



ORDINARY MEETING OF COUNCIL

To be held on

Wednesday, 23 March 2022
4pm

at

Armidale Council Chambers

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ORDINARY MEETING OF COUNCIL

Held on

Wednesday, 23 February 2022
4pm

at

Armidale Council Chambers

PRESENT: Councillor Sam Coupland (Mayor), Councillor Todd Redwood (Deputy Mayor), Councillor Paul Gaddes, Councillor Jon Galletly, Councillor Susan McMichael, Councillor Steven Mephram, Councillor Debra O'Brien, Councillor Margaret O'Connor, Councillor Paul Packham, Councillor Dorothy Robinson and Councillor Bradley Widders.

IN ATTENDANCE: Mr James Roncon (General Manager), Mr Darren Schaefer (Acting Chief Officer Corporate and Strategy), Mr Daniel Boyce (Chief Officer Sustainable Development), Mr Alex Manners (Chief Officer Assets and Services), Ms Kelly Stidworthy (Manager Financial Services), Ms Jessica Bower (Executive Officer) and Ms Melissa Houlton (Executive Officer).

MINUTES

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13. MATTERS OF AN URGENT NATURE - NIL

14. QUESTIONS ON NOTICE - NIL

15. CLOSED SESSION

- 15.1 Request for Quote (RFQ) A2021/35 Waterfall Way Heavy Patching Program 21-2212
 (General Manager's Note: The report considers a quotation and is deemed confidential under Section 10A(2)(d) of the *Local Government Act 1993*, as it deals with 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).
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1. CIVIC AFFIRMATION AND ACKNOWLEDGEMENT OF COUNTRY

Cr O'Brien delivered the Civic Affirmation and the Deputy Mayor delivered the Acknowledgment to Country.

2. STATEMENT IN RELATION TO LIVE STREAMING OF COUNCIL MEETINGS

The General Manager delivered the statement.

3. APOLOGIES AND APPLICATIONS FOR LEAVE OF ABSENCE BY COUNCILLORS - NIL

4. DISCLOSURES OF INTEREST

Name	Item	Nature of Interest	Reason/Intended Action
Clr McMichael	11.2	<input type="checkbox"/> Pecuniary <input type="checkbox"/> Non Pecuniary – Significant Conflict <input checked="" type="checkbox"/> Non Pecuniary – Non Significant Conflict	Reason: General Member of the Armidale Neighbourhood Centre Board. Intended action: Remain in the Chamber

5. CONFIRMATION OF MINUTES

5.1 Confirmation of the Minutes of the Ordinary Council Meeting held on 27 January 2022

Ref: AINT/2022/02380 (ARC16/0001-7)

36/22

RESOLVED

That the Minutes of the Ordinary Council meeting held on 27 January 2022 be taken as read and accepted as a true record of the Meeting.

Moved Cr Galletly

Seconded Cr Gaddes

The Motion on being put to the vote was CARRIED unanimously.

6. MAYORAL MINUTE - NIL

7. NOTICES OF MOTION - NIL

PROCEDURAL MOTION

37/22

Moved Cr O'Brien

Seconded Cr Robinson

That Item 9.1 be the first item of business considered.

The Motion on being put to the vote was CARRIED unanimously.

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9.1 New England Rail Trail Community Engagement *Ref: AINT/2021/29232 (ARC16/0085)*

MOTION

That Council:

- a. note the Community Engagement Report.
- b. note the key concerns raised during the community engagement sessions.
- c. provide due consideration to concerns raised by landholders prior and during construction of the New England Rail Trail.
- d. give due consideration to other uses of the corridor.

Moved Cr O'Brien

Seconded Cr O'Connor

FOR: Cr McMichael, Cr Robinson, Cr Gaddes, Cr O'Brien and O'Connor.

AGAINST: Cr Widders, Cr Galletly, Cr Mepham, Cr Redwood, Cr Packham and Mayor Coupland.

The Motion on being put to the vote was LOST.

38/22

RESOLVED

That Council:

- a. note the Community Engagement Report.
- b. note the key concerns raised during the community engagement sessions.
- c. provide due consideration to concerns raised by landholders prior and during construction of the New England Rail Trail.
- d. that Council ensure the project is cost neutral to ratepayers.

Moved Cr Packham

Seconded Cr O'Connor

The Motion on being put to the vote was CARRIED unanimously.

8. LEADERSHIP FOR THE REGION

8.1 Appointment of Council Nominated Members for the Regional Planning Panel

Ref: AINT/2022/01485 (ARC16/0025-6)

39/22

RESOLVED

- a. That Council nominate the Mayor and Deputy Mayor as its two representatives to the Regional Planning Panel.
- b. That Councillors Packham and Mepham be nominated as the two alternate members to the Regional Planning Panel.

Moved Cr Widders Seconder Cr McMichael

The Motion on being put to the vote was CARRIED unanimously.

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8.2 Integrated Planning and Reporting - Delivery Program 2018-2022 and Operational Plan 2021-2022 Progress Report - July to December 2021

Ref: AINT/2022/03364 (ARC20/4344)

40/22

RESOLVED

That Council note the Delivery Program 2018-2022 and Operational Plan 2021-2022 Progress Report for the period July – December 2021.

Moved Cr Robinson Seconded Cr Widders

The Motion on being put to the vote was CARRIED unanimously.

8.3 Community Engagement Strategy - For Adoption (Post public exhibition)

Ref: AINT/2022/03431 (ARC18/2591)

41/22

RESOLVED

That Council

- a. Receive and note the submissions contained in the report on the draft Community Engagement Strategy
- b. Adopt the draft Community Engagement Strategy, including the amendments made following the review by council staff of the feedback contained in the submissions

Moved Cr Widders Seconded Cr O'Connor

The Motion on being put to the vote was CARRIED unanimously.

8.4 Council Actions Report January 2022

Ref: AINT/2022/02381 (ARC16/0001-7)

42/22

RESOLVED

That Council notes the report summarising the actions taken on the resolutions of Council.

Moved Cr Widders Seconded Cr Galletly

The Motion on being put to the vote was CARRIED unanimously.

8.5 Public Exhibition of Civic and Ceremonial Function and Representation Policy

Ref: AINT/2022/06302 (ARC16/0025-6)

43/22

RESOLVED

That Council endorse the draft Civic and Ceremonial Functions and Representation Policy, and place it on public exhibition for comment for a period of 28 days.

Moved Cr Gaddes Seconded Cr Redwood

The Motion on being put to the vote was CARRIED unanimously.

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9. GROWTH, PROSPERITY AND ECONOMIC DEVELOPMENT

9.2 The Armidale Autumn Festival

Ref: AINT/2022/03419 (ARC16/0575-3)

44/22

RESOLVED

That Council support the recommended changes to the traditional format of the Armidale Autumn Festival, broadly summarised as:

- a. holding it in the Beardy Street Mall to assist with CBD activation and utilise (unveil) the new stage
- b. retain the name Armidale Autumn Festival.

Moved Cr Robinson

Seconded Cr Widders

The Motion on being put to the vote was CARRIED unanimously.

9.3 2021-2022 Second Quarter Budget Review

Ref: AINT/2022/01527 (ARC20/4361)

45/22

RESOLVED

That Council:

- a. Note the 2021-2022 Second Quarter Budget Review.
- b. Note the proposed revised 2021-2022 budget produces an operating surplus of \$3.1 million on a consolidated basis and an unrestricted cash forecast of \$3.5 million.
- c. Note the proposed reduction in capital expenditure from \$66m to \$47m as a result of the budget review and that this may require further overall downward amendment at the next budget review due to range of impacts on the organisation, such as natural disasters and Covid, that has impacted on project resourcing.
- d. Resolve to amend the 2021-2022 budget in accordance with the Quarterly Budget Review Statement for the period 1 October 2021 to 31 December 2021 tabled at the attachment.

Moved Cr O'Connor

Seconded Cr Gaddes

The Motion on being put to the vote was CARRIED unanimously.

9.4 2021-2022 Loan Approval

Ref: AINT/2022/02952 (ARC20/4311)

46/22

RESOLVED

That Council:

- a. Funding contribution from ARC for the Dumaresq Dam Wall Upgrade be sourced from the Water Fund not via borrowed funds.
- b. Councillors receive more detailed briefing in relation to the funding options for the Puddledock Dam Raw Water Main Upgrade.
- c. Financial Services Department explore and report on refinancing options for all council term loans.
- d. That the briefings include long term outlook in improving revenue in the water fund.

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Moved Cr Gaddes

Seconded Cr Robinson

FOR: Mayor Coupland, Cr Gaddes, Cr Galletly, Cr McMichael, Mc Mephram, Cr O'Connor, Cr Packham, Cr Redwood, Cr Robinson and Cr Widders.

AGAINST: Cr O'Brien

The Motion on being put to the vote was CARRIED.

9.5 Cash and Investment Report 31 January 2022 *Ref: AINT/2022/03756 (ARC16/0001-7)*

47/22

RESOLVED

That Council:

- a. Note the Cash and Investment Report for January 2022.
- b. Note the updated Expected 2022 Year-end cash forecast included in the report as per Council meeting minute 22/22.

Moved Cr Galletly

Seconded Cr Robinson

The Motion on being put to the vote was CARRIED unanimously.

10. ENVIRONMENT AND INFRASTRUCTURE

10.1 Armidale Regional Local Environmental Plan – Consideration of Submissions Received and Request to Prepare a Draft LEP *Ref: AINT/2021/44634 (ARC16/0030-3)*

48/22

RESOLVED

That Council:

- a. Endorse the proposed updates to the ARLEP Planning Proposal arising from agency and community consultation, including Option 2 for Key Issue A, and forward to the Department of Planning Industry & Environment for finalisation of the LEP.
- b. Delegate to the General Manager the authority to make any minor amendments to the PP required by Department of Planning Industry & Environment/Parliamentary Counsel/other authority in order to finalise the LEP, that do not impact on the intent of the endorsed Planning Proposal.
- c. Note the submission from the owners of Lot 1 DP 597896, 502 Dumaresq Dam Road and commit to revisiting this matter as part of the first review of the Armidale Regional Local Environmental Plan.

Moved Cr Galletly

Seconded Cr Redwood

The Motion on being put to the vote was CARRIED unanimously.

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10.2 Local Strategic Planning Statement - Status Report *Ref: AINT/2021/44631 (ARC19/3364)*

49/22

RESOLVED

That Council receive and note this report in relation to Local Strategic Planning Statement.

Moved Cr O'Connor

Seconded Cr Robinson

The Motion on being put to the vote was CARRIED unanimously.

11. OUR PEOPLE AND COMMUNITY

11.1 Transfer of remaining funds from the Library Deductible Gift Recipient Fund

Ref: AINT/2022/01371 (ARC20/4249)

50/22

RESOLVED

That Council approve the transfer of \$14,291.13 currently being held in trust in the Library Deductible Gift Recipient Fund, to the operating account of the Library for the purchase of a compactus shelving unit.

Moved Cr O'Connor

Seconded Cr McMichael

The Motion on being put to the vote was CARRIED unanimously.

11.2 Public Exhibition of the Community Grants and Sponsorship Policy

Ref: AINT/2022/05820 (ARC17/2360)

51/22

RESOLVED

That Council:

- a. Endorse the Community Grants and Sponsorship Policy for public exhibition for a period of 28 days.
- b. Receive a further report at the conclusion of the exhibition period.

Moved Cr Widders

Seconded Cr Robinson

The Motion on being put to the vote was CARRIED unanimously.

11.3 Community Plan - Key Pillar Working Groups *Ref: AINT/2022/06301 (ARC16/0025-6)*

52/22

RESOLVED

That Council:

- a. That Council pilots 'Community Plan – Key Pillar Working Groups' for a period of 18 months with formal progress to be reported to Council on a six monthly cycle in line with the Community Plan reporting requirements and ensure flexibility to add additional pillars as required.
- b. By June 2022 Council establish a 'Community Plan Roundtable' to meet quarterly and be

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- the reporting line for the Key Pillar Working Groups, with invitations to be extended to relevant community groups and individuals to be part of the Roundtable process.
- c. The Mayor and General Manager liaise with individual Councillors to establish specific Councillor interest in KPWG membership and a report be presented to the March 2022 Ordinary Meeting of Council confirming such.
 - d. That Council be represented as follows on statutory and other committees:
 - Local Area Traffic Committee – Cr McMichael
 - New England Weeds Authority – Crs O'Connor, Packham and Robinson
 - Armidale Regional Sports Council – Cr Galletly
 - New England Bushfire Committee – Cr Mephram
 - General Manager's Performance Review Committee – Mayor, Deputy Mayor, Cr O'Brien and one other Councillor (as nominated by the General Manager).
 - e. That as other opportunities or invitations to committees present, the Mayor determine representation and report back to Council at the next available opportunity.

Moved Cr Robinson

Seconded Cr O'Brien

The Motion on being put to the vote was CARRIED unanimously.

12. COMMITTEE REPORTS

12.1 Audit, Risk and Improvement Committee - Minutes of Meetings held 14

September 2021 and 16 November 2021.

Ref: AINT/2022/01459 (ARC21/4508)

53/22

RESOLVED

That Council note the Minutes of the ARIC meetings held on 14 September 2021 and 16 November 2021.

Moved Cr Packham

Seconded Cr O'Connor

The Motion on being put to the vote was CARRIED unanimously.

12.2 Traffic Advisory Committee - Minutes of the meeting held 1 February 2022

Ref: AINT/2022/02648 (ARC16/0168-7)

54/22

RESOLVED

That:

- a. Council endorse the Traffic Advisory Committee's resolution, that the temporary road closure of Canambe Street between Dumaresq and Kirkwood Street for the Armidale & New England Show from 6pm Thursday 3 March until 10pm on Sunday 6 March 2022, be endorsed with the recommendation that the applicants:
 - i. Complete a risk assessment is conducted at the road closure sites to ensure the safety of pedestrians / officials and the permanency of the barriers used for the road closures

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- ii. Prevent unauthorised vehicles entering the site at these locations
 - iii. Post qualified officials at those sites where the barriers for the road closures need to be adjusted to allow the movement of vehicles.
- b. Council endorse the Traffic Advisory Committee's resolution, that the current Give Way sign at the intersection of Post Way and Old Gostwyck Road be replaced with a "Stop" sign and the associated line markings complying with TfNSW standards.
- c. Council endorse the Traffic Advisory Committee's resolution, that the current Give Way sign at the intersection of Lagoon Road/Bradley Street with Sandon Street Guyra be replaced with a "Stop" sign and the associated line markings complying with TfNSW standards.
- d. Council endorse the Traffic Advisory Committee's resolution, that Council deny the request to install a disability parking space in a quiet residential area that has no known history of parking issues.

Moved Cr Robinson

Seconded Cr Redwood

The Motion on being put to the vote was CARRIED unanimously.

