



AGENDA

CORPORATE SERVICES COMMITTEE

14 OCTOBER 2025

MEMBERSHIP: Councillors J Black, L Butler, S Chowdhury, J Cowley, M Dickerson, R Ivey, K Richardson, A Ryan, P Toynton, P Wells and M Wright.

The meeting is scheduled to commence at pm.

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CSC25/63	LEAVE OF ABSENCE (ID25/497)	
CSC25/64	CONFLICTS OF INTEREST (ID25/498) In accordance with their Oath/Affirmation under the Act, and Council's Code of Conduct, Councillors must disclose the nature of any pecuniary or non-pecuniary interest which may arise during the meeting, and manage such interests accordingly.	
CSC25/65	MONTHLY REPORTING SNAPSHOT FOR COUNCILLORS - SEPTEMBER 2025 (ID25/1818) The Committee had before it the report dated 9 September 2025 from the Corporate Strategy Performance Coordinator regarding Monthly Reporting Snapshot for Councillors - September 2025.	5
CSC25/66	CHRISTMAS ACTIVITIES 2025 (ID25/1821) The Committee had before it the report dated 10 September 2025 from the Manager Strategic Partnership and Investment regarding Christmas Activities 2025.	20
CSC25/67	DRAFT COUNCIL POLICY – COMMUNICATIONS, MEDIA AND BRAND – RESULTS OF PUBLIC EXHIBITION (ID25/1810) The Committee had before it the report dated 8 September 2025 from the Communication Services Team Leader regarding Draft Council Policy – Communications, Media and Brand – Results of Public Exhibition.	25

CSC25/68	RESULTS OF PUBLIC EXHIBITION: 2021-2027 CUSTOMER EXPERIENCE STRATEGY, ACTION PLAN REVIEW (ID25/1809)	61
	The Committee had before it the report dated 8 September 2025 from the Manager Customer Experience and Engagement regarding Results of Public Exhibition: 2021-2027 Customer Experience Strategy, Action Plan Review..	
CSC25/69	COMMUNITY FUNDING PROGRAM 2025/2026 - ROUND 1 - RECOMMENDED APPLICANTS (ID25/1854)	92
	The Committee had before it the report dated 16 September 2025 from the Corporate Strategy Performance Coordinator regarding Community Funding Program 2025/2026 - Round 1 - Recommended Applicants.	
CSC25/70	RESCISSION OF COUNCIL POLICIES (ID25/1759)	102
	The Committee had before it the report dated 28 August 2025 from the Corporate Strategy Performance Coordinator regarding Rescission of Council Policies.	
CSC25/71	2025 VICTOR CHANG SCHOOL SCIENCE AWARDS PROGRAM (ID25/1682)	125
	The Committee had before it the report dated 22 August 2025 from the Executive Officer Strategy Partnerships and Engagement regarding 2025 Victor Chang School Science Awards Program.	
CSC25/72	DRAFT COUNCILLOR AND STAFF INTERACTION POLICY (ID25/1707)	131
	The Committee had before it the report dated 25 August 2025 from the Chief Executive Officer regarding Draft Councillor and Staff Interaction Policy.	
CSC25/73	DRAFT CODE OF CONDUCT POLICY AND PROCEDURES FOR THE ADMINISTRATION OF THE CODE OF CONDUCT (ID25/1634)	147
	The Committee had before it the report dated 14 August 2025 from the Manager Corporate Governance regarding Draft Code of Conduct Policy and Procedures for the Administration of the Code of Conduct.	

CSC25/74	ANNUAL REPORT ON COMPLAINT STATISTICS UNDER COUNCIL'S CODE OF CONDUCT - 2024/2025 REPORTING PERIOD (ID25/1878)	215
	The Committee had before it the report dated 30 September 2025 from the Manager Corporate Governance regarding Annual Report on Complaint Statistics Under Council's Code of Conduct - 2024/2025 Reporting Period.	
CSC25/75	DRAFT POLICIES FOR COUNCIL REVIEW (ID25/1761)	222
	The Committee had before it the report dated 29 August 2025 from the Governance Team Leader regarding Draft Policies for Council Review.	
CSC25/76	DRAFT COUNCIL POLICY - FLAG PROTOCOLS (ID25/1346)	246
	The Committee had before it the report dated 8 July 2025 from the Governance Team Leader regarding Draft Council Policy - Flag Protocols.	
CSC25/77	DRAFT COUNCIL POLICY - CODE OF MEETING PRACTICE (ID25/1950)	256
	The Committee had before it the report dated 29 September 2025 from the Governance Team Leader regarding Draft Council Policy - Code of Meeting Practice.	
CSC25/78	MASTER PLAN FOR THE CIVIC ADMINISTRATION BUILDING (ID25/1640)	361
	The Committee had before it the report dated 15 August 2025 from the Project Management Coordinator regarding Master Plan for the Civic Administration Building.	
CSC25/79	OPTION AGREEMENT AT MOFFATT ESTATE FOR SOLAR PANEL RECYCLING FACILITY (ID25/1776)	
	The Committee had before it the report dated 2 September 2025 from the Property and Land Development Officer regarding Option Agreement at Moffatt Estate for Solar Panel Recycling Facility.	

In accordance with the provisions of Section 9 (2A) of the Local Government Act 1993 the Chief Executive Officer is of the opinion that consideration of this item is likely to take place when the meeting is closed to the public for the following reason: information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business (Section 10A(2)(c)).

**CSC25/80 LICENCE AGREEMENTS FOR ROAD RESERVE ADJOINING LOT 116
DP 1241586 AND LOT 21 DP 1143984 (ID25/1862)**

The Committee had before it the report dated 19 September 2025 from the Property and Land Development Officer regarding Licence Agreements for Road Reserve adjoining Lot 116 DP 1241586 and Lot 21 DP 1143984.

In accordance with the provisions of Section 9 (2A) of the Local Government Act 1993 the Chief Executive Officer is of the opinion that consideration of this item is likely to take place when the meeting is closed to the public for the following reason: information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business (Section 10A(2)(c)).



REPORT: Monthly Reporting Snapshot for Councillors - September 2025

DIVISION: Strategy, Partnerships and Engagement
REPORT DATE: 9 September 2025
TRIM REFERENCE: ID25/1818

EXECUTIVE SUMMARY

Purpose	• Provide review or update	
Issue	• Provide high-level report snapshots for Councillors regarding Council's Financial Performance, Facility Performance and Customer Experience Performance.	
Reasoning	• Councillors are provided high level data and reporting on a monthly-basis for visibility and oversight on performance trends.	
Financial Implications	Budget Area	There are no budget implications from this report.
	Funding Source	Not applicable.
	Proposed Cost	Not applicable.
	Ongoing Costs	Not applicable.
Policy Implications	Policy Title	There are no policy implications from this report.
	Impact on Policy	Not applicable.

STRATEGIC DIRECTION

The Towards 2040 Community Strategic Plan is a vision for the development of the region out to the year 2040. The Plan includes four principal themes and a number of objectives and strategies. This report is aligned to:

Theme: 3 Working Together for the Region
CSP Objective: 3.1 Our Council is open, fair, and accountable in its decision-making.
Delivery Program Strategy: 3.1.1 Continuously review and improve Council services to maintain efficiency and effectiveness.

RECOMMENDATION

That the information contained within the report of the Corporate Strategy and Performance Coordinator, dated 9 September 2025, be noted.

Jessica Brown
Director Strategy Partnerships and Engagement

ZJ
Corporate Strategy
Performance Coordinator

BACKGROUND

Previous Resolutions of Council

9 September 2025 CSC25/57	<i>That the information contained within the report of the Corporate Strategy and Performance Coordinator, dated 1 September 2025, be noted.</i>
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REPORT

This report is an information only report. **Appendix 1** contains high-level data and statistics from the Finance, Services and Facility Performance, and Customer Experience dashboards for September 2025. Some data was not available at the time of the report publication.

Data collected at the time of the reporting may not have been validated/audited and numbers are subject to change pending published annual reports.

Major Projects: As at the end of September 2025, Council’s Your Say platform was showcasing 77 Community consultation or engagement projects, with 22 of these being active capital works projects.

APPENDICES:

- 1 [↓](#) Monthly Reporting Snapshot - September 2025

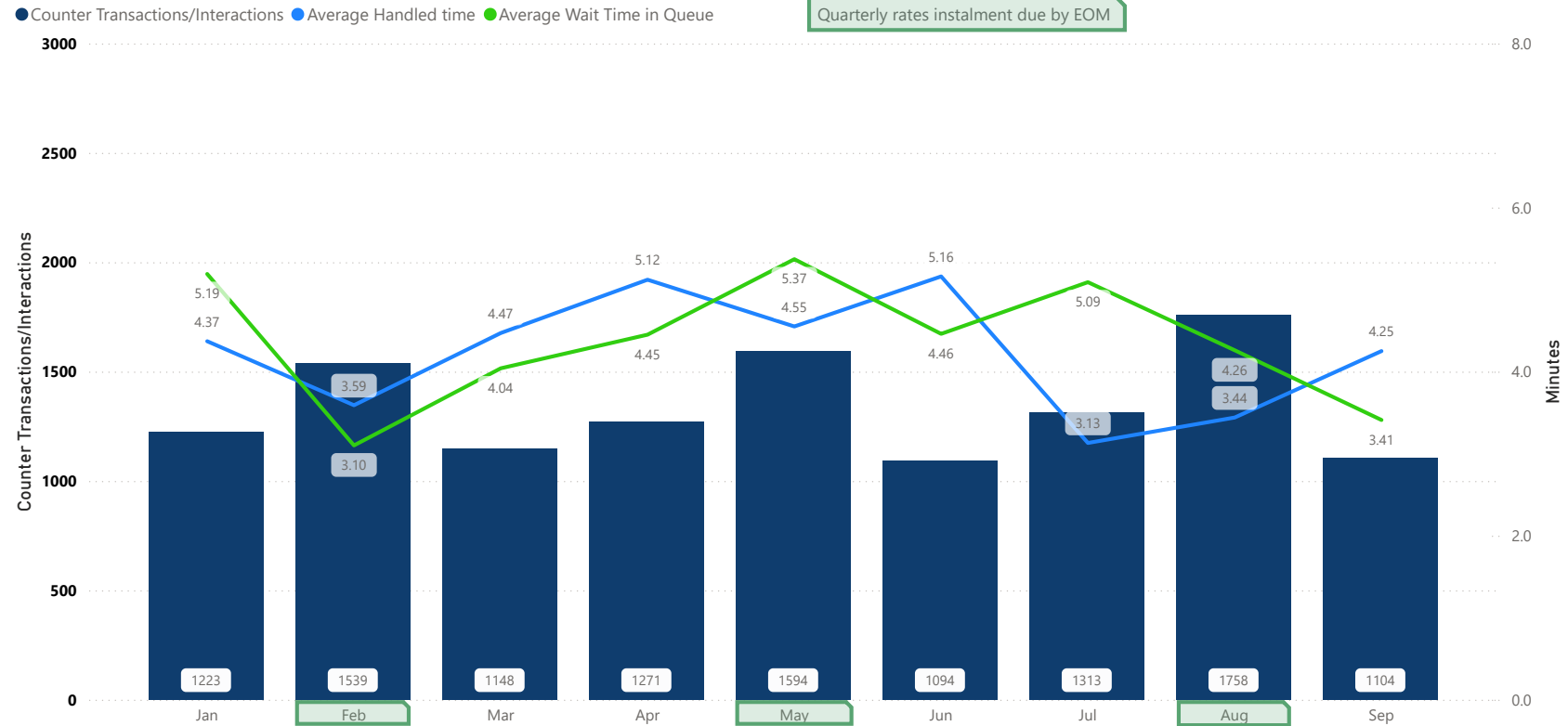
Customer Experience (CX) Performance

Call Centre - Calls handled, Abandoned Rate % and % of calls answered in 60 seconds by Month (calendar year)



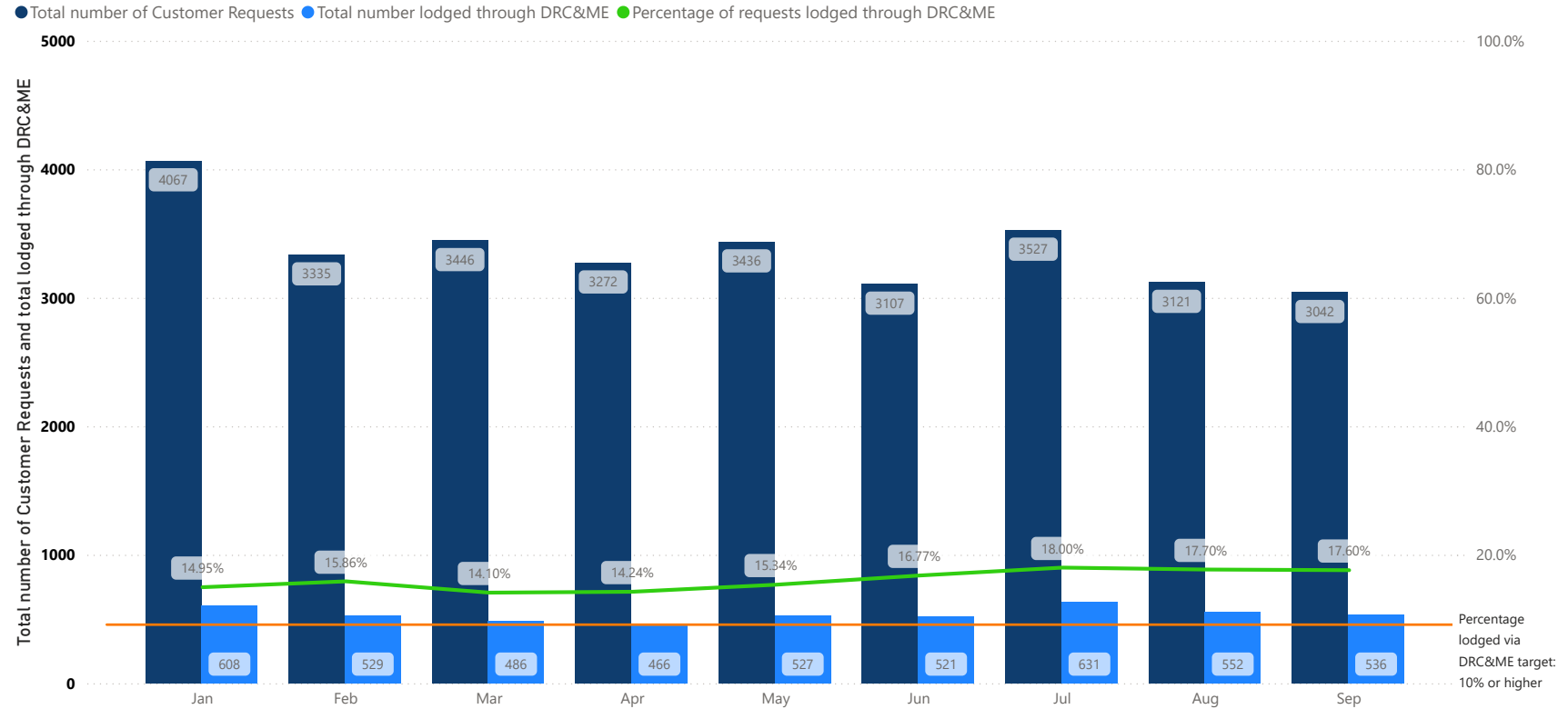
Customer Experience (CX) Performance

Counter - Counter transactions/interactions, Average handled time and Average wait time in queue by Month (calendar year)



Customer Experience (CX) Performance

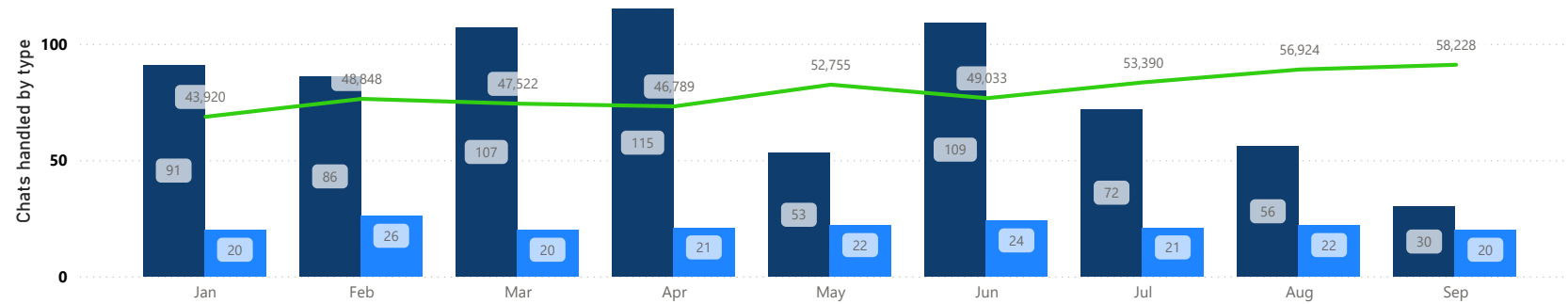
Customer Requests – DRC&ME conversion by Month (calendar year)



Customer Experience (CX) Performance

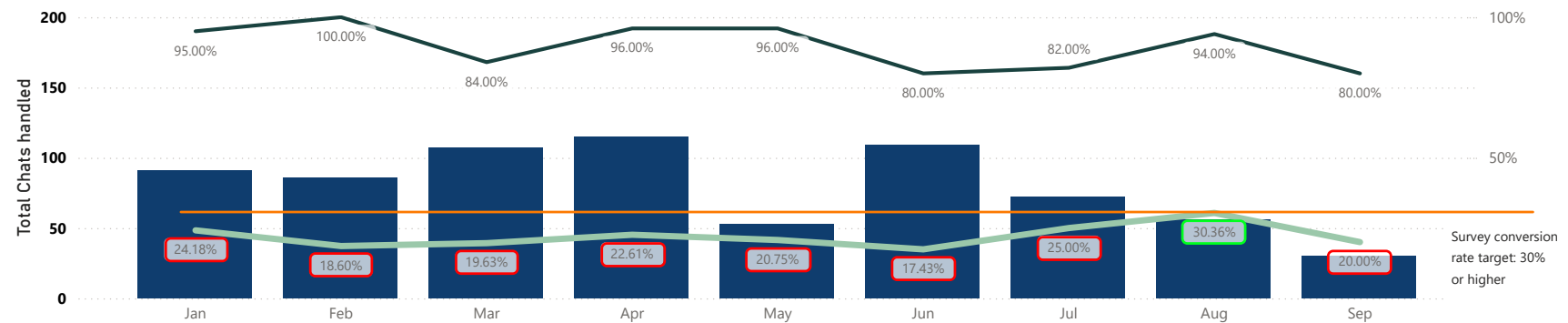
Webchat statistics by Month (calendar year)

● Total Number of Chats Handled ● Number of After Hours Emails Processed ● Total Visitors to Council's Website



Webchat satisfaction by Month (calendar year)

● Total Number of Chats Handled ● Survey Conversion Rate ● Overall Satisfaction

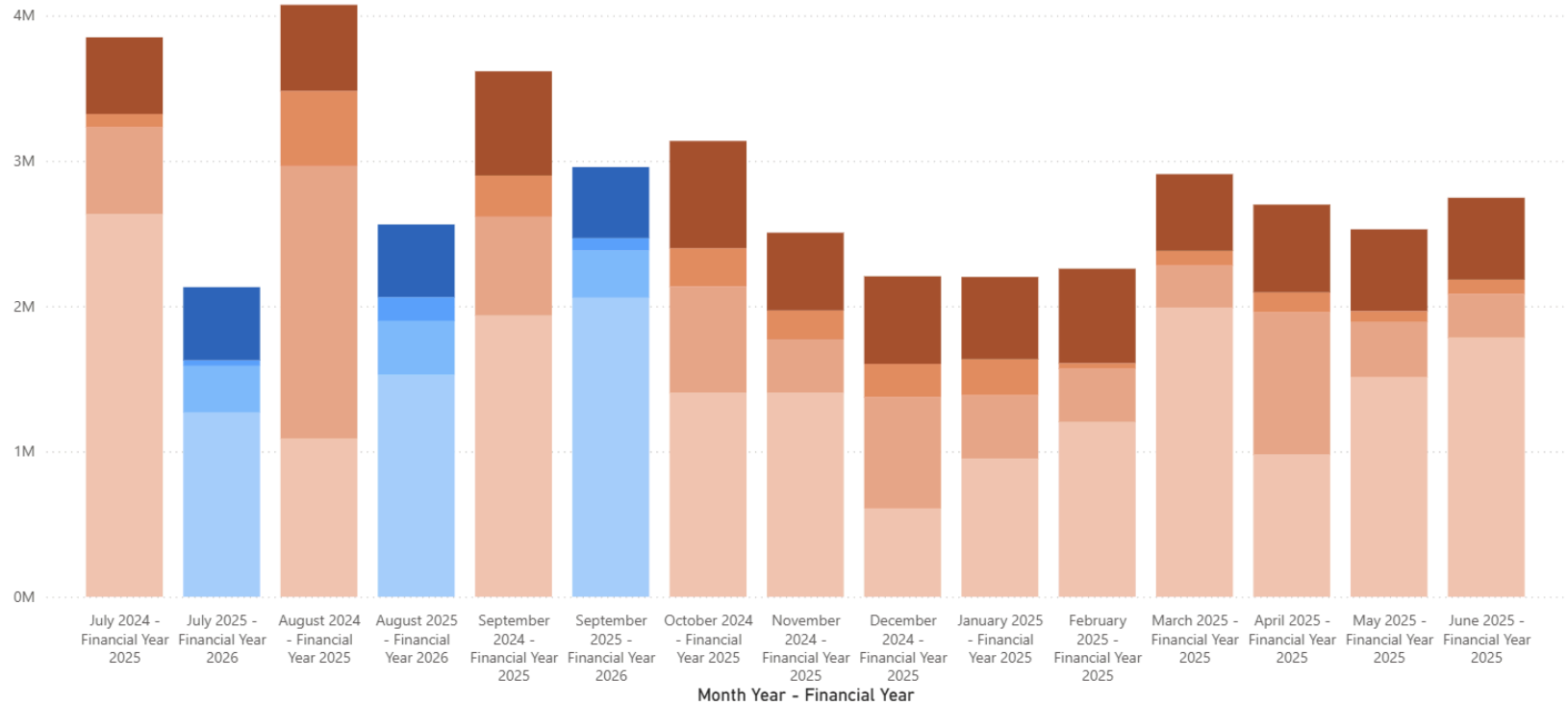


Financial Performance

Current and Last Financial Year Overdue Debt

● Current Debt
 ● 31-60 Days Debt
 ● 61-90 Days Debt
 ● 90+ Days
 ● Current Debt Last FY
 ● 31-60 Days Debt Last FY
 ● 61-90 Days Debt Last FY
 ● 90+ Days Debt Last FY

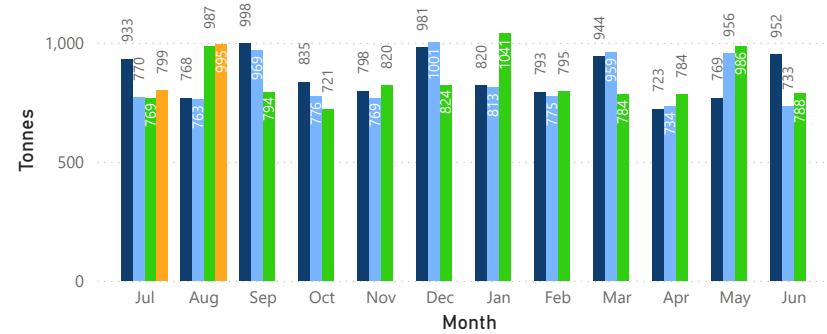
Associated fees are outlined in Council's Fees and Charges document, however the overdue bases below do not include rates, annual charges, capital grants.



Services Performance - Domestic Waste

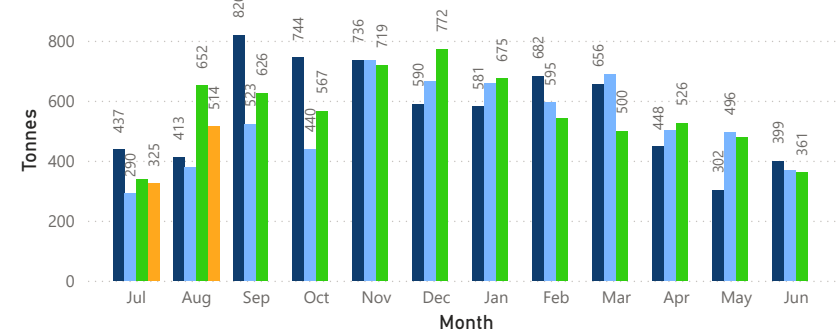
Mixed Waste Tonnes by Month by Year

Financial Year ● 2023 ● 2024 ● 2025 ● 2026



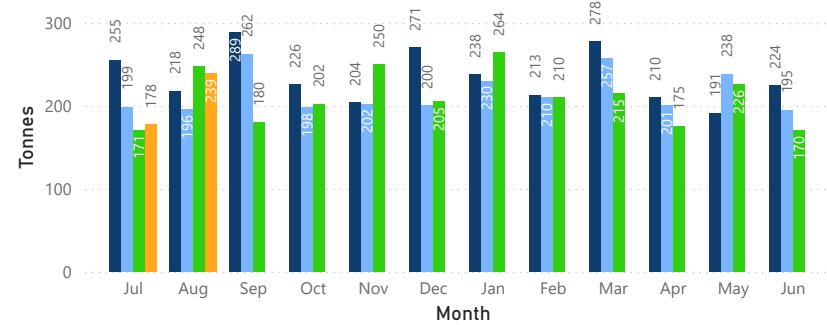
FOGO Tonnes by Month by Year

Financial Year ● 2023 ● 2024 ● 2025 ● 2026



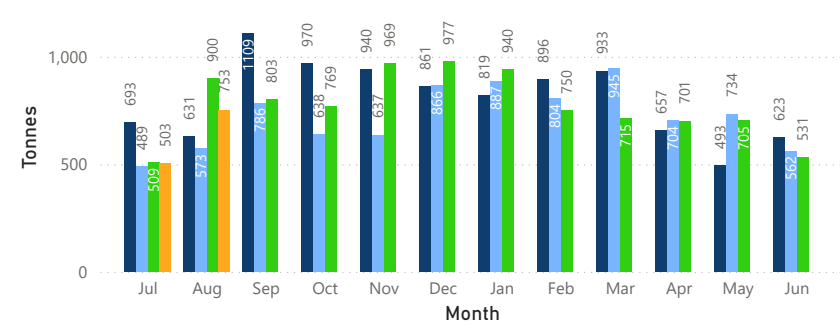
Recycling Tonnes by Month by Year

Financial Year ● 2023 ● 2024 ● 2025 ● 2026



Diverted from Landfill Tonnes by Month by Year

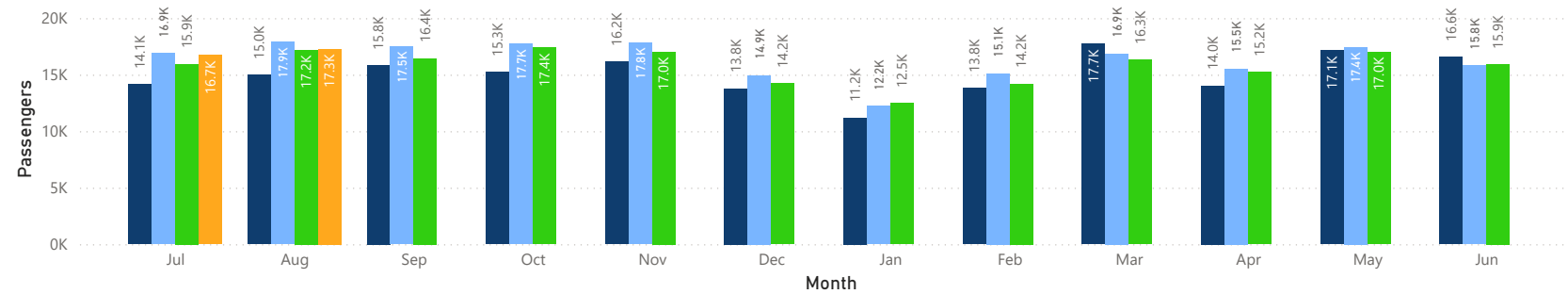
Financial Year ● 2023 ● 2024 ● 2025 ● 2026



Facility Performance - Business branches

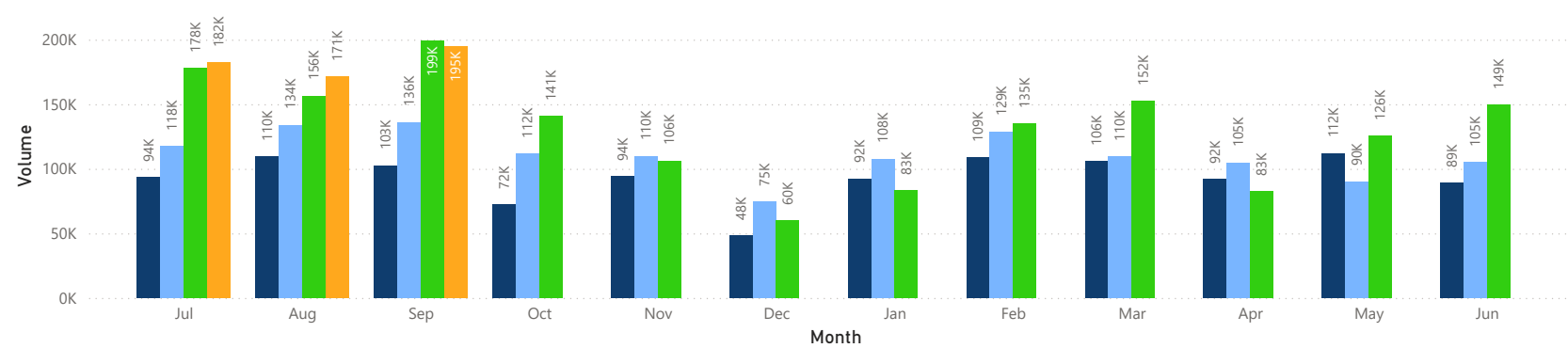
Dubbo Regional Airport - Passengers by Month by Year

Financial Year ● 2023 ● 2024 ● 2025 ● 2026



Dubbo Regional Livestock Markets - All stock types sold by Month by Year

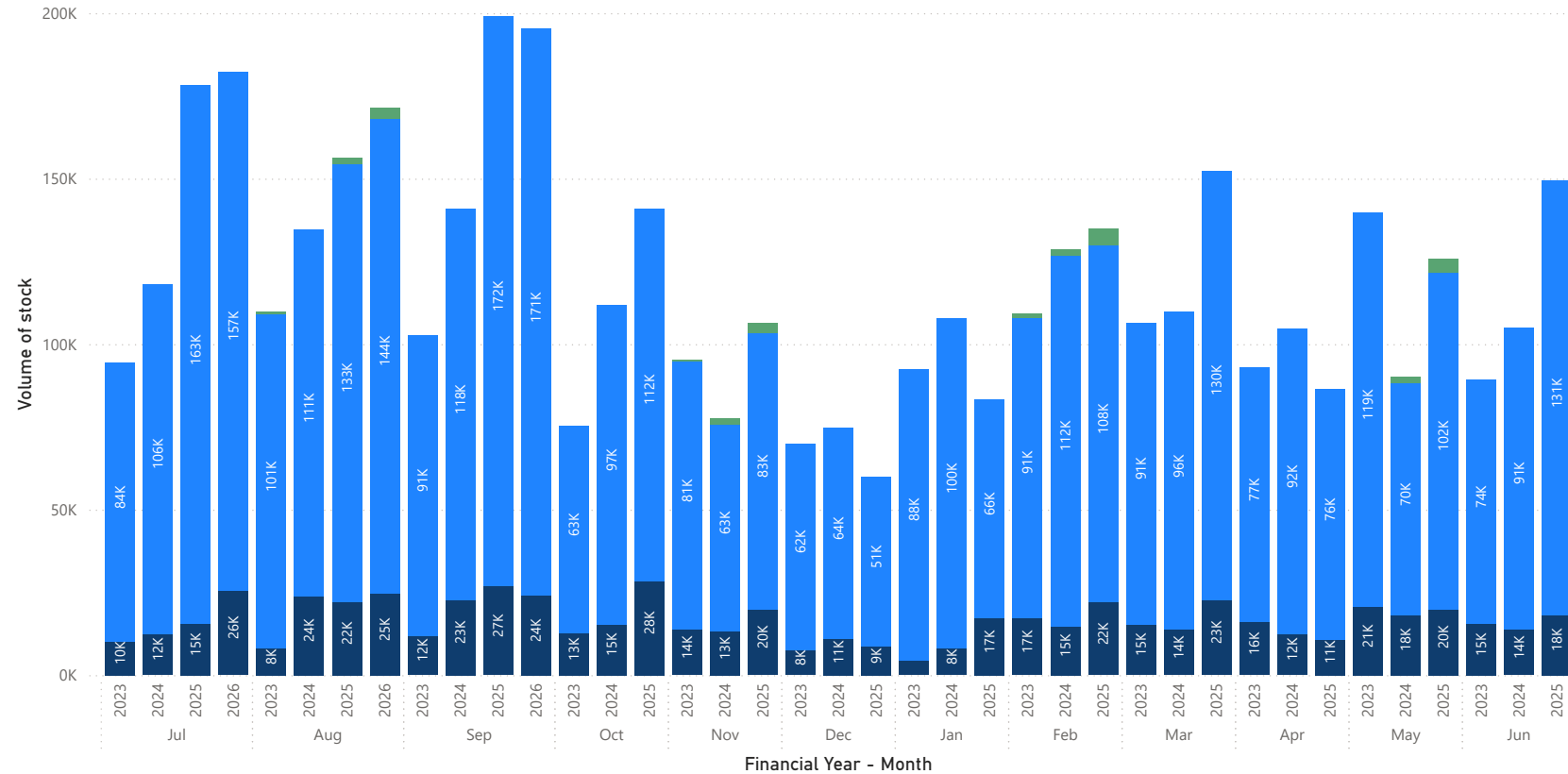
Financial Year ● 2023 ● 2024 ● 2025 ● 2026



Facility Performance - Business branches

Dubbo Regional Livestock Markets - All stock types sold by Month by Year

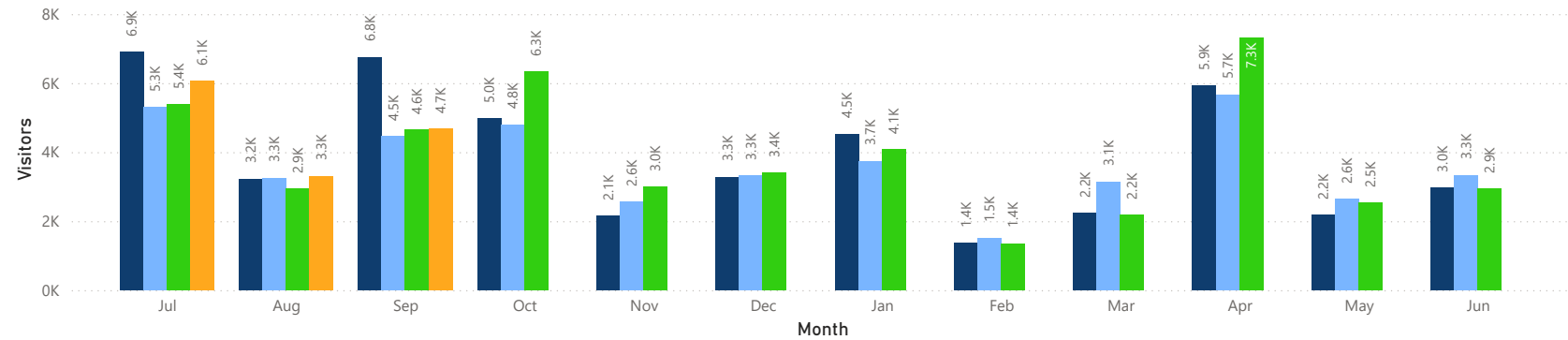
Stock type ● Cattle ● Sheep ● Goats



Facility Performance

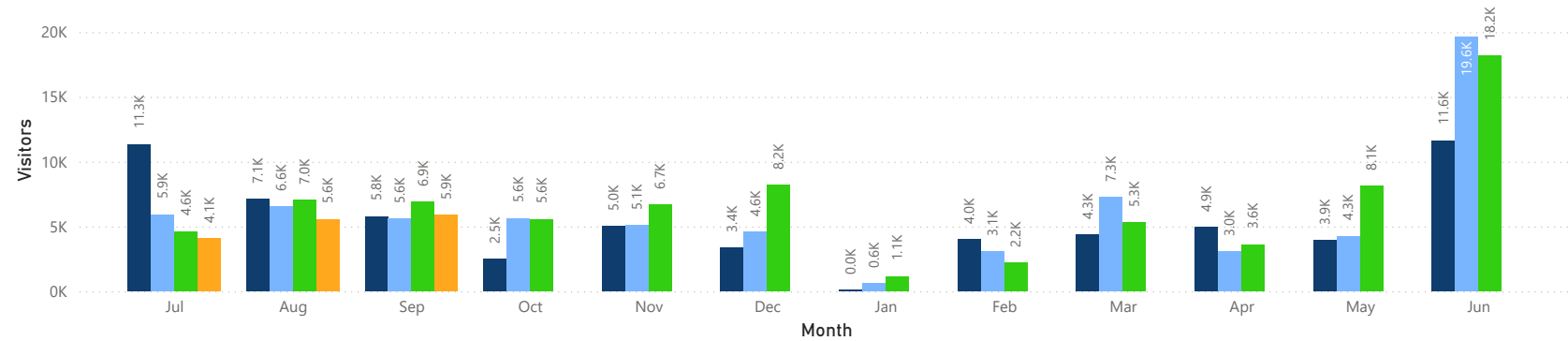
Old Dubbo Gaol - Visitors by Month by Year

Financial Year ● 2023 ● 2024 ● 2025 ● 2026



Dubbo Regional Theatre and Convention Centre - Visitors by Month by Year

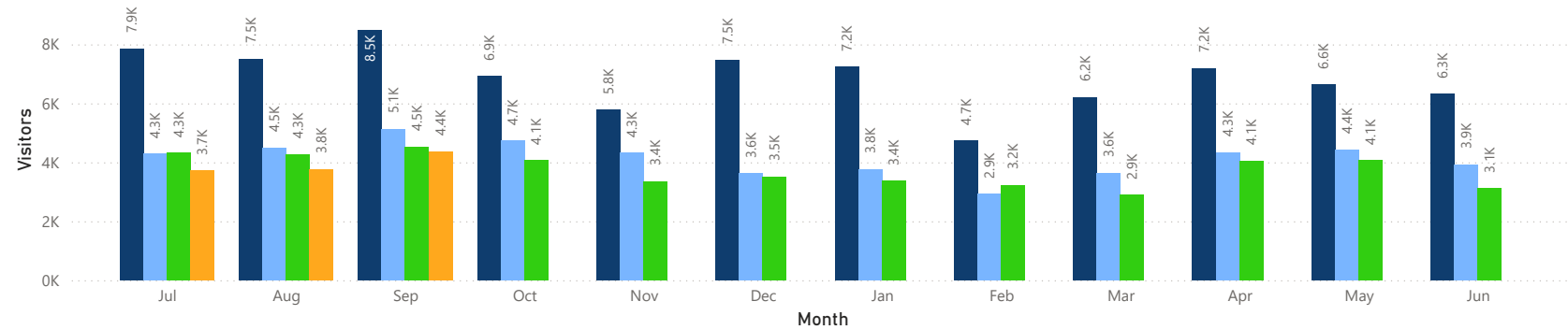
Financial Year ● 2023 ● 2024 ● 2025 ● 2026



Facility Performance

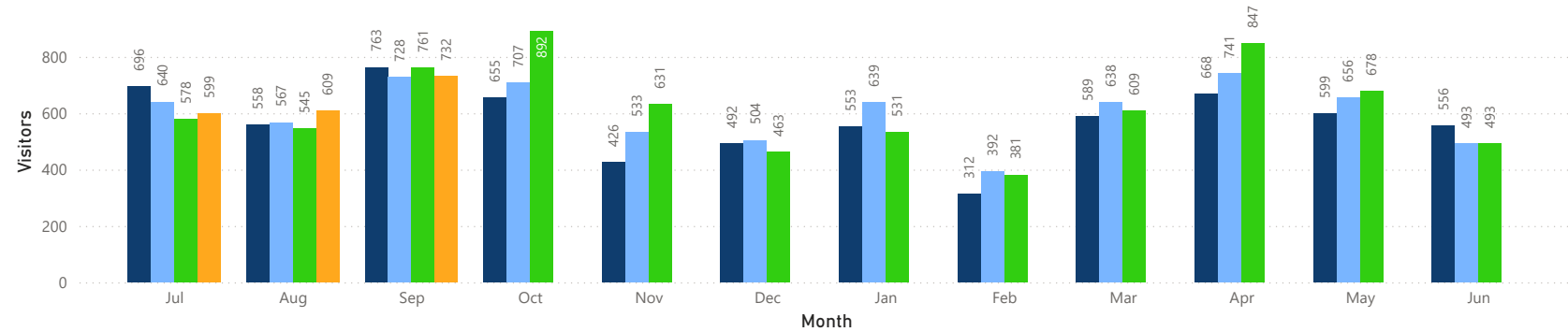
Dubbo VIC - Visitors by Month by Year

Financial Year ● 2023 ● 2024 ● 2025 ● 2026



Wellington VIC - Visitors by Month by Year

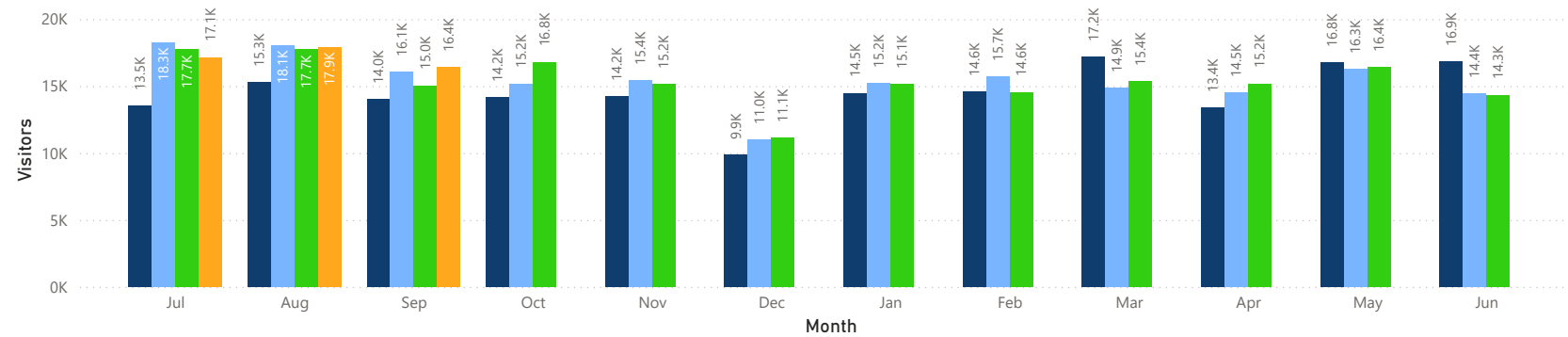
Financial Year ● 2023 ● 2024 ● 2025 ● 2026



Facility Performance

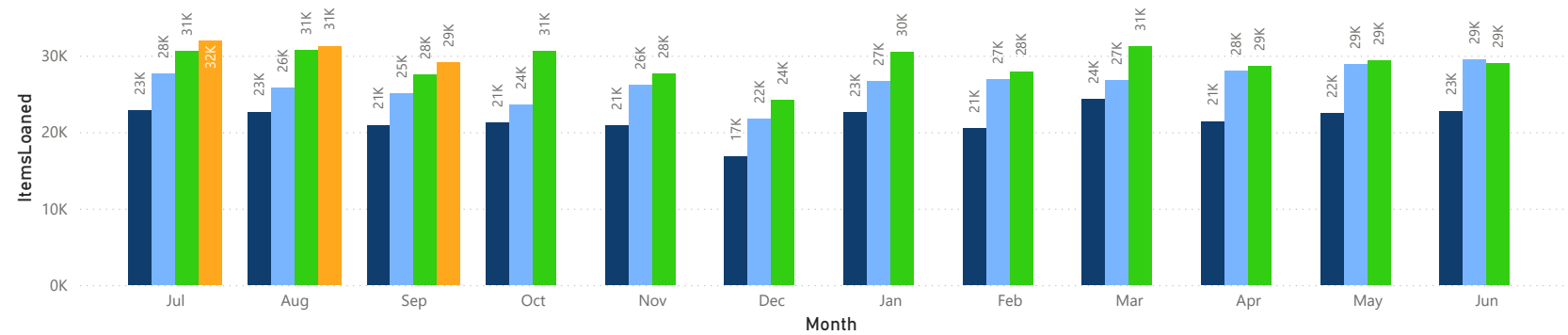
Macquarie Regional Library (all LGAs) Visitors by Month by Year

Financial Year ● 2023 ● 2024 ● 2025 ● 2026



Macquarie Regional Library (all LGAs) Items Loaned (all formats) by Month by Year

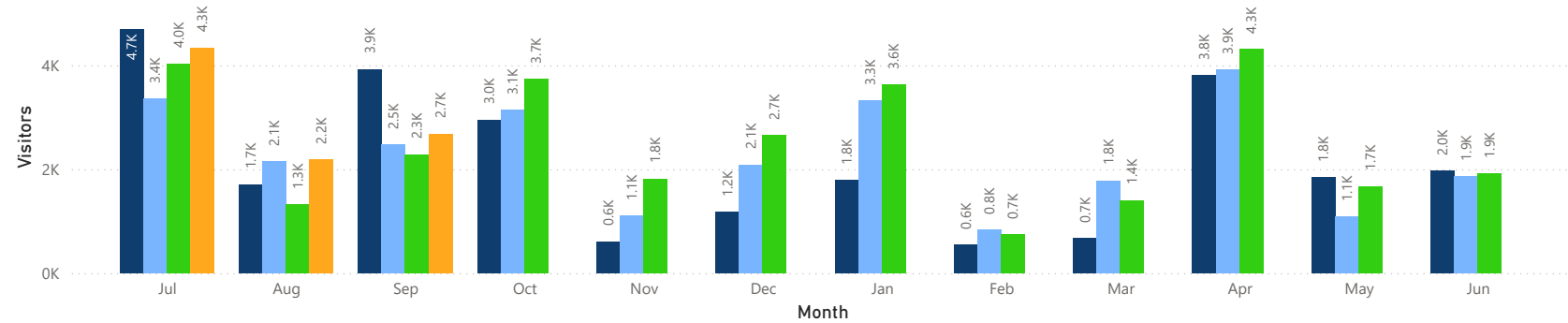
Financial Year ● 2023 ● 2024 ● 2025 ● 2026



Facility Performance

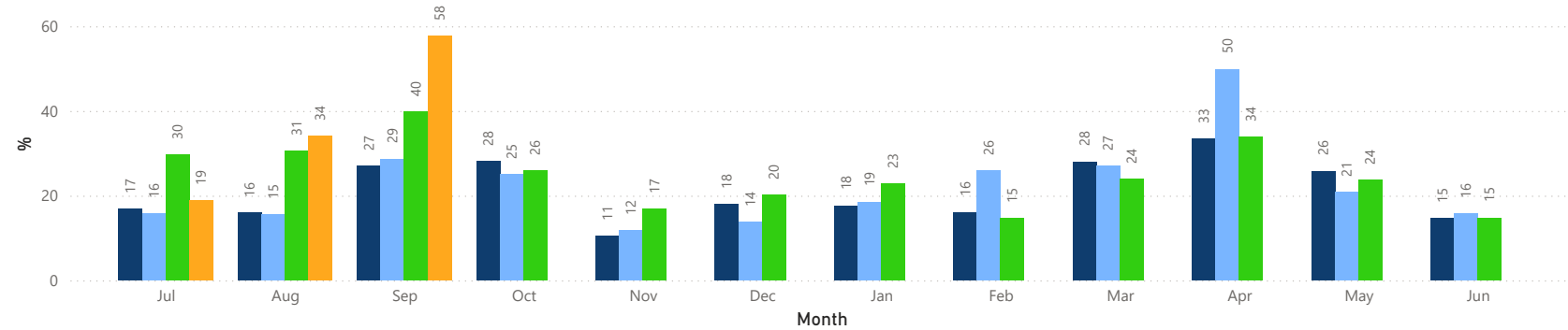
Wellington Caves Visitors Month by Year

Financial Year ● 2023 ● 2024 ● 2025 ● 2026



Wellington Caves Occupancy % by Month by Year

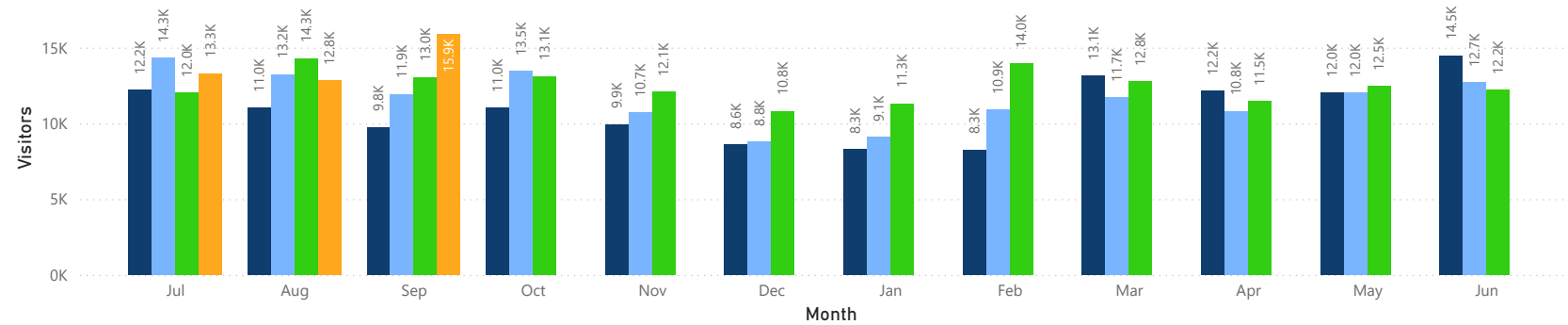
Financial Year ● 2023 ● 2024 ● 2025 ● 2026



Facility Performance

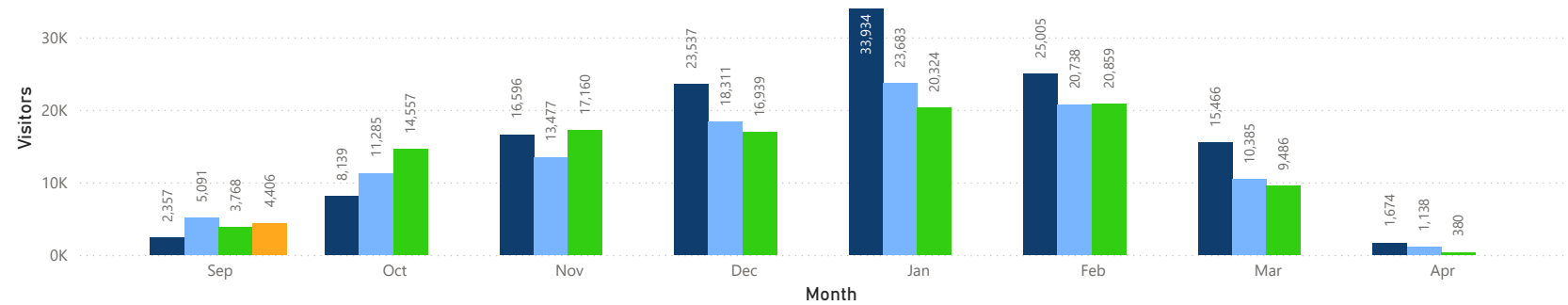
Western Plains Cultural Centre Visitors by Month by Year

Financial Year ● 2023 ● 2024 ● 2025 ● 2026



Aquatic Leisure Centres Total Visitors by Month by Year

Financial Year ● 2023 ● 2024 ● 2025 ● 2026





REPORT: Christmas Activities 2025

DIVISION: Strategy, Partnerships and Engagement
REPORT DATE: 10 September 2025
TRIM REFERENCE: ID25/1821

EXECUTIVE SUMMARY

Purpose	• Provide update	
Issue	• Christmas activities and promotion undertaken by Council	
Reasoning	• Provide information in advance of all related Christmas activations and promotion	
Financial Implications	Budget Area	Strategic Partnerships and Investment
	Funding Source	Christmas Tree Decorations and Economic Development
	Proposed Cost	\$46,480
	Ongoing Costs	\$46,480 yearly from the Strategic Partnerships and Investment operating budget
Policy Implications	Policy Title	Not applicable
	Impact on Policy	Not Applicable

STRATEGIC DIRECTION

The Towards 2040 Community Strategic Plan is a vision for the development of the region out to the year 2040. The Plan includes four principal themes and a number of objectives and strategies. This report is aligned to:

Theme: 2 Thriving and Inclusive Communities'
CSP Objective: 2.3 Our community enjoys diverse sports, recreation, and social activities.
Delivery Program Strategy: 2.3.3 Increase opportunities for entertainment, recreation, and cultural activities for all ages.

RECOMMENDATION

That the report of the Manager Strategic Partnerships and Investment dated 10 September 2025, be noted.

Jessica Brown
Director Strategy Partnerships and Engagement

KH
Manager Strategic
Partnership and
Investment

REPORT

This report outlines the proposed Christmas 2025 program for the Dubbo Region, encompassing both Dubbo and Wellington. The program includes new festive decorations, community engagement initiatives, and promotional activities designed to enhance the community festive feeling, foster regional pride, and stimulate local economic activity. The initiative builds on previous years' successes and introduces refreshed elements to ensure the celebrations remain vibrant, inclusive, and reflective of the region's identity.

Decorations and Installations

New Christmas tree decorations will be installed in both Dubbo and Wellington. Dubbo will feature a blue and silver theme. Wellington will adopt a red and silver theme, complemented by a garland wrap around the tree. Garland decorations will again be installed at key pedestrian crossings across the region. Total budget for the new decorations, pedestrian garlands and installation across both sites is approximately \$12,000.

Interactive photobooths will encourage community engagement and social media sharing. In Wellington, the larger existing booth will be rewrapped to align with the red-themed decorations and flags and located near the Christmas Tree. In Dubbo, three 'Critter' themed photobooths will be installed at the key shopping areas of the Rotunda, Dubbo Square, and Orana Mall. Each booth will feature the hashtag #myDubboRegion Share the Love to encourage organic online sharing and regional promotion. Approximate cost of the interactive photobooths is \$1500.

To further enhance the festive atmosphere in Wellington and Dubbo, bright red flags featuring Christmas Critters will be installed throughout the town centre (Wellington) and Macquarie Street (Dubbo). These flags are designed to complement the tree decorations and reinforce the theme. The cost of flag activation including installation is approximately \$9,000.



Figure 1: 'Critic' themed photobooths

The total for Christmas decorations and installations is approximately \$22,500. Any remaining funds will be used to purchase decorations in early 2026 when items are on sale.

Community Engagement and Promotion

Santa will be alive and jolly at various market events throughout December to provide an opportunity for children and families to talk to Santa and have their photo taken. Santa is expected to be available every weekend in December at (details are currently being finalised):

- Saturday 6 December (Dubbo Farmers Markets)
- Sunday 14 December (Rotunda Markets, Victoria Park)
- Saturday 20 December (Dubbo Farmers Markets)

Council is in discussions with a local media group to work in partnership to assist photography and coverage to ensure broad community reach.

A school colouring-in competition will be offered to all primary schools across the Dubbo Region. Each school will be invited to submit their top ten entries to the Visitor Information Centre. A judging panel will select five winners, each school receiving a \$200 My Dubbo Region gift card. The initiative is designed to encourage local spending on educational and sporting resources, while raising awareness of the Christmas program. The Mayor will officially launch the competition with a visit to Dubbo Public School on 31 October, accompanied by a media release.

The 'Shop Local' competition will be launched under the My DubboRegion card campaign to encourage residents to support their local community. Data shows that for every \$1.00 spent in a locally owned business, approximately \$0.70 remains in the community which highlights the importance of local spend during this period. The competition is for customers who spend \$30 or more at participating businesses in Dubbo and Wellington. Customers will be eligible to enter a draw to win one of 25 gift cards valued at \$200 each, totalling \$5,000 in prizes. Participating businesses will receive branded decals for display on doors or windows to highlight their participation in the program.

A promotional campaign will support all activities of the Christmas program through print, radio and social media. This will include promotion of the shop local initiative and a full-page Christmas calendar of events and markets, to be published in Dubbo Photo News. In addition to the print advertising there will be a marketing campaign designed to reach the regional catchment (Gilgandra, Mudgee, Narromine etc) who use Dubbo as a key shopping location. This aims to increase the retail spend in our region during this Christmas period. Christmas content across various social media will partner with businesses to promote the large variety of spending opportunities in our region.

To ensure the Christmas program is inclusive and accessible to all areas of the community, Council will promote a range of activities designed to engage families, individuals, and culturally diverse groups. Efforts will be made to bundle events and promotions into easy-to-follow itineraries, highlighting school holiday activities, shopping destinations, and family-friendly experiences. Information will be widely distributed through Council channels and community networks to ensure residents are aware of opportunities to participate. A key focus of the program is to encourage greater involvement from the region's multicultural communities, recognising the importance of inclusive celebrations that reflect the diversity of

the Dubbo Region. By providing accessible and engaging activities, the program aims to foster a sense of belonging and shared celebration across all demographics. Other activities are being considered dependant on final budget and partnership opportunities. The total for cost for community engagement and promotion is approx. \$15,000.

Program Launch

The Christmas 2025 program will be officially launched on Monday, 17 November at the Macquarie Street Rotunda. The event will be attended by the Mayor, Councillors, staff and the media. The launch will serve as a public celebration of the program and a formal commencement of the festive season across the region.

Consultation

- Analysis from previous Christmas campaigns analysed and changes made (ie: colouring competition to schools), increased competition prizes and the purchase of new decorations.

Resourcing Implications

- Teams involved include Economic Development, Communication Services and Marketing and Creative Services. All resources are covered through standard operations.
- Greenspace Operations undertake the installation and de-install of trees and decorations and wages are costed to Strategic Partnerships and Investment.
- Ongoing commitment to the Christmas Tree and Decorations is funded through Strategic Partnerships and Investment operational budget. Future budgets have included the purchase of new tree frames for both locations approx. every 6-8 years and ongoing yearly maintenance or purchase of new decorations.

Total Financial Implications	Current year (\$)	Current year + 1 (\$)	Current year + 2 (\$)	Current year + 3 (\$)	Current year + 4 (\$)	Ongoing (\$)
a. Operating revenue	0	0	0	0	0	0
b. Operating expenses	\$46,480	\$46,979	\$76,498	\$48,039	\$48,599	0
c. Operating budget impact (a – b)	- \$46,480	- \$46,979	- \$76,498	- \$48,039	- \$48,599	0
d. Capital Expenditure	0	0	0	0	0	0
e. Total net impact (c – d)	0	0	0	0	0	0
Does the proposal require ongoing funding?			Yes			
What is the source of this funding?			Strategic Partnerships and Investment Operational budget			

**note: +2 year increase is the purchase of new frame for Wellington tree*

Table 1. Ongoing Financial Implications



REPORT: Draft Council Policy – Communications, Media and Brand – Results of Public Exhibition

DIVISION: Strategy, Partnerships and Engagement
REPORT DATE: 8 September 2025
TRIM REFERENCE: ID25/1810

EXECUTIVE SUMMARY

Purpose	• Adopt a policy	
Issue	• Adoption of the Communications, Media and Brand Policy. • Report provides information on the submissions received following public exhibition of the draft Communications, Media and Brand Policy.	
Reasoning	• At the Council meeting on 22 July, Council endorsed the public exhibition of the draft Communications, Media and Brand Policy (CSC25/42) • The public exhibition process has been completed. • One submission was received, and amendments were made to the Policy.	
Financial Implications	Budget Area	There are no budget implications from this report.
	Funding Source	Not applicable
	Proposed Cost	Not applicable
	Ongoing Costs	Nil
Policy Implications	Policy Title	Council Policy - Corporate Image Council Policy - Media

STRATEGIC DIRECTION

The Towards 2040 Community Strategic Plan is a vision for the development of the region out to the year 2040. The Plan includes four principal themes and a number of objectives and strategies. This report is aligned to:

Theme:	3 Working Together for the Region
CSP Objective:	3.1 Our Council is open, fair, and accountable in its decision-making.
Delivery Program Strategy:	3.1.2 Ensure decision-making reflects local needs through meaningful community consultation.
Theme:	3 Working Together for the Region
CSP Objective:	3.1 Our Council is open, fair, and accountable in its decision-

making.

Delivery Program Strategy: 3.1.3 Foster two-way communication between Council, stakeholders, and the community.

RECOMMENDATION

1. That the Council Policy, Communications, Media and Brand, attached at Appendix 2, be adopted.
2. That relevant staff implement any minor administrative corrections prior to publication.
3. That the Council Policy, Communications, Media and Brand replaces the former Council Policy – Corporate Image, as attached as Appendix 3.
4. That the Council Policy, Communications, Media and Brand replaces the former Council Policy – Media, as attached as Appendix 4

Jessica Brown
Director Strategy Partnerships and Engagement

LR
Communication Services
Team Leader

BACKGROUND

Previous Resolutions of Council

CSC25/42	1. <i>That the draft Communications, Media and Brand Policy, as attached at Appendix 1, be endorsed for the purpose of public exhibition for a period of 28 days.</i>
8 July 2025	2. <i>That a further report be submitted to Council detailing results of public exhibition, for adoption of the final policy.</i>

REPORT

The draft Communications, Media and Brand Policy considers the management of Council’s brand (verbally and visually) including the reputation of the brand whilst working with the community, media and other stakeholders.

The draft policy draws upon industry best practice and legislation and was put to Council at the Corporate Service Committee meeting on 8 July 2025. The draft policy was placed on public exhibition from 4 August 2025 to 1 September 2025.

During this time one formal submission was received. The formal submission, attached at **Appendix 1**, highlighted the absence of a section about accessible and inclusive communication. Whilst accessible and inclusive communication is outlined in other documents, including Council’s Brand Guidelines and Community Engagement Strategy and associated Community Participation Plan the information was not implicitly noted in the Communications, Brand and Media Policy.

Based on this feedback a new section was included in the draft Policy to highlight Council’s focus for accessible and inclusive communication. The new section recognises Council’s commitment to adhering to WCAG 2.0 Level AA standards for digital content and Australian accessibility standards for print materials. Council’s website also feature tools for user customisation and new physical signage will incorporate QR codes with text-to-speech and sign language symbols where relevant.

Council also commits to using a broad mix of communication channels to ensure messages are delivered to a wider audience, with targeted outreach methods, including doorknocking, courtesy notices, and phone and digital chat to further enhance community connection.

Consultation

The draft Communications Media and Brand Policy was endorsed for public exhibition at the 22 July, 2025, Ordinary Council Meeting. It was placed on public exhibition from 4 August 2025 to 1 September 2025. During the public exhibition the policy was made available on Council’s YourSay platform.

Promotion of the public exhibition occurred via radio mentions, social media and two email campaigns. Copies were also available at Council's Customer Experience Centres in Dubbo and Wellington and the Macquarie Regional Library branches in Dubbo and Wellington. Council received one formal submission during the public exhibition period.

Resourcing Implications

Ongoing reviews of the policy will be conducted at a minimum of three-year intervals or as legislation changes and this will occur within existing resources and engaging with Local Government NSW for specific advice.

Next Steps

- Once endorsed, the Policy will be placed on Dubbo Regional Council's website.

APPENDICES:

- 1 [↓](#) Submission Received
- 2 [↓](#) Council Policy - Communications, Media and Brand
- 3 [↓](#) Council Policy - Corporate Image
- 4 [↓](#) Council Policy - Media

Formal submission – Communications, Media and Brand Policy	
Submission 1	A quick search of this document reveals only one short mention of failing to provide accessible and inclusive communication, and this being a low risk, to be mitigated by developing engagement plans to identify stakeholders, risks and levels of community participation. Given the poor attendance by people with disability and performance of the disability and inclusion advisory committee over the last few years, it would seem that communication to those who don't have easy access to information should be a priority. This means ensuring that communication is accessible to people with disabilities by providing alternative formats for information (e.g., large print, Braille, audio recordings, audio description on videos, sign language interpretation). Ensuring that all communication follows standard guidelines such as: https://www.stylemanual.gov.au/accessible-and-inclusive-content/design-accessibility-and-inclusion Here is a link to a LinkedIn post I wrote recently about an inaccessible poster designed by Council, it will give you some insight into how design affects readability. https://www.linkedin.com/posts/annetteferguson_are-your-posters-and-social-media-assets-activity-7355547514357362688-M6tz?utm_source=share&utm_medium=member_desktop&rcm=ACoAAIZd0UB5yCxaFFNBuP8SOqHiGUeM7XWYwE Just following the guidelines is not enough, you need to test your communication methods with people who need communication as well. There is always a gap between the guidelines and user experience. There is a lot of learning and work to be done on providing your communication in accessible format.



