioned Roads. Pedestrian access to businesses will be maintained and free parking is available in the Council owned Car park in George Street and as normal parking will apply to Napier Street from Cressy to George and for access to the Catholic Church will be as normal on all Streets except the parking directly adjacent the Catholic Church in Harrison Street. Whitelock Street will be accessible from Harding Street with access onto Napier Street closed.

Emergency Vehicles will be given priority access to the closed areas should the need arise.

Yours faithfully

TROY FAVA

Date: 22/02/2018 **Author:** Mark Cook **Project:** Cruising Nationals 2018

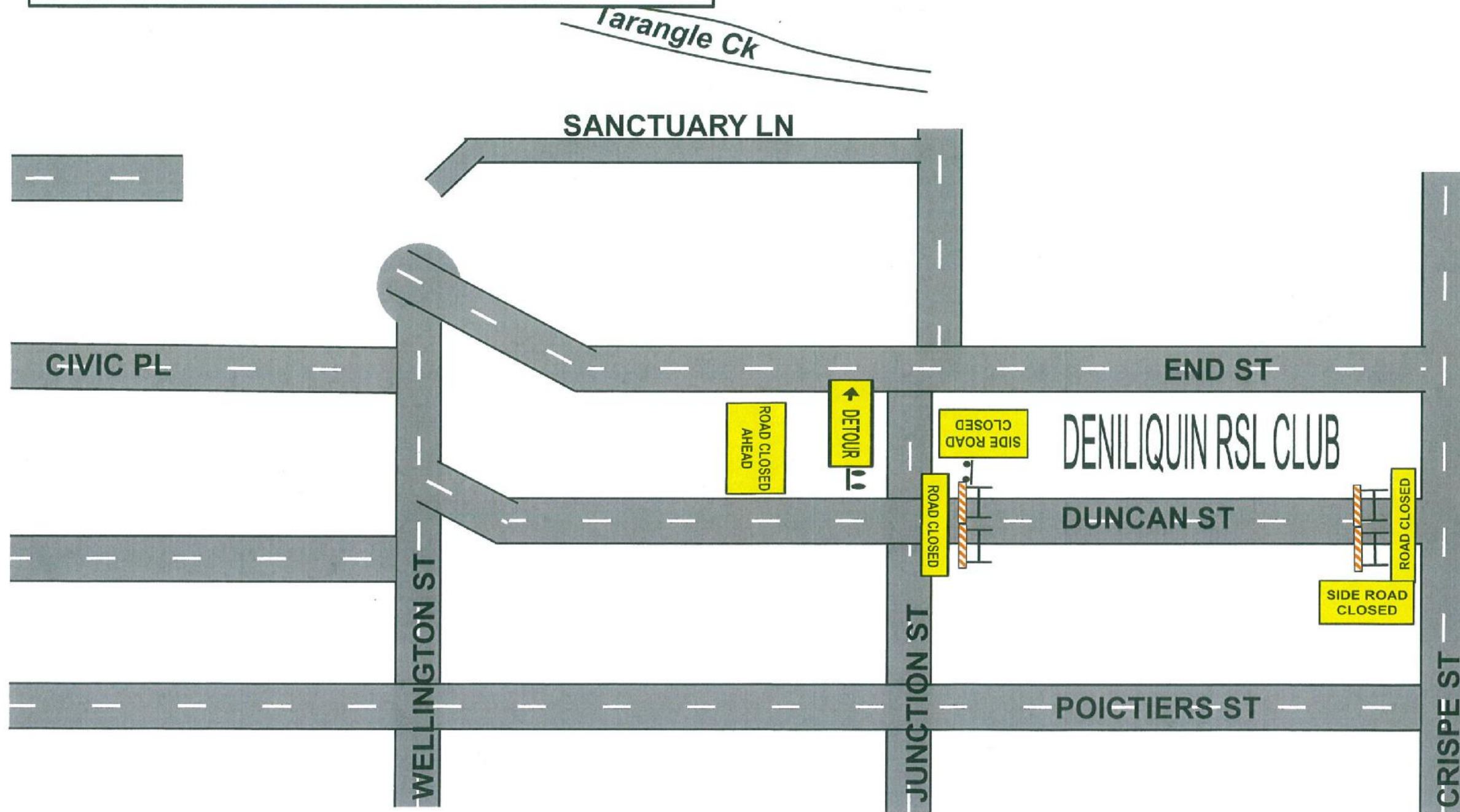
Comments:
TRAFFIC CONTROL PLAN 1718.16
FOR THE CLOSURE OF DUNCAN STREET FROM JUNCTION ST TO CRESSY ST
BETWEEN 12.00 NOON AND 10.00PM FRIDAY 16th March 2018