13. MATTERS OF AN URGENT NATURE - NIL

14. QUESTIONS ON NOTICE - NIL

PROCEDURAL MOTION

55/22

RESOLVED

- a. That Council move into closed Session to receive and consider the following items:
- 15.1 Request for Quote (RFQ) A2021/35 Waterfall Way Heavy Patching Program 21-22. (AINT/2022/01077) - **(General Manager's Note: The report considers a quotation and is deemed confidential under Section 10A(2)(d) of the Local Government Act 1993, as it deals with 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).**
- 15.2 Engagement of Contractor - Puddledock Raw Water Transfer Augmentation. (AINT/2022/05454) - **(General Manager's Note: The report considers analysis of tenders received and is deemed confidential under Section 10A(2)(c) of the Local Government Act 1993, as it deals with commercial information of a confidential nature which, if disclosed, confers a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business).**
- 15.3 Engagement of GHD Pty Ltd - Provision of Engineering and Geotechnical Services for Kempsey Road Projects. (AINT/2022/05712) - **(General Manager's Note: The report considers a tender and is deemed confidential under Section 10A(2)(d) of the Local Government Act 1993, as it deals with commercial information of a confidential nature that would, if disclosed (i) prejudice the commercial position of the person who supplied it;**

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or (ii) confer a commercial advantage on a competitor of the Council; or (iii) reveal a trade secret).

- b. That Council exclude the press and public from the proceedings of the Council in Confidential Session pursuant to Section 10A, subsections 2 & 3 and section 10B of the *Local Government Act 1993*, on the basis that the items to be considered are of a confidential nature.
- c. That Council make the resolutions made in Confidential Session public as soon as practicable.

Moved Cr O'Connor Seconded Cr Robinson

The Motion on being put to the vote was CARRIED unanimously.

Council entered Closed Session at 6:10pm.

Council returned to Open Session at 6:15pm.

RESUMPTION OF MEETING

56/22 **RESOLVED:**

That Council move into open Session and the resolutions of the closed Session be made public.

Moved Cr Robinson Seconded Cr Gaddes

The Motion on being put to the vote was CARRIED unanimously.

15. CLOSED SESSION

15.1 Request for Quote (RFQ) A2021/35 Waterfall Way Heavy Patching Program 21-22

Ref: AINT/2022/01077 (ARC21/4870)

57/22 **RESOLVED**

That Council;

- a. Accept the quotation submitted by Stabilcorp Pty Ltd for \$387,410.26 Excl. GST for Heavy Patching Works on Waterfall Way.
- b. Delegate authority to the General Manager to approve expenditure for the project and contractor up to the upper limit of \$330,000 excl. GST available for the project as provided by TfNSW.
- c. Delegate authority to the General Manager to execute all documents in relation to the contract.

Moved Cr Galletly Seconded Cr Redwood

The Motion on being put to the vote was CARRIED unanimously.

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15.2 Engagement of Contractor - Puddledock Raw Water Transfer Augmentation

Ref: AINT/2022/05454 (ARC21/4863)

58/22

RESOLVED

That Council;

- a. Accept the tender submitted by Leed Construction and Engineering of \$10,547,750 Inc. GST (\$9,588,864 Excl GST) for the construction of a 450mm diameter raw water supply pipeline and pumping station.
- b. Delegate authority to the General Manager to approve expenditure up to the upper funding limit of \$11,541,000 exc. GST (\$12,695,100 Inc GST) available for the project as approved and within the terms of the Restart NSW funding deed.
- c. Delegate authority to the General Manager to execute all documents in relation to the Contract.

Moved Cr McMichael

Seconded Cr Robinson

The Motion on being put to the vote was CARRIED unanimously.

15.3 Engagement of GHD Pty Ltd - Provision of Engineering and Geotechnical Services for Kempsey Road Projects

Ref: AINT/2022/05712 (ARC20/3770)

59/22

RESOLVED

That Council:

- a. Endorse the Procurement Strategy for further utilisation as and when required by Council's Kempsey Road Project Team of the Kempsey Shire Council's arrangement with GHD Pty Ltd under RFT TQE 21/18 "Provision of Project Management and Engineering Services 2021" for the period of the contract to its expiry on 31 July 2024, or alternatively to the extended contract expiry date.
- b. Delegate authority to the General Manager to authorise expenditure under the contract to an upper limit of \$1,461,650 excluding GST (\$1,607,815 including GST) that is available for the project as approved by the Adminstrating Agency Transport for NSW (TfNSW).
- c. Delegate authority to the General Manager to approve variations up to the upper limit funding for any additional works carried out by GHD under the contract.

Moved Cr O'Connor

Seconded Cr Gaddes

The Motion on being put to the vote was CARRIED unanimously.

There being no further business the Mayor declared the meeting closed at 6:15pm

DISCLOSURES BY COUNCILLORS AND DESIGNATED PERSONS RETURN [TRIM A RC19/250]

ARC22/4999

Airt 2022/

Disclosure of pecuniary interests and other matters

By: Samuel Harcourt Coupland

In respect of the period from 12 January 2022

[Redacted Signature]

[Councillor's or designated person's signature]

10.1.2022

[As at 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

[Redacted] Road, Armidale NSW 2350

Joint owner with CA Coupland

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 JuneSources 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)
Councillor	Armidale Regional Council 135 Rusden Street, Armidale	
Director / Owner	FMRC Pty Ltd c/- 200 Creek Street, Brisbane	
Director / Owner	Carpentaria Cattle Company c/- 121 Rusden Street, Armidale	

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 JuneSources of income I received from a **trust** since 30 June

Name and address of settlor	Name and address of trustee
Coupland Family Trust Settlor: Adam Dierselhuis 200 Creek Street, Brisbane	Samuel and Caroline Coupland [Redacted] Road, Armidale
Coupland Investment Trust Settlor: Adam Dierselhuis 200 Creek Street, Brisbane	Samuel and Caroline Coupland [Redacted] Road, Armidale
379 Kent Street Unit Trust Settlor: Adam Dierselhuis 200 Creek Street, Brisbane	Neil Oakes, 7 Eddy Close, Way Way Sam Coupland; [Redacted] Road, Armidale

DISCLOSURES BY COUNCILLORS AND DESIGNATED PERSONS RETURN [TRIM ARC19/3250]

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

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

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

Not applicable

C. Gifts

Description of each gift I received at any time during since 30 June

Name and address of donor

Not Applicable

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

Not Applicable

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)
Carpentaria Cattle Company	Shareholder	Director	
FMRC Pty Ltd	Shareholder	Director	

F. Were you a property developer or a close associate of a property developer on the return date

No

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 30 June

Description of position

Not applicable

DISCLOSURES BY COUNCILLORS AND DESIGNATED PERSONS RETURN [TRIM ARC19/3250]

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

Commonwealth Bank of Australia

Mortgage on family home

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

I. Discretionary disclosures

DISCLOSURES BY COUNCILLORS AND DESIGNATED PERSONS RETURN [TRIM ARC19/3250]

- 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.
- 2 If this is the first return you have been required to lodge with the general manager after becoming a councillor or designated person, do not complete Parts C, D and I of the return. All other parts of the return should be completed with appropriate information based on your circumstances at the return date, that is, the date on which you became a councillor or designated person.
- 3 If you have previously lodged a return with the general manager and you are completing this return for the purposes of disclosing a new interest that was not disclosed in the last return you lodged with the general manager, you must complete all parts of the return with appropriate information for the period from 30 June of the previous financial year or the date on which you became a councillor or designated person, (whichever is the later date), to the return date which is the date you became aware of the new interest to be disclosed in your updated return.
- 4 If you have previously lodged a return with the general manager and are submitting a new return for the new financial year, you must complete all parts of the return with appropriate information for the 12-month period commencing on 30 June of the previous year to 30 June this year.
- 5 This form must be completed using block letters or typed.
- 6 If there is insufficient space for all the information you are 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 compliance 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 the form will be kept by the general manager in a register of returns. The general manager is required to table all returns at a council meeting.

Information contained in returns made and lodged under clause 4.21 is to be made publicly available in accordance with the requirements of the Government information (Public Access) Act 2009, the Government Information (Public Access) Regulation 2009 and any guidelines issued by the Information Commissioner.

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

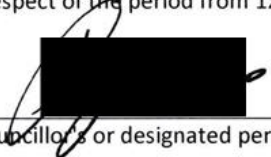
Version: Model Code of Conduct 2018 Schedule 2

DISCLOSURES BY COUNCILLORS AND DESIGNATED PERSONS RETURN [TRIM ARC19/3250]

Disclosure of pecuniary interests and other matters

By: Cr. PAUL GADDES

In respect of the period from 12 January 2022



 [Councillor's or designated person's signature]
8-FEB-2022.
[As at 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

- | | |
|--|-------|
| 1. 1 [REDACTED] CLOSE, ARMIDALE, NSW, 2350. | OWNER |
| 2. 4 [REDACTED] CLOSE, ARMIDALE, NSW, 2350. | OWNER |
| 3. 48 [REDACTED] STREET, ARMIDALE, NSW, 2350. | OWNER |
| 4. 2/1 [REDACTED] AVENUE, NAMBUCCA HEADS, NSW, 2448. | OWNER |
| 5. 2/27 [REDACTED] DRIVE, PORT MACQUARIE, NSW, 2444. | OWNER |

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)
COUNCILLOR	ARMIDALE REGIONAL COUNCIL 135 RUSDEN STREET, ARMIDALE, NSW, 2350.	

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
LINDA LAWRANCE 8/166 BRIGHTON ROAD SCARBOROUGH, WA, 6019.	PAUL GADDES 1 [REDACTED] CLOSE, ARMIDALE, NSW, 2350.

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

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

NIL

DISCLOSURES BY COUNCILLORS AND DESIGNATED PERSONS RETURN [TRIM ARC19/3250]

C. Gifts

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

FIRST DISCLOSURE

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
---	--------------------------------------	---

FIRST DISCLOSURE

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)
---	-----------------------------	----------------------------------	---

NIL

F. Were you a property developer or a close associate of a property developer on the return date

NO

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 30 June	Description of position
---	-------------------------

NIL

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

NIL

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

FIRST DISCLOSURE

DISCLOSURES BY COUNCILLORS AND DESIGNATED PERSONS RETURN [TRIM ARC19/3250]

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

I. Discretionary disclosures

NIL

DISCLOSURES BY COUNCILLORS AND DESIGNATED PERSONS RETURN [TRIM ARC19/3250]

Disclosure of pecuniary interests and other matters

By: Jonathan GALLETLY

In respect of the period from 12 January 2022

[Councillor's or designated person's signature]

[As at Date]

6/1/22

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

44 [REDACTED] ST ARMIDALE
 19 [REDACTED] ST ARMIDALE
 2A [REDACTED] lane Harwood

Owner

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)

Councillor
 Galletly's Saddlery

Armidale Regional Council
 135 Rusden Street, Armidale

47 Marsh St ARMIDALE

Jonathan Galletly

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

Nil

DISCLOSURES BY COUNCILLORS AND DESIGNATED PERSONS RETURN [TRIM ARC19/3250]

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

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

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

Rental at 19 [REDACTED] St

C. Gifts

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

Nil

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
Nil		

Nil

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)
Nil			

Nil

F. Were you a property developer or a close associate of a property developer on the return date

Nil

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 30 June	Description of position
Nil	

Nil

DISCLOSURES BY COUNCILLORS AND DESIGNATED PERSONS RETURN [TRIM ARC19/3250]

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

Nil

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

Nil

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

Nil

I. Discretionary disclosures

DISCLOSURES BY COUNCILLORS AND DESIGNATED PERSONS RETURN [TRIM ARC19/3250]

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Version: Model Code of Conduct 2018 Schedule 2

DISCLOSURES BY COUNCILLORS AND DESIGNATED PERSONS RETURN

ARC 22/4997
[TRIM ARC 19/3250]
April 2022

Disclosure of pecuniary interests and other matters

By: SUSAN ELIZABETH MCMICHAEL

In respect of the period from 12 January 2022

[Councillor's or designated person's signature]

4/1/2022
[As at 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

50 [REDACTED] St
ARMIDALE NSW
2350

HOME: OWNED

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)

Armidale Regional Council
135 Rusden Street, Armidale

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

N/A

DISCLOSURES BY COUNCILLORS AND DESIGNATED PERSONS RETURN [TRIM ARC19/3250]

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

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

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

1. NEW ENGLAND FAMILY SUPPORT - 89 Rusden St - Family Support CASEWORKER
2. ARMIDALE UNITING CHURCH 114 RUSDEN ST - ADMINISTRATION ASSISTANT

C. Gifts

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

NONE

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
---	--------------------------------------	---

NONE

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)
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NONE

F. Were you a property developer or a close associate of a property developer on the return date

NO

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 30 June	Description of position
---	-------------------------

A.S.U. - General member.
 ARMIDALE NEIGHBOURHOOD CENTRE - General member
 Rusden St, ARMIDALE
 of Committee

H. Debts

DISCLOSURES BY COUNCILLORS AND DESIGNATED PERSONS RETURN [TRIM ARC19/3250]

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

NONE

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

NONE

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

I. Discretionary disclosures

DISCLOSURES BY COUNCILLORS AND DESIGNATED PERSONS RETURN [TRIM ARC19/3250]

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Version: Model Code of Conduct 2018 Schedule 2

DISCLOSURES BY COUNCILLORS AND DESIGNATED PERSONS RETURN [TRIM ARC19/3250]

Disclosure of pecuniary interests and other matters

By: STEVEN MEPHAM

In respect of the period from 12 January 2022

[Councillor's or designated person's signature]

[As at Date]

4.1.2022

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

NIL

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)
	Armidale Regional Council 135 Rusden Street, Armidale	

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

NIL

DISCLOSURES BY COUNCILLORS AND DESIGNATED PERSONS RETURN [TRIM ARC19/3250]

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

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

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

C. Gifts

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

NIL

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
---	--------------------------------------	---

NIL

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)
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NIL

F. Were you a property developer or a close associate of a property developer on the return date

NIL

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 30 June	Description of position
---	-------------------------

NIL

DISCLOSURES BY COUNCILLORS AND DESIGNATED PERSONS RETURN [TRIM ARC19/3250]

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

NIL

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

NIL

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

NIL

I. Discretionary disclosures

DISCLOSURES BY COUNCILLORS AND DESIGNATED PERSONS RETURN [TRIM ARC19/3250]

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- 3 If you have previously lodged a return with the general manager and you are completing this return for the purposes of disclosing a new interest that was not disclosed in the last return you lodged with the general manager, you must complete all parts of the return with appropriate information for the period from 30 June of the previous financial year or the date on which you became a councillor or designated person, (whichever is the later date), to the return date which is the date you became aware of the new interest to be disclosed in your updated return.
- 4 If you have previously lodged a return with the general manager and are submitting a new return for the new financial year, you must complete all parts of the return with appropriate information for the 12-month period commencing on 30 June of the previous year to 30 June this year.
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- 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.