Council Policy

Communications,
Media and Brand
Policy

REF DOC #



Document Overview

Document Category	Council Policy
Policy Title	Communications, Media and Brand Policy
Policy Statement	The policy governs activities to ensure Dubbo Regional Council is professionally presented in a unified, responsive, consistent, lawful and professional manner.
Date	14 May 2025
Resolution Date	
Clause Number	
Accountable Position	Manager Strategic Partnerships and Investment
Responsible Position	Manager Strategic Partnerships and Investment
Branch	Strategic Partnerships and Investment
Division	Strategy Partnerships and Engagement
CM Number	Reference
Version	
Review Period	Standard 3 years, or with change in legalisation
Review Date	
Consultation	<i>Executive Staff Committee - 22 May 2025</i> <i>Senior Leadership Team - 12 June 2025</i> <i>Communication Services Branch</i>
Document Revision History	Date

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Purpose

The purpose of the Communications, Media and Brand Policy is to establish a framework that ensures Dubbo Regional Council is represented in a unified, consistent, and professional manner. This policy aims to enhance public recognition and trust in Dubbo Regional Council by developing and maintaining a clear and consistent corporate identity.

The policy provides guidelines for the consistent use of the Council's brand across all communication channels and materials, safeguarding Council's reputation by ensuring all communications are accurate, timely, and reflective of the Council's values and commitments. Additionally, the policy outlines principles and procedures for engaging with the media, community, and stakeholders to foster transparency, openness, and positive relationships. It also identifies and mitigates potential reputational risks through proactive communication strategies and adherence to legal and ethical standards.

Related Information

A clear and consistent corporate identity enables recognition for Dubbo Regional Council and supports effective service delivery.

Maintaining quality control and consistency reflects Council's commitment to its corporate brand and reputation. Consistent application of this ensures a unified visual identity and minimises reputational risks.

Council is committed to the principals of engagement outlined in the Community Engagement Strategy, with openness, consistency, accuracy and timeliness in particular, guiding the communication and media related activities.

The objectives of this policy include reflecting the core vision and values of Council, developing a strong and respected identity, ensuring consistent use of the corporate brand and sub-brands and the protection of Council's reputation.

Related Legislation

The policy is to be read in conjunction with NSW Legislation:

- Defamation Act 2005
- State Records Act 1998
- Copyright Act 1968
- Local Government Act 1993
- Privacy and Personal Protection Act 1998
- Government Information (Public Access) Act 2009
- Anti-Discrimination Act 1977
- Industry Codes of Practice, as identified by the Australian Communications and Media Authority (ACMA). This includes the Broadcasting Services Act, Commercial Radio Code of Practice, and Community Radio Code of Practice.
- Trade Marks Act
- Intellectual Property Laws Amendment Act 2006

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Dubbo Regional Council policy and procedures:

- Dubbo Regional Council's Social Media Policy
- Dubbo Regional Council's Community Engagement Strategy
- Dubbo Regional Council's Code of Conduct Policy

Scope

This policy applies to the Dubbo Regional Council brand in its entirety, covering all forms of representation across physical, digital, and virtual environments. It ensures all efforts are consistent, professional, and positively reflect Dubbo Regional Council's identity. This includes, but is not limited to:

- All Council brands and sub-brands
- Branding guidelines and style specifications
- Logo usage and visual identity
- Advertising and publications
- Event sponsorships, programs, projects, and operations
- Corporate wardrobe and stationery
- Vehicle branding and identification
- Websites and social media platforms
- Signage and general communication tools
- Use of the Council brand on any Council-related materials
- Applications in non-physical and virtual contexts, including avatars, AI interfaces, and other emerging technologies

The policy applies to the Mayor, Councillors, Council staff, contractors, and volunteers.

Policy

All elected representatives and staff employed by Dubbo Regional Council have a responsibility to conduct themselves in a manner that reflects positively on the Dubbo Regional Local Government Area in accordance with Council's Code of Conduct.

Councillors and staff are to ensure that any materials produced on behalf of Council project a consistent identity that is applied across Council.

Brand Usage

The Brand Guidelines are designed to help Council maintain a consistent and recognisable brand in all Council communications. Council's brand is detailed in the guidelines and include all details of its registration as a trademark which gives Council the authority to stop uses which detract from the positive characteristics that the brand represents.

Staff and elected representatives are not permitted to use corporate logos and trademarks unless approval is granted by the Marketing and Creative Services team. Council's corporate logos cannot be

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reproduced by external parties on any published material or resource without the approval of the Marketing and Creative Services team to ensure all terms and conditions of the Brand Guidelines are adhered to.

Use of Council's branding

All communications by Council staff and Councillors must use the official Council brand.

The Strategic Partnership and Investment branch is responsible for the use of Council's brand. All requests must be approved by the branch to ensure compliance with relevant laws and industry standards, including copyrights and intellectual property. Development of new corporate brands, trade marks or logos must be approved by the Marketing and Creative Services Team.

Council's logos must not be used to endorse or promote third-party products, services or commercial interests unless approved by the Chief Executive Officer. Before seeking approval, staff must consult the Marketing and Creative Services Team.

All additional brands must follow Council's Brand Guidelines and any applicable separate brand guideline.

Photography, videography and image use

The use of photos, footage and complementary graphic elements is supported by Council to support effective design of communication material.

Where appropriate, Council staff must ensure all permissions for subjects are gained when taking photographs or videos on behalf of Dubbo Regional Council using standard templates.

Images representing, but not limited to, legal matters, contracts or construction projects must be filed in line with relevant legislation, guidelines or Council procedures.

Copyright laws apply to all articles, graphics, or data on the internet. Unauthorised use of a third party's graphic, photo, HTML, or text without permission, may be in breach of copyright.

Accessibility and inclusive communication

Council is committed to making communications and services inclusive and accessible.

Council's digital content meets WCAG 2.0 Level AA standards, and Council websites include accessibility tools that allow users to customise their experience. Print materials are required to follow Australian accessibility standards, using clear design and formatting to support readability.

In physical spaces, such as signage and wayfinding, Council uses QR codes with text-to-speech and sign language symbols; all signage updated in the future will have these considerations undertaken in the design phase.

Guidelines for design that highlight accessible communication are outlined in Council's Brand Guidelines.

To reach the community effectively, Council is committed to using a wide range of communication channels including social media platforms like Facebook, Instagram, TikTok, and X, as well as newsletters, local radio, and newspapers. Council staff and councillors also connect with people face-to-face at pop-ups in public spaces. For more targeted outreach, Council provides courtesy notices and doorknocking for residents affected by works, and Council's customer service team is available via phone and digital chat. Council ensures all messages are placed across a range of channels when they go out to community, who may have a preference for one over another.

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Management of reputational risk

Council has a responsibility to ensure accurate and relevant information is disseminated or made available to the public in a timely manner. Clear and consistent branding enables the public to recognise Council activities, improving awareness of and access to information about policies, programs, services and events. Maintaining high standards of communications result in the public having more confidence in the credibility and authority of information that clearly identifies Council as its source.

Crisis communication and response

Should a crisis be faced that threatens the reputation of Council, including, but not limited to, data breaches, scandals or legal issues, strategic action should be undertaken both internally and externally to control damage and restore trust within the community.

The Communication Services Team is part of the Crisis Management Team (CMT) to reduce and control the risks from the crisis. A unified response should be created with clear messaging that aligns with company values and legal considerations. During this period the Chief Executive Officer or relevant Director will be the spokesperson for the organisation.

Social media and public communications

The Social Media Policy determines all responsibilities around employee social media usage in both a personal and professional capacity.

Public inquiries, complaints process and misinformation responses are to be developed in conjunction with management and the Communication Services team.

Reputational Risk Matrix

Risk category	Risk description	Risk Level	Mitigation Strategy	Responsible division
Service delivery failures	Failure to deliver key services (eg waste management / water)	High	Service monitoring and reporting Engage with service users for feedback	Relevant division
Communication failures	Miscommunication of council decisions or initiatives	Medium	Develop proactive communication strategies Have a dedicated spokesperson	SPE
Project delays	Delays in delivering community projects, leading to negative community sentiment	Medium	Follow the new project management office templates	Relevant division

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			Regular updates to stakeholders	
Social media backlash	Negative sentiment and backlash on social media platforms	Medium	Follow social media monitoring system Respond to social media commentary. Respond promptly to misinformation and provide correct facts.	SPE
Governance / Legal issues	Disputes leading to negative perception, lack of transparency, perceived corruption	Low	Ensure legal compliance in all activities Engage advisors for risk review Ensure regular publication of reports	OP
Ethical violations	Allegations of unethical behaviour by staff	Low	Implement and review strict code of conduct	OP
Failure to engage with community	No opportunities for inclusive and accessible participation and a misunderstanding of their role in the process.	Low	Engagement Plans developed to identify stakeholders, risks and levels of community participation.	SPE

Media

Engagement with the media

The Chief Executive Officer (CEO) will appoint one or more Council staff members as Media Coordinators. This may be for individual projects or a broader range of activities. The number of coordinators appointed will depend on the nature and scope of the project/s.

The Media Coordinator is responsible for:

- Acting as the main contact for all media enquiries, interview requests and requests to film or photograph Council staff, facilities or events.
- Ensure all media representatives are treated professionally, equally and without bias.
- Guiding the Mayor and Councillors on media interactions to prevent miscommunication or misinformation.
- Ensure media enquiries are promptly addressed by the relevant staff member and that all enquiries and responses are recorded.

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- Preparing media releases, statements and quotes prior to their release and ensuring they are appropriately approved.

The following protocols ensure engagement with the media is in line with this policy:

- The Communications Services Team is the first point of contact for all Council staff, Councillors and other representatives on media-related matters.
- If staff or Councillors become aware of issues that could attract negative media attention, they must notify the Manager Strategic Partnerships and Investment or a Communications Services Team member immediately.
- Councillors are entitled to enter public debate and make comment on Council affairs provided they clearly state that such public comment reflects their personal opinion and not that of Council. Once a Council decision is reached, the Mayor is the spokesperson.
- The CEO or a representative is the official spokesperson on matters related to Council operations, staff, and any issue involving Council resources
- The Communication Services Team will determine the most appropriate spokesperson for issues that cross over political and operational lines, in consideration of organisation and reputational risk.
- All media releases and written statements prepared by the Communication Services Team and distributed to the media will be shared with all Councillors and the Executive Leadership Team.
- Distributed media releases will be published publicly on Council's website.
- Council staff must not make political or controversial statements to the media that could reflect poorly on Council or its officials.

Media engagement by Council officials and Councillors must be conducted in a professional, timely and respectful manner.

The roles and responsibilities of Councillors, staff and other officials when working with the Media are outlined in the Responsibilities section of this policy.

Councillors can direct any questions on their obligations around media requests under the policy to the CEO.

Standards of Conduct when engaging with the media

Council officials must comply with the Councils Code of Conduct Policy when engaging with the media in an official capacity or in connection with their role as a Council official.

Council officials must not provide information or make comments to the media that:

- are defamatory, offensive, humiliating, threatening or intimidating to other Council officials or members of the public.
- Contains profane language or is sexual in nature
- Constitutes harassment and/or bullying within the meaning of the Code of Conduct Policy or is unlawfully discriminatory
- Is contrary to their duties under the Work Health and Safety Act 2011 and their responsibilities under any policies or procedures adopted by the Council to ensure workplace health and safety.
- Contains content about the Council, council officials or members of the public that is misleading or deceptive
- Divulges information that is confidential to Council
- Breaches the privacy of other Council officials or members of the public

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- Contains allegations of suspected breaches of the Council's Code of Conduct or Information about the consideration of a matter under the Procedures for the Administration of the adopted Code of Conduct Policy
- Could be perceived to be an official comment on behalf of Council where they have not been authorised to make comment
- Commits the Council to any action
- Violates an order made by a court
- Breaches copyright
- Advertises, endorses or solicits commercial products or business.

Use of media during emergencies

During emergencies, such as natural disasters or public health incidents, a Media Coordinator will be responsible for coordinating media releases, statements and commentary on behalf of the Council and assisting the Emergency and Risk Team as needed.

Councillors, Council Staff and other Council officials must not provide comment or information that is inconsistent with official advice issued by Council and any other agency coordinating the emergency response.

Training on media engagement during emergencies will be provided to Councillors and relevant staff and other Council officials.

The Communications Services Team will be part of Council's Crisis Management Team (CMT) formed in cases of emergency.

Media engagement in the lead up to elections

In accordance with advice issued by the Office of Local Government this policy does not prevent the Mayor or Councillors who are candidates at a Council election from providing comment to the media in their capacity as candidates at the election.

Any media comment provided by the Mayor or Councillors who are candidates at a Council election must not be provided in an advertisement, newspaper column or a radio or television broadcast paid for by the Council or produced by the Council or with Council resources.

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Responsibilities

Spokesperson	Roles and Responsibility
Mayor	The Mayor is the principal member and spokesperson of the governing body of the Council, including representing the views of the Council as to its local priorities (section 226(c) of the Local Government Act 1993). If the Mayor is unavailable, the Deputy Mayor may act as the Council's spokesperson. The Mayor may delegate their role as spokesperson to other Councillors where appropriate, (for example, where another Councillor is best placed to comment, because the issue is of particular interest to them, or it is within their particular area of expertise).
Councillors	As a member of the governing body and as a representative of the community, Councillors are free to express their personal views to the media. When engaging with the media Councillors: • must not purport to speak for the Council unless authorised to do so; • must clarify they are expressing their personal views as an individual Councillor; • must uphold and accurately represent the policies and decisions of the Council; • must not disclose Council information unless authorised to do so; and • must seek information and guidance from the CEO or Communications Services Team where appropriate to ensure they have the most up-to-date and relevant information and have considered reputational or other risks. In the interests of promoting a positive, safe and harmonious organisational culture, Councillors should endeavour to resolve personal differences privately and must not prosecute them publicly through the media or social media. Where Councillors become aware of potential issues that could result in media interest, they should provide this information to the CEO / Communications Services Team. Media representatives seeking interviews or comment from individual Councillors, including the Mayor on individual views of Council matters or any other matters should utilise Councillors publically available contact details on Council's website.

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Spokesperson	Roles and Responsibility
Committee Chairpersons	The Committee Chairperson may be the spokesperson for the Committee they Chair regarding a recommendation before a resolution has been made by Council. Once Council makes a resolution the Mayor is the spokesperson.
Chief Executive Officer (CEO)	The CEO is the official spokesperson for the Council on operational and administrative matters. The CEO may delegate to other council staff to speak on their behalf where appropriate, (for example, where the delegated staff member has professional expertise regarding the subject matter, or the CEO is unavailable). Approve LGA-wide, sensitive or annual collateral created by the Communication Services and Marketing and Creative Services Teams.
Council Staff	Council staff must not speak to the media about matters relating to the Council unless authorised by the Communications Services Team to do so. If Council staff receive a media enquiry or they are invited to comment to the media on a matter relating to the Council, they must refer the enquiry to the Communications Services Team. Council staff are free to express their personal views to the media on matters that do not relate to the Council, but doing so, must not make comments that reflect badly on the Council or that bring it into disrepute. If authorised to speak to the media, Council staff: • must uphold and accurately represent the policies and decisions of the Council; and • must seek information and guidance from the Communications Services Team where appropriate before providing comment to the media to ensure they have the most up-to-date and relevant information and have considered reputational or other risks. Where Council staff become aware of potential issues that could result in media interest, they should provide this information to the Communications Services Team. Staff in manager and director roles are required to approve collateral created by the Communication Services and Marketing and Creative Services Team.

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Spokesperson	Roles and Responsibility
Communication Services Team	It is the role of the Communication Services Team to handle the overall reputation of Council, public relations, media and media requests and overall perception of Council by stakeholders and the community. The team provides services to managers and project leaders to ensure the community and stakeholder groups are informed of projects, services and decisions that may affect them. Ensures the community receives the most accurate information about the organisation, which is produced in accordance with this policy. The Communications Services Team should be the first point of contact for the Mayor, Councillors and Council staff on all media-related issues that relate to Council as an organisation The team may respond directly to the media on matters that have already been approved and published. Media representatives seeking interviews or comment from Council should contact the Communications Services Team in the first instance. The Communications Services Team facilitate media requests and interviews about operational and corporate matters within DRC, they do not manage personal, political or opinion requests on behalf of the Mayor or Councillors, or requests not directly related to the matters of Council. Whilst elected representatives can make suggestions via the CEO for positive or responsive communication opportunities, Councillors, including the Mayor, cannot direct staff at an operational level to undertake activities or communicate certain messages.
Marketing and Creative Services Team	The Marketing and Creative Services team are directly responsible for the corporate identity, branding, websites and only presence of Council. The team assist staff to promote their activities, services, programs or events to the community through the production of materials that requires graphic design or digital presence, in conjunction with the Communications Services Team. The team provide advice, clarification and confirmation about any proposed use of the logo or brand.

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Definitions

To assist in interpretation, the following definitions apply:

Term	Definition
Brand Guidelines	The collection of visual and verbal elements representing a brand's values, mission and personality. It encompasses elements such as the brand name, logo, tagline, colours, typography and tone of voice. These attributes associate with a brand and how Council seeks to establish for itself in the mind of the community and other important stakeholders, created and reinforced by Council's Communication Services and Marketing and Creative Services teams.
Brand Image	A consumers' perception of a brand. The image is shaped by their interactions with the brand, including their experiences, opinions, and associations. The brand owner will seek to bridge the gap between the brand image and brand identity.
Brand recognition	A brand that is widely known in the marketplace.
Crisis	An event that threatens the reputation of Council, including, but not limited to, data breaches, scandals or legal issues
Council Spokesperson	A person appointed by the CEO for the purpose of speaking to the Media or community through digital channels on a topic.
Communication Services team	The Communication Services Team function under the Strategic Partnerships and Investment Branch, part of the Strategy, partnerships and Engagement Division. The team includes the Communications Team Leader and Communications Service Partners. The team works closely with the Marketing and Creative Services Team.
Elected representative	Mayor, Councillors, members of staff and delegates of the council (including members of committees that are delegates of the Council).
Emergency	An incident that may impact the Council and Council's roles and responsibilities within the community, including but not limited to, natural disasters and public health incidents.
Logo	A graphic mark or emblem, which may include a tagline. All Dubbo Regional Council logos and trade marks including those representing projects, business and facilities (e.g. Dubbo Regional Airport, Dubbo Regional Theatre and Convention Centre, Old Dubbo Gaol, Western Plains Cultural Centre, Dubbo Regional Livestock Marketing and Wellington Caves).
Marketing and Creative Services Team	The Marketing and Creative Services Team function under the Strategic Partnerships and Investment Branch, part of the Strategy, partnerships and Engagement Division. The team includes the Marketing and Creative Services Team Leader, Digital Services Partner, Creative Services Partner, Marketing Services Partner and the Marketing and Creative Services Officer.

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	The team works closely with the Communication Services Team.
Media	Print, broadcast and online media used for communicating information to the public, including, but not limited to, newspapers, magazines, internet publishers, radio, and television broadcasters.
Personal Information	Information or an opinion (including those which forms part of a database in any form) about an individual whose identity is apparent or can reasonably be ascertained from the information or opinion.
Social Media	Online platforms and applications, such as but not limited to social networking sites, wikis, blogs, microblogs, video and audio sharing sites, and message boards, that allow people to easily publish, share and discuss content. Examples of social media platforms include, but are not limited to Facebook, Twitter, Snapchat, LinkedIn, Yammer, YouTube, Instagram, Flickr and Wikipedia.

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Document Control

Responsible Officer:	Manager Strategic Partnerships and Investment
Division:	Strategy Partnerships and Engagement
Prepared by:	Communication Services Team Leader
Version:	1
Revision:	x
Document Date:	xxxx
Effective:	TBC (ELT approval)

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DUBBO
REGIONAL
COUNCIL

COUNCIL POLICY

Corporate Image Policy

Date 7 July 2017
Council Resolution Date 24 July 2017
Clause Number CCL17/91 (FPC17/45)

Responsible Position Manager Communications and Stakeholder Engagement
Branch Communications and Stakeholder Engagement
Division Economic Development and Business
Version 1
TRIM Reference Number Ed17/98133
Review Period 2 years
Review Date 1 July 2019
Consultation Executive Staff

Document Revision History	
Description	Date
To ensure Dubbo Regional Council's brand is represented in a professional, unified, consistent and positive manner.	
Notes	
Update to Dubbo Regional Council template.	
Refined Policy to focus on brand management, image and visual representations that impact reputation.	

POLICY

PURPOSE

Dubbo Regional Council has a clear Corporate Brand that is recognisable and presents Council as a professional, credible and progressive organisation. This policy aims to protect the image and reputation of the Organisation by clearly defining how the Corporate Brand can be used and establishing the framework which governs activities which ensure the organisation is professionally presented in a unified, consistent and positive manner.

BACKGROUND AND RELATED LEGISLATION

A clear and consistent corporate identity enables the public to recognise Dubbo Regional Council and can assist with effective service delivery by raising awareness of policy, regulation, services and activities. The objectives of this policy are:

To ensure Dubbo Regional Council's brand is represented in a professional, unified, consistent and positive manner.

Application of Council's corporate identity is consistent across all Council community and business activities, programs, communications, assets and facilities.

All corporate communication undertaken or produced by Council is of a high standard, consistent, accurate, and represents the Corporation as a professional and highly regarded local government body.

Staff behave in a way that enhances public confidence in the integrity of Dubbo Regional Council, and local government.

- *Copyright Act 1968*
- *Trade Marks Act 1995*
- *Intellectual Property Laws Amendment Act 2006*
- *Privacy and Personal Information Protection Act 1998*
- *State Records Act 1998*
- *Government Information (Public Access) Act 2009*
- *Local Government Act 1993*

SCOPE

This policy applies to:

- All employees of Dubbo Regional Council, Councillors, and all Council volunteers, contractors, interns and casual and part-time employees
- All areas where Council's brand is required to be displayed to the general public
- All communications and community engagement activities conducted on behalf of Dubbo Regional Council
- All communications materials produced on behalf of Council.

DEFINITIONS

Term	Definition
<i>Corporate Brand</i>	A brand is a set of perceptions and images that represent a company, product or service. Elements of the Corporate Brand include the Corporate logo, word mark, templates and design examples
<i>Communications team</i>	The communications function under the Communications and Stakeholder Engagement Branch – part of the Economic Development and Business Division - which includes the Communications Coordinator, the Graphic Design Production Co-ordinator, the Stakeholder Engagement Coordinator and the Digital Communications Coordinator
<i>Logo</i>	A graphic mark or emblem, which may include a tagline
<i>Corporate Image</i>	The reputation Council seeks to establish for itself in the mind of the community and other important stakeholders, created and reinforced by the Organisation's communications team.
<i>Corporate Logos</i>	All Dubbo Regional Council logos and trademarks including those representing projects, businesses and facilities (eg. Dubbo City Regional Airport / DRTCC / Wellington Caves).

POLICY

All elected representatives and staff employed by Dubbo Regional Council have a responsibility to ensure that any materials produced on behalf of Council / or any communications activities undertaken representing Council project a consistent corporate image and that the Corporate Brand is applied uniformly throughout Council.

In addition Councillors and Council staff are to conduct themselves in a manner that reflects positively on both Council and the City and towns in the Dubbo Regional Local Government Area in accordance with Council's Code of Conduct.

Dubbo Regional Council Brand Guidelines

The Dubbo Regional Council Brand Guidelines were adopted by Council on 26 September 2016 and defines the appropriate use of the Council logo including the symbol, word mark and fonts and the correct use and application of the Council logo.

Use of the corporate logo

- Altering the existing artwork of any corporate logo is not permitted.
- Staff are not permitted to use corporate logos and trademarks unless approval is granted by the Communications and Stakeholder Engagement Branch via the Graphic Design and Production Co-ordinator.
- All logos must also be used in accordance with their specific brand mark guidelines.
- Council's corporate logos cannot be reproduced by external parties on any published material or resource without the approval of the Graphic Design and Production Coordinator as the responsible Council officer for ensuring all terms and conditions of the Brand Guidelines are adhered to.
- Where Dubbo Regional Council co-operates with other councils to co-brand materials should always be in accordance with the specific brand mark policy.

- The Dubbo Regional Council corporate logo/and or tagline must be shown on all official stationery, publications, electronic and multimedia presentations, publicity display material and signage.

Council facilities and campaign brands and logos

Council recognises that a range of Council businesses, facilities and special communications projects utilise separate logos and visual identity. Such facilities and projects are to be clearly identified as associated with Dubbo Regional Council by utilising the Council logo or a tagline stating: *"A business/facility/project/initiative of Dubbo Regional Council"*.

Corporate logos may not be used to provide or imply endorsement or promotion of third party products or services, or class of products or services, or be associated with commercial interests unless permission is granted by the General Manager. In the first instance, advice is to be sought from the Communications team.

Additional corporate brands, trademarks, logos

Approval must be obtained from Communications and Stakeholder Engagement for the development of additional corporate brands, trademarks or logos. All requests are to be managed through the Graphic Design and Production Co-ordinator to ensure they comply with appropriate legislation and industry standards such as copyright and intellectual property laws.

Additional corporate brands are to be managed in line with separate brand guidelines.

Photography, footage and image use

The use of photos, footage and complementary graphic elements and images is supported by Council to support effective design of communication material.

Council staff must ensure that the permission of all subjects is gained when taking/publishing photographs or videos on behalf of Dubbo Regional Council, using the Corporate Consent Form. Images representing (but not limited to) legal matters, contracts or construction projects must be filed in line with the *State Records Act* and Council's Records Procedure Policy.

Copyright laws apply to all articles, graphics, or data on the internet. Unauthorised use of a third party's graphic, photo, HTML, or text without permission, may be in breach of copyright. Staff should not download images/material from the internet for use in communication material including presentation and printed collateral.

Managing corporate brand through corporate communications

Dubbo Regional Council has a responsibility to ensure that accurate and relevant information is disseminated or made available to the public in a timely manner. In addition, clear and consistent branding enables the public to recognise Council activities, improving awareness of and access to information about policies, programs, services and events. Maintaining high standards of communications result in the public having more confidence in the credibility and the authority of information that clearly identifies Council as its source.

Council's centralised Communications team has staff expertise to assist with issues and crisis management which affect Council's reputation.

Graphic design services

The Communications team provides an in-house graphic design and production service to the Organisation. To ensure consistency, adherence to Brand Guidelines, compliance with this policy

and value-for-money production of materials, all major communications documents should be managed through this service. As a general rule, any promotional material that features the Council logo should be directed through this service. The Graphic Design and Production service has first right of refusal on all communications material that requires graphic design.

This policy advocates a balance of 'flexibility within guidelines', whereby Council Divisions have autonomy to conduct their particular communication activities, but in doing so must meet the requirements of this Policy and other related policies and procedures.

Appropriate content

Communications activities should not have political purpose (unless authorised by the General Manager and Mayor). Communications should be presented in unbiased and objective language, grammatically correct and in line with this Policy, and all related policies, documents and legislation including approval procedures.

Corporate style

Corporate design, style and content must protect the integrity of Council's corporate brand by delivering professional, accurate and authorised images, design and information.

RESPONSIBILITIES

The DRC Communications team operates within Council's Communications and Stakeholder Engagement branch. The team has overall accountability for Council's Corporate Image which is the way DRC is perceived by stakeholders and the community. Communications and Stakeholder Engagement has direct responsibility in areas of Corporate Identity and branding, media and public relations, websites and on-line presence and communication.

The Communications team also acts as a central point of contact for staff who wish to promote their activities, services, programs or events to the community through the production of communications material that requires graphic design.

The Communications team also provides services to managers and project leaders to ensure the community and stakeholder groups are informed of projects, services and decisions that may affect them. Ensuring the community receives the most accurate information is produced in accordance with this Policy is a management accountability of all branches and Divisions of Council.

The Communications team through the Graphic Design and Production Coordinator will advise approvals required for communication collateral using the below table as a guide:

ITEMS	APPROVAL REQUIRED
Advertising of Council services, projects and initiatives (print, radio, online)	Respective Manager
Invitations/certificates/banners/promotional material	Respective Manager
Community notices/project fact sheets/regular newsletters/regulation signs	Respective Director
Building signage	Asset Manager/Director
Plaques, interpretative signage, annual report, annual publications, LGA wide guides or collateral	General Manager

APPENDICES

Dubbo Regional Council Brand Guidelines
ID16/1708 – Council Report and ED16/106559 - Guidelines



COUNCIL POLICY

MEDIA POLICY

Date	20 June 2023
Council Resolution Date	28 September 2023
Clause Number	CCL23/253 (CSC23/52)
Responsible Position	Manager Strategic Partnerships and Investment
Branch	Strategic Partnerships and Investment
Division	Strategy Partnerships and Engagement
Version	2
TRIM Reference Number	ED23/181481
Review Period	Annual
Review Date	June 2024
Consultation	Executive Leadership Team, Senior Leadership Team and Communications Services Branch

Document Revision History	
Description	Date
Policy defines Dubbo Regional Council spokespeople (corporate and elected representatives) and procedures for engaging with and providing media commentary or media product to mainstream media.	
Notes:	

PURPOSE

The purpose of Council's Media Policy is to provide a framework to ensure a co-ordinated, consistent and accurate approach to managing media relations to enhance the region's reputation while mitigating the associated risks.

Any comment made to a journalist or member of a media organisation is to be consistent with this policy, Council's Code of Conduct Policy, Social Media Policy and accurately reflect the decisions and values of Dubbo Regional Council.

BACKGROUND AND REFERENCES

Council is committed to the four principles of media engagement which should underpin every aspect of Council's media activity. All council staff, council officials and Councillors should commit to upholding them:

- Openness
- Consistency
- Accuracy
- Timeliness

Council is also committed to four principal values that hold an overarching vision and purpose of the organisation, which should be represented in the approach taken when working with the media.

The values are:

- To be progressive
- To be sustainable
- To work as one team
- To account for all actions

The policy is to be read in conjunction with:

- Defamation Act 2005
- State Records Act 1998
- Copyright Act 1968
- Local Government Act 1993
- Privacy and Personal Protection Act 1998
- Government Information (Public Access) Act 2009
- Anti-Discrimination Act 1977
- Industry Codes of Practice, as identified by the Australian Communications and Media Authority (ACMA). This includes the Broadcasting Services Act, Commercial Radio Code of Practice, and Community Radio Code of Practice.
- Dubbo Regional Council's Record Management Policy
- Dubbo Regional Council's Social Media Policy
- Dubbo Regional Council's Corporate Image Policy
- Dubbo Regional Council's Community Engagement and Communications Policy
- Dubbo Regional Council's Code of Conduct Policy

SCOPE

This policy applies to the Mayor, all Councillors, Council staff, contractors and volunteers when representing Council in the media. This policy applies to verbal and written comments in the media, public speaking engagements which includes industry conferences, industry publications/media, media releases and the use of social media. For specific social media requirements, refer to Council's Social Media Policy.

Concerns or complaints about the administration of a council's engagement with the media should be made to the council officer responsible for media management in the first instance.

STRUCTURE:

The Media Policy is structured as follows:

Part 1	Principles	Set out the principles of media engagement for councils
Part 2	Framework	Contains administrative framework for engagement with the media
Part 3	Engagement	Details those who are able to engage with the media and when
Part 4	Standards	Prescribes the standards of conduct expected of council officials when engaging on media in an official capacity or in connection with their role as a council official
Part 5	Emergencies	Prescribes who will be the media spokesperson to the media during emergencies
Part 6	Elections	Prescribes how councillors should engage with the media in the lead up to an election.
Part 7	Record management	Contains information about records management and privacy requirements relating to social media
Part 8	Definitions	Defines key words and people used in the Media Policy

PART 1 – PRINCIPLES

1.1 Dubbo Regional Council is committed to upholding and promoting the following principles of media engagement:

- **Openness:** We will ensure an open exchange of information between Council and the media.
- **Consistency:** We will ensure consistency by all councillors and staff when communicating with the media and that all spokespeople uphold the core values of Council.
- **Accuracy:** The information we share with the media will be a source of truth for our council and community and we will prioritise the need to correct inaccuracies when they occur.
- **Timeliness:** We will ensure that we respond to all media enquiries in a timely manner as long as reasonable deadlines are received.

PART 2 - ADMINISTRATIVE FRAMEWORK FOR ENGAGEMENT WITH THE MEDIA

2.1 The Chief Executive Officer will appoint a member of Council staff to be the Media Coordinator (*see definition), be this for a single project or for a wider variety of projects across the organisation. The coordinator will be a suitably qualified member of staff and by default is a staff member from the Communications Services Team.

2.2 The CEO may appoint more than one Media Coordinator, depending on the nature of the projects and scope of the responsibilities.

2.3 The role of the Media Coordinator is to:

General

- a) be the lead point of contact for all media enquiries, requests for interviews, requests to film or photograph council staff, facilities or events for news and current affairs purposes;
- b) ensure that media organisations and their representatives are treated professionally, equally and without bias; and
- c) provide guidance to councillors approached by the media for comment to avoid communication of misinformation.

Media Statements & Requests

- a) ensure that media enquiries are dealt with promptly;
- b) maintain a record of all media enquiries and responses;
- c) delegate to staff members to respond to media enquiries where appropriate;
- d) be responsible for preparing media statements prior to their release;
- e) ensure that media statements are approved by the Mayor and/or CEO prior to their release; and
- f) ensure that all media releases are published on the Council's website.

Delegated staff roles

- a) develop and/or approve media training and/or induction to be provided to delegated staff and/or councillors;
- b) maintain effective oversight of delegated staff;
- c) revoke a staff member's status as a delegated staff member when required; and
- d) maintain a register of delegated staff roles.

2.4 The following protocols underpin this policy:

General

- a) The Communications Services Team is the first points of contacts for Mayors, Councillors, Executive Leadership team and Council employees on all media-related issues.
- b) Councillors and Council employees who become aware of issues or potential issues that could lead to adverse media outcomes for Council should contact the Manager Strategic Partnerships and Investment, Team Leader Communication Services or Communication Services Partner.
- c) While social media platforms are not within the scope of this policy, the Social Media Policy outlines the responsibilities of elected representatives and employees using these channels.

Spokesperson/s

- d) The Mayor is the Council's official spokesperson on issues before the Council, Council policy and interpretation of policy and matters that may generate high community interest.
- e) Councillors are entitled to enter public debate and make comment on Council affairs provided they clearly state that such public comment reflects their personal opinion and not that of the Council (Council's Code of Conduct Policy applies). Once Council reaches a decision, the Mayor is the spokesperson.
- f) The CEO, or CEO's delegated representative, is the official spokesperson on issues relating to the management of Council operations and employees or actions or issues that may commit the Council's resources to any purpose.
- g) The Communications Services Team will determine the most appropriate spokesperson with issues cross over political and operational lines, in consideration of organisation and reputational risk.
- h) Council employees may be called on as subject matter experts based on their technical expertise to provide further detail and/or may be required to brief the Media Coordinator or approved spokesperson on the specific issue.
- i) Council employees may provide media comment on operational issues only that require specific subject matter expertise and are not related to any business currently before Council and are considered routine, not political, topical or high profile.

Media Statements (written and verbal)

- j) The Communications Services Team is responsible for managing media relations, preparing media releases, statements and quotes, identifying opportunities for positive promotion of Council and providing briefings and/or speaking notes for Mayor, Councillors, CEO, Executive Leadership Team and Council employees.
- k) All media statements must be approved by CEO, or CEO's delegated representative, prior to issue.
- l) All media releases and written statements prepared by the Communications Services Team will be distributed concurrently to all Councillors and the Executive Leadership Team.
- m) Council employees must not make political or controversial statements to the media relating to Council affairs, decisions and/or events, or about Council officials which are likely to generate negative publicity for Council (Council's Code of Conduct Policy applies)

Part 3 – WORKING WITH THE MEDIA

3.1 All media contacts / enquiries are handled by Council's Communications Services Team in the first instance, allowing enquiries to be logged, responded to and any subsequent coverage to be monitored and evaluated.

3.2 Media organisations and their representatives will be treated equally and without bias.

3.3 Roles and Responsibilities when working with the Media:

Spokesperson	Roles & Responsibilities
Mayor	a) The Mayor is the principal member and spokesperson of the governing body of the Council, including representing the views of the Council as to its local priorities (section 226(c) of the Local Government Act 1993). b) If the Mayor is unavailable, the Deputy Mayor may act as the Council's spokesperson. c) The Mayor may delegate their role as spokesperson to other Councillors where appropriate, (for example, where another Councillor is best placed to comment, because the issue is of particular interest to them, or it is within their particular area of expertise).
CEO	d) The CEO is the official spokesperson for the Council on operational and administrative matters. e) The CEO may delegate to other council staff to speak on their behalf where appropriate, (for example, where the delegated staff member has professional expertise regarding the subject matter, or the CEO is unavailable).
Committee Chairpersons	f) The Committee Chairperson may be the spokesperson for the Committee they Chair regarding the Committee recommendation before a resolution has been made by Council. Then refer to part 3.3 c.
Councillors	g) As a member of the governing body and as a representative of the community, councillors are free to express their personal views to the media. h) When engaging with the media councillors: • must not purport to speak for the Council unless authorised to do so; • must clarify when speaking to the media that they are expressing their personal views as an individual Councillor; • must uphold and accurately represent the policies and decisions of the Council; • must not disclose Council information unless authorised to do so; and • must seek information and guidance from the CEO or Communications Services Team where appropriate before providing comment to the media to ensure they have the most up-to-date and relevant information and have considered reputational or other risks. i) In the interests of promoting a positive, safe and harmonious organisational culture, councillors should endeavour to resolve

	personal differences privately and must not prosecute them publicly through the media or social media. j) Where councillors become aware of potential issues that could result in media interest, they should provide this information to the CEO / Communications Services Team. k) Media representatives seeking interviews or comment from individual Councillors, including the Mayor on individual views on Council matter or any other matters should utilise Councillors publically available contact details on Council's website.
Council Staff	l) Council staff must not speak to the media about matters relating to the Council unless authorised by the Communications Services Team to do so. m) If Council staff receive a media enquiry or they are invited to comment to the media on a matter relating to the Council, they must refer the enquiry to the Communications Services Team. n) Council staff are free to express their personal views to the media on matters that do not relate to the Council, but doing so, must not make comments that reflect badly on the Council or that bring it into disrepute. o) If authorised to speak to the media, Council staff: • must uphold and accurately represent the policies and decisions of the Council; and • must seek information and guidance from the Communications Services Team where appropriate before providing comment to the media to ensure they have the most up-to-date and relevant information and have considered reputational or other risks. p) Where Council staff become aware of potential issues that could result in media interest, they should provide this information to the Communications Services Team.
Communications Services Team	q) It is the role of Communications Services Team to handle media requests on behalf of Council as an entity/organisation. Communications Services Team do not manage personal, political or opinion requests on behalf of the Mayor or Councillors, or requests not directly related to the matters of Council. r) The Communications Services Team should be the first point of contact for the Mayor, Councillors and Council staff on all media-related issues that relate to Council as an organisation

	s) The Communications Services Team may respond directly to the media on matters that have already been approved and published. t) Media representatives seeking interviews or comment from Council as an entity/organisation should contact the Communications Services Team in the first instance. u) Media representatives seeking interviews or comment from the Mayor or CEO as a spokesperson on behalf of Council can contact the Communications Services Team in the first instance, or the Mayor directly. v) The role of the Communications Services Team is to facilitate media requests and interviews about operational and corporate matters within DRC. This includes: • Preparation of Media Releases and Public Notices; • Statements and responses to media enquiries regarding council operations; • Facilitating media interviews and background regarding council operations; and • Providing talking points or writing speeches for official openings or events. w) Whilst elected representatives can make suggestions via the CEO for positive or responsive communication opportunities, Councillors including the Mayor, cannot direct staff at an operational level to undertake activities or communicate certain messages.
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3.4 All media engagement by council officials must be conducted in a professional, timely and respectful manner.

3.5 Council officials who engage or are authorised to engage with the media must receive training on media engagement.

3.6 Media engagement training will be provided to councillors as part of their induction or refresher training or as part of their ongoing professional development program.

3.7 Councillors must direct any questions about their obligations under this policy to the CEO or Communications Services Team.

PART 4 – STANDARDS OF CONDUCT WHEN ENGAGING WITH THE MEDIA

4.1 Council officials must comply with the Council's Code of Conduct Policy when engaging with the media in an official capacity or in connection with their role as a council official.

- 4.2 Council officials must not share information or make comments to the media that:
- a) are defamatory, offensive, humiliating, threatening, or intimidating to other council officials or members of the public;
 - b) contains profane language or is sexual in nature;
 - c) constitutes harassment and/or bullying within the meaning of the Code of Conduct Policy, or is unlawfully discriminatory;
 - d) is contrary to their duties under the Work Health and Safety Act 2011 and their responsibilities under any policies or procedures adopted by the Council to ensure workplace health and safety;
 - e) contains content about the Council, council officials or members of the public that is misleading or deceptive;
 - f) divulges confidential Council information;
 - g) breaches the privacy of other council officials or members of the public;
 - h) contains allegations of suspected breaches of the Council's Code of Conduct or information about the consideration of a matter under the Procedures for the Administration of the adopted Code of Conduct Policy;
 - i) could be perceived to be an official comment on behalf of Council where they have not been authorised to make such comment;
 - j) commits the Council to any action;
 - k) violates an order made by a court;
 - l) breaches copyright; or
 - m) advertises, endorses, or solicits commercial products or business.

PART 5 – USE OF MEDIA DURING EMERGENCIES

5.1 During emergencies, such as natural disasters or public health incidents, a Media Coordinator will be responsible for coordinating media releases and statements on behalf of the Council and assisting the Emergency and Risk Team as needed.

5.2 Councillors, Council staff and other Council officials must not provide comment or information to the media that is inconsistent with official advice issued by the Council and any other agency coordinating the emergency response.

5.3 Training on media engagement during emergencies will be provided to councillors and relevant staff and other Council officials.

PART 6 – MEDIA ENGAGEMENT IN THE LEAD UP TO ELECTIONS

6.1 This policy does not prevent the mayor or councillors who are candidates at a council election from providing comment to the media in their capacity as candidates at the election.

6.2 Any media comment provided by the mayor or councillors who are candidates at a council election must not be provided in an advertisement, newspaper column, or a radio or television broadcast paid for by the council or produced by the council or with council resources.

PART 7 – RECORDS MANAGEMENT REQUIREMENTS

7.1 Media content created and received by council officials (including councillors) acting in their official capacity is a council record and may be subject to information access applications made under

the Government Information (Public Access) Act 2009. These records must also be managed in accordance with the requirements of the State Records Act 1998 and the Council's approved records management policies and practices.

PART 8 – DEFINITIONS

8.1 Council official: Councillors, members of staff and delegates of the council (including members of committees that are delegates of the council).

8.2 Media Coordinator: A person appointed under clause 2.1 of this policy, which will usually be someone employed within the Communications Services Team, however may be another person with relevant and suitable skills for the situation.

8.3 Media: Print, broadcast and online media used for communicating information to the public, including, but not limited to, newspapers, magazines, internet publishers, radio, and television broadcasters.

8.4 Personal Information: Information or an opinion (including information or an opinion forming part of a database and whether or not recorded in a material form) about an individual whose identity is apparent or can reasonably be ascertained from the information or opinion.

8.5 Social Media: Online platforms and applications, such as but not limited to social networking sites, wikis, blogs, microblogs, video and audio sharing sites, and message boards, that allow people to easily publish, share and discuss content. Examples of social media platforms include, but are not limited to Facebook, Twitter, Snapchat, LinkedIn, Yammer, YouTube, Instagram, Flickr and Wikipedia.



REPORT: Results of Public Exhibition: 2021-2027 Customer Experience Strategy, Action Plan Review

DIVISION: Strategy, Partnerships and Engagement
REPORT DATE: 8 September 2025
TRIM REFERENCE: ID25/1809

EXECUTIVE SUMMARY

Purpose	• Adopt a policy	
Issue	• Results of Public Exhibition	
Reasoning	• 3-year Action Plan reviewed • 28 days public exhibition	
Financial Implications	Budget Area	Customer Experience and Engagement
	Funding Source	Customer Experience
	Proposed Cost	Nil
	Ongoing Costs	Nil
Policy Implications	Policy Title	There will be no policy impact.
	Impact on Policy	Nil

STRATEGIC DIRECTION

The Towards 2040 Community Strategic Plan is a vision for the development of the region out to the year 2040. The Plan includes four principal themes and a number of objectives and strategies. This report is aligned to:

Theme: 3 Working Together for the Region
CSP Objective: 3.1 Our Council is open, fair, and accountable in its decision-making.
Delivery Program Strategy: 3.1.6 Provide cost-effective and timely services while meeting statutory requirements.

RECOMMENDATION

That the draft Customer Experience Strategy 2021-2027, attached as Appendix 1 and draft Customer Experience Charter, attached as Appendix 2, be adopted.

Jessica Brown
Director Strategy Partnerships and Engagement

TP
Manager Customer
Experience and
Engagement

BACKGROUND

Previous Resolutions of Council

26 August 2025 CCL25/215	<i>1. That Draft Customer Experience Strategy 2021-2027 and Draft Customer Experience Charter go on public exhibition for community feedback, for a period of not less than 28 days. 2. That a report of the public exhibition outcomes be prepared for Council.</i>
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REPORT

Both the Customer Experience Strategy and Charter were placed on public exhibition for 29 days. Both documents have remained largely unchanged since consultation commenced.

Minor revisions to the strategy have been made to ensure statistical insights align with the Financial or Calendar year.

Outcomes and progress from the 2021 to 2024 Action Plan have been reported through the Corporate Strategy Integrated Planning and Reporting framework. These achievements are broadly referenced across pages 13-14 under the heading 'What have we already done'.

The 2025–2027 Action Plan outlines 26 projects to be delivered over the next three years. These initiatives are strategically aligned with the four essential drivers of excellent customer experience:

The outcomes from these projects will directly inform the annual Delivery Program and Operational Plan Progress Reports.

The Customer Experience Charter has been reviewed, and minor changes were included in line with new channels of contact and service area commitments. A re-design was required to align with Council's Brand Guidelines, and broader updates regarding systems or changes to business operations.

Consultation

A comprehensive Engagement Plan guided all phases of consultation with both internal and external stakeholders. To support community involvement and transparency a dedicated YourSay page was published on the 30 June 2025, enabling the public to stay informed throughout the strategy's development phases from INFORM and CONSULT. All consultation outcomes including feedback and decision from Ordinary Council Meetings were made publicly available in line with the 2023-2027 Community Engagement Strategy.

The strategy and charter were placed on public exhibition for a total of 29 days on YourSay and a targeted Plan of Communications supported the engagement intent and included promotional activities across social media, radio advertising and electronic direct marketing (EDM). A total spend of \$1000 was allocated to support community awareness and participation. The outcomes from the Engagement and Communications Plans are summarised in the Engagement Snapshot. **Appendix 3.**

No formal submissions were received via YourSay and 1 submission was received from an internal stakeholder which resulted in some minor amendments to the document.

Data adjustments were also made to align with annual or financial year calendars, and disclaimers included.

Submission	Detail	Outcome
SPE Internal Stakeholder	Details on the outcomes from the previous action plan.	Acknowledged. Pages 13-14 have been updated to broadly reference outcomes.

Changes made to the draft Customer Experience Strategy 2021-2027 can be viewed in **Appendix 1.**

The draft Customer Experience Charter can be viewed in **Appendix 2.**

Resourcing Implications

The Customer Experience Budget 2025/2026 will be the source of funding required to implement actions.

Next Steps

- Adopted documents will be made publicly available on DRC Website
- Updated within the Staff induction program.
- The Charter will be made available at our Customer Experience Centres
- Corporate Strategy notified of Action Plan

APPENDICES:

- 1 [🔗](#) Draft Customer Experience Strategy 2021-2027
- 2 [🔗](#) Draft Customer Experience Charter 2025
- 3 [🔗](#) Engagement Snapshot_Customer Experience Strategy and Charter Public Exhibition



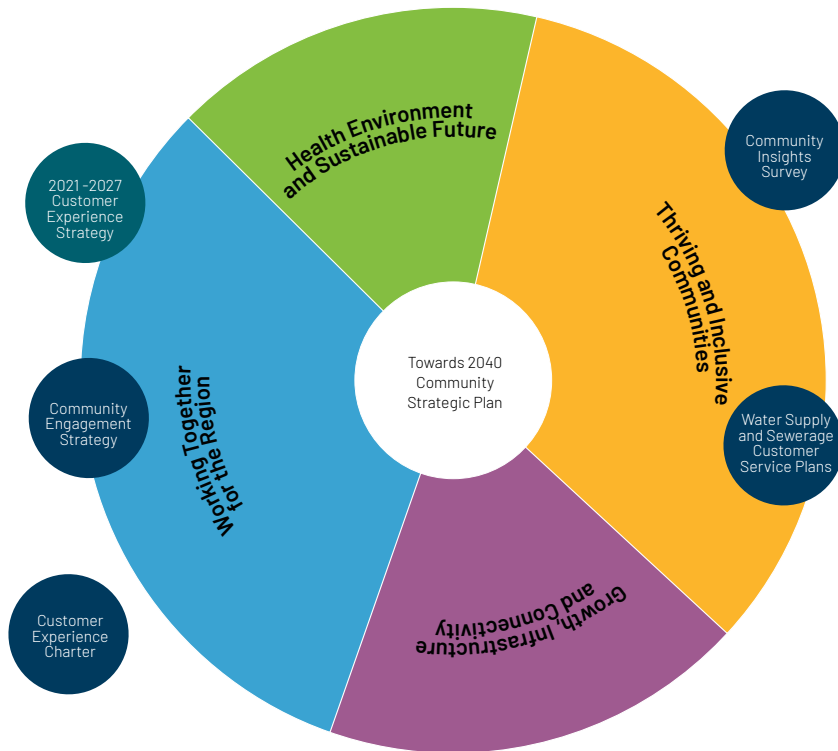
2021 - 2027 CUSTOMER EXPERIENCE STRATEGY



How the 2021 -2027 Customer Experience Strategy connects with our other strategic plans

The 2021 - 2027 Dubbo Region Customer Experience Strategy will form part of Council's integrated planning and reporting framework, ensuring that commitments are delivered through clear planning, performance monitoring and resource alignment.

At the core of this framework is the Towards 2040 Community Strategic Plan (CSP). The Customer Experience Strategy plays a key role in guiding how Council engages with and serves the community, and sits alongside a range of other strategic documents, as shown in the diagram below.



Strategic Context

- CSP Strategic Pillar 3: Working together for the Region
- 3.1: Our Council is open, fair and accountable in its decision-making.
- 3.1.6: Provide cost-effective and timely services while meeting statutory requirements.
- 3.1.6.1: Monitor the Customer Experience Charter standards in relation to customer requests and correspondence.

The design of the strategy has a whole-of-community approach, to be used by everyone in the region, contributing to a thriving vibrant inclusive community.

For more information on Council's plans visit:
dubbo.nsw.gov.au/About-Council



or scan the QR code

Disclaimer statement

The information is current at time of completing this strategy and some information may change during the lifetime of the 2025 - 2027 Customer Experience Strategy. Community members are advised to contact relevant service providers, organisers, authorities, and Dubbo Regional Council Customer Experience Team if they have any questions.



Acknowledgement of Country

We acknowledge the Wiradjuri people who are the traditional custodians of the land on which we live, work and play. We pay our respects to Elders past and present of the Wiradjuri Nation and thank them for their care of the land, water and sky and extend that respect to other Indigenous Australians.

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Our vision

To make life easier for our residents, businesses and visitors by ensuring their experiences are positive, more often.



Our Purpose

To create seamless and positive experiences by understanding our customers and orienting our organisation to anticipate and respond to their needs.

Our purpose is inspired by, the voice of our customer, putting you first.

About the Dubbo Region

The Dubbo Region is home to a growing and diverse population whose broad skills and experiences enrich our cultural, social, and economic fabric. This diversity strengthens our community across key areas including population growth, economic development, lifestyle, housing, sport, arts, and culture. In a rapidly evolving environment, our approach to customer experience must remain agile and forward-thinking to meet the future demands of our community.

Dubbo Regional LGA



Service area of 7,534.5 km² including one city, town and villages.

Population



56,997

Estimated residential population Dubbo Region



16.58%

Aboriginal and/or Torres Strait Islander



11.68%

Aged between 50-59 years



84.8%

of residents are Australian citizens



9.63%

Born overseas



5.99%

Stated they have a need for assistance with core activities



7.81%

Speak a language other than English



36 Years

Median age

By 2036, a further 8,045 people are expected to make the Region home. The number of residents aged 50 years and below is projected to be 63% of the population. 63,563

ABS Census 2021 *ABS 2024 Estimated residential population

Gender Ratio

Female

50.6%

Gender ratio

Male

49.4%





How our customers interact with us

Our Customer Experience Centre received:



50,343

Customer calls



16,485

Counter enquiries



1,807

Customer emails



199,294

Unique website visits
(207,179 website visits)



6,323

Service requests via DRC&ME



43,115

Service requests

*Statistics are for the financial year, July 2024 - June 2025



Why our customers interact with us

Here are our top interactions through our Customer Experience Centre:



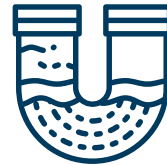
11,988

Rates enquiries



7,875

Waste enquiries



2,720

Water and Sewer enquiries



2,610

Animal related,
ranger enquiries



1,391

Road related



967

Tree related



821

Animal registrations
(counter only)

*Statistics are for the calendar year, January – December 2024

Our purpose is inspired by, the voice of our customer, putting you first.



Our facilities and businesses

The Customer experience extends across all areas of Council:



**Macquarie
Regional
Library**

184,568

Visitors
(All LGA's)



**Aquatic
Leisure
Centres**

103,473

Visitors
(Dubbo, Wellington, Geurie)



**Dubbo Regional
Theatre and
Convention
Centre**

77,541

Visitors



**Wellington
Caves**

29,534

Visitors



**Dubbo
Regional
Airport**

189,309

Passengers
(* July 2024-May 2025)



**Western
Plains
Cultural
Centre**

149,553

Visitors



**Visitor
Information
Centres**

44,827

Dubbo Visitors

7,409

Wellington Visitors



**Old Dubo
Gaol**

46,113

Visitors

*Statistics are for the 2024/2025 Financial Year.

Trends and opportunities



An emerging and changing region

Our region's population is projected to grow by 9,500 people by 2036, creating significantly higher demand for our services.

To successfully manage this increasing demand, we must maintain and enhance access to these services, as well as driving cost effective service channels and technology. Our region's culturally diverse community is growing. We are committed to providing appropriate, equitable and accessible services for all our customers. Access and inclusion is critical.



Customer expectations

Our customers' expectations and abilities are evolving. Increasingly, our customers expect to be engaged in the design of our services, and that our services adapt to change.

We will respond by creating opportunities to co-design services with our customers and respond to their ever-changing technical abilities. A seamless experience through any communication channel will be non-negotiable, while personal connection will be paramount. We will need to react to feedback with agility to predict our customers' future needs and expectations.



Technological change

Technological change will continue to transform the way we live, work, communicate and innovate.

Keeping pace with these changes will be a key challenge for our council.

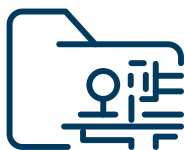
The way we capture, access, share and use data from these technologies is critical to that evolving transformation.



Staying human in a digital age

With new technologies enabling more automated and self-service options, we need to ensure that we work with our customers to achieve human-centred design. We need to look at a service from the perspective of the person using it, and then develop a suitable solution.

Our service design and delivery will need to be intelligent and customised to build meaningful personal connections. We know our customers expect to interact with us through different channels, whether making online payments or sitting down with a staff member to discuss their home plans. Listening to our customers, engaging them in the design of our services and channels, and offering tailored solutions will be increasingly important over the course of this strategy and beyond.



Privacy and open data

Customers want their data to be secure and kept private, but they also want a quick and easy experience that meets their unique needs.

This means we must remain vigilant in managing cyber security risks.

We often need to use a customer's personal data to provide a tailored experience, and trust must be maintained to ensure customers are comfortable providing information to us.

Customer experience drivers

We have identified four drivers for an excellent customer experience:



Our customers

What our customers have told us:

We sourced feedback from a number of different areas that included our customer service quality assurance program, our community satisfaction survey, previous community consultation and feedback received through multiple channels including, face to face surveying, phone surveying and email surveys including all forms of compliments and complaints.



More online self-service options



A guarantee that information on our website is always up to date and accurate



Jargon-free language and a dedicated channel for feedback across all services



A commitment to acknowledge issues and deliver customer service within a set time whilst advising on progress



More payment options



Clear explanations for the customer and what they can expect from staff including consistent communications



Multi Channel Support for the community. Customers want to choose the channel that works for them, whether it's phone, email, social media, live chat, in person, mail or online

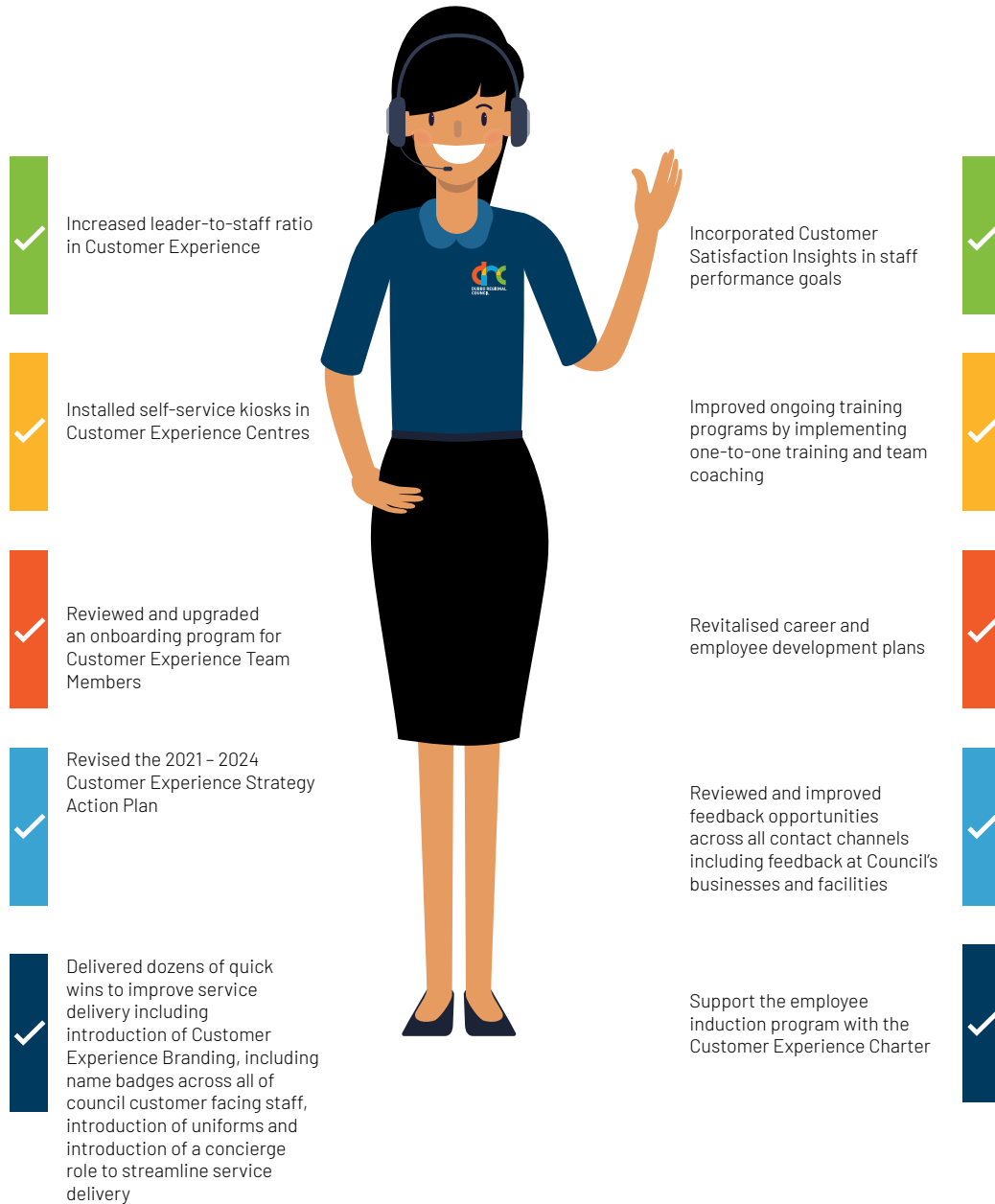


Did you know?

Last year we surveyed 9 thousand customers via our call centre to gauge their satisfaction with recent interactions with us.

Our customer Satisfaction overall score was 95%

What we have already done



What we have already done



What we are working towards

It is time for our organisation to take the next step in creating better experiences for our customers and develop a Customer Experience Strategy that focuses on not just the interactions that we have with our customers, but the entire relationship we have with them.



Customer experience is championed across all functions of our diverse organisation.

Quality customer experiences, for internal and external, is critical to our day-to-day operations

Customer data and insights are used to make informed strategic and operational decisions



Strategy

We aim to deliver more positive customer experiences. Delivering improvements across each of the four customer experience drivers will improve our customer satisfaction. To achieve this, four principles will guide our efforts;

Guiding principles



Journey

Consider the customer journey and ensure a personalised customer experience is at the centre of everything we do, across all functions.



Processes

Understand how our processes impact the customer, and work collaboratively to create seamless experiences.



Data

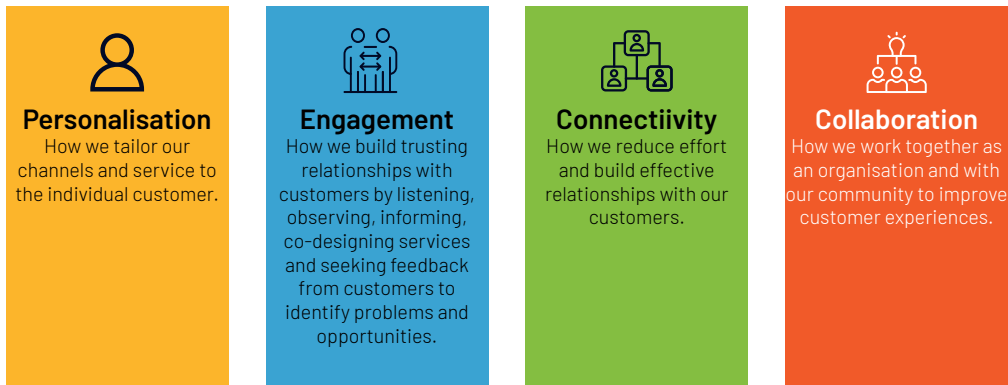
Ensure data is captured in real time, accessible to our customers and connected through the organisation so that we can continuously update our knowledge of customers' needs.



Innovation

Embed practices that enable us to engage with, understand and advocate for the voice of the customer, creating products and services to customers.

Customer experience drivers



Action plan 2025 - 2027

 Personalisation: How we tailor our channels and service to the individual customer.		
STRATEGIC OBJECTIVE	KEY PROJECTS	WHEN
Measure the experience we are providing through our customer satisfaction feedback and metrics	Implement a text message feedback survey for customers contacting the call centre to increase conversion rates on completed surveys.	2025
	Investigate more opportunities for customers to provide qualitative feedback and to seek overall experience on resolved customer service requests.	2026
Implement intelligence-led customer improvement practices across the organisation	Support service areas in their review of existing customer feedback systems to identify opportunities for more efficient collection and actionable insights.	2025
Align and improve customer channels to give customers more ways to engage with us	Support website redevelopment to ensure a cohesive and functional experience for the customer.	2026
	Review remaining manual processes for the development of interactive online services.	2025
	Enhance communication of customer requests to improve and align understanding and expectations.	2026

 Engagement:	How we build trusting relationships with customers by listening, observing, informing, co-designing services and seeking feedback from customers to identify problems and opportunities.	
STRATEGIC OBJECTIVE	KEY PROJECTS	WHEN
Employ a combination of measurements (to measure effort, satisfaction and loyalty) to provide a complete view of the customer experience.	Explore a Customer Effort Score measurement that compliments our existing measure for Customer Satisfaction (CSAT) and for loyalty through the NET Promoter Score (NPS).	2027
	Consider internal commitment and accountability for the customer experience within Council's performance assessment program.	Ongoing
Ensure staff performance reviews include measured, customer centric performance expectations	Review and implement performance monitoring strategies to support ongoing staff development.	Ongoing
	Partner with customers in co-design opportunities across the scoping, development, implementation and evaluation of service delivery.	2026
Embed the Voice of the Customer into everyday practice.	Consult, review and renew the Customer Experience Strategy and Service Level Agreements for adoption.	2027
	Establish a Customer Experience working group with roles to promote and uphold a progressive customer-centric culture.	2026
	Develop an education program for community on the different channels available for submitting requests to Council.	2025
Activate education and awareness activities to support the customer experience.	Use insights from customer interactions to shape and support community engagement and outreach activities.	Ongoing

**Connectivity:**

How we reduce effort and build effective relationships with our customers.

STRATEGIC OBJECTIVE	KEY PROJECTS	WHEN
Create and maintain seamless single view of customers across all service delivery touchpoints, including history of interactions.	Implement software to allow our systems to integrate and provide a single view of the customer.	2027
	Support the rollout of a digital booking solution for Council's community spaces and facilitate an intuitive process for bookings and payments.	2026
Maintain community confidence in security of all personal data obtained and held by Council.	Expand customer options in secure digital payments to meet diverse user preferences.	2027
	Ensure staff actions underpin legislative obligations and Council's policies and procedures through training and awareness activities.	Ongoing
Activate an organisation-wide knowledge sharing program to encourage the flow of information and collaboration between departments.	Expand knowledge sharing capability within the organisation by creating Customer Experience Knowledge champion groups.	2026
Employ technology and build adaptable systems and processes to meeting customers changing needs.	Investigate communication technologies and systems to improve efficiencies for staff and outcomes for community.	2027

**Collaboration:**

How we work together as an organisation and with our community to improve customer experiences.