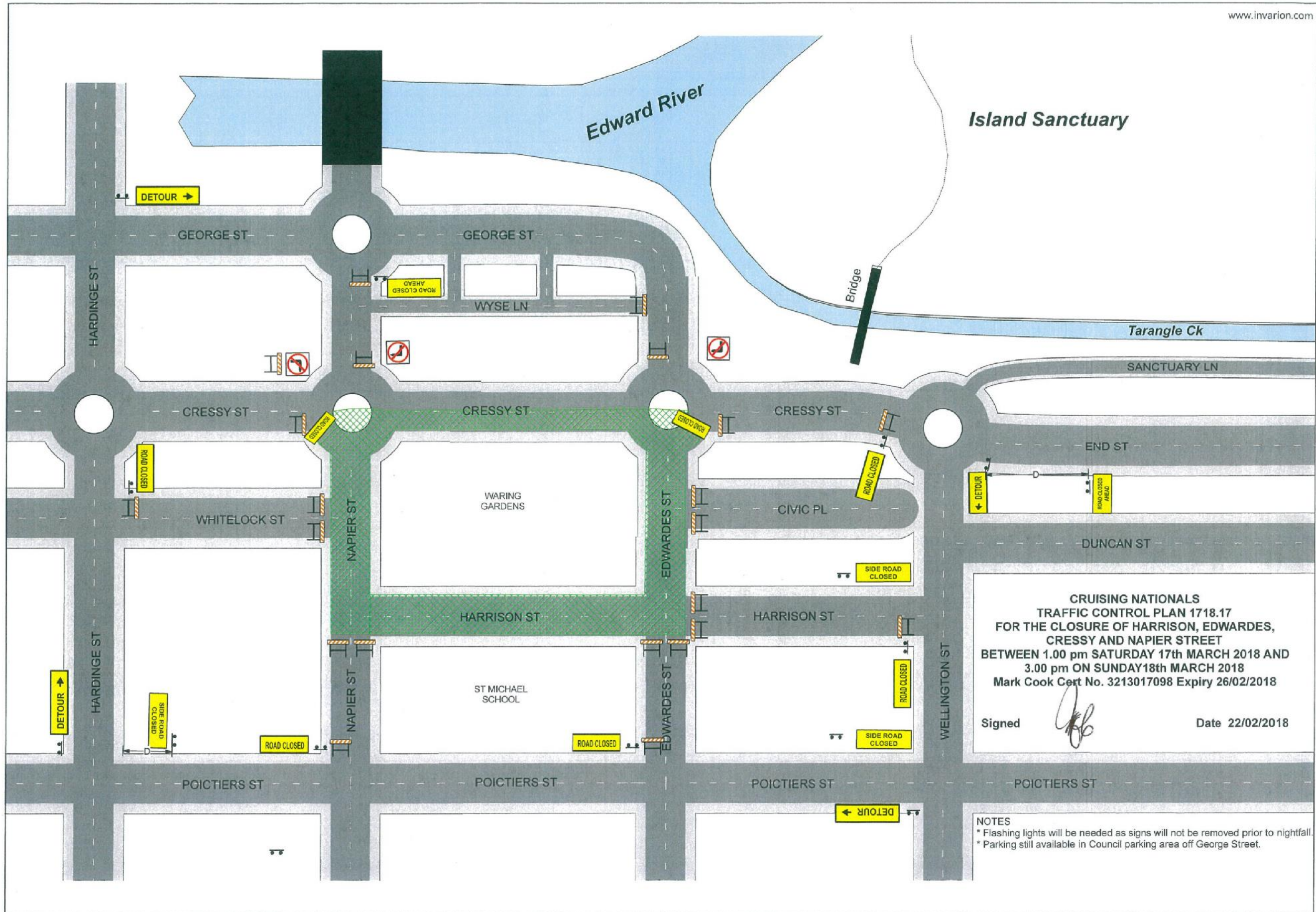
Signed
M Cook cert no 3213017098

Date 22/02/2018

NOTES

Flashing lights will be needed as signs will not be removed prior to nightfall.
* Parking still available in via End Street and access the RSL will be via End Street





12 REPORTS FROM COUNCIL COMMITTEES

Nil

13 MOTIONS OF WHICH NOTICE HAS BEEN GIVEN

Nil

14 RESCISSION MOTIONS

Nil

15 QUESTIONS ON NOTICE

Nil

16 CONFIDENTIAL MATTERS**RECOMMENDATION**

That Council considers the confidential report(s) listed below in a meeting closed to the public in accordance with Section 10A(2) of the Local Government Act 1993:

16.1 Ethanol Plant Update

This matter is considered to be confidential under Section 10A(2) - d(i) and f of the Local Government Act, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it and details of systems and/or arrangements that have been implemented to protect council, councillors, staff and Council property.

16.2 Retirement Village Project Update

This matter is considered to be confidential under Section 10A(2) - c, d(i), d(ii) and d(iii) of the Local Government Act, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business, commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it, information that would, if disclosed, confer a commercial advantage on a competitor of the council and information that would, if disclosed, reveal a trade secret.

17 CLOSE OF MEETING