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Version: Model Code of Conduct 2018 Schedule 2

DISCLOSURES BY COUNCILLORS AND DESIGNATED PERSONS RETURN [TRIM ARC19/3250]

Disclosure of pecuniary interests and other matters

By:

Debra O'Brien

ARC

9 FEB 2022

RECEIVED

In respect of the period from 12 January 2022

[Councillor's or designated person's signature]

[As at Date]

01/1/22

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

8 [redacted] St
Armidale
NSW.

residence

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)
	Armidale Regional Council 135 Rusden Street, Armidale	

Owner Bookbooks
176 Beardy St
Armidale 2350

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

NIL

DISCLOSURES BY COUNCILLORS AND DESIGNATED PERSONS RETURN [TRIM ARC19/3250]

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

Sources of other income I received at any time since 30 June
 [Include description sufficient to identify the person from whom, or the circumstances in which, that income was received]

NIL

C. Gifts

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

NIL

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
---	--------------------------------------	---

NIL

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)
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Boobooks (Top Shelf Women Pty Ltd)

F. Were you a property developer or a close associate of a property developer on the return date

NIL

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 30 June	Description of position
---	-------------------------

Member of ASU - no position



DISCLOSURES BY COUNCILLORS AND DESIGNATED PERSONS RETURN [TRIM ARC19/3250]

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

Nil

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

Nil

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

Nil

I. Discretionary disclosures

Nil

DISCLOSURES BY COUNCILLORS AND DESIGNATED PERSONS RETURN [TRIM ARC19/3250]

- 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.
- 2 If this is the first return you have been required to lodge with the general manager after becoming a councillor or designated person, do not complete Parts C, D and I of the return. All other parts of the return should be completed with appropriate information based on your circumstances at the return date, that is, the date on which you became a councillor or designated person.
- 3 If you have previously lodged a return with the general manager and you are completing this return for the purposes of disclosing a new interest that was not disclosed in the last return you lodged with the general manager, you must complete all parts of the return with appropriate information for the period from 30 June of the previous financial year or the date on which you became a councillor or designated person, (whichever is the later date), to the return date which is the date you became aware of the new interest to be disclosed in your updated return.
- 4 If you have previously lodged a return with the general manager and are submitting a new return for the new financial year, you must complete all parts of the return with appropriate information for the 12-month period commencing on 30 June of the previous year to 30 June this year.
- 5 This form must be completed using block letters or typed.
- 6 If there is insufficient space for all the information you are 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 compliance 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 the form will be kept by the general manager in a register of returns. The general manager is required to table all returns at a council meeting.

Information contained in returns made and lodged under clause 4.21 is to be made publicly available in accordance with the requirements of the Government Information (Public Access) Act 2009, the Government Information (Public Access) Regulation 2009 and any guidelines issued by the Information Commissioner.

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

Version: Model Code of Conduct 2018 Schedule 2

DISCLOSURES BY COUNCILLORS AND DESIGNATED PERSONS RETURN [TRIM ARC19/3250]

Disclosure of pecuniary interests and other matters

By: MARGARET IRIS O'CONNOR

In respect of the period from 12 January 2022



4/03/2022





[Councillor's or designated person's signature]

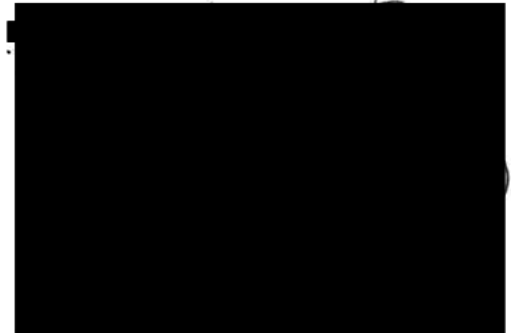
[As at Date]

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

 St Armidale
 Armidale
 Uralla
 Black Mountain (Ayrda)



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)
Elected Councillor	Armidale Regional Council - 135 Rusden Street, Armidale	N/A.
Grazier	Agmon Investments Pty Ltd Clive P. O'Connor	various trading names: West Mithi Merinos Primley Angus Agmon Investments

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

nil

Page 1

DISCLOSURES BY COUNCILLORS AND DESIGNATED PERSONS RETURN [TRIM ARC19/3250]

Sources of income I received from a trust since 30 June

Name and address of settlor

Name and address of trustee

nil.

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

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

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

small share portfolio:

C. Gifts

Description of each gift I received at any time during since 30 June

nil.

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

N/A.

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)

Agmon Investments P/L
(Margaret O'Connor Family Trust)

Director
Director

agriculture
not active

DISCLOSURES BY COUNCILLORS AND DESIGNATED PERSONS RETURN [TRIM ARC19/3250]

F. Were you a property developer or a close associate of a property developer on the return date

NO

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 30 June

Description of position

N/A.

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

~~None~~ normal household debts for services,
~~some~~

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

N/A - NIL

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

NIL.

DISCLOSURES BY COUNCILLORS AND DESIGNATED PERSONS RETURN [TRIM ARC19/3250]

I. Discretionary disclosures

DISCLOSURES BY COUNCILLORS AND DESIGNATED PERSONS RETURN [TRIM ARC19/3250]

Disclosure of pecuniary interests and other matters

By: Paul Packham

In respect of the period from 12 January 2022

[REDACTED]	12 JANUARY 2022
[Councillor's or designated person's signature]	[As at 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

UNIT 1, 7 [REDACTED] PARK AVENUE, ARMIDALE 2350	JOINT OWNER
LOT 106 [REDACTED] RD, HILLGROVE 2350	JOINT OWNER
60 [REDACTED] DRIVE, ARMIDALE 2350	JOINT OWNER

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)
	Armidale Regional Council 135 Rusden Street, Armidale	

NIL

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
LINK RD PTY LTD ATF LINK ROAD TRUST	ACIS SETTLEMENTS PTY LTD LEVEL 1, THE PORTAL 1 BREAKFAST CREEK RD NEWSTEAD QLD 4006

DISCLOSURES BY COUNCILLORS AND DESIGNATED PERSONS RETURN [TRIM ARC19/3250]

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

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

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

URALLA SHIRE COUNCIL - STIPEND FOR COMMITTEE SERVICES

C. Gifts

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

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)
IFARM365 PM LTD	ASSOCIATE	MANAGER OF AFFAIRS	FARMING BUSINESS
LINK TRANSACTION SERVICES (non corporation trading name only)			PRINCIPAL

F. Were you a property developer or a close associate of a property developer on the return date

\ NIL \

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 30 June	Description of position
---	-------------------------

\ NIL \

DISCLOSURES BY COUNCILLORS AND DESIGNATED PERSONS RETURN [TRIM ARC19/3250]

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

MORTGAGE TO ANZ FOR 60 [REDACTED] DRIVE ARMIDALE

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

NIL

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

NIL

I. Discretionary disclosures

DISCLOSURES BY COUNCILLORS AND DESIGNATED PERSONS RETURN [TRIM ARC19/3250]

- 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.
- 2 If this is the first return you have been required to lodge with the general manager after becoming a councillor or designated person, do not complete Parts C, D and I of the return. All other parts of the return should be completed with appropriate information based on your circumstances at the return date, that is, the date on which you became a councillor or designated person.
- 3 If you have previously lodged a return with the general manager and you are completing this return for the purposes of disclosing a new interest that was not disclosed in the last return you lodged with the general manager, you must complete all parts of the return with appropriate information for the period from 30 June of the previous financial year or the date on which you became a councillor or designated person, (whichever is the later date), to the return date which is the date you became aware of the new interest to be disclosed in your updated return.
- 4 If you have previously lodged a return with the general manager and are submitting a new return for the new financial year, you must complete all parts of the return with appropriate information for the 12-month period commencing on 30 June of the previous year to 30 June this year.
- 5 This form must be completed using block letters or typed.
- 6 If there is insufficient space for all the information you are 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

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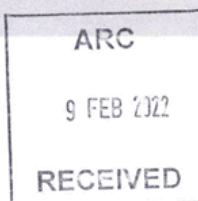
You have an obligation to keep the information contained in this return up to date. If you become aware of a new interest that must be disclosed in this return, or an interest that you have previously failed to disclose, you must submit an updated return within three months of becoming aware of the previously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

Version: Model Code of Conduct 2018 Schedule 2

DISCLOSURES BY COUNCILLORS AND DESIGNATED PERSONS RETURN [TRIM ARC19/3250]

Disclosure of pecuniary interests and other matters

By: Todd Antony Redwood



In respect of the period from 12 January 2022

04/01/2022

[Councillor's or designated person's signature]

[As at 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

15 [REDACTED] Street, Armidale NSW 2350

Owner

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 JuneSources 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)
	Armidale Regional Council 135 Rusden Street, Armidale	
Global Director	BSI Group Suite 1, Level 1 54 Waterloo Road, Macquarie Park, NSW, 2113	

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 JuneSources of income I received from a **trust** since 30 June

Name and address of settlor	Name and address of trustee
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Nil

DISCLOSURES BY COUNCILLORS AND DESIGNATED PERSONS RETURN [TRIM ARC19/3250]

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

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

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

Nil

C. GiftsDescription of each gift I received at any time during Name and address of donor
since 30 June**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)
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Nil

F. Were you a property developer or a close associate of a property developer on the return date

No

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 30 June	Description of position
---	-------------------------

Nil

DISCLOSURES BY COUNCILLORS AND DESIGNATED PERSONS RETURN [TRIM ARC19/3250]

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

Nil

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

Nil

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

Nil

I. Discretionary disclosures

DISCLOSURES BY COUNCILLORS AND DESIGNATED PERSONS RETURN [TRIM ARC19/3250]

Disclosure of pecuniary interests and other matters

By: **Dr Dorothy L Robinson**

In respect of the period from 12 January 2022 (the return date)

This form has been prepared in good faith according to the instructions from the OLG that were received by Armidale Regional Council's governance division in April 2019, and assuming these instructions (that formed the basis of similar returns in previous years) are correct.

[Councillor's or designated person's signature]

2 March 2022

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

49 [REDACTED] Armidale, NSW 2350

Joint Owner

49 [REDACTED] Armidale NSW 2350

Joint Owner (via Superannuation Fund)

[REDACTED]

Joint Owner

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)

Councillor

Armidale Regional Council
135 Rusden Street, Armidale

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

NIL (apart from commercially managed trusts as part of my share portfolio)

DISCLOSURES BY COUNCILLORS AND DESIGNATED PERSONS RETURN [TRIM ARC19/3250]

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

Sources of other income I received at any time since 30 June [Include description sufficient to identify the person from whom, or the circumstances in which, that income was received]

JSS Superannuation – United Kingdom, UK Pension

Income from share portfolio

C. Gifts

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

NIL

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
---	--------------------------------------	---

NIL

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)
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NIL (except by receiving some dividends from my share portfolio).

F. Were you a property developer or a close associate of a property developer on the return date

I submitted a development application to build a house that I would like to live in.

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 30 June	Description of position
---	-------------------------

NIL

DISCLOSURES BY COUNCILLORS AND DESIGNATED PERSONS RETURN [TRIM ARC19/3250]

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

NIL

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

NIL

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

NIL

I. Discretionary disclosures

NIL

DISCLOSURES BY COUNCILLORS AND DESIGNATED PERSONS RETURN [TRIM ARC19/3250]

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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.

Version: Model Code of Conduct 2018 Schedule 2

DISCLOSURES BY COUNCILLORS AND DESIGNATED PERSONS RETURN [TRIM ARC19/3250]

Disclosure of pecuniary interests and other matters

By: Brad Widders

In respect of the period from 12 January 2022

[Redacted Signature]

[Councillor's or designated person's signature]

[As at 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

14 [Redacted] Crescent Armidale

Renting

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)

Armidale Regional Council
135 Rusden Street, ArmidaleDept Communities &
Justice

5 Moore st Armidale

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

DISCLOSURES BY COUNCILLORS AND DESIGNATED PERSONS RETURN [TRIM ARC19/3250]

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

Sources of other income I received at any time since 30 June
[Include description sufficient to identify the person from whom, or the circumstances in which, that income was received]

Wages from Crosefit Armidale. Employed as a coach

C. Gifts

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

Nil

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
	Nil	

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)
	Nil		

F. Were you a property developer or a close associate of a property developer on the return date**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 30 June	Description of position
	Nil

DISCLOSURES BY COUNCILLORS AND DESIGNATED PERSONS RETURN [TRIM ARC19/3250]

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

N/A

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

I. Discretionary disclosures

1

TRIM: AINT/2022/00544



Councillor and Staff Interaction Policy

ADOPTED BY COUNCIL: 23 MARCH 2022

1. PURPOSE

Armidale Regional Council supports Councillors' need to access Council information and staff in order to exercise their civic duties under the *NSW Local Government Act, 1993* ('The Act'). Interactions between Councillors and staff are necessary to facilitate strong governance, best practice policies and decisions, and to provide customer-focused service delivery.

The Armidale Regional Council Councillor and Staff Interaction Policy provides a structure for how Councillors interact with authorised staff and supports the professional working relationship with the Executive Team. The policy aims to facilitate a progressive and productive working relationship between Councillors and Council staff.

2. APPLICATION

This policy applies to Councillors and Council employees, including contract and casual employees engaged by Council. This Policy is an enforceable component of the Armidale Regional Council Code of Conduct.