STRATEGIC OBJECTIVE	KEY PROJECTS	WHEN
Foster diverse ways to cultivate, share and spread knowledge across the organisation for a shared understanding of customer expectations.	Introduce organisational wide resources and sessions for a consistent approach and ongoing engagement with Council's Customer Experience Charter.	2026
	Create knowledge banks that support a variety of learning styles, making information more accessible, engaging and practical for staff.	2025
Work collaboratively across relevant departments and teams to identify opportunities and find solutions to improve channels and services.	Develop and design an induction program that embeds a customer experience culture	2025
	Review, define and streamline customer request processes to strengthen accountability and drive a consistent and positive experience for staff and customers.	2026
	Create diverse and inclusive ways to share information to support staff accessibility, engagement and a range of learning styles.	2026
Collaborate with customers in co-design processes to ensure their needs and requirements are incorporated in service design.	Establish a Community Interest Group for a customer led consultation in the scope, design, test and ongoing review of customer based processes.	2026

Measuring our progress



Ongoing

Customer Satisfaction Survey

We will measure customer satisfaction at the close of each request for service through all survey channels provided.

Weekly

Customer Insights

We will provide feedback to departments on identified customer insights.

Monthly

Performance Reporting

We will measure our progress against our corporate customer satisfaction key performance indicators.

Quarterly

Voice of the Customer

We will conduct quarterly reviews in alignment with our quality assurance program, including a review of complaints and regular feedback to allow us to identify gaps in customer experience delivery.

Annually

Employee Feedback

We will conduct an employee survey yearly to identify any gaps or improvement suggestions. We will also include customer compliment and complaint feedback in staff performance reviews.

Customer experience measures

Customer Satisfaction Score (CSAT)

CSAT measures a customer's satisfaction at the time of interaction and is represented as a score between one and 10. This metric focuses on a specific point in the customer's journey.

Customer Effort Score (CES)

CES measures the ease of interacting with our organisation. It measures the amount of effort a customer has to go through when seeking help, sourcing information or having a problem solved. Customer effort is directly linked to the overall customer experience.

Net Promoter Score (NPS)

NPS is used to measure customer loyalty. This score can range between -100 to 100 and is calculated based on the percentage difference between three categories of customers;

- Detractors – who are unhappy with our organisation or service and highly unlikely to recommend to a friend or family member
- Passives – Who are mostly satisfied and could easily be persuaded to become a promoter or detractor
- Promoter- who are loyal and enthusiastic, have had a great customer experience and will recommend us to a friend or family member



22 Customer Experience Strategy

What will implementation of the strategy look like for you?

Design and deliver the right services



You may not think about the services we deliver very often – rubbish bins, roads, water and child care for example – but we think about your experiences using these services a lot. We are going to use your feedback to design and deliver the right services based on what matters most to you.

Co-design service experiences with you



We've been designing services for a long time and we recognise that there is no one better placed than you to tell us how you want our services to work for you. When we are redesigning service experiences, we're going to get you to help us by co-designing it with you. This will include ensuring we talk to people of all ages and cultural backgrounds.

You choose how you want to contact us



We know how frustrating it is to have only one option to contact us. We understand that some customers value human interaction whilst some prefer the convenience of digital options. We're going to ensure consistency of information across our website, forms and brochures so it's clear to you.

You'll only tell us once



Have you ever called us multiple times and had to repeat yourself every time? We're going to try to make that a thing of the past. We want you to only have to tell us once. The next time you contact us, we want to be able to remember why you're getting back in touch and anticipate how we can make this future contact as easy as possible.

Next steps

To support delivery of this strategy, we will implement the following actions:

Implementation support

Our Customer Experience team will work with Managers to align departmental business plans. Quarterly monitoring and reporting will support progress against actions, with a primary focus on our more visible, customer facing departments.

Performance reporting

Customer-focused actions aligned to this strategy will be included in the department business plans. Achievements will be assessed as part of the quarterly reporting cycles to determine whether we are meeting our success measures and where adjustments may be required.

Championing the strategy

The Manager of Customer Experience and Engagement will champion implementation of the Customer Experience strategy and monitor our success measures. Customer-facing teams will be equip with the right technology and emotional intelligence training to deliver the best possible Customer Experience.

Community engagement

Continue to work with internal stakeholders to review the customer journey process and identify improvement opportunities as they are presented. Modify the Customer Experience Strategy as required following consultation with all stakeholders.

Responsible Officer:	Director Strategy, Partnerships and Engagement
Division	Strategy, Partnerships and Engagement
Prepared by:	Manager Customer Experience and Engagement
Version:	2
Revision:	2
Document Date:	September 2025
Effective:	TBC



Old cover

Cnr Church and Darling streets, Dubbo
Cnr Nanima Crescent and Warne Street, Wellington

Ph: (02) 6801 4000
dubbo.nsw.gov.au



CUSTOMER EXPERIENCE STANDARDS

HOW WILL WE EVALUATE OUR PERFORMANCE?

We will benchmark ourselves against the following standards:

- Answer 80% of calls within 60 seconds at our Customer Experience Centre
- Respond to and/or acknowledge messages by close of business the following working day
- Respond to your correspondence within 10 working days and provide ongoing updates until resolution
- Refer you to another agency if we cannot provide the service you require
- Acknowledge all Customer Service Requests within 3 working days. Notify of completion or provide an update within 14 working days.

IN ADDITION WE WILL:

- Welcome valued feedback
- Conduct regular customer satisfaction surveys
- Support staff not to endure abusive customers
- Use internal systems and reporting to measure our performance, including having key performance indicators in the 2040 Community Strategic Plan
- Recognise our staff for excellence in service delivery
- Implement quality training for our staff.

HELP US TO DELIVER BETTER SERVICE

To assist us in delivery quality Customer Experiences for our community we ask you to:

- Treat staff with respect and behave in a courteous manner
- Provide accurate and complete information and documentation
- Quote reference numbers when contacting us about an existing request or application
- Provide a day time telephone number or e-mail address in your correspondence
- Quote the staff member nominated on any correspondence sent to you and quote any file numbers on the letter
- Respect other customers and community property.

ACCESS AND INCLUSION

Dubbo Regional Council is committed to creating an accessible and inclusive community for all people living with disability and people from culturally and linguistically diverse backgrounds.

Connect with our team to receive a service tailored to your preferences, or use our online accessibility tool, to create a personalised accessibility profile that suits your unique requirements.

CUSTOMER EXPERIENCE CHARTER



Creating Community for today and tomorrow

Dubbo Regional Council is committed to ensuring that our customers and community receive proficient, responsive and friendly service at every opportunity. Our staff are committed to being open, honest, fair and accountable in all our dealings with customers and strive to provide timely, efficient and consistent services.

Our Customer Experience Charter details our commitment to providing quality customer service. It provides clear standards for our staff to strive for service excellence in achieving our vision of Creating Community for today and tomorrow. We believe the customer experience is everyone's responsibility, and we will hold each other accountable in our service commitment.

OUR COMMITMENT TO YOU

We will:

- Act in a way that reflects and upholds our core values – Progressive, Sustainable, One Team and Integrity
- Listen and respect your issues and concerns
- Set clear expectations and deliver on those commitments
- Be professional, considerate and courteous
- Train our staff to deliver information and services
- Provide clear and concise information in a timely manner
- Recognise and respond to the diverse needs of our community and act with proper regard and sensitivity
- Actively measure and monitor our performance against the Customer Experience Standards.

OUR VISION

Creating Community
for today and
tomorrow

OUR PURPOSE

Lead
Connect
Deliver

OUR VALUES

- Progressive
- Sustainable
- One team
- Integrity



For your information

Our Customer Experience Centres are open

Monday – Friday

9:00am – 5:00pm

or scan the QR code to lodge your request online



(02) 6801 4000
• Cnr Church and Darling Streets, Dubbo
• Cnr Nanima Cres and Warne St, Wellington
PO Box 81, Dubbo NSW 2830
council@dubbo.nsw.gov.au
dubbo.nsw.gov.au

CUSTOMER EXPERIENCE STANDARDS

PRIVACY

The privacy of our customers, business contacts, Councillors, employees, contractors and volunteers is a core commitment. Council complies with the Privacy and Personal Information Protection Act 1998 and the Health Records and Information Privacy Act 2002. We are committed to the privacy principles contained within these Acts and we provide a Privacy Management Plan for staff members containing proper information handling practices. Council's Privacy Management Plan also explains how your personal information will be treated and is available on the A-Z Policies page of our website.

CUSTOMER REQUEST MANAGEMENT

Customer Requests are managed in our Customer Request Management (CRM) system that records, monitors and reports on the requests received. This system enables customers to notify Council of an issue, request an action, report faults, defects or hazards in Council's sphere of operations. If the request falls outside Council's jurisdiction, we will attempt to direct you to the most suitable location to help with your request.

You can lodge a customer request over the phone, by visiting DRC&ME, Council's online customer request portal or in person at one of our Customer Experience Centres.



If you call us, we will:

- Aim to answer your enquiry the first time to minimise transferred calls

If we are unable to resolve your enquiry at the first point of contact, we will either:

- Transfer your enquiry to the appropriate staff member. If they are unavailable, we will leave a message with them to return your call, or.
- Lodge a customer request through our system to the appropriate team for action and advise a reference number and the expected time frame for the request to be investigated / resolved.

Dubbo Regional Council can be contacted by phone between 9am – 5pm Monday to Friday excluding public holidays. A phone service for emergency after-hours calls is provided.



If you visit us in person, we will:

- Greet you with respect, courtesy, dignity and with a smile
- Identify ourselves so that you know who you are interacting with
- Aim to answer your enquiry at the first point of contact.

If we are unable to resolve your enquiry at the first point of contact, we will either:

- Send a message to the appropriate staff member who will contact you with a response no later than the close of business the next working day, or.
- Lodge a customer request through our system to the appropriate team for action and advise a reference number and the expected time frame for the request to be investigated/resolved.



If you E-mail us, we will:

- Acknowledge receipt of your e-mail with an automated response
- Provide an initial response within 10 working days in language that is clear, concise and easily understood
- Provide you with links and resources to assist you with your enquiry
- Ensure that accurate records are maintained.



If you write to us, we will:

- Communicate with you by the telephone number or e-mail address you have provided in your letter
- Attach your letter to any relevant customer requests
- Ensure that accurate records are maintained.



CUSTOMER EXPERIENCE STANDARDS

FEEDBACK

We use this as an opportunity to learn and improve our customer experience and service delivery. We provide our customers a variety of ways to give us feedback including text messages following your phone call, e-mail links, in person at our Customer Experience Centres or by telephone.

Please tell us when we have done things well. It confirms that the service we are providing is a service that you value and helps us to recognise the efforts of our people.



If you see us in the field:

Such as parks, playgrounds and attending to road maintenance, we will:

- Put your safety and that of our staff at the forefront of our interactions
- Endeavour to provide you with helpful information
- Guide you on how to formally submit your enquiry or request to Council.



Visiting our websites:

Our website, dubbo.nsw.gov.au is a digital front door to Council, accessible to community at any time. The website allows community to connect with Council Staff through the webchat function during business hours. If you chat with us here, we will

- Acknowledge your message with a prompt response
- Provide you with links to self-service options and guide you to information on our websites
- Send you a survey at the conclusion of the chat for you to share your feedback. You can also live stream Council meetings, find any Council related forms, subscribe to newsletters, pay your rates and debtor accounts, lodge customer requests and report issues, track development and planning applications, view all available work open for tenders and quotes as well as have YourSay on consultation activities and so much more. We are committed to ensuring our information is current and our content is user friendly and easy to navigate.

COMPLAINTS

Members of the community and staff can raise a concern on a serious issue, for example, corruption, misconduct or other unlawful or unethical behaviour involving Council. If you choose to make a complaint through the Complaints Officer, they will act impartially to investigate the matter, review relevant processes and policies, and, if necessary, refer the issue to an external panel before making recommendations. We encourage you to visit our website to gain an understanding of the Complaints Officer's role and review the Complaints Management Policy, which outlines how complaints are assessed before making the decision to formally lodge a complaint.



Lodge a formal complaint:

Visit **DRC&ME**, then select Contact Council's Complaints Officer. Please note that you will need to create an account if you do not already have one. Existing users can simply log in.

Phone (02) 6801 4000, 9:00am – 5:00pm, Monday to Friday.

If a complaint is made by telephone, the Complaints Officer may ask for formal submission via DRC&ME.

If your complaint is deemed to be a service request, it may be treated as a Customer Request and lodged in our CRM system.



Social Media:

These networks allow us to share accurate and timely information directly with our community. Council does not guarantee a response to all posts or comments made on its social media pages and therefore will post a response when considered necessary or appropriate.

More information is available in Council's Social Media Policy, which is available on the A-Z policies page of our website, dubbo.nsw.gov.au.

Our purpose is inspired by, the voice of our customer, putting you first.

dubbo.nsw.gov.au



SEPTEMBER 2025

Customer Experience Action Plan Refresh

Engagement snapshot

On Tuesday 26 August, Council endorsed the draft Customer Experience Strategy 2021-2027 and Draft Customer Experience Charter to go on Public Exhibition.

Our engagement approach was to **INVOLVE** the community, to help identify new actions and refine key service standards. YourSay supported the public exhibition window where community and stakeholders were encouraged to participate and provide feedback.

A summary of the engagement activities and community participation are highlighted below.

How we reached you and raised awareness



29 days of engagement

27 August - 25 September 2025



YourSay project page

- 190 visits
- 284 document downloads
 - 144 2021-2027 Customer Experience Strategy
 - 140 Customer Experience Charter
- no formal submission received



Customer support & information

- Copies were available at:
- Council Customer Experience Centres
 - Wellington and Dubbo
 - Macquarie Regional Library
 - Wellington and Dubbo



Digital engagement

- 19,548 social media reach (the number of times a post has been viewed)
- 216 social media engagements (the number of times a post was interacted with - which can be likes, shares, comments etc)



Community & Stakeholder consultation

- 3 Community Conversation pop up sessions
- Centro Shopping Centre
 - Geurie Markets
 - New Resident Night
- A recorded message was placed promoting the public participation on the strategy and charter for callers on hold within the call centre.



Traditional media

- 120 radio mentions across two radio stations
- Advertisements placed in the Daily Liberal and Dubbo Photo News



Email Campaigns

- 2 email campaigns sent
- 523 recipients
 - 11 click throughs

Outcomes and next steps

A report will be presented to the October Standing Committees Meeting with the results of public exhibition seeking Council to adopt the Draft Strategy and charter at the Ordinary Council Meeting, 5:30pm Tuesday 28 October 2025.

- Council will decide on recommendations to adopt the Draft Customer Experience Strategy 2021-2027 and draft Customer Experience Charter.
- For members of the community who are following this project and contributed with a formal submission an email will be sent to advise of the outcome to close the loop on this engagement activity.



We would like to thank everyone who participated in this activity. Your valuable feedback is greatly appreciated.

yoursay.dubbo.nsw.gov.au



REPORT: Community Funding Program 2025/2026 - Round 1 - Recommended Applicants

DIVISION: Strategy, Partnerships and Engagement
REPORT DATE: 16 September 2025
TRIM REFERENCE: ID25/1854

EXECUTIVE SUMMARY

Purpose	- Seek endorsement - Adopt funding	
Issue	The report provides an overview of applications received and recommended funding allocations for projects under the Community Funding Program Round 1 assessment.	
Reasoning	The Local Government Act 1993	
Financial Implications	Budget Area	Strategic Community Culture and Places
	Funding Source	Community Funding Program
	Proposed Cost	\$117,219.47
	Ongoing Costs	As determined.
Policy Implications	Policy Title	Financial Assistance Policy
	Impact on Policy	The processes adhere to the policy.

STRATEGIC DIRECTION

The Towards 2040 Community Strategic Plan is a vision for the development of the region out to the year 2040. The Plan includes four principal themes and a number of objectives and strategies. This report is aligned to:

- Theme: 2 Thriving and Inclusive Communities'
- CSP Objective: 2.1 Arts, culture and heritage are celebrated and shared.
- Delivery Program Strategy: 2.1.1 Encourage collaboration and shared goals to strengthen community connections.
-
- Theme: 2 Thriving and Inclusive Communities'
- CSP Objective: 2.3 Our community enjoys diverse sports, recreation, and social activities.
- Delivery Program Strategy: 2.3.2 Facilitate access to, encourage and support a variety of youth activities and entertainment options.
-
- Theme: 2 Thriving and Inclusive Communities'
- CSP Objective: 2.3 Our community enjoys diverse sports, recreation, and social activities.

Delivery Program Strategy: 2.3.3 Increase opportunities for entertainment, recreation, and cultural activities for all ages.

RECOMMENDATION

1. That Council make a determination to endorse either a. or b. as listed below;
 - a. Option 1: 14 applicants as outlined in the report with a total recommended funding amount of \$87,019.47. or
 - b. That Council endorse Option 2: 18 applicants as outlined in the report with a total recommended funding amount of \$117,219.47.
2. That the applicants be notified of the outcome of the report.
3. That relevant staff oversee the development and execution of funding agreements with successful applicants.
4. That any funds that are declined by applicants be included in the available funding pool for Round 2.

Jessica Brown
Director Strategy Partnerships and Engagement

ZJ
Corporate Strategy
Performance Coordinator

BACKGROUND

The framework under which Council considers and determines donations relates to the requirements of Section 356 of the *Local Government Act 1993* (the Act) whereby Council may contribute money or otherwise grant financial assistance to persons for the purpose of exercising its functions.

Previous Resolutions of Council

22 July 2025	5. <i>That the information contained within the report in relation to the Community Funding Program be noted.</i>
CCL25/191	6. <i>That the draft Council Policy – Financial Assistance, attached at Appendix 2, be adopted.</i>
	7. <i>That the Community Funding Program – Applicant Handbook, attached at Appendix 3, be endorsed by Council and be made available to community on Council’s website.</i>
	8. <i>That an active communications plan be undertaken to ensure that former and prospective applicants are aware of the Community Funding Program.</i>

REPORT

This report includes a high-level summary of the first round of the Community Funding Program and two options for Councils consideration.

Option 1 recommends awarding conditional funding to applicants who fully meet all baseline eligibility criteria and whose projects have been assessed as meritorious.

Option 2 recommends awarding conditional funding to the additional four applicants, subject to the finalisation of their outstanding acquittals. Funds would not be released until the acquittals have been completed by the agreed date.

Applicants are required to respond to the question ‘Will you proceed with the project if this funding application is unsuccessful?’, six of the recommended applicants have selected ‘no’. As part of the agreement process, all applicants will be given the option to decline the funds should they not be able to progress the project with the recommended funding amount. Feedback will be provided to the applicants, and they will be encouraged, where suitable, to make a stronger application for Round 2.

High-level Summary

- 19 applications (minor and major) were received.
- The total requested was \$205,199.46.
- Funding requests ranged from \$1,000 to \$35,000.
- One application was not assessed as the project date was ineligible.
- 18 applications were evaluated by the assessment panel.

- Overall applications were considered poor to reasonable, many lacked budget integrity. Note: this is seen as an opportunity to make improvements to the Applicant Handbook, providing more education and resources for prospective applications.
- Council's goal is to receive high-quality applications that demonstrate competitiveness for financial support, strong alignment with Council's strategic plans, and clear evidence of community benefit outcomes. Applicants should be able to provide appropriate justification for the proposed use of public funds.
- The assessment panel recommend:
 - 2 applications are not awarded any funds
 - 6 applications be awarded full funding
 - 10 applications partial funding
 Amounting to \$117,219.47
- There are four applications that are ineligible due to outstanding acquittals for funds received from former funding channels.

Recommendation: Option 1 (14 applicants, recommended funding amount \$87,019.47)

That the applicants and projects as outlined in the table below be awarded the recommended funding amount.

Applicant	Project	Recommend amount
Animal Welfare League NSW - Dubbo Branch	Low cost desexing program for companion animals	\$3,000.00
Bunmabunmarra Services	On Solid Ground – Essential Items for Men Entering Gibir House	\$4,500.00
Dubbo Junior Rugby Club Inc	NSW Junior Rugby State Championships	\$10,000.00
Dubbo Rivercare Group Inc	RiverCare Healthy River Initiative	\$3,519.47
Dubbo Local Aboriginal Land Council	Cultural Immersion	\$3,000.00
Ranch Sorting National Championships Australia	RSNCA Ranch Sorting National Finals	\$6,000.00
Sing Out West Limited	All-inclusive Dementia Sing Out Choir pilot program	\$15,000.00
Stuart Town Advancement Association Incorporated	2026 Stuart Town Man From Ironbark Festival	\$3,000.00
U3A Dubbo Chapter Inc	Artificial Intelligence and the Future of Aging: Opportunities and Challenges for Seniors	\$1,000.00
Wellington Rotary	Wellington Rotary Sheep Dag Drags	\$3,000.00
Western NSW Community Legal Centre - Western Women's Legal Support	Dubbo Delivers: Real Law in Regional NSW	\$5,000.00
Youth Off The Streets Limited	First Nations Services: Empowering and Connecting First Nations Youth in Dubbo	\$30,000

Recommendation: Option 2 (18 applicants, recommended funding amount \$117,219.47)

That the applicants and projects as outlined in the table below be awarded the recommended funding amounts.

Applicant	Project	Recommend amount
Animal Welfare League NSW - Dubbo Branch	Low cost desexing program for companion animals	\$3,000.00
Bunmabunmarra Services	On Solid Ground – Essential Items for Men Entering Gibir House	\$4,500.00
Dubbo Junior Rugby Club Inc	NSW Junior Rugby State Championships	\$10,000.00
Dubbo Rivercare Group Inc	RiverCare Healthy River Initiative	\$3,519.47
Dubbo Triathlon Club Inc	2025 Tri for Charity Challenge	\$2,000.00
Dubbo Local Aboriginal Land Council	Cultural Immersion	\$3,000.00
Orana Arts	Every Woman Orana Festival	\$4,000.00
ORISCON INC	ORISCON Gala Harmony Nite 2026	\$4,000.00
Ranch Sorting National Championships Australia	RSNCA Ranch Sorting National Finals	\$6,000.00
Sing Out West Limited	All-inclusive Dementia Sing Out Choir pilot program	\$15,000.00
Stuart Town Advancement Association Incorporated	2026 Stuart Town Man From Ironbark Festival	\$3,000.00
U3A Dubbo Chapter Inc	Artificial Intelligence and the Future of Aging: Opportunities and Challenges for Seniors	\$1,000.00
Wellington Information Neighbourhood Services Incorporated	Empowering Youth at WINS community centre	\$20,200.00
Wellington Rotary	Wellington Rotary Sheep Dag Drags	\$3,000.00
Western NSW Community Legal Centre - Western Women's Legal Support	Dubbo Delivers: Real Law in Regional NSW	\$5,000.00
Youth Off The Streets Limited	First Nations Services: Empowering and Connecting First Nations Youth in Dubbo	\$30,000

Outstanding acquittals

At the time of report writing all applicants had responded 'no' to the baseline eligibility question 'Do you have an outstanding acquittal/s for funds that you have previously received from Council?'. Records indicate that four applicants have outstanding acquittals. Staff have been in contact with applicants seeking to resolve matters impacting the finalisation of the outstanding acquittals. Staff will continue working with the applicants to resolve the acquittal, regardless of the outcomes of this report.

Applicant	Fund	Project	Amount	Acquittal due date	Comment
Wellington Information and Neighbourhood Services Inc (WINS)	Community Services Fund - 2021/2022 - Round 1 (2021)	Convert double shed to a purpose build Youth Activity Centre	\$30,000.00	31/10/2024	Significant staff changes in organisation, resulting in a lack of information being able to be provided.
Orana Arts Inc	Community Services Fund - 2023/2024 - Round 1 (2023)	Kumi Taiko	\$15,556.00	30/08/2024	Pending minor clarification to support validity.
ORISCON Inc	Community Services Fund - 2024/2025 - Round 1 (2024)	Putting down roots in Dubbo	\$2,500.00	28/06/2025	Requiring evidence of eligible expenditure or return of funds.
Dubbo Triathlon Club	Financial Assistance Program - 2019/2020 - Round 1 (2019)	Signage and event management	\$1,000.00	29/10/2020	Pending minor clarification to support validity.

Consultation

- Evaluation Panel: The panel comprises Council staff, including subject matter experts and independent representatives. Each member individually scores all applications, after which the scores are averaged. The panel then convenes to discuss each application and, through a majority vote, determines the recommended successful applicants and the proposed funding amounts.

The Panel raised the following points:

- Budget responses: lack of detail and transparency, unbalanced, increased clarity required on eligible/ineligible expenditure, and project sustainability.
- Eligibility: mechanisms for checks on the applicant-selected baseline eligibility checklist.

Resourcing Implications

- The table below refers to the maximum funds (Option 2) that are proposed to be distributed. It does not include staff time and resources for the administration and management of the Community Funding Program and the SmartyGrants portal.
- Staff time, including the Evaluation Panel, will be detailed as part of the August 2026 review.

Total Financial Implications	Current year (\$)	Current year + 1 (\$)	Current year + 2 (\$)	Current year + 3 (\$)	Current year + 4 (\$)	Ongoing (\$)
a. Operating revenue	0	0	0	0	0	0
b. Operating expenses	117,219	0	0	0	0	0
c. Operating budget impact (a – b)	-117,219	0	0	0	0	0
d. Capital Expenditure	0	0	0	0	0	0
e. Total net impact (c – d)	-117,219	0	0	0	0	0
Does the proposal require ongoing funding?			No.			
What is the source of this funding?			Community Funding Program 2025/2026			

Table 1. Ongoing Financial Implications

Timeframe

Key Date	Explanation
15-27 October 2025	Application feedback opportunity: Applicants are contacted and provided with evaluation feedback on their application and are provided with an update on the process. Applicant will also have the opportunity to provide insights and feedback on the new funding process with this feedback being collated for the August 2026 review.
28 October 2025	Ordinary Council Meeting: The Standing Committee Minutes are

	noted.
30-31 October 2025	Formal notification: Successful applicants are formally notified of the outcome via email. Funding Agreement: agreements are finalised with applicants.
1 November 2025	Start date for projects: Applicants may commence their approved projects in accordance with their Funding Agreements.
November 2025 – February 2026	Refinement of Applicant Handbook: Improvements will be made to the handbook to address areas of the applications that were lacking, such as completion of the detailed budget. Development of Applicant Resources: Staff are putting together extra resources to make it easier for applicants to understand the process and write strong funding applications that are clear in their alignment with Council's strategic plans and regional community benefit outcomes. Advertisement of Round 2: A proactive campaign will encourage applications for the remaining funds.
5pm 28 February 2026	Final submissions time: Applications eligible for Round 2 assessment are due. Any applications received after this time will not be considered for assessment until Round 1 2026/2027.
1 March 2026	Active assessment Round: Start of the active assessment round. Staff will collate submissions received and commence the evaluation process.

APPENDICES:

- 1 [↓](#) Community Funding Program - Round 1 - Recommendation Overview

OVERVIEW

Community Funding Program 2025/2026 – Round 1

Application No.	Applicant	Project Title	Short Project Description	Funding Requested	Will Proceed Without Funding	Event	Recommended Funding	Comment / Conditions
CFP2600023A	Animal Welfare League NSW - Dubbo Branch	Low cost desexing program for companion animals	Animal Welfare League NSW - Dubbo Branch will offer a low cost program for companion animals in the Dubbo Regional Council Area to be desexed, vaccinated and microchipped. This will be targeted towards pensioners and low income earners who cannot afford to arrange this themselves and not eligible for other discounted desexing schemes.	\$9,999.99	No	No	\$3,000.00	
CFP2600024A	Bunmabunmarra Services	On Solid Ground – Essential Items for Men Entering Gibir House	On Solid Ground – Essential Items for Men Entering Gibir House (Supported Temporary Accommodation) will provide each new resident with a duffel bag of personal essentials to support comfort, dignity, and immediate wellbeing. Each pack (valued at \$300) will include toiletries, underwear, socks, pyjamas, slide-on footwear, and a pre-paid mobile phone. Since opening on 10 March 2025, Gibir House has accommodated 84 men, many of whom arrived with very few belongings. These items will ensure that men can settle safely and respectfully into a shared living environment, supporting hygiene, personal comfort, and the ability to stay connected with services.	\$10,000.00	No	No	\$4,500.00	- Funding must not be used for treat bags or purchase of mobile phones.
CFP2600027A	Central West Working Horse Association Incorporated	Upgrading infrastructure	CWWHA aims to upgrade its infrastructure which will help our club in two main areas - maintaining fit-for-purpose yard panels for our events which maintains a safe environment for riders, horses and cattle at our events, as well as increasing the capacity of events we hold throughout the year so we can continue to encourage visitors to our region. This has a flow-on effect to other similar clubs who we regularly share equipment and facilities with.	\$6,690.00	No	No	\$0.00 – Not recommended.	
CFP2600017A	Dubbo Junior Rugby Club Inc	NSW Junior Rugby State Championships	U14 NSW Junior Rugby Union State Championships- Both Boys and Girls. The Event is held over the June long weekend for 3 days with over 35 teams competing for the right to be crowned State Champion. Teams competing are from all over the state inc Randwick, Warringah, Parramatta, Penrith, Northern Suburbs, Southern Districts, Central Coast, Manly, Sydney Uni, Eastwood, Central West, Central North, New England, Mid North Coast, Far North Coast, Western Plains, Hunter, Illawarra and the ACT.	\$15,000	No	Yes	\$10,000.00	
CFP2600018A	Dubbo Rivercare Group Inc	RiverCare Healthy River Initiative	This project will equip and train volunteers to reduce invasive plant species and protect the biodiversity of the Macquarie River. By providing essential tools, safety gear, signage, and accredited training in chemical application and first aid, the project will strengthen community capacity to care for riparian habitats. Volunteer activities will improve river health, support native vegetation, and deliver lasting benefits for the Dubbo community.	\$3,519.47	Yes	No	\$3,519.47	
CFP2600028A	Dubbo Triathlon Club Inc	2025 Tri for Charity Challenge	The 2025 Tri for Charity Challenge is a team-based community event that blends strategy, inclusivity, and purpose. Teams of three estimate their finish time and aim to match it — success is measured by accuracy, not speed. Participants can split or complete disciplines together, making it accessible to all fitness levels. The challenge fosters teamwork, builds culture, and supports local charities through every registration. With no need for elite gear or athletic prowess, it's a smart, fun, and meaningful way for organisations and individuals to engage with their community and make a lasting impact.	\$2,000.00	Yes	Yes	\$2,000.00	- Outstanding acquittal
CFP2600009A	Dubbo Local Aboriginal Land Council	Cultural Immersion	to host a Cultural Day for the whole community, invite the different Aboriginal Dance Groups from around the region to perform, sing and explain the meaning behind each dance, have a number of Aboriginal Elders for storytelling, show some slides on the history, showcase some of the history of published books from around our area.	\$3,000.00	No	Yes	\$3,000.00	- Conditional on DA consent, funding does not constitute approval
CFP2600026A	Orana Arts	Every Woman Orana Festival	Now in its third year, the Every Woman Orana Festival celebrates every woman, every voice, every region. Held 2–8 March 2026 across multiple venues in Dubbo, the Festival blends national headliners with regional talent across literature, music, theatre, film, weaving, wellness, and storytelling. Featuring Eleanor Limprecht, Rachael Beck, Yasmin Boland, Erifili Davies, and the Every Woman Choir, alongside free community events, daily wellness sessions, weaving collectives, and an open mic night, the Festival creates inclusive access, strengthens wellbeing, and positions Dubbo as a vibrant cultural hub.	\$10,000.00	Yes	Yes	\$4,000.00	- Outstanding acquittal
CFP2600011A	ORISCON INC	ORISCON Gala Harmony Nite 2026	The ORISCON Harmony Gala Nite 2026 is a vibrant celebration of cultural diversity, bringing together communities from across Dubbo and the Central West for an evening of music, dance, and artistic expression. Showcasing performances from a rich tapestry of cultures, the event fosters unity, respect, and appreciation for our shared heritage. Guests will enjoy a dynamic program featuring traditional and contemporary acts, delicious multicultural cuisine, and opportunities to connect across cultures. The Harmony Gala Nite reflects ORISCON's commitment to inclusivity, community building, and celebrating the invaluable contributions of multicultural communities to the social and cultural fabric of our city and region.	\$14,000.00	Yes	Yes	\$4,000.00	- Outstanding acquittal - Amount requested exceeds event funding limits.

APPENDIX NO: 1 - COMMUNITY FUNDING PROGRAM - ROUND 1 - RECOMMENDATION OVERVIEW
ITEM NO: CSC25/69


Application No.	Applicant	Project Title	Short Project Description	Funding Requested	Will Proceed Without Funding	Event	Recommended Funding	Comment / Conditions
CFP2600034A	Ranch Sorting National Championships Australia	RSNCA Ranch Sorting National Finals	Ranch Sorting is a horse and cattle event. RSNCA run approx 50 events throughout Australia annually and this event will be our National Finals for 2025/2026. This will be the 3rd Year we have held this event at the Dubbo Showground. The event brings competitors from WA, QLD, SA & NSW. Having the event in Dubbo allows for a more centralised base to our core competitor group than previous years which will bring many more competitors, their family & spectators to our National Finals and Dubbo.	\$10,000.00	Yes	Yes	\$6,000.00	- Funding must not be used for staff wages, insurance, prize money or other forms of ineligible expenditure.
CFP260002A	Sing Out West Limited	All-inclusive Dementia Sing Out Choir pilot program	We are seeking funding to deliver a three-month Pilot Program that will provide aged care residents, particularly those living with dementia or cognitive challenges with a new livestream and on-demand choir experience designed to foster joy, connection, and dignity. The Pilot will engage a professional partner to multi-camera film our weekly 70-minute choir sessions, capturing high-quality audio of live music and vocals, accompanied by on-screen visual support. Performances will be delivered via a secure, aged-care-friendly streaming platform and archived for later viewing. In addition to live sessions, the program will produce pre-recorded, on-demand choir episodes (45-60 minutes each) featuring subtitles and graphic overlays optimised for aged care viewing. Platform and delivery recommendations will focus on secure, subscription-based hosting that is simple to operate within aged care facilities. The program will be led by experienced professionals in Dementia Care and Music Therapy, ensuring content is both engaging and therapeutically beneficial. Anticipated outcomes include reduced stress levels, improved mood, and enhanced overall wellbeing for aged care residents, while providing facilities with an ongoing, easily accessible cultural resource.	\$20,000.00	No	No	\$15,000.00	- Reporting must demonstrate LGA specific use/reach.
CFP2600013A	Stuart Town Action Group Inc	Shop equipment	The Association run Food Bank in Stuart Town for the surrounding district. There is a need for a glass fronted display freezer to compliment the chest freezers we have.	\$3,000.00	No	No	\$0.00 – Not recommended.	
CFP2600022A	Stuart Town Advancement Association Incorporated	2026 Stuart Town Man From Ironbark Festival	2026 Stuart Town Man from Ironbark Festival is Stuart Town's annual community event. Staged over the Easter Weekend the event has grown to be one of the districts major events, attracting not only locals, but many visitors from outside the region to Stuart Town. For the third year running, the festival will also incorporate the Stuart Town Sheep Dog Trials.	\$9,000.00	Yes	Yes	\$3,000.00	- Funding must not be used for wages or other forms of ineligible expenditure.
CFP2600030A	U3A Dubbo Chapter Inc	Artificial Intelligence and the Future of Aging: Opportunities and Challenges for Seniors	The impact of Artificial Intelligence (AI) on society is currently receiving a great deal of attention. This project seeks funding to host a lecture for U3A seniors by Dr Barbara Barbosa Neves, a leading researcher in AI and aging. The lecture will provide accessible, balanced information about the benefits and risks of AI in everyday life, with a special focus on issues that directly affect older Australians such as healthcare, social connection and digital safety.	\$1,000.00	Yes	No	\$1,000.00	
CFP2600003A	Wellington Information Neighbourhood Services Incorporated	Empowering Youth at WINS community centre	WINS Community Centre will deliver a youth engagement program in Wellington, NSW, directly aligned with the WINS Youth Action Plan. The program includes creative arts workshops, candle-making, sports activities (including a touch football team), and a school holiday trip. Designed with youth input, the initiative promotes mental wellbeing, life skills, cultural connection, and confidence. It creates inclusive spaces where young people feel safe, heard, and supported, and directly responds to key priorities identified by local youth.	\$35,000.00	Yes	No	\$20,200.00	- Outstanding acquittal - Funding must not be used for staff wages, insurance or other forms of ineligible expenditure.
CFP2600029A	Wellington Rotary	Wellington Rotary Sheep Dag Drags	Wellington Rotary Dag Drags Sheep Dash 2026 is a continuation of the successful event which was run in April 2025. It will be a family fun day including the sheep dashes, markets, food stalls, a bar, along with multiple activities for the kids throughout the day. There will be marketeers along with excellent food stalls to keep everyone fed on the day. Children's activities include fun rides – a train, face painting, Pooka the clown, PCYC. A bar run by the Wellington Raceclub will be in operation from 11.00am till closing at 4pm.	\$3,000.00	Yes	Yes	\$3,000.00	
CFP2600008A	Western NSW Community Legal Centre - Western Women's Legal Support	Dubbo Delivers: Real Law in Regional NSW	Western Women's Legal Support seeks funding to produce a series of professional video advertisements that showcases the unique opportunities and rewards of working in the legal sector in Dubbo, NSW. The campaign will highlight the impact of regional legal work, the vibrant community of Dubbo, and the personal and professional fulfillment that comes from serving vulnerable populations in rural Australia.	\$9,990.00	No	No	\$5,000.00	Funding must not be used for staff wages, travel or other forms of ineligible expenditure.
CFP2600006A	Youth Off The Streets Limited	First Nations Services: Empowering and Connecting First Nations Youth in Dubbo	Youth Off The Streets (YOTS) First Nations Services Dubbo will deliver 12 cultural workshops during 2026 during school holiday periods and term time, targeted up to 40 children and young people per session. The workshops will celebrate Aboriginal and Torres Strait Islander cultural practices such as language, art, dance, music and storytelling, championing cultural resilience and identity in young people. These factors play a central role in empowering First Nations youth, promoting increased confidence, sense of agency, wellbeing and connection to community. The workshops will also create pathways for participants to access other YOTS First Nations services such as individual casework.	\$30,000.00	No	No	\$30,000.00	- Funding must not be used for staff wages, travel costs or other forms of ineligible expenditure.



REPORT: Rescission of Council Policies

DIVISION: Strategy, Partnerships and Engagement
REPORT DATE: 28 August 2025
TRIM REFERENCE: ID25/1759

EXECUTIVE SUMMARY

Purpose	Seek endorsement	
Issue	The report seeks to rescind four Council policies.	
Reasoning	- Three rescissions are administrative in nature. - The Council Policy - Bitumen Sealing of Council Roads is proposed to be rescinded as it is inconsistent with Council's broader service delivery principles.	
Financial Implications	Budget Area	Not applicable.
	Funding Source	Not applicable.
	Proposed Cost	Not applicable.
	Ongoing Costs	Not applicable.
Policy Implications	Policy Title	- Aquatic Leisure Centres – Usage - Bitumen Sealing of Council Roads - Collective Impact for Social Change - COVID-19 Rates Financial Assistance
	Impact on Policy	Policy to be rescinded.

STRATEGIC DIRECTION

The Towards 2040 Community Strategic Plan is a vision for the development of the region out to the year 2040. The Plan includes four principal themes and a number of objectives and strategies. This report is aligned to:

Theme: 3 Working Together for the Region

CSP Objective: 3.1 Our Council is open, fair, and accountable in its decision-making.

Delivery Program Strategy: 3.1.5 Operate with transparency, accountability, and integrity in all governance and decision-making processes.

RECOMMENDATION

- 1. That Council rescind the policies as listed and attached at Appendix 1 to 4.**
 - a. Council Policy - Aquatic Leisure Centres – Usage**
 - b. Council Policy - Bitumen Sealing of Council Roads**
 - c. Council Policy - Collective Impact for Social Change**
 - d. Council Policy - COVID-19 Rates Financial Assistance**

Jessica Brown
Director Strategy Partnerships and Engagement

ZJ
Corporate Strategy
Performance Coordinator

REPORT

The Policy Review Program commenced in August 2024. The program has prioritised policies that are overdue for review.

As part of the review, policy owners have identified the following policies for rescission.

a. Council Policy - Aquatic Leisure Centres – Usage (Appendix 1)

The policy was due for review in July 2021 and its objective was to ‘determine a set level of hierarchy of access to the Dubbo Regional Aquatic Lesisure Centres for all users...’.

The management of the Dubbo Region Aquatic Leisure Centres was awarded to Belgravia Leisure under a fully external management model. The recommendation to rescind this policy is administrative in nature.

b. Council Policy - Bitumen Sealing of Council Roads (Appendix 2)

The policy was due for review in October 2022 and its objective was to ‘provide clarity on the proposed extension of the bitumen sealed network within the region.’ The policy was adopted in October 2020 address future requests to advance roads on the priority listing where residents are able to contribute to the cost of the upgrade. Council has only received one request to seal a road since the adoption of this policy, however the works have not progressed.

Local Government exists to provide services that benefit the community as a whole. While no works have taken place under this policy since its adoption, it effectively advantages residents with the capacity to fund works, rather than focusing on projects that deliver the greatest benefit across the Local Government area.

Requests from residents to have their road sealed can be managed through direct discussions and negotiated agreements with Council. It is recommended that Council rescind the policy as it is inconsistent with Council’s broader service delivery principles.

c. Council Policy - Collective Impact for Social Change (Appendix 3)

The policy was due for review March 2020 and its purpose was to ‘define how Council shall work together with community, government and non-government organisations (NGO) sector to delivery transformative outcomes for communities that have high levels of incarceration with the criminal justice system...’

The intent of the policy has been incorporated into Council’s 2025-2029 Community Safety and Crime Prevention Plan which was adopted on 25 March 2025. The recommendation to rescind this policy is administrative in nature.

d. Council Policy - COVID-19 Rates Financial Assistance (Appendix 4)

The policy states that it 'shall remain in force until Thursday 30 June 2022.' The recommendation to rescind this policy is administrative in nature.

Consultation

- Staff, including policy owners and representatives from the responsible branches have been consulted.
- In instances, such as the Community Safety Plan, where the policy has been superseded by being incorporated into another document, the details of the consultation activities are contained within the specific reports to Council.

Resourcing Implications

- There are minimal resources required for this report.
- A working group was established to progress the Policy Review Program and assist policy owners with the review of overdue policies, development of emerging policies and monitoring of current policies.

Next Steps

- That the documents be removed from the corporate website.

APPENDICES:

- 1 [1](#) Council Policy - Aquatic Leisure Centres - Usage
- 2 [2](#) Council Policy - Bitumen Sealing of Council Roads
- 3 [3](#) Council Policy - Collective Impact for Social Change
- 4 [4](#) Council Policy - COVID-19 Rates Financial Assistance



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COUNCIL POLICY

Aquatic Leisure Centres – Usage Policy

Date 22 August 2019

Council Resolution Date 24 August 2020

Clause Number CCL20/133

Responsible Position Aquatic Leisure Centre Manager

Branch Recreation and Open Space

Division Liveability

Version 2

TRIM Reference Number ED20/171545

Review Period Annually

Review Date 9 July 2021

Consultation

Document Revision History	
Description	Date
Version 1	22 August 2019
Version 2	9 July 2020
Notes	

POLICY

PURPOSE

The objective of this policy is to determine a set level of hierarchy of access to the Dubbo Regional Council Aquatic Leisure Centres for all users, and to protect the integrity of the 'aquatic industry business' that is being conducted by Dubbo Regional Council at their Aquatic Leisure Centres.

BACKGROUND AND RELATED LEGISLATION

The Aquatic Leisure Centres were developed primarily as community recreational facilities as such facilities must be available for community recreational use during most operational hours.

When considering requests for lane hire for regular structured activities, consideration must be given to ensure space is available for the community recreation during peak times (morning and evening) and during extreme hot weather events.

However whilst community consideration remain foremost when considering lane hire requests, business considerations, (including large events which have the capacity to bring significant economic benefit to the region) may see community access being limited for a specific period of time (for example during a swimming carnival event), with appropriate notification.

Access to all patrons can be restricted due to safety concerns with no notification, against industry peak body, legislative or Work Health and Safety consideration.

SCOPE

This policy is applicable to all users of the Dubbo Aquatic Leisure Centre, Wellington Aquatic Leisure Centre and Geurie Swimming Pool.

POLICY

Pool space will be available for community use during all facility operating hours, except when an approved event is occurring in which instance access for community may be altered for a specific period of time. In general, a minimum of 3 lanes in the 50m pools will be available for community use (which may include Learn to Swim classes) at all times during operational hours, and specifically during peak times. Other facilities will be available during operating hours in accordance with operational requirement, patron demand or as previously advertised (ie waterslide access)

Lane allocations will be based on the Category Hierarchy outlined below.

Special events deemed to provide significant regional economic benefits may be approved upon individual application, and in this instance the community will be given no less than 7 days' notice of reduced access, which may include no general public access when safety is compromised.

Aquatic Centre User Categories

All users of Dubbo Regional Council Aquatic Leisure Centres will be grouped into the following categories:

- Category 1 - Community Use Including Dubbo Regional Council Learn-To-Swim Classes
- Category 2 – Council approved and Swimming NSW affiliated Swim Clubs and State Sporting Organisation Clubs with an aquatic component, currently these include
 - o Dubbo Aquatic Leisure Centre (Dubbo City Swimtech Swimming Club; Orana Aquatic Swimming Club.)
 - o Wellington Aquatic Leisure Centre - Wellington Amateur Swimming Club,
 - o Dubbo Water Polo Club
 - o Dubbo Triathlon Club
- Category 3 - Other Community/Sporting Groups, schools and special needs groups requiring a regular, recurring booking, or a one off booking for a carnival or special event (ie school rewards day).
- Category 4 – Private bookings for a ‘one off’ special event.

General Principles or Guidelines for Facility Use Allocation

- All groups seeking to utilise an Aquatic Leisure Centre will be required to sign a written agreement and operate in accordance with Council’s Aquatic Leisure Centre User Agreement.
- The overall lane allocations provided in this policy will be reviewed annually to ensure they reflect the ongoing demand and utilisation at the Aquatic Leisure Centres, in accordance with strategic direction.
- Where available lane hire cannot accommodate the requests of the two swimming clubs and where competition for morning or afternoon lane hire allocation exists between the two swimming clubs, preference of allocations will be based on
 - o Mutual agreement after appropriate negotiation, or
 - o The number of registered Swimming NSW member and applied as a ratio to lane hire allocations available.
- Council staff may reduce lane allocations to any Category 2, 3 or 4 group in favour of community users at the discretion of the Aquatic Leisure Centres Manager or designated staff member in charge of the individual facility at the time. Such a decision is to be made on the basis of meeting the needs of the greatest number of users of the Centre, and prevailing circumstances could include, but not be limited to:
 - Days of extreme hot weather where there is extensive use of facilities by the general community in the afternoons and additional public lanes should be provided for the community rather than for organised swimming activities.
 - Days where the number of swimmers in attendance with an organised group is low and there is a large demand for community swimming, and a reallocation of lanes will result in a safer allocation of lanes amongst all swimmers
- Such changes to lane hire allocations will be discussed with the user groups involved, and as much notice provided of these changes as possible.

- Community Sporting clubs including water polo and triathlon require specific access to conduct competitions. In such instances special access conditions may be negotiated to facilitate these competitions. For example Water Polo requires approximately 60% of the 50m pool, across all lanes, however public access can still be maintained for free swimming at this time by using the shallow end of the pool at this time. Triathlon events include considerations related to running and cycle legs and access to Victoria Park, , in this instance special consideration may be given to conducting an event outside regular hours to reduce risks for participants and for other patrons.
- Groups of swimmers who give the appearance of 'regular' and planned attendance (even if as a social group) will be encouraged to seek lane access as a Category 3 group to ensure they can secure dedicated lane space without impacting upon, or competing with, general Aquatic Centre users for lane access.
- For major events such as swimming carnivals Aquatic Leisure Centre management have the authority to restrict community access for a period of time (ie during the event) based on a risk assessment. At such times a minimum of 7 days' notice will be given to inform the community of reduced access conditions.
- To maintain the business integrity of Council run programs (including Learn to Swim), private coaching will only be considered and approved when
 - o Participants are ranked above Dubbo Regional Council Learn to Swim program level;
 - o Dubbo Regional Council cannot provide a program service due to lack of appropriate coaching qualifications (ie Disability Learn to Swim, Adult Learn to Swim) or lack of available staff. This consideration will be given on a case by case basis upon application.
 - o The 'club level' swimmers benchmark is set as 'individuals engaged in club based activities must be able to swim a minimum 50m freestyle with a consistent, continuous and fluent technique and unaided'. Special consideration may be given to a swimmer who would be significantly disadvantaged by this rule due to family constraints (ie travelling with siblings to club training) would not be able to access a Learn to Swim program. This consideration must be applied for in writing and will be considered on a case by case basis.
- Any other request submitted in writing (and not covered in this policy) to be considered by the Aquatic Leisure Centres Manager and a recommendation provided to the Manager Recreation and Open Spaces for final approval.

Hierarchy of Access

The priority order for access to pool space is:

Category 1

1. Community members – recreational or lap swimming, leisure, non-structured exercise (minimum of 3 lanes available at peak times or 4 lanes available at non peak times)
2. Dubbo Regional Council run programs including
 - a. Learn to Swim
 - b. Transition (or mini squad) programs
 - c. Aqua Aerobics

- d. Any other program as developed by facility staff and approved by Dubbo Regional Council

Category 2

1. Sporting Clubs with an Aquatic component approved by Council and registered with a State Sporting Organisation.

Category 3

1. Community user groups requiring access to water space to run programs that provide a significant community contribution for inclusive access for disadvantaged groups. This group includes schools requiring access for carnivals, learn to swim, sport or PE;
2. Events sanctioned by Swimming NSW or other State bodies (Waterpolo etc.) for the purpose of conducting a Country, Regional or State Event

Category 4

1. Registered swim club - swimming out of other aquatic facilities in the region without a 50m pool, or with limited access to a 50m pool due to, for example to reconstruction/repairs. Limited access available for the purpose of athlete competition development or refinement of specific skill sets.
2. 'One off' bookings for an individual or specific purpose group. This could include a Private Coach bringing a group to the facility. Recommended 'access' – no more than 4 lanes and no more than 4 times per year and subject to availability, never in peak times.

RESPONSIBILITIES

Responsibility for enacting this Policy will lie with the Aquatic Leisure Centres Manager.



COUNCIL POLICY

Bitumen Sealing of Council Roads

Date 6 October 2020

ESC Resolution Date 26 October 2020

Clause Number CCL20/174

Responsible Position Manager Infrastructure Delivery

Branch Infrastructure Delivery

Division Infrastructure

Version 1

TRIM Reference Number ED21/4864

Review Period 2 Years

Review Date 6 October 2022

Consultation

Document Revision History	
Description	Date
Notes	

POLICY

Policy Objectives

To provide clarity on the proposed extension of the bitumen sealed network within the region.

1. To define criteria for the provision of bitumen seals on urban and rural gravel roads where adjoining property owners request some action to reduce or remove the nuisance of dust, or improve conditions beyond approved service levels, adjacent to their property.

BACKGROUND AND RELATED LEGISLATION

This policy is consistent with the Roads Act 1993.

Related policies and plans

1. The Transport Plan
2. Delivery Plan

SCOPE

This policy applies to request by residents to extend the sealed road network above and beyond the adopted Road Seal Extension Program.

DEFINITIONS

To assist in interpretation, the following definitions apply:

Term	Definition
Resident contribution.	The contribution to be made by the resident/s for sealing a maintained gravel road that would not otherwise form part of the bitumen seal extension program. The minimum contribution from the resident is to be no less than 80% of the cost of the seal.
Council contribution	Council's contribution to the cost of sealing a gravel road not included in the seal extension program is the preparation of the subgrade and base course ready to apply bitumen seal and a maximum 20% of the bitumen seal cost.
Value of bitumen seal	The price of the bitumen seal is to be 'at cost' and aligned to contract prices in Councils sealing contract. A quote will be provided by Council in each case.
Width of bitumen seal	The width of the bitumen seal will be determined by the classification of the road, Council policy or relevant Aust Roads guidelines for rural roads.

POLICY

Council will review its seal extension program on an annual basis taking into account available funds and determine its forward program (if any) in conjunction with the Community Plan, Delivery Program and Transport Plan.

Only seal extension projects that have been approved by Council, and are included in the Delivery Plan within the current financial year, will have certainty of being undertaken. Those thereafter will be reviewed subject to further funding, road traffic analysis and road conditions as determined in the Delivery Program and Transport Plan.

Council will consider the sealing of a maintained gravel road when a contribution is made by resident/s or property owner/s for the cost of the seal. Council will contribute by preparing the road surface for seal and a portion of the bitumen cost. A quotation will be provided on application.

Council will not provide small isolated strips of bitumen sealing. A minimum length of 100 m is required and the full width of the road is to be sealed. Council will consider requests for bitumen sealing of unsealed roads under the following conditions:

- A contribution towards the cost of sealing an existing gravel road matches at least 80% of the estimated cost of the bitumen seal in cash. All payments are required to be paid in full before commencement of work.
- Provided that the minimum length of an isolated strip is not less than 100m and the full width of road is sealed.
- That application be made in writing.
- Council will only consider up to five applications in any one financial year.
- Access to properties are required be sealed from the edge of the bitumen seal for a minimum distance of 2m, or to the property boundary.
- Bitumen sealing projects will be programmed to be undertaken when Council resources are available.

In cases where even with residents offering to pay 80% of the seal cost, Council will consider the following when determining to proceed, or not:

- Costs that would be incurred by Council to prepare a road pavement suitable for sealing (these costs could be substantial).
- Average number of vehicles travelling on the road per day.
- Type of traffic using the road, such as the number of heavy vehicles and school bus routes.
- Costs incurred in maintaining the current unsealed road.
- Proximity of a dwelling to the road.
- It should be noted that Council will be applying a two coat bitumen seal only as a minimum. Ongoing maintenance of constructed bitumen seal will be with Council.

Maintenance activities on the sealed network will be at the discretion of the Chief Executive Officer and undertaken in consideration of the entirety of the road network in conjunction with the Delivery Plan and Road Asset Management Plan.

RESPONSIBILITIES

The Director Infrastructure and staff with delegated authority to enact and enforce the Policy.

APPROVAL PROCESS

- Residents/ratepayers that express an interest in enacting this policy shall fill out the prescribed application form (attached).
- The Manager Infrastructure Delivery will assess the application and prepare an estimate to undertake the sealing of the nominated section of road.
- A memo will be prepared for the Director Infrastructure detailing the proposed works, cost for both Council and the applicant/s. Where Council's contribution will be funded from, if the proposal meets the requirements of the policy and any impacts on the works program for that particular year.
- If the Director Infrastructure concurs with the recommendation from the Manager Infrastructure Delivery, a final recommendation is made to the CEO for determination.
- The Applicant will then be advised of the determination.



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COUNCIL POLICY

Collective Impact for Social Change

Date 5 March 2018

Council Resolution Date 10 September 2018

Clause Number ICRC18/79

Responsible Position Director Liveability

Branch Social Services

Division Liveability

Version 1

TRIM Reference Number ED21/5932

Review Period 2 Years

Review Date March 2020

Consultation Social Justice and Crime Prevention Committee; Public
consultation (10/5/18 - 8/6/18)

Document Revision History	
Description	Date
First Draft	5/03/2018
Notes	

POLICY

PURPOSE

The purpose of this policy is to define how Council shall work together with community, government and the Non-Government Organisations (NGO) sector to deliver transformative outcomes for communities that have high levels of incarceration within the criminal justice system and in particular the over representation of Aboriginal people, high rates of drug and alcohol addiction, high levels of unemployment and other areas of over representation in measures of social disadvantage.

BACKGROUND AND RELATED LEGISLATION

At its Ordinary Meeting held on 23 October 2017, Council resolved in part the following:

"4. That Council endorse the principles of the 'justice reinvestment' concept and notes the trial currently being conducted in Bourke.

5. That Council notes the work being undertaken by local government in Burnie, Tasmania in identifying and addressing social problems.

6. That the General Manager be requested to provide a report to Council in December 2017 on the 'Burnie Works' initiative, and other similar regional initiatives, underway, summarising and analysing

- What work is occurring,*
- What role local government is playing; and*
- Whether and how the initiative could be adapted to the Dubbo region.*

7. That a Social Justice and Crime Prevention Working Party comprising the Mayor, five Councillors and relevant staff be established to formulate a draft policy document detailing how Council can lead in addressing entrenched social problems in our community."

At its Ordinary Meeting held on 18 December 2017 Council considered programs that address long term disadvantage on regional centres of Australia. Community efforts such as Burnie Works that were the result of long term and entrenched collaborative activity that was designed to assist the community to address complex and entrenched social issues. Typically a community has an event or circumstance that galvanise the broader community to act in a collaborative manner. In the case of Burnie the issue that created the sense of urgency for the Burnie community was when the pulp mill closed in 2010, resulting in approximately 2000 people losing their jobs. The issue in Logan that triggered collaboration, so Council has been informed, were riots in areas of social disadvantage within Logan City.

Community led programs are described as using the 'Collective Impact' model. Collective Impact uses five core principles to create change in communities:-

1. Common Agenda
2. Shared measurement systems
3. Mutually reinforcing activities
4. Continuous communication
5. Backbone support organisations.

Successful Collective Impact programs show that Council should not run any committee type body or program rather they enable success by providing administrative support and having a presence on the backbone team known as the Local Enabling Group. A Council based committee such as the Social Justice and Crime Prevention Committee should be regarded as an internal Council Committee that provides the strategic direction of Council and guides the organisations input into a Collective Impact program.

The various groups that sit within Burnie Works are chaired by business and community leaders. It is structured this way so that it is driven by those in the community that can influence and drive sustainable outcomes.

A number of case studies have identified five key enabling factors for communities that have had success in making the case for change and ultimately obtaining stakeholder support to successfully implement a change program that addresses long term disadvantage. Those five key enabling factors are:

1. Community driven and 'owned'
2. Use collective models to draw together all players to develop shared vision and goals
3. Focused on the systemic structural reform required for lasting change
4. Rigorous commitment to data and outcomes measurement
5. Long-term strategy and investment

Another major learning was the need to build trust across community and stakeholders such as government agencies and NGOs. This is critical in future success and potentially takes 18 to 24 months before all stakeholders are truly collaborating with a genuinely shared agenda. Furthermore creating sustainable inter-generational change in outcomes for community and community members is described by independent experts as a long term process of up to 10 -15 years. Part of the success of collective impact models is building understanding across all stakeholders that funding cycles and electoral cycles across all levels of government are not necessarily consistent with achieving long term outcomes.

SCOPE

This Policy applies to the functional areas of Council that are resourced to interact at grass roots community level and to work collaboratively with agencies and the NGOs in the community development and services sector. This Policy also commits the elected body of Council to work collaboratively with other levels of government to achieve positive change to areas of long-term disadvantage in the community.

It commits Council to ensure that bodies of work that relate to addressing long term disadvantage are:

1. Community driven
2. Use collective models to draw together all players to develop shared vision and goals
3. Focus on the systemic structural reform required for lasting change
4. Have a rigorous commitment to data and outcomes measurement
5. Are part of a Long-term strategy to bring about sustainable change.

POLICY

That Council recognise that there is no ultimate solution to the complex inter-related elements of long term social disadvantage rather a key tenet of addressing complex problems is to focus on creating effective rules for interaction. As such a key element to successful programs that are achieving transformation of social outcomes for communities is co – designing with community as an equal. This is part of creating a “Common Agenda”. In this regard Council shall abide by the following Community Consultation & Engagement Principles (based on The Australian Centre for Social Innovation (TACSI) review of The Southern Initiative NZ):

- Asking community how we might make the process the most convenient.
- Asking community what we can bring.
- Taking time to contact and potentially meet community members prior to interviews/consultation sessions.
- Inviting other members of community to participate.
- Starting the interview in a relaxed manner, with a focus on getting to know each other.
- Asking community to set the “rules of engagement”
- Removing barriers for participation
- Thinking about how community can have decision making power in the process
- Acknowledging community as experts in their lived experience and in their communities.
- Acknowledging the potential to learn from community – stepping away from the expert model.
- Not being afraid of creating a model testing and trialling it and if it doesn’t work starting the process again (not seeing a failure as failing but learning).

Stakeholder Interaction

Collective Impact means that through mutual understanding and trust, stakeholders such as the differing levels of government, community and NGOs shall recognise, complement, collaborate and add value to what is already happening on the ground. In this regard Council, rather than replicating or competing with other organisations and/or programs, shall:

- Work with community and stakeholders to identify and seek to fill gaps;
- Advocate for coordination and linkages across the systems;
- Provide direct support in areas identified with stakeholders as a strength of Council’s capacities, Council’s community relationships and within Council’s available resources.

For collective impact to be successful it needs to remain politically nonaligned as if it is seen as an initiative of a particular political grouping or political party there is a significant risk of being defunded if an opposing government is elected. This has been the case in a number of jurisdictions in Australia.

Shared Outcomes Measurement

Council commits to the premise that addressing transformation of social outcomes for community builds on data and evidence. Any plan arising from community and sector consultation that targets transformative outcomes shall put forward a measurement and tracking framework that will openly and transparently explain progress and act as a prompt for scaling up and/or changing activities and strategies.

There shall need to be a culture and commitment to the measurement framework across all partners and supporters of any Collective Impact based Plan. It is important to note that a shared measurement framework operates in the spirit of a collective commitment to achieving outcomes rather than as a contractual mechanism for compliance and/or an opportunity for denigrating the performance of others.

Mutual Accountability

Effective collective impact is a platform that encourages all parties to keep each other accountable for taking actions in line with the shared agenda for change. Partners are empowered to respectfully challenge a particular stakeholder should they be viewed as moving away from the shared goals.

RESPONSIBILITIES

The Director Liveability has the responsibility to ensure this policy applies to all Council programs and work packages that relate to the purpose of this Policy.



DUBBO
REGIONAL
COUNCIL

COUNCIL POLICY

COVID-19 Rates Financial Assistance

Date 3 September 2021
Council Resolution Date 27 September 2021
Clause Number CCL21/217

Responsible Position Chief Financial Officer
Branch Financial Operations
Division Organisational Performance
Version 3
TRIM Reference Number ED21/182776
Review Period 9 Months
Review Date 30 June 2022
Consultation Executive Leadership Team

Document Revision History	
Description	Date
COVID-19 Rates Financial Assistance Policy – ED20/62984	09 April 2020
COVID-19 Rates Financial Assistance Policy – ED20/206234	02 November 2020
Notes	

TITLE AND DURATION

This Policy shall be known as the COVID-19 Rates Financial Assistance Policy and shall remain in force until Thursday 30 June 2022.

PURPOSE

Council has a legislative responsibility to maintain effective financial control over its operations. Council must ensure that monies owed are collected in a timely, efficient and effective manner in order to provide services to the community.

The purpose of this COVID-19 Rates Financial Assistance Policy is to provide an adopted framework detailing the Rate payment options and assistance available to Ratepayers if they are currently experiencing financial hardship due to the ongoing COVID-19 pandemic.

This Policy provides assistance with Rate payments only and does not refer to any other debt or Fees/Charges payable to Council.

Related Legislation

- Local Government Act, 1993
- Local Government (General Regulation) 2005
- Privacy and Personal Information Protection Act, 1998

Related Documentation

- Council's Code of Conduct
- Council's Revenue Policy
- Council's Debt Management and Financial Hardship Policy
- Office of Local Government Debt Management and Hardship Guidelines, November 2018

DEFINITIONS

To assist in interpretation, the following definitions apply:

Term	Definition
Act	Local Government Act 1993
Application	A submission made by a Ratepayer to be considered under the provisions of this Policy
Council	Dubbo Regional Council
Deferral	When payment in full will not be on the instalment due dates specified in the Local Government Act 1993 being 30 November 2021 and 28 February 2022
Interest	The fee charged by Council, expressed as a percentage, on Rates and Charges that remain unpaid after the due date
Interest Rate	Made in accordance with Section 566 of the Local Government Act 1993
Payment Arrangement	An agreement entered into by Council and a Ratepayer for the payment of outstanding Rates and Charges under the provisions of this Policy

Rates and Charges	Ordinary Rates and Annual Charges levied in accordance with the Local Government Act 1993
Ratepayer	The person liable for payment of Rates and Charges for the property in accordance with the Local Government Act, 1993

SCOPE

This Policy aligns with Council's existing Debt Management and Financial Hardship Policy. All Ratepayers who are experiencing longer term financial hardship are encouraged to make application for assistance under the Debt Management and Financial Hardship Policy.

This Policy applies to all Ratepayers, Council staff, elected members of Council and contracted service providers.

This Policy does not confer any delegated authority upon any person. All delegations to staff are issued by the Chief Executive Officer in accordance with Section 378 of the Local Government Act 1993.

The specific provisions contained within the Local Government Act 1993 and associated Regulations must be adhered to when applying this Policy.

All Other Debts Other Than Rates

Council will only consider debts relating to Rates and Charges under this Policy, all other COVID-19 Financial Hardship related requests will be considered separate to this Policy and on a case by case basis.

OBJECTIVES

The total deferral of rate instalments due to an event like COVID-19 can cause a secondary bout of financial stress when the event has concluded and the deferred rate instalments become due and payable. Council's aim is to provide support to eligible Ratepayers with options for payment of rate instalments through the COVID-19 pandemic without creating additional financial stress when the pandemic has been resolved. This is assisted by an interest free period.

When undertaking an assessment of applications under this Policy, Council will be guided by the principles of:

- Equity – to ensure consistency, fairness, integrity and confidentiality of all proceedings for both Council and the Ratepayer.
- Engagement – Council is committed to engaging with Ratepayers.
- Transparency – ensuring obligations of Council's Ratepayers are clear in assisting them to meet their financial obligations.
- Financial Hardship – Council will assess COVID-19 Rates Financial Assistance applications on an individual basis and will be courteous and respectful.

POLICY

Eligibility to Make an Application Under the Policy

- A Ratepayer who is receiving regular COVID-19 related income support:
 - COVID-19 Disaster Payment
 - Business receiving Jobsaver or COVID-19 Micro Business Grant
- A landlord whose rental income has decreased by at least 30% from an existing tenancy agreement
- Any other Federal Government or NSW Government COVID-19 specific support payments as determined by the Chief Financial Officer as being appropriate for the application of this Policy.