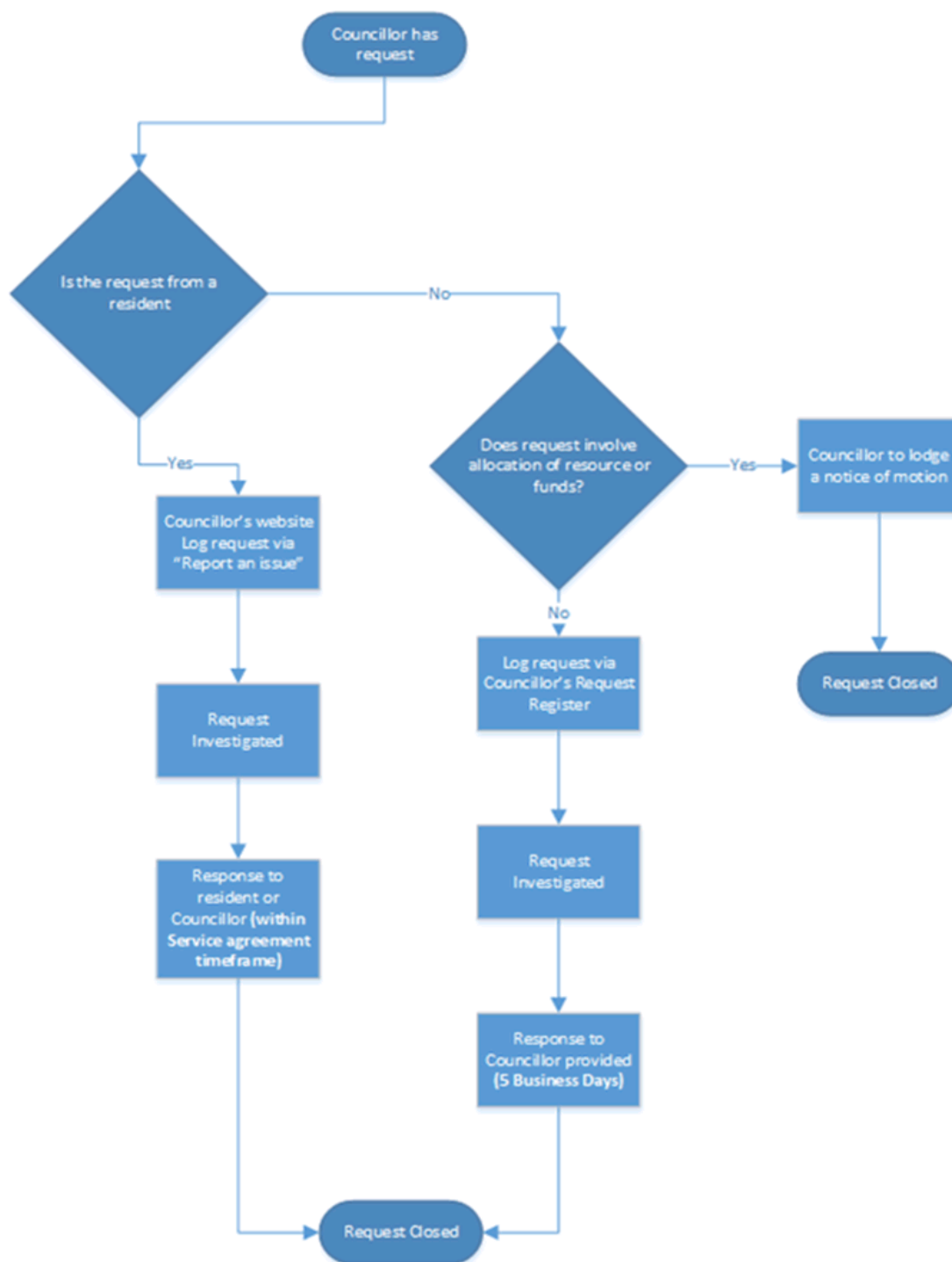
3. POLICY INTENT

Effective governance and customer-focused service delivery require a productive and professional working relationship between the elected members and the organisation. Effective governance also requires clear and effective communication protocols for Councillors and senior staff which provide for courteous and respectful communication.

The *NSW Local Government Act* (the Act) defines the roles and responsibilities of the Mayor and Councillors, and specifies that the General Manager is to direct staff in the performance of their duties. Interactions between Councillors and staff are necessary to facilitate well-informed decisions and the provision of Council services.

In accordance with Council's Code of Conduct, Councillors and staff are expected to conduct their interactions with each other with respect, professionalism, objectivity, honesty and to a high standard of ethical behaviour. This Policy supplements the Code of Conduct and nominates those Council staff that Councillors may access to exercise their civic leadership and represent the views of the community. This Policy should be read and applied in conjunction with Council's Code of Meeting Practice, which supports the effective running of Council Meetings.

While this Policy, and the Code of Conduct, governs the interactions between Councillors and staff, it does not prevent Councillors and staff from communicating generally. From time to time, Councillors and staff may be present at social and community events. In such situations, both parties should refrain from discussing matters relating to council business.



4. COMMUNITY STRATEGIC PLAN OBJECTIVES

This Policy contributes to the delivery the Community Strategic Plan objective: Leadership for the Region Community Outcome 3– being that Council demonstrates sound organisational health and has a culture which promotes action, accountability and transparency.

5. POLICY

a. ACCESS TO STAFF BY MEMBERS OF PARLIAMENT

Only members of the Executive Team are authorised to advise and interact with State and Federal Members of Parliament.

5.2 ACCESS TO STAFF OTHER THAN THE GENERAL MANAGER BY COUNCILLORS

All access to staff by Councillors, other than the General Manager, is to be authorised by the General Manager.

Only those staff authorised by the General Manager can provide advice to Councillors within the limits of their delegated responsibilities. Only those staff authorised by the General Manager may be contacted for a Public Interest Disclosure, in accordance with Section 4A of the *Public Interest Disclosures Act 1994* or a Code of Conduct matter, in accordance with Section 440 of the *NSW Local Government Act*.

The General Manager may amend these lists of nominated officers from time to time to reflect changes to positions. Further, the General Manager may nominate officers to interact with Councillors on a specific issue and temporary basis, as required.

Should a Council officer be acting in any of the nominated positions included in this schedule, the person so acting will be a nominated officer unless otherwise determined by the General Manager.

5.3 COUNCILLOR AND COUNCIL STAFF INTERACTION

Councillors should be aware that under Section 7.2 of the Armidale Regional Council Code of Conduct, Councillors must not attempt to direct Council staff in the performance of their duties or request that staff undertake work on their behalf.

In circumstances where staff are unsure whether or not they should provide information to, or respond to a request from a Councillor, they should refer the matter to their Director or the General Manager, or request that the Councillor make the request through the General Manager.

5.4 COUNCILLOR AND COUNCIL STAFF INTERACTION IN MEETINGS

To ensure the effective running of Council Meetings, Standing Committees, Advisory Committees and other meetings and events of Council, Councillors and Council staff should abide by the Armidale Regional Council Code of Conduct and Code of Meeting Practice.

Within the context of Council Meetings and in accordance with Section 249 (1)(b) of the Local Government (General) Regulation 2005, a Councillor may, through the General Manager, put a question to a council staff member. Further, “a Councillor or Council employee to whom a question is put is entitled to be given reasonable notice of the question and, in particular, sufficient notice to enable reference to be made to other persons or to documents.” (Section 249 (2) of the Local Government (General) Regulation 2005). At Standing Committee and Advisory Committee meetings Councillors may approach designated support staff, as referenced in the relevant Terms of Reference, for advice in relation to activities of that committee.

5.5 COUNCILLOR REQUESTS

Council has developed a Councillor Request System to ensure the provision of information is accurate, timely and professional. All employees are expected to follow the steps outlined in the procedure when managing requests from Councillors as they undertake their civic duties.

Councillors should wherever possible send **ALL** requests to the ClrDirect@armidale.nsw.gov.au, to ensure efficient allocation of requests and timely responses.

Action	Standard
Councillor Request Register – made using the Councillor Request Register	5 business days
Councillor requests made through channels other than the Councillor Request Register	No service standard applies
Phone calls to Directors and authorised staff	Where possible calls are returned on the same day. Alternatively, messages left will be replied to on the next business day

5.6 COUNCILLOR ACCESS TO COUNCIL CIVIC CENTRE OFFICES

Councillor access to the Armidale Regional Council Civic Centre offices includes:

- Mayors office (with the consent of the Mayor)
- Councillor's Meeting Room
- Council Chambers
- Office of the Executive Assistant to the Mayor (during office hours)
- Public areas

5.7 NOMINATED STAFF AUTHORISED TO INTERACT WITH COUNCILLORS

- General Manager
- Director (in area of portfolio)
- Executive Officer (for business paper related matters and appointments)
- Coordinator Governance & Risk (Governance matters)
- Coordinator Knowledge or appointed IT Support Officer (IT Support)
- Designated Public Interest Disclosure (PID) Officer
- In relation to the Mayor only: Staff nominated in attachment A for the purpose defined only.

5.8 NOMINATED STAFF AUTHORISED TO INTERACT WITH COUNCILLORS IN RELATION TO CODE OF CONDUCT REVIEWS OR FORMAL COMPLAINTS

- General Manager
- Director Organisational & Corporate Services
- Designated Complaints Coordinator

6 LEGISLATIVE REQUIREMENTS

- *Local Government Act 1993*

- Local Government (General) Regulation 2005

7 REVIEW

This Policy will be reviewed within 6 months after the date of each Local Government General election or more frequently as required.

8 RESPONSIBLE OFFICER

Manager Governance, People and Systems

9 OBLIGATIONS OF STAFF

Council's staff members must:

- a) Give their attention to the business of council while on duty.
- b) Ensure that their work is carried out efficiently, economically and effectively.
- c) Carry out 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 conflict with their primary duty to serve the council in a politically by ensuring a neutral approach to providing advice and taking action.
- f) Not contact or engage with councillors unless instructed by the General Manager.
- g) Not discuss with Councillors any industrial matter, grievance or day to day operational management issue.

10 OBLIGATIONS OF COUNCILLORS

Each Council is a body corporate and Councillors are the governing body of the Council. The governing body has the responsibility of directing and controlling the affairs of the council in accordance with the Local Government Act and is responsible for policy determinations.

As per the *Local Government Act*, Councillors or Mayors must not:

- a) Direct council staff other than by giving appropriate direction to the general manager in the performance of council's functions by way of council or committee resolution, or by the Mayor exercising his/her power under S226 (S352).
- b) 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 member or delegate (Schedule 6A)
- c) Contact a council staff member on council related business unless in accordance with the policy and procedures governing interaction of councillors and council staff.
- d) Contact or issue instructions to any of council's contractors or tenderers, including council's legal advisors, unless by the mayor exercising their power under S226 of the Act. This does not apply to the chair of Council's Audit, Risk and Improvement Committee who may be provided with any information reasonably necessary for the Committee to perform its functions.
- e) Take advantage of their official position to improperly influence other councillors or staff members in the performance of their civic or professional duties for the purpose of securing private benefit for themselves or another person.
- f) Access staff only areas unless approval has been provided by the General Manager or Director.

REASONABLENESS AND VOLUME OF REQUESTS FOR INFORMATION THROUGH COUNCILLORS REQUEST SYSTEM, QUESTIONS ON NOTICE, NOTICES OF MOTION AND COMMITTEES

Council recognises the rights of every Councillor to access information in carrying out their role as a Councillor as set out in the Local Government Act.

Council also recognises, as part of the Minister for Local Government's Performance Improvement Order (PIO) served on the Council 9 December 2020, the Minister required Council, *"within one month of the commencement of this order ensure that the General Manager develops a councillor request system to manage email requests from councillors that incorporates rules about the use of the councillor request system with a focus on ensuring that communications are respectful, the number of requests are reasonable and include provisions permitting the General Manager to impose limitations where disrespectful or excessive use of the system occurs"*.

While providing access to records and information for Councillors is an integral part of the staff organisation role within the responsibility of the General Manager, the balance between the volume and reasonableness of requests for information by individual councillors must be weighed against the amount of staff resources and associated costs of providing large volumes of information or in carrying out procedural reviews for individual Councillors. This also applies to repetition and duplication of requests.

Where there are issues regarding respect, the volume, duplication and reasonableness of requests for information by individual Councillors, the General Manager 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 General Manager to breach the requirements of the Minister's Performance Improvement Order, the principles of reasonableness, or impact significantly on staff resources, then the General Manager should discuss this with the requesting Councillor in the first instance and, if no agreement can be reached, the General Manager may exercise the delegation granted by Council on 24th March to impose limitations on, prioritise or delay response to disrespectful or excessive use of the councillor request system and excessive use of Questions on Notice, Notices of Motion and Committees. Options for alternative provision of information may be proposed by the General Manager.

11 RELATED PROCEDURES

- Armidale Regional Council Code of Conduct
- Armidale Regional Council Code of Meeting Practice
- Armidale Regional Council Audit, Risk and Improvement Committee Charter

12 BREACHES

Non-compliance with this policy is considered a breach of the Armidale Regional Council Code of Conduct and will be dealt with in accordance with the Council's disciplinary policies.

Breaches of this policy may also be reported in other statutory compliance reporting including reporting as required under the Performance Improvement Order dated 9 December 2020.

APPROVAL AND REVIEW		
Responsible Business Unit	Governance	
Responsible Officer	Manager Governance & Strategy	
Date/s adopted	<i>Council Executive</i> December 2021	<i>Council</i> 23 March 2022
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MODEL CODE OF MEETING PRACTICE

for Local Councils
in NSW

2021



MODEL CODE OF MEETING PRACTICE FOR LOCAL COUNCILS IN NSW

2021

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(Special arrangements may be made if these hours are unsuitable)

All offices are wheelchair accessible.

ALTERNATIVE MEDIA PUBLICATIONS

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Model Code of Meeting Practice for Local Councils in NSW

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".

Model Code of Meeting Practice for Local Councils in NSW

2 Meeting Principles

2.1 Council and committee meetings should be:

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

Model Code of Meeting Practice for Local Councils in NSW

3 Before the Meeting

Timing of ordinary council meetings

- 3.1 Ordinary meetings of the council will be held on the following occasions: **[council to specify the frequency, time, date and place of its ordinary meetings]**.
- 3.2 The council shall, by resolution, set the frequency, time, date and place of its ordinary meetings.

Note: Councils must use either clause 3.1 or 3.2.

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 in a different quarter of the year.

Extraordinary meetings

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

Note: Clause 3.3 reflects section 366 of the Act.

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 is to be published before the meeting takes place. The notice must be published on the council's website, and in such other manner that the council is satisfied is likely to bring notice of the meeting to the attention of as many people as possible.
- 3.6 For the purposes of clause 3.4, notice of more than one (1) meeting may be given in the same notice.

Notice to councillors of ordinary council meetings

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

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, 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 **[council to specify notice period required]** business days before the meeting is to be held.
- 3.11 A councillor may, in writing to the general manager, request the withdrawal of a notice of motion submitted by them prior to its inclusion in the agenda and business paper for the meeting at which it is to be considered.
- 3.12 If the general manager considers that a notice of motion submitted by a councillor for consideration at an ordinary meeting of the council has legal, strategic, financial or policy implications which should be taken into consideration by the meeting, the general manager may prepare a report in relation to the notice of motion for inclusion with the business papers for the meeting at which the notice of motion is to be considered by the council.

- 3.13 A notice of motion for the expenditure of funds on works and/or services other than those already provided for in the council's current adopted operational plan must identify the source of funding for the expenditure that is the subject of the notice of motion. If the notice of motion does not identify a funding source, the general manager must either:

- (a) prepare a report on the availability of funds for implementing the motion if adopted for inclusion in the business papers for the meeting at which the notice of motion is to be considered by the council, or
- (b) by written notice sent to all councillors with the business papers for the meeting for which the notice of motion has been submitted, defer consideration of the matter by the council to such a date specified in the notice, pending the preparation of such a report.

Questions with notice

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

Agenda and business papers for ordinary meetings

- 3.17 The general manager must cause the agenda for a meeting of the council or a committee of the council to be prepared as soon as practicable before the meeting.
- 3.18 The general manager must ensure that the agenda for an ordinary meeting of the council states:
- (a) all matters to be dealt with arising out of the proceedings of previous meetings of the council, and
 - (b) if the mayor is the chairperson – any matter or topic that the chairperson proposes, at the time when the agenda is prepared, to put to the meeting, and
 - (c) all matters, including matters that are the subject of staff reports and reports of committees, to be considered at the meeting, and
 - (d) any business of which due notice has been given under clause 3.10.
- 3.19 Nothing in clause 3.18 limits the powers of the mayor to put a mayoral minute to a meeting under clause 9.6.
- 3.20 The general manager must not include in the agenda for a meeting of the council any business of which due notice has been given if, in the opinion of the general manager, the business is, or the implementation of the business would be, unlawful. The general manager must report, without giving details of the item of business, any such exclusion to the next meeting of the council.
- 3.21 Where the agenda includes the receipt of information or discussion of other matters that, in the opinion of the general manager, is likely to take place when

the meeting is closed to the public, the general manager must ensure that the agenda of the meeting:

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

Note: Clause 3.21 reflects section 9(2A) (a) of the Act.

- 3.22 The general manager must ensure that the details of any item of business which, in the opinion of the general manager, is likely to be considered when the meeting is closed to the public, are included in a business paper provided to councillors for the meeting concerned. Such details must not be included in the business papers made available to the public and must not be disclosed by a councillor or by any other person to another person who is not authorised to have that information.

Statement of ethical obligations

- 3.23 Business papers for all ordinary and extraordinary meetings of the council and committees of the council must contain a statement reminding councillors of their oath or affirmation of office made under section 233A of the Act and their obligations under the council's code of conduct to disclose and appropriately manage conflicts of interest.

Availability of the agenda and business papers to the public

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

Note: Clause 3.24 reflects section 9(2) and (4) of the Act.

- 3.25 Clause 3.24 does not apply to the business papers for items of business that the general manager has identified under clause 3.21 as being likely to be considered when the meeting is closed to the public.

Note: Clause 3.25 reflects section 9(2A) (b) of the Act.

- 3.26 For the purposes of clause 3.24, copies of agendas and business papers must be published on the council's website and made available to the public at a time that is as close as possible to the time they are available to councillors.

Note: Clause 3.26 reflects section 9(3) of the Act.

- 3.27 A copy of an agenda, or of an associated business paper made available under clause 3.24, may in addition be given or made available in electronic form.

Note: Clause 3.27 reflects section 9(5) of the Act.

Agenda and business papers for extraordinary meetings

- 3.28 The general manager must ensure that the agenda for an extraordinary meeting of the council deals only with the matters stated in the notice of the meeting.

- 3.29 Despite clause 3.28, business may be considered at an extraordinary meeting of the council, even though due notice of the business has not been given, if:

(a) a motion is passed to have the business considered at the meeting, and

(b) the business to be considered is ruled by the chairperson to be of great urgency on the grounds that it requires a decision by the council before the next scheduled ordinary meeting of the council.

- 3.30 A motion moved under clause 3.29(a) can be moved without notice but only after the business notified in the agenda for the extraordinary meeting has been dealt with.

- 3.31 Despite clauses 10.20–10.30, only the mover of a motion moved under clause 3.29(a) can speak to the motion before it is put.

- 3.32 A motion of dissent cannot be moved against a ruling of the chairperson under clause 3.29(b) on whether a matter is of great urgency.

Pre-meeting briefing sessions

- 3.33 Prior to each ordinary meeting of the council, the general manager may arrange a pre-meeting briefing session to brief councillors on business to be considered at the meeting. Pre-meeting briefing sessions may also be held for extraordinary meetings of the council and meetings of committees of the council.
- 3.34 Pre-meeting briefing sessions are to be held in the absence of the public.
- 3.35 Pre-meeting briefing sessions may be held by audio-visual link.
- 3.36 The general manager or a member of staff nominated by the general manager is to preside at pre-meeting briefing sessions.
- 3.37 Councillors must not use pre-meeting briefing sessions to debate or make preliminary decisions on items of business they are being briefed on, and any debate and decision-making must be left to the formal council or committee meeting at which the item of business is to be considered.
- 3.38 Councillors (including the mayor) must declare and manage any conflicts of interest they may have in relation to any item of business that is the subject of a briefing at a pre-meeting briefing session, in the same way that they are required to do so at a council or committee meeting. The council is to maintain a written record of all conflict of interest declarations made at pre-meeting briefing sessions and how the conflict of interest was managed by the councillor who made the declaration.

4 Public Forums

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

Model Code of Meeting Practice for Local Councils in NSW

- 4.14 Speakers at public forums must not digress from the item on the agenda of the council meeting they have applied to address the council on. If a speaker digresses to irrelevant matters, the chairperson is to direct the speaker not to do so. If a speaker fails to observe a direction from the chairperson, the speaker will not be further heard.
- 4.15 A councillor (including the chairperson) may, through the chairperson, ask questions of a speaker following their address at a public forum. Questions put to a speaker must be direct, succinct and without argument.
- 4.16 Speakers are under no obligation to answer a question put under clause 4.15. Answers by the speaker, to each question are to be limited to **[number to be specified by the council]** minutes.
- 4.17 Speakers at public forums cannot ask questions of the council, councillors, or council staff.
- 4.18 The general manager or their nominee may, with the concurrence of the chairperson, address the council for up to **[number to be specified by the council]** minutes in response to an address to the council at a public forum after the address and any subsequent questions and answers have been finalised.
- 4.19 Where an address made at a public forum raises matters that require further consideration by council staff, the general manager may recommend that the council defer consideration of the matter pending the preparation of a further report on the matters.
- 4.20 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.
- 4.21 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.
- 4.22 Clause 4.21 does not limit the ability of the chairperson to deal with disorderly conduct by speakers at public forums in accordance with the provisions of Part 15 of this code.
- 4.23 Where a speaker engages in conduct of the type referred to in clause 4.20, the general manager or their delegate may refuse further applications from that person to speak at public forums for such a period as the general manager or their delegate considers appropriate.
- 4.24 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 at a council or committee meeting. The council is to maintain a written record of all conflict of interest declarations made at public forums and how the conflict of interest was managed by the councillor who made the declaration.
- Note: Public forums should not be held as part of a council or committee meeting. Council or committee meetings should be reserved for decision-making by the council or committee of council. Where a public forum is held as part of a council or committee meeting, it must be conducted in accordance with the other requirements of this code relating to the conduct of council and committee meetings.**



5 Coming Together

Attendance by councillors at meetings

- 5.1 All councillors must make reasonable efforts to attend meetings of the council and of committees of the council of which they are members.

Note: A councillor may not attend a meeting as a councillor (other than the first meeting of the council after the councillor is elected or a meeting at which the councillor takes an oath or makes an affirmation of office) until they have taken an oath or made an affirmation of office in the form prescribed under section 233A of the Act.

- 5.2 A councillor cannot participate in a meeting of the council or of a committee of the council unless personally present at the meeting, unless permitted to attend the meeting by audio-visual link under this code.
- 5.3 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 5.3 reflects section 397G of the Regulation. Joint organisations may adopt clause 5.3 and omit clause 5.2. Councils must not adopt clause 5.3.

- 5.4 Where a councillor is unable to attend one or more ordinary meetings of the council, the councillor should request that the council grant them a leave of absence from those meetings. This clause does not prevent a councillor from making

an apology if they are unable to attend a meeting. However, the acceptance of such an apology does not constitute the granting of a leave of absence for the purposes of this code and the Act.

- 5.5 A councillor's request for leave of absence from council meetings should, if practicable, identify (by date) the meetings from which the councillor intends to be absent and the grounds upon which the leave of absence is being sought.
- 5.6 The council must act reasonably when considering whether to grant a councillor's request for a leave of absence.
- 5.7 A councillor's civic office will become vacant if the councillor is absent from three (3) consecutive ordinary meetings of 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.

- 5.8 A councillor who intends to attend a meeting of the council despite having been granted a leave of absence should, if practicable, give the general manager at least two (2) days' notice of their intention to attend.

The quorum for a meeting

- 5.9 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.

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- 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 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:
- (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.

5.18 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.
- 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 prior to the meeting in question 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:

- (a) the meetings the resolution applies to, and
- (b) the reason why the councillor is being permitted to attend the meetings by audio-visual link where it is on grounds other than illness, disability, or caring responsibilities.

5.25 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. However, the council and committees of the council are under no obligation to approve a councillor's request to attend a meeting by audio-

visual link where the technical capacity does not exist to allow the councillor to attend the meeting by these means.

- 5.27 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.

Note: If adopted, clauses 15.14 and 15.15 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 15.14 authorises chairpersons to expel any person, including a councillor, from a council or committee meeting. Alternatively, if adopted, clause 15.15 authorises chairpersons to expel persons other than councillors from a council or committee meeting.

Webcasting of meetings

- 5.34 Each meeting of the council or a committee of the council is to be recorded by means of an audio or audio-visual device.
- 5.35 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.
- 5.36 The recording of a meeting is to be made publicly available on the council's website:
- (a) at the same time as the meeting is taking place, or
 - (b) as soon as practicable after the meeting.
- 5.37 The recording of a meeting is to be made publicly available on the council's website for at least 12 months after the meeting.
- 5.38 Clauses 5.36 and 5.37 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 5.34 – 5.38 reflect section 236 of the Regulation.

- 5.39 Recordings of meetings may be disposed of in accordance with the *State Records Act 1998*.

Note: Joint organisations are not required to webcast meetings but may choose to do so by adopting clauses 5.34–5.39. Joint organisations that choose not to webcast meetings may omit clauses 5.34–5.39.

Attendance of the general manager and other staff at meetings

- 5.40 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 5.40 reflects section 376(1) of the Act.

- 5.41 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 5.41 reflects section 376(2) of the Act.

- 5.42 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 5.42 reflects section 376(3) of the Act.

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

- 5.44 The general manager and other council staff may attend meetings of the council and committees of the council by audio-visual link. Attendance by council staff at meetings by audio-visual link (other than as members of the public) shall be with the approval of the general manager.

6 The Chairperson

The chairperson at meetings

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

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

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

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

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

- 6.3 If no chairperson is present at a meeting of the council at the time designated for the holding of the meeting, the first business of the meeting must be the election of a chairperson to preside at the meeting.
- 6.4 The election of a chairperson must be conducted:
- (a) by the general manager or, in their absence, an employee of the council designated by the general manager to conduct the election, or
 - (b) by the person who called the meeting or a person acting on their behalf if neither the general manager nor a designated employee is present at the meeting, or if there is no general manager or designated employee.

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

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

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

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

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

Chairperson to have precedence

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

7 Modes of Address

- 7.1 If the chairperson is the mayor, they are to be addressed as 'Mr Mayor' or 'Madam Mayor'.
- 7.2 Where the chairperson is not the mayor, they are to be addressed as either 'Mr Chairperson' or 'Madam Chairperson'.
- 7.3 A councillor is to be addressed as 'Councillor [surname]'.
- 7.4 A council officer is to be addressed by their official designation or as Mr/Ms [surname].

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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 general order of business for an ordinary meeting of the council shall be:
[councils may adapt the following order of business to meet their needs]

01 Opening meeting

02 Acknowledgement of country

03 Apologies and applications for a leave of absence or attendance by audio-visual link by councillors

04 Confirmation of minutes

05 Disclosures of interests

06 Mayoral minute(s)

07 Reports of committees

08 Reports to council

09 Notices of motions/Questions with notice

10 Confidential matters

11 Conclusion of the meeting

Note: Councils must use either clause 8.1 or 8.2.

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

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

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

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9 Consideration of Business at Council Meetings

Business that can be dealt with at a council meeting

- 9.1 The council must not consider business at a meeting of the council:
- (a) unless a councillor has given notice of the business, as required by clause 3.10, and
 - (b) unless notice of the business has been sent to the councillors in accordance with clause 3.7 in the case of an ordinary meeting or clause 3.9 in the case of an extraordinary meeting called in an emergency.
- 9.2 Clause 9.1 does not apply to the consideration of business at a meeting, if the business:
- (a) is already before, or directly relates to, a matter that is already before the council, or
 - (b) is the election of a chairperson to preside at the meeting, or
 - (c) subject to clause 9.9, is a matter or topic put to the meeting by way of a mayoral minute, or
 - (d) is a motion for the adoption of recommendations of a committee, including, but not limited to, a committee of the council.
- 9.3 Despite clause 9.1, business may be considered at a meeting of the council even though due notice of the business has not been given to the councillors if:
- (a) a motion is passed to have the business considered at the meeting, and
 - (b) the business to be considered is ruled by the chairperson to be of great urgency on the grounds that

it requires a decision by the council before the next scheduled ordinary meeting of the council.

- 9.4 A motion moved under clause 9.3(a) can be moved without notice. Despite clauses 10.20–10.30, only the mover of a motion referred to in clause 9.3(a) can speak to the motion before it is put.
- 9.5 A motion of dissent cannot be moved against a ruling by the chairperson under clause 9.3(b).

Mayoral minutes

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

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9.10 Where a mayoral minute makes a recommendation which, if adopted, would require the expenditure of funds on works and/or services other than those already provided for in the council's current adopted operational plan, it must identify the source of funding for the expenditure that is the subject of the recommendation. If the mayoral minute does not identify a funding source, the council must defer consideration of the matter, pending a report from the general manager on the availability of funds for implementing the recommendation if adopted.

Staff reports

9.11 A recommendation made in a staff report is, so far as it is adopted by the council, a resolution of the council.

Reports of committees of council

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

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

Questions

9.14 A question must not be asked at a meeting of the council unless it concerns a matter on the agenda of the meeting or notice has been given of the question in accordance with clauses 3.10 and 3.14.