Supporting documentation of receiving any of the above will be required as part of the application process and must be submitted at the time of the application.

RATES, INTEREST CHARGES AND DEBT RECOVERY

Rate Instalments Due 30 November 2021 and 28 February 2022

This Policy provides for eligible Ratepayers to defer payment of the rate instalments due on 30 November 2021 and 28 February 2022 until 30 June 2022.

Council will encourage eligible Ratepayers to set up a payment arrangement with Council that is tailored specifically to the eligible Ratepayers' needs. The aim of the payment arrangement is to have the debt relating to the two rate instalment payments that are due on 30 November 2021 and 28 February 2022 paid in full by 30 June 2022. This will help to ensure that further debt shock is not experienced when these two rate instalments become due and payable together with future rate instalments.

Payment of these rate instalments may also be deferred in full until 30 June 2022 where a payment arrangement cannot be entered into.

Interest Charges on Overdue Rate Instalments 30 November 2021 and 28 February 2022

No interest will be charged on overdue amounts to eligible Ratepayers for the period 1 December 2021 until 30 June 2022.

Outstanding balances as at 1 July 2022 will under the current provisions of this Policy accrue interest at the prescribed rate.

DEBT RECOVERY

For approved Ratepayer applicants under this Policy, debt recovery proceedings will be placed on hold from 1 December 2021 to 30 June 2022.

Council may make a reasonable attempt to contact a Ratepayer about an arrangement made under this Policy if required.

APPLICATIONS

Eligible Ratepayers requesting to access the COVID-19 Rates Financial Hardship Policy must submit an application that is available through DRC &ME on Council's website or if unable to access Council's website by contacting Councils Customer Experience team for assistance. Ratepayers will be required to complete an application and provide supporting documentation to access the provisions of this Policy.

Should Ratepayers meet the eligibility criteria as detailed within this Policy and the application is accepted by Council the eligible Ratepayer will be notified by return email.

All COVID-19 Rates Financial Hardship applications will be assessed by Council and recommendations to the Chief Financial Officer will be provided where required in accordance with this Policy.

Councils existing Debt Management and Financial Hardship Policy assists those Ratepayers who are experiencing financial hardship over a longer term at their primary residence. This Policy remains in place and should be accessed when Ratepayers are experiencing longer term financial hardship.

Existing Debt Prior To COVID-19

Eligible Ratepayers with existing outstanding balances prior to 30 November 2021 may not be eligible for deferral or interest relief under these circumstances. Council will assess such applications on a case by case basis and the eligible Ratepayer will be contacted by Council to discuss suitable payment arrangements.

Approval and Dispute Resolution

A determination under this Policy will be assessed against the supporting documentation provided by the applicant. Each application will be considered on a case by case basis. The Ratepayer will be informed of the Chief Financial Officer's decision via email and if the applicant is not satisfied with the outcome a request for a review by Council's Internal Ombudsman via Council's website can be made.

The Chief Executive Officer can exercise their discretion in regards to adherence of the operational procedures of this Policy.

The Chief Executive Officer has the authority to ultimately make any decision under this Policy and may take into account any other factors as deemed necessary to either approve and not approve any application made under this Policy.

Council reserves the right to amend this Policy from time to time.



REPORT: 2025 Victor Chang School Science Awards Program

DIVISION: Strategy, Partnerships and Engagement
REPORT DATE: 22 August 2025
TRIM REFERENCE: ID25/1682

EXECUTIVE SUMMARY

Purpose	• Seek direction or decision	
Issue	• Provide an evaluation of the 2025 Victor Chang School Science Awards Program and seek direction on future involvement	
Reasoning	• For the consideration of conducting future awards	
Financial Implications	Budget Area	Strategy Partnerships and Engagement
	Funding Source	Strategic Partnerships and Engagement
	Proposed Cost	\$2000
	Ongoing Costs	To be determined
Policy Implications	Policy Title	Not Applicable
	Impact on Policy	Not Applicable
Consultation		Not Applicable

STRATEGIC DIRECTION

The Towards 2040 Community Strategic Plan is a vision for the development of the region out to the year 2040. The Plan includes four principal themes and a number of objectives and strategies. This report is aligned to:

Theme:	3 Working Together for the Region
CSP Objective:	3.4 We proactively embrace opportunities to drive economic growth, create jobs, and support lasting prosperity for our community.
Delivery Program Strategy:	3.4.2 Attract and retain a skilled workforce to meet regional needs and foster employment pathways, including traineeships.
Theme:	3 Working Together for the Region
CSP Objective:	3.4 We proactively embrace opportunities to drive economic growth, create jobs, and support lasting prosperity for our community.
Delivery Program Strategy:	3.4.5 Maintain a highly skilled, diverse, and motivated workforce to deliver quality services.

RECOMMENDATION

- 1. That Council determine to endorse either Option 1 or Option 2 or Option 3 as below:**
 - a. Option 1: That Dubbo Regional Council supports the Victor Chang School Science Awards in 2026, involving schools across the Dubbo LGA.**
 - b. Option 2: That Dubbo Regional Council supports the Victor Chang School Science Awards in 2026, expanding to invite schools in neighbouring Local Government Areas of Narromine and Gilgandra to participate.**
 - c. Option 3: That Dubbo Regional Council supports the Victor Chang School Science Awards in 2026, expanding to invite schools in Local Government Areas who are members of the Western Alliance of Councils.**

Jessica Brown
Director Strategy Partnerships and Engagement

AK
Executive Officer Strategy
Partnerships and
Engagement

BACKGROUND

Previous Resolutions of Council

27/05/2025 CCL25/116	<i>That Dubbo Regional Council:</i> <i>1. Participates in the 2025 Victor Chang School Science Awards Program to recognise and celebrate high-achieving Year 11 STEM students within the DRC LGA.</i> <i>2. Actively engages with schools in the DRC LGA in partnership with the Victor Chang Cardiac Research Institute, to encourage them to participate, highlighting the benefits to previous local award recipients.</i> <i>3. Hosts an award ceremony, ideally during National Science Week in August 2025, at a Council venue to present the Victor Chang School Science Awards to nominated students, inviting recipients, their families, teachers, and school representatives.</i> <i>4. Provides light refreshments at the award ceremony and extends an invitation to a representative from the Victor Chang Cardiac Research Institute to deliver a presentation to the award recipients.</i> <i>5. Allocates funding for the hosting of the ceremony, including venue hire (if applicable), light refreshments, and incidental costs, to be sourced from within the existing operational budgets that relate to community support and partnerships.</i> <i>6. Receives a report following the conclusion of the 2025 ceremony evaluating Council's participation and providing a recommendation regarding future involvement.</i>
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The Victor Chang School Science Awards (VCSSAs) were established in 2004. They honour the legacy of cardiac surgeon Dr Victor Chang. Schools are encouraged to nominate up to two Year 11 students who demonstrate excellence and passion in science for the award. The awards aim to inspire the next generation of leaders in science, technology, engineering, and mathematics (STEM).

Dubbo Regional Council (DRC) last participated in the awards in 2019, and following a Notice of Motion in May 2025, we participated again this year.

An 'Invitation to Nominate' email was forwarded to education providers:

- Dubbo Christian School
- Dubbo College Senior Campus
- Macquarie Anglican Grammar School Dubbo
- St John's College Dubbo
- Wellington High School

Eight nominations were received by the Victor Chang Cardiac Research Institute (VCCRI), with an invitation being forwarded to attend the official ceremony recognising the student's achievements.

The ceremony was on Thursday 14 August, at the DRC conference rooms in Dubbo. The nominees, their families, school staff, a number of Councillors and DRC staff attended.

A keynote address was given by scientist Lauren Cook, a past recipient of a prestigious Victor Chang School Science Award and alumni of Dubbo Senior Campus. Lauren is a research scientist working at the Victor Chang Cardiac Research Institute and is currently studying for a PhD.

The Dubbo Regional Council Mayor presented the eight students with a certificate, a letter of congratulations from the VCCRI and a small gift.

REPORT

The Ceremony was organised by DRC staff in consultation with the VCCRI. Approximately 50 people attended, including the eight award recipients, family, friends, Councillors and DRC staff.

The ceremony commenced at 4pm and concluded at approximately 5.30pm which included an afternoon tea with time for photos, and an opportunity to chat with Lauren Cook.

Total cost for the ceremony, including framing, gifts and afternoon tea was \$350.

A media release was sent out on the Friday after the ceremony. This included photos of the award recipients. Media reach is outlined below:

Media Coverage (DCFM)

- Picked up by DCFM.
- Mentioned 16 times between Friday 15 August and 9am, Tuesday 19 August.
- Estimated reach of 25.4K (according to media monitoring).
-

Social Media Performance

- Facebook:
 - Gallery post received 35,043 views.
 - 106 interactions (likes, shares, comments).
 - Schools were tagged in the post.
 - Some schools shared the post and congratulated their students.
- Instagram:
 - Gallery post received 771 views.
 - 10 interactions.

We are now seeking Council consideration regarding our participation in the 2026 awards.

Option 1

That DRC extend invitations to all secondary schools within our region to nominate Year 11 science students. This potentially could include 9 schools:

- Dubbo Christian School
- Dubbo College Senior Campus
- Macquarie Anglican Grammar School
- St John's College
- Wellington High School
- The Leadership Academy
- Mian School
- Yawarra Community School
- School of Distance Education

Option 2

That DRC extend invitations to schools in the Dubbo LGA, as well as in Narromine and Gilgandra Shire Councils. This area encompasses two additional schools offering Year 11 education.

Option 3

That DRC extend invitations to schools in the Dubbo LGA, as well as to schools in LGAs covered by the Western Alliance of Councils: Bogan, Warren, Gilgandra, Narromine, Bourke, Brewarrina, Cobar, Coonamble, and Warrumbungles. This area potentially encompasses 16 additional schools offering year 11 education.

Nyngan High School	Cobar High School
Warren Central School	Coonamble High School
Gilgandra High School	Gulargambone Central School
Trangie Central School	Coonabarabran High School
Narromine High School	Binnaway Central School
Bourke High School	Baradine Central School
Brewarrina Central School	Coolah Central School
Goodooga Central School	Dunedoo Central School

Options 2 and 3 would expand the reach and impact of the awards ceremony (Option 3 significantly), with staff at the Victor Chang Cardiac Research Institute supportive of DRC partnering with other councils for the event. This type of event has been implemented in South-West Sydney.

Resourcing Implications

- Organising the event requires staff resources. If Option 2 or 3 were confirmed, the larger number of participants will necessitate additional staff resources to effectively manage planning, coordination, and delivery.
- Choosing option 2 or 3 would incur higher costs. This could be offset by sharing any expenses with participating Councils.

Total Financial Implications	Current year (\$)	Current year + 1 (\$)	Current year + 2 (\$)	Current year + 3 (\$)	Current year + 4 (\$)	Ongoing (\$)
a. Operating revenue	0	0	0	0	0	0
b. Operating expenses	0	0	0	0	0	0
c. Operating budget impact (a – b)	2000	0	0	0	0	0
d. Capital Expenditure	0	0	0	0	0	0
e. Total net impact (c – d)	2000	0	0	0	0	0
Does the proposal require ongoing funding?			No			
What is the source of this funding?			Internal SPE budget and potential contributions from participating Councils			

Table 1. Ongoing Financial Implications

Timeframe

Key Date	Explanation
March 2026	For options 2 or 3; extend invitation to those councils to participate
May 2026	Invitations to nominate students be forwarded to schools
July 2026	Confirmation of nominations to schools/Invitation to attend formal awards ceremony
15 – 23 August 2026	Awards Ceremony during Science Week



REPORT: Draft Councillor and Staff Interaction Policy

DIVISION: Chief Executive Officer
REPORT DATE: 25 August 2025
TRIM REFERENCE: ID25/1707

EXECUTIVE SUMMARY

Purpose	• Provide Review or update • Adopt a policy	
Issue	• Current policy is due for review.	
Reasoning	• This policy ensures that Council has a resilient system to protect the integrity of decision making. • This policy was developed in conjunction with the councillor request system as a result of a Performance Improvement Order placed on council by the Office of Local Government in 2021. • The focus is to ensure that communications between Councillors and the General Manager are respectful and that the number of requests are reasonable. • To ensure the interactions between Councillors and staff enhances a positive relationship and is professional, ethical and respectful. • The current policy is due for review following the 2024 local government election.	
Financial Implications	Budget Area	There are no financial implications arising from this report.
Policy Implications	Policy Title	Councillor and Staff Interaction
	Impact on Policy	Minor administrative changes.

STRATEGIC DIRECTION

The Towards 2040 Community Strategic Plan is a vision for the development of the region out to the year 2040. The Plan includes four principal themes and a number of objectives and strategies. This report is aligned to:

Theme: 3 Working Together for the Region

CSP Objective: 3.1 Our Council is open, fair, and accountable in its decision-making.

Delivery Program Strategy: 3.1.5 Operate with transparency, accountability, and integrity in all governance and decision-making processes.

RECOMMENDATION

1. That the report of the Chief Executive Officer, dated 25 August 2025, be noted.
2. That the Council Policy Councillor and Staff Interaction, as attached at Appendix 1, be adopted.

MW
Chief Executive Officer

BACKGROUND

In 2021 in response to a Performance Improvement Order (PIO) Council established a Councillor Request System and updated its existing Councillor and Staff Interaction Policy, to align the two as they directly relate to each other which was adopted in September 2021.

Previous Resolutions of Council

27 October 2022 CCL22/257 CSC22/	1. <i>That the revised Draft Council Policy – Councillor and Staff Interaction be adopted.</i> 2. <i>That any changes issued by Office of Local Government that impact this policy will be amended immediately.</i>
27 September 2021 CCL21/213	1. <i>That the report of the Chief Executive Officer, dated 13 September 2021, be noted.</i> 2. <i>That the Council Policy Councillor and Staff interaction, as attached at Appendix 1, be adopted.</i> 3. <i>That the Office of Local Government be informed of Council's decision in accordance with Council's final compliance report submitted under the Performance Improvement Order.</i>

REPORT

The Office of Local Government has provided a Model Policy for the interaction of Councillors and staff to support the Code of Conduct requirements in local government. The template policies are designed to reflect best practice across the sector and whilst the template policies are not mandatory, Councils are strongly encouraged to follow these templates.

Councils' draft policy follows the Model Policy for Councillor and Staff Interaction, the policy is designed to foster safe, professional and effective working relationships between the elected body and Council staff, with a focus on fostering communications through the executive staff. The benefits of following this policy ensure that the elected body can obtain all the guidance and support they need to make well informed decisions and follows the definition of roles outlined in the legislation.

The Policy reinforces the hierarchy of the Chief Executive Officer is responsible for and instructs staff, while the elected body are responsible and instruct the Chief Executive Officer. The Policy protects both Councillors and staff from potential dysfunction and breaches of the Code of Conduct, which have been experienced at Dubbo Regional Council under previous leadership.

Following the implementation of the Councillor and Staff Interaction Policy there have been no further recommendations from the Office of Local Government with regard to this policy.

The draft Councillor and Staff Interaction Policy (**Appendix 1**) has had minor administrative changes made such as updating staff names, correcting spelling errors and moving the policy to the new controlled documents template.

Consultation

There are no legislative requirements to place the policy on public exhibition.

Planned Communications

- Once adopted the policy will be placed on Councils website.

Timeframe

Key Date	Explanation
23 September 2025	Draft Policy put to Council.
	Once adopted the policy will be placed on Council's website.

APPENDICES:

- 1 [↓](#) Draft - Councillor and Staff Interaction Policy - August 2025



Council Policy

Councillor and Staff
Interaction

ED25/147922

Document Overview

Document Category	Council Policy
Policy Title	Councillor and Staff Interaction
Policy Statement	The Councillor and Staff Interaction Policy will guide Councillors and Staff to have interactions that are positive, respectful and professional.
Date	August 2025
Resolution Date	
Clause Number	
Accountable Position	Chief Executive Officer and Manager Corporate Governance
Responsible Position	Manager Corporate Governance
Branch	Corporate Governance
Division	Organisational Performance
CM Reference Number	ED25/147922
Version	5.0
Review Period	Post election, or with change in legislation
Review Date	August 2028
Consultation	Not applicable
Document Revision History	Date
Adopted by Council	23 October 2017
Revised to include a new section "Dual Role of Councillors". Some formatting and terminology update.	August 2020
Adopted by Council	9 November 2020
Adopted by Council for Public Exhibition	26 July 2021
Adopted by Council	27 September 2021

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Councillor and Staff Interaction | Your Date Goes:

2



Updates made to staff names – not significant

24 November
2021

Revised and amended to take on ICAC Recommendations per Operation
Witney

13 October
2022

Updates made to staff names – not significant

25 September
2024

Updates to staff names and formatting – not significant

August 2025

DRAFT

ED25/147922

Councillor and Staff Interaction | Your Date Goes:

3

Purpose

The *Councillor and Staff Interaction Policy* (the Policy) provides a framework for Councillors when exercising their civic functions by specifically addressing their ability to interact with, and receive advice from, authorised staff.

The aim of the Policy is to facilitate a positive working relationship between Councillors, (as the community's elected representatives) and staff, who are employed to administer the operations of the Council. The Policy provides direction on interactions between Councillors and staff to assist both parties in carrying out their day-to-day duties professionally, ethically and respectfully.

It is important to have an effective working relationship that recognises the important, but differing, contribution both parties bring to their complementary roles.

Related Information

The Policy complements and should be read in conjunction with Dubbo Regional Council's *Code of Conduct* (the Code of Conduct) and the Councillor Requests Procedure.

Clause 3.1(b) of the Code of Conduct provides Council officials must not conduct themselves in a manner that is contrary to a Council's policies. A breach of this Policy will be a breach of the Code of Conduct.

Related Legislation

Local Government Act 1993.

Scope

The Policy applies to all Councillors and Council staff.

This Policy applies to all interactions between Councillors and staff, whether face-to-face, online (including social media and virtual meeting platforms), by phone, text message or in writing, and applies whenever interactions occur inside or outside of work hours, and at both Council and non-Council venues and events.

This Policy does not confer any delegated authority upon any person, all delegations to staff are made by the Chief Executive Officer.

Policy

Part 1 – Introduction

- 1.1 The *Councillor and Staff Interaction Policy* (the Policy) provides a framework for Councillors when exercising their civic functions by specifically addressing their ability to interact with, and receive advice from, authorised staff.
- 1.2 The Policy complements and should be read in conjunction with Dubbo Regional Council's *Code of Conduct* (the Code of Conduct).
- 1.3 The aim of the Policy is to facilitate a positive working relationship between Councillors, as the community's elected representatives, and staff, who are employed to administer the operations of the Council. The Policy provides direction on interactions between Councillors and staff to

ED25/147922

Councillor and Staff Interaction | Your Date Goes:

4

assist both parties in carrying out their day-to-day duties professionally, ethically and respectfully.

- 1.4 It is important to have an effective working relationship that recognises the important but differing contribution both parties bring to their complementary roles.

Part 2 - Application

- 2.1 This Policy applies to all Councillors and Council staff.
- 2.2 This Policy applies to all interactions between Councillors and staff, whether face-to-face, online (including social media and virtual meeting platforms), by phone, text message or in writing.
- 2.3 This Policy applies whenever interactions between Councillors and staff occur, including inside or outside of work hours, and at both Council and non-Council venues and events.
- 2.4 This Policy does not confer any delegated authority upon any person. All delegations to staff are made by the Chief Executive Officer.
- 2.5 Clause 3.1(b) of the Code of Conduct provides Council officials must not conduct themselves in a manner that is contrary to a Council's policies. A breach of this Policy will be a breach of the Code.

Part 3 – Policy Objectives

- 3.1 The objectives of the Policy are to:
- a) Establish positive, effective and professional working relationships between Councillors and staff defined by mutual respect and courtesy.
 - b) Enable Councillors and staff to work together appropriately and effectively to support each other in their respective roles.
 - c) Ensure that Councillors receive advice in an orderly, courteous and appropriate manner to assist them in the performance of their civic duties.
 - d) Ensure Councillors have adequate access to information to exercise their statutory roles.
 - e) Provide direction on, and guide Councillor interaction with, staff for both obtaining information and in general situations.
 - f) Maintain transparent decision making and good governance arrangements.
 - g) Ensure the reputation of Council is enhanced by Councillors and staff interacting consistently, professionally and positively in their day-to-day duties.
 - h) Provide a clear and consistent framework through which breaches of the Policy will be managed in accordance with the Code of Conduct.

Part 4 – Principles, Roles and Responsibilities

- 4.1. Several factors contribute to a good relationship between Councillors and staff. These include goodwill, understanding of roles, communication, protocols, and a good understanding of legislative requirements.
- 4.2. The Council's governing body and its administration (being staff within the Organisation) must have a clear and sophisticated understanding of their different roles, and the fact that these operate within a hierarchy. The administration is accountable to the Chief Executive Officer, who in turn, is accountable to the Council's governing body.
- 4.3. Section 232 of the *Local Government Act 1993* (the LGA) states that the role of a Councillor is as follows:
- a) To be an active and contributing member of the governing body.
 - b) To make considered and well-informed decisions as a member of the governing body.
 - c) To participate in the development of the integrated planning and reporting framework.

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- d) To represent the collective interests of residents, ratepayers and the local community.
 - e) To facilitate communication between the local community and the governing body.
 - f) To uphold and represent accurately the policies and decisions of the governing body.
 - g) To make all reasonable efforts to acquire and maintain the skills necessary to perform the role of a Councillor.
- 4.4. The administration's role is to advise the governing body, implement Council's decisions and to oversee service delivery.
- 4.5. It is beneficial if the administration recognises the complex political environments in which elected members operate and acknowledge that they work within a system that is based in democratic governance. Councillors similarly need to understand that it is a highly complex task to prepare information and provide quality advice on the very wide range of issues that Council operations cover.
- 4.6. Council commits to the following principles to guide interactions between Councillors and staff:

Principle	Achieved by
Equitable and consistent	Ensuring appropriate, consistent and equitable access to information for all Councillors within established service levels.
Considerate and respectful	Councillors and staff working supportively together in the interests of the whole community, based on mutual respect and consideration of their respective positions.
Ethical, open and transparent	Ensuring that interactions between Councillors and staff are ethical, open, transparent, honest and display the highest standards of professional conduct.
Fit for purpose	Ensuring that the provision of equipment and information to Councillors is done in a way that is suitable, practical and of an appropriate size, scale and cost for a client group of eleven people.
Accountable and measurable	Providing support to Councillors in the performance of their role in a way that can be measured, reviewed and improved based on qualitative and quantitative data.

- 4.7. Councillors are members of the Council's governing body, which is responsible for directing and controlling the affairs of the Council in accordance with the LGA. Councillors need to accept that:
- a) Responses to requests for information from Councillors may take time and consultation to prepare and be approved prior to responding.
 - b) Staff are not accountable to them individually.
 - c) They must not direct staff except by giving appropriate direction to the Chief Executive Officer by way of a Council or Committee resolution, or by the Mayor exercising their functions under section 226 of the LGA.
 - d) They must not, in any public or private forum, direct or influence, or attempt to direct or influence, a member of staff in the exercise of their functions.
 - e) They must not contact a member of staff on Council-related business unless in accordance with this Policy.
 - f) They must not use their position to attempt to receive favourable treatment for themselves or others.
- 4.8. The Chief Executive Officer is responsible for the efficient and effective day-to-day operation of the Council and for ensuring that the lawful decisions of the Council are implemented without undue delay. Council staff need to understand that:

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- a) They are not accountable to individual Councillors and do not take direction from them. They are accountable to the Chief Executive Officer, who in turn is accountable to the Council's governing body.
- b) They should not provide advice to Councillors unless it has been approved by the Chief Executive Officer.
- c) They must carry out reasonable and lawful directions given by any person having the authority to give such directions in an efficient and effective manner.
- d) They must ensure that participation in political activities outside the service of the Council does not interfere with the performance of their official duties.
- e) They must provide full and timely information to Councillors sufficient to enable them to exercise their civic functions in accordance with this Policy.

Part 5 – The Councillor Requests System

- 5.1 Councillors have a right to request information provided it is relevant to Councillor's exercise of their civic functions. This right does not extend to matters about which a Councillor is merely curious.
- 5.2 Councillors do not have a right to request information about matters that they are prevented from participating in decision-making on because of a conflict of interest, unless the information is otherwise publicly available.
- 5.3 The Chief Executive Officer may identify Council support staff (the Councillor Support Officer) under this Policy for the management of requests from Councillors.
- 5.4 Councillors can use the Councillor requests system to:
 - a) Request information or ask questions that relate to the strategic position, performance or operation of the Council.
 - b) Bring concerns that have been raised by members of the public to attention of staff.
 - c) Lodge a Notice of Motion, Question on Notice or Recission Motion.
 - d) Request ICT or other support from the Council administration.
- 5.5 Councillors must, to the best of their knowledge, be specific about what information they are requesting, and make their requests respectfully. Where a Councillor's request lack specificity, the Chief Executive Officer or staff member authorised to manage the matter is entitled to ask the Councillor to clarify their request and the reason(s) why they are seeking the information.
- 5.6 Staff must make every reasonable effort to assist Councillors with their requests and do so in a respectful manner.
- 5.7 The Chief Executive Officer or the staff member authorised to manage a Councillor request will provide a response within five working days. Where a response cannot be provided within that timeframe, the Councillor will be advised, and the information will be provided as soon as practicable.
- 5.8 Councillors are required to treat all information provided by staff appropriately and to observe any confidentiality requirements.
- 5.9 Staff will inform Councillors of any confidentiality requirements for information they provide so Councillors can handle the information appropriately.
- 5.10 Where a Councillor is unsure of confidentiality requirements, they should contact the Chief Executive Officer, or the staff member authorised to manage their request.
- 5.11 Staff will send the written response to the Councillor. To ensure fair and equal provision of information, responses should be copied to all Councillors.
- 5.12 The Chief Executive Officer may refuse access to information requested by a Councillor if:
 - a) The information is not necessary for the performance of the Councillor's civic functions; or
 - b) The Councillor has previously declared a conflict of interest in the matter and removed themselves from decision -making on it; or

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- c) The Chief Executive Officer is prevented by law from disclosing the information; or
 - d) If responding to the request would, in the Chief Executive Officer's opinion, result in an unreasonable diversion of staff time and resources.
- 5.13 Where the Chief Executive Officer refuses to provide information requested by a Councillor, they must act reasonably. The Chief Executive Officer must advise a Councillor in writing of their reasons for refusing access to the information requested.
- 5.14 Where a Councillor's request for information is refused by the Chief Executive Officer on the grounds referred to under paragraph c) of clause 5.12, the Councillor may instead request the information through a resolution of the Council by way of a notice of motion.
- 5.15 Council recognises as part of the Minister for Local Government's Performance Improvement Order (PIO) served on 29 June 2021, the Minister required Council to develop a Councillor request system to manage email requests from Councillors that incorporates rules about the use of the system with a focus on ensuring communications are respectful, the number of requests are reasonable and include provisions permitting the Chief Executive Officer to impose limitations where disrespectful or excessive use of the system occurs.
- 5.16 Where there are issues regarding respect, the volume, duplication and reasonableness of requests for information by individual Councillors, the Chief Executive Officer shall have responsibility for determining if the information can be supplied after assessing the impact the request will have on staff resources and other Council work. If the requests are deemed by the Chief Executive Officer to breach the requirements of the PIO, the principles of reasonableness or impact significantly on staff resources then the Chief Executive Officer may exercise the delegation granted 25 July 2021 to impose limitations on a Councillor where disrespectful or excessive use of the Councillor request system occurs.
- 5.17 Prior to the imposition of such limitation the Chief Executive Officer will advise the Councillor of the intention to impose the limitation and seek a response from the Councillor.
- 5.18 A report will be provided to Councillors quarterly regarding the performance and efficiency of the Councillor request system against established key performance indicators.
- 5.19 Types of requests are defined in the Councillor Requests Procedure (ED21/145057).

Part 6 – Access to Council Staff

- 6.1 Councillors may directly contact members of staff that are listed at Schedule 1 of this Policy. The Chief Executive Officer may amend this list at any time and will advise Councillors promptly of any changes.
- 6.2 Councillors can contact staff listed at Schedule 1 about matters that relate to that staff member's area of responsibility.
- 6.3 Councillors should, as far as practicable, only contact staff during normal business hours.
- 6.4 If Councillors would like to contact a member of staff not listed on Schedule 1, they must receive permission from the Chief Executive Officer.
- 6.5 If a Councillor is unsure which authorised staff member can help with their enquiry, they can contact the Chief Executive Officer or the Councillor Support Officer (as identified in Schedule 1) who will provide advice about which authorised staff member to contact.
- 6.6 In some instances, the Chief Executive Officer or a member of the Council's executive leadership team will direct a Council staff member to contact Councillors to provide specific information or clarification relating to a specific matter.
- 6.7 A Councillor or member of staff must not take advantage of their official position to improperly influence other Councillors or members of staff in the performance of their civic or professional duties for the purposes of securing a private benefit for themselves or for another person.

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Part 7 – Councillor Access to Council Buildings

- 7.1 Councillors are entitled to have access to the Council chamber, committee room, Mayor's office (subject to availability), Councillors' rooms, and public areas of Council's buildings during normal business hours for meetings. Councillors needing access to these facilities at other times must obtain approval from the Chief Executive Officer.
- 7.2 Councillors must not enter staff-only areas of Council buildings without the approval of the Chief Executive Officer.

Part 8 – Appropriate and Inappropriate Interactions

- 8.1. Examples of appropriate interactions between Councillors and staff include, but are not limited to, the following:
 - a) Councillors and Council staff are courteous and display a positive and professional attitude towards one another.
 - b) Council staff ensure that information necessary for Councillors to exercise their civic functions is made equally available to all Councillors, in accordance with this Policy and any other relevant Council policies.
 - c) Council staff record the advice they give to Councillors in the same way they would if it was provided to members of the public.
 - d) Council staff, including Council's executive team members, document Councillor requests via the Councillor requests system.
 - e) Council meetings and Councillor briefings are used to establish positive working relationships and help Councillors to gain an understanding of the complex issues related to their civic duties.
 - f) Councillor Workshops that are held regularly to allow Councillors to provide high-level strategic direction. Councillors are able to express their opinions at workshops as they work through the issue at hand. These workshops will be set in advance and agendas distributed to all Councillors in a timely manner. Attendance, Conflicts of Interest and Minutes will be taken at these workshops to manage any probity concerns.
 - g) When Councillors meet with Council staff and interested parties or proponents, especially in Development matters, a formal meeting structure will need to be adhered to, this will include a formal meeting space, minuting attendance, conflicts of interests and minute of the meeting occur.
 - h) If there is a need for staff and Councillors to make site visits for controversial zoning or developments all Councillors are to be invited.
 - i) Councillors and Council staff feel supported when seeking and providing clarification about Council related business.
 - j) Councillors forward requests through the Councillor requests system and staff respond in accordance with the timeframes stipulated in this Policy.
- 8.2. Examples of inappropriate interactions between Councillors and staff include, but are not limited to, the following:
 - a) Councillors and Council staff conducting themselves in a manner which:
 - i. Is contrary to their duties under the *Work Health and Safety Act 2011* and their responsibilities under any policies or procedures adopted by the Council to ensure workplace health and safety.
 - ii. Constitutes harassment and/or bullying within the meaning of clauses 3.7 and 3.9 of the Code of Conduct or is unlawfully discriminatory.
 - b) Councillors approaching staff and staff organisations to discuss individual or operational staff matters (other than matters relating to broader workforce policy such as, but not

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- limited to, organisational restructures or outsourcing decisions), grievances, workplace investigations and disciplinary matters.
- c) Staff approaching Councillors to discuss individual or operational staff matters (other than matters relating to broader workforce policy such as, but not limited to, organisational restructures or outsourcing decisions), grievances, workplace investigations and disciplinary matters.
 - d) Subject to paragraph b) of clause 5.12. staff refusing to give information that is available to other Councillors to a particular Councillor.
 - e) Councillors who have lodged an application with the Council, discussing the matter with staff in staff-only areas of the Council.
 - f) Councillors being overbearing or threatening to staff.
 - g) Staff being overbearing or threatening to Councillors.
 - h) Councillors making personal attacks on staff or engaging in conduct towards staff that would be contrary to the general conduct provisions in Part 3 of the Code of Conduct in public forums including social media.
 - i) Councillors directing or pressuring staff in the performance of their work, or recommendations they should make.
 - j) Staff providing ad hoc advice to Councillors without recording or documenting the interaction as they would if the advice was provided to a member of the community.
- 8.3 Where a Councillor engages in conduct that, in the opinion of the Chief Executive Officer, puts the health, safety or welfare of staff at risk, the Chief Executive Officer may restrict the Councillor's access to staff.
- 8.4 Any concerns relating to the conduct of staff under this Policy should be raised with the Chief Executive Officer.

Schedule 1 – Authorised Staff Contacts for Councillors

- 1. Clause 6.1 of this Policy provides that Councillors may directly contact members of staff that are listed below. The Chief Executive Officer may amend this list at any time.
- 2. Councillors can contact staff listed below about matters that relate to the staff member's area of responsibility.
- 3. Councillors should, as far as practicable, only contact staff during normal business hours.
 - a) An individual Councillor may only be able to send emails outside of normal business hours if they are in full or part-time employment. Staff responses and provision of information, unless during extraordinary circumstances, will be provided during normal business hours.
- 4. If Councillors would like to contact a member of staff not listed below, they must receive permission from the Chief Executive Officer.
- 5. If a Councillor is unsure which authorised staff member can help with their enquiry, they can contact the Chief Executive Officer or the Councillor Support Officer who will provide advice about which authorised staff member to contact.
- 6. In some instances, the Chief Executive Officer or a member of the Council's executive leadership team will direct a Council staff member to contact Councillors to provide specific information or clarification relating to a specific matter.

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Position	Name
Chief Executive Officer	Murray Wood
Director Strategy Partnerships and Engagement	Jessica Brown
Director Infrastructure	Luke Ryan
Director Community, Culture and Places	Craig Arms
Director Organisational Performance	Jane Bassingthwaite
Director Development and Environment	Steven Jennings
Manager Corporate Governance	Abbey Rouse
Governance Team Leader	Susan Wade
Administration Officer – Mayor (Councillor Support Officer)	Sonia Fernando
Administration Officer – CEO (Councillor Support Officer)	Lisa Grisinger

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Document Control

Responsible Officer:	Chief Executive Officer and Manager Corporate Governance
Division:	Organisational Performance
Prepared by:	Governance Officer
Version:	5
Revision:	4
Document Date:	XXXXXX 2025
Effective:	TBC (ELT approval)

Previous Cover



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REPORT: Draft Code of Conduct Policy and Procedures for the Administration of the Code of Conduct

DIVISION: Organisational Performance
REPORT DATE: 14 August 2025
TRIM REFERENCE: ID25/1634

EXECUTIVE SUMMARY

Purpose	• Adopt a policy • Provide review or update • Fulfil legislated requirement/ Compliance	
Issue	• Section 440(7) of the Local Government Act requires Council to review its adopted Code of Conduct within 12 months after each ordinary election.	
Reasoning	• The Code of Conduct Policy and Procedures for the Administration of the Model Code of Conduct for Local Councils in NSW are prescribed under the Local Government Act 1993 and the Local Government (General) Regulation 2021. • Council's Policy and Procedures are based on the Model Code provided by Office of Local Government (OLG).	
Financial Implications	Budget Area	Corporate Governance
	Funding Source	Governance legal expenses
	Proposed Cost	There are no financial implications arising from this report.
Policy Implications	Policy Title	Code of Conduct Policy and Procedures for the Administration of the Code of Conduct.
	Impact on Policy	Once adopted will become Council's policy.

STRATEGIC DIRECTION

The Towards 2040 Community Strategic Plan is a vision for the development of the region out to the year 2040. The Plan includes four principle themes and a number of objectives and strategies. This report is aligned to:

Theme: 3 Working Together for the Region
CSP Objective: 3.1 Our Council is open, fair, and accountable in its decision-making.
Delivery Program Strategy: 3.1.6 Provide cost-effective and timely services while meeting statutory requirements.

RECOMMENDATION

That the draft Code of Conduct Policy and the Procedures for the Administration of the Code of Conduct Policy, attached as Appendix 1 and 2, be adopted.

Jane Bassingthwaite
Director Organisational Performance

AR
Manager Corporate
Governance

BACKGROUND

The Model Code of Conduct sets the minimum standards of conduct for council officials and is designed to enhance public confidence in local government. Section 440(7) of the Local Government Act requires Council to review its adopted Code of Conduct within 12 months after each ordinary election.

It was expected that the OLG would have released the anticipated reforms to the Model Code of Conduct and the Procedures for the Administration of the Code of Conduct. While the reforms to the Code of Meeting Practice have been released, the reforms to the Code of Conduct and the Procedures will need to wait for statutory changes prior to being implemented.

Accordingly, this review has been conducted for administration reasons and to meet the 12-month window for review post-election. There will be a further review once the reforms are finalised.

Previous Resolutions of Council

7 December 2020 CCL20/217	<i>That the draft Code of Conduct and the Procedures for the Administration of the Code of Conduct attached to the report of the Internal Ombudsman dated 23 November 2020, as Appendix 1 and 2, be adopted.</i>
27 July 2023 CCL23/195	<i>That the draft Code of Conduct Policy and the Procedures for the Administration of the Code of Conduct Policy, attached as Appendix 1 and 2, be adopted.</i>

The last review and update to the Code of Conduct Policy and Procedures for the Administration of the Code of Conduct occurred in July 2023. It was then adopted by Council on 23 July 2023.

REPORT

The Office of Local Government NSW (OLG) provide councils in NSW a Model Code of Conduct and Procedures for the Administration of the Code of Conduct. Council has historically based its Code of Conduct Policy and Procedures for the Administration of the Code of Conduct on the OLG Model Code with one additional restriction in regards to the gifts and benefits provisions of the Model Code of Conduct; being that Dubbo Regional Council has retained its 'zero gift policy' stance, which is detailed in Part 6 of Council's Code of Conduct policy (while the Model Code makes small allowances for gifts and benefits).

Council's policy was last reviewed in 2023 and was due for review in August 2025, it has now been reviewed, and minor administrative changes have been proposed to bring it up to date.

The OLG Model Code has not been updated since 2020, and there have been no significant legislative updates in this regard either. Therefore, the changes made to the draft Code of Conduct Policy and Procedures for the Administration of the Code of Conduct are considered minor. The draft Code of Conduct Policy and Procedures for the Administration of the Code of Conduct are attached as **Appendix 1 and 2**.

Consultation

- There is no legislative requirement to place the Code of Conduct or the Procedures for the Administration of the Code of Conduct on public exhibition (there are for other policies).

Planned Communications

- Place the updated Policy and Procedures on Council's website.

Timeframe

Key Date	Explanation
23 September 2025	Draft Policy put to Council
	Once adopted – placed on Council's website

APPENDICES:

[1](#) DRAFT - Code of Conduct 2025

[2](#) DRAFT - Procedure of the Administration of the Dubbo Regional Council Code of Conduct 2025



Council Policy

Code of Conduct

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Document Overview

Document Category	Council Policy
Policy Title	Code of Conduct
Policy Statement	<i>The Code of Conduct sets the minimum standards of conduct for Council officials.</i>
Date	July 2025
Resolution Date	Xx xxxx 2025
Clause Number	Report clause number from InfoCouncil
Accountable Position	Manager Corporate Governance
Responsible Position	Manager Corporate Governance
Branch	Corporate Governance
Division	Organisational Performance
CM Reference Number	ED25/147417
Version	4.0
Review Period	Standard 3 years, or with change in legalisation
Review Date	Calculated date from the adopted date
Consultation	Not applicable
Document Revision History	Date
Adopted by Economic Development, Business and Corporate Committee	8 April 2019
Adopted by Council	7 December 2020
Revised and adopted by Council	27 July 2023
Revised to update format	August 2025

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Part 1 - Introduction

This Code of Conduct is based on the Model Code of Conduct published by the Office of Local Government.

The Model Code of Conduct for Local Councils is NSW ('the Model Code of Conduct') is made under section 440 of the *Local Government Act 1993* ('LGA') and the Local Government (General) Regulation 2005 ('the Regulation').

The Code of Conduct sets the minimum standard of conduct for Council officials. It is prescribed by regulation to assist Council officials to:

- understand and comply with the standards of conduct that are expected of them
- enable them to fulfill their statutory duty to act honestly and exercise a reasonable degree of care and diligence (section 439)
- act in a way that enhances public confidence in local government.

Section 440 of the LGA requires every Council (including county Councils) and joint organisations to adopt a code of conduct that incorporates the provisions of the Model Code of Conduct. A Council's or joint organisation's adopted code of conduct may also include provisions that supplement the Model Code of Conduct and extend its application to persons that are not "Council officials" for the purposes of the Model Code of Conduct (eg volunteers, contractors and members of wholly advisory committees).

A Council's or joint organisation's adopted code of conduct has no effect to the extent that it is inconsistent with the Model Code of Conduct. However, a Council's or joint organisation's adopted code of conduct may prescribe requirements that are more onerous than those prescribed in the Model Code of Conduct.

Councillors, Administrators, members of staff of Councils, delegates of Councils, (including members of Council committees that are delegates of a Council) and any other person a Council's adopted code of conduct applies to, must comply with the applicable provisions of their Council's code of conduct. It is the personal responsibility of Council officials to comply with the standards on the code and to regularly review their personal circumstances and conduct with this in mind.

Failure by a Councillor to comply with the standards of conduct prescribed under this code constitute misconduct for the purposes of the LGA. The LGA provides for a range of penalties that may be imposed on Councillors for misconduct, including suspension or disqualification from civic office. A Councillor who has been suspended on three or more occasions for misconduct is automatically disqualified from holding civic office for five years.

Failure by a member of staff to comply with a Council's code of conduct may give rise to disciplinary action.

Part 2 – Definitions

In this code the following terms have the following meanings:

Term	Definition
LGA	the <i>Local Government Act 1993</i>
Administrator	an Administrator of a Council appointed under the LGA other than an Administrator appointed under section 66
Committee	see the definition of "Council Committee"

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Complaint	a code of conduct complaint made for the purposes of clauses 4.1 and 4.2 of the Procedures
Council Committee	a committee established by a Council comprising of Councillors, staff or other persons that the Council has delegated functions to and the Council's Audit, Risk and Improvement Committee
Council Committee Member	a person other than a Councillor or member of staff of a Council who is a member of a Council committee other than a wholly advisory committee, and a person other than a Councillor who is a person other than a Councillor who is a member of the Council's Audit, Risk and Improvement Committee
Council official	includes Councillors, members of staff of a Council, Administrators, Council committee members, delegates of Council and, for the purpose of clause 4.16, Council advisers
Councillor	any person elected or appointed to civic office, including the Mayor
Conduct	Includes acts and omissions
Delegate of Council	a person (other than a Councillor or member of staff of a Council) or body, and the individual members of that body, to whom a function of the Council is delegated
Designated person	a person referred to in clause 4.8
Election campaign	includes Council, State and Federal election campaigns
Environmental planning instrument	has the same meaning as it has in the <i>Environmental Planning and Assessment Act 1979</i>
Local planning panel	a local planning panel constitutes under the <i>Environmental Planning and Assessment Act 1979</i> .
The Office	Office of Local Government
Personal information	information or an opinion (including information of an opinion forming part of a database and whether or not recorded in a material form) about an individual whose identity is apparent or can reasonably be ascertained from the information or opinion
The Procedures	the Procedures for the Administration of the Model Code of Conduct for Local Councils in NSW prescribed under the Regulation
The Regulation	the Local Government (General) Regulation 2005
Wholly advisory committee	a Council committee that the Council has not delegated any functions to

Part 3 – General Conduct Obligations

General Conduct

3.1 You must not conduct yourself in a manner that:

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- a) is likely to bring the Council or other Council officials into disrepute
 - b) is contrary to statutory requirements or the Council's administrative requirements or policies
 - c) is improper or unethical
 - d) is an abuse of power
 - e) causes, comprises or involves intimidation or verbal abuse
 - f) involves the misuse of your position to obtain a private benefit
 - g) constitutes harassment or bullying behaviour under this code, or is unlawfully discriminatory.
- 3.2 You must act lawfully and honestly, and exercise a reasonable degree of care and diligence in carrying out your functions under the LGA or any other Act. (section 439)

Fairness and equity

- 3.3 You must consider issues consistently, promptly and fairly. You must deal with matters in accordance with established procedures, in a non-discriminatory manner.
- 3.4 You must take all relevant facts known to you, or that you should be reasonably aware of, into consideration when making decisions.
- 3.5 An act or omission in good faith, whether or not it involves error, will not constitute a breach of clauses 3.3 or 3.4.

Harassment and discrimination

- 3.6 You must not harass or unlawfully discriminate against others, or support others who harass or unlawfully discriminate against others, on the grounds of age, disability, race (including colour, national or ethnic origin or immigrant status) sex, pregnancy, marital or relationship **status**, family responsibilities or breastfeeding, sexual orientation, gender identity, or intersex status or political, religious or other affiliation.
- 3.7 For the purposes of this code, "harassment" is any form of behaviour towards a person that:
- a) is not wanted by the person
 - b) offends, humiliates or intimidates the person, and
 - c) creates a hostile environment.

Bullying

- 3.8 You must not engage in bullying behaviour towards others.
- 3.9 For the purposes of this code, "bullying behaviour" is any behaviour which:
- a) a person or a group of people repeatedly behaves unreasonably towards another person or a group of persons, and
 - b) the behaviour creates a risk to health and safety.
- 3.10 Bullying behaviour may involve, but is not limited to, any of the following types of behaviour:
- a) aggressive, threatening or intimidating conduct
 - b) belittling or humiliating comments
 - c) spreading malicious rumours
 - d) teasing, practical jokes or 'initiation ceremonies'
 - e) exclusion from work-related events
 - f) unreasonable work expectations, including too much or too little work, or work below or beyond a worker's skill level
 - g) displaying offensive material
 - h) pressure to behave in an inappropriate manner

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3.11 Reasonable management action carried out in a reasonable manner does not constitute bullying behaviour for the purposes of this code. Examples of reasonable management action may include, but are not limited to:

- a) performance management processes
- b) disciplinary action for misconduct
- c) informing a worker about unsatisfactory work performance or inappropriate work behaviour
- d) directing a worker to perform duties in keeping with their job
- e) maintaining reasonable workplace goals and standards
- f) legitimately exercising a regulatory function
- g) legitimately implementing a Council policy or administrative processes.

Work health and safety

3.12 All Council officials, including Councillors, owe statutory duties under the *Work Health and Safety Act 2011* (WH&S Act). You must comply with your duties under the WH&S Act and your responsibilities under any policies or procedures adopted by the Council to ensure workplace health and safety. Specifically, you must:

- a) take reasonable care for your own health and safety
- b) take reasonable care that your acts or omissions do not adversely affect the health and safety of other persons
- c) comply, so far as you are reasonably able, with any reasonable instruction that is given to ensure compliance with the WH&S Act and any policies or procedures adopted by the Council to ensure workplace health and safety
- d) cooperate with any reasonable policy or procedure of the Council relating to workplace health or safety that has been notified to Council staff
- e) report accidents, incidents, near misses, to the Chief Executive Officer or such other staff member nominated by the Chief Executive Officer, and take part in any incident investigations
- f) so far as is reasonably practicable, consult, cooperate and coordinate with all others who have a duty under the WH&S Act in relation to the same matter.

Land use planning, development assessment and other regulatory functions

3.13 You must ensure that land use planning, development assessment and other regulatory decisions are properly made, and that all parties are dealt with fairly. You must avoid any occasion for suspicion of improper conduct in the exercise of land use planning, development assessment and other regulatory functions.

3.14 In exercising land use planning, development assessment and other regulatory functions, you must ensure that no action, statement or communication between yourself and others conveys any suggestion of willingness to improperly provide concessions or preferential or unduly unfavourable treatment.

Binding caucus votes

3.15 You must not participate in binding caucus votes in relation to matters to be considered at a Council or committee meeting.

3.16 For the purposes of clause 3.16, a binding caucus vote is a process whereby a group of Councillors are compelled by a threat of disciplinary or other adverse action to comply with a predetermined position on a matter before the Council or committee, irrespective of the personal views of individual members of the group in the merits of the matter before the Council or committee.

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- 3.17 Clause 3.16 does not prohibit Councillor from discussing a matter before the Council or committee prior to considering the matter in question at a Council or committee meeting, or from voluntarily holding a shared view with other Councillors in the merits of the matter.
- 3.18 Clause 3.16 does not apply to a decision to elect the Mayor or deputy Mayor, or to nominate a person to be a member of a Council committee or a representative of the Council on an external body.

Obligations in relation to meetings

- 3.19 You must comply with rulings by the Chair at Council and committee meetings or other proceedings of the Council unless a motion dissenting from the ruling is passed.
- 3.20 You must not engage in bullying behaviour (as defined under this Part) towards the chair, other Council officials or any members of the public present during Council or committee meetings or other proceedings of the Council (such as, but not limited to, workshops and briefing sessions).
- 3.21 You must not engage in conduct that disrupts Council or committee meetings or other proceedings of the Council (such as, but not limited to, workshops and briefing sessions), or that would otherwise be inconsistent with the orderly conduct of meetings.
- 3.22 If you are a Councillor, you must not engage in any acts of disorder or other conduct that is intended to prevent the proper or effective functioning of the Council, or of a committee of the Council. Without limiting this clause you must not:
 - a) leave a meeting of the Council or a committee for the purposes of depriving the meeting of a quorum, or
 - b) submit a rescission motion with respect to a decision for the purposes of voting against it to prevent another Councillor from submitting a rescission motion with respect to the same decision, or
 - c) deliberately seek to impede the consideration of business at a meeting.

Part 4 – Pecuniary Interests

What is a pecuniary interest?

- 4.1 A pecuniary interest is an interest that you have in a matter because of a reasonable likelihood or expectation of appreciable financial gain or loss to you or a person referred to in clause 4.3.
- 4.2 You will not have a pecuniary interest in a matter if the interest is so remote or insignificant that it could not reasonably be regarded as likely to influence any decision you might make in relation to the matter, or if the interest is of a kind specified in clause 4.6.
- 4.3 For the purposes of this Part, you will have a pecuniary interest in a matter if the pecuniary interest is:
 - a) your interest, or
 - b) the interest of your spouse or de facto partner, your relative, or your partner or employer, or
 - c) a company or other body of which you, or your nominee, partner or employer is a shareholder or member.
- 4.4 For the purposes of clause 4.3:
 - a) Your “relative” is any of the following:
 - i) your parent, grandparent, brother, sister, uncle, aunt, nephew, niece, lineal descendant or adopted child

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- ii) your spouse's or de facto partner's parent, grandparent, brother, sister, uncle, aunt, nephew, niece, lineal descendant or adopted child
- iii) the spouse or de facto partner of a person referred to in paragraphs i) and ii).
- b) "de facto partner" has the same meaning as defined in section 21C of the *Interpretation Act 1987*.

4.5 You will not have a pecuniary interest in relation to a person referred to in subclauses 4.3(b) or (c):

- a) if you are unaware of the relevant pecuniary interest of your spouse, de facto partner, relative, partner, employer or company or any other body, or
- b) just because the person is a member of, or is employed by, a Council or a statutory body, or is employed by the Crown, or
- c) just because the person is a member of, or a delegate of a Council to, a company or other body that has a pecuniary interest in the matter, so long as the person has no beneficial interest in any shares of the company or body.

What interests do not have to be disclosed?

4.6 You do not have to disclose the following interests for the purposes of this Part:

- a) your interest as an elector
- b) your interest as a ratepayer or person liable to pay a charge
- c) an interest you have in any matter relating to the terms on which the provision of a service or the supply of goods or commodities is offered to the public generally, or to a section of the public that includes persons who are not subject to this code
- d) an interest you have in any matter relating to the terms on which the provision of a service of the supply of goods or commodities is offered to your relative by the Council in the same manner and subject to the same conditions as apply to persons who are not subject to this code
- e) an interest you have as a member of a club or other organisation or association, unless the interest is as the holder of an office in the club or organisation (whether remunerated or not)
- f) if you are a Council committee member, an interest you have as a person chosen to represent the community or as a member of a non-profit organisation or other community or special interest group, if you have been appointed to represent the organisation or group on the Council committee
- g) an interest you have relating to a contract, proposed contract or other matter, if the interest arises only because of a beneficial interest in shares in a company that does not exceed 10 per cent of the voting rights in the company
- h) an interest you have arising from the proposed making by the Council of an agreement between the Council and a corporation, association or partnership being a corporation, association or partnership that has more than 25 members, if the interest arises because your relative is a shareholder (but not a director) of the corporation, or is a member (but not a member of the committee) of the association, or is a partner of the partnership
- i) an interest you have arising from the making by the Council of a contract or agreement with your relative for, or in relation to, any of the following, but only if the proposed contract or agreement is similar in terms and conditions to such contracts and agreements as have been made, or as are proposed to be made, by the Council in respect of similar matters with other residents in the area:
 - i) the performance by the Council at the expense of your relative of any work or service in connection with roads or sanitation
 - ii) security for damage of footpaths or roads
 - iii) any other service to be rendered, or act to be done, by the Council by or under any Act conferring functions on the Council, or by or under any contract
- j) an interest relating to the payment of fees to Councillors (including the Mayor and deputy Mayor)

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- k) an interest relating to the payment of expenses and the provision of facilities to Councillors (including the Mayor and deputy Mayor) in accordance with a policy under section 252 of the LGA
- l) an interest relating to an election to the office of Mayor arising from the fact that a fee for the following 12 months has been determined for the office of Mayor
- m) an interest of a person arising from the passing for payment of a regular account for the wages or salary of an employee who is a relative of the person
- n) an interest arising from being covered by, or a proposal to be covered by, indemnity insurance as a Councillor or a Council committee member
- o) an interest arising from the appointment of a Councillor to a body as a representative or delegate of the Council, whether or not a fee or other recompense is payable to the representative or delegate.

- 4.7 For the purposes of clause 4.6. "relative" has the same meaning as in clause 4.4, but includes your spouse or de facto partner.

What disclosures must be made by a designated person?

- 4.8 Designated persons include:

- a) the Chief Executive Officer
- b) other senior staff of the Council for the purposes of section 332 of the LGA
- c) a person (other than a member of the senior staff of the Council) who is a member of staff of the Council or a delegate of the Council and who holds a position identified by the Council as the position of a designated person because it involve the exercise of functions (such as regulatory functions or contractual functions) that, in their exercise, could give rise to a conflict between the person's duty as a member of staff or delegate and the person's private interest
- d) a person (other than a member of the senior staff of the Council) who is a member of a committee of the Council identified by the Council as a committee whose members are designated persons because the functions of the committee involve the exercise of the Council's functions (such as regulatory functions or contractual functions) that, in their exercise, could give rise to a conflict between the member's duty as a member of the committee and the member's private interest.

- 4.9 A designated person:

- a) must prepare and submit written returns of interest in accordance with clauses 4.21, and
- b) must disclose pecuniary interests in accordance with clause 4.10.

- 4.10 A designated person must disclose in writing to the Chief Executive Officer (or if the person is the Chief Executive Officer, to the Council) the nature of any pecuniary interest the person has in any Council matter with which the person is dealing as soon as practicable after becoming aware of the interest.

- 4.11 Clause 4.10 does not require a designated person who is a member of staff of the Council to disclose a pecuniary interest if the interest related only to the person's salary as a member of staff, or to their other conditions of employment.

- 4.12 The Chief Executive Officer must, on receiving a disclosure from a designated person, deal with the matter to which the disclosure relates or refer it to another person to deal with.

- 4.13 A disclosure by the Chief Executive Officer must, as soon as practicable after the disclosure is made, be laid on the table at a meeting of the Council and the Council must deal with the matter to which the disclosure relates or relate it to another person to deal with.

What disclosures must be made by Council staff other than designated persons?

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- 4.14 A member of staff of Council, other than a designated person, must disclose in writing to their manager or the Chief Executive Officer the nature of any pecuniary interest they have in a matter they are dealing with as soon as practicable after becoming aware of the interest.
- 4.15 The staff member's manager or the Chief Executive Officer must, on receiving a disclosure under clause 4.14, deal with the matter to which the disclosure relates to or refer it to another person to deal with.

What disclosures must be made by Council advisers?

- 4.16 A person who, at the request or with the consent of the Council or a Council committee, gives advice on any matter at any meeting of the Council or committee, must disclose the nature of any pecuniary interest the person has in the matter to the meeting at the time the advice is given. The person is not required to disclose the person's interest as an advisor.
- 4.17 A person does not breach clause 4.16 if the person did not know, and could not reasonably be expected to have known, that the matter under consideration at the meeting was a matter in which they had a pecuniary interest.

What disclosures must be made by a Council committee member?

- 4.18 A Council committee member must disclose pecuniary interests in accordance with clause 4.28 and comply with clause 4.29.
- 4.19 For the purpose of clause 4.18, a "Council committee member" includes a member of staff of Council who is a member of the committee.

What disclosures must be made by a Councillor?

- 4.20 A Councillor:
- a) must prepare and submit written returns of interests in accordance with clause 4.21, and
 - b) must disclose pecuniary interests in accordance with clause 4.28 and comply with clause 4.29 where it is applicable.

Disclosure of interests in written returns

- 4.21 A Councillor or designated person must make and lodge with the Chief Executive Officer a return in the form set out in schedule 2 to this code, disclosing the Councillor's or designated person's interests as specified in schedule 1 to this code within 3 months after:
- a) becoming a Councillor or designated person, and
 - b) 30 June of each year, and
 - c) the Councillor or designated person becoming unaware of an interest they are required to disclose under schedule 1 that has not been previously disclosed in a return lodged under paragraphs (a) or (b).
- 4.22 A person need not make and lodge a return under clause 4.21, paragraphs (a) and (b) if:
- a) they made and lodged a return under that clause in the preceding 3 months, or
 - b) they have ceased to be a Councillor or designated person in the preceding 3 months.
- 4.23 A person must not make and lodge a return that the person knows or ought reasonably to know is false or misleading in a material particular.
- 4.24 The Chief Executive Officer must keep a register of returns required to be made and lodged with the Chief Executive Officer.
- 4.25 Returns required to be lodged with the Chief Executive Officer under clause 4.21 (a) and (b) must be tabled at the first meeting of the Council after the last day the return is required to be lodged.

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- 4.26 Returns required to be lodged with the Chief Executive Officer under clause 4.21 (c) must be tabled at the next Council meeting after the return was lodged.
- 4.27 Information contained in returns made and lodged under clause 4.21 is to be made publicly available in accordance with the requirements of the *Government Information (Public Access) Act 2009*, the *Government Information (Public Access) Regulation 2009* and any guidelines issued by the Information Commissioner.

Disclosure of pecuniary interests at meetings

- 4.28 A Councillor or a Council committee member who has a pecuniary interest in any matter with which the Council is concerned, and who is present at a meeting of the Council or committee at which the matter is being considered, must disclose the nature of the interest to the meeting as soon as practicable.
- 4.29 The Councillor or Council committee member must not be present at, or in sight of, the meeting of the Council or committee:
- a) at any time during which the matter is being considered or discussed by the Council or committee, or
 - b) at any time during which the Council or committee is voting on any question in relation to the matter.
- 4.30 A disclosure made at a meeting of a Council or Council committee must be recorded in the minutes of the meeting.
- 4.31 A general notice may be given to the Chief Executive Officer in writing by a Councillor or a Council committee member to the effect that the Councillor or Council committee member, or the Councillor's or Council committee member's spouse, de facto partner or relative is:
- a) a member of, or in the employment of, a specified company or other body, or
 - b) a partner of, or in the employment of, a specified person.
- Such a notice is, unless and until the notice is withdrawn or until the end of the term of the Council in which it is given (whichever is sooner), sufficient disclosure of the Councillor's or Council committee member's interest in a matter relating to the specified company, body or person that may be subject of consideration by the Council or Council committee after the date of the notice.
- Notwithstanding this notice, a Councillor or committee member must still declare this interest during the relevant section of the respective meeting detailing the reason for their interest.
- 4.32 A Councillor or a Council committee member is not prevented from being present at and taking part in a meeting at which a matter is being considered, or from voting on the matter, merely because the Councillor or Council committee member has an interest in the matter of a kind referred to in clause 4.6.
- 4.33 A person does not breach clauses 4.28 or 4.29 if the person did not know, and could not reasonably be expected to have known, that the matter under consideration at the meeting was a matter in which they had a pecuniary interest.
- 4.34 Despite clause 4.29, a Councillor who has a pecuniary interest in a matter may participate in a decision to delegate consideration of the matter in question to another body or person.
- 4.35 Clause 4.29 does not apply to a Councillor who has a pecuniary interest in a matter that is being considered at a meeting if:
- a) the matter is a proposal relating to:

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- i) the making of a principal environmental planning instrument applying to the whole or a significant portion of the Council's area,
 - or
 - ii) the amendment, alteration or repeal of an environmental planning instrument where the amendment, alteration or repeal applies to the whole or a significant portion of the Council's area, and
 - b) the pecuniary interest arises only because of an interest of the Councillor in the Councillor's principal place of residence or an interest of another person (whose interests are relevant under clause 4.3) in that person's principal place of residence, and
 - c) the Councillor made a special disclosure under clause 4.37 in relation to the interest before the commencement of the meeting.
- 4.36 A special disclosure of a pecuniary interest made for the purposes of clause 4.36 (c) must:
- a) be in the form set out in schedule 3 of this code and contain the information required by that form, and
 - b) be laid on the table at a meeting of the Council as soon as practicable after the disclosure is made, and the information contained in the special disclosure is to be recorded in the minutes of the meeting.
- 4.37 The Minister for Local Government may, conditionally or unconditionally, allow a Councillor or a Council committee member who has a pecuniary interest in a matter with which the Council is concerned to be present at a meeting of the Council or committee, to take part in the consideration or discussion of the matter and to vote on the matter if the Minister is of the opinion:
- a) that the number of Councillors prevented from voting would be so great a proportion of the whole as to impede the transaction of business, or
 - b) that it is in the interests of the electors for the area to do so.
- 4.38 A Councillor or a Council committee member with a pecuniary interest in a matter who is permitted to be present at a meeting of the Council or committee, to take part in the consideration or discussion of the matter and to vote on the matter under clause 4.38, must still disclose the interest they have in the matter in accordance with clause 4.28.

Part 5 – Non-Pecuniary conflicts of interest

What is a non-pecuniary conflict of interest?

- 5.1 Non-pecuniary interests are private or personal interests a Council official has that do not amount to a pecuniary interest as defined in clause 4.1 of this code. These commonly arise out of family or personal relationships, or out of involvement in sporting, social, religious or other cultural groups and associations, and may include an interest of a financial nature.
- 5.2 A non-pecuniary conflict of interest exists where a reasonable and informed person would perceive that you could be influenced by a private interest when carrying out your official functions in relation to a matter.
- 5.3 The personal or political views of a Council official do not constitute a private interest for the purposes of clause 5.2.
- 5.4 Non-pecuniary conflicts of interest must be identified and appropriately managed to uphold community confidence in the probity of Council decision-making. The onus is on you to identify any non-pecuniary conflict of interest you may have in matters that you deal with, to disclose the

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interest fully and in writing, and to take appropriate action to manage the conflict in accordance with this code.

- 5.5 When considering whether or not you have a non-pecuniary conflict of interest in a matter you are dealing with, it is always important to think about how others would view your situation.

Managing non-pecuniary conflicts of interest

- 5.6 When you have a non-pecuniary conflict of interest in a matter for the purposes of clause 5.2, you must disclose the relevant private interest you have in relation to the matter fully and in writing as soon as practicable after becoming aware of the non-pecuniary conflict of interest and in each occasion on which the non-pecuniary conflict of interest arises in relation to the matter. In the case of Council staff other than the Chief Executive Officer, such a disclosure is to be made to the staff member's manager. In the case of the Chief Executive Officer, such a disclosure is to be made to the Mayor.
- 5.7 If a disclosure is made at a Council or committee meeting, both the disclosure and the nature of the interest must be recorded in the minutes on each occasion on which the non-pecuniary conflict of interest arises. This disclosure constitutes disclosure in writing for the purposes of clause 5.6.
- 5.8 How you manage a non-pecuniary conflict of interest will depend on whether or not it is significant.
- 5.9 As a general rule, a non-pecuniary conflict of interest will be significant where it does not involve a pecuniary interest for the purposes of clause 4.1, but it involves:
- a) a relationship between a Council official and another person who is affected by a decision or a matter under consideration that is particularly close, such as a current or former spouse or de facto partner, a relative for the purposes of clause 4.4 or another person from the Council official's extended family that the Council official has a close personal relationship with, or another person living in the same household
 - b) other relationships with persons who are affected by a decision or a matter under consideration that are particularly close, such as friendships and business relationship, the frequency of contact and the duration of the friendship or relationship.
 - c) an affiliation between the Council official and an organisation (such as a sporting body, club, religious, cultural or charitable organisation, corporation or association) that is affected by a decision or a matter under consideration that is particularly strong. The strength of a Council official's affiliation with an organisation is to be determined by the extent to which they actively participate in the management, administration or other activities of the organisation.
 - d) membership, as the Council's representative, of the board or management committee of an organisation that is affected by a decision or a matter under consideration, in circumstances where the interests of the Council and the organisation are potentially in conflict in relation to the particular matter
 - e) a financial interest (other than an interest of a type referred to in clause 4.6) that is not a pecuniary interest for the purposes of clause 4.1
 - f) the conferral or loss of a personal benefit other than one conferred or lost as a member of the community or broader class of people affected by a decision.
- 5.10 Significant non-pecuniary conflicts of interest must be managed in one of two ways:
- a) by not participating in consideration of, or decision making in relation to, the matter in which you have the significant non-pecuniary conflict of interest and the matter being allocated to another person for consideration or determination, or

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b) if the significant non-pecuniary conflict of interest arises in relation to a matter under consideration at a Council or committee meeting, by managing the conflict of interest as if you had a pecuniary in the matter by complying with clauses 4.28 and 4.29.