9.15 A councillor may, through the chairperson, put a question to another councillor about a matter on the agenda.

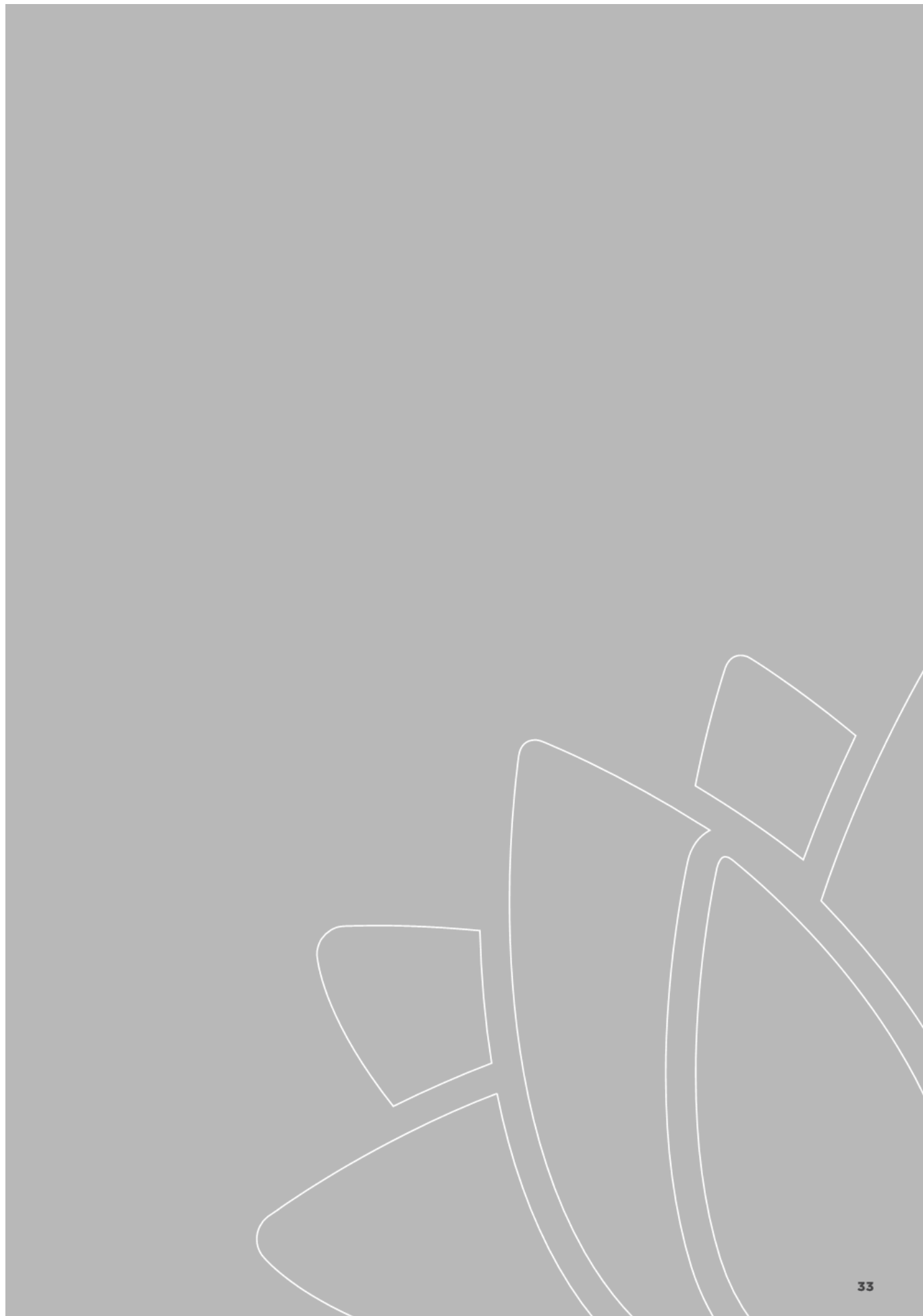
9.16 A councillor may, through the general manager, put a question to a council employee about a matter on the agenda. Council employees are only obliged to

answer a question put to them through the general manager at the direction of the general manager.

9.17 A councillor or council employee to whom a question is put is entitled to be given reasonable notice of the question and, in particular, sufficient notice to enable reference to be made to other persons or to information. Where a councillor or council employee to whom a question is put is unable to respond to the question at the meeting at which it is put, they may take it on notice and report the response to the next meeting of the council.

9.18 Councillors must put questions directly, succinctly, respectfully and without argument.

9.19 The chairperson must not permit discussion on any reply to, or refusal to reply to, a question put to a councillor or council employee.



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10 Rules of Debate

Motions to be seconded

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

Notices of motion

- 10.2 A councillor who has submitted a notice of motion under clause 3.10 is to move the motion the subject of the notice of motion at the meeting at which it is to be considered.
- 10.3 If a councillor who has submitted a notice of motion under clause 3.10 wishes to withdraw it after the agenda and business paper for the meeting at which it is to be considered have been sent to councillors, the councillor may request the withdrawal of the motion when it is before the council.
- 10.4 In the absence of a councillor who has placed a notice of motion on the agenda for a meeting of the council:
- (a) any other councillor may, with the leave of the chairperson, move the motion at the meeting, or
 - (b) the chairperson may defer consideration of the motion until the next meeting of the council.

Chairperson's duties with respect to motions

- 10.5 It is the duty of the chairperson at a meeting of the council to receive and put to the meeting any lawful motion that is brought before the meeting.
- 10.6 The chairperson must rule out of order any motion or amendment to a motion that is unlawful or the implementation of which would be unlawful.

- 10.7 Before ruling out of order a motion or an amendment to a motion under clause 10.6, the chairperson is to give the mover an opportunity to clarify or amend the motion or amendment.

- 10.8 Any motion, amendment, or other matter that the chairperson has ruled out of order is taken to have been lost.

Motions requiring the expenditure of funds

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

Amendments to motions

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

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- 10.13 If an amendment has been lost, a further amendment can be moved to the motion to which the lost amendment was moved, and so on, but no more than one (1) motion and one (1) proposed amendment can be before council at any one time.
- 10.14 While an amendment is being considered, debate must only occur in relation to the amendment and not the original motion. Debate on the original motion is to be suspended while the amendment to the original motion is being debated.
- 10.15 If the amendment is carried, it becomes the motion and is to be debated. If the amendment is lost, debate is to resume on the original motion.
- 10.16 An amendment may become the motion without debate or a vote where it is accepted by the councillor who moved the original motion.

Foreshadowed motions

- 10.17 A councillor may propose a foreshadowed motion in relation to the matter the subject of the original motion before the council, without a seconder during debate on the original motion. The foreshadowed motion is only to be considered if the original motion is lost or withdrawn and the foreshadowed motion is then moved and seconded. If the original motion is carried, the foreshadowed motion lapses.
- 10.18 Where an amendment has been moved and seconded, a councillor may, without a seconder, foreshadow a further amendment that they propose to move after the first amendment has been dealt with. There is no limit to the number of foreshadowed amendments that may be put before the council at any time. However, no discussion can take place on foreshadowed amendments until the previous amendment has been dealt with and the foreshadowed amendment has been moved and seconded.

- 10.19 Foreshadowed motions and foreshadowed amendments are to be considered in the order in which they are proposed. However, foreshadowed motions cannot be considered until all foreshadowed amendments have been dealt with.

Limitations on the number and duration of speeches

- 10.20 A councillor who, during a debate at a meeting of the council, moves an original motion, has the right to speak on each amendment to the motion and a right of general reply to all observations that are made during the debate in relation to the motion, and any amendment to it at the conclusion of the debate before the motion (whether amended or not) is finally put.
- 10.21 A councillor, other than the mover of an original motion, has the right to speak once on the motion and once on each amendment to it.
- 10.22 A councillor must not, without the consent of the council, speak more than once on a motion or an amendment, or for longer than five (5) minutes at any one time.
- 10.23 Despite clause 10.22, the chairperson may permit a councillor who claims to have been misrepresented or misunderstood to speak more than once on a motion or an amendment, and for longer than five (5) minutes on that motion or amendment to enable the councillor to make a statement limited to explaining the misrepresentation or misunderstanding.
- 10.24 Despite clause 10.22, the council may resolve to shorten the duration of speeches to expedite the consideration of business at a meeting.

- 10.25 Despite clauses 10.20 and 10.21, a councillor may move that a motion or an amendment be now put:
- (a) if the mover of the motion or amendment has spoken in favour of it and no councillor expresses an intention to speak against it, or
 - (b) if at least two (2) councillors have spoken in favour of the motion or amendment and at least two (2) councillors have spoken against it.
- 10.26 The chairperson must immediately put to the vote, without debate, a motion moved under clause 10.25. A seconder is not required for such a motion.
- 10.27 If a motion that the original motion or an amendment be now put is passed, the chairperson must, without further debate, put the original motion or amendment to the vote immediately after the mover of the original motion has exercised their right of reply under clause 10.20.
- 10.28 If a motion that the original motion or an amendment be now put is lost, the chairperson must allow the debate on the original motion or the amendment to be resumed.
- 10.29 All councillors must be heard without interruption and all other councillors must, unless otherwise permitted under this code, remain silent while another councillor is speaking.
- 10.30 Once the debate on a matter has concluded and a matter has been dealt with, the chairperson must not allow further debate on the matter.

Participation by non-voting representatives in joint organisation board meetings

10.31 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 10.31. Councils must not adopt clause 10.31.

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.

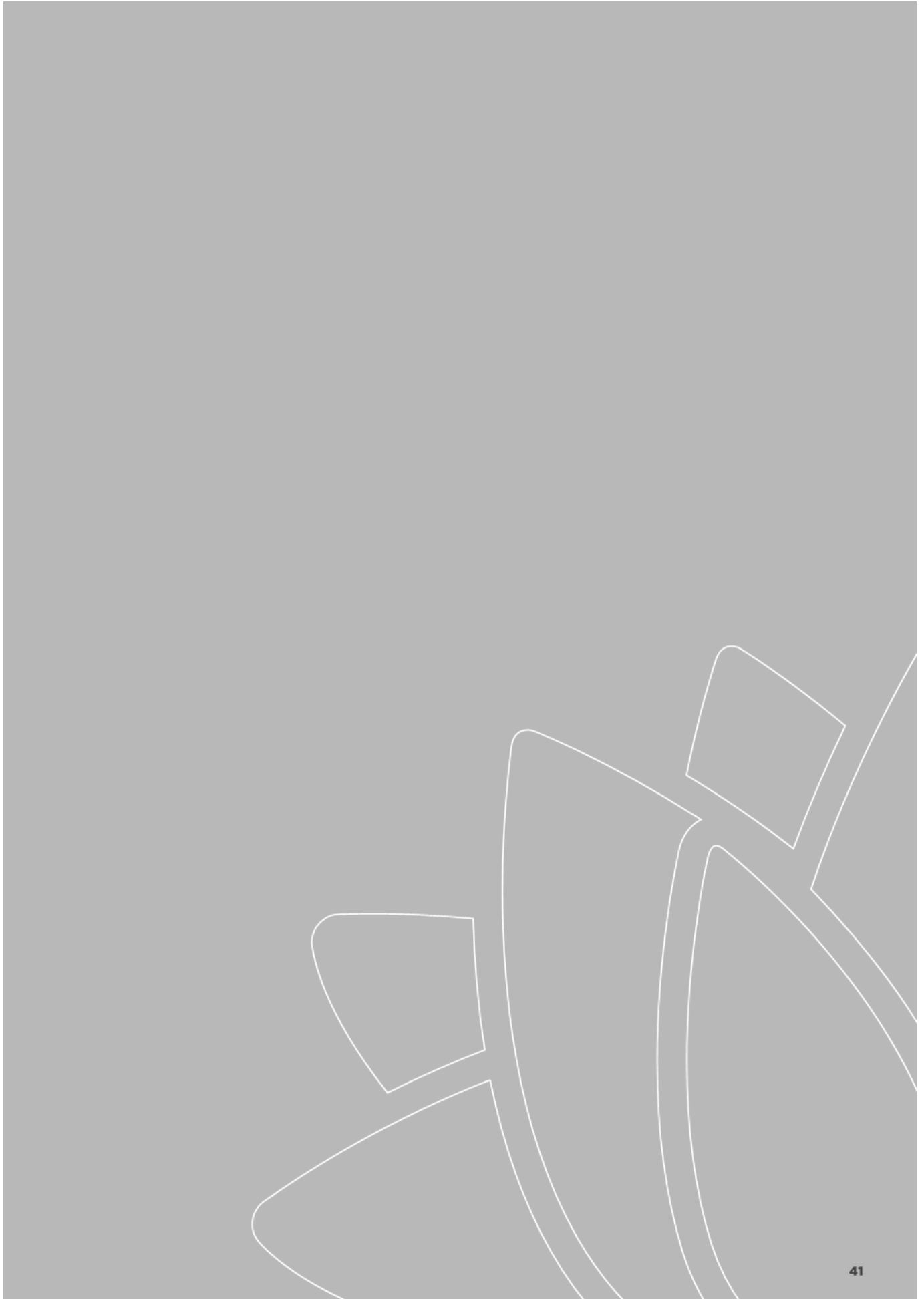
Note: If clause 11.11 is adopted, clauses 11.6 – 11.9 and clause 11.13 may be omitted.

Voting on planning decisions

- 11.12 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.
- 11.13 For the purpose of maintaining the register, a division is taken to have been called whenever a motion for a planning decision is put at a meeting of the council or a council committee.
- 11.14 Each decision recorded in the register is to be described in the register or identified in a manner that enables the description to be obtained from another publicly available document.
- 11.15 Clauses 11.12–11.14 apply also to meetings that are closed to the public.

Note: Clauses 11.12–11.15 reflect section 375A of the Act.

Note: The requirements of clause 11.12 may be satisfied by maintaining a register of the minutes of each planning decision.



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12 Committee of the Whole

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

Note: Clause 12.1 reflects section 373 of the Act.

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

Note: Clauses 10.20–10.30 limit the number and duration of speeches.

- 12.3 The general manager or, in the absence of the general manager, an employee of the council designated by the general manager, is responsible for reporting to the council the proceedings of the committee of the whole. It is not necessary to report the proceedings in full, but any recommendations of the committee must be reported.
- 12.4 The council must ensure that a report of the proceedings (including any recommendations of the committee) is recorded in the council's minutes. However, the council is not taken to have adopted the report until a motion for adoption has been made and passed.

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13 Dealing with Items by Exception

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

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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.

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

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

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

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

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

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

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

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

14.7 In deciding whether part of a meeting is to be closed to the public, the council or committee concerned must consider any relevant guidelines issued by the 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 3.21 as a matter that is likely to be considered when the meeting is closed, but only if:

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

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

Representations by members of the public

- 14.9 The council, or a committee of the council, may allow members of the public to make representations to or at a meeting, before any part of the meeting is closed to the public, as to whether that part of the meeting should be closed.

Note: Clause 14.9 reflects section 10A(4) of the Act.

- 14.10 A representation under clause 14.9 is to be made after the motion to close the part of the meeting is moved and seconded.
- 14.11 Where the matter has been identified in the agenda of the meeting under clause 3.21 as a matter that is likely to be considered when the meeting is closed to the public, in order to make representations under clause 14.9, members of the public must first make an application to the council in the approved form. Applications must be received by **[date and time to be specified by the council]** before the meeting at which the matter is to be considered.
- 14.12 The general manager (or their delegate) may refuse an application made under clause 14.11. The general manager or their delegate must give reasons in writing for a decision to refuse an application.
- 14.13 No more than **[number to be specified by the council]** speakers are to be permitted to make representations under clause 14.9.
- 14.14 If more than the permitted number of speakers apply to make representations under clause 14.9, the general manager or their delegate may request the speakers to nominate from among themselves the

persons who are to make representations to the council. If the speakers are not able to agree on whom to nominate to make representations under clause 14.9, the general manager or their delegate is to determine who will make representations to the council.