- 5.11 If you determine that you have a non-pecuniary conflict of interest in a matter that is not significant and does not require further action, when disclosing the interest you must also explain in writing why you consider that the non-pecuniary conflict of interest is not significant and does not require further action in the circumstances.
- 5.12 If you are a member of staff of Council other than the Chief Executive Officer, the decision on which option should be taken to manage a non-pecuniary conflict of interest must be made in consultation with and at the direction of your manager. In the case of the Chief Executive Officer, the decision on which option should be taken to manage a non-pecuniary conflict of interest must be made in consultation with and at the direction of the Mayor.
- 5.13 Despite clause 5.10 (b), a Councillor who has a significant non-pecuniary conflict of interest in accordance with the requirements of this Part where it arises from an interest they have as a person chosen to represent the community, or as a member of a non-profit organisation or other community or special interest group, if they have been appointed to represent the organisation or group on the Council committee.

Political donations

- 5.15 Councillor should be aware that matters before Council or committee meetings involving their political donors may also give rise to a non-pecuniary conflict of interest.
- 5.16 Where you are a Councillor and have received or knowingly benefitted from a reportable political donation:
- a) made by a major political donor in the previous four years, and
 - b) the major political donor has a matter before Council,
- you must declare a non-pecuniary conflict of interest in the matter, disclose the nature of the interest, and manage the conflict interest as if you had a pecuniary interest in the matter by complying with clauses 4.28 and 4.29. A disclosure made under this clause must be recorded in the minutes of the meeting.
- 5.17 For the purposes of this Part:
- a) a "reportable political donation" has the same meaning as it has in section 6 of the *Electoral Funding Act 2018*
 - b) "major political donor" has the same meaning as it has in the *Electoral Funding Act 2018*.
- 5.18 Councillors should note that political donations are not a "reportable political donation", or political donations to a registered political party or group by which a Councillor is endorsed, may still give rise to a non-pecuniary interest. Councillors should determine whether or not such conflicts are significant for the purposes of clause 5.9 and take the appropriate action to manage them.
- 5.19 Despite clause 5.16, a Councillor who has received or knowingly benefitted from a reportable political donation of the kind referred to in that clause, may participate in a decision to delegate consideration of the matter in question to another body or person.

Loss of quorum as a result of compliance with this Part

- 5.20 A Councillor who would otherwise be precluded from participating in the consideration of a matter under this Part because they have a non-pecuniary conflict of interest in the matter is permitted to participate in consideration of the matter if:

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- a) the matter is a proposal relating to:
 - i) the making of a principal environmental planning instrument applying to the whole or a significant portion of the Council's area,
 - or
 - ii) the amendment, alteration or repeal of an environmental planning instrument where the amendment, alteration or repeal applies to the whole or a significant portion of the Council's area, and
- b) the non-pecuniary conflict of interest arises only because of an interest that a person has in that person's principal place or residence, and
- c) the Councillor discloses the interest they have in the matter that would otherwise have precluded their participation in consideration of the matter under this Part in accordance with clause 5.6.

5.21 The Minister for Local Government may, conditionally or unconditionally, allow a Councillor or a Council committee member who is precluded under this Part from participating in the consideration of a matter to be present at a meeting of the Council or committee, to take part in the consideration or discussion of the matter and to vote on the matter if the Minister is of the opinion:

- a) that the number of Councillors prevented from voting would be so great a proportion of the whole as to impede the transaction of business, or
- b) that it is in the interests of the electors for the area to do so.

5.22 Where the Minister exempted a Councillor or committee member from complying with a requirement under this Part under clause 5.21, the Councillor or committee member must still disclose any interests they have in the matter the exemption applies to, in accordance with clause 5.6.

Other business or employment

5.23 The Chief Executive Officer must not engage, for remuneration, in private employment, contract work or other business outside the service of the Council without the approval of the Council.

5.24 A member of staff must not engage, for remuneration, in private employment, contract work or other business outside the service of the Council that relates to the business of the Council or that might conflict with the staff member's Council duties unless they have notified the Chief Executive Officer in writing of the employment, work or business and the Chief Executive Officer has given their written approval for the staff member to engage in the employment, work or business.

5.25 The Chief Executive Officer may at any time prohibit a member of staff from engaging, for remuneration, in private employment, contract work or other business outside the service of the Council that relates to the business of the Council, or that might conflict with the staff member's Council duties.

5.26 A member of staff must not engage, for remuneration, in private employment, contract work or other business outside the service of the Council if prohibited from doing so.

5.27 Members of staff must ensure that any outside employment, work or business they engage in will not:

- a) conflict with their official duties
- b) involve using confidential information or Council resources obtained through their work with the Council including where private use is permitted
- c) require them to work while on Council duty
- d) discredit or disadvantage the Council

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e) pose, due to fatigue, a risk to their health or safety, or to the health and safety of their co-workers.

Personal dealings with Council

- 5.28 You may have reason to deal with your Council in your personal capacity (for example, as a ratepayer, recipient of a Council service or applicant for a development consent granted by Council). You must not expect or request preferential treatment in relation to any matter in which you have a private interest because of your position. You must avoid any action that could lead members of the public to believe that you are seeking preferential treatment.
- 5.29 You must undertake any personal dealings you have with the Council in a manner that is consistent with the way other members of the community deal with Council. You must also ensure that you disclose and appropriately manage any conflict of interest you may have in any matter in accordance with the requirements of this code.

Part 6 – Personal Benefit

- 6.1 For the purposes of this Part a gift or benefit is something offered to or received by a Council official, or someone personally associated with them for their personal use and enjoyment.
- 6.2 A reference to a gift or benefit in this Part does not include:
- a) a political donation for the purposes of the *Electoral Funding Act 2018*
 - b) a gift provided to the Council as part of a cultural exchange or sister-city relationship that is not converted for the personal use or enjoyment of any individual Council official or someone personally associated with them,
 - c) attendance by a Council official at a work-related event or function for the purposes of performing their official duties, or
 - d) free or subsidised meals, beverages or refreshments of token value provided to Council officials in conjunction with the performance of their official duties such as, but not limited to:
 - i) the discussion of official business
 - ii) work-related events such as Council-sponsored or community events, training, education session or workshops
 - iii) conferences
 - iv) Council functions or events
 - v) social functions organised by groups, such as Council committees and community organisations.

Gifts and benefits

- 6.3 You must avoid situations that would give rise to the appearance that a person or body is attempting to secure favourable treatment from you or from the Council, through the provision of gifts, benefits or hospitality of any kind to you or someone personally associated with you.
- 6.4 A gift or benefit is deemed to have been accepted by you for the purposes of this Part, where it is received by you or someone personally associated with you.

How are gifts and benefits dealt with?

- 6.5 You must not:
- a) seek or accept a bribe or other improper inducement
 - b) seek gifts or benefits of any kind
 - c) accept any gift or benefit that may create a sense of obligation on your part, or may be perceived to be intended or likely to influence you in carrying out your public duty

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- d) subject to clause 6.7, accept any gift or benefit of more than token value as defined by clause 6.9
 - e) accept an offer of cash or a cash-like gift as defined by clause 6.13, regardless of the amount
 - f) participate in competitions for prizes where your attendance at an event (including conferences, workshops, meetings) is in the capacity of representing Council
 - g) accept any gift, benefit or prizes where your attendance at an event (including conferences, workshops, meetings) is in the capacity of representing Council
 - h) personally benefit from reward points programs when purchasing on behalf of the Council.
- 6.6 Where you receive, or are offered a gift or benefit of any value other than one referred to in clause 6.2, you must disclose this promptly to your manager or the Chief Executive Officer in writing. The recipient, manager, or Chief Executive Officer must ensure that, at a minimum, the following details are recorded in the Council's gift register:
- a) the nature of the gift or benefit
 - b) the estimated monetary value of the gift or benefit
 - c) the name of the person who provided the gift or benefit, and
 - d) the date on which the gift or benefit was received.
- 6.7 Where you receive a gift or benefit that cannot be reasonably refused or returned, the gift or benefit must be surrendered to the Council, unless the nature of the gift or benefit makes this impractical.

Gifts and benefits of token value

- 6.8 Dubbo Regional Council has adopted a policy that does not allow for the acceptance of any gift or benefit, unless rare and extenuating circumstances present or refusal may offend. On such an occasion, gifts that do not exceed \$50 in value are to be immediately surrendered in accordance with clause 6.7 unless approved by the Chief Executive Officer

Gifts and benefits of more than token value

Gifts or benefits that exceed \$50 in value are gifts or benefits of more than token value for the purposes of clause 6.5 (d) and, subject to clause 6.7, must not be accepted.

- 6.9 Gifts and benefits of more than token value include, but are not limited to, tickets to major sporting events (such as an international matches or matches in national sporting codes) with a ticket value that exceeds \$50, corporate hospitality at a corporate facility at major sporting events, free or discounted products or services for personal use provided on terms that are not available to the general public or a broad class of persons, the use of holiday homes, artworks, free or discounted travel.
- 6.10 Where you have accepted a gift or benefit of token value from a person or organisation subject to clause 6.8, you must not accept a further gift or benefit from the same person or organisation or another person associated with that person or organisation within a single 12-month period where the value of the gift, added to the value of earlier gifts received from the same person or organisation, or a person associated with that person or organisation, during the same 12-month period would exceed \$50 in value.
- 6.11 For the purposes of this Part, the value of a gift or benefit is the monetary value of the gift or benefit inclusive of GST.

"Cash-like gifts"

- 6.12 For the purposes of clause 6.5 (e), "cash-like gifts" include but are not limited to, gift vouchers, credit cards, debit card with credit on them, prepayments such as phone or internet credit,

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lottery tickets, memberships or entitlements to discounts that are not available to the general public or a broad class of persons.

Improper and undue influence

- 6.13 You must not use your position to influence other Council officials in the performance of their official functions to obtain a private benefit for yourself or for somebody else. A Councillor will not be in breach of this clause where they seek to influence other Council officials through the proper exercise of their role as prescribed under the LGA.
- 6.14 You must not take advantage (or seek to take advantage) of your status or position within Council, or of functions you perform for Council, in order to obtain a private benefit for yourself or for any other person or body.

Part 7 – Relationships Between Council Officials

Obligations of Councillors and Administrators

Each Council is a body politic. The Councillors or Administrator/s are the governing body of the Council. Under section 223 of the LGA, the roles of the governing body of the Council includes the development and endorsement of the strategic plans, programs, strategies and policies of the Council, including those relating to workforce policy, and to keep the performance of the Council under review.

- 7.1 Councillors and Administrators must not:
 - a) direct Council staff other than by giving appropriate direction to the Chief Executive Officer by way of Council or Committee resolution, or by the Mayor or Administrator exercising their functions under section 226 of the LGA
 - b) in any public or private forum, direct or influence, or attempt to direct or influence, any other member of staff of the Council or a delegate of the Council in the exercise of the functions of the staff member or delegate
 - c) contact a member of the staff of the Council on Council-related business unless in accordance with the policy and procedures governing the interaction of Councillors and Council staff that have been authorised by the Council and the Chief Executive Officer.
 - d) contact or issue instructions to any of the Council's contractors, including the Council's legal advisers, unless by the Mayor or Administrator exercising their functions under section 226 of the LGA.
- 7.2 Despite clause 7.2, Councillors may contact the Council's external auditor or the chair of the Council's Audit, Risk and Improvement Committee to provide information reasonable necessary for the external auditor or the Audit, Risk and Improvement Committee to effectively perform their functions.

Obligations of staff

- 7.3 Under section 335 of the LGA, the role of the Chief Executive Officer includes conducting the day-to-day management of the Council in accordance with the strategic plans, programs, strategies and policies of the Council, implementing without undue delay, lawful decisions of the Council and ensuring that the Mayor and other Councillors are given timely information and advice and the administrative and professional support necessary to effectively discharge their official functions.
- 7.4 Members of staff of Council must:
 - a) give their attention to the business of the Council while on duty

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- b) ensure that their work is carried out ethically, efficiently, economically and effectively
- c) carry out reasonable and lawful directions given by any person having authority to give such directions
- d) give effect to the lawful decisions, policies and procedures of the Council, whether or not the staff member agrees with or approves of them
- e) ensure that any participation in political activities outside the service of the Council does not interfere with the performance of their official duties.

Inappropriate interactions

7.5 You must not engage in any of the following inappropriate interactions:

- a) Councillors and Administrators approaching staff and staff organisations to discuss individual or operational staff matters (other than matters relating to broader workforce policy), grievances, workplace investigations and disciplinary matters
- b) Council staff approaching Councillors and Administrators to discuss individual or operational staff matters (other than matters relating to broader workforce policy), grievances, workplace investigations and disciplinary matters
- c) subject to clause 8.6, Council staff refusing to give information that is available to other Councillors to a particular Councillor
- d) Councillors and Administrators who have lodged an application with the Council, discussing the matter with Council staff in staff-only areas of the Council
- e) Councillors and Administrators approaching members of local planning panels or discussing any application that is either before the panel or that will come before the panel at some future time, except during a panel meeting where the application forms part of the agenda and the Councillor or Administrator has a right to be heard by the panel at the meeting
- f) Councillors and Administrators being overbearing or threatening to Council staff
- g) Council staff being overbearing or threatening to Councillors or Administrators
- h) Councillors or Administrators making personal statements or attacks on Council staff or engaging in conduct towards staff that would be contrary to the general conduct provisions in Part 3 of this code in public forums, including social media
- i) Council staff making personal statements or attacks on Councillors or Administrators or engaging in conduct towards Councillors or Administrators that would be contrary to the general conduct provisions in Part 3 of this code in public forums, including social media
- j) Councillors and Administrators directing or pressuring Council staff in the performance of their work, or recommendations they should make
- k) Council staff providing ad hoc advice to Councillors and Administrators without recording or documenting the interaction as they would if the advice was provided to a member of the community.
- l) Council staff meeting with applicants or objectors alone AND outside office hours to discuss planning application and proposals
- m) Councillors attending on-site inspection meetings with lawyers and/or consultants engaged by the Council associated with current or proposed legal proceedings unless permitted to do so by the Council's Chief Executive Officer or, in the case of the Mayor or Administrator, unless they are exercising their functions under section 226 of the LGA.

Part 8 – Access to Information and Council Resources

Councillor and Administrator access to information

- 8.1 The Chief Executive Officer is responsible for ensuring that Councillors and Administrators can access information necessary for the performance of their official functions. The Chief Executive Officer and public officer are also responsible for ensuring that members of the public can

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access publicly available Council information under the *Government Information (Public Access) Act 2009* (the GIPA Act).

- 8.2 The Chief Executive Officer must provide Councillors and Administrators with the information necessary to effectively discharge their official functions.'
- 8.3 Members of staff of Council must provide full and timely information to Councillors and Administrators sufficient to enable them to exercise their official functions and in accordance with Council procedures.
- 8.4 Members of staff of Council who provide any information to a particular Councillor in the performance of their official functions must also make it available to any other Councillor who requests it and in accordance with Council procedures.
- 8.5 Councillors and Administrators who have a private interest only in Council information have the same rights of access as any member of the public.
- 8.6 Despite clause 8.4, Councillors and Administrators who are precluded from participating in the consideration of a matter under this code because they have a conflict of interest in the matter, are not entitled to request access to Council information in relation to the matter unless the information is otherwise available to members of the public, or the Council has determined to make the information available under the GIPA Act.

Councillors and Administrators to properly examine and consider information

- 8.7 Councillors and Administrators must ensure that they comply with their duty under section 439 of the LGA to act honestly and exercise a reasonable degree of care and diligence by properly examining and considering all the information provided to them relating to matters that they are required to make a decision on.

Refusal of access to information

- 8.8 Where the Chief Executive Officer or public officer determines, to refuse access to information requested by a Councillor or Administrator, they must act reasonably. In reaching this decision they must take into account whether or not the information requested is necessary for the Councillor or Administrator to perform their official functions (see clause 8.2) and whether they have disclosed a conflict of interest in the matter the information relates to that would preclude their participation in consideration of the matter (see clause 8.6). The Chief Executive Officer or public officer must state the reasons for the decision if access is refused.

Use of certain Council information

- 8.9 In regards to information obtained in your capacity as a Council official, you must:
 - a) subject to clause 8.14, only access Council information needed for Council business
 - b) not use that Council information for private purposes
 - c) not seek or obtain, either directly or indirectly, any financial benefit or other improper advantage for yourself, or any other person or body, from any information to which you have access by virtue of your office or position with Council
 - d) only release Council information in accordance with established Council policies and procedures and in compliance with relevant legislation.

Use and security of confidential information

- 8.10 You must maintain the integrity and security of confidential information in your possession, or for which you are responsible.
- 8.11 In addition to your general obligations relating to the use of Council information, you must:

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- a) only access confidential information that you have been authorised to access and only do so for the purposes of exercising your official functions
- b) protect confidential information
- c) only release confidential information if you have authority to do so
- d) only use confidential information for the purpose for which it is intended to be used
- e) not use confidential information gained through your official position for the purpose of securing a private benefit for yourself or for any other person
- f) not use confidential information with the intention to cause harm or detriment to the Council or any other person or body
- g) not disclose any confidential information discussed during a confidential session of a Council or committee meeting or any other confidential forum (such as, but not limited to, workshops or briefing sessions).

Personal information

8.12 When dealing with personal information you must comply with:

- a) the *Privacy and Personal Information Protection Act 1998*
- b) the *Health Records and Information Privacy Act 2002*
- c) the Information Protections Principals and Health Privacy Principles
- d) the Council's privacy management plan
- e) the Privacy Code of Practice for Local Government.

Use of Council resources

- 8.13 You must use Council resources ethically, effectively, efficiently and carefully in exercising your official functions, and must not use them for private purposes, except when supplied as part of a contract of employment (but not for private business purposes), unless this use is lawfully authorised and proper payment is made where appropriate.
- 8.14 Union delegates and consultative committee members may have reasonable access to Council resources and information for the purposes of carrying out their industrial responsibilities, including but not limited to:
- a) the representation of members with respect to disciplinary matters
 - b) the representation of employees with respect to grievances and disputes
 - c) functions associated with the role of the local consultative committee.
- 8.15 You must be scrupulous in your use of Council property, including intellectual property, official services, facilities, technology and electronic devices and must not permit their misuse by any other person or body.
- 8.16 You must avoid any action or situation that could create the appearance that Council property, official services or public facilities are being improperly used for your benefit or the benefit of any other person or body.
- 8.17 You must not use Council resources (including Council staff), property or facilities for the purpose of assisting your election campaign or the election campaigns of others unless the resources, property or facilities are otherwise available for use or hire by the public and any publicly advertised fee is paid for use of the resources, property or facility.
- 8.18 You must not use the Council letterhead, Council crests, Council email or social media or other information that could give the appearance it is official Council material:
- a) for the purpose of assisting your election campaign or the election campaign of others, or
 - b) for other non-official purposes.
- 8.19 You must not convert any property of the Council to your own use unless properly authorised.

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Internet access

- 8.20 You must not use Council's computer resources or mobile or other devices to search for, access, download or communicate any material of an offensive, obscene, pornographic, threatening, abusive or defamatory nature, or that could otherwise lead to criminal penalty or civil liability and/or damage the Council's reputation.

Council record keeping

- 8.21 You must comply with the requirements of the *State Records Act 1998* and the Council's records management policy.
- 8.22 All information created sent and received in your official capacity is a Council record and must be managed in accordance with the requirements of the *State Records Act 1998* and the Council's approved records management policies and practices.
- 8.23 All information stored in either soft or hard copy on Council supplied resources (including technology devices and email accounts) is deemed to be related to the business of the Council and will be treated as Council records, regardless of whether the original intention was to create the information for personal purposes.
- 8.24 You must not destroy, alter, or dispose of Council information or records, unless authorised to do so. If you need to alter or dispose of Council information or records, you must do so in consultation with the Council's records manager and comply with the requirements of the *State Records Act 1998*.

Councillor access to buildings

- 8.25 Councillors and Administrators are entitled to have access to the Council chamber, committee room, Mayor's office (subject to availability) and public areas of Council's buildings during normal business hours and for meetings. Access during business hours must be coordinated through the Chief Executive Officer to ensure that the required facilities are available. Councillors and Administrators needing access to these facilities at other times must obtain authority from the Chief Executive Officer.
- 8.26 Councillors and Administrators must not enter staff-only areas of Council buildings without the approval of the Chief Executive Officer (or their delegate) or as provided for in the procedures governing the interaction of Councillors and Council staff.
- 8.27 Councillors and Administrators must ensure that when they are within a staff only area they refrain from conduct that could be perceived to improperly influence Council staff decisions.

Part 9 – Maintaining the Integrity of this Code

Complaints made for improper purpose

- 9.1 You must not make or threaten to make a complaint or cause a complaint to be made alleging a breach of this code for an improper purpose.
- 9.2 For the purposes of clause 9.1, a complaint is made for an improper purpose where it is trivial, frivolous, vexatious or not made in good faith, or where it otherwise lacks merit and has been made substantially for one or more of the following purposes:
- a) to bully, intimidate or harass another Council official
 - b) to damage another Council official's reputation
 - c) to obtain a political advantage
 - d) to influence a Council official in the exercise of their official functions or to prevent or disrupt the exercise of those functions

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- e) to influence the Council in the exercise of its functions or to prevent or disrupt the exercise of those functions
- f) to avoid disciplinary action under the Procedures
- g) to take reprisal action against a person for making a complaint alleging a breach of this code
- h) to take reprisal action against a person for exercising a function prescribed under the Procedures
- i) to prevent or disrupt the effective administration of this code under the Procedures.

Detrimental action

- 9.3 You must not take detrimental action or cause detrimental action to be taken against a person substantially in reprisal for a complaint they have made alleging a breach of this code.
- 9.4 You must not take detrimental action or cause detrimental action to be taken against a person substantially in reprisal for any function they have exercised under the Procedures.
- 9.5 For the purposes of clauses 9.3 and 9.4, a detrimental action is an action causing, comprising or involving any of the following:
 - a) injury, damage or loss
 - b) intimidation or harassment
 - c) discrimination, disadvantage or adverse treatment in relation to employment
 - d) dismissal from, or prejudice in, employment
 - e) disciplinary proceedings.

Compliance with requirements under the Procedures

- 9.6 You must not engage in conduct that is calculated to impede or disrupt the consideration of a matter under the Procedures.
- 9.7 You must comply with a reasonable and lawful request made by a person exercising a function under the Procedures. A failure to make a written or oral submission invited under the Procedures will not constitute a breach of this clause.
- 9.8 You must comply with a practice ruling made by the Office under the Procedures.

Disclosure of information about the consideration of a matter under the Procedures.

- 9.9 All allegations of breaches of this code must be dealt with under and in accordance with the Procedures.
- 9.10 You must not allege breaches of this code other than by way of a complaint made or initiated under the Procedures.
- 9.11 You must not make allegations about, or disclose information about, suspected breaches of this code at Council, committee or other meetings, whether open to the public or not, or in any other forum, whether public or not.
- 9.12 You must not disclose information about a complaint you have made alleging a breach of this code or any other matter being considered under the Procedures except for the purposes of seeking legal advice, unless the disclosure is otherwise permitted under the Procedures.
- 9.13 Nothing under this Part prevents a person from making a public interest disclosure to an appropriate public authority or investigative authority under the *Public Interest Disclosures Act 1994*.

Complaints alleging a breach of this Part

- 9.14 Complaints alleging a breach of this Part by a Councillor, the Chief Executive Officer or an Administrator are to be managed by the Office. This clause does not prevent the Office from

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referring an alleged breach of this Part back to the Council for consideration in accordance with the Procedures.

- 9.15 Complaints alleging a breach of this Part by other Council officials are to be managed by the Chief Executive Officer in accordance with the Procedures.

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SCHEDULE 1: Disclosures of Interests and Other Matters in Written Returns Submitted under Clause 4.21

Part 1: Preliminary

Definitions

1. For the purposes of the schedules to this code, the following definitions apply:

Address means:

- a) in relation to a person other than a corporation, the last residential or business address of the person known to the Councillor or designated person disclosing the address, or
- b) in relation to a corporation, the address of the registered office of the corporation in New South Wales or, if there is no such office, the address of the principal office of the corporation in the place where it is registered,

or

- c) in relation to any real property, the street address of the property.

de facto partner has the same meaning as defined in section 21C of the *Interpretation Act 1987*.

disposition of property means a conveyance, transfer, assignment, settlement, delivery, payment or other alienation of property, including the following:

- a) the allotment of shares in a company
- b) the creation of a trust in respect of property
- c) the grant or creation of a lease, mortgage, charge, easement, licence, power, partnership or interest in respect of property
- d) the release, discharge, surrender, forfeiture or abandonment, at law or in equity, of a debt, contract or chose in action, or of an interest in respect of property
- e) the exercise by a person of a general power of appointment over property in favour of another person
- f) a transaction entered into by a person who intends by the transaction to diminish, directly or indirectly, the value of the person's own property and to increase the value of the property of another person.

gift means a disposition of property made otherwise than by will (whether or not by instrument in writing) without consideration, or with inadequate consideration, in money or money's worth passing from the person to whom the disposition was made to the person who made the disposition, but does not include a financial or other contribution to travel.

interest means:

- a) in relation to property, an estate, interest, right or power, at law or in equity, in or over the property, or
- b) in relation to a corporation, a relevant interest (within the meaning of section 9 of the *Corporations Act 2001* of the Commonwealth) in securities issued for made available by the corporation.

listed company means a company that is listed within the meaning of section 9 of the *Corporations Act 2001* of the Commonwealth.

occupation includes the trade, profession and vocation.

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professional or business association means an incorporated or unincorporated body or organisation having as one of its objects or activities the promotion of the economic interests of its members in any occupation.

property includes money.

return date means:

- a) in the case of a return made under clause 4.21 (a), the date on which a person became a Councillor or designated person
- b) in the case of a return made under clause 4.21 (b), 30 June of the year in which the return is made
- c) in the case of a return made under clause 4.21 (c), the date on which the Councillor or designated person became aware of the interest to be disclosed.

relative includes and of the following:

- a) a person's spouse or de facto partner
- b) a person's parent, grandparent, brother, sister, uncle, aunt, nephew, niece, lineal descendant or adopted child
- c) a person's spouse's or de facto partner's parent, grandparent, brother, sister, uncle, aunt, nephew, niece, lineal descendant or adopted child
- d) the spouse or de facto partner of a person referred to in paragraphs b) and c).

travel includes accommodation incidental to a journey.

Matters relating to the interests that must be included in returns

- 2. *Interests etc. outside New South Wales:* A reference in this schedule or in schedule 2 to a disclosure concerning a corporation or other thing includes any reference to a disclosure concerning a corporation registered, or other thing arising or received, outside New South Wales.
- 3. *References to interests in real property:* A reference in this schedule or in schedule 2 to real property in which a Councillor or designated person has an interest includes a reference to any real property situated in Australia in which the Councillor or designated person has an interest.
- 4. *Gifts, loans etc. from related corporations:* For the purposes of this schedule and schedule 2, gifts or contributions to travel given, loans made, or goods or services supplied, to a Councillor or designated person by two or more corporations that are related to each other for the purposes of section 50 of the *Corporations Act 2001* of the Commonwealth are all given, made or supplied by a single corporation.

Part 2 – Pecuniary Interests to be Disclosed in Returns

Real property

- 5. A person making a return under clause 4.21 of this code must disclose:
 - a) the street address of each parcel of real property in which they had an interest on the return date, and
 - b) the street address of each parcel of real property in which they had an interest in the period since 30 June of the previous financial year, and
 - c) the nature of the interest.
- 6. An interest in a parcel of real property need not be disclosed in a return if the person making the return had the interest only:
 - a) As the executor of the will, or administrator of the estate, of a deceased person, and not as a beneficiary under the will or the intestacy, or

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- b) As a trustee, if the interest was acquired in the ordinary course of an occupation not related to their duties as the holder of a position required to make a return.
- 7. An interest in a parcel of real property need not be disclosed in a return if the person ceased to hold the interest prior to becoming a Councillor or designated person.
- 8. For the purposes of clause 5 of this schedule, "interest" includes an option to purchase.

Gifts

- 9. A person making a return under clause 4.21 of this code must disclose:
 - a) a description of each gift received in the period since 30 June of the previous financial year, and
 - b) the name and address of the donor of each of the gifts.
- 10. A gift need not be included in a return if:
 - a) it did not exceed \$500, unless it was among gifts totalling more than \$500 made by the same person during a period of 12 months or less, or
 - b) it was a political donation disclosed, or required to be disclosed, under Part 3 of the *Electoral Funding Act 2018*, or
 - c) the donor was a relative of the donee, or
 - d) subject to paragraph (a), it was received prior to the person becoming a Councillor or designated person.
- 11. For the purposes of clause 10 of this schedule, the amount of a gift other than money is an amount equal to the value of the property given.

Contributions to travel

- 12. A person making a return under clause 4.21 of this code must disclose:
 - a) the name and address of each person who made any financial or other contribution to the expenses of any travel undertaken by the person in the period since 30 June of the previous financial year, and
 - b) the dates on which the travel was undertaken, and
 - c) the names of the states and territories, and of the overseas countries, in which the travel was undertaken.
- 13. A financial or other contribution to any travel need not be disclosed under this clause if it:
 - a) was made from public funds (including a contribution arising from travel on free passes issued under an Act or from travel in government or Council vehicles), or
 - b) was made by a relative of the traveller, or
 - c) was made in the ordinary course of an occupation of the traveller that is not related to their functions as the holder of a position requiring the making of a return, or
 - d) did not exceed \$250, unless it was among gifts totalling more than \$250 made by the same person during a 12-month period or less, or
 - e) was a political donation disclosed, or required to be disclosed, under Part 3 of the *Electoral Funding Act 2018*, or
 - f) was made by a political party of which the traveller was a member and the travel was undertaken for the purpose of political activity of the party in New South Wales, or to enable the traveller to represent the party within Australia, or
 - g) subject to paragraph (d) it was received prior to the person becoming a Councillor or designated person.
- 14. For the purposes of clause 13 of this schedule, the amount of a contribution (other than a financial contribution) is an amount equal to the value of the contribution.

Interests and positions in corporations

- 15. A person making a return under clause 4.21 of this code must disclose:
 - a) the name and address of each corporation in which they had an interest or held a position (whether remunerated or not) on the return date, and

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- b) the name and address of each corporation in which they had an interest or held a position in the period since 30 June of the previous financial year, and
 - c) the nature of the interest, or the position held, in each of the corporations, and
 - d) a description of the principal objects (if any) of each of the corporations, except in the case of a listed company.
16. An interest in, or a position held in, a corporation need not be disclosed if the corporation is:
- a) formed for the purpose of providing recreation or amusement, or for promoting commerce, industry, art, science, religion or charity, or for any other community purpose, and
 - b) required to apply its profits or other income in promoting its objects, and
 - c) prohibited from paying any dividends to its members.
17. An interest in a corporation need not be disclosed if the interest is a beneficial interest in shares in a company that does not exceed 10 per cent of the voting rights of the company.
18. An interest or a position in a corporation need not be disclosed if the person ceased to hold the interest or position prior to becoming a Councillor or designated person.

Interests as a property developer or a close associate of a property developer

19. A person making a return under clause 4.21 of this code must disclose whether they were a property developer, or a close associate of a corporation that, or an individual who, is a property developer, on the return date.
20. For the purposes of clause 19 of this schedule:
- close associate*, in relation to a corporation or an individual, has the same meaning as it has in section 53 of the *Electoral Funding Act 2018*.
- property developer* has the same meaning as it has in the Division 7 of Part 3 of the *Electoral Funding Act 2018*.

Positions in trade unions and professional or business associations

21. A person making a return under clause 4.21 of the code must disclose:
- a) the name of each trade union, and of each professional or business association, in which they held any position (whether remunerated or not) on the return date, and
 - b) the name of each trade union, and of each professional or business association, in which they have held any position (whether remunerated or not) in the period since 30 June of the previous financial year, and
 - c) a description of the position held in each of the unions and associations.
22. A position held in a trade union or a professional or business association need not be disclosed if the person ceased to hold the position prior to becoming a Councillor or designated person.

Disposition of real property

23. A person making a return under clause 4.21 of this code must disclose particulars of each disposition of real property by the person (including the street address of the affected property) in the period since 30 June of the previous financial year, under which they wholly or partly retained the use and benefit of the property or the right to re-acquire the property.
24. A person making a return under clause 4.21 of this code must disclose particulars of each disposition of real property to another person (including the street address of the affected property) in the period since 30 June of the previous financial year, that is made under arrangements with, but is not made by, the person making the return, being a disposition under which the person making the return is obliged wholly or partly the use of the property.
25. A disposition of real property need not be disclosed if it was made prior to a person becoming a Councillor or designated person.

Sources of Income

26. A person making a return under clause 4.21 of this code must disclose:

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- a) each source of income that the person reasonably expects to receive in the period commencing on the first day after the return date and ending on the following 30 June, and
 - b) each source of income received by the person in the period since 30 June of the previous financial year.
27. A reference in clause 26 of this schedule to each source of income received, or reasonably expected to be received by a person is a reference to:
- a) in relation to income from an occupation of the person:
 - i) a description of the occupation, and
 - ii) if the person is employed or the holder of an office, the name and address of their employer, or a description of the office, and
 - iii) if the person has entered into a partnership with other persons, the name (if any) under which the partnership is conducted, or
 - b) in relation to income from a trust, the name and address of the settlor and the trustee, or
 - c) in relation to any other income, a description sufficient to identify the person from whom, or the circumstances in which, the income was, or is reasonable expected to be, received.
28. The source of any income need not be disclosed by a person in a return if the amount of the income received or reasonably expected to be received, by the person from that source did not exceed \$500, or is not reasonably expected to exceed \$500, as the case may be.
29. The source of any income received by the person that they ceased to receive prior to becoming a Councillor or designated person need not be disclosed.
30. A fee paid to a Councillor or to the Mayor or deputy Mayor under sections 248 and 249 of the LGA need not be disclosed.

Debts

31. A person making a return under clause 4.21 of this code must disclose the name and address of each person to whom the person was liable to pay any debt:
- a) on the return date, and
 - b) at any time in the period since 30 June of the previous year.
32. A liability to pay a debt must be disclosed by a person in a return made under clause 4.21 whether or not the amount, or any part of the amount, to be paid was due and payable on the return date or at any time in the period since 30 June of the previous financial year, as the case may be.
33. A liability to pay a debt need not be disclosed by a person in a return if:
- a) the amount to be paid did not exceed \$500 on the return date or in the period since 30 June of the previous financial year, as the case may be, unless:
 - i) the debt was one of two or more debts that the person was liable to pay to one person on the return date, or at any time in the period since 30 June of the previous financial year, as the case may be, and
 - ii) the amounts to be paid exceeded, in the aggregate, \$500, or
 - b) the person liable was to pay the debt to a relative, or
 - c) in the case of a debt arising from a loan of money the person was liable to pay the debt to an authorised deposit-taking institution, or other person whose ordinary business includes the lending of money, and the loan was made in the ordinary course of business of the lender, or
 - d) in the case of a debt arising from the supply of goods or services:
 - i) the goods or services were supplied in the period of 12 months immediately preceding the return date, or were supplied in the period since 30 June of the previous financial year, as the case may be, or
 - ii) the goods or services were supplied in the ordinary course of any occupation of the person that is not related to their duties as the holder of a position required to make a return, or

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- e) subject to paragraph a), the debt was discharged prior to the person becoming a Councillor or designated person.

Discretionary disclosures

34. A person may voluntarily disclose in a return any interest, benefit, advantage or liability, whether pecuniary or not, that is not required to be disclosed under another provision of this Schedule.

Schedule 2: Form of Written Return of Interests Submitted Under Clause 4.21

'Disclosures by Councillors and designated persons' return'

1. The pecuniary interests and other matters to be disclosed in this return are prescribed by Schedule 1 of the Model Code of Conduct for Local Councils in NSW (the Model Code of Conduct).
2. If this is the first return you have been required to lodge with the Chief Executive Officer after becoming a Councillor or designated person, do not complete Parts C, D and I of the return. All other parts of the return should be completed with appropriate information based on your circumstances at the return date, that is, the date on which you became a Councillor or designated person.
3. If you have previously lodged a return with the Chief Executive Officer and you are completing this return for the purposes of disclosing a new interest that was not disclosed in the last return you lodged with the Chief Executive Officer, you must complete all parts of the return with appropriate information for the period from 30 June of the previous financial year or the date on which you became a Councillor or designated person, (whichever is the later date), to the return date which is the date you became aware of the new interest to be disclosed in your updated return.
4. If you have previously lodged a return with the Chief Executive Officer and are submitting a new return for the new financial year, you must complete all parts of the return with appropriate information for the 12-month period commencing on 30 June of the previous year to 30 June this year.
5. This form must be completed using block letters or typed.
6. If there is insufficient space for all the information you are required to disclose, you must attach an appendix which is to be properly identified and signed by you.
7. If there are no pecuniary interests or other matters of the kind required to be disclosed under a heading in this form, the word "NIL" is to be placed in an appropriate space under that heading.

Important information

This information is being collected for the purpose of complying with clause 4.21 of the Model Code of Conduct.

You must not lodge a return that you know or ought reasonably to know is false or misleading in a material particular (see clause 4.23 of the Model Code of Conduct). Complaints about breaches of these requirements are to be referred to the Office of Local Government and may result in disciplinary action by the Council, the Chief Executive of the Office of Local Government or the NSW Civil and Administrative Tribunal.

The information collected on this form will be kept by the Chief Executive Officer in a register of returns. The Chief Executive Officer is required to table all the returns at a Council meeting.

Information contained in returns made and lodged under clause 4.21 is to be made publicly available in accordance with the requirements of the *Government Information (Public Access) Act 2009*, the

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Government Information (Public Access) Regulation 2009 and any guidelines issued by the Information Commissioner.

You have an obligation to keep the information contained in this return up to date. If you become aware of a new interest that must be disclosed in this return, or an interest that you have previously failed to disclose, you must submit an updated return within three months of becoming aware of the previously undisclosed interest.

Disclosure of pecuniary interests and other matter by *[full name of Councillor or designated person]*

as at *[return date]*

in respect of the period from *[date]* to *[date]*

[Councillor's or designated person's signature]

[date]

A. Real Property

Street address of each parcel of real property in which I had an interest at the return date/at any time since 30 June	Nature of interest

B. Sources of income

1 Sources of income I reasonably expect to receive from an occupation in the period commencing on the first day after the return date and ending on the following 30 June

Sources of income I received from an occupation at any time since 30 June

Description of occupation	Name and address of employer or description of office held (if applicable)	Name under which partnership conducted (if applicable)

2 Sources of income I reasonably expect to receive from a trust in the period commencing on the first day after the return date and ending on the following 30 June

Sources of income I received from a trust since 30 June

Name and address of settlor	Name and address of trustee

3 Sources of other income I reasonably expect to receive in the period commencing on the first day after the return date and ending on the following 30 June

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Sources of other income I received at any time since 30 June

[Include description sufficient to identify the person from whom, or the circumstances in which, that income was received]

C. Gifts

Description of each gift I received at any time since 30 June Name and address of donor

D. Contributions to travel

Name and address of each person who made any financial or other contribution to any travel undertaken by me at any time since 30 June	Dates on which travel was undertaken	Name of States, Territories of the Commonwealth and overseas countries in which travel was undertaken

E. Interests and positions in corporations

Name and address of each corporation in which I had an interest or held a position at the return date/at any time since 30 June	Nature of interest (if any)	Description of position (if any)	Description of principal objects (if any) of corporation (except in case of listed company)

F. Were you a property developer or a close associate of a property developer on the return date? (Y/N)

G. Positions in trade unions and professional or business associations

Name of each trade union and each professional or business association in which I held any position (whether remunerated or not) at the return date/at any time since 30 June	Description of position

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H. Debts

Name and address of each person to whom I was liable to pay any debt at the return date/at any time since 30 June

I. Dispositions of property

1 Particulars of each disposition of real property by me (including the street address of the affected property) at any time since 30 June as a result of which I retained, either wholly or in part, the use and benefit of the property or the right to re-acquire the property at a later time

2 Particulars of each disposition of property to a person by any other person under arrangements made by me (including the street address of the affected property), being dispositions made at any time since 30 June, as a result of which I obtained, either wholly or in part, the use and benefit of the property

J. Discretionary disclosures

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Schedule 3: Form of Special Disclosure of Pecuniary Interest Submitted Under Clause 4.37

1. This form must be completed using block letters or typed.
2. If there is insufficient space for all the information you are required

Important information

This information is being collected for the purpose of making a special disclosure of pecuniary interests under clause 4.36(c) of the Model Code of Conduct for Local Councils in NSW (the Model Code of Conduct).

The special disclosure must related only to a pecuniary interest that a Councillor has in the Councillor's principal place of residence, or an interest another person (whose interests are relevant under clause 4.3 of the Model Code of Conduct) has in that person's principal place of residence.

Clause 4.3 of the Model Code of Conduct states that you will have a pecuniary interest in a matter because of the pecuniary interest of your spouse or your de facto partner or your relative or because your business partner or employer has a pecuniary interest. You will also have a pecuniary interest in a matter because you, your nominee, your business partner or your employer is a member of a company or other body that has a pecuniary interest in the matter.

“Relative” is defined by clause 4.4 of the Model Code of Conduct as meaning your, your spouse’s or your de facto partner’s parent, grandparent, brother, sister, uncle, aunt, nephew, niece, lineal descendant or adopted child and the spouse or de facto partner of any of those persons.

You must not make a special disclosure that you know or ought reasonably to know is false or misleading in a material particular. Complaints about breaches of these requirements are to be referred to the Office of Local Government and may result in disciplinary action by the Chief Executive of the Office of Local Government or the NSW Civil and Administrative Tribunal.

This form must be completed by you before the commencement of the Council or Council committee meeting at which the special disclosure is being made. The completed form must be tabled at the meeting. Everyone is entitled to inspect it. The special disclosure must be recorded in the minutes of the meeting.

Special disclosure of pecuniary interests by [full name of Councillor]

in the matter of *[insert name of environmental planning instrument]*

which is to be considered at a meeting of the [name of Council or Council committee (as the case requires)]

to be held on the day of 20 .

Pecuniary interest	
Address of the affected principal place of residence of the Councillor or an associated person, company or body (the identified land)	

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Relationship of identified land to the Councillor [Tick or cross one box.]	☐ The Councillor has an interest in the land (e.g. is the owner or has another interest arising out of a mortgage, lease, trust, option or contract, or otherwise). ☐ An associated person of the Councillor has an interest in the land. ☐ An associated company or body of the Councillor has an interest in the land.
Matter giving rise to pecuniary interest ¹	
Nature of the land that is subject to a change in zone/planning control by the proposed LEP (the subject land) ² [Tick or cross one box]	☐ The identified land. ☐ Land that adjoins or is adjacent to or is in proximity to the identified land.
Current zone/planning control [Insert name of current planning instrument and identify relevant zone/planning control applying to the subject land]	
Proposed change of zone/planning control [Insert name of proposed LEP and identify proposed change of zone/planning control applying to the subject land]	
Effect of proposed change of zone/planning control on Councillor or associated person [Insert one of the following: "Appreciable financial gain" or "Appreciable financial loss"]	

¹ Clause 4.1 of the Model Code of Conduct provides that a pecuniary interest is an interest that a person has in a matter because of a reasonable likelihood or expectation of appreciable financial gain or loss to the person. A person does not have a pecuniary interest in a matter if the interest is so remote or insignificant that it could not reasonably be regarded as likely to influence any decision the person might make in relation to the matter, or if the interest is of a kind specified in clause 4.6 of the Model Code of Conduct.

² A pecuniary interest may arise by way of a change of permissible use of land adjoining, adjacent to or in proximity to land in which a Councillor or a person, company or body referred to in clause 4.3 of the Model Code of Conduct has a proprietary interest.

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[if more than one pecuniary interest is to be declared, reprint the above box and fill in for each additional interest.]

Councillor's signature

Date

[This form is to be retained by the Council's Chief Executive Officer and included in full in the minutes of the meeting]

DRAFT

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Document Control

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Division:	Organisational Performance
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Previous Cover



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Council Policy

Procedures for the
Administration of
the Dubbo
Regional Council
Code of Conduct

ED25/147453

Document Overview

Document Category	Council Policy
Policy Title	Procedures for the Administration of the Dubbo Regional Council Code of Conduct
Policy Statement	A document used to assist with the administration of the Code of Conduct.
Date	
Resolution Date	
Clause Number	
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Responsible Position	Manager Corporate Governance
Branch	Corporate Governance
Division	Organisational Performance
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Document revised to accord with Office of Local Government's 'Procedures for the Administration of the Model Code of Conduct for Local Councils NSW' which was updates August 2020.	September 2020
Revised and adopted by Council	27 July 2023
Review with minor administration changes	August 2025

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Policy

Part 1 Introduction

These procedures (“the Model Code Procedures”) are prescribed for the administration of the *Model Code of Conduct for Local Councils in NSW* (“the Model Code of Conduct”),

The Model Code of Conduct is made under section 440 of the *Local Government Act 1993* (“the LGA”) and the *Local Government (General) Regulation 2005* (“the Regulation”). Section 440 of the LGA requires every Council (including County Councils) and joint organisation to adopt a code of conduct that incorporates the provisions of the Model Code of Conduct.

The Model Code Procedures are made under section 440AA of the LGA and the Regulation. Section 440AA of the LGA requires every Council (including County Councils) and joint organisation to adopt procedures for the administration of their code of conduct that incorporate the provisions of the Model Code Procedures.

In adopting procedures for the administration of their adopted codes of conduct, Councils and joint organisations may supplement the Model Code Procedures. However, provisions that are not consistent with those prescribed under the Model Code Procedures will have no effect.

Note: References in these procedures to Councils are also to be taken as references to County Councils and joint organisations.

Note: In adopting the Model Code Procedures, joint organisations should adapt them to substitute the terms “board” for “Council”, “chairperson” for “Mayor”, “voting representative” for “Councillor” and “executive officer” for “general manager”.

Note: In adopting the Model Code Procedures, County Councils should adapt them to substitute the term “chairperson” for “Mayor” and “member” for “Councillor”.

Note: Parts 6,7,8 and 11 of these procedures apply only to the management of code of conduct complaints about Councillors (including the Mayor) or the Chief Executive Officer.

Part 2 Definitions

In these procedures the following terms have the following meanings:

Term	Definition
Administrator	an administrator of a Council appointed under the LGA other than an administrator appointed under section 66
CEO	Chief Executive Officer
Code of Conduct	A code of conduct adopted under section 440 of the LGA
Code of Conduct Complaint	A complaint that is a code of conduct complaint for the purposes of clauses 4.1 and 4.1 of these procedures
Complainant	A person who makes a code of conduct complaint

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Complainant Councillor	A Councillor who makes a code of conduct complaint
Complaints Coordinator	A person appointed by the Chief Executive Officer under these procedures as a complaints coordinator
Conduct Reviewer	A person appointed under these procedures to review allegations of breaches of the code of conduct by Councillors or the Chief Executive Officer
Council	Includes County Councils and joint organisations
Council committee	A committee established by a Council comprising of Councillors, staff or other persons that the Council has delegated functions to and the Council's Audit, Risk and Improvement Committee
Council committee member	A person other than a Councillor or member of staff who is a member of a Council committee other than a wholly advisory committee, and a person other than a Councillor who is a member of the Council's Audit, Risk and Improvement Committee
Councillor	Any person elected or appointed to civic office, including the Mayor, and include members and chairpersons of County Councils and voting representatives of the boards of joint organisations and chairpersons of joint organisations
Council Official	Any Councillor, member of staff of Council, administrator, Council committee member, delegate of Council and, for the purposes of clause 4.16 of the Model Code of Conduct, Council advisor
Delegate of Council	A person (other than a Councillor or member of staff of a Council) or body, and the individual members of that body, to whom a function of the Council is delegated
External Agency	A state government agency such as, but not limited to, the Office, the ICAC, the NSW Ombudsman or the Police
General Manager	Referred to at Dubbo Regional Council as the Chief Executive Officer (CEO)
Joint organisation	A joint organisation established under section 4000 of the LGA
LGA	The <i>Local Government Act 1993</i>
Mayor	Includes the chairperson of a County Council or a joint organisation
Members of staff of a Council	Includes members of staff of County Councils and joint organisations
The Office	The Office of Local Government
Investigator	A conduct reviewer
The Regulation	The <i>Local Government (General) Regulation 2005</i>
Respondent	A person whose conduct is the subject of investigation by a conduct reviewer under these procedures

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Wholly advisory committee

A Council committee that the Council has not delegated any functions to

Part 3 – Administrative Framework

The establishment of a panel of conduct reviewers

- 3.1 The Council must establish a panel of conduct reviewers.
- 3.2 The Council may enter into an arrangement with one or more Councils to share a panel of conduct reviewers including through a joint organisation or another regional body associated with Councils.
- 3.3 The panel of conduct reviewers is to be established following a public expressions of interest process.
- 3.3 The panel of conduct reviewers is to be established following a public expression of interest process.
- 3.4 An expression of interest for members of the Council's panel of conduct reviewers must, at a minimum, be advertised locally and in the Sydney metropolitan area.
- 3.5 To be eligible to be a conduct reviewer, a person must, at a minimum, meet the following requirements:
 - a) an understanding of local government, and
 - b) knowledge of investigative processes including but not limited to procedural fairness requirements and the requirements of the *Public Interest Disclosures Act 1994*, and
 - c) knowledge and experience of one or more of the following:
 - i) investigations
 - ii) law
 - iii) public administration
 - iv) public sector ethics
 - v) alternative dispute resolution, and
 - d) meet the eligibility requirements for membership of a local panel of conduct reviewers under clause 3.6.
- 3.6 A person is not eligible to be a conduct reviewer if they are:
 - a) a Councillor, or
 - b) a nominee for election as a Councillor, or
 - c) an administrator, or
 - d) an employee of a Council, or
 - e) a member of the Commonwealth Parliament or any State Parliament or Territory Assembly, or
 - f) a nominee for election as a member of the Commonwealth Parliament or any State Parliament or Territory Assembly, or
 - g) a person who has a conviction for an indictable offence that is not an expired conviction.
- 3.7 A person is not precluded from being a member of the Council's panel of conduct reviewers if they are a member of another Council's panel of conduct reviewers.
- 3.8 An incorporated or other entity may be appointed to a Council's panel of conduct reviewers where the Council is satisfied that all the persons who will be undertaking the functions of a conduct reviewer on behalf of the entity meet the selection and eligibility criteria prescribed under this Part.

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- 3.9 A panel of conduct reviewers established under this Part is to have a terms of up to four years.
- 3.10 The Council may terminate the panel of conduct reviewers at any time. Where a panel of conduct reviewers has been terminated, conduct reviewers who were members of the panel may continue to deal with any matter referred to them under these procedures prior to the termination of the panel until they have finalised their consideration of the matter.
- 3.11 When the term of the panel of conduct reviewers concludes or is terminated, the Council must establish by the Council may be a member of subsequent panels of conduct reviewers established by the Council if they continue to meet the selection and eligibility criteria for membership of the panel.

The appointment of an internal ombudsman to a panel of conduct reviewers

- 3.13 Despite clause 3.6 (d), an employee of a Council who is the nominated internal ombudsman of one or more Councils may be appointed to a Council's panel of conduct reviewers with the Office's consent.
- 3.14 To be appointed to a Council's panel of conduct reviewers, an internal ombudsman must meet the qualification requirements for conduct reviewers prescribed under clause 3.5 as modified by the operation of clause 3.13.
- 3.15 An internal ombudsman appointed to a Council's panel of conduct reviewers may also exercise the functions of the Council's complaints coordinator. For the purposes of clause 6.1, an internal ombudsman who is a Council's complaints coordinator and had been appointed to the Council's panel of conduct reviewers, may either undertake a preliminary assessment and investigation of a matter referred to them under clauses 5.26 or 5.33 or refer the matter to another conduct reviewer in accordance with clause 6.2.
- 3.16 Clause 6.4 (c) does not apply to an internal ombudsman appointed to a Council's panel of conduct reviewers.

The appointment of complaints coordinator

- 3.17 The Chief Executive Officer (CEO) must appoint a member of staff of the Council or another person (such as, but not limited to, a member of staff of another Council or a member of staff of a joint organisation or other regional body associated with the Council), to act as a complaints coordinator, Where the complaints coordinator is a member of staff of the Council, the complaint coordinator should be a senior and suitably qualified member of staff.
- 3.18 The CEO may appoint other members of staff of the Council or other persons (such as, but not limited to members of staff of another Council or members of staff of a joint organisation or other regional body associated with the Council), to act as alternates to the complaints coordinator.
- 3.19 The CEO must not undertake the role of complaints coordinator.
- 3.20 The person appointed as complaints coordinator or alternate complaints coordinator must also be a nominated disclosures coordinator appointed for the purpose of receiving and managing reports of wrongdoing under the *Public Interest Disclosures Act 1994*.
- 3.21 The role of the complaints coordinator is to:
 - a) coordinate the management of complaints made under the Council's Code of Conduct
 - b) liaise with and provide administrative support to a conduct reviewer
 - c) liaise with the Office, and
 - d) arrange the annual reporting of Code of Conduct complaint statistics.

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Part 4 – How May Code of Conduct Complaints be Made?

What is a code of conduct complaint?

- 4.1 For the purpose of these procedures, a code of conduct complaint is a complaint that shows or tends to show conduct on the part of a Council official in connection with their role as a Council official or the exercise of their functions as a Council official that would constitute a breach of the standards of conduct prescribed under the Council's Code of Conduct if proven.
- 4.2 The following are not "code of conduct complaints" for the purposes of these procedures:
 - a) complaints about the standard or level of service provided by the Council or a Council official
 - b) complaints that relate solely to the merits of a decision made by the Council or a Council official or the exercise of a discretion by the Council or a Council official
 - c) complaints about the policies or procedures of the Council
 - d) complaints about the conduct of a Council official arising from the exercise of their functions in good faith, whether or not involving error, that would not otherwise constitute a breach of the standards of conduct prescribed under the Council's Code of Conduct.
- 4.3 Only code of conduct complaints are to be dealt with under these procedures. Complaints that do not satisfy the definition of a code of conduct complaint are to be dealt with under the Council's Code of Conduct.

When must a code of conduct complaint be made?

- 4.4 A code of conduct complaint must be made within 3 months of the alleged conduct occurring or within three months of the complainant becoming aware of the alleged conduct.
- 4.5 A complaint made after 3 months may only be accepted if the CEO or their delegate, or, in the case of a complaint about the CEO, the Mayor or their delegate, is satisfied that the allegations are serious and compelling grounds exist for the matter to be dealt with under the Code of Conduct.

How may a code of conduct complaint about a Council official other than the CEO be made?

- 4.6 All code of conduct complaints other than those relating to the CEO are to be made to the CEO in writing. This clause does not operate to prevent a person from making a complaint to an external agency.
- 4.7 Where a code of conduct complaint about a Council official other than the CEO cannot be made in writing, the complaint must be confirmed with the complainant in writing as soon as possible after the receipt of the complaint.
- 4.8 In making a code of conduct complaint about a Council official other than the CEO, the complainant may nominate whether they want the complaint to be resolved by mediation or by other alternative means.
- 4.9 The CEO or their delegate, or, where the complaint is referred to a conduct reviewer, the conduct reviewer, must consider the complainant's preferences in deciding how to deal with the complaint.
- 4.10 Notwithstanding clauses 4.6 and 4.7, where the CEO becomes aware of a possible breach of the Council's Code of Conduct, they may initiate the process for consideration of the matter under these procedures without a written complaint.

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How may a code of conduct complaint about the CEO be made?

- 4.11 Code of conduct complaints about the CEO are to be made to the Mayor in writing. This clause does not operate to prevent a person from making a complaint about the Chief Executive Officer to an external agency.
- 4.12 Where a code of conduct complaint about the CEO cannot be made in writing, the complaint must be confirmed with the complainant in writing as soon as possible after the receipt of the complaint.
- 4.13 In making a code of conduct complaint about the CEO, the complainant may nominate whether they want the complaint to be resolved by mediation or by other alternative means.
- 4.14 The Mayor or their delegate, or, where the complaint is referred to a conduct reviewer, the conduct reviewer, must consider the complainant's preferences in deciding how to deal with the complaint.
- 4.15 Notwithstanding clauses 4.11 and 4.12, where the Mayor becomes aware of a possible breach of the Council's Code of Conduct by the CEO, they may initiate the process for the consideration of the matter under these procedures without a written complaint.

Part 5 – How are Code of Conduct Complaints to be Managed?

Delegation by CEO and Mayors of their functions under this part

- 5.1 A CEO or Mayor may delegate their functions under this Part to a member of staff of the Council or to a person or persons external to the Council other than an external agency. References in this Part to the CEO or Mayor are also to be taken to be references to their delegates.

Consideration of complaints by Chief Executive Officers and Mayors

- 5.2 In exercising their functions under this Part, CEO's and Mayors may consider the complaint assessment criteria prescribed under clause 6.31.

What complaints may be declined at the outset?

- 5.3 Without limiting any other provisions in these procedures, the CEO or, in the case of a complaint about the CEO, the Mayor, may decline to deal with a complaint under these procedures where they are satisfied that the complaint:
 - a) is not a code of conduct complaint, or
 - b) subject to clause 4.5, is not made within 3 months of the alleged conduct occurring or the complainant becoming aware of the alleged conduct, or
 - c) is trivial, frivolous, vexatious or not made in good faith, or
 - d) relates to a matter the substance of which has previously been considered and addressed by the Council and does not warrant further action, or
 - e) is not made in a way that would allow the alleged conduct and any alleged breaches of the Council's Code of Conduct to be readily identified.

How are code of conduct complaints about staff (other than the CEO) to be dealt with?

- 5.4 The CEO is responsible for the management of code of conduct complaints about members of staff of Council (other than complaints alleging a breach of the pecuniary interest provisions contained in Pat 4 of the Code of Conduct) and for determining the outcome of such complaints.

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- 5.5 The CEO must refer code of conduct complaints about members of staff of Council alleging a breach of the pecuniary interest provisions contained in Part 4 of the Code of Conduct to the Office.
- 5.6 The CEO may decide to take no action in relation to a code of conduct complaint about a staff member of Council other than requiring referral to the Office under clause 5.5 where they consider that no action is warranted in relation to the complaint.
- 5.7 Where the CEO decides to take no action in relation to a code of conduct complaint about a member of staff of Council, the CEO must give the complainant reasons in writing for their decision and this shall finalise the consideration of the matter under these procedures.
- 5.8 Code of conduct complaints about members of staff of Council must be managed in accordance with the relevant industrial instrument or employment contract and make provision for procedural fairness including the right of an employee to be represented by their union.
- 5.9 Sanction for breaches of the Code of Conduct by staff depend on severity, scale and importance of the breach and must be determined in accordance with any relevant industrial instruments or contracts.

How are code of conduct complaints about delegates of Council, Council advisers and Council committee members to be dealt with?

- 5.10 The CEO is responsible for the management of code of conduct complaints about delegates of Council and Council committee members (other than complaints alleging a breach of the pecuniary interest provisions contained in Part 4 of the Code of Conduct) and for determining the outcome of such complaints.
- 5.11 The CEO must refer code of conduct complaints about Council advisers, delegates of Council and Council committee members alleging a breach of the pecuniary interest provisions contained in Part 4 of the Code of Conduct to the Office.
- 5.12 The CEO may decide to take no action in relation to a code of conduct complaint about a delegate of Council or a Council committee member other than one requiring referral to the Office under clause 5.11 where they consider that no action is warranted in relation to the complaint.
- 5.13 Where the CEO decides to take no action in relation to a code of conduct complaint about a delegate of Council or a Council committee member, the CEO must give the complainant reasons in writing for their decision and this shall finalise the consideration of the matter under these procedures.
- 5.14 Where the CEO considers it to be practicable and appropriate to do so, the CEO may seek to resolve code of conduct complaints about delegates of Council or Council committee members, by alternative means such as, but not limited to, explanation, counselling, training, mediation, informal discussion, negotiation, a voluntary apology or an undertaking not to repeat the offending behaviour. The resolution of a code of conduct complaint under this clause is not to be taken as a determination that there has been a breach of the Council's Code of Conduct.
- 5.15 Where the CEO resolves a code of conduct complaint under clause 5.14 to the CEO's satisfaction, the CEO must notify the complainant in writing of the steps taken to resolve the complaint and this shall finalise the consideration of the matter under these procedures.

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- 5.16 Sanctions for breaches of the code of conduct by delegates of Council and/or Council committee members depend on the severity, scale and importance of the breach and may include one or more of the following:
- a) censure
 - b) requiring the person to apologise to any person or organisation adversely affected by the breach in such a time and form specified by the CEO
 - c) prosecution for any breach of the law
 - d) removing or restricting the person's delegation
 - e) removing the person from membership of the relevant Council committee.
- 5.17 Prior to imposing a sanction against a delegate of Council or a Council committee member under clause 5.16, the CEO or any person making enquiries on behalf of the CEO must comply with the requirements of procedural fairness. In particular:
- a) the substance of the allegation (including the relevant provision/s of the Council's Code of Conduct that the alleged conduct in breach of) must be put to the person who is the subject of the allegation, and
 - b) the person must be given an opportunity to respond to the allegation, and
 - c) the CEO must consider the person's response in deciding whether to impose a sanction under clause 5.16.

How are code of conduct complaints about administrators to be dealt with?

- 5.18 The CEO must refer all code of conduct complaints about administrators to the Office for its consideration.
- 5.19 The CEO must notify the complainant of the referral of their complaint in writing.

How are code of conduct complaints about Councillors to be dealt with?

- 5.20 The CEO must refer the following code of conduct complaints about Councillors to the Office:
- a) complaints alleging a breach of the pecuniary interest provisions contained in Part 4 of the Code of Conduct
 - b) complaints alleging a failure to comply with a requirement under the Code of Conduct to disclose and appropriately manage conflicts of interest arising from political donations (see section 328 of the LGA)
 - c) complaints alleging a breach of the provisions relating to the maintenance of the integrity of the Code of Conduct contained in Part 9 of the Code of Conduct
 - d) complaints that are the subject of a special complaints management arrangement with the Office under clause 5.49.
- 5.21 Where the CEO refers a complaint to the Office under clause 5.20, the CEO must notify the complainant of the referral in writing.
- 5.22 The CEO may decide to take no action in relation to a code of conduct complaint about a Councillor, other than one requiring referral to the Office under clause 5.20, where they consider that no action is warranted in relation to the complaint.
- 5.23 Where the CEO decides to take no action in relation to a code of conduct complaint about a Councillor, the CEO must give the complainant reasons in writing for their decision within 21 days of receipt of the complaint and this shall finalise the consideration of the matter under these procedures.
- 5.24 Where the CEO consider it to be practicable and appropriate to do so, the CEO may seek to resolve the code of conduct complaints about Councillors, other than those requiring referral

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to the Office under clause 5.20, by alternative means such as, but not limited to, explanation, counselling, training, mediation, informal discussion, negotiation, a voluntary apology or an undertaking not to repeat the offending behaviour. The resolution of a code of conduct complaint under this clause is not to be taken as a determination that there has been a breach of Council's Code of Conduct.

- 5.25 Where the CEO resolves a code of conduct complaint under clause 5.24 to the CEO's satisfaction, the CEO must notify the complainant in writing of the steps taken to resolve the complaint within 21 days of receipt of the complaint and this shall finalise the consideration of the matter under these procedures.
- 5.26 The CEO must refer all code of conduct complaints about Councillor's, other than those referred to the Office under clause 5.20 or finalised under clause 5.23 or resolved under clause 5.24, to the complaints coordinator.

How are code of conduct complaints about the Chief Executive Officer to be dealt with?

- 5.27 The Mayor must refer the following code of conduct complaints about the CEO to the Office:
- a) complaints alleging a breach of the pecuniary interest provisions contained in Part 4 of the Code of Conduct
 - b) complaints alleging a breach of the provisions relating to the maintenance of the integrity of the code of conduct contained in Part 9 of the Code of Conduct
 - c) complaints that are the subject of a special complaints management arrangement with the Office under clause 5.49.
- 5.28 Where the Mayor refers a complaint to the Office under clause 5.27, the Mayor must notify the complainant of the referral in writing.
- 5.29 The Mayor may decide to take no action in relation to a code of conduct complaint about the CEO, other than one requiring referral to the Office under clause 5.27, where they consider that no action is warranted in relation to the complaint.
- 5.30 Where the Mayor decides to take no action in relation to a code of conduct complaint about the CEO, the Mayor must give the complainant reasons in writing for their decision within 21 days of receipt of the complaint and this shall finalise the consideration of the matter under these procedures.
- 5.31 Where the Mayor considers it to be practicable and appropriate to do so, the Mayor may seek to resolve code of conduct complaints about the CEO, other than those requiring referral to the Office under clause 5.27, by alternative means such as, but not limited to, explanation, counselling, training, mediation, information discussion, negotiation, a voluntary apology or an undertaking not to repeat the offending behaviour. The resolution of a code of conduct complaint under this clause is not to be taken as a determination that there has been a breach of Council's Code of Conduct.
- 5.32 Where the Mayor resolves a code of conduct complaint under clause 5.31 to the Mayor's satisfaction, the Mayor must notify the complainant in writing of the steps taken to resolve the complaint within 21 days of receipt of the complaint and this shall finalise the consideration of the matter under these procedures.
- 5.33 The Mayor must refer all code of conduct complaints about the CEO, other than those referred to the Office under clause 5.27 or finalised under clause 5.30 or resolved under clause 5.31, to the complaints coordinator.

How are complaints about both the CEO and the Mayor to be dealt with?

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5.34 Where the CEO or Mayor receives a code of conduct complaint that alleges a breach of the Code of Conduct by both the CEO and the Mayor, the CEO or Mayor must either:

- a) delegate their functions under this Part with respect to the complaint to a member of staff of the Council other than the CEO where the allegation is not serious, or to a person external to the Council, or
- b) refer the matter to the complaints coordinator under clause 5.26 and clause 5.33.

Referral of code of conduct complaints to external agencies

5.35 The CEO, Mayor or a conduct reviewer may, at any time, refer a code of conduct complaint to an external agency for its consideration, where they consider such a referral is warranted.

5.36 The CEO, mayor or a conduct reviewer must report to the ICAC any matter that they suspect on reasonable grounds concern or may concern corrupt conduct.

5.37 Where the CEO, Mayor or conduct reviewer refers a complaint to an external agency under clause 5.35, they must notify the complainant of the referral in writing unless they form the view, on the advice of the relevant agency, that it would not be appropriate for them to do so.

5.38 Referral of a matter to an external agency shall finalise consideration of the matter under these procedures unless the Council is subsequently advised otherwise by the referral agency.

Disclosure of the identity of complainants

5.39 In dealing with matters under these procedures, information that identifies or tends to identify complainants is not to be disclosed unless:

- a) the complainant consents in writing to the disclosure, or
- b) it is generally known that the complainant has made the complaint as a result of the complainant having voluntarily identified themselves as the person who made the complaint, or
- c) it is essential, having regard to procedural fairness requirements, that the identifying information be disclosed, or
- d) a conduct reviewer is of the opinion that disclosure of the information is necessary to investigate the matter effectively, or
- e) it is otherwise in the public interest to do so.

5.40 Clause 5.39 does not apply to code of conduct complaints made by Councillors about other Councillors or the CEO.

5.41 Where a Councillor makes a code of conduct complaint about another Councillor or the CEO, and the complainant Councillor considers that compelling grounds exist that would warrant information that identifies or tends to identify them as the complainant not to be disclosed, they may request in writing that such information not be disclosed.

5.42 A request made by a complainant Councillor under clause 5.41 must be made at the time they make a code of conduct complaint and must state the grounds upon which the request is made.

5.43 The CEO or Mayor, where the matter is referred to a conduct reviewer, the conduct reviewer, must consider a request made under clause 5.41 before disclosing information that identifies or tends to identify the complainant Councillor, but they are not obliged to comply with the request.

5.44 Where a complainant Councillor makes a request under clause 5.41, the CEO or mayor or, where the matter is referred to a conduct reviewer, the conduct reviewer, shall notify the Councillor in writing of their intention to disclose information that identifies or tends to identify them prior to disclosing the information.

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Code of conduct complaints made as public interest disclosures

- 5.45 These procedures do not override the provisions of the *Public Interest Disclosures Act 1994*. Code of conduct complaints that are made as public interest disclosures under that Act are to be managed in accordance with the requirements of that Act, the Council's internal reporting policy, and any guidelines issued by the NSW Ombudsman that relate to the management of public interest disclosures.
- 5.46 Where a Councillor makes a code of conduct complaint about another Councillor or the CEO as a public interest disclosure, before the matter may be dealt with under these procedures, the complainant Councillor must consent in writing to the disclosure of their identity as the complainant.
- 5.47 Where a complainant Councillor declines to consent to the disclosure of their identity as the complainant under clause 5.46, the CEO or the mayor must refer the complaint to the Office for consideration. Such a referral must be made under section 26 of the *Public Interest Disclosures Act 1994*.

Special complaints management arrangements

- 5.48 The CEO may request in writing that the Office enter into a special complaints management arrangement with the Council in relation to code of conduct complaints made by or about a person or persons.
- 5.49 Where the Office receives a request under clause 5.48, it may agree to enter into a special complaints management arrangement if it is satisfied that the number or nature of code of conduct complaints made by or about a person or persons has:
- a) imposed an undue and disproportionate cost burden on the Council's administration of its code of conduct, or
 - b) impeded or disrupted the effective administration by the Council of its code of conduct, or
 - c) impeded or disrupted the effective functioning of the Council.
- 5.50 A special complaints management arrangement must be in writing and must specify the following:
- a) the code of conduct complaints the arrangement relates to, and
 - b) the period that the arrangement will be in force.
- 5.51 The Office may, by notice in writing, amend or terminate a special complaints management arrangement at any time.
- 5.52 While a special complaints management arrangement is in force, an officer of the Office (the assessing OLG officer) must undertake the preliminary assessment of the code of conduct complaints specified in the arrangement in accordance with the requirements of Part 6 of these procedures.
- 5.53 Where, following a preliminary assessment, the assessing OLG officer determines that a code of conduct complaint warrants investigation by a conduct reviewer, the assessing OLG officer shall notify the complaints coordinator in writing of their determination and the reasons for their determination. The complaints coordinator must comply with the recommendation of the assessing OLG officer.
- 5.54 Prior to the expiry of a special complaints management arrangement, the Office may, at the request of the CEO, review the arrangement to determine whether it should be renewed or amended.

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- 5.55 A special complaints management arrangement shall expire on the date specified in the arrangement unless renewed under clause 5.54.

Part 6 – Preliminary Assessment of Code of Conduct Complaints About Councillors or the Chief Executive Officer by Conduct Reviewers

Referral of code of conduct complaints about Councillors or the CEO to conduct reviewers

- 6.1 The complaints coordinator must refer all code of conduct complaints about Councillors or the CEO that have not been referred to an external agency or declined or resolved by the CEO, mayor or their delegate and that have been referred to them under clauses 5.26 or 5.33, to a conduct reviewer within 21 days of receipt of the complaint by the CEO or the mayor.
- 6.2 For the purposes of clause 6.1, the complaints coordinator will refer a complaint to a conduct reviewer selected from:
- a) a panel of conduct reviewers established by the Council, or
 - b) a panel of conduct reviewers established by an organisation approved by the Office.
- 6.3 In selecting a suitable conduct reviewer, the complaints coordinator may have regard to the qualifications and experience of members of the panel of conduct reviewers. Where the conduct reviewer is an incorporated or other entity, the complaints coordinator must also ensure that the person assigned to receive the referral on behalf of the entity meets the selection and eligibility criteria for conduct reviewers prescribed under Part 3 of these procedures.
- 6.4 A conduct reviewer must not accept the referral of a code of conduct complaint where:
- a) they have a conflict of interest in relation to the matter referred to them, or
 - b) a reasonable apprehension of bias arises in relation to their consideration of the matter, or
 - c) they or their employer has entered into one or more contracts with the Council (other than contracts relating to the exercise of their functions as a conduct reviewer) in the 2 years preceding the referral, and they or their employer have received or expect to receive payments under the contract or contracts of a value that, when aggregated, exceeds \$100,000, or
 - d) at the time of the referral, they or their employer are the Council's legal service provider or are a member of a panel of legal service providers appointed by the Council.
- 6.5 For the purposes of clause 6.4(a), a conduct reviewer will have a conflict of interest in a matter where a reasonable and informed person would perceive that they could be influenced by a private interest when carrying out their public duty (see clause 5.2 of the Model Code of Conduct).
- 6.6 For the purposes of clause 6.4(b), a reasonable apprehension of bias arises where a fair-minded observer might reasonably apprehend that the conduct reviewer might not bring an impartial and unprejudiced mind to the matter referred to the conduct reviewer.
- 6.7 Where the complaints coordinator refers a matter to a conduct reviewer, they will provide the conduct reviewer with a copy of the code of conduct complaint and any other information relevant to the matter held by the Council, including any information about previous proven breaches and any information that would indicate that the alleged conduct forms part of an ongoing pattern of behaviour.

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- 6.8 The complaints coordinator must notify the complainant in writing that the matter has been referred to a conduct reviewer, and advise which conduct reviewer the matter has been referred to.
- 6.9 Conduct reviewers must comply with these procedures in their consideration of matters that have been referred to them and exercise their functions in a diligent and timely manner.
- 6.10 The complaints coordinator may at any time terminate the referral of a matter to a conduct reviewer and refer the matter to another conduct reviewer where the complaints coordinator is satisfied that the conduct reviewer has failed to:
 - a) comply with these procedures in their consideration of the matter, or
 - b) comply with a lawful and reasonable request by the complaints coordinator, or
 - c) exercise their functions in a timely or satisfactory manner.
- 6.11 Where the complaints coordinator terminates a referral to a conduct reviewer under clause 6.10, they must notify the complainant and any other affected person in writing of their decision and the reasons for it and advise them which conduct reviewer the matter has been referred to instead.

Preliminary assessment of code of conduct complaints about Councillors or the CEO by a conduct reviewer

- 6.12 The conduct reviewer is to undertake a preliminary assessment of a complaint referred to them by the complaints coordinator for the purposes of determining how the complaint is to be managed.
- 6.13 The conduct reviewer may determine to do one or more of the following in relation to a complaint referred to them by the complaints coordinator:
 - a) to take no action
 - b) to resolve the complaint by alternative and appropriate strategies such as, but not limited to, explanation, counselling, training, mediation, informal discussion, negotiation, a voluntary apology or an undertaking not to repeat the offending behaviour
 - c) to refer the matter back to the CEO or, in the case of a complaint about the CEO, the mayor, for resolution by alternative and appropriate strategies such as, but not limited to, explanation, counselling, training, mediation, informal discussion, negotiation, a voluntary apology or an undertaking not to repeat the offending behaviour
 - d) to refer the matter to an external agency
 - e) to investigate the matter.
- 6.14 In determining how to deal with a matter under clause 6.13, the conduct reviewer must have regard to the complaint assessment criteria prescribed under clause 6.31.
- 6.15 The conduct reviewer may make such enquiries the conduct reviewer considers to be reasonably necessary to determine what options to exercise under clause 6.13.
- 6.16 The conduct reviewer may request the complaints coordinator to provide such additional information the conduct reviewer considers to be reasonably necessary to determine what options to exercise in relation to the matter under clause 6.13. The complaints coordinator will, as far as is reasonably practicable, supply any information requested by the conduct reviewer.
- 6.17 The conduct reviewer must refer to the Office any complaints referred to them that should have been referred to the Office under clauses 5.20 and 5.27.
- 6.18 The conduct reviewer must determine to take no action on a complaint that is not a code of conduct complaint for the purposes of these procedures.
- 6.19 The resolution of a code of conduct complaint under clause 6.13, paragraphs (b) or (c) is not to be taken as a determination that there has been a breach of the Council's code of conduct.

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- 6.20 Where the conduct reviewer completes their preliminary assessment of a complaint by determining to exercise an option under clause 6.13, paragraphs (a), (b) or (c), they must provide the complainant with written notice of their determination and provide reasons for it, and this will finalise consideration of the matter under these procedures.
- 6.21 Where the conduct reviewer refers a complaint to an external agency, they must notify the complainant of the referral in writing unless they form the view, on the advice of the relevant agency, that it would not be appropriate for them to do so.
- 6.22 The conduct reviewer may only determine to investigate a matter where they are satisfied as to the following:
- a) that the complaint is a code of conduct complaint for the purposes of these procedures, and
 - b) that the alleged conduct is sufficiently serious to warrant the formal censure of a Councillor under section 440G of the LGA or disciplinary action against the CEO under their contract of employment if it were to be proven, and
 - c) that the matter is one that could not or should not be resolved by alternative means.
- 6.23 In determining whether a matter is sufficiently serious to warrant formal censure of a Councillor under section 440G of the LGA or disciplinary action against the CEO under their contract of employment, the conduct reviewer is to consider the following:
- a) the harm or cost that the alleged conduct has caused to any affected individuals and/or the Council
 - b) the likely impact of the alleged conduct on the reputation of the Council and public confidence in it
 - c) whether the alleged conduct was deliberate or undertaken with reckless intent or negligence
 - d) any previous proven breaches by the person whose alleged conduct is the subject of the complaint and/or whether the alleged conduct forms part of an ongoing pattern of behaviour.
- 6.24 The conduct reviewer must complete their preliminary assessment of the complaint within 28 days of referral of the matter to them by the complaints coordinator and notify the complaints coordinator in writing of the outcome of their assessment.
- 6.25 The conduct reviewer is not obliged to give prior notice to or to consult with any person before making a determination in relation to their preliminary assessment of a complaint, except as may be specifically required under these procedures.

Referral back to the CEO or mayor for resolution

- 6.26 Where the conduct reviewer determines to refer a matter back to the CEO or to the mayor to be resolved by alternative and appropriate means, they must write to the CEO or, in the case of a complaint about the CEO, to the mayor, recommending the means by which the complaint may be resolved.
- 6.27 The conduct reviewer must consult with the CEO or mayor prior to referring a matter back to them under clause 6.13(c).
- 6.28 The CEO or mayor may decline to accept the conduct reviewer's recommendation. In such cases, the conduct reviewer may determine to deal with the complaint by other means under clause 6.13.
- 6.29 Where the conduct reviewer refers a matter back to the CEO or mayor under clause 6.13(c), the CEO or, in the case of a complaint about the CEO, the mayor, is responsible for implementing or overseeing the implementation of the conduct reviewer's recommendation.
- 6.30 Where the conduct reviewer refers a matter back to the CEO or mayor under clause 6.13(c), the CEO, or, in the case of a complaint about the CEO, the mayor, must advise the complainant in

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writing of the steps taken to implement the conduct reviewer's recommendation once these steps have been completed.

Complaints assessment criteria

- 6.31 In undertaking the preliminary assessment of a complaint, the conduct reviewer must have regard to the following considerations:
- a) whether the complaint is a code of conduct complaint for the purpose of these procedures
 - b) whether the complaint has been made in a timely manner in accordance with clause 4.4, and if not, whether the allegations are sufficiently serious for compelling grounds to exist for the matter to be dealt with under the Council's code of conduct
 - c) whether the complaint is trivial, frivolous, vexatious or not made in good faith
 - d) whether the complaint discloses prima facie evidence of conduct that, if proven, would constitute a breach of the code of conduct
 - e) whether the complaint raises issues that would be more appropriately dealt with by an external agency
 - f) whether there is or was an alternative and satisfactory means of redress available in relation to the conduct complained of
 - g) whether the complaint is one that can be resolved by alternative and appropriate strategies such as, but not limited to, explanation, counselling, training, informal discussion, negotiation, a voluntary apology or an undertaking not to repeat the offending behaviour
 - h) whether the issue/s giving rise to the complaint have previously been addressed or resolved
 - i) any previous proven breaches of the Council's code of conduct
 - j) whether the conduct complained of forms part of an ongoing pattern of behaviour
 - k) whether there were mitigating circumstances giving rise to the conduct complained of
 - l) the seriousness of the alleged conduct (having regard to the criteria specified in clause 6.23)
 - m) the significance of the conduct or the impact of the conduct for the Council
 - n) how much time has passed since the alleged conduct occurred
 - o) such other considerations that the conduct reviewer considers may be relevant to the assessment of the complaint.

Part 7 – Investigations of Code of Conduct Complaints About Councillors or the Chief Executive Officer

What matters may a conduct reviewer investigate?

- 7.1 A conduct reviewer (hereafter referred to as an "investigator") may investigate a code of conduct complaint that has been referred to them by the complaints coordinator and any matters related to or arising from that complaint.
- 7.2 Where an investigator identifies further separate possible breaches of the code of conduct that are not related to or do not arise from the code of conduct complaint that has been referred to them, they are to report the matters separately in writing to the CEO, or, in the case of alleged conduct on the part of the CEO, to the mayor.
- 7.3 The CEO or the mayor or their delegate is to deal with a matter reported to them by an investigator under clause 7.2 as if it were a new code of conduct complaint in accordance with these procedures.

How are investigations to be commenced?

- 7.4 The investigator must at the outset of their investigation provide a written notice of investigation to the respondent. The notice of investigation must:
- a) disclose the substance of the allegations against the respondent, and

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- b) advise of the relevant provisions of the code of conduct that apply to the alleged conduct, and
 - c) advise of the process to be followed in investigating the matter, and
 - d) advise the respondent of the requirement to maintain confidentiality, and
 - e) invite the respondent to make a written submission in relation to the matter within a period of not less than 14 days specified by the investigator in the notice, and
 - f) provide the respondent the opportunity to address the investigator on the matter within such reasonable time specified in the notice.
- 7.5 The respondent may, within 7 days of receipt of the notice of investigation, request in writing that the investigator provide them with such further information they consider necessary to assist them to identify the substance of the allegation against them. An investigator will only be obliged to provide such information that the investigator considers reasonably necessary for the respondent to identify the substance of the allegation against them.
- 7.6 An investigator may at any time prior to issuing a draft report, issue an amended notice of investigation to the respondent in relation to the matter referred to them.
- 7.7 Where an investigator issues an amended notice of investigation, they must provide the respondent with a further opportunity to make a written submission in response to the amended notice of investigation within a period of not less than 14 days specified by the investigator in the amended notice.
- 7.8 The investigator must also, at the outset of their investigation, provide written notice of the investigation to the complainant, the complaints coordinator and the CEO, or in the case of a complaint about the CEO, to the complainant, the complaints coordinator and the mayor. The notice must:
- a) advise them of the matter the investigator is investigating, and
 - b) in the case of the notice to the complainant, advise them of the requirement to maintain confidentiality, and
 - c) invite the complainant to make a written submission in relation to the matter within a period of not less than 14 days specified by the investigator in the notice.

Written and oral submissions

- 7.9 Where the respondent or the complainant fails to make a written submission in relation to the matter within the period specified by the investigator in their notice of investigation or amended notice of investigation, the investigator may proceed to prepare their draft report without receiving such submissions.
- 7.10 The investigator may accept written submissions received outside the period specified in the notice of investigation or amended notice of investigation.
- 7.11 Prior to preparing a draft report, the investigator must give the respondent an opportunity to address the investigator on the matter being investigated. The respondent may do so in person or by telephone or other electronic means.
- 7.12 Where the respondent fails to accept the opportunity to address the investigator within the period specified by the investigator in the notice of investigation, the investigator may proceed to prepare a draft report without hearing from the respondent.
- 7.13 Where the respondent accepts the opportunity to address the investigator in person, they may have a support person or legal adviser in attendance. The support person or legal adviser will act in an advisory or support role to the respondent only. They must not speak on behalf of the respondent or otherwise interfere with or disrupt proceedings.

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- 7.14 The investigator must consider all written and oral submissions made to them in relation to the matter.

How are investigations to be conducted?

- 7.15 Investigations are to be undertaken without undue delay.
- 7.16 Investigations are to be undertaken in the absence of the public and in confidence.
- 7.17 Investigators must make any such enquiries that may be reasonably necessary to establish the facts of the matter.
- 7.18 Investigators may seek such advice or expert guidance that may be reasonably necessary to assist them with their investigation or the conduct of their investigation.
- 7.19 An investigator may request that the complaints coordinator provide such further information that the investigator considers may be reasonably necessary for them to establish the facts of the matter. The complaints coordinator will, as far as is reasonably practicable, provide the information requested by the investigator.

Referral or resolution of a matter after the commencement of an investigation

- 7.20 At any time after an investigator has issued a notice of investigation and before they have issued their final report, an investigator may determine to:
- a) resolve the matter by alternative and appropriate strategies such as, but not limited to, explanation, counselling, training, mediation, informal discussion, negotiation, a voluntary apology or an undertaking not to repeat the offending behaviour, or
 - b) refer the matter to the CEO, or, in the case of a complaint about the CEO, to the mayor, for resolution by alternative and appropriate strategies such as, but not limited to, explanation, counselling, training, mediation, informal discussion, negotiation, a voluntary apology or an undertaking not to repeat the offending behaviour, or
 - c) refer the matter to an external agency.
- 7.21 Where an investigator determines to exercise any of the options under clause 7.20 after the commencement of an investigation, they must do so in accordance with the requirements of Part 6 of these procedures relating to the exercise of these options at the preliminary assessment stage.
- 7.22 The resolution of a code of conduct complaint under clause 7.20, paragraphs (a) or (b) is not to be taken as a determination that there has been a breach of the Council's Code of Conduct.
- 7.23 Where an investigator determines to exercise any of the options under clause 7.20 after the commencement of an investigation, they may by written notice to the respondent, the complainant, the complaints coordinator and the CEO, or in the case of a complaint about the CEO, to the respondent, the complainant, the complaints coordinator and the mayor, discontinue their investigation of the matter.
- 7.24 Where the investigator discontinues their investigation of a matter under clause 7.23, this shall finalise the consideration of the matter under these procedures.
- 7.25 An investigator is not obliged to give prior notice to or to consult with any person before making a determination to exercise any of the options under clause 7.20 or to discontinue their investigation except as may be specifically required under these procedures.

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Draft investigation reports

- 7.26 When an investigator has completed their enquiries and considered any written or oral submissions made to them in relation to a matter, they must prepare a draft of their proposed report.
- 7.27 The investigator must provide their draft report to the respondent and invite them to make a written submission in relation to it within a period of not less than 14 days specified by the investigator.
- 7.28 Where the investigator proposes to make adverse comment about any other person (an affected person) in their report, they must also provide the affected person with relevant extracts of their draft report containing such comment and invite the affected person to make a written submission in relation to it within a period of not less than 14 days specified by the investigator.
- 7.29 The investigator must consider written submissions received in relation to the draft report prior to finalising their report in relation to the matter.
- 7.30 The investigator may, after consideration of all written submissions received in relation to their draft report, make further enquiries into the matter. If, as a result of making further enquiries, the investigator makes any material change to their proposed report that makes new adverse comment about the respondent or an affected person, they must provide the respondent or affected person as the case may be with a further opportunity to make a written submission in relation to the new adverse comment.
- 7.31 Where the respondent or an affected person fails to make a written submission in relation to the draft report within the period specified by the investigator, the investigator may proceed to prepare and issue their final report without receiving such submissions.
- 7.32 The investigator may accept written submissions in relation to the draft report received outside the period specified by the investigator at any time prior to issuing their final report.

Final investigation reports

- 7.33 Where an investigator issues a notice of investigation, they must prepare a final report in relation to the matter unless the investigation is discontinued under clause 7.23.
- 7.34 An investigator must not prepare a final report in relation to the matter at any time before they have finalised their consideration of the matter in accordance with the requirements of these procedures.
- 7.35 The investigator's final report must:
- a) make findings of fact in relation to the matter investigated, and,
 - b) make a determination that the conduct investigated either,
 - i) constitutes a breach of the code of conduct, or
 - ii) does not constitute a breach of the code of conduct, and
 - c) provide reasons for the determination.
- 7.36 At a minimum, the investigator's final report must contain the following information:
- a) a description of the allegations against the respondent
 - b) the relevant provisions of the code of conduct that apply to the alleged conduct investigated
 - c) a statement of reasons as to why the matter warranted investigation (having regard to the criteria specified in clause 6.23)
 - d) a statement of reasons as to why the matter was one that could not or should not be resolved by alternative means
 - e) a description of any attempts made to resolve the matter by use of alternative means
 - f) the steps taken to investigate the matter
 - g) the facts of the matter

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- h) the investigator's findings in relation to the facts of the matter and the reasons for those findings
 - i) the investigator's determination and the reasons for that determination
 - j) any recommendations.
- 7.37 Where the investigator determines that the conduct investigated constitutes a breach of the code of conduct, the investigator may recommend:
- a) in the case of a breach by the CEO, that disciplinary action be taken under the CEO'S contract of employment for the breach, or
 - b) in the case of a breach by a Councillor, that the Councillor be formally censured for the breach under section 440G of the LGA, or
 - c) in the case of a breach by a Councillor, that the Council resolves as follows:
 - i) that the Councillor be formally censured for the breach under section 440G of the LGA, and
 - ii) that the matter be referred to the Office for further action under the misconduct provisions of the LGA.
- 7.38 Where the investigator proposes to make a recommendation under clause 7.37(c), the investigator must first consult with the Office on their proposed findings, determination and recommendation prior to finalising their report, and must take any comments by the Office into consideration when finalising their report.
- 7.39 Where the investigator has determined that there has been a breach of the code of conduct, the investigator may, in addition to making a recommendation under clause 7.37, recommend that the Council revise any of its policies, practices or procedures.
- 7.40 Where the investigator determines that the conduct investigated does not constitute a breach of the code of conduct, the investigator may recommend:
- a) that the Council revise any of its policies, practices or procedures
 - b) that a person or persons undertake any training or other education.
- 7.41 The investigator must provide a copy of their report to the complaints coordinator and the respondent.
- 7.42 At the time the investigator provides a copy of their report to the complaints coordinator and the respondent, the investigator must provide the complainant with a written statement containing the following information:
- a) the investigator's findings in relation to the facts of the matter and the reasons for those findings
 - b) the investigator's determination and the reasons for that determination
 - c) any recommendations, and
 - d) such other additional information that the investigator considers may be relevant.
- 7.43 Where the investigator has determined that there has not been a breach of the code of conduct, the complaints coordinator must provide a copy of the investigator's report to the CEO or, where the report relates to the CEO'S conduct, to the mayor, and this will finalise consideration of the matter under these procedures.
- 7.44 Where the investigator has determined that there has been a breach of the code of conduct and makes a recommendation under clause 7.37, the complaints coordinator must, where practicable, arrange for the investigator's report to be reported to the next ordinary Council meeting for the Council's consideration, unless the meeting is to be held within the 4 weeks prior to an ordinary local government election, in which case the report must be reported to the first ordinary Council meeting following the election.
- 7.45 Where it is apparent to the complaints coordinator that the Council will not be able to form a quorum to consider the investigator's report, the complaints coordinator must refer the

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investigator's report to the Office for its consideration instead of reporting it to the Council under clause 7.44.

Consideration of the final investigation report by Council

- 7.46 The role of the Council in relation to a final investigation report is to impose a sanction if the investigator has determined that there has been a breach of the code of conduct and has made a recommendation in their final report under clause 7.37.
- 7.47 The Council is to close its meeting to the public to consider the final investigation report in cases where it is permitted to do so under section 10A of the LGA.
- 7.48 Where the complainant is a Councillor, they must absent themselves from the meeting and take no part in any discussion or voting on the matter. The complainant Councillor may absent themselves without making any disclosure of interest in relation to the matter unless otherwise required to do so under the code of conduct.
- 7.49 Prior to imposing a sanction, the Council must provide the respondent with an opportunity to make a submission to the Council. A submission may be made orally or in writing. The respondent is to confine their submission to addressing the investigator's recommendation.
- 7.50 Once the respondent has made their submission they must absent themselves from the meeting and, where they are a Councillor, take no part in any discussion or voting on the matter.
- 7.51 The Council must not invite submissions from other persons for the purpose of seeking to rehear evidence previously considered by the investigator.
- 7.52 Prior to imposing a sanction, the Council may by resolution:
- a) request that the investigator make additional enquiries and/or provide additional information to it in a supplementary report, or
 - b) seek an opinion from the Office in relation to the report.
- 7.53 The Council may, by resolution, defer further consideration of the matter pending the receipt of a supplementary report from the investigator or an opinion from the Office.
- 7.54 The investigator may make additional enquiries for the purpose of preparing a supplementary report.
- 7.55 Where the investigator prepares a supplementary report, they must provide copies to the complaints coordinator who shall provide a copy each to the Council and the respondent.
- 7.56 The investigator is not obliged to notify or consult with any person prior to submitting the supplementary report to the complaints coordinator.
- 7.57 The Council is only required to provide the respondent a further opportunity to make an oral or written submission on a supplementary report if the supplementary report contains new information that is adverse to them.
- 7.58 A Council may by resolution impose one of the following sanctions on a respondent:
- a) in the case of a breach by the CEO, that disciplinary action be taken under the CEO's contract of employment for the breach, or
 - b) in the case of a breach by a Councillor, that the Councillor be formally censured for the breach under section 440G of the LGA, or
 - c) in the case of a breach by a Councillor:
 - i) that the Councillor be formally censured for the breach under section 440G of the LGA, and
 - ii) that the matter be referred to the Office for further action under the misconduct provisions of the LGA.
- 7.59 Where the Council censures a Councillor under section 440G of the LGA, the Council must specify in the censure resolution the grounds on which it is satisfied that the Councillor should

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be censured by disclosing in the resolution, the investigator's findings and determination and/or such other grounds that the Council considers may be relevant or appropriate.

- 7.60 The Council is not obliged to adopt the investigator's recommendation. Where the Council proposes not to adopt the investigator's recommendation, the Council must resolve not to adopt the recommendation and state in its resolution the reasons for its decision.
- 7.61 Where the Council resolves not to adopt the investigator's recommendation, the complaints coordinator must notify the Office of the Council's decision and the reasons for it.

Part 8 – Oversight and Rights of Review

The Office's powers of review

- 8.1 The Office may, at any time, whether or not in response to a request, review the consideration of a matter under a Council's code of conduct where it is concerned that a person has failed to comply with a requirement prescribed under these procedures or has misinterpreted or misapplied the standards of conduct prescribed under the code of conduct in their consideration of a matter.
- 8.2 The Office may direct any person, including the Council, to defer taking further action in relation to a matter under consideration under the Council's code of conduct pending the completion of its review. Any person the subject of a direction must comply with the direction.
- 8.3 Where the Office undertakes a review of a matter under clause 8.1, it will notify the complaints coordinator and any other affected persons, of the outcome of the review.

Complaints about conduct reviewers

- 8.4 The CEO or their delegate must refer code of conduct complaints about conduct reviewers to the Office for its consideration.
- 8.5 The CEO must notify the complainant of the referral of their complaint about the conduct reviewer in writing.
- 8.6 The CEO must implement any recommendation made by the Office as a result of its consideration of a complaint about a conduct reviewer.

Practice rulings

- 8.7 Where a respondent and an investigator are in dispute over a requirement under these procedures, either person may make a request in writing to the Office to make a ruling on a question of procedure (a practice ruling).
- 8.8 Where the Office receives a request in writing for a practice ruling, the Office may provide notice in writing of its ruling and the reasons for it to the person who requested it and to the investigator, where that person is different.
- 8.9 Where the Office makes a practice ruling, all parties must comply with it.
- 8.10 The Office may decline to make a practice ruling. Where the Office declines to make a practice ruling, it will provide notice in writing of its decision and the reasons for it to the person who requested it and to the investigator, where that person is different.

Review of decisions to impose sanctions

- 8.11 A person who is the subject of a sanction imposed under Part 7 of these procedures other than one imposed under clause 7.58, paragraph (c), may, within 28 days of the sanction being imposed, seek a review of the investigator's determination and recommendation by the Office.
- 8.12 A review under clause 8.11 may be sought on the following grounds:

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- a) that the investigator has failed to comply with a requirement under these procedures, or
 - b) that the investigator has misinterpreted or misapplied the standards of conduct prescribed under the code of conduct, or
 - c) that in imposing its sanction, the Council has failed to comply with a requirement under these procedures.
- 8.13 A request for a review made under clause 8.11 must be made in writing and must specify the grounds upon which the person believes the investigator or the Council has erred.
- 8.14 The Office may decline to conduct a review, in cases where the grounds upon which the review is sought are not sufficiently specified.
- 8.15 The Office may undertake a review of a matter without receiving a request under clause 8.11.
- 8.16 The Office will undertake a review of the matter on the papers. However, the Office may request that the complaints coordinator provide such further information that the Office considers reasonably necessary for it to review the matter. The complaints coordinator must, as far as is reasonably practicable, provide the information requested by the Office.
- 8.17 Where a person requests a review under clause 8.11, the Office may direct the Council to defer any action to implement a sanction. The Council must comply with a direction to defer action by the Office.
- 8.18 The Office must notify the person who requested the review and the complaints coordinator of the outcome of the Office's review in writing and the reasons for its decision. In doing so, the Office may comment on any other matters the Office considers to be relevant.
- 8.19 Where the Office considers that the investigator or the Council has erred, the Office may recommend that a decision to impose a sanction under these procedures be reviewed. Where the Office recommends that the decision to impose a sanction be reviewed:
- a) the complaints coordinator must, where practicable, arrange for the Office's determination to be tabled at the next ordinary Council meeting unless the meeting is to be held within the 4 weeks prior to an ordinary local government election, in which case it must be tabled at the first ordinary Council meeting following the election, and
 - b) the Council must:
 - i) review its decision to impose the sanction, and
 - ii) consider the Office's recommendation in doing so, and
 - iii) resolve to either rescind or reaffirm its previous resolution in relation to the matter.
- 8.20 Where, having reviewed its previous decision in relation to a matter under clause 8.19(b), the Council resolves to reaffirm its previous decision, the Council must state in its resolution its reasons for doing so.

Part 9 – Procedural Irregularities

- 9.1 A failure to comply with these procedures does not, on its own, constitute a breach of the code of conduct, except as may be otherwise specifically provided under the code of conduct.
- 9.2 A failure to comply with these procedures will not render a decision made in relation to a matter invalid where:
- a) the non-compliance is isolated and/or minor in nature, or
 - b) reasonable steps are taken to correct the non-compliance, or
 - c) reasonable steps are taken to address the consequences of the non-compliance.

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Part 10 – Practice Directions

- 10.1 The Office may at any time issue a practice direction in relation to the application of these procedures.
- 10.2 The Office will issue practice directions in writing, by circular to all Councils.
- 10.3 All persons performing a function prescribed under these procedures must consider the Office's practice directions when performing the function.

Part 11 – Reporting Statistics on Code of Conduct Complaints About Councillors and the CEO

- 11.1 The complaints coordinator must arrange for the following statistics to be reported to the Council within 3 months of the end of September of each year:
- a) the total number of code of conduct complaints made about Councillors and the Chief Executive Officer under the code of conduct in the year to September (the reporting period)
 - b) the number of code of conduct complaints referred to a conduct reviewer during the reporting period
 - c) the number of code of conduct complaints finalised by a conduct reviewer at the preliminary assessment stage during the reporting period and the outcome of those complaints
 - d) the number of code of conduct complaints investigated by a conduct reviewer during the reporting period
 - e) without identifying particular matters, the outcome of investigations completed under these procedures during the reporting period
 - f) the number of matters reviewed by the Office during the reporting period and, without identifying particular matters, the outcome of the reviews, and
 - g) the total cost of dealing with code of conduct complaints made about Councillors and the CEO during the reporting period, including staff costs.
- 11.2 The Council is to provide the Office with a report containing the statistics referred to in clause 11.1 within 3 months of the end of September of each year.

Part 12 – Confidentiality

- 12.1 Information about code of conduct complaints and the management and investigation of code of conduct complaints is to be treated as confidential and is not to be publicly disclosed except as may be otherwise specifically required or permitted under these procedures.
- 12.2 Where a complainant publicly discloses information on one or more occasions about a code of conduct complaint they have made or purported to make, the Chief Executive Officer or their delegate may, with the consent of the Office, determine that the complainant is to receive no further information about their complaint and any future code of conduct complaint they make or purport to make.
- 12.3 Prior to seeking the Office's consent under clause 12.2, the CEO or their delegate must give the complainant written notice of their intention to seek the Office's consent, invite them to make a written submission within a period of not less than 14 days specified by the CEO or their delegate, and consider any submission made by them.

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- 12.4 In giving its consent under clause 12.2, the Office must consider any submission made by the complainant to the CEO or their delegate.
- 12.5 The CEO or their delegate must give written notice of a determination made under clause 12.2 to:
- a) the complainant
 - b) the complaints coordinator
 - c) the Office, and
 - d) any other person the CEO or their delegate considers should be notified of the determination.
- 12.6 Any requirement under these procedures that a complainant is to be provided with information about a code of conduct complaint that they have made or purported to make, will not apply to a complainant the subject of a determination made by the CEO or their delegate under clause 12.2.
- 12.7 Clause 12.6 does not override any entitlement a person may have to access to Council information under the *Government Information (Public Access) Act 2009* or to receive information under the *Public Interest Disclosures Act 1994* in relation to a complaint they have made.

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Document Control

Responsible Officer:	Manager Corporate Governance
Division:	Organisation Performance
Prepared by:	Governance Officer
Version:	4
Revision:	0
Document Date:	XX August 2025
Effective:	TBC (ELT approval)

Previous Cover



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REPORT: Annual Report on Complaint Statistics Under Council's Code of Conduct - 2024/2025 Reporting Period

DIVISION: Organisational Performance
REPORT DATE: 30 September 2025
TRIM REFERENCE: ID25/1878

EXECUTIVE SUMMARY

Purpose	- Fulfil legislated requirement/compliance - Increase transparency	
Issue	- Code of Conduct complaints against Councillors and the Chief Executive Officer are reported to Council and the Office of Local Government annually, which is a statutory requirement. - The Code of Conduct reporting year is 1 September to 31 August each year (set by legislation). - This report provides statistics on quarter four of the 2024/2025 reporting period, along with an annual summary of statistics for the entire 2024/2025 period.	
Reasoning	- In accordance with Part 11.1 of the Procedures for the Administration of the Model Code of Conduct as issued by the NSW Department of Premier and Cabinet, Council's Complaints Coordinator is required to report to council within three months of the end of September each year on complaint statistics under Council's Code of Conduct. - Additional updates are provided to Councillors each quarter, with this annual report also encompassing quarter four of the reporting period.	
Financial Implications	Budget Area	Corporate Governance
	Funding Source	Corporate Governance – Code of Conduct
	Actual Cost	\$35,965.13
	Ongoing Costs	Budgeted \$52,000 for 2024/2025
Policy Implications	Policy Title	Council's Code of Conduct
	Impact on Policy	No policy implications from this report

STRATEGIC DIRECTION

The Towards 2040 Community Strategic Plan is a vision for the development of the region out to the year 2040. The Plan includes six principle themes and a number of objectives and strategies. This report is aligned to:

Theme: 3 Working Together for the Region

CSP Objective:	3.1 Our Council is open, fair, and accountable in its decision-making.
Delivery Program Strategy:	3.1.5 Operate with transparency, accountability, and integrity in all governance and decision-making processes.

RECOMMENDATION

- 1. That the information contained within the report of the Manager Corporate Governance, dated 22 September 2025, be noted.
- 2. That that the annual Code of Conduct statistics be reported to the Office of Local Government in line with statutory requirements.

Stephanie Williamson
Chief Financial Officer

AR
Manager Corporate
Governance

BACKGROUND

Annual Reporting Requirements

Part 11.1 of the Procedures for the Administration of the Model Code of Conduct, as issued by the NSW Office of Local Government, requires the Complaints Coordinator (Manager Corporate Governance) to report to Council within three months of the end of September each year on complaint statistics received within the previous 12 months (specifically 1 September to 31 August), under Council's Code of Conduct as follows:

11.1 The complaints coordinator must arrange for the following statistics to be reported to the council within 3 months of the end of September of each year:

- a) the total number of code of conduct complaints made about councillors and the general manager under the code of conduct in the year to September (the reporting period)*
- b) the number of code of conduct complaints referred to a conduct reviewer during the reporting period*
- c) the number of code of conduct complaints finalised by a conduct reviewer at the preliminary assessment stage during the reporting period and the outcome of those complaints*
- d) the number of code of conduct complaints investigated by a conduct reviewer during the reporting period*
- e) without identifying particular matters, the outcome of investigations completed under these procedures during the reporting period*
- f) the number of matters reviewed by the Office during the reporting period and, without identifying particular matters, the outcome of the reviews, and*
- g) the total cost of dealing with code of conduct complaints made about councillors and the CEO during the reporting period, including staff costs.*

This information is provided in **Appendix 1**, in line with Part 11.1 of Council's Procedures for the Administration of the Dubbo Regional Council Code of Conduct.

Quarterly Reporting

Council previously requested quarterly reports regarding Code of Conduct complaints received against Councillors or the Chief Executive Officer.

As resolved at the Ordinary Council meeting held on 26 October 2023, following are the revised quarterly reporting periods for Code of Conduct purposes, which will align with annual reporting:

Reporting Period		Report to Council
Quarter 1 (Q1)	1 September to 30 November	December
Quarter 2 (Q2)	1 December to 28 February (or 29 February in a leap year)	March
Quarter 3 (Q3)	1 March to 31 May	June
Quarter 4 (Q4)	1 June to 31 August	September

REPORT

This report provides statistics on quarter four of the 2024/2025 reporting period along with an annual summary of statistics for the entire 2024/2025 period (**Appendix 1**).

Quarter Four Reporting

- The fourth reporting quarter for the 2024/2025 period is 1 June 2025 to 31 August 2025.
- Three Code of Conduct complaints were received during this quarter.
- Costs incurred during the quarter totalled \$17,635.75.

Annual Reporting

- The annual reporting period is from 1 September 2024 to 31 August 2025.
- During the 2024/2025 reporting period, a total of six Code of Conduct complaints were received.
- Costs incurred during the 2024/2025 reporting period totalled \$35,965.13, which includes costs incurred from:
 - Three previously received complaints during the 2023/2024 reporting period, totalling \$18,329.38.
 - One complaint received during the 2024/2025 reporting period, totalling \$17,635.75 (this comprised preliminary assessment, final investigation, and legal advice).
- Council expects further invoices to be receipted in the first quarter of the 2025/2026 reporting period relating to two of the complaints received during the 2024/2025 reporting period.

Annual Reporting Comparisons

Reporting Period	Number of Code of Conduct Complaints Received	Total Expenditure
2021/2022	9	\$61,392.60
2022/2023	4	\$16,170.00
2023/2024	4	\$13,868.25
2024/2025	6	\$35,965.13

Consultation

- Reporting complaint statistics regularly allows for transparency both within Council and in the broader community.
- All Councillors are required to undertake Code of Conduct training as part of their role as an Elected Body. Sessions were provided on 2 October 2024 and 20 November 2024, resulting in all Councillors completing the required training.
- Additional Code of Conduct training is booked for the Councillor group on 3 December 2025, for refresher purposes after the initial 12 months service of the elected body.

- Council is required to report its annual Code of Conduct statistics to the Office of Local Government each December (for the period 1 September to 31 August).

Resourcing Implications

- Staff resources are used to manage the administration of complaints and liaise with external conduct reviewers.

APPENDICES:

- 1↓ 2024/2025 Annual Code of Conduct Reporting Statistics

REPORTING STATISTICS ON CODE OF CONDUCT COMPLAINTS ABOUT COUNCILLORS AND THE CHIEF EXECUTIVE OFFICER

Reporting Period: 1 September 2024 to 31 August 2025

Prepared in accordance with Part 11.1 of Council's Procedures for the Administration of the Dubbo Regional Council Code of Conduct.

Reporting Period	Complaints Received	Referred to Conduct Reviewer	Finalised at Preliminary Assessment Stage	Investigated by Conduct Reviewer	Outcome of Investigations	Reviewed by Office of Local Government	Total Costs Incurred (including GST)
Q1 1 September 2024 to 30 November 2024	0	-	1	-	Outcomes relating to previously received complaints finalised in Q1: DRC24/2 – Finalised and forwarded to Office of Local Government. DRC24/3 – Finalised and forwarded to Office of Local Government. DRC24/4 – Finalised at Preliminary Assessment stage and no further action taken.	DRC24/2 DRC24/3	Costs incurred in Q1 in relation to previously received complaints: DRC24/2: \$2,972.75 DRC24/3: \$10,049.75 DRC24/4: \$4,807.00
			DRC24/4				
Q2 1 December 2024 to 28 February 2025	1	-	-	-	DRC25/1 – Forwarded to OLG as per Procedures for the Administration of the Code of Conduct.	DRC25/1	Cost incurred in Q2 in relation to previously received complaint: DRC24/2: \$499.88
	DRC25/1						
Q3 1 March 2025 to 31 May 2025	2	1	1	1	DRC25/2 – Complaint finalised as did not meet the threshold for a complaint. DRC25/3 – Complaint progressed to full investigation following recommendation in Preliminary Assessment Report from external conduct reviewer.	DRC25/3	Nil costs incurred in Q3.
	DRC25/2 DRC25/3	DRC25/3	DRC25/2	DRC25/3			

Reporting Period	Complaints Received	Referred to Conduct Reviewer	Finalised at Preliminary Assessment Stage	Investigated by Conduct Reviewer	Outcome of Investigations	Reviewed by Office of Local Government	Total Costs Incurred (including GST)
Q4 1 June 2025 to 31 August 2025	3	3	1	3	DRC25/1 – Referred back to Council by OLG. Complaint finalised and dealt with in accordance with Clause 6.13(c) of the Procedures for the Administration of the Code of Conduct – via alternative means. DRC25/3 – Complaint finalised and Councillor formally censured at Ordinary Council meeting held 27/08/2025.	-	Costs incurred in Q4 in relation to previously received complaint: DRC24/3: \$17,635.75
	DRC25/4 DRC25/6 DRC25/7	DRC25/4 DRC25/6 DRC25/7	DRC25/4	DRC25/4 DRC25/6 DRC25/7	DRC25/4 – Complaint finalised following Preliminary Assessment. Matter dealt with in accordance with Clause 6.13(c) of the Procedures for the Administration of the Code of Conduct – via alternative means.		
TOTAL	6	4	3	4		4	\$35,965.13

NOTE:

DRC25/6 and DRC25/7 are still under investigation and are not yet finalised.



REPORT: Draft Policies for Council Review

DIVISION: Organisational Performance
REPORT DATE: 29 August 2025
TRIM REFERENCE: ID25/1761

EXECUTIVE SUMMARY

Purpose	• Provide Review or update • Adopt a policy	
Issue	• Policy Review	
Reasoning	• Policies due for review to align with current legislation	
Financial Implications	Budget Area	There are no financial implications arising from this report.
Policy Implications	Policy Title	• Use of Council Common Seal Policy • Related Party Disclosures
	Impact on Policy	Minor administrative changes.

STRATEGIC DIRECTION

The Towards 2040 Community Strategic Plan is a vision for the development of the region out to the year 2040. The Plan includes four principal themes and a number of objectives and strategies. This report is aligned to:

Theme: 3 Working Together for the Region

CSP Objective: 3.1 Our Council is open, fair, and accountable in its decision-making.

Delivery Program Strategy: 3.1.5 Operate with transparency, accountability, and integrity in all governance and decision-making processes.

RECOMMENDATION

1. That Council adopt the following policies as attached to this report:
 - a. Council Policy – Use of The Common Seal of Council.
 - b. Council Policy – Related Party Disclosure.
2. That due to the changes being very administrative in nature that they are not place on public exhibition prior to adoption.

Jane Bassingthwaight
Director Organisational Performance

SW
Governance Team Leader

BACKGROUND

A review has been undertaken on the below policies to bring them up to date and to bring them in line with the new policy template.

Council Policy - Use of the Common Seal of Council

Changes made to bring this policy in line with the new Policy format for Council are in red text in the attached draft policy **Appendix 1**.

No significant changes, just administrative review.

Related Party Disclosure – Last reviewed April 2023

Changes made to bring this policy in line with the new Policy format for Council are in red text in the attached draft policy **Appendix 2**.

Administrative review undertaken and only change marked in red text is in the attachment Related Party Transactions Notification by Key Management Personnel where under Section one the tick box refers to the previous 12 months rather than 6 months. This is because we only have these updated annually.

Previous Resolutions of Council

22 May 2022 CCL22/125	<i>That the Council Policy, Use of the Common Seal of Council, as attached at Appendix 1, be adopted.</i>
13 April 2023 CSC23/14	<i>That the draft Related Party Disclosure Policy, as attached at Appendix 1, be adopted.</i>

REPORT

Council officers have undertaken a preliminary review of the policies outlined in this report checking that the policies reflect current legislative requirements, operational practices, or community expectations. The proposed update aims to modernise the policy framework, improve clarity, and ensure alignment with Council's strategic objectives.

Consultation

There are no legislative requirements to place the policy on public exhibition.

Planned Communications

- Once adopted the policy will be placed on Councils website.

Timeframe

November 2025	Once policies are adopted, they will be placed on Council's Website.
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APPENDICES:

- 1 [↓](#) DRAFT - Council Policy - Use of Council Common Seal of Council
- 2 [↓](#) DRAFT - Council Policy - Related Party Disclosures



Council Policy

Use of Common Seal of Council

ED25/160225



Document Overview

Document Category	Council Policy
Policy Title	Use of Council Common Seal
Policy Statement	This policy sets out the situations in which a seal is required, and how the seal is to be used.
Date	13 August 2025
Resolution Date	TBD
Clause Number	TBD
Accountable Position	Manager Corporate Governance
Responsible Position	Manager Corporate Governance
Branch	Corporate Governance
Division	Organisational Performance
CM Reference Number	EDXX/XXXXX
Version	3
Review Period	5 Years
Review Date	August 2030
Consultation	Not Applicable

Document Revision History	
Description	Date
Updated to Western Plains Regional Council	22 June 2016
Updated to Dubbo Regional Council	May 2022
Reviewed and updated into new policy format with some title changes	13 August 2025
Notes	
Brought in line with current Council template, slight amendments to who may sign documents, in line with legislation.	

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Council Policy – Use of Council Common Seal | 13 August 2025

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Purpose

A Council seal is like the signature of a Council. Affixing the seal demonstrates approval of the content of a document and shows what Council has done or agreed to do.

Council's seal can only be used following a resolution of Council. However, not all documents created to implement decisions of Council require the affixing of a seal.

Related Information

Councils are required to resolve the awarding of contracts and agreements through council resolutions. If any of these are not within the General Managers delegations, Council can resolve to execute these contracts under the Common Seal of Council.

Related Legislation

Local Government Act 1993 (The Act)

Section 377 of the Act allows Council to delegate any of its functions (except those enumerated in the section) to the General Manager (General Manager) or any other person or body.

Interpretation Act 1987

Section 50 of Part 8 of the Interpretation Act requires Council to have a seal. This is because Council is a statutory corporation. In addition, it requires that the seal be kept by the president, chairperson or other principal officer of the corporation and affixed to a document only in the presence of at least two members of the corporation, and with an attestation by the signatures of those members of the fact of the affixing of the seal.

Local Government (General) Regulation 2021 (the Regulation)

Requirements in relation to Council's seal are further detailed in clause 400 of the Regulation, which states that:

1. *The seal of a council must be kept by the mayor or the general manager, as the council determines.*
2. *The seal of a council may be affixed to a document only in the presence of:*
 - *the mayor and the general manager, or*
 - *at least one councillor (other than the mayor) and the general manager, or*
 - *the mayor and at least one other councillor, or*
 - *at least 2 councillors other than the mayor.*
3. *The affixing of a council seal to a document has no effect unless the persons who were present when the seal was affixed (being persons referred to in subclause (2)) attest by their signatures that the seal was affixed in their presence.*

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Council Policy – Use of Council Common Seal | 13 August 2025

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4. *The seal of a council must not be affixed to a document unless the document relates to the business of the council and the council has resolved (by resolution specifically referring to the document) that the seal be so affixed.*
5. *For the purposes of subclause (4), a document in the nature of a reference or certificate of service for an employee of the council does not relate to the business of the council.*

Scope

The Chief Executive Office is to arrange safekeeping of the Council Seal. The seal is to be kept under lock except when it is required for affixing to a document.

Policy

In line with its legislative requirements, Council has determined that:

- A decision to affix Council's seal to a document can only be made by a resolution of Council. It is not a matter that can be delegated.
- Council's seal will be held by the General Manager. Following a decision by Council that a document will be issued under seal, the General Manager will ensure that the requirements of sections 400(2) and (3) of the Regulation are met whenever the Council Seal is to be affixed to a document.
- Council's seal will be used only for documents that relate to the business of Council, and without limiting the use of the seal, will normally only include specifically:
 - the exercise by Council of its functions in relation to the purchase, exchange, leasing, disposal of, and otherwise dealing with, real property, or
 - executing a contract of employment for the General Manager, or
 - completing agreements or contracts from state or federal government departments where they have requested the agreements or contracts be under seal, or
 - entering into planning agreements.
- Council's seal will not be used for documents such as references or certificates of service for Council employees.
- The General Manager will not witness the affixing of Council's seal to the contract of employment for the General Manager.
- In accordance with section 440(2) of the Regulation, the seal of Council may be affixed to a document only in the presence of:
 - The Mayor and the General Manager (preferred), or
 - At least one Councillor (other than the Mayor) and the General Manager, or
 - The Mayor and at least one other Councillor, or
 - At least two Councillors other than the Mayor.

PROCEDURE FOR USE OF THE SEAL

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If a document is to be sealed, the Council resolution that authorises the sealing must refer to the specific document.

However, this does not always mean that each document needs a separate resolution. If Council is authorising an activity or transaction, for example the transfer of land, a single resolution could specify all the documents that need to be executed under seal to carry out that activity or transaction.

Resolutions to use Council's seal must be in the following form:

"That any necessary documentation be executed under the Common Seal of the Council."

If required, the words 'Mayor' and or 'General Manager' may be replaced as required by the Mayor or General Manager, in compliance with sections 400(2) and (3) of the Regulation.

In the case of the contract of employment for the General Manager the word 'Mayor' may be replaced, and the words 'General Manager' must be replaced, as required by the Mayor, in compliance with sections 400 (2) and (3) of the Regulation.

Responsibilities

The General Manager is responsible for ensuring the Council Seal is used in accordance with this Policy, except in the case of the contract of employment of the General Manager, when the Director Organisational Performance is responsible.

Position	Responsibility
Mayor	To sign along with the CEO as per the resolution of council.
General Manager	To ensure that the Council Seal is used in accordance with this policy.
Manager Corporate Governance	Manager or nominee to apply the seal and maintain the register of all occasions that it is used.
Directors	Director Organisational Performance to take on CEO responsibility in the case of executing the CEO's employment contract.

Definitions

To assist in interpretation, the following definitions apply:

Term	Definition
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Council Policy – Use of Council Common Seal | 13 August 2025

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Council Seal

A stamp or embossed insignia that serves as the official signature of a local government council.

Appendices

Nil.

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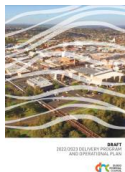
Council Policy – Use of Council Common Seal | 13 August 2025

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Document Control

Responsible Officer:	Manager Corporate Governance
Division:	Organisational Performance
Prepared by:	Governance Team Leader
Version:	3.0
Revision:	5 years
Document Date:	13/08/2025
Effective:	

Previous Cover



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Council Policy

Related Party Disclosure Policy

ED25/160305



Document Overview

Document Category	Council Policy
Policy Title	Related Party Disclosure Policy
Policy Statement	This policy has been developed to provide guidance in complying with the Local Government Act, section 412(3), which requires Council to prepare its General-Purpose Financial Statements in compliance with Australian Accounting Standards.
Date	13 August 2025
Resolution Date	
Clause Number	TBD
Accountable Position	Manager Corporate Governance
Responsible Position	Manager Corporate Governance
Branch	Organisational Performance
Division	Corporate Governance
CM Reference Number	ED25/
Version	3.0
Review Period	2 Years
Review Date	August 2027
Consultation	Audit Risk and Improvement Committee October 2025

Document Revision History	
Description	Date
Draft adopted by Audit and Risk Management Committee for review by legal advisors prior to submission to Council.	June 2017
Reviewed by Crennan Legal with advice provided	September 2017
Adopted by Council	23 October 2017
Updated to reflect Position Title changes	4 May 2018
Reviewed and draft presented to Audit and Risk Management Committee	April 2023



Draft presented to Corporate Services Committee for Council adoption Adopted by Council	April 2023
Draft presented to Corporate Services Committee for Council adoption	October 2025
Review and presented to ARIC	October 2025

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Related Party Disclosure Policy | 13 August 2025

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Purpose

The objective of this policy is to define the parameters for Related Party Transactions and to ensure that the existence of certain related party relationships, related party transactions and information about the transactions necessary for users to understand the potential effects of the Financial Statements are properly identified and disclosed in Council's General Purpose Financial Statements in compliance with the Australian Accounting Standard AASB 124 - Related Party Disclosures.

Related Information

Council is committed to responsible corporate governance, including compliance with laws and regulations governing related party transactions. Related party relationships are a normal feature of commerce and business. For example, entities frequently carry on parts of their activities through subsidiaries, joint ventures and associates. In those circumstances, there is the possibility of the entity having the ability to affect the financial and operating policies of Council through the presence of control, joint control or significant influence.

A related party relationship could influence the normal business operations of Council even if related party transactions do not occur. The mere existence of the relationship may be sufficient to affect the transactions of the Council with other parties. Alternatively, one party may refrain from trading with Council because of the significant influence of another.

For these reasons, knowledge of Council's transactions and outstanding balances (including commitments and relationships with related parties) may affect assessments of Council's operations by users of financial statements.

AASB 124 requires the relationship between Council and any subsidiary be disclosed irrespective of whether there have been transactions between them. AASB 124 provides that Council must disclose the nature of the related party relationship as well as information about those transactions and outstanding balances including commitments, in its financial statements necessary for users to understand the potential effect of the relationship on the financial statements.

Related Legislation

- Local Government Act 1993 and Local Government (General) Regulation 2021.
- Australian Accounting Standard AASB 124 - Related Party Disclosures.
- Privacy and Personal Information Protection Act 1998 (PPIPA).
- Government Information (Public Access) Act 2009 (GIPAA)
- Code of Accounting Practice and Financial

Scope

The Council in complying with disclosure requirements in AASB 124, will:

- a. Identify related party relationships, related party transactions and ordinary citizen transactions;
- b. Identify information about the related party transaction for disclosure;

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- c. Establish systems to capture and record the related party transactions and information about those transactions;
- d. Identify the circumstances in which disclosure is required
- e. Determine the disclosure to be made about those items in the General-Purpose Financial Statements for the purpose of complying with AASB 124.

Policy

Council is committed to responsible corporate governance, including compliance with laws and regulations governing related party transactions. Related party relationships are a normal feature of commerce and business. For example, entities frequently carry on parts of their activities through subsidiaries, joint ventures and associates. In those circumstances, there is the possibility of the entity having the ability to affect the financial and operating policies of Council through the presence of control, joint control or significant influence.

A related party relationship could influence the normal business operations of Council even if related party transactions do not occur. The mere existence of the relationship may be sufficient to affect the transactions of the Council with other parties. Alternatively, one party may refrain from trading with Council because of the significant influence of another.

For these reasons, knowledge of Council's transactions and outstanding balances (including commitments and relationships with related parties) may affect assessments of Council's operations by users of financial statements.

AASB 124 requires the relationship between Council and any subsidiary be disclosed irrespective of whether there have been transactions between them. AASB 124 provides that Council must disclose the nature of the related party relationship as well as information about those transactions and outstanding balances including commitments, in its financial statements necessary for users to understand the potential effect of the relationship on the financial statements.

To enable Council to comply with AASB 124, Council's key management personnel are required to declare full details of any related party transactions, other than those defined in this policy as a non-material ordinary citizen transaction. Such information will be retained and reported, where necessary, in Council's annual financial statements.

Related Parties

A related party is a person or entity that is related to Council.

- a. A person or a close member of that person's family is related to Council if that person:
 - I. Has control or joint control of Council
 - II. Has significant influence over Council
 - III. Is a member of the key management personnel of Council
- b. An entity is related to Council if any of the following conditions apply:
 - I. The entity and Council are members of the same group (which means that each parent, subsidiary and fellow subsidiary is related to the others);
 - II. The entity is an associate or joint venture of Council (or an associate or joint venture of a member of a group of which Council is a member);

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- III. The entity is a joint ventures of a third entity and Council is an associate of the third entity;
- IV. The entity is a post-employment benefit plan for the benefit of employees of either Council or an entity related to Council;
- V. The entity is controlled or jointly controlled by a person identified in (a) above;
- VI. A person identified in (a)(i) has significant influence over the entity or is a member of the key management personnel of the entity (or of a parent of the entity);

The entity, or any member of a group of which it is a part, provides key management personnel services to Council.

Entities related to Council

Entities controlled by Council, jointly controlled by Council or over which Council has significant influence are related parties. If an entity holds, directly or indirectly (for example, through subsidiaries), 20% or more of the voting power, it is presumed that the entity has significant influence, unless it can be clearly demonstrated that this is not the case.

The existence of significant influence by Council is usually evidenced in one or more of the following ways:

- representation on the board of directors or equivalent governing body of the investee;
- participation in policy-making processes, including participation in decisions about dividends or other distributions;
- material transactions between the entity and its investee;
- interchange of managerial personnel; or
- provision of essential technical information.

Where the relationship is determined to be that of parent and subsidiary, the relationship will be disclosed irrespective of whether there have been transactions between Council and the entity. Otherwise Council will identify transactions with such entities and these may give rise to extra disclosure in Council's annual financial statements.

Council will identify transactions with these entities and may need to make extra disclosure about them in Council's annual financial statements.

Disclosure of Related Party Transactions

- a. Subject to (c) below, related party transactions will be disclosed regardless of whether a price is charged.
- b. The following are examples of transactions that are disclosed if they are with a related party:
 - I. purchase or sale of goods (finished or unfinished);
 - II. purchase or sale of property and other assets;
 - III. rendering or receiving services;
 - IV. leases;
 - V. transfers of research and development;
 - VI. transfers under licence agreements;
 - VII. transfers under finance arrangements (including loans and equity contributions in cash or in kind);
 - VIII. provision of guarantees or collateral;

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- IX. commitments to do something if a particular event occurs or does not occur in the future, including executory contracts (recognised and unrecognised) and settlements of liabilities on behalf of the entity or by entity on behalf of the related party.
- c. Disclosure of related party transactions that are ordinary citizen transactions or are assessed by Council to be not material for disclosure in Council's general purpose financial statements will not be disclosed.

Key management personnel compensation is also required to be disclosed, on an aggregate basis only.

Transactions with related parties will be identified through self-assessment to be notified to Council by key management personnel.

Materiality (Material)

Whether a related party transaction is material and therefore to be disclosed in Council's general purpose financial statements is an assessment which will be undertaken by Council.

The assessment of whether omitting or misstating the transaction either individually or in aggregate with other transactions, could influence decisions that users make on the basis of Council's financial statements. A transaction may be material by either size or nature.

When assessing whether such transactions are significant, the closeness of the related party relationship shall be considered as will other factors relevant in establishing the level of significance of the transaction such as whether it is:

- Significant in terms of size
- Carried out on non-market terms
- Outside normal day-to-day Council operations
- Disclosed to regulatory or supervisory authorities
- Reported to senior management
- Subject to Council approval

Regard must be given to transactions that are collectively but not individually significant.

Prior to preparing the disclosure in Council's annual financial statements all related party transactions are to be assessed for materiality. Transactions that are not considered material will not be disclosed.

Disclosure Requirements

AASB 124 provides that Council must disclose all material and significant related party transactions in its annual financial statements by aggregate or general description and include the following detail:

- the nature of the related party relationship; and
- relevant information about the transactions including:
 - the amount of the transaction;
 - the amount of outstanding balances, including commitments, and

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- their terms and conditions, including whether they are secured, and the nature of the consideration to be provided in the settlement; and
- details of any guarantee given or received;
 - provision for doubtful debts related to the amount of outstanding balances; and
 - the expense recognised during the period in respect of bad or doubtful debts due from related parties.

Identifying Related Party Transactions with Key Management Personnel and their Close Family

Members

The method for identifying the close family members and associated entities of key management personnel will be by self-assessment. All key management personnel are responsible for self-assessing their own related parties on at least an annual basis. Key management personnel are responsible for informing the Chief Executive Officer when any changes to those related parties occur outside of those times. The self-assessment will be recorded on the prescribed Related Party Declaration Form (RPD Form).

The completed RPD Form must be provided to the Chief Executive Officer by no later than the following periods during a financial year (the specified notification period):

- 30 days after the commencement of the application of this policy;
- 30 days after a key management person commences their term of employment with Council;
- 30 days after there is a change to the close family members and associated entities of key management personnel;
- 30 June.

If it is brought to Council's attention that any related party of a key management person has not been declared, an immediate review will be triggered, and the effected key management person will be required to review their existing declaration.

Key management personnel must also complete a Related Party Transactions Notification (RPT Notification) using the prescribed form, notifying any related party transactions between Council and either themselves, their close family members or entities controlled or jointly controlled by them or any of their close family members. This notification requirement does not apply to ordinary citizen transactions which are not material, or to key management personnel compensation which will be captured separately by Finance staff (eg Councillor X uses Council's public swimming pool throughout the summer and pays the standard entry fee to access the facility is an ordinary citizen transaction).

The completed RPT Notification must be provided to the Chief Executive Officer by no later than 30 June, for related party transactions during that financial year.

At least 30 days before a specified notification period, the Manager Corporate Governance will provide key management personnel with a RPD Form and/or RPT Notification, as applicable. These forms will also be provided at the end of each month throughout the year to allow the KMP to cumulatively complete the annual return.

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Registers of Related Parties and Related Party Transactions

The Manager Corporate Governance will maintain a register of existing key management personnel related party declarations.

The Manager Corporate Governance will also maintain and keep up-to-date a register of related party transactions that captures and records the specified information for each existing or potential related party transaction during a financial year.

The contents of the register of related party transactions must detail for each related party transaction:

- the description of the related party transaction;
- the name of the related party;
- the nature of the related party's relationship with Council;
- whether the notified related party transaction is existing or potential;
- a description of the transactional documents the subject of the related party transaction; and
- the information specified in this policy under the heading *Disclosure Requirements*.

Privacy

Information provided by key management personnel and other related parties shall be held by Council for the purpose of compliance with Council's legal obligations under AASB 124 and shall be otherwise disclosed only where required by the *Government Information (Public Access) Act 2009* and *Privacy and Personal Information Protection Act 1998*.

Affected parties are entitled to access their personal information held by Council. They can also request that Council amends their personal information to ensure that it is accurate and, with regard to the purpose for which the information was collected, is relevant, up-to-date, complete and not misleading.

Review

This policy will be reviewed periodically every two years from the date of adoption and whenever any of the following events occur:

- a corporate restructure occurs impacting key management personnel;
- relevant legislation or policy is amended or replaced;
- other circumstances as determined from time to time by a resolution of Council; or
- changes to the Local Government Code of Accounting Practice and Financial Reporting.

Responsibilities

Responsibilities for implementing this policy are shared between Councillors, Executive and relevant staff as follows:

Councillors, Executive and Relevant Managers

- Comply with this policy by identifying and self-reporting details of related parties and related party transactions to the Manager Corporate Governance.