- 14.15 The general manager (or their delegate) is to determine the order of speakers.
- 14.16 Where the council or a committee of the council proposes to close a meeting or part of a meeting to the public in circumstances where the matter has not been identified in the agenda for the meeting under clause 3.21 as a matter that is likely to be considered when the meeting is closed to the public, the chairperson is to invite representations from the public under clause 14.9 after the motion to close the part of the meeting is moved and seconded. The chairperson is to permit no more than **[number to be specified by the council]** speakers to make representations in such order as determined by the chairperson.
- 14.17 Each speaker will be allowed **[number to be specified by the council]** minutes to make representations, and this time limit is to be strictly enforced by the chairperson. Speakers must confine their representations to whether the meeting should be closed to the public. If a speaker digresses to irrelevant matters, the chairperson is to direct the speaker not to do so. If a speaker fails to observe a direction from the chairperson, the speaker will not be further heard.

Expulsion of non-councillors from meetings closed to the public

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

Obligations of councillors attending meetings by audio-visual link

- 14.20 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

- 14.21 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 14.21 reflects section 10D of the Act.

Resolutions passed at closed meetings to be made public

- 14.22 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.
- 14.23 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 14.22 during a part of the meeting that is webcast.
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15 Keeping Order at Meetings

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Points of order

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

Questions of order

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

Motions of dissent

- 15.8 A councillor can, without notice, move to dissent from a ruling of the chairperson on a point of order or a question of order. If that happens, the chairperson must suspend the business before the meeting until a decision is made on the motion of dissent.
- 15.9 If a motion of dissent is passed, the chairperson must proceed with the suspended business as though the ruling dissented from had not been given. If, as a result of the ruling, any motion or business has been rejected as out of order, the chairperson must restore the motion or business to the agenda and proceed with it in due course.
- 15.10 Despite any other provision of this code, only the mover of a motion of dissent and the chairperson can speak to the motion before it is put. The mover of the motion does not have a right of general reply.

Acts of disorder

- 15.11 A councillor commits an act of disorder if the councillor, at a meeting of the council or a committee of the council:
 - (a) contravenes the Act, 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

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(d) insults, makes unfavourable personal remarks about, or imputes improper motives to any other council official, or alleges a breach of the council's code of conduct, or

(e) says or does anything that is inconsistent with maintaining order at the meeting or is likely to bring the council or the committee into disrepute.

Note: Clause 15.11 reflects section 182 of the Regulation.

15.12 The chairperson may require a councillor:

(a) to apologise without reservation for an act of disorder referred to in clauses 15.11(a), (b), or (e), or

(b) to withdraw a motion or an amendment referred to in clause 15.11(c) and, where appropriate, to apologise without reservation, or

(c) to retract and apologise without reservation for any statement that constitutes an act of disorder referred to in clauses 15.11(d) and (e).

Note: Clause 15.12 reflects section 233 of the Regulation.

How disorder at a meeting may be dealt with

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

Expulsion from meetings

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

15.15 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 15.14 or clause 15.15.

15.16 Clause [15.14/15.15] **[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.

15.17 A councillor may, as provided by section 10(2)(a) or (b) of the Act, be expelled from a meeting of the council for having failed to comply with a requirement under clause 15.12. The expulsion of a councillor from the meeting for that reason does not prevent any other action from being taken against the councillor for the act of disorder concerned.

Note: Clause 15.17 reflects section 233(2) of the Regulation.

15.18 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.

15.19 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 only such force as is necessary, remove the councillor or member of the public from that place and, if necessary, restrain the councillor or member of the public from re-entering that place for the remainder of the meeting.

How disorder by councillors attending meetings by audio-visual link may be dealt with

15.21 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 15.18, a contravention of clause 15.24 or an attempt to contravene that clause, constitutes disorderly conduct for the purposes of clause 15.18. Any person who contravenes or attempts to contravene clause 15.24, may be expelled from the meeting as provided for under section 10(2) of the Act.

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 only such force as is necessary, remove the first-mentioned person from that place and, if necessary, restrain that person from re-entering that place for the remainder of the meeting.

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16 Conflicts of Interest

- 16.1 All councillors and, where applicable, all other persons, must declare and manage any conflicts of interest they may have in matters being considered at meetings of the council and committees of the council in accordance with the council's code of conduct. All declarations of conflicts of interest and how the conflict of interest was managed by the person who made the declaration must be recorded in the minutes of the meeting at which the declaration was made.
- 16.2 Councillors attending a meeting by audio-visual link must declare and manage any conflicts of interest they may have in matters being considered at the meeting in accordance with the council's code of conduct. Where a councillor has declared a pecuniary or significant non-pecuniary conflict of interest in a matter being discussed at the meeting, the councillor's audio-visual link to the meeting must be suspended or terminated and the councillor must not be in sight or hearing of the meeting at any time during which the matter is being considered or discussed by the council or committee, or at any time during which the council or committee is voting on the matter.

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17 Decisions of the Council

Council decisions

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

Note: Clause 17.1 reflects section 371 of the Act 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 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 [council to specify the period of time] after the meeting at which the resolution was adopted.

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

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

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

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

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

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

Recommitting resolutions to correct an error

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

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

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

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

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

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

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



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18 Time Limits on Council Meetings

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

19 After the Meeting

Minutes of meetings

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

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.

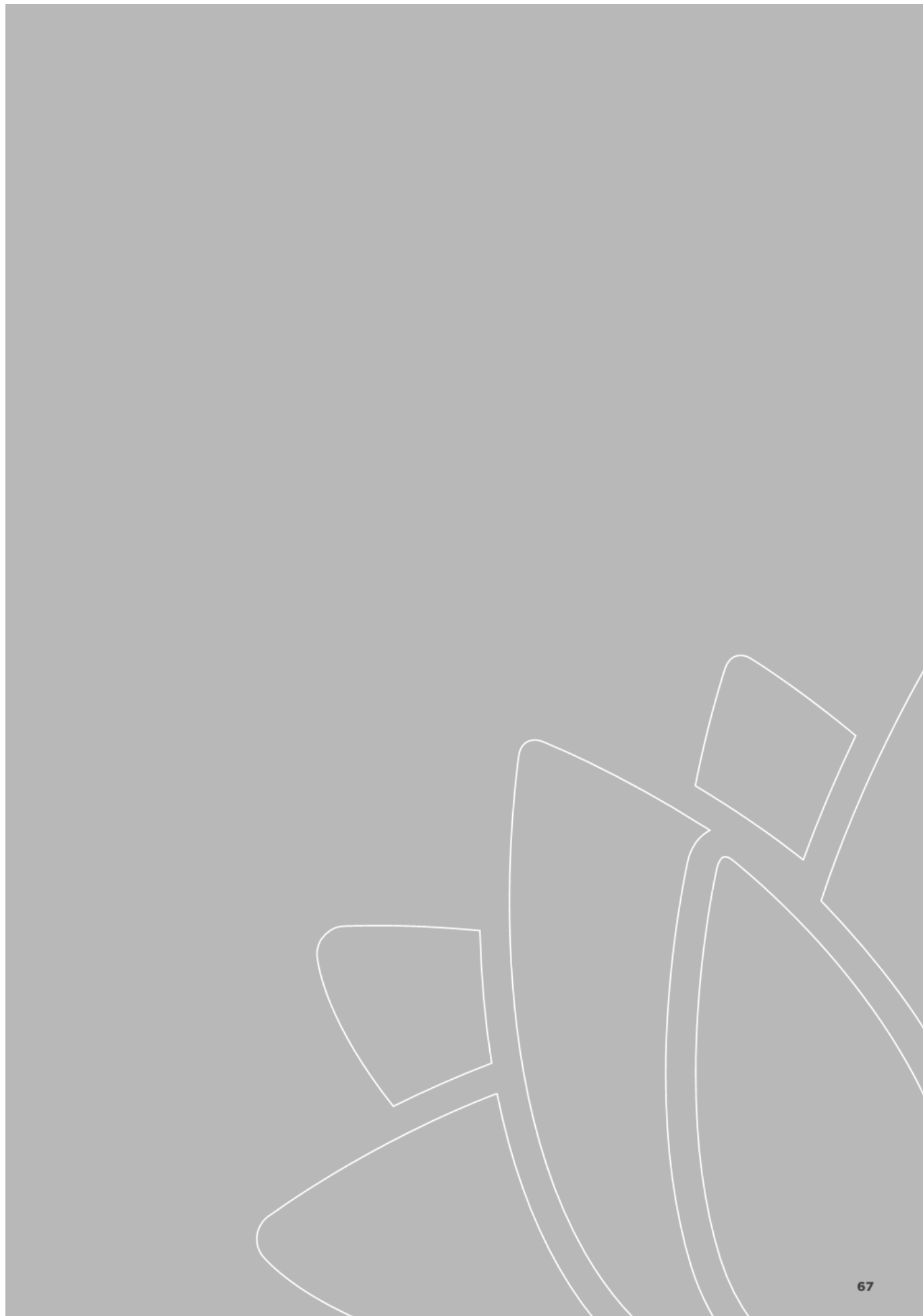
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- 19.11 Correspondence or reports to which clauses 19.9 and 19.10 apply are to be marked with the relevant provision of section 10A(2) of the Act that applies to the correspondence or report.

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.



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20 Council Committees

Application of this Part

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

Council committees whose members are all councillors

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

Functions of committees

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

Notice of committee meetings

- 20.6 The general manager must send to each councillor, regardless of whether they are a committee member, at least three (3) days before each meeting of the committee, a notice specifying:
- (a) the time, date and place of the meeting, and
 - (b) the business proposed to be considered at the meeting.

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

Attendance at committee meetings

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

Non-members entitled to attend committee meetings

- 20.10 A councillor who is not a member of a committee of the council is entitled to attend, and to speak at a meeting of the committee. However, the councillor is not entitled:
- (a) to give notice of business for inclusion in the agenda for the meeting, or
 - (b) to move or second a motion at the meeting, or
 - (c) to vote at the meeting.

Chairperson and deputy chairperson of council committees

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

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

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

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

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

Procedure in committee meetings

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

20.16 Whenever the voting on a motion put to a meeting of the committee is equal, the chairperson of the committee is to have a casting vote as well as an original vote unless the council or the committee determines otherwise in accordance with clause 20.15.

20.17 A motion at a committee of a joint organisation is taken to be lost in the event of an equality of votes.

Note: Clause 20.17 reflects section 397E of the Regulation. Joint organisations must adopt clause 20.17 and omit clause 20.16. Councils must not adopt clause 20.17.

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

Closure of committee meetings to the public

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

20.20 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.

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

Disorder in committee meetings

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

Minutes of council committee meetings

20.23 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.

20.24 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.

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

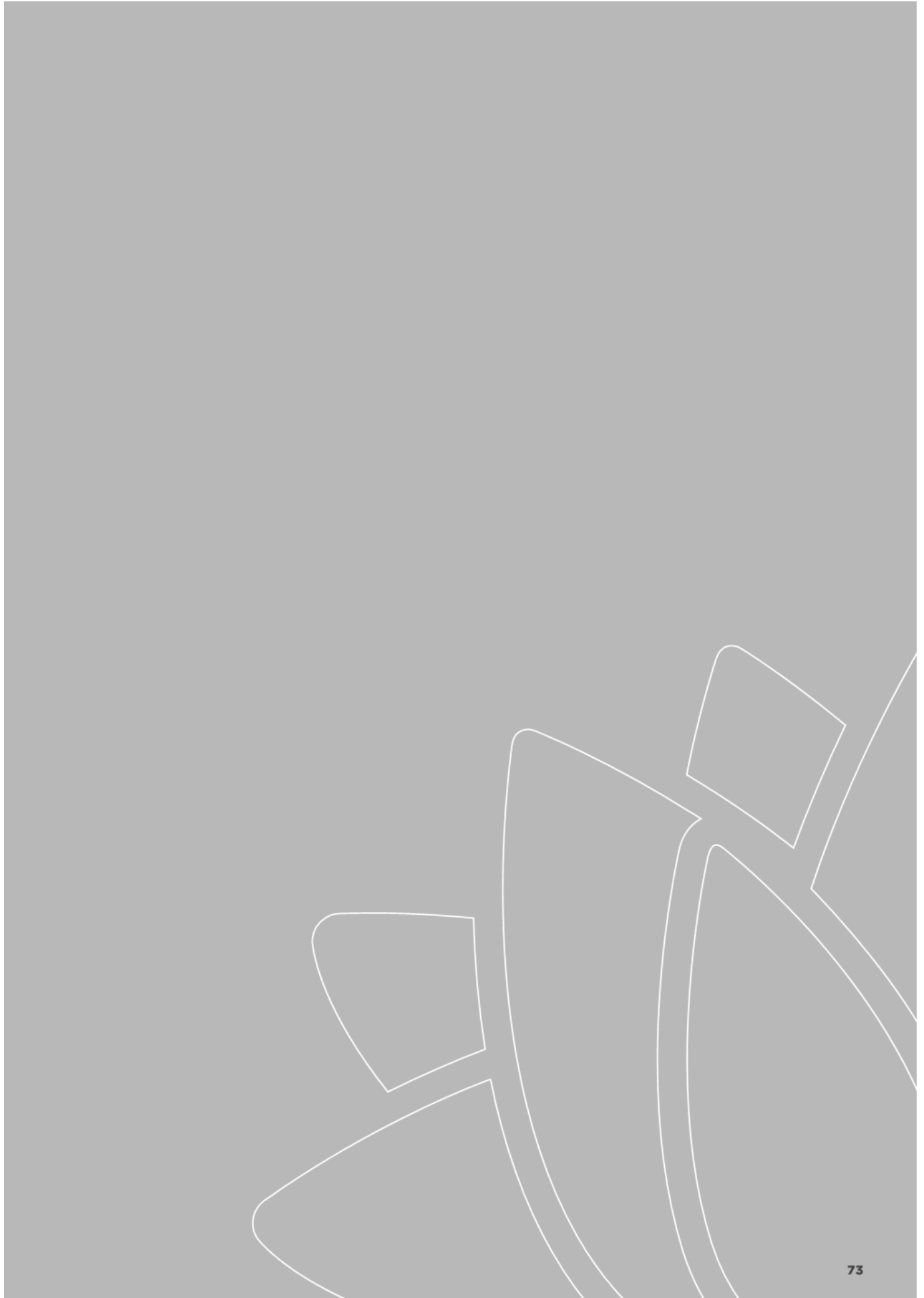
20.26 Any debate on the confirmation of the minutes is to be confined to whether the minutes are a full and accurate record of the meeting they relate to.

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

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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.