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Manager Corporate Governance

- Provide advice and assistance to Councillors, Executive and Relevant Managers in relation to this policy. It should be noted that holders of Key Management Positions as defined in this policy, may consider obtaining independent legal advice in the completion of the required disclosures
- Maintain a register for each of related party declarations and related party transactions.

Statutory Accountant

- Disclose all material and significant related party transactions in Council's annual financial statements as stipulated by AASB 124.

Position	Responsibility
Users	Councillors; Executive and relevant Managers to complete Related Party Declaration annually
Managers	Manager Corporate Governance; ensure forms are issued by relevant date, Maintain register and review
Directors	Advise Statutory Accountant when submitted
Others	Director Organisational Performance
	Audit Office

Appendices

- Related Party Declaration Form
- Related Party Transactions Notification by Key Management Personnel

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Private and Confidential	
Related Party Declaration by Key Management Personnel (KMP)	
Name of Key Management Person:	
Position of Key Management Person:	
List details of close family member, entities that are controlled/jointly controlled by you and entities that are controlled/jointly controlled by close family members <i>(Please refer to definitions in Related Party Disclosure Policy and consider the additional guidance provided in the Related Party Disclosure Information Sheet for KMP)</i>	
<u>Name of person or entity</u>	<u>Relationship</u>
I (insert full name), (insert position) declare that that the above list includes all my close family members and the entities controlled, or jointly controlled, by myself or my close family members. I make this declaration after reading the Council's Related Party Disclosure Policy which details the meaning of the words 'close family members' and 'entities controlled, or jointly controlled, by myself or my close family members'.	
Declared at:	(insert place)
on the	(insert date)
Signature of KMP:	



Name of Key Management Person:

Position of Key Management Person:

Please read the Related Party Disclosure Policy which explains what a related party transaction is and the purposes for which Council is collecting, and will use and disclose, the related party information provided by you in this notification.

Please Complete either Section 1 or Section 2

Section 1 (Please tick if applicable)

☐

No related party transactions have been carried out in the **past 12 month period** and I am not aware of any related party transactions anticipated in the future.

Section 2

Please complete the table attached for each related party transaction with Council that you, or a close member of your family, or an entity related to you or a close member of your family:

- a) has previously entered into and which will continue in the future, or
- b) has entered into, or is reasonably likely to enter into, in the future.

Notification

I, (Name) _____, (Position) _____ notify that,

to the best of my knowledge, information and belief, as at the date of this notification, the above list and attachments, if any, includes all existing and potential related party transactions with Council involving myself, close members of my family, or entities controlled or jointly controlled by me or close members of my family, relevant to the reporting period.

I make this notification after reading the Related Party Disclosure Policy provided by Dubbo Regional Council, which details the meaning of the words “related party”, “related party transaction”, “close members of the family of a person” and, in relation to an entity, “control” or “joint control” and the purposes for which this information will be used and disclosed.

I permit access to this information for the purpose of compliance with Council’s legal obligations and disclosure.

Signature: _____

Date: _____



Description of Related Party Transaction	Is transaction existing or potential?	Tick box if transaction is financial in nature	Related Party's Name (Individual or Entity) Include ABN if known	Relationship with Related Party	Description of Transaction Documents or Changes to the Related Party Relationship
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Note:- Please attach additional pages if not enough room supplied above as well as any supporting information that would be useful in the assessment of these related party transactions.

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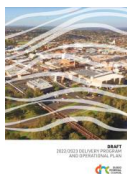
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Document Control

Responsible Officer:	Manager Corporate Governance
Division:	Organisational Performance
Prepared by:	Governance Team Leader
Version:	3.0
Revision:	2 Years
Document Date:	13 August 2025
Effective:	Council Resolution

Previous Cover



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REPORT: Draft Council Policy - Flag Protocols

DIVISION: Organisational Performance
REPORT DATE: 8 July 2025
TRIM REFERENCE: ID25/1346

EXECUTIVE SUMMARY

Purpose	- Addressing Council resolution - Adopt a policy	
Issue	- Providing information and options for setting a localised Flag Protocol policy. - Response to previous council resolution from June 2025.	
Reasoning	- To provide members of the Local Government Area with clear and transparent guidelines on the requirement and protocols around flying the National, Aboriginal and other flags on council owned buildings and locations. - To provide an opportunity for council to fly flags at half-mast in any locality on the death of a prominent local citizen on the day or part of the day of their funeral. <i>Flags Act 1953.</i> - Australian Flags – Department of the Prime Minister and Cabinet.	
Financial Implications	Budget Area	Various branches across DRC
	Funding Source	Various branches across DRC
	Ongoing Costs	\$3,168 (incl GST) pa Australian flag – 9 per year \$1,119 Aboriginal flag – 9 per year \$1,249 DRC Corporate flag – 9 per year \$800
Policy Implications	Policy Title	Local Flag Policy
	Impact on Policy	When adopted will become a policy of Council

STRATEGIC DIRECTION

The Towards 2040 Community Strategic Plan is a vision for the development of the region out to the year 2040. The Plan includes six principal themes and a number of objectives and strategies. This report is aligned to:

Theme: 3 Working Together for the Region

CSP Objective: 3.1 Our Council is open, fair, and accountable in its decision-making.

Delivery Program Strategy: 3.1.5 Operate with transparency, accountability, and integrity in all governance and decision-making processes.

RECOMMENDATION

- 1. That the Draft Council Policy – Flag Protocols be adopted for the purpose of being placed on Public Exhibition for no less than 28 Days.**
- 2. That a further report be provided to council post public exhibition period.**

Jane Bassingthwaight
Director Organisational Performance

SW
Governance Team Leader

BACKGROUND

Previous Resolutions of Council

24 June 2025 CCL25/153	<i>That the CEO provide a report to 23 September Ordinary Council meeting outlining the current Flag Protocols and options for setting of a localised Flag Protocol Policy.</i>
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Councillor J Cowley brought a Notice of Motion to the June Ordinary Council meeting as a result of becoming aware that there were no protocols in place for local citizens within the Dubbo Regional Council LGA to request for the Council flags to fly at half-mast to honour and mark a death of a highly regarded resident who has made a significant contribution to the region.

During discussion at the June Ordinary Council Meeting, Councillor J Cowley used the example of a renowned and highly regarded Elder “Uncle” Ray Peckham, had recently passed away and there was no avenue to request that the Council Flags be flown at half-mast in tribute on the day of the funeral.

This report provides information on Flag Protocols and as attached as **Appendix 1** to this report a draft Council Policy – Flag Protocols.

REPORT

The purpose of this report is to develop a policy that will identify the procedure and protocols used for flying flags under Council’s care and control.

It will provide operational guidelines for flying flags, identifying flagpole locations and the procedure and criteria for flags being flown at half-mast.

Council will still adhere to the Australian National Flag Protocols when flying flags and will also be directed by the Department of the Prime Minister and Cabinet on occasions when all flags must be flown at half-mast. This new policy will enhance what council already has in place and adds a local procedure to recognise prominent citizens of the LGA.

Consultation

- Details were confirmed against relevant legislation, being *Flags Act 1953* and the Department of the Prime Minister and Cabinet Australian Flags Protocol document.

Resourcing Implications

- Provision of well-maintained flag poles in key locations.
- Provision of new flags every 4 months.
- Flags that are to be left flying for 24 hrs must have illuminated flag poles.

Total Financial Implications	Current year (\$)	Current year + 1 (\$)	Current year + 2 (\$)	Current year + 3 (\$)	Current year + 4 (\$)	Ongoing (\$)
a. Operating revenue	0	0	0	0	0	0
b. Operating expenses	\$3,168	\$3,247	\$3,328	\$3,411	\$3,496	0
c. Operating budget impact (a – b)	-\$3,168	-\$3,247	-\$3,328	-\$3,411	-\$3,496	0
d. Capital Expenditure	0	0	0	0	0	0
e. Total net impact (c – d)	-\$3,168	-\$3,247	-\$3,328	-\$3,411	-\$3,496	0
Does the proposal require ongoing funding?			No			
What is the source of this funding?			Various branches within DRC current budget			

Table 1. Ongoing Financial Implications

Options Considered

- Development of a new policy for council to ensure that there are guidelines on how to manage these requests.
- This will benefit the community to understand how to approach council if the need arises.

Planned Communications

- Once adopted the policy will be placed on Council's website.

APPENDICES:

[1](#) DRAFT - Council Policy - Local Flag Policy



Council Policy Local Flag Policy

REF DOC #



Document Overview

Document Category	Council Policy
Policy Title	Local Flag Policy
Policy Statement	This policy provides the basis for flying flags in the Dubbo Regional Council local government area, as well as underpinning operational guidelines for policy implementation.
Date	12 September 2025
Resolution Date	TBD
Clause Number	TBD
Accountable Position	Manager Corporate Governance
Responsible Position	Manager Corporate Governance
Branch	Corporate Governance
Division	Organisational Performance
CM Reference Number	EDXX/XXXXX
Version	1
Review Period	3 years
Review Date	September 2028
Consultation	Property Services team
Document Revision History	Date
New policy developed because of a council resolution.	12/09/2025

REF DOC #

Council Policy – Flying of Flags

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Purpose

The purpose of this policy is to:

1. Identify the protocols used for flying flags under Council's care and control.
2. Provide operational guidelines for flying flags under Council's care and control.
3. Identify Council Departments authorised to implement flag protocols in accordance with this policy.

Related Information

Requirement to have a local policy to allow the option for recognition and commemoration of local events.

Related Legislation

Flags Act 1953.

Scope

This Policy applies to flags flown at Council buildings only. The order is relevant to the number of poles available at the site and does not constitute a requirement for additional poles.

Policy

Dubbo Regional Council, has flag poles located at the following locations:

- Dubbo Regional Council Administration Building (illuminated)
- Dubbo Regional Airport
- Wellington Administration Building (illuminated)
- Western Plains Cultural Centre

Flags will be flown in accordance with the Australian National Flag Protocols.

The flags may only be flown at night when illuminated.

The Australian flag, Aboriginal flag and Dubbo Regional Council flag will be permanently flown from the two Administration Building flagpoles and the Western Plains Cultural Centre. They will be placed in abovementioned order, left to right, from the view of an observer facing the Administration Building.

Flags should be renewed every four months if they are continuously flown day and night. Flags will not be flown if damaged, faded or dilapidated.

Protocol for flying of flags at half-mast

Flags are flown in the half-mast position as a sign of mourning.

The Department of the Prime Minister and Cabinet provides notices to Council when flags must be flown at half-mast, such as on the death of a member of the Royal Family, the head of state, Governor-General or distinguished Australian Citizen.

At the discretion of the Chief Executive Officer, flags will be flown at half-mast to acknowledge the passing of a past Mayor or Councillor on the day of the funeral. Council will also acknowledge the

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death of a current Councillor, Council staff member or community leader and other esteemed community identities such as Living Treasurers on the day of the person's funeral.

Additional notices from the Protocol Unit from the Department of Premier and Cabinet's Office that request that all flags be flown at half-mast will also be carried out.

Following a request from the relevant local Aboriginal or Torres Strait Islander community and at the discretion of the Chief Executive Officer, flags will be flown at half-mast to mark the passing of a local elder or First Nations person who has contributed significantly to the Dubbo Local Government area community.

Procedure

The Building Assets branch is responsible for the control of all flags under Council's care and control at the Administration Buildings in Dubbo and Wellington, the Manager Airport Strategy and Operations at the Dubbo Regional Airport and the Operations Coordinator WPCC is responsible for the control of all flags at the Western Plains Cultural Centre.

The Building Assets Branch will ensure that flags are duly lowered to half mast when directed by the Australian Government or by request and approval of the CEO to mourn the passing of a local citizen on the day of or part day of their funeral.

Citizens can request that the local flag be flown at half mast on relevant council buildings by emailing governance@dubbo.nsw.gov.au

Responsibilities

Position/Title/Group	Responsibility
Property Services Officer Facilities Team Leader	- Receiving emails from Department of Prime Minister and Cabinet, Department of Premier and Cabinet. - Ensuring flags are flown in accordance with the Flags Act 1953. - Ensuring flags are flown at half-mast when required. - Purchase new flags as required.
Governance Team Leader	- Receive requests for recognition of local citizens to have flags flown at half-mast to commemorate their passing - Send request to CEO for approval - Advise Property Services Officer of outcome.

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Council Policy – Flying of Flags

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Definitions

To assist in interpretation, the following definitions apply:

Term	Definition
Council	Dubbo Regional Council
Policy	Flying of Flags Policy
Flag	Means a material item bearing official or national symbols including the Australian National Flag, the Aboriginal Flag or Dubbo Regional Council Flag
Half-mast	When the top of a flag is one third of the distance down from the top of the flagpole.
WPCC	Western Plains Cultural Centre

REF DOC #

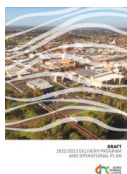
Council Policy – Flying of Flags

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Document Control

Responsible Officer:	Manager Corporate Governance
Division:	Organisational Performance
Prepared by:	Governance Team Leader
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REPORT: Draft Council Policy - Code of Meeting Practice

DIVISION: Organisational Performance
REPORT DATE: 29 September 2025
TRIM REFERENCE: ID25/1950

EXECUTIVE SUMMARY

Purpose	• Adopt a policy • Fulfil legislated requirement/Compliance	
Issue	• Office of Local Government Circular 25-20 – 29 August 2025 Implementation of the new 2025 Model Meeting Code. • Councils must adopt a code of meeting practice that incorporates the mandatory provisions of the 2025 Model Meeting Code no later than 31 December 2025. • Under Section 361 of the Local Government Act 1993 (the Act), before adopting the new code of meeting practice, councils must first exhibit a draft for a least 28 days and provide member of the community at least 42 days in which to comment on the draft code.	
Reasoning	• Requirement under the <i>Local Government Act 1993</i>	
Financial Implications	Budget Area	There are no financial implications arising from this report.
Policy Implications	Policy Title	Code of Meeting Practice.
	Impact on Policy	Once adopted with revisions, this will become the policy of council.

STRATEGIC DIRECTION

The Towards 2040 Community Strategic Plan is a vision for the development of the region out to the year 2040. The Plan includes six principal themes and a number of objectives and strategies. This report is aligned to:

Theme: 4 Leadership

CSP Objective: 4.1 Council provides transparent, fair and accountable leadership and governance

Delivery Program Strategy: 4.1.2 Council's decision-making processes are open, transparent and accountable

RECOMMENDATION

- 1. That the committee resolve to adopt the draft Code of Meeting Practice, as attached at Appendix 1, be endorsed for the purpose of public exhibition for a period of 42 days.**
- 2. That it be noted that consultation will commence on 15 October 2025 due to the restricted time frame imposed by the NSW State Government.**
- 3. That it be noted that if the 2025 Code of Meeting Practice is not adopted by 31 December 2025, then from 1 January 2026, any provisions of the current code of meeting practice that is inconsistent with a mandatory provision of the 2025 Model Meeting Code it will be automatically overridden by the relevant mandatory provision of the new code.**
- 4. That a further report be submitted to Council detailing results of public exhibition, for adoption of the final policy.**

Jane Bassingthwaighe
Director Organisational Performance

SW
Governance Team Leader

BACKGROUND

The Model Code of Meeting Practice for Local Councils in NSW 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 council and committees of councils of which all the members are councillors.

Council revised and adopted a Code of Meeting Practice as required Under section 360(3) of the Local Government Act. This was done to comply with the requirement for this to be completed within 12 months of the start of the Council Term, which was September 2024.

Previous Resolutions of Council

11 February 2025 CSC25/8 (CCL25/28)	1. <i>That the draft Council Policy, Code of Meeting Practice, as attached at Appendix 1, be amended to include:</i> 5.28 <i>A councillor must give their full attention to the business and proceedings of the meeting when attending a meeting by audio-visual link. The Councillor’s camera must be on at all times. The Councillor must be visible on screen when speaking and when called upon by the Chair by opening their microphone, at any time during the meeting, except as may be otherwise provided for under this code.</i> 2. <i>That Council elects the Mayor as the deputy chairperson for the Infrastructure, Planning and Environment Committee, Culture and Community Committee and the Corporate Services Committee.</i>
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In December 2024 the Office of Local Government (OLG) sought feedback from the local government sector on proposed amendments to the Model Code of Meeting Practice for NSW Local Councils.

The proposed amendments formed part of the NSW Government’s Councillor Conduct Framework reforms and are aimed at ensuring that councillors are visibly in control of their councils, demonstrating to the community that decision making is genuinely local.

Council provided a submission to the Office of Local Government on the proposed changes in February 2025.

REPORT

Office of Local Government commence a new framework in Councillor conduct and meeting practices in September 2024. As mentioned above council provided a submission towards these reforms.

The reforms have been based on restoring the prestige and dignity of the council chamber to support the mayor in exercising their statutory responsibility to preside at meetings and ensure meetings are conducted in an orderly and dignified manner.

The new 2025 Model Code of Meeting practice was released on 29 August 2025. Refer to attached – **Appendix 1**.

Note that in the attached Draft Council Policy – Model Code of Meeting Practice (**Appendix 2**); the non-mandatory provisions are in **Red Text**; DRC specific provisions are in **Green Text**.

There is also a Frequently Asked Question document put together by OLG that is attached to this report as **Appendix 3**. This is provided for your information.

Some of the changes from the reform have been:

- Confer power on mayors to expel councillors for acts of disorder.
- Councillors will now be required to apologise for an act of disorder at a meeting.
- Banning briefing sessions, council will no longer be able to hold pre-meeting briefing sessions in the absence of the public.
- Extend the period that recordings of council and committee meetings are held on council's website.

Consultation

- Noting that as per section 361 of the Local Government Act, a draft Code of Meeting Practice must be placed on Public Exhibition for a period of “not less than 28 days”. To ensure maximum opportunity for submissions.
- The proposed Public Exhibition period will be 15 October 2025 – 12 December 2025.
- Whilst this will extend past the last scheduled council meeting for 2025, the OLG have advised that the mandatory changes will commence from 1 January 2026, regardless if Council have adopted the non-mandatory changes prior to this deadline.

Resourcing Implications

- There are no additional resourcing implications for the proposed policy.

Options Considered

The majority of the provisions within this Policy are mandatory under the new 2025 Model Code of Meeting Practice.

The additional non-mandatory provisions have been updated from the previously adopted code have been updated and are indicated below.

You are able to review the non-mandatory provisions for changes if required.

- Administrative changes have been made to update information on the following:
 - *Title of Chief Executive Officer has been reverted to General Manager throughout the document.*

The following show the deletions from the current Dubbo Regional Council Code of Meeting Practice, due to new wording or due to it not fitting in with the mandatory requirements.

Section 3 – Giving Notice of Business to be Considered at Council meetings

- *3.11 - If the Chief Executive Officer 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 chief executive officer may prepare a report in relation to the notice of motion for inclusion with the business papers for the meeting at which the notice of motion is to be considered by the council.*
- *3.12 - 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 chief executive officer must either:*
 - (a) prepare a report on the availability of funds for implementing the motion if adopted for inclusion in the business papers for the meeting at which the notice of motion is to be considered by the council, or*
 - (b) by written notice sent to all councillors with the business papers for the meeting for which the notice of motion has been submitted, defer consideration of the matter by the council to such a date specified in the notice, pending the preparation of such a report.*

Section 3 - Questions with Notice

- **Rewording of 3.14** - *A Councillor is not permitted to ask a question with notice under clause 3.13 that comprises a complaint against the Chief Executive Officer or a member of staff of the Council, or a question that implies wrongdoing by the Chief Executive Officer or a member of staff of the Council.*
- **Is now** - *3.13 A councillor is not permitted to ask a question with notice under clause 3.12 that would constitute an act of disorder. Or comprises a complaint of a member of staff.*

Section 3 – Agenda and Business Papers for Ordinary meetings

- *3.20 Subject to clause 3.21, the Chief Executive Officer may, by report signed by the Chief Executive Officer, put to the meeting, in writing, without notice any matter or topic that is within the jurisdiction of the Council, or of which the Council has official knowledge.*
- *3.21 Any report put to the meeting under clause 3.20 must not be used to put without notice matters that are routine and not urgent or matters for which proper notice should be given because of their complexity. For this clause, a matter will be urgent where it requires a decision by the Council before the next scheduled Ordinary meeting of the Council.*

Section 3 – Statement of Ethical Obligations

- 3.25 *Business papers for all ordinary and extraordinary meetings of the council and committees of the council must contain a statement reminding councillors of their oath or affirmation of office made under section 233A of the Act and their obligations under the council's code of conduct to disclose and appropriately manage conflicts of interest.*

Section 3 – Pre-meeting Briefing Sessions

- *Whole section removed – 3.35 – 3.41*
- *Replace with Prohibition of pre-meeting briefings*

Section 4 – Public Forums

- 4.1 *The Council will hold a public forum during each Ordinary and Extraordinary meetings of the Council for the purpose of hearing oral submissions from members of the public.*
- 4.3 – in part - *Should the number of nominated speakers exceed the thirty (30) minute time frame, a decision by Council may extend the time frame for Public Forum by a length of time nominated by the mover of the motion.*
- 4.4 *Members of the public wishing to discuss items of business listed on the business paper will be given preference over those wishing to discuss matters that are not included on the agenda to be considered at the meeting.*
- 4.5 *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 at least two (2) hours prior to the commencement of the public forum 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, where applicable. Any material for distribution to the Council must be submitted with the application for approval by the Chief Executive Officer.*
- ~~4.6~~ *A person may apply to speak on more than one item however the total time that person speaks for must not exceed five (5) minutes.*
- 4.7 *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.*
- 4.8 *The Chief Executive Officer or their delegate may refuse an application to speak at a public forum. The Chief Executive Officer or their delegate must give reasons in writing for a decision to refuse an application and advise the chairperson prior to the respective public forum session.*
- 4.9 *No more than two (2) speakers are to be permitted to speak 'for' or 'against' each item of business on the agenda for the Council meeting.*

- 4.10 *If more than the permitted number of speakers apply to speak 'for' or 'against' any item of business, the Chief Executive Officer 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 first two (2) speakers to register interest to speak on that item shall be permitted to speak to the item.*
- 4.11 *If more than the permitted number of speakers apply to speak 'for' or 'against' any item of business, the Chief Executive Officer or their delegate may, in consultation with the Mayor or the chairperson as the case may be, increase the number of speakers permitted to speak on an item of business, where they are satisfied that it is necessary to do so to allow the Council to hear a fuller range of views on the relevant item of business. Additional speakers shall speak once all registered speakers have spoken and will only be permitted provided that the maximum time for public forum of thirty (30) minutes is not exceeded.*
- 4.12 *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 less than one (1) business day before the public forum. The Chief Executive Officer or their delegate may refuse to allow such material to be presented should the request be unreasonable and the equipment not being readily available.*
- 4.13 *The Chief Executive Officer or their delegate is to determine the order of speakers at the public forum. This will usually be determined by the order in which the requests are received.*
- 4.15 *Speakers at public forums must not digress from the item on the agenda of the Council meeting they have applied to address the Council on. If a speaker digresses to irrelevant matters, the chairperson is to direct the speaker not to do so. If a speaker fails to observe a direction from the chairperson, the speaker will not be further heard and will be requested to return to their seat.*
- 4.19 *Where an address made at a public forum raises matters that require further consideration by Council staff, the Chief Executive Officer may recommend to the chairperson that the Council defer consideration of the matter pending the preparation of a further report on the matters.*
- 4.20 *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.*

- 4.23 *Where a speaker engages in conduct of the type referred to in clause 4.20, the Chief Executive Officer or their delegate may refuse further applications from that person to speak at public forums for a period of six (6) months. Should this speaker repeat this conduct following this suspension at a further public forum session, the Chief Executive Officer or their delegate may refuse further applications from that person to speak at public forums for a period of twelve (12) months. Should this speaker repeat this conduct following this second suspension at a further public forum session, the Chief Executive Officer or their delegate may refuse further applications from that person to speak at public forums indefinitely.*
- 4.24 *Councillors (including the mayor) must declare and manage any conflicts of interest they may have in relation to any item of business that is the subject of an address at a public forum, in the same way that they are required to do so during the remainder of a Council or Committee meeting. The Council is to maintain a written record of all conflict of interest declarations made at public forums and how the conflict of interest was managed by the Councillor who made the declaration.*
- 4.25 *Where an address relates to an issue of general interest (that is a matter not listed on the agenda), it cannot be debated by Council except where in accordance with clause 9.3 of this code:*
 - (a) a motion is passed to have the business considered at the meeting, and*
 - (b) the business to be considered is ruled by the chairperson to be of great urgency on the grounds that it requires a decision by the Council before the next scheduled ordinary meeting of the Council.*
- 4.26 *Speakers must conduct themselves with respect to Council and observe the rules of order and meeting procedure as contained in Council's Code of Meeting Practice. As part of Public Forum, the Mayor shall ensure the conduct of public forum is such that presenters:*
 - confine their presentation to a statement of facts*
 - not insult or make personal reflections or impute improper motives to any Councillor or member of staff*
 - not say or do anything that is inconsistent with maintaining order at the meeting or is likely to bring Council into contempt*
 - allow other speakers to put their views without interruption.*
- 4.27 *Any potential tenderer (being a person or entity, including their agent, employee or representative, that has requested documents or information regarding a tender or quotation) must not be permitted to address a meeting of Council (including any Committee or Working Party of Council) regarding the relevant tender or quotation without the prior written consent of the Chief Executive Officer.*
- *In deciding whether to grant such consent, the Chief Executive Officer may take into consideration: any relevant legislative requirements, tendering guidelines issued by the Office of Local Government from time to time, terms of the relevant tender or quotation documents, Council's Code of Conduct, and the rules of procedural fairness.*

(It is noted that Council has a statutory obligation to ensure that any requests for tender or quotation documents, or information or clarification regarding the tender or quotation, from any potential tenderer must be directed to the responsible officer identified in the tender or quotation documents.)

- 4.28 *It is Council's practice that members of the public who have an interest in matters before Council's standing committees (Infrastructure, Planning and Environment Committee; Culture and Community Committee or Corporate Services Committee) are advised that they may attend and address those committees. This practice is more informal and there is often interaction, questions, or discussions between those persons and the Councillors and staff. This informality has been at the discretion of the Chairperson, noting that only those matters listed on the Committee's agenda will be discussed; matters of "general interest" are not to be raised by the public.*
- *There is no specific agenda item for Public Forum during Committee meetings, but registered speakers will address the Council immediately prior to the subject matter on the agenda.*

Section 5 – Coming Together

- 5.7 *A Councillor who intends to attend a meeting of the Council despite having been granted a leave of absence should, if practicable, give the Chief Executive Officer at least two (2) days' notice of their intention to attend.*

Section 8 – Order of Business for Ordinary Council meetings

- 10 *Procedural Matters*
- 12 *Petitions*
- 13 *Matters Considered by Committees*
- 14 *Notices of Motion/ Notices of Motion of Rescission*
- 16 *Reports from Staff*
- 17 *Questions on Notice*
- 18 *.....and Matters of Urgency*
- 8.3 *Despite clauses 10.20–10.30, only the mover of a motion referred to in clause 8.2 may speak to the motion before it is put.*
- 8.4 *With regard to the lodgement of petitions:*
 - (a) Petitions must be lodged in the format as specified in the Petitions Policy*
 - (b) Petitions may be lodged at a Council meeting however they are not to be considered or debated unless a resolution of Council is passed to transact the business of the meeting and the chairperson rules it as a matter of urgency in accordance with clause 9.3.*
 - (c) Petitions lodged with Council will be presented to Council for consideration at the next available Ordinary meeting of Council where the agenda has not already been determined.*

- 8.5 (a) *Questions on Notice must be lodged in writing with the Chief Executive Officer no later than 12 midday on the day that is eight calendar days before the meeting, not including the day of the meeting in the count. (For example, if a meeting is scheduled for 5:30pm on a Tuesday, the question on notice must be submitted by 12 midday on the Monday of the previous week).*
- (b) *Questions on Notice must directly relate to the business of the Council and must put every such question directly, succinctly and without argument, in accordance with clause 9.18.*

Section 9 – Consideration of Business at Council meetings

- 9.10 *Where a Mayoral Minute makes a recommendation which, if adopted, would require the expenditure of funds on works and/or services other than those already provided for in the Council's current adopted operational plan, it must identify the source of funding for the expenditure that is the subject of the recommendation. If the Mayoral Minute does not identify a funding source, the Council must defer consideration of the matter, pending a report from the Chief Executive Officer on the availability of funds for implementing the recommendation if adopted.*

Section 10 – Rules of Debate

- 10.8 *Any motion, amendment, or other matter that the chairperson has ruled out of order is taken to have been lost.*
- 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 operation 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 chief executive officer on the availability of funds for implementing the motion if adopted.*
- 10.17 *A Councillor may propose a foreshadowed motion in relation to the matter the subject of the original motion before the Council, without a seconder during debate on the original motion. The foreshadowed motion is only to be considered if the original motion is lost or withdrawn and the foreshadowed motion is then moved and seconded. If the original motion is carried, the foreshadowed motion lapses.*
- 10.18 *Where an amendment has been moved and seconded, a Councillor may, without a seconder, foreshadow a further amendment that they propose to move after the first amendment has been dealt with. There is no limit to the number of foreshadowed amendments that may be put before the Council at any time. However, no discussion can take place on foreshadowed amendments until the previous amendment has been dealt with and the foreshadowed amendment has been moved and seconded.*
- 10.19 *Foreshadowed motions and foreshadowed amendments are to be considered in the order in which they are proposed. However, foreshadowed motions cannot be considered until all foreshadowed amendments have been dealt with.*

- 10.24 *Despite clause 10.22, the Council may resolve to shorten the duration of speeches to expedite the consideration of business at a meeting.*

Section 14 - Closure of Council meetings to the public

- 14.12 *The Chief Executive Officer (or their delegate) may refuse an application made under clause 14.11. The Chief Executive Officer or their delegate must give reasons in writing for a decision to refuse an application.*
- 14.13 *No more than three (3) speakers are to be permitted to make representations under clause 14.9 and each speaker shall be allowed a maximum of two (2) minutes to make representations to the Council.*
- 14.14 *If more than the permitted number of speakers apply to make representations under clause 14.9, the Chief Executive Officer 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 Chief Executive Officer or their delegate is to determine who will make representations to the Council.*
- 14.15 *The Chief Executive Officer (or their delegate) is to determine the order of speakers.*
- 14.16 *Where the Council or a Committee of the Council proposes to close a meeting or part of a meeting to the public in circumstances where the matter has not been identified in the agenda for the meeting under clause 3.21 as a matter that is likely to be considered when the meeting is closed to the public, the chairperson is to invite representations from the public under clause 14.9 after the motion to close the part of the meeting is moved and seconded. The chairperson is to permit no more than three (3) speakers to make representations in such order as determined by the chairperson.*
- 14.17 *Each speaker will be allowed two (2) minutes to make representations, and this time limit is to be strictly enforced by the chairperson. Speakers must confine their representations to whether the meeting should be closed to the public. If a speaker digresses to irrelevant matters, the chairperson is to direct the speaker not to do so. If a speaker fails to observe a direction from the chairperson, the speaker will not be further heard.*

Section 15 – Keeping Order at meetings

- 15.2 *A point of order cannot be made with respect to adherence to the principles contained in clause 2.1.*

Section 18 – Time Limits on Council meetings – note replace with new wording

- 18.1 *There are no time limits imposed on Council or Committee meetings however the chairperson may adjourn a meeting of Council or Committee if required due to the meeting not completing in a reasonable timeframe, following the moving and adoption of a motion to do so.*

Next Steps

- The mandatory provisions of the Model Code of Meeting practice will come into effect as at 1 January 2026.
- The Draft Policy – Code of Meeting practice will be place onto public exhibition for comment and submissions by members of the public.
- Once the submission period has ceased a further report will be presented to council with the details, if any, of the submissions for consideration and final adoption.

APPENDICES:

- 1 [↓](#) OLG - Model Code of Meeting Practice for Local Councils NSW 2025
- 2 [↓](#) DRAFT - Council Policy - Model Code of Meeting Practice 2025
- 3 [↓](#) OLG - Model Code of Meeting Practice for Local Councils NSW 2025 – Frequently Asked Questions

Department of Planning,
Housing and Infrastructure
Office of Local Government



The model code of meeting practice for local councils in NSW

August 2025

olg.nsw.gov.au

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1 Introduction

This Model Code of Meeting Practice for Local Councils in NSW (the Model Meeting Code) is prescribed under section 360 of the *Local Government Act 1993* (the Act) and the *Local Government (General) Regulation 2021* (the Regulation).

The Model Meeting 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.

The Model Meeting Code also applies to meetings of the boards of joint organisations and county councils. The provisions that are specific to meetings of boards of joint organisations are indicated in **blue font**.

In adopting the Model Meeting Code, joint organisations should adapt it to substitute the terms "board" for "council", "chairperson" for "mayor", "voting representative" for "councillor" and "executive officer" for "general manager".

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

2 Meeting principles

2.1 Council and committee meetings should be:

- Transparent:* Decisions are made in a way that is open and accountable.
- Informed:* Decisions are made based on relevant, quality information.
- Inclusive:* Decisions respect the diverse needs and interests of the local community.
- Principled:* Decisions are informed by the principles prescribed under Chapter 3 of the Act.
- Trusted:* The community has confidence that councillors and staff act ethically and make decisions in the interests of the whole community.
- 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.

Note: The Office of Local Government has issued a guideline on free speech in local government in NSW. The Guideline provides practical guidance to councils on what free speech means in the context of NSW local government, including in relation to council meetings. The Guidelines have been issued under section 23A of the Act meaning councils must consider them when exercising their functions at meetings.

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.

Note: Under section 396 of the Act, county councils are required to meet at least four (4) times each year.

Note: Under section 400T of the Act, boards of joint organisations are required to meet at least four (4) times each year, each time in a different quarter of the year.

Note: Under clause 13 of Schedule 11 of the Act, councils that have been designated as a rural and remote council under the Regulation are required to meet at least four (4) times each year, each time in a different quarter of the year.

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 may call an extraordinary meeting without the need to obtain the signature of two (2) councillors.

Notice to the public of council meetings

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

Note: Clause 3.4 reflects section 9(1) of the Act.

- 3.5 For the purposes of clause 3.4, notice of a meeting of the council and of a committee of council must be published before the meeting takes place. The notice must be published on the council's website, and in such other manner that the council is satisfied is likely to bring notice of the meeting to the attention of as many people as possible.

- 3.6 For the purposes of clause 3.4, notice of more than one (1) meeting may be given in the same notice.

Notice to councillors of ordinary council meetings

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

Note: Clause 3.7 reflects section 367(1) of the Act.

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

Note: Clause 3.8 reflects section 367(3) of the Act.

Notice to councillors of extraordinary meetings

- 3.9 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 3.9 reflects section 367(2) of the Act.

Giving notice of business to be considered at council meetings

- 3.10 A councillor may give notice of any business they wish to be considered by the council at its next ordinary meeting by way of a notice of motion. To be included on the agenda of the meeting, the notice of motion must be in writing and must be submitted within such reasonable time before the meeting is to be held as determined by the council.

- 3.11 A councillor may, in writing to the general manager, request the withdrawal of a notice of motion submitted by them prior to its inclusion in the agenda and business paper for the meeting at which it is to be considered.

Questions with notice

- 3.12 A councillor may, by way of a notice submitted under clause 3.10, ask a question for response by the general manager about the performance or operations of the council.
- 3.13 A councillor is not permitted to ask a question with notice under clause 3.12 that would constitute an act of disorder.
- 3.14 The general manager or their nominee may respond to a question with notice submitted under clause 3.12 by way of a report included in the business papers for the relevant meeting of the council.

Agenda and business papers for ordinary meetings

- 3.15 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.
- 3.16 The general manager must ensure that the agenda for an ordinary meeting of the council states:
- all matters to be dealt with arising out of the proceedings of previous meetings of the council, and
 - 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
 - all matters, including matters that are the subject of staff reports and reports of committees, to be considered at the meeting, and
 - any business of which due notice has been given under clause 3.10.
- 3.17 Nothing in clause 3.16 limits the powers of the mayor to put a mayoral minute to a meeting without notice under clause 9.7.
- 3.18 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.
- 3.19 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:
- 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
 - states the grounds under section 10A(2) of the Act relevant to the item of business.
- Note:** Clause 3.19 reflects section 9(2A)(a) of the Act.
- 3.20 The general manager must ensure that the details of any item of business which, in the opinion of the general manager, is likely to be considered when the meeting is closed to the public, are included in a business paper provided to councillors for the meeting concerned. Such details must not be included in the business papers made available to the public and must not be disclosed by a councillor or by any other person to another person who is not authorised to have that information.

Availability of the agenda and business papers to the public

- 3.21 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 3.21 reflects section 9(2) and (4) of the Act.
- 3.22 Clause 3.21 does not apply to the business papers for items of business identified under clause 3.19 as being likely to be considered when the meeting is closed to the public.
- Note:** Clause 3.22 reflects section 9(2A)(b) of the Act.
- 3.23 For the purposes of clause 3.21, 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 3.23 reflects section 9(3) of the Act.
- 3.24 A copy of an agenda, or of an associated business paper made available under clause 3.21, may in addition be given or made available in electronic form unless the council determines otherwise.
- Note:** Clause 3.24 reflects section 9(5) of the Act.

Agenda and business papers for extraordinary meetings

- 3.25 The council must ensure that the agenda for an extraordinary meeting of the council deals only with the matters stated in the notice of the meeting.
- 3.26 Nothing in clause 3.25 limits the powers of the mayor to put a mayoral minute to an extraordinary meeting without notice under clause 9.7.
- 3.27 Despite clause 3.25, business may be considered at an extraordinary meeting of the council at which all councillors are present, even though due notice has not been given of the business, if the council resolves to deal with the business on the grounds that it is urgent and requires a decision by the council before the next scheduled ordinary meeting of the council. A resolution adopted under this clause must state the reasons for the urgency.
- 3.28 A motion moved under clause 3.27 can be moved without notice but only after the business notified in the agenda for the extraordinary meeting has been dealt with. Despite any other provision of this code, only the mover of a motion moved under clause 3.27, and the chairperson, if they are not the mover of the motion, can speak to the motion before it is put.
- 3.29 If all councillors are not present at the extraordinary meeting, the council may only deal with business at the meeting that councillors have not been given due notice of, where a resolution is adopted in accordance with clause 3.27 and the chairperson also rules that the business is urgent and requires a decision by the council before the next scheduled ordinary meeting.
- 3.30 A motion of dissent cannot be moved against a ruling of the chairperson under clause 3.29 on whether a matter is urgent.

Prohibition of pre-meeting briefing sessions

- 3.31 Briefing sessions must not be held to brief councillors on business listed on the agenda for meetings of the council or committees of the council.

Note: The prohibition on the holding of briefing sessions under clause 3.31 reflects the intent of Chapter 4, Part 1 of the Act which requires business of the council to be conducted openly and transparently at a formal meeting of which due notice has been given and to which the public has access. Pre-meeting briefing sessions are inconsistent with the principles of transparency, accountability and public participation and have the potential to undermine confidence in the proper and lawful decision-making processes of the council.

- 3.32 Nothing in clause 3.31 prevents a councillor from requesting information from the general manager about a matter to be considered at a meeting, provided the information is also available to the public. Information requested under this clause must be provided in a way that does not involve any discussion of the information.

4 Public forums

- 4.1 The council may hold a public forum prior to meetings of the council and committees 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 meetings of other committees of the council.
- 4.2 The council may determine the rules under which public forums are to be conducted and when they are to be held.
- 4.3 The provisions of this code requiring the livestreaming of meetings also apply to public forums.

5 Coming together

Attendance by councillors at meetings

- 5.1 All councillors must make reasonable efforts to attend meetings of the council and of committees of the council of which they are members.
- Note:** A councillor may not attend a meeting as a councillor (other than the first meeting of the council after the councillor is elected or a meeting at which the councillor takes an oath or makes an affirmation of office) until they have taken an oath or made an affirmation of office in the form prescribed under section 233A of the Act.
- 5.2 The council may determine standards of dress for councillors when attending meetings.
- 5.3 A councillor cannot participate in a meeting of the council or of a committee of the council unless personally present at the meeting, unless permitted to attend the meeting by audio-visual link under this code.
- 5.4 The board of the joint organisation may, if it thinks fit, transact any of its business at a meeting at which representatives (or some representatives) participate by telephone or other electronic means, but only if any representative who speaks on a matter before the meeting can be heard by the other representatives. For the purposes of a meeting held in accordance with this clause, the chairperson and each other voting representative on the board have the same voting rights as they have at an ordinary meeting of the board.
- Note:** Clause 5.4 reflects section 397G of the Regulation. Joint organisations may adopt clause 5.4 and omit clause 5.3. Councils must not adopt clause 5.4.
- 5.5 Where a councillor is unable to attend one or more meetings of the council or committees of the council, the councillor should submit an apology for the meetings they are unable to attend, state the reasons for their absence from the meetings and request that the council grant them a leave of absence from the relevant meetings.
- 5.6 The council must not act unreasonably when considering whether to grant a councillor's request for a leave of absence.
- 5.7 Where a councillor makes an apology under clause 5.5, the council must determine by resolution whether to grant the councillor a leave of absence for the meeting for the purposes of section 234(1)(d) of the Act. If the council resolves not to grant a leave of absence for the meeting, it must state the reasons for its decision in its resolution.
- 5.8 A councillor's civic office will become vacant if the councillor is absent from three (3) consecutive ordinary meetings of the council without prior leave of the council, or leave granted by the council at any of the meetings concerned, unless the holder is absent because they have been suspended from office under the Act, or because the council has been suspended under the Act, or as a consequence of a compliance order under section 438HA.
- Note:** Clause 5.8 reflects section 234(1)(d) of the Act.

The quorum for a meeting

- 5.9 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 5.9 reflects section 368(1) of the Act.

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

Note: Clause 5.10 reflects section 368(2) of the Act.

- 5.11 A meeting of the council must be adjourned if a quorum is not present:

- a. at the commencement of the meeting where the number of apologies received for the meeting indicates that there will not be a quorum for the meeting, or
- b. within half an hour after the time designated for the holding of the meeting, or
- c. at any time during the meeting.

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

- a. by the chairperson, or
- b. in the chairperson's absence, by the majority of the councillors present, or
- c. failing that, by the general manager.

- 5.13 The general manager must record in 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.

- 5.14 Where, prior to the commencement of a meeting, it becomes apparent that a quorum may not be present at the meeting, or that the health, safety or welfare of councillors, council staff and members of the public may be put at risk by attending the meeting because of a natural disaster or a public health emergency, the mayor may, in consultation with the general manager and, as far as is practicable, with each councillor, cancel the meeting. Where a meeting is cancelled, notice of the cancellation must be published on the council's website and in such other manner that the council is satisfied is likely to bring notice of the cancellation to the attention of as many people as possible.

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

Meetings held by audio-visual link

- 5.16 A meeting of the council or a committee of the council may be held by audio-visual link where the mayor determines that the meeting should be held by audio-visual link because of a natural disaster or a public health emergency. The mayor may only make a determination under this clause where they are satisfied that attendance at the meeting may put the health and safety of councillors and staff at risk. The mayor must make a determination under this clause in consultation with the general manager and, as far as is practicable, with each councillor.
- 5.17 Where the mayor determines under clause 5.16 that a meeting is to be held by audio-visual link, the general manager must:
- give written notice to all councillors that the meeting is to be held by audio-visual link, and
 - take all reasonable steps to ensure that all councillors can participate in the meeting by audio-visual link, and
 - cause a notice to be published on the council's website and in such other manner the general manager is satisfied will bring it to the attention of as many people as possible, advising that the meeting is to be held by audio-visual link and providing information about where members of the public may view the meeting.
- 5.18 This code applies to a meeting held by audio-visual link under clause 5.16 in the same way it would if the meeting was held in person.

Note: Where a council holds a meeting by audio-visual link under clause 5.16, it is still required under section 10 of the Act to provide a physical venue for members of the public to attend in person and observe the meeting.

Attendance by councillors at meetings by audio-visual link

- 5.19 Councillors may attend and participate in meetings of the council and committees of the council by audio-visual link with the approval of the council or the relevant committee where they are prevented from attending the meeting in person because of ill-health or other medical reasons or because of unforeseen caring responsibilities.
- 5.20 Clause 5.19 does not apply to meetings at which a mayoral election is to be held.
- 5.21 A request by a councillor for approval to attend a meeting by audio-visual link must be made in writing to the general manager prior to the meeting in question and must provide reasons why the councillor will be prevented from attending the meeting in person.
- 5.22 Councillors may request approval to attend more than one meeting by audio-visual link. Where a councillor requests approval to attend more than one meeting by audio-visual link, the request must specify the meetings the request relates to in addition to the information required under clause 5.21.
- 5.23 The council must comply with the Health Privacy Principles prescribed under the *Health Records and Information Privacy Act 2002* when collecting, holding, using and disclosing health information in connection with a request by a councillor to attend a meeting by audio-visual link.
- 5.24 A councillor who has requested approval to attend a meeting of the council or a committee of the council by audio-visual link may participate in the meeting by audio-visual link until the council or committee determines whether to approve their request and is to be taken as present at the meeting. The councillor may participate in a decision in relation to their request to attend the meeting by audio-visual link.
- 5.25 A decision whether to approve a request by a councillor to attend a meeting of the council or a committee of the council by audio-visual link must be made by a resolution of the council or the committee concerned. The resolution must state the meetings the resolution applies to.
- 5.26 If the council or committee refuses a councillor's request to attend a meeting by audio-visual link, their link to the meeting is to be terminated.

- 5.27 A decision whether to approve a councillor's request to attend a meeting by audio-visual link is at the council's or the relevant committee's discretion. The council and committees of the council must act reasonably when considering requests by councillors to attend meetings by audio-visual link.
- 5.28 The council and committees of the council may refuse a councillor's request to attend a meeting by audio-visual link where the council or committee is satisfied that the councillor has failed to appropriately declare and manage conflicts of interest, observe confidentiality or to comply with this code on one or more previous occasions they have attended a meeting of the council or a committee of the council by audio-visual link.
- 5.29 This code applies to a councillor attending a meeting by audio-visual link in the same way it would if the councillor was attending the meeting in person. Where a councillor is permitted to attend a meeting by audio-visual link under this code, they are to be taken as attending the meeting in person for the purposes of the code and will have the same voting rights as if they were attending the meeting in person.
- 5.30 A councillor must give their full attention to the business and proceedings of the meeting when attending a meeting by audio-visual link. The councillor's camera must be on at all times during the meeting except as may be otherwise provided for under this code.
- 5.31 A councillor must be appropriately dressed when attending a meeting by audio-visual link and must ensure that no items are within sight of the meeting that are inconsistent with the maintenance of order at the meeting or that are likely to bring the council or the committee into disrepute.

Entitlement of the public to attend council meetings

- 5.32 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 5.32 reflects section 10(1) of the Act.
- 5.33 Clause 5.32 does not apply to parts of meetings that have been closed to the public under section 10A of the Act.
- 5.34 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:
- by a resolution of the meeting, or
 - 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 5.34 reflects section 10(2) of the Act.
- 5.35 On the adoption of this code and at the commencement of each council term, the council must determine whether to authorise the person presiding at a meeting to exercise a power of expulsion.
- Note:** If adopted, clauses 15.15 and 15.16 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 15.15 authorises chairpersons to expel any person, including a councillor, from a council or committee meeting. Alternatively, if adopted, clause 15.16 authorises chairpersons to expel persons other than councillors from a council or committee meeting.

Livestreaming of meetings

- 5.36 Each meeting of the council or a committee of the council is to be recorded by means of an audio-visual device.
- 5.37 At the start of each meeting of the council or a committee of the council, the chairperson must inform the persons attending the meeting that:
- the meeting is being recorded and made publicly available on the council's website, and
 - persons attending the meeting should refrain from making any defamatory statements.
- 5.38 The recording of a meeting is to be made publicly available on the council's website at the same time as the meeting is taking place.
- 5.39 The recording of a meeting is to be made publicly available on the council's website for at least 12 months after the meeting or for the balance of the council's term, whichever is the longer period.
- 5.40 Clauses 5.36 - 5.39 do not apply to any part of a meeting that has been closed to the public in accordance with section 10A of the Act.
- Note:** Clauses 5.36 – 5.40 reflect section 236 of the Regulation.
- 5.41 Recordings of meetings may be disposed of in accordance with the *State Records Act 1998*.
- Note:** Joint organisations are not required to livestream their meetings but may choose to do so by adopting clauses 5.36–5.40. Joint organisations that choose not to livestream their meetings may omit clauses 5.36–5.40.

Attendance of the general manager and other staff at meetings

- 5.42 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 5.42 reflects section 376(1) of the Act.
- 5.43 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 5.43 reflects section 376(2) of the Act.
- 5.44 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 5.44 reflects section 376(3) of the Act.
- 5.45 The attendance of other council staff at a meeting, (other than as members of the public) shall be determined by the general manager in consultation with the mayor.

6 The chairperson

The chairperson at meetings

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

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

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

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

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

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

- 6.4 The election of a chairperson must be conducted:

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

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

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

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

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

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

Chairperson to have precedence

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

- a. any councillor then speaking or seeking to speak must cease speaking and, if standing, immediately resume their seat, and
- b. every councillor present must be silent to enable the chairperson to be heard without interruption.

7 Modes of address

- 7.1 Where physically able to, councillors and staff should stand when the mayor enters the chamber and when addressing the meeting.
- 7.2 If the chairperson is the mayor, they are to be addressed as 'Mr Mayor', 'Madam Mayor' or 'Mayor'.
- 7.3 If the chairperson is the deputy mayor, they are to be addressed as 'Mr Deputy Mayor', or 'Madam Deputy Mayor' or 'Deputy Mayor'.
- 7.4 Where the chairperson is not the mayor or deputy mayor, they are to be addressed as either 'Mr Chairperson' or 'Madam Chairperson' or 'Chair'.
- 7.5 A councillor is to be addressed as 'Councillor [surname]'.
- 7.6 A council officer is to be addressed by their official designation or as Mr/Ms/Mx [surname].

8 Order of business for ordinary council meetings

- 8.1 At a meeting of the council, the general order of business is as fixed by resolution of the council.
- 8.2 The order of business as fixed under clause 8.1 may be altered for a particular meeting of the council if a motion to that effect is passed at that meeting. Such a motion can be moved without notice.
- Note:** If adopted, Part 13 allows council to deal with items of business by exception.
- 8.3 Despite any other provision of this code, only the mover of a motion referred to in clause 8.2 and the chairperson, if they are not the mover of the motion, can speak to the motion before it is put.

9 Consideration of business at council meetings

Business that can be dealt with at a council meeting

- 9.1 The council must not consider business at a meeting of the council:
- a. unless a councillor has given notice of the business, as required by clause 3.10, and
 - b. unless notice of the business has been sent to the councillors in accordance with clause 3.7 in the case of an ordinary meeting or clause 3.9 in the case of an extraordinary meeting called in an emergency.
- 9.2 Clause 9.1 does not apply to the consideration of business at a meeting, if the business:
- a. is already before, or directly relates to, a matter that is already before the council, or
 - b. is the election of a chairperson to preside at the meeting, or
 - c. 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 of the council.
- 9.3 Despite clause 9.1, business may be considered at a meeting of the council at which all councillors are present even though due notice has not been given of the business to councillors, if the council resolves to deal with the business on the grounds that it is urgent and requires a decision by the council before the next scheduled ordinary meeting. A resolution adopted under this clause must state the reasons for the urgency.
- 9.4 A motion moved under clause 9.3 can be moved without notice. Despite any other provision of this code, only the mover of a motion referred to in clause 9.3 and the chairperson, if they are not the mover of the motion, can speak to the motion before it is put.
- 9.5 If all councillors are not present at a meeting, the council may only deal with business at the meeting that councillors have not been given due notice of, where a resolution is adopted in accordance with clause 9.3, and the chairperson also rules that the business is urgent and requires a decision by the council before the next scheduled ordinary meeting.
- 9.6 A motion of dissent cannot be moved against a ruling by the chairperson under clause 9.5.

Mayoral minutes

- 9.7 The mayor may, by minute signed by the mayor, put to the meeting without notice any matter or topic that the mayor determines should be considered at the meeting.
- 9.8 A mayoral minute, when put to a meeting, takes precedence over all business on the council's agenda for the meeting. The mayor may move the adoption of a mayoral minute without the motion being seconded.
- 9.9 A recommendation made in a mayoral minute put by the mayor is, so far as it is adopted by the council, a resolution of the council.

Staff reports

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

Reports of committees of council

- 9.11 The recommendations of a committee of the council are, so far 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 3.10 and 3.12, unless the council determines otherwise in accordance with this code.
- 9.14 A councillor may, through the chairperson, ask another councillor about a matter on the agenda.
- 9.15 A councillor may, through the mayor, ask the general manager about a matter on the agenda. The general manager may request another council employee to answer the question.
- 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 information. Where a councillor or council employee to whom a question is put is unable to respond to the question at the meeting at which it is put, they may take it on notice and report the response to the next meeting of the council.
- 9.17 Councillors must ask questions 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 3.10 is to move the motion the subject of the notice of motion at the meeting at which it is to be considered.
- 10.3 If a councillor who has submitted a notice of motion under clause 3.10 wishes to withdraw it, they may request its withdrawal at any time. If the notice of motion is withdrawn after the agenda and business paper for the meeting at which it is to be considered have been sent to councillors, the chairperson is to note the withdrawal of the notice of motion at the meeting unless the council determines to consider the notice of motion at the meeting.
- 10.4 In the absence of a councillor who has placed a notice of motion on the agenda for a meeting of the council:
- any other councillor may, with the leave of the chairperson, move the motion at the meeting, or
 - the chairperson may defer consideration of the motion until the next meeting of the council.

Chairperson's duties with respect to motions

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

Amendments to motions

- 10.8 An amendment to a motion must be moved and seconded before it can be debated.
- 10.9 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.
- 10.10 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.
- 10.11 If an amendment has been lost, a further amendment can be moved to the motion to which the lost amendment was moved, and so on, but no more than one (1) motion and one (1) proposed amendment can be before council at any one time.
- 10.12 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.
- 10.13 If the amendment is carried, it becomes the motion and is to be debated. If the amendment is lost, debate is to resume on the original motion.
- 10.14 An amendment may become the motion without debate or a vote where it is accepted by the councillor who moved the original motion.

Limitations on the number and duration of speeches

- 10.15 A councillor who, during a debate at a meeting of the council, moves an original motion, has the right to speak on each amendment to the motion and a right of general reply to all observations that are made during the debate in relation to the motion, and any amendment to it at the conclusion of the debate before the motion (whether amended or not) is finally put.
- 10.16 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.
- 10.17 A councillor must not, without the consent of the council, speak more than once on a motion or an amendment, or for longer than five (5) minutes at any one time.
- 10.18 Despite clause 10.17, 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.
- 10.19 Despite clauses 10.15 and 10.16, 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.
- 10.20 The chairperson must immediately put to the vote, without debate, a motion moved under clause 10.19. A seconder is not required for such a motion.
- 10.21 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 10.15.
- 10.22 If a motion that the original motion or an amendment be now put is lost, the chairperson must allow the debate on the original motion or the amendment to be resumed.

- 10.23 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.
- 10.24 Once the debate on a matter has concluded and a matter has been dealt with, the chairperson must not allow further debate on the matter.
- 10.25 Clause 10.24 does not prevent a further motion from being moved on the same item of business where the original motion is lost provided the motion is not substantially the same as the one that is lost.

Participation by non-voting representatives in joint organisation board meetings

- 10.26 Non-voting representatives of joint organisation boards may speak on but must not move, second or vote on any motion or an amendment to a motion.

Note: Under section 400T(1)(c) of the Act, non-voting representatives of joint organisation boards may attend but are not entitled to vote at a meeting of the board.

Note: Joint organisations must adopt clause 10.26. Councils must not adopt clause 10.26.

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.

Note: Under section 400T(1) of the Act, voting representatives of joint organisation boards are entitled to one (1) vote each at meetings of the board.

- 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.

- 11.4 A motion at a meeting of the board of a joint organisation is taken to be lost in the event of an equality of votes.

Note: Clause 11.4 reflects section 397E of the Regulation. Joint organisations must adopt clause 11.4 and omit clauses 11.2 and 11.3. Councils must not adopt clause 11.4.

Note: Under section 400U(4) of the Act, joint organisations may specify more stringent voting requirements for decisions by the board such as a 75% majority or consensus decision making. Where a joint organisation's charter specifies more stringent voting requirements, clause 11.4 must be adapted to reflect those requirements.

Voting at council meetings

- 11.5 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.

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

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

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

- 11.9 When a division on a motion is called, any councillor who fails to vote will be recorded as having voted against the motion in accordance with clause 11.5 of this code.

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

- 11.11 All voting at council meetings, (including meetings that are closed to the public), must be recorded in the minutes of meetings with the names of councillors who voted for and against each motion or amendment (including the use of the casting vote) being recorded.

Note: If clause 11.11 is adopted, clauses 11.6–11.9 and clause 11.15 may be omitted.

Voting on planning decisions

- 11.12 The council or a council committee must not make a final planning decision without receiving a staff report containing an assessment and recommendation in relation to the matter put before the council for a decision.
- 11.13 Where the council or a council committee makes a planning decision that is inconsistent with the recommendation made in a staff report, it must provide reasons for its decision and why it did not adopt the staff recommendation.
- 11.14 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.
- 11.15 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.
- 11.16 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.
- 11.17 Clauses 11.14–11.16 apply also to meetings that are closed to the public.

Note: Clauses 11.14–11.17 reflect section 375A of the Act.

Note: The requirements of clause 11.14 may be satisfied by maintaining a register of the minutes of each planning decision.

12 Committee of the whole

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

Note: Clause 12.1 reflects section 373 of the Act.

- 12.2 All the provisions of this code relating to meetings of the council, so far as they are applicable, extend to and govern the proceedings of the council when in committee of the whole, except the provisions limiting the number and duration of speeches and encouraging councillors and staff to stand when addressing the meeting.

Note: Clauses 10.15–10.25 limit the number and duration of speeches.

Note: Clause 7.1 encourages councillors and staff to stand when addressing the meeting where they can.

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

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

13 Dealing with items by exception

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

14 Closure of council meetings to the public

Grounds on which meetings can be closed to the public

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

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.

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,
- c. are fully discussed in that advice, and
- d. are subject to legal professional privilege.

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 Departmental 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 3.19 as a matter that is likely to be considered when the meeting is closed, but only if:
- a. it becomes apparent during the discussion of a particular matter that the matter is a matter referred to in clause 14.1, and
 - b. the council or committee, after considering any representations made under clause 14.9, resolves that further discussion of the matter:
 - i. should not be deferred (because of the urgency of the matter), and
 - ii. should take place in a part of the meeting that is closed to the public.

Note: Clause 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** Despite clauses 14.9 and 14.10, the council may resolve to close the meeting to the public in accordance with this Part to hear a representation from a member of the public as to whether the meeting should be closed to consider an item of business where the representation involves the disclosure of information relating to a matter referred to in clause 14.1.
- 14.12** Where the matter has been identified in the agenda of the meeting under clause 3.19 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 a manner determined by the council.

Expulsion of non-councillors from meetings closed to the public

- 14.13** 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.
- 14.14** 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 such force as is reasonably necessary, remove the first-mentioned person from that place and, if necessary restrain that person from re-entering that place for the remainder of the meeting.

Note: Failure to comply with a direction to leave a meeting is an offence under section 660 of the Act carrying a maximum penalty of 20 penalty units.

Obligations of councillors attending meetings by audio-visual link

- 14.15** Councillors attending a meeting by audio-visual link must ensure that no other person is within sight or hearing of the meeting at any time that the meeting is closed to the public under section 10A of the Act.

Information to be disclosed in resolutions closing meetings to the public

- 14.16** 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:
- the relevant provision of section 10A(2) of the Act,
 - the matter that is to be discussed during the closed part of the meeting,
 - 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 14.16 reflects section 10D of the Act.

Resolutions passed at closed meetings to be made public

- 14.17** 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.
- 14.18** 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 14.17 during a part of the meeting that is livestreamed where practicable.
- 14.19** The general manager must cause business papers for items of business considered during a meeting, or part of a meeting, that is closed to public, to be published on the council's website as soon as practicable after the information contained in the business papers ceases to be confidential.
- 14.20** The general manager must consult with the council and any other affected persons before publishing information on the council's website under clause 14.19 and provide reasons for why the information has ceased to be confidential.

15 Keeping order at meetings

Points of order

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

Questions of order

- 15.3 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 rejected 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, the Regulation 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. uses offensive or disorderly words, or
- e. makes gestures or otherwise behaves in a way that is sexist, racist, homophobic or otherwise discriminatory, or, if the behaviour occurred in the Legislative Assembly, would be considered disorderly, or
- f. imputes improper motives to or unfavourably personally reflects upon any other council official, or a person present at the meeting, except by a motion, or
- g. says or does anything that would promote disorder at the meeting or is otherwise inconsistent with maintaining order at the meeting.

Note: Clause 15.10 reflects section 182 of the Regulation.

Note: The Legislative Assembly's Speaker's Guidelines state that "Members are not to use language, make gestures, or behave in any way in the Chamber that is sexist, racist, homophobic or otherwise exclusionary or discriminatory. Such conduct may be considered offensive and disorderly, in accordance with Standing Order 74".

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), (b), (d), (e), or (g), 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 any statement that constitutes an act of disorder referred to in clauses 15.10(d), (e), (f), or (g).

Note: Clause 15.11 reflects section 233 of the Regulation.

15.12 A failure to comply with a requirement under clause 15.11 constitutes a fresh act of disorder for the purposes of clause 15.10.

15.13 Where a councillor fails to take action in response to a requirement by the chairperson to remedy an act of disorder under clause 15.11 at the meeting at which the act of disorder occurred, the chairperson may require the councillor to take that action at each subsequent meeting until such time as the councillor complies with the requirement. If the councillor fails to remedy the act of disorder at a subsequent meeting, they may be expelled from the meeting under clause 15.18.

How disorder at a meeting may be dealt with

15.14 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

15.15 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.

15.16 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 15.15 or clause 15.16.

15.17 Clause [15.15/15.16] ~~[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.

15.18 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 or clause 15.13. The expulsion of a councillor from the meeting for that reason does not prevent any other action from being taken against the councillor for the act of disorder concerned.

Note: Clause 15.18 reflects section 233(2) of the Regulation.

15.19 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.

15.20 Members of the public attending a meeting of the council:

- a. must remain silent during the meeting unless invited by the chairperson to speak,
- b. must not bring flags, signs or protest symbols to the meeting, and
- c. must not disrupt the meeting.

15.21 Without limiting clause 15.19, a contravention of clause 15.20 or an attempt to contravene that clause, constitutes disorderly conduct for the purposes of clause 15.19. Members of the public may, as provided by section 10(2) of the Act, be expelled from a meeting for a breach of clause 15.20.

15.22 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.

15.23 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 such force as is reasonably necessary, remove the councillor or member of the public from that place and, if necessary, restrain the councillor or member of the public from re-entering that place for the remainder of the meeting.

Note: Failure to comply with a direction to leave a meeting is an offence under section 660 of the Act carrying a maximum penalty of 20 penalty units.

How disorder by councillors attending meetings by audio-visual link may be dealt with

15.24 Where a councillor is attending a meeting by audio-visual link, the chairperson or a person authorised by the chairperson may mute the councillor's audio link to the meeting for the purposes of enforcing compliance with this code.

15.25 If a councillor attending a meeting by audio-visual link is expelled from a meeting for an act of disorder, the chairperson of the meeting or a person authorised by the chairperson, may terminate the councillor's audio-visual link to the meeting.

Use of mobile phones and the unauthorised recording of meetings

15.26 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.

- 15.27 A person must not live stream or use an audio recorder, video camera, mobile phone or any other device to make a recording of the proceedings of a meeting of the council or a committee of the council without the prior authorisation of the council or the committee.
- 15.28 Without limiting clause 15.19, a contravention of clause 15.27 or an attempt to contravene that clause, constitutes disorderly conduct for the purposes of clause 15.19. Any person who contravenes or attempts to contravene clause 15.27, may, as provided for under section 10(2) of the Act, be expelled from the meeting.
- 15.29 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 such force as is reasonably necessary, remove the first-mentioned person from that place and, if necessary, restrain that person from re-entering that place for the remainder of the meeting.

Note: Failure to comply with a direction to leave a meeting is an offence under section 660 of the Act carrying a maximum penalty of 20 penalty units.

16 Conflicts of interest

- 16.1 All councillors and, where applicable, all other persons, must declare and manage conflicts of interest they have in matters being considered at meetings of the council and committees of the council in accordance with the council's code of conduct. All declarations of conflicts of interest must be recorded in the minutes of the meeting at which the declaration was made.
- 16.2 Councillors attending a meeting by audio-visual link must declare and manage any conflicts of interest they have in matters being considered at the meeting in accordance with the council's code of conduct. Where a councillor has declared a conflict of interest in a matter being discussed at the meeting, the councillor's audio-visual link to the meeting must be suspended or terminated and the councillor must not be in sight or hearing of the meeting at any time during which the matter is being considered or discussed by the council or committee, or at any time during which the council or committee is voting on the matter.

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 in the case of councils and section 400T(8) in the case of joint organisations.

Note: Under section 400U(4) of the Act, joint organisations may specify more stringent voting requirements for decisions by the board such as a 75% majority or consensus decision making. Where a joint organisation's charter specifies more stringent voting requirements, clause 17.1 must be adapted to reflect those requirements.

- 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 in accordance with this code.

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 lost, a motion having the same effect must not be considered unless notice of it has been duly given in accordance with this code.

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

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

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

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

- 17.8 The provisions of clauses 17.5–17.7 concerning lost 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 3.11 with the consent of all signatories to the notice of motion.

- 17.10 A notice of motion to alter or rescind a resolution relating to a development application must be submitted to the general manager no later than 1 day 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 at the meeting, and
 - b. the council resolves to deal with the motion at the meeting on the grounds that it is urgent and requires a decision by the council before the next scheduled ordinary meeting of the council.
- 17.13 A motion moved under clause 17.12(b) can be moved without notice. Despite any other provision of this code, only the mover of a motion referred to in clause 17.12(b) and the chairperson, if they are not the mover of the motion, can speak to the motion before it is put.
- 17.14 A resolution adopted under clause 17.12(b) must state the reasons for the urgency.

Recommitting resolutions to correct an error

- 17.15 Despite the provisions of this Part, a councillor may, with the leave of the chairperson, move to recommit a resolution adopted at the same meeting:
- a. to correct any error, ambiguity or imprecision in the council's resolution, or
 - b. to confirm the voting on the resolution.
- 17.16 In seeking the leave of the chairperson to move to recommit a resolution for the purposes of clause 17.15(a), the councillor is to propose alternative wording for the resolution.
- 17.17 The chairperson must not grant leave to recommit a resolution for the purposes of clause 17.15(a), unless they are satisfied that the proposed alternative wording of the resolution would not alter the substance of the resolution previously adopted at the meeting.
- 17.18 A motion moved under clause 17.15 can be moved without notice. Despite any other provision of this code, only the mover of a motion referred to in clause 17.15 and the chairperson, if they are not the mover of the motion, can speak to the motion before it is put.
- 17.19 A motion of dissent cannot be moved against a ruling by the chairperson under clause 17.15.
- 17.20 A motion moved under clause 17.15 with the leave of the chairperson cannot be voted on unless or until it has been seconded.

18 Time limits on council meetings

- 18.1 Meetings of the council and committees of the council are to conclude at a time the council may from time to time determine.
- 18.2 If the business of the meeting is unfinished at the time the council has determined, and the council does not resolve to extend the meeting, the chairperson must either:
- a. defer consideration of the remaining items of business on the agenda to the next ordinary meeting of the council, or
 - b. adjourn the meeting to a time, date and place fixed by the chairperson.
- 18.3 Clause 18.2 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.
- 18.4 Where a meeting is adjourned under clause 18.2 or 18.3, the general manager must:
- a. individually notify each councillor of the time, date and place at which the meeting will reconvene, and
 - b. publish the time, date and place at which the meeting will reconvene on the council's website and in such other manner that the general manager is satisfied is likely to bring notice of the time, date and place of the reconvened meeting to the attention of as many people as possible.

19 After the meeting

Minutes of meetings

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

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. the names of councillors attending a council meeting and whether they attended the meeting in person or by audio-visual link,
- b. details of each motion moved at a council meeting and of any amendments moved to it,
- c. the names of the mover and seconder of the motion or amendment,
- d. whether the motion or amendment was passed or lost, and
- e. 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 the 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. Any amendment made under this clause must not alter the substance of any decision made at the meeting.

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

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

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

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.

Non-members entitled to attend committee meetings

20.8 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

- 20.9 The chairperson of each committee of the council must be:
- the mayor, or
 - if the mayor does not wish to be the chairperson of a committee, a member of the committee elected by the council, or
 - if the council does not elect such a member, a member of the committee elected by the committee.
- 20.10 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.
- 20.11 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.
- 20.12 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. 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

- 20.13 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.
- 20.14 Whenever the voting on a motion put to a meeting of the committee is equal, the chairperson of the committee is to have a casting vote as well as an original vote unless the council or the committee determines otherwise in accordance with clause 20.13.
- 20.15 A motion at a committee of a joint organisation is taken to be lost in the event of an equality of votes.
- Note:** Clause 20.15 reflects section 397E of the Regulation. Joint organisations must adopt clause 20.15 and omit clause 20.14. Councils must not adopt clause 20.15.
- 20.16 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).

Mayoral minutes

- 20.17 The provisions of this code relating to mayoral minutes also apply to meetings of committees of the council in the same way they apply to meetings of the council.

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 livestreamed where practicable.
- 20.21 The general manager must cause business papers for items of business considered during a meeting, or part of a meeting, that is closed to public, to be published on the council's website as soon as practicable after the information contained in the business papers ceases to be confidential.
- 20.22 The general manager must consult with the committee and any other affected persons before publishing information on the council's website under clause 20.21 and provide reasons for why the information has ceased to be confidential.

Disorder in committee meetings

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

Minutes of council committee meetings

- 20.24 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:
- the names of councillors attending a meeting and whether they attended the meeting in person or by audio-visual link,
 - details of each motion moved at a meeting and of any amendments moved to it,
 - the names of the mover and seconder of the motion or amendment,
 - whether the motion or amendment was passed or lost, and
 - such other matters specifically required under this code.
- 20.25 All voting at meetings of committees of the council (including meetings that are closed to the public), must be recorded in the minutes of meetings with the names of councillors who voted for and against each motion or amendment, (including the use of the casting vote), being recorded.
- 20.26 The minutes of meetings of each committee of the council must be confirmed at a subsequent meeting of the committee.
- 20.27 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.
- 20.28 When the minutes have been confirmed, they are to be signed by the person presiding at the subsequent meeting.
- 20.29 The confirmed minutes of a meeting may be amended to correct typographical or administrative errors after they have been confirmed. Any amendment made under this clause must not alter the substance of any decision made at the meeting.
- 20.30 The confirmed minutes of a meeting of a committee of the council must be published on the council's website. This clause does not prevent the council from also publishing unconfirmed minutes of meetings of committees of the council on its website prior to their confirmation.

21 Irregularities

21.1 Proceedings at a meeting of a council or a council committee are not invalidated because of:

- a. a vacancy in a civic office, or
- b. a failure to give notice of the meeting to any councillor or committee member, or
- c. any defect in the election or appointment of a councillor or committee member, or
- d. a failure of a councillor or a committee member to declare a conflict of interest, or to refrain from the consideration or discussion of, or vote on, the relevant matter, at a council or committee meeting in accordance with the council's code of conduct, or
- e. a failure to comply with this code.

Note: Clause 21.1 reflects section 374 of the Act.

22 Definitions

the Act	means the <i>Local Government Act 1993</i>
act of disorder	means an act of disorder as defined in clause 15.10 of this code
amendment	in relation to an original motion, means a motion moving an amendment to that motion
audio recorder	any device capable of recording speech
audio-visual link	means a facility that enables audio and visual communication between persons at different places
business day	means any day except Saturday or Sunday or any other day the whole or part of which is observed as a public holiday throughout New South Wales
chairperson	in relation to a meeting of the council – means the person presiding at the meeting as provided by section 369 of the Act and clauses 6.1 and 6.2 of this code, and in relation to a meeting of a committee – means the person presiding at the meeting as provided by clause 20.9 of this code
this code	means the council's adopted code of meeting practice
committee of the council	means a committee established by the council in accordance with clause 20.2 of this code (being a committee consisting only of councillors) or the council when it has resolved itself into committee of the whole under clause 12.1
council official	includes councillors, members of staff of a council, administrators, council committee members, delegates of council and any other person exercising functions on behalf of the council
day	means calendar day
division	means a request by two councillors under clause 11.7 of this code requiring the recording of the names of the councillors who voted both for and against a motion
livestream	a video broadcast of a meeting transmitted across the internet concurrently with the meeting
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, a planning agreement or a development contribution plan under that Act, but not including the making of an order under Division 9.3 of Part 9 of that Act
performance improvement order	means an order issued under section 438A of the Act
quorum	means the minimum number of councillors or committee members necessary to conduct a meeting
the Regulation	means the <i>Local Government (General) Regulation 2021</i>
year	means the period beginning 1 July and ending the following 30 June

MODEL CODE OF MEETING PRACTICE FOR LOCAL COUNCILS IN NSW

2025

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1 INTRODUCTION

This Model Code of Meeting Practice for Local Councils in NSW (the Model Meeting Code) is prescribed under section 360 of the *Local Government Act 1993* (the Act) and the *Local Government (General) Regulation 2021* (the Regulation).

The Model Meeting 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.

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.

Respectful: Councillors, staff, and meeting attendees treat each other with respect.

Note: The Office of Local Government has issued a guideline on free speech in local government in NSW. The Guideline provides practical guidance to councils on what free speech means in the context of NSW local government, including in relation to council meetings. The Guidelines have been issued under section 23A of the Act meaning councils must consider them when exercising their functions at meetings.

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. This will be determined during the Ordinary meeting of Council held in September, following the Mayoral Election, for the ensuing two years, unless it is a Local Government election year in which case they will be determined in October for the ensuing year.

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 may call an extraordinary meeting without the need to obtain the signature of two (2) councillors.

Notice to the public of council meetings

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

Note: Clause 3.4 reflects section 9(1) of the Act.

- 3.5 For the purposes of clause 3.4, notice of a meeting of the council and of a committee of council must be published before the meeting takes place. The notice must be published on the council's website, and in such other manner

that the council is satisfied is likely to bring notice of the meeting to the attention of as many people as possible.

- 3.6 For the purposes of clause 3.4, notice of more than one (1) meeting may be given in the same notice.

Notice to councillors of ordinary council meetings

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

Note: Clause 3.7 reflects section 367(1) of the Act.

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

Note: Clause 3.8 reflects section 367(3) of the Act.

Notice to councillors of extraordinary meetings

- 3.9 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 3.9 reflects section 367(2) of the Act.

Giving notice of business to be considered at council meetings

- 3.10 A councillor may give notice of any business they wish to be considered by the council at its next ordinary meeting by way of a notice of motion. To be included on the agenda of the meeting, the notice of motion must be in writing and must be by 12 midday on the day that is eight calendar days before the meeting, not including the day of the meeting in the count. (For example, if a meeting is scheduled for 5.30pm on a Tuesday, the notice of motion must be submitted by 12 midday on the Monday of the previous week).
- 3.11 A councillor may, in writing to the general manager, request the withdrawal of a notice of motion submitted by them prior to its inclusion in the agenda and business paper for the meeting at which it is to be considered. If a Councillor who has submitted a notice of motion under this clause 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.

Questions with notice

- 3.12 A councillor may, by way of a notice submitted under clause 3.10, ask a question for response by the general manager about the performance or operations of the council.

- 3.13 A councillor is not permitted to ask a question with notice under clause 3.12 that would constitute an act of disorder. Or comprises a complaint of a member of staff.
- 3.14 The general manager or their nominee may respond to a question with notice submitted under clause 3.12 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

- 3.15 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.
- 3.16 The general manager must ensure that the agenda for an ordinary meeting of the council states:
- (a) all matters to be dealt with arising out of the proceedings of previous meetings of the council, and
 - (b) if the mayor is the chairperson – any matter or topic that the chairperson proposes, at the time when the agenda is prepared, to put to the meeting, and
 - (c) all matters, including matters that are the subject of staff reports and reports of committees, to be considered at the meeting, and
 - (d) any business of which due notice has been given under clause 3.10.
- 3.17 Nothing in clause 3.16 limits the powers of the mayor to put a mayoral minute to a meeting without notice under clause 9.7.
- 3.18 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.
- 3.19 Where the agenda includes the receipt of information or discussion of other matters that, in the opinion of the general manager, is likely to take place when the meeting is closed to the public, the general manager must ensure that the agenda of the meeting:
- (a) identifies the relevant item of business and indicates that it is of such a nature (without disclosing details of the information to be considered when the meeting is closed to the public), and
 - (b) states the grounds under section 10A(2) of the Act relevant to the item of business.

Note: Clause 3.20 reflects section 9(2A)(a) of the Act.

- 3.20 The general manager must ensure that the details of any item of business which, in the opinion of the general manager, is likely to be considered when the meeting is closed to the public, are included in a business paper provided to councillors for the meeting concerned. Such details must not be included in

the business papers made available to the public and must not be disclosed by a councillor or by any other person to another person who is not authorised to have that information.

Availability of the agenda and business papers to the public

- 3.21 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 3.21 reflects section 9(2) and (4) of the Act.

- 3.22 Clause 3.21 does not apply to the business papers for items of business identified under clause 3.20 as being likely to be considered when the meeting is closed to the public.

Note: Clause 3.22 reflects section 9(2A)(b) of the Act.

- 3.23 For the purposes of clause 3.21, 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 3.23 reflects section 9(3) of the Act.

- 3.24 A copy of an agenda, or of an associated business paper made available under clause 3.21, may in addition be given or made available in electronic form unless the council determines otherwise.

Note: Clause 3.24 reflects section 9(5) of the Act.

Agenda and business papers for extraordinary meetings

- 3.25 The council must ensure that the agenda for an extraordinary meeting of the council deals only with the matters stated in the notice of the meeting.
- 3.26 Nothing in clause 3.25 limits the powers of the mayor to put a mayoral minute to an extraordinary meeting without notice under clause 9.7.
- 3.27 Despite clause 3.25, business may be considered at an extraordinary meeting of the council at which all councillors are present, even though due notice has not been given of the business, if:
- (a) the council resolves to deal with the business on the grounds that it is urgent and requires a decision by the council before the next scheduled ordinary meeting of the council.
 - (b) A resolution adopted under this clause must state the reasons for the urgency.
- 3.28 A motion moved under clause 3.27(a) can be moved without notice but only after the business notified in the agenda for the extraordinary meeting has

been dealt with. Despite any other provision of this code, only the mover of a motion moved under clause 3.27(a), and the chairperson, if they are not the mover of the motion, can speak to the motion before it is put.

- 3.29 If all councillors are not present at the extraordinary meeting, the council may only deal with business at the meeting that councillors have not been given due notice of, where a resolution is adopted in accordance with clause 3.27 and the chairperson also rules that the business is urgent and requires a decision by the council before the next scheduled ordinary meeting.
- 3.30 A motion of dissent cannot be moved against a ruling of the chairperson under clause 3.29 on whether a matter is urgent.

Prohibition of pre-meeting briefing sessions

- 3.31 Briefing sessions must not be held to brief councillors on business listed on the agenda for meetings of the council or committees of the council.

Note: The prohibition on the holding of briefing sessions under clause 3.31 reflects the intent of Chapter 4, Part 1 of the Act which requires business of the council to be conducted openly and transparently at a formal meeting of which due notice has been given and to which the public has access. Pre-meeting briefing sessions are inconsistent with the principles of transparency, accountability and public participation and have the potential to undermine confidence in the proper and lawful decision-making processes of the council.

- 3.32 Nothing in clause 3.31 prevents a councillor from requesting information from the general manager about a matter to be considered at a meeting, provided the information is also available to the public. Information requested under this clause must be provided in a way that does not involve any discussion of the information.

4 PUBLIC FORUMS

- 4.1 The council may hold a public forum prior to meetings of the council and committees 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 meetings of other committees of the council.
- 4.2 The council may determine the rules under which public forums are to be conducted and when they are to be held.
- 4.2.1 Public forums may be held by audio-visual link.
 - 4.2.2 Public Forum is limited to a maximum period of thirty (30) minutes and shall be held following "Apologies" on the Council agenda.
 - 4.2.3 Each speaker will be allowed five (5) minutes to address the Council. This time is to be strictly enforced by the chairperson.
 - 4.2.4 A Councillor (including the chairperson) may, through the chairperson, ask questions of a speaker following their address at a public forum. Questions put to a speaker must be direct, succinct and without argument.

- 4.2.5 Speakers at public forums **cannot** ask questions of the Council, Councillors, or Council staff.
 - 4.2.6 The Chief Executive Officer or their nominee may, with the concurrence of the chairperson, address the Council for up to two (2) 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.
 - 4.2.7 If the chairperson considers that a speaker at a public forum has engaged in conduct of the type referred to in clause 4.20, 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.
 - 4.2.8 Clause 4.2.7 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.
- 4.3 The provisions of this code requiring the livestreaming of meetings also apply to public forums.

5 COMING TOGETHER

Attendance by councillors at meetings

- 5.1 All councillors must make reasonable efforts to attend meetings of the council and of committees of the council of which they are members.

Note: A councillor may not attend a meeting as a councillor (other than the first meeting of the council after the councillor is elected or a meeting at which the councillor takes an oath or makes an affirmation of office) until they have taken an oath or made an affirmation of office in the form prescribed under section 233A of the Act.

- 5.2 The council may determine standards of dress for councillors when attending meetings.
- 5.3 A councillor cannot participate in a meeting of the council or of a committee of the council unless personally present at the meeting, unless permitted to attend the meeting by audio-visual link under this code. (with prior approval a minimum of 1.5 hours before the meeting).
- 5.4 Where a councillor is unable to attend one or more meetings of the council or committees of the council, the councillor should submit an apology for the meetings they are unable to attend, state the reasons for their absence from the meetings and request that the council grant them a leave of absence from the relevant meetings.

NOTE: *The making an apology by a Councillor is to be done in writing to the Chief Executive Officer at least one (1) hour prior to the commencement of a meeting who will notify the Mayor, or chairperson prior to the commencement*

of a meeting. An apology will not be recorded for an absent Councillor who has not provided formal notification.

- 5.5 The council must not act unreasonably when considering whether to grant a councillor's request for a leave of absence.
- 5.6 Where a councillor makes an apology under clause 5.4, the council must determine by resolution whether to grant the councillor a leave of absence for the meeting for the purposes of section 234(1)(d) of the Act. If the council resolves not to grant a leave of absence for the meeting, it must state the reasons for its decision in its resolution.
- 5.7 A councillor's civic office will become vacant if the councillor is absent from three (3) consecutive ordinary meetings of the council without prior leave of the council, or leave granted by the council at any of the meetings concerned, unless the holder is absent because they have been suspended from office under the Act, or because the council has been suspended under the Act, or as a consequence of a compliance order under section 438HA.

Note: Clause 5.7 reflects section 234(1)(d) of the Act.

The quorum for a meeting

- 5.8 The quorum for a meeting of the council is a majority of the councillors of the council who hold office at that time and are not suspended from office.

Note: Clause 5.8 reflects section 368(1) of the Act.

- 5.9 Clause 5.8 does not apply if the quorum is required to be determined in accordance with directions of the Minister in a performance improvement order issued in respect of the council.

Note: Clause 5.9 reflects section 368(2) of the Act.

- 5.10 A meeting of the council must be adjourned if a quorum is not present:
- (a) at the commencement of the meeting where the number of apologies received for the meeting indicates that there will not be a quorum for the meeting, or
 - (b) within half an hour after the time designated for the holding of the meeting, or
 - (c) at any time during the meeting.
- 5.11 In either case, the meeting must be adjourned to a time, date, and place fixed:
- (a) by the chairperson, or
 - (b) in the chairperson's absence, by the majority of the councillors present, or
 - (c) failing that, by the general manager.

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

Meetings held by audio-visual link

- 5.15 A meeting of the council or a committee of the council may be held by audio-visual link where the mayor determines that the meeting should be held by audio-visual link because of a natural disaster or a public health emergency. The mayor may only make a determination under this clause where they are satisfied that attendance at the meeting may put the health and safety of councillors and staff at risk. The mayor must make a determination under this clause in consultation with the general manager and, as far as is practicable, with each councillor.
- 5.16 Where the mayor determines under clause 5.15 that a meeting is to be held by audio-visual link, the general manager must:
- (a) give written notice to all councillors that the meeting is to be held by audio-visual link, and
 - (b) take all reasonable steps to ensure that all councillors can participate in the meeting by audio-visual link, and
 - (c) cause a notice to be published on the council's website and in such other manner the general manager is satisfied will bring it to the attention of as many people as possible, advising that the meeting is to be held by audio-visual link and providing information about where members of the public may view the meeting.
- 5.17 This code applies to a meeting held by audio-visual link under clause 5.16 in the same way it would if the meeting was held in person.

Note: Where a council holds a meeting by audio-visual link under clause 5.16, it is still required under section 10 of the Act to provide a physical venue for members of the public to attend in person and observe the meeting.

Attendance by councillors at meetings by audio-visual link

- 5.18 Councillors may attend and participate in meetings of the council and committees of the council by audio-visual link with the approval of the council or the relevant committee where they are prevented from attending the meeting in person because of ill-health or other medical reasons; because of unforeseen caring responsibilities; for when travelling outside the LGA or unable to commute in time to participate in person.
- 5.19 Clause 5.18 does not apply to meetings at which a mayoral election is to be held.
- 5.20 A request by a councillor for approval to attend a meeting by audio-visual link must be made in writing to the general manager a minimum of 1.5 hours prior to the meeting in question unless extenuating circumstances apply and must provide reasons why the councillor will be prevented from attending the meeting in person.
- 5.21 Councillors may request approval to attend more than one meeting by audio-visual link. Where a councillor requests approval to attend more than one meeting by audio-visual link, the request must specify the meetings the request relates to in addition to the information required under clause 5.20.
- 5.22 The council must comply with the Health Privacy Principles prescribed under the *Health Records and Information Privacy Act 2002* when collecting, holding, using and disclosing health information in connection with a request by a councillor to attend a meeting by audio-visual link.
- 5.23 A councillor who has requested approval to attend a meeting of the council or a committee of the council by audio-visual link may participate in the meeting by audio-visual link until the council or committee determines whether to approve their request and is to be taken as present at the meeting. The councillor may participate in a decision in relation to their request to attend the meeting by audio-visual link.
- 5.24 A decision whether to approve a request by a councillor to attend a meeting of the council or a committee of the council by audio-visual link must be made by a resolution of the council or the committee concerned. The resolution must state the meetings the resolution applies to.
- 5.25 If the council or committee refuses a councillor's request to attend a meeting by audio-visual link, their link to the meeting is to be terminated.
- 5.26 A decision whether to approve a councillor's request to attend a meeting by audio-visual link is at the council's or the relevant committee's discretion. The council and committees of the council must act reasonably when considering requests by councillors to attend meetings by audio-visual link.
- 5.27 The council and committees of the council may refuse a councillor's request to attend a meeting by audio-visual link where the council or committee is satisfied that the councillor has failed to appropriately declare and manage conflicts of interest, observe confidentiality or to comply with this code on one or more previous occasions they have attended a meeting of the council or a committee

of the council by audio-visual link.

- 5.28 This code applies to a councillor attending a meeting by audio-visual link in the same way it would if the councillor was attending the meeting in person. Where a councillor is permitted to attend a meeting by audio-visual link under this code, they are to be taken as attending the meeting in person for the purposes of the code and will have the same voting rights as if they were attending the meeting in person.
- 5.29 A councillor must give their full attention to the business and proceedings of the meeting when attending a meeting by audio-visual link. The councillor's camera must be on at all times during the meeting except as may be otherwise provided for under this code.
- 5.30 A councillor must be appropriately dressed when attending a meeting by audio-visual link and must ensure that no items are within sight of the meeting that are inconsistent with the maintenance of order at the meeting or that are likely to bring the council or the committee into disrepute.

Entitlement of the public to attend council meetings

- 5.31 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 5.31 reflects section 10(1) of the Act.

- 5.32 Clause 5.31 does not apply to parts of meetings that have been closed to the public under section 10A of the Act.
- 5.33 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 5.33 reflects section 10(2) of the Act.

- 5.34 On the adoption of this code and at the commencement of each council term, the council must determine whether to authorise the person presiding at a meeting to exercise a power of expulsion. Under Clause 15.15 OR 15.16

Note: clause 15.15 confers a standing authorisation on all chairpersons of meetings of the council and committees of the council to expel persons from meetings. Clause 15.16 authorises chairpersons to expel persons other than councillors from a council or committee meeting.

Livestreaming of meetings

- 5.35 Each meeting of the council or a committee of the council is to be recorded by means of an audio-visual device.

- 5.36 At the start of each meeting of the council or a committee of the council, the chairperson must inform the persons attending the meeting that:
- (a) the meeting is being recorded and made publicly available on the council's website, and
 - (b) persons attending the meeting should refrain from making any defamatory statements.
- 5.37 The recording of a meeting is to be made publicly available on the council's website at the same time as the meeting is taking place.
- 5.38 The recording of a meeting is to be made publicly available on the council's website for at least 12 months after the meeting or for the balance of the council's term, whichever is the longer period.
- 5.39 Clauses 5.35 - 5.38 do not apply to any part of a meeting that has been closed to the public in accordance with section 10A of the Act.

Note: Clauses 5.35 – 5.38 reflect section 236 of the Regulation.

- 5.40 Recordings of meetings may be disposed of in accordance with the *State Records Act 1998*.

Attendance of the general manager and other staff at meetings

- 5.41 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 5.41 reflects section 376(1) of the Act.

- 5.42 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 5.42 reflects section 376(2) of the Act.

- 5.43 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 5.43 reflects section 376(3) of the Act.

- 5.44 The attendance of other council staff at a meeting, (other than as members of the public) shall be determined by the general manager in consultation with the mayor.

- 5.45 Staff may attend and participate in meetings of the council and committees of the council by audio-visual link with the approval of the general manager where they are prevented from attending the meeting in person because of ill-health or other medical reasons; because of unforeseen caring responsibilities; for when travelling outside the LGA or unable to commute in time to participate in

person.

6 THE CHAIRPERSON

The chairperson at meetings

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

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

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

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

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

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

- 6.4 The election of a chairperson must be conducted:

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

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

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

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

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

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

Chairperson to have precedence

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

- (a) any councillor then speaking or seeking to speak must cease speaking and, if standing, immediately resume their seat, and
- (b) every councillor present must be silent to enable the chairperson to be heard without interruption.

7 MODES OF ADDRESS

- 7.1 Where physically able to, councillors and staff should stand when the mayor enters the chamber and when addressing the meeting.
- 7.2 If the chairperson is the mayor, they are to be addressed as 'Mr Mayor', 'Madam Mayor' or 'Mayor'.
- 7.3 If the chairperson is the deputy mayor, they are to be addressed as 'Mr Deputy Mayor', or 'Madam Deputy Mayor' or 'Deputy Mayor'.
- 7.4 Where the chairperson is not the mayor or deputy mayor, they are to be addressed as either 'Mr Chairperson' or 'Madam Chairperson' or 'Chair'.
- 7.5 A councillor is to be addressed as 'Councillor [surname]'.
- 7.6 A council officer is to be addressed by their official designation or as Mr/Ms/Mx [surname].

8 ORDER OF BUSINESS FOR ORDINARY COUNCIL MEETINGS

- 8.1 At a meeting of the council, the general order of business is as fixed by resolution of the council.
 - 1 Opening meeting
 - 2 Prayer
 - 3 Welcome to Country or Acknowledgement of Country
 - 4 Apologies and applications for a leave of absence
 - ~~05 Attendance by audio-visual link by Councillors~~
 - 5 Conflicts of Interest
 - 6 Public Forum
 - 7 Confirmation of Minutes
 - 8 Mayoral minute(s)
 - ~~10 Procedural Matters~~
 - 9 Information Only Matters
 - ~~12 Petitions~~
 - 10 Matters Considered by Committees
 - 11 Notices of Motion/ Notices of Motion of Rescission
 - ~~15 Delegates' Reports~~
 - 12 Reports from Staff
 - 13 Questions on Notice
 - 14 Comments
 - 15 Confidential matters
 - 16 Conclusion of the meeting
- 8.2 The order of business as fixed under clause 8.1 may be altered for a particular meeting of the council if a motion to that effect is passed at that meeting. Such a motion can be moved without notice.

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

- 8.3 Despite any other provision of this code, only the mover of a motion referred to in clause 8.2 and the chairperson, if they are not the mover of the motion, can speak to the motion before it is put.

9 CONSIDERATION OF BUSINESS AT COUNCIL MEETINGS

Business that can be dealt with at a council meeting

- 9.1 The council must not consider business at a meeting of the council:
- (a) unless a councillor has given notice of the business, as required by clause 3.10, and
 - (b) unless notice of the business has been sent to the councillors in accordance with clause 3.7 in the case of an ordinary meeting or clause 3.9 in the case of an extraordinary meeting called in an emergency.
- 9.2 Clause 9.1 does not apply to the consideration of business at a meeting, if the business:
- (a) is already before, or directly relates to, a matter that is already before the council, or
 - (b) is the election of a chairperson to preside at the meeting, or
 - (c) 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 of the council.
- 9.3 Despite clause 9.1, business may be considered at a meeting of the council at which all councillors are present even though due notice has not been given of the business to councillors, if
- (a) the council resolves to deal with the business on the grounds that it is urgent and requires a decision by the council before the next scheduled ordinary meeting.
 - (b) A resolution adopted under this clause must state the reasons for the urgency.
- 9.4 A motion moved under clause 9.3 can be moved without notice. Despite any other provision of this code, only the mover of a motion referred to in clause 9.3 and the chairperson, if they are not the mover of the motion, can speak to the motion before it is put.
- 9.5 If all councillors are not present at a meeting, the council may only deal with business at the meeting that councillors have not been given due notice of, where a resolution is adopted in accordance with clause 9.3, and the chairperson also rules that the business is urgent and requires a decision by the council before the next scheduled ordinary meeting.
- 9.6 A motion of dissent cannot be moved against a ruling by the chairperson under clause 9.5.

Mayoral minutes

- 9.7 The mayor may, by minute signed by the mayor, put to the meeting without notice any matter or topic that the mayor determines should be considered at the meeting.
- 9.8 A mayoral minute, when put to a meeting, takes precedence over all business on the council's agenda for the meeting. The mayor may move the adoption of a mayoral minute without the motion being seconded.
- 9.9 A recommendation made in a mayoral minute put by the mayor is, so far as it is adopted by the council, a resolution of the council.
- 9.10 A Mayoral Minute must not be used to put without notice matters that are routine and not urgent or matters for which proper notice should be given because of their complexity. For the purpose of this clause, a matter will be urgent where it requires a decision by the Council before the next scheduled Ordinary meeting of the Council. (as per Performance Improvement Order – 29 June 2021).

Staff reports

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

Reports of committees of council

- 9.11 The recommendations of a committee of the council are, so far 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 3.10 and 3.12, unless the council determines otherwise in accordance with this code.
- 9.14 A councillor may, through the chairperson, ask another councillor about a matter on the agenda.
- 9.15 A councillor may, through the mayor, ask the general manager about a matter on the agenda. The general manager may request another council employee to answer the question.
- 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 information. Where a councillor or council employee to whom a question is put is unable to respond

to the question at the meeting at which it is put, they may take it on notice and report the response to the next meeting of the council.

- 9.17 Councillors must ask questions 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 3.10 is to move the motion the subject of the notice of motion at the meeting at which it is to be considered.
- 10.3 If a councillor who has submitted a notice of motion under clause 3.10 wishes to withdraw it, they may request its withdrawal at any time. If the notice of motion is withdrawn after the agenda and business paper for the meeting at which it is to be considered have been sent to councillors, the chairperson is to note the withdrawal of the notice of motion at the meeting unless the council determines to consider the notice of motion at the meeting.
- 10.4 In the absence of a councillor who has placed a notice of motion on the agenda for a meeting of the council:
- (a) any other councillor may, with the leave of the chairperson, move the motion at the meeting, or
 - (b) the chairperson may defer consideration of the motion until the next meeting of the council.

Chairperson's duties with respect to motions

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

Amendments to motions

- 10.8 An amendment to a motion must be moved and seconded before it can be debated.

- 10.9 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.
- 10.10 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.
- 10.11 If an amendment has been lost, a further amendment can be moved to the motion to which the lost amendment was moved, and so on, but no more than one (1) motion and one (1) proposed amendment can be before council at any one time.
- 10.12 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.
- 10.13 If the amendment is carried, it becomes the motion and is to be debated. If the amendment is lost, debate is to resume on the original motion.
- 10.14 An amendment may become the motion without debate or a vote where it is accepted by the councillor who moved the original motion.

Limitations on the number and duration of speeches

- 10.15 A councillor who, during a debate at a meeting of the council, moves an original motion, has the right to speak on each amendment to the motion and a right of general reply to all observations that are made during the debate in relation to the motion, and any amendment to it at the conclusion of the debate before the motion (whether amended or not) is finally put.
- 10.16 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.
- 10.17 A councillor must not, without the consent of the council, speak more than once on a motion or an amendment, or for longer than five (5) minutes at any one time.
- 10.18 Despite clause 10.17, 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.
- 10.19 Despite clauses 10.15 and 10.16, 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.
- 10.20 The chairperson must immediately put to the vote, without debate, a motion moved under clause 10.19. A seconder is not required for such a motion.
- 10.21 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 10.15.
- 10.22 If a motion that the original motion or an amendment be now put is lost, the chairperson must allow the debate on the original motion or the amendment to be resumed.
- 10.23 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.
- 10.24 Once the debate on a matter has concluded and a matter has been dealt with, the chairperson must not allow further debate on the matter.
- 10.25 Clause 10.24 does not prevent a further motion from being moved on the same item of business where the original motion is lost provided the motion is not substantially the same as the one that is lost.

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 11.5 of this code.
- 11.9 Voting at a meeting, including voting in an election at a meeting, is to be by open means (such as on the voices, by show of hands or by a visible electronic voting system). However, the council may resolve that the voting in any election by councillors for mayor or deputy mayor is to be by secret ballot.
- 11.10 All voting at council meetings, (including meetings that are closed to the public), must be recorded in the minutes of meetings with the names of councillors who voted for and against each motion or amendment (including the use of the casting vote) being recorded.

Note: If clause 11.10 is adopted, clauses 11.6 – 11.9 and clause 11.15 may be omitted.

Voting on planning decisions

- 11.11 The council or a council committee must not make a final planning decision without receiving a staff report containing an assessment and recommendation in relation to the matter put before the council for a decision.
- 11.12 Where the council or a council committee makes a planning decision that is inconsistent with the recommendation made in a staff report, it must provide reasons for its decision and why it did not adopt the staff recommendation.
- 11.13 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.
- 11.14 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.
- 11.15 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.
- 11.16 Clauses 11.13–11.15 apply also to meetings that are closed to the public.

Note: Clauses 11.13–11.16 reflect section 375A of the Act.

Note: The requirements of clause 11.13 may be satisfied by maintaining a register of the minutes of each planning decision.

12 COMMITTEE OF THE WHOLE

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

Note: Clause 12.1 reflects section 373 of the Act.

- 12.2 All the provisions of this code relating to meetings of the council, so far as they are applicable, extend to and govern the proceedings of the council when in committee of the whole, except the provisions limiting the number and duration of speeches and encouraging councillors and staff to stand when addressing the meeting.

Note: Clauses 10.15 – 10.25 limit the number and duration of speeches.

Note: Clause 7.1 encourages councillors and staff to stand when addressing the meeting where they can.

- 12.3 The general manager or, in the absence of the general manager, an employee of the council designated by the general manager, is responsible for reporting to the council the proceedings of the committee of the whole. It is not necessary to report the proceedings in full, but any recommendations of the committee must be reported.
- 12.4 The council must ensure that a report of the proceedings (including any recommendations of the committee) is recorded in the council's minutes. However, the council is not taken to have adopted the report until a motion for adoption has been made and passed.

13 DEALING WITH ITEMS BY EXCEPTION

- 13.1 The council or a committee of council may, at any time, resolve to adopt multiple items of business on the agenda together by way of a single resolution where it considers it necessary to expedite the consideration of business at a meeting.
- 13.2 Before the council or committee resolves to adopt multiple items of business on the agenda together under clause 13.1, the chairperson must list the items of business to be adopted and ask councillors to identify any individual items of business listed by the chairperson that they intend to vote against the recommendation made in the business paper or that they wish to speak on.
- 13.3 The council or committee must not resolve to adopt any item of business under clause 13.1 that a councillor has identified as being one they intend to vote against the recommendation made in the business paper or to speak on.

- 13.4 Where the consideration of multiple items of business together under clause 13.1 involves a variation to the order of business for the meeting, the council or committee must resolve to alter the order of business in accordance with clause 8.2.
- 13.5 A motion to adopt multiple items of business together under clause 13.1 must identify each of the items of business to be adopted and state that they are to be adopted as recommended in the business paper.
- 13.6 Items of business adopted under clause 13.1 are to be taken to have been adopted unanimously.
- 13.7 Councillors must ensure that they declare and manage any conflicts of interest they may have in relation to items of business considered together under clause 13.1.

14 CLOSURE OF COUNCIL MEETINGS TO THE PUBLIC

Grounds on which meetings can be closed to the public

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

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.

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,
- (c) are fully discussed in that advice, and
- (d) are subject to legal professional privilege.

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 Departmental 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 3.19 as a matter that is likely to be considered when the meeting is closed, but only if:
- (a) it becomes apparent during the discussion of a particular matter that the matter is a matter referred to in clause 14.1, and
 - (b) the council or committee, after considering any representations made under clause 14.9, resolves that further discussion of the matter:
 - (i) should not be deferred (because of the urgency of the matter), and
 - (ii) should take place in a part of the meeting that is closed to the public.

Note: Clause 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 Despite clauses 14.9 and 14.10, the council may resolve to close the meeting to the public in accordance with this Part to hear a representation from a member of the public as to whether the meeting should be closed to consider an item of business where the representation involves the disclosure of information relating to a matter referred to in clause 14.1.
- 14.12 Where the matter has been identified in the agenda of the meeting under clause 3.19 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 a manner determined by the council.

Expulsion of non-councillors from meetings closed to the public

- 14.13 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.
- 14.14 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 such force as is reasonably necessary,

remove the first-mentioned person from that place and, if necessary restrain that person from re-entering that place for the remainder of the meeting.

Note: Failure to comply with a direction to leave a meeting is an offence under section 660 of the Act carrying a maximum penalty of 20 penalty units.

Obligations of councillors attending meetings by audio-visual link

- 14.15 Councillors attending a meeting by audio-visual link must ensure that no other person is within sight or hearing of the meeting at any time that the meeting is closed to the public under section 10A of the Act.

Information to be disclosed in resolutions closing meetings to the public

- 14.16 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 14.16 reflects section 10D of the Act.

Resolutions passed at closed meetings to be made public

- 14.17 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.
- 14.18 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 14.17 during a part of the meeting that is livestreamed where practicable.
- 14.19 The general manager must cause business papers for items of business considered during a meeting, or part of a meeting, that is closed to public, to be published on the council's website as soon as practicable after the information contained in the business papers ceases to be confidential.
- 14.20 The general manager must consult with the council and any other affected persons before publishing information on the council's website under clause 14.19 and provide reasons for why the information has ceased to be confidential.

15 KEEPING ORDER AT MEETINGS

Points of order

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

Questions of order

- 15.3 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 rejected 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, the Regulation or this code, or

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- (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) uses offensive or disorderly words, or
- (e) makes gestures or otherwise behaves in a way that is sexist, racist, homophobic or otherwise discriminatory, or, if the behaviour occurred in the Legislative Assembly, would be considered disorderly, or
- (f) imputes improper motives to or unfavourably personally reflects upon any other council official, or a person present at the meeting, except by a motion, or
- (g) says or does anything that would promote disorder at the meeting or is otherwise inconsistent with maintaining order at the meeting.

Note: Clause 15.10 reflects section 182 of the Regulation.

Note: The Legislative Assembly's Speaker's Guidelines state that "Members are not to use language, make gestures, or behave in any way in the Chamber that is sexist, racist, homophobic or otherwise exclusionary or discriminatory. Such conduct may be considered offensive and disorderly, in accordance with Standing Order 74".

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), (b), (d), (e), or (g), 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 any statement that constitutes an act of disorder referred to in clauses 15.10(d), (e), (f) or (g).

Note: Clause 15.11 reflects section 233 of the Regulation.

15.12 A failure to comply with a requirement under clause 15.11 constitutes a fresh act of disorder for the purposes of clause 15.10.

15.13 Where a councillor fails to take action in response to a requirement by the chairperson to remedy an act of disorder under clause 15.11 at the meeting at which the act of disorder occurred, the chairperson may require the councillor to take that action at each subsequent meeting until such time as the councillor complies with the requirement. If the councillor fails to remedy the act of disorder at a subsequent meeting, they may be expelled from the meeting under clause 15.18.

How disorder at a meeting may be dealt with

15.14 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.

- 15.15 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 or clause 15.13. The expulsion of a councillor from the meeting for that reason does not prevent any other action from being taken against the councillor for the act of disorder concerned.

Note: Clause 15.15 reflects section 233(2) of the Regulation.

- 15.16 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.

- 15.17 Members of the public attending a meeting of the council:

- (a) must remain silent during the meeting unless invited by the chairperson to speak,
- (b) must not bring flags, signs or protest symbols to the meeting, and
- (c) must not disrupt the meeting.

- 15.18 Without limiting clause 15.16, a contravention of clause 15.17 or an attempt to contravene that clause, constitutes disorderly conduct for the purposes of clause 15.19. Members of the public may, as provided by section 10(2) of the Act, be expelled from a meeting for a breach of clause 15.17.

- 15.19 Where a councillor or a member of the public is expelled from a meeting, the expulsion and the name of the person expelled, if known, are to be recorded in the minutes of the meeting.

- 15.20 If a councillor or a member of the public fails to leave the place where a meeting of 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 such force as is reasonably necessary, remove the councillor or member of the public from that place and, if necessary, restrain the councillor or member of the public from re-entering that place for the remainder of the meeting.

Note: Failure to comply with a direction to leave a meeting is an offence under section 660 of the Act carrying a maximum penalty of 20 penalty units.

How disorder by councillors attending meetings by audio-visual link may be dealt with

- 15.21 Where a councillor is attending a meeting by audio-visual link, the chairperson or a person authorised by the chairperson may mute the councillor's audio link to the meeting for the purposes of enforcing compliance with this code.
- 15.22 If a councillor attending a meeting by audio-visual link is expelled from a meeting for an act of disorder, the chairperson of the meeting or a person authorised by the chairperson, may terminate the councillor's audio-visual link to the meeting.

Use of mobile phones and the unauthorised recording of meetings

- 15.23 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.
- 15.24 A person must not live stream or use an audio recorder, video camera, mobile phone or any other device to make a recording of the proceedings of a meeting of the council or a committee of the council without the prior authorisation of the council or the committee.
- 15.25 Without limiting clause 15.16, a contravention of clause 15.24 or an attempt to contravene that clause, constitutes disorderly conduct for the purposes of clause 15.16. Any person who contravenes or attempts to contravene clause 15.24, may, as provided for under section 10(2) of the Act, be expelled from the meeting.
- 15.26 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 such force as is reasonably necessary, remove the first-mentioned person from that place and, if necessary, restrain that person from re-entering that place for the remainder of the meeting.

Note: Failure to comply with a direction to leave a meeting is an offence under section 660 of the Act carrying a maximum penalty of 20 penalty units.

16 CONFLICTS OF INTEREST

- 16.1 All councillors and, where applicable, all other persons, must declare and manage conflicts of interest they have in matters being considered at meetings of the council and committees of the council in accordance with the council's code of conduct. All declarations of conflicts of interest must be recorded in the minutes of the meeting at which the declaration was made.
- 16.2 Councillors attending a meeting by audio-visual link must declare and manage any conflicts of interest they have in matters being considered at the meeting in accordance with the council's code of conduct. Where a councillor has declared a conflict of interest in a matter being discussed at the meeting, the councillor's audio-visual link to the meeting must be suspended or terminated and the councillor must not be in sight or hearing of the meeting at any time during which the matter is being considered or discussed by the council or committee, or at any time during which the council or committee is voting on the matter.

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 in the case of councils and section 400T(8) in the case of joint organisations.

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

Rescinding or altering council decisions

- 17.3 A resolution passed by the council may not be altered or rescinded except by a motion to that effect of which notice has been given under clause 3.10.

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 lost, a motion having the same effect must not be considered unless notice of it has been duly given in accordance with clause 3.10.

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

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

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

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

- 17.8 The provisions of clauses 17.5–17.7 concerning lost 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 3.11 with the consent of all signatories to the notice of motion.

17.10 A notice of motion to alter or rescind a resolution relating to a development application must be submitted to the general manager no later than 1 day 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 at the meeting, and
- (b) the council resolves to deal with the motion at the meeting on the grounds that it is urgent and requires a decision by the council before the next scheduled ordinary meeting of the council.

17.13 A motion moved under clause 17.12(b) can be moved without notice. Despite any other provision of this code, only the mover of a motion referred to in clause 17.12(b) and the chairperson, if they are not the mover of the motion, can speak to the motion before it is put.

17.14 A resolution adopted under clause 17.12(b) must state the reasons for the urgency.

Recommitting resolutions to correct an error

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

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

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

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

17.18 A motion moved under clause 17.15 can be moved without notice. Despite any other provision of this code, only the mover of a motion referred to in clause 17.15 and the chairperson, if they are not the mover of the motion, can speak

to the motion before it is put.

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

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

18 TIME LIMITS ON COUNCIL MEETINGS

18.1 Meetings of the council and committees of the council are to conclude at a time the council may from time to time determine.

18.2 If the business of the meeting is unfinished at the time the council has determined, and the council does not resolve to extend the meeting, the chairperson must either:

- (a) defer consideration of the remaining items of business on the agenda to the next ordinary meeting of the council, or
- (b) adjourn the meeting to a time, date and place fixed by the chairperson.

18.3 Clause 18.2 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.

18.4 Where a meeting is adjourned under clause 18.2 or 18.3, the general manager must:

- (a) individually notify each councillor of the time, date and place at which the meeting will reconvene, and
- (b) publish the time, date and place at which the meeting will reconvene on the council's website and in such other manner that the general manager is satisfied is likely to bring notice of the time, date and place of the reconvened meeting to the attention of as many people as possible.

19 AFTER THE MEETING

Minutes of meetings

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

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) the names of councillors attending a council meeting and whether they attended the meeting in person or by audio-visual link,
- (b) details of each motion moved at a council meeting and of any

- amendments moved to it,
- (c) the names of the mover and seconder of the motion or amendment,
- (d) whether the motion or amendment was passed or lost, and
- (e) 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 the 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. Any amendment made under this clause must not alter the substance of any decision made at the meeting.

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

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

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

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.

Non-members entitled to attend committee meetings

- 20.8 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

20.9 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.

20.10 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.

20.11 **The Council is to elect the Mayor as the Deputy Chairperson of all Committees of the Council, if he is not already elected as the Chairperson.**

20.12 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.

20.13 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. 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

20.14 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.

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 unless the council or the committee determines otherwise in accordance with clause 20.13.

20.16 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).

Mayoral minutes

20.17 The provisions of this code relating to mayoral minutes also apply to meetings of committees of the council in the same way they apply to meetings of the council.

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 20.18 during a part of the meeting that is livestreamed where practicable.
- 20.21 The general manager must cause business papers for items of business considered during a meeting, or part of a meeting, that is closed to public, to be published on the council's website as soon as practicable after the information contained in the business papers ceases to be confidential.
- 20.22 The general manager must consult with the committee and any other affected persons before publishing information on the council's website under clause 20.19 and provide reasons for why the information has ceased to be confidential.

Disorder in committee meetings

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

Minutes of council committee meetings

- 20.24 Each committee of the council is to keep full and accurate minutes of the proceedings of its meetings. At a minimum, a committee must ensure that the following matters are recorded in the committee's minutes:
- (a) the names of councillors attending a meeting and whether they attended the meeting in person or by audio-visual link,
 - (b) details of each motion moved at a meeting and of any amendments moved to it,
 - (c) the names of the mover and seconder of the motion or amendment,
 - (d) whether the motion or amendment was passed or lost, and
 - (e) such other matters specifically required under this code.
- 20.25 The minutes of meetings of each committee of the council must be confirmed at a subsequent meeting of the committee.
- 20.26 Any debate on the confirmation of the minutes is to be confined to whether the minutes are a full and accurate record of the meeting they relate to.

- 20.27 When the minutes have been confirmed, they are to be signed by the person presiding at the subsequent meeting.
- 20.28 The confirmed minutes of a meeting may be amended to correct typographical or administrative errors after they have been confirmed. Any amendment made under this clause must not alter the substance of any decision made at the meeting.
- 20.29 The confirmed minutes of a meeting of a committee of the council must be published on the council's website. This clause does not prevent the council from also publishing unconfirmed minutes of meetings of committees of the council on its website prior to their confirmation.

21 IRREGULARITIES

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

Note: Clause 21.1 reflects section 374 of the Act.

22 DEFINITIONS

the Act	means the <i>Local Government Act 1993</i>
act of disorder	means an act of disorder as defined in clause 15.10 of this code
amendment	in relation to an original motion, means a motion moving an amendment to that motion
audio recorder	any device capable of recording speech
audio-visual link	means a facility that enables audio and visual communication between persons at different places
business day	means any day except Saturday or Sunday or any other day the whole or part of which is observed as a public holiday throughout New South Wales
chairperson	in relation to a meeting of the council – means the person presiding at the meeting as provided by section 369 of the Act and clauses 6.1 and 6.2 of this code, and in relation to a meeting of a committee – means the person presiding at the meeting as provided by clause 20.9 of this code
this code	means the council's adopted code of meeting practice
committee of the council	means a committee established by the council in accordance with clause 20.2 of this code (being a committee consisting only of councillors) or the council when it has resolved itself into committee of the whole under clause 12.1
council official	includes councillors, members of staff of a council, administrators, council committee members, delegates of council and any other person exercising functions on behalf of the council
day	means calendar day
division	means a request by two councillors under clause 11.7 of this code requiring the recording of the names of the councillors who voted both for and against a motion
livestream	a video broadcast of a meeting transmitted across the internet concurrently with the meeting
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, a planning agreement or a development contribution plan under that Act, but not including the making of an order under Division 9.3 of Part 9 of that Act
performance improvement order	means an order issued under section 438A of the Act

quorum	means the minimum number of councillors or committee members necessary to conduct a meeting
the Regulation	means the <i>Local Government (General) Regulation 2021</i>
year	means the period beginning 1 July and ending the following 30 June

2025 Model Meeting Code - FAQ

Implementation of the 2025 Model Meeting Code

When must the 2025 Model Meeting Code be adopted?

- Councils must adopt a code of meeting practice that incorporates the mandatory provisions of the 2025 Model Meeting Code no later than 31 December 2025.

What happens if the 2025 Model Meeting Code is not adopted by 31 December 2025?

- Transitional provisions in the Local Government (General) Regulation 2021 (the Regulation) provide that if a council does not adopt a code of meeting practice that incorporates the mandatory provisions of the 2025 Model Meeting Code by 31 December 2025, then from 1 January 2026, any provision of the council's code of meeting practice that is inconsistent with a mandatory provision of the 2025 Model Meeting Code will be automatically overridden by the relevant mandatory provision of the 2025 Model Meeting Code.

Are councils required to adopt the non-mandatory provisions of the 2025 Model Meeting Code?

- No. The non-mandatory provisions of the 2025 Model Meeting Code cover areas of meeting practice that are common to most councils but where there may be a need for some variation in practice between councils based on local circumstances. The non-mandatory provisions also operate to set a benchmark based on what OLG sees as best practice for the relevant area of practice.
- Councils are free to omit the non-mandatory provisions or to adapt them to meet their needs.

Can councils include supplementary provisions in their adopted code of meeting practice?

- Yes. There is nothing to prevent councils from including supplementary provisions in their adopted code of meeting practice to meet their needs, provided the supplementary provisions are not inconsistent with the mandatory provisions of the 2025 Model Meeting Code.

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Are joint organisations and county councils required to adopt the 2025 Model Meeting Code?

- Yes. The 2025 Model Meeting Code also applies to meetings of the boards of joint organisations and county councils.
- The provisions of the 2025 Model Meeting Code that are specific to meetings of boards of joint organisations are indicated in blue font.
- In adopting the 2025 Model Meeting Code, joint organisations should adapt it to substitute the terms “board” for “council”, “chairperson” for “mayor”, “voting representative” for “councillor” and “executive officer” for “general manager”.
- In adopting the 2025 Model Meeting Code, county councils should adapt it to substitute the term “chairperson” for “mayor” and “member” for “councillor”.

What consultation must councils do before adopting a code of meeting practice?

- Under section 361 of the *Local Government Act 1993* (the Act), before adopting a new code of meeting practice, councils must first exhibit a draft of the code of meeting practice for at least 28 days and provide members of the community at least 42 days in which to comment on the draft code.
- This requirement does not apply to joint organisations.

What are the key changes?

A key focus of the changes made to the 2025 Model Meeting Code is to ensure meetings are conducted in a dignified and orderly way befitting to a chamber of democracy and to promote community confidence in councils and their decisions.

The following is a summary of the key changes. It is not an exhaustive list of all the changes that have been made.

Extraordinary meetings

- The mayor may now call an extraordinary meeting without the need to obtain the signature of two councillors.

Dealing with urgent business at meetings

- The process for dealing with urgent business at both ordinary and extraordinary meetings has been simplified.
- Business may be considered at a meeting at which all councillors are present, even though due notice has not been given of the business, if the council resolves



to deal with the business on the grounds that it is urgent and requires a decision by the council before the next scheduled ordinary meeting of the council. The resolution must state the reasons for the urgency.

- If all councillors are not present at the meeting, the chairperson must also rule that the business is urgent and requires a decision by the council before the next scheduled ordinary meeting.

Prohibition on pre-meeting briefing sessions

- The 2025 Model Meeting Code prohibits briefing sessions being held to brief councillors on business listed on the agenda for meetings of the council or committees of the council.
- The prohibition on briefing sessions does not prevent a councillor from requesting information from the general manager about a matter to be considered at a meeting, provided the information is also available to the public. The information must be provided in a way that does not involve any discussion of the information.

Public forums

- The public forum provisions are now mandatory but leave it to councils to determine whether to hold public forums before council and committee meetings.
- Councils are also free to determine the rules under which public forums are to be conducted and when they are to be held. OLG will be issuing model best practice public forum rules that councils can use if they choose to.
- Public forums must be livestreamed.

Councillors' attendance at meetings by audio-visual link

- The provisions governing attendance by councillors at meetings by audio-visual link have been made mandatory and the option to attend meetings by audio-visual link has been restricted to where councillors are prevented from attending a meeting in person because of ill-health or other medical reasons or because of unforeseen caring responsibilities.

Absences from council meetings

- Changes have been made to the provisions governing absences from meetings.
- Where councillors are unable to attend one or more meetings of the council or committees of the council, the new provisions encourage them to:
 - submit an apology for the meetings they are unable to attend,
 - state the reasons for their absence from the meetings, and



- request that the council grant them a leave of absence from the relevant meetings.
- Where a councillor makes an apology, the council must determine by resolution whether to grant the councillor a leave of absence for the meeting. Councils are required to act reasonably when deciding whether to grant a leave of absence to a councillor. To ensure accountability, if the council resolves not to grant a leave of absence for the meeting, it must state the reasons for its decision in its resolution.

Livestreaming meetings

- As of 1 January 2026, councils are required to livestream their meetings using an audio-visual recording.
- Recordings of meetings must be published on the council's website for the balance of the council's term or for 12 months, whichever is the later date.
- OLG will be issuing updated guidance on the livestreaming of meetings.

New rules of etiquette at meetings

- Councils may determine standards of dress for councillors when attending meetings.
- Where physically able to, councillors and staff are encouraged to stand when the mayor enters the chamber and when addressing the meeting.
- The 2025 Model Meeting Code prescribes modes of address.

Mayoral minutes

- The restrictions on mayoral minutes under the previous code have been removed. A mayoral minute may be put to a meeting without notice on any matter or topic that the mayor determines should be considered at the meeting.

Rules of debate

- The rules of debate have been simplified and the rules governing the foreshadowing of motions and amendments have been removed. It remains open to councillors to foreshadow that they intend to move an amendment during the debate, but there are no longer formal rules governing this.
- An amendment has been made to clarify that there is nothing to prevent a further motion from being moved at a meeting on the same item of business where the original motion is lost, provided the motion is not substantially the same as the one that was lost.



2025 Model Meeting Code - FAQ

- Councils will no longer have the option of reducing the duration of speeches to less than 5 minutes. However, councils continue to have other options to expedite business at meetings such as moving that a motion be put where the necessary conditions have been satisfied and to resolve to deal with items by exception.

Voting on planning decisions

- Consistent with the Independent Commission Against Corruption's (ICAC) recommendations, a council or a council committee must not make a final planning decision at a meeting without receiving a staff report containing an assessment and recommendation in relation to the matter put before the council for a decision.
- Where the council or a council committee makes a planning decision that is inconsistent with the recommendation made in a staff report, it must provide reasons for its decision and why it did not adopt the staff recommendation.

Representations by the public on the closure of meetings

- In the interests of simplifying the code, the rules governing representations by the public on the closure of meetings have been removed. However, there is nothing to prevent councils from adopting their own rules on this. OLG will be issuing model best practice rules for public representations that councils can use if they choose to.

Making information considered at closed meetings public

- Consistent with ICAC's recommendation, the general manager must publish business papers for items of business considered during meetings that have been closed to public on the council's website as soon as practicable after the information contained in the business papers ceases to be confidential.
- Before publishing this information, the general manager must consult with the council and any other affected persons and provide reasons for why the information has ceased to be confidential.

Dealing with disorder

- Councils will be required to determine on the adoption of the new code and at the commencement of each council term, whether to authorise the person presiding at a meeting to exercise a power of expulsion.
- The definition of acts of disorder by councillors have changed. The following constitute acts of disorder under the Regulation and the 2025 Model Meeting Code:



- contravening the Act, the Regulation, or the council's code of meeting practice,
 - assaulting, or threatening to assault, another councillor or person present at the meeting,
 - moving or attempting to move a motion or an amendment that has an unlawful purpose, or deals with a matter that is outside the jurisdiction of the council or committee or addressing or attempting to address the council or committee on or such a motion, amendment or matter,
 - using offensive or disorderly words,
 - making gestures or otherwise behaving in a way that is sexist, racist, homophobic or otherwise discriminatory, or if the behaviour occurred in the Legislative Assembly, would be considered disorderly,
 - imputing improper motives, or unfavourably personally reflecting, on another council official or a person present at the meeting, or
 - saying or doing anything that would promote disorder at the meeting or is otherwise inconsistent with maintaining order at the meeting.
- Where a councillor fails to remedy an act of disorder at the meeting at which it occurs, they can be required to do so at each subsequent meeting until they remedy the act of disorder. On each occasion the councillor fails to comply with a direction by the chairperson to remedy an act of disorder, they can be expelled from the meeting and each subsequent meeting until they comply.
- Members of the public can be expelled from meetings for engaging in disorderly conduct. Disorderly conduct includes:
 - speaking at meetings without being invited to,
 - bringing flags, signs or protest symbols to meetings,
 - disrupting meetings,
 - making unauthorised recordings of meetings.
- The 2025 Model Meeting Code notes that failure by a councillor or members of the public to leave a meeting when expelled is an offence under section 660 of the Act. Section 660 provides that a person who wilfully obstructs a council, councillor, employee of a council or a duly authorised person in the exercise of any function under the Act, or Regulation is guilty of an offence. An offence under section 660 carries a maximum fine of \$2,100.



Committees

- Meetings of committees of a council whose membership comprises only of councillors must be conducted in accordance with the council's adopted meeting code. Such committees will no longer have the option of determining that rules under the council's meeting code do not apply to them.



REPORT: Master Plan for the Civic Administration Building

DIVISION: Organisational Performance
REPORT DATE: 15 August 2025
TRIM REFERENCE: ID25/1640

EXECUTIVE SUMMARY

Purpose	- Seek endorsement - Seek direction or decision	
Issue	This report seeks Council's support and funding to initiate the planning and design phase (Master Plan) for the comprehensive redevelopment and renovation of our four-level central administration building. The objective is to address longstanding infrastructure and functionality challenges that hinder operational efficiency, staff wellbeing, and service delivery.	
Reasoning	- The Civic Administration Building is no longer fit for purpose, with an outdated layout, insufficient number of workspaces, inadequate climate control and limited meeting rooms, all of which hinder staff productivity, comfort and service delivery. - Investing in a Master Plan will enable strategic, sustainable redevelopment that supports future growth, energy efficiency, and alignment with Council's long-term infrastructure goals.	
Financial Implications	Budget Area	Restricted Asset
	Funding Source	Restricted Asset Budget
	Proposed Cost	\$200,000
	Ongoing Costs	Nil
Policy Implications	Policy Title	Not Applicable
	Impact on Policy	Not Applicable

STRATEGIC DIRECTION

The Towards 2040 Community Strategic Plan is a vision for the development of the region out to the year 2040. The Plan includes four principal themes and a number of objectives and strategies. This report is aligned to:

- Theme: 3 Working Together for the Region
- CSP Objective: 3.1 Our Council is open, fair, and accountable in its decision-making.
- Delivery Program Strategy: 3.1.2 Ensure decision-making reflects local needs through meaningful community consultation.
- Theme: 3 Working Together for the Region

CSP Objective:	3.1 Our Council is open, fair, and accountable in its decision-making.
Delivery Program Strategy:	3.1.3 Foster two-way communication between Council, stakeholders, and the community.
Theme:	3 Working Together for the Region
CSP Objective:	3.1 Our Council is open, fair, and accountable in its decision-making.
Delivery Program Strategy:	3.1.5 Operate with transparency, accountability, and integrity in all governance and decision-making processes.

RECOMMENDATION

That Council allocate \$200,000 from the Restricted Asset Budget (Building Asset Renewal) to develop a plan and design for the Civic Administration Building.

Karen Robertson
Manager People Culture and Safety

GG
Project Management
Coordinator

BACKGROUND

The need for this project arose from the current layout of the Civic Administration Building (CAB), where teams are dispersed across various floors and sections. This scattered arrangement has led to inefficient use of space and hindered collaboration among team members. Additionally, the existing design does not adequately accommodate the number of employees required to work within the CAB, resulting in cramped and uncomfortable workspaces. Meeting room availability within the CAB is a regular issue resulting in either other Council facilities being used, resulting in lost potential revenue or the incurring of room hire fees.

To address these challenges, the redesign project aims to optimise the use of available space, ensuring that all teams and employees can be housed comfortably within the CAB. By creating a more cohesive and well-organised environment, we aim to enhance productivity, foster better communication, and support the diverse needs of our workforce.

REPORT

The CAB is currently operating at full staff capacity of 215 employees, with teams dispersed across multiple floors and sections of the building. This fragmented layout has led to inefficient use of available space and limited opportunities for collaboration among staff. The existing office design is outdated, resulting in cramped, uncomfortable workspaces that hinder productivity and employee satisfaction. As meeting rooms are being re-allocated to workspaces there is less availability for meeting rooms, phone rooms and quiet spaces, creating a disruptive work area. In addition, there are staff currently located offsite who require integration to the CAB.

The requirements of a future workspace are an expanded number of meeting rooms, integrated quiet zones, and modern sit/stand desks to support flexible hot-desking arrangements. These enhancements aim to foster a more inclusive, comfortable, and adaptive working environment.

As an alternative to full-scale redevelopment, or a new building, the option to create a Master Plan involves updating the existing floor plans and commissioning a new set of building plans for the CAB. The objective is to improve space visibility, support better planning and enable more strategic decision-making around staff placement and workspace utilisation.

Consultation

- Internal stakeholder meeting July 2025
- ELT consultation August 2025

Resourcing Implications

- 1 Internal Project Manager
- 1 External engagement for design.
- No ongoing or maintenance costs for masterplan.

Total Financial Implications	Current year (\$)	Current year + 1 (\$)	Current year + 2 (\$)	Current year + 3 (\$)	Current year + 4 (\$)	Ongoing (\$)
a. Operating revenue	0	0	0	0	0	0
b. Operating expenses	0	0	0	0	0	0
c. Operating budget impact (a – b)	0	0	0	0	0	0
d. Capital Expenditure	\$200,000	0	0	0	0	0
e. Total net impact (c – d)	-\$200,000	0	0	0	0	0
Does the proposal require ongoing funding?			No			
What is the source of this funding?			Restricted asset budget			

Table 1. Ongoing Financial Implications

Options Considered

Option 1 – Current State

Pro:

- No upfront cost

Con:

- CAB is at full capacity, limiting flexibility and inclusion of current employees
- Inefficient layout restricts collaboration and productivity
- Staff discomfort due to cramped and outdated workspaces
- Continued reallocation of meeting rooms reduces access to quiet and collaborative spaces
- Air conditioning unit will require replacement within the next 10 years
- May require future investment to address ongoing issues

Option 2 – Creation of Master Plan

Pro:

- Lower initial cost compared to full redevelopment

- Enables phased investment strategy
- Enables strategic planning and future-proofing of the CAB
- Provides updated building plans to guide future decisions
- Improves asset management and lifecycle planning
- Improves space utilisation

Con:

- Does not immediately resolve current space and comfort issues
- Limited short-term impact on collaboration and employee experience
- CAB remains at capacity, restricting implementation of flexible work models
- Air conditioning unit still requires replacement within 10 years
- May require further investment to realise full benefits

Option 3 – Complete Refurbishment and Fit out

Pro:

- Enables transition to an Activity-Based Working (ABW) environment
- Purpose-built zones for collaboration, focus, and creativity
- Supports hybrid working models and future growth
- Improves energy efficiency and contributes to net zero goals
- Enhances employee experience, flexibility, and productivity

Con:

- Higher upfront investment
- Temporary disruption during build/execute/deliver phase.
- Adjustment required for staff accustomed to fixed workstations

Preferred Option - Option 2

- The building is fundamentally not fit for purpose given current staffing levels, with overcrowded workspaces, insufficient meeting facilities and compromised working conditions affecting staff productivity and wellbeing
- A comprehensive master plan provides the essential evidence base and roadmap for all future building investments, ensuring decisions are data-driven rather than reactive
- This approach demonstrates efficient and effective use council resources by avoiding rushed, potentially suboptimal decisions while positioning Council positively for strategic, well-planned future investments
- Allows time to properly assess all options, secure appropriate funding and plan implementation without disrupting essential council services

Planned Communications

- Consult Flexible Working Group
- Inform Senior Leadership Team (SLT)
- Involve People Culture Safety
- Collaborate with ELT

- Collaborate with the Construction Coordinator
- Empower, Engagement and Communications Team
- Collaborate with Air Conditioning Consultants
- Collaborate with design consultant
- Collaborate with Procurement

Next Steps

- Complete project framework scope documents
- Complete project framework planning documents
- Procure design consultant
- Utilise project framework to work through design phase