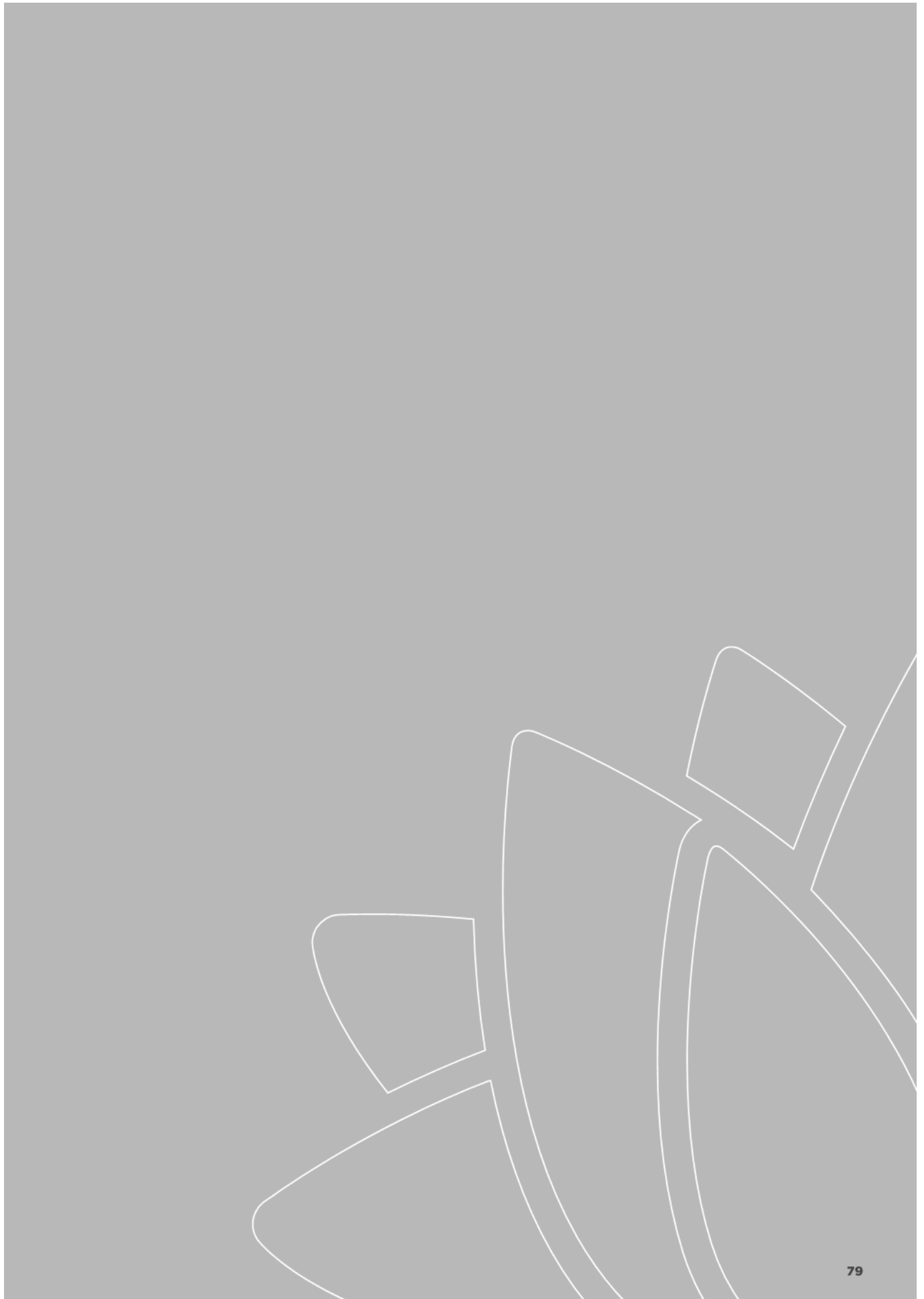
Note: Clause 21.1 reflects section 374 of the Act.

22 Definitions

the Act	means the <i>Local Government Act 1993</i>
act of disorder	means an act of disorder as defined in clause 15.11 of this code
amendment	in relation to an original motion, means a motion moving an amendment to that motion
audio recorder	any device capable of recording speech
audio-visual link	means a facility that enables audio and visual communication between persons at different places
business day	means any day except Saturday or Sunday or any other day the whole or part of which is observed as a public holiday throughout New South Wales
chairperson	in relation to a meeting of the council – means the person presiding at the meeting as provided by section 369 of the Act and clauses 6.1 and 6.2 of this code, and in relation to a meeting of a committee – means the person presiding at the meeting as provided by clause 20.11 of this code
this code	means the council's adopted code of meeting practice
committee of the council	means a committee established by the council in accordance with clause 20.2 of this code (being a committee consisting only of councillors) or the council when it has resolved itself into committee of the whole under clause 12.1
council official	has the same meaning it has in the <i>Model Code of Conduct for Local Councils in NSW</i>
day	means calendar day
division	means a request by two councillors under clause 11.7 of this code requiring the recording of the names of the councillors who voted both for and against a motion
foreshadowed amendment	means a proposed amendment foreshadowed by a councillor under clause 10.18 of this code during debate on the first amendment
foreshadowed motion	means a motion foreshadowed by a councillor under clause 10.17 of this code during debate on an original motion
open voting	means voting on the voices or by a show of hands or by a visible electronic voting system or similar means
planning decision	means a decision made in the exercise of a function of a council under the <i>Environmental Planning and Assessment Act 1979</i> including any decision relating to a development application, an environmental planning instrument, a development control plan or a development contribution plan under that Act, but not including the making of an order under Division 9.3 of Part 9 of that Act

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performance improvement order	means an order issued under section 438A of the Act
quorum	means the minimum number of councillors or committee members necessary to conduct a meeting
the Regulation	means the <i>Local Government (General) Regulation 2021</i>
webcast	a video or audio broadcast of a meeting transmitted across the internet either concurrently with the meeting or at a later time
year	means the period beginning 1 July and ending the following 30 June







TRIM:

Code of Meeting Practice

ADOPTED BY COUNCIL: [DATE]

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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".

MEETING PRINCIPLES

2.1 Council and committee meetings should be:

Transparent: Decisions are made in a way that is open and accountable.

Informed: Decisions are made based on relevant, quality information.

Inclusive: Decisions respect the diverse needs and interests of the local community.

Principled: Decisions are informed by the principles prescribed under Chapter 3 of the Act.

Trusted: The community has confidence that councillors and staff act ethically and make decisions in the interests of the whole community.

Respectful: Councillors, staff and meeting attendees treat each other with respect.

Effective: Meetings are well organised, effectively run and skilfully chaired.

Orderly: Councillors, staff and meeting attendees behave in a way that contributes to the orderly conduct of the meeting.

BEFORE THE MEETING

Timing of ordinary council meetings

3.1 ~~Ordinary meetings of the council will be held on the following occasions: Council will meet at least eleven times per calendar year.~~

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

Note: Councils must use either clause 3.1 or 3.2

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 in a different quarter of the year.

Extraordinary meetings

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

Note: Clause 3.3 reflects section 366 of the Act.

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 is to be published before the meeting takes place. The notice must be published

on the council's website, and in such other manner that the council is satisfied is likely to bring notice of the meeting to the attention of as many people as possible.

- 3.6 For the purposes of clause 3.4, notice of more than one (1) meeting may be given in the same notice.

Notice to councillors of ordinary council meetings

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

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, 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 by 5pm two (2) Friday's prior to the Council Meeting.
- 3.11 A councillor may, in writing to the general manager, request the withdrawal of a notice of motion submitted by them prior to its inclusion in the agenda and business paper for the meeting at which it is to be considered.
- 3.12 If the general manager considers that a notice of motion submitted by a councillor for consideration at an ordinary meeting of the council has legal, strategic, financial or policy implications which should be taken into consideration by the meeting, the general manager may prepare a report in relation to the notice of motion for inclusion with the business papers for the meeting at which the notice of motion is to be considered by the council.
- 3.13 A notice of motion for the expenditure of funds on works and/or services other than those already provided for in the council's current adopted operational plan must identify the source of funding for the expenditure that is the subject of the notice of motion. If the notice of motion does not identify a funding source, the general manager must either:

- (a) prepare a report on the availability of funds for implementing the motion if adopted for inclusion in the business papers for the meeting at which the notice of motion is to be considered by the council, or
- (b) by written notice sent to all councillors with the business papers for the meeting for which the notice of motion has been submitted, defer consideration of the matter by the council to such a date specified in the notice, pending the preparation of such a report.

Questions with notice

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

Agenda and business papers for ordinary meetings

- 3.17 The general manager must cause the agenda for a meeting of the council or a committee of the council to be prepared as soon as practicable before the meeting.
- 3.18 The general manager must ensure that the agenda for an ordinary meeting of the council states:
 - (a) all matters to be dealt with arising out of the proceedings of previous meetings of the council, and
 - (b) if the mayor is the chairperson – any matter or topic that the chairperson proposes, at the time when the agenda is prepared, to put to the meeting, and
 - (c) all matters, including matters that are the subject of staff reports and reports of committees, to be considered at the meeting, and
 - (d) any business of which due notice has been given under clause 3.10.
- 3.19 Nothing in clause 3.18 limits the powers of the mayor to put a mayoral minute to a meeting under clause 9.6.
- 3.20 The general manager must not include in the agenda for a meeting of the council any business of which due notice has been given if, in the opinion of the general manager, the business is, or the implementation of the business would be, unlawful. The general manager must report, without giving details of the item of business, any such exclusion to the next meeting of the council.
- 3.21 Where the agenda includes the receipt of information or discussion of other matters that, in the opinion of the general manager, is likely to take place when the meeting is closed to the public, the general manager must ensure that the agenda of the meeting:

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

Note: Clause 3.21 reflects section 9(2A)(a) of the Act.

- 3.22 The general manager must ensure that the details of any item of business which, in the opinion of the general manager, is likely to be considered when the meeting is closed to the public, are included in a business paper provided to councillors for the meeting concerned. Such details must not be included in the business papers made available to the public and must not be disclosed by a councillor or by any other person to another person who is not authorised to have that information.

Statement of ethical obligations

- 3.23 Business papers for all ordinary and extraordinary meetings of the council and committees of the council must contain a statement reminding councillors of their oath or affirmation of office made under section 233A of the Act and their obligations under the council's code of conduct to disclose and appropriately manage conflicts of interest.

Availability of the agenda and business papers to the public

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

Note: Clause 3.24 reflects section 9(2) and (4) of the Act.

- 3.25 Clause 3.24 does not apply to the business papers for items of business that the general manager has identified under clause 3.21 as being likely to be considered when the meeting is closed to the public.

Note: Clause 3.25 reflects section 9(2A)(b) of the Act.

- 3.26 For the purposes of clause 3.24, copies of agendas and business papers must be published on the council's website and made available to the public at a time that is as close as possible to the time they are available to councillors.

Note: Clause 3.26 reflects section 9(3) of the Act.

- 3.27 A copy of an agenda, or of an associated business paper made available under clause 3.24, may in addition be given or made available in electronic form.

Note: Clause 3.27 reflects section 9(5) of the Act.

Agenda and business papers for extraordinary meetings

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

Pre-meeting briefing sessions

- 3.33 Prior to each ordinary meeting of the council, the general manager may arrange a pre-meeting briefing session to brief councillors on business to be considered at the meeting. Pre-meeting briefing sessions may also be held for extraordinary meetings of the council or any other meetings of Council.
- 3.34 Pre-meeting briefing sessions are to be held in the absence of the public.
- 3.35 Pre-meeting briefing sessions may be held by audio-visual link.
- 3.36 The general manager or a member of staff nominated by the general manager is to preside at pre-meeting briefing sessions.
- 3.37 Councillors must not use pre-meeting briefing sessions to debate or make preliminary decisions on items of business they are being briefed on, and any debate and decision-making must be left to the formal council or committee meeting at which the item of business is to be considered.
- 3.38 Councillors (including the mayor) must declare and manage any conflicts of interest they may have in relation to any item of business that is the subject of a briefing at a pre-meeting briefing session, in the same way that they are required to do so at a council or committee meeting. The council is to maintain a written record of all conflict of interest declarations made at pre-meeting briefing sessions and how the conflict of interest was managed by the councillor who made the declaration.

PUBLIC FORUMS

- 4.1 The council may hold a public forum prior to each ordinary meeting of the council for the purpose of hearing oral submissions from members of the public on items of business to be considered at the meeting. Public forums may also be held prior to extraordinary council meetings and meetings of committees of the council.
- 4.2 Public forums may be held by audio-visual link.
- 4.3 Public forums are to be chaired by the mayor or their nominee.
- 4.4 To speak at a public forum, a person must first make an application to the council in the approved form. Applications to speak at the public forum must be received by 12 noon on the business day prior to when the public forum is to be held, and must identify the item of business on the agenda of the council meeting the person wishes to speak on, and whether they wish to speak 'for' or 'against' the item.
- 4.5 A person may apply to speak on no more than one (1) item of business on the agenda of the council meeting unless express permission has been granted by the Mayor and General Manager.
- 4.6 Legal representatives acting on behalf of others are not to be permitted to speak at a public forum unless they identify their status as a legal representative when applying to speak at the public forum.
- 4.7 The general manager or their delegate may refuse an application to speak at a public forum. The general manager or their delegate must give reasons in writing for a decision to refuse an application.
- 4.8 No more than 2 speakers are to be permitted to speak 'for' or 'against' each item of business on the agenda for the council meeting.
- 4.9 If more than the permitted number of speakers apply to speak 'for' or 'against' any item of business, the general manager or their delegate may request the speakers to nominate from among themselves the persons who are to address the council on the item of business. If the speakers are not able to agree on whom to nominate to address the council, the general manager or their delegate is to determine who will address the council at the public forum.
- 4.10 If more than the permitted number of speakers apply to speak 'for' or 'against' any item of business, the general manager or their delegate may, in consultation with the mayor or the mayor's nominated chairperson, increase the number of speakers permitted to speak on an item of business, where they are satisfied that it is necessary to do so to allow the council to hear a fuller range of views on the relevant item of business.
- 4.11 Approved speakers at the public forum are to register with the council any written, visual or audio material to be presented in support of their address to the council at the public forum, and to identify any equipment needs no more than 12 noon on the business day prior days before the public forum. The general manager or their delegate may refuse to allow such material to be presented.

- 4.12 The general manager or their delegate is to determine the order of speakers at the public forum.
- 4.13 Each speaker will be allowed 5 minutes to address the council. This time is to be strictly enforced by the chairperson.
- 4.14 Speakers at public forums must not digress from the item on the agenda of the council meeting they have applied to address the council on. If a speaker digresses to irrelevant matters, the chairperson is to direct the speaker not to do so. If a speaker fails to observe a direction from the chairperson, the speaker will not be further heard.
- 4.15 A councillor (including the chairperson) may, through the chairperson, ask questions of a speaker following their address at a public forum. Questions put to a speaker must be direct, succinct and without argument.
- 4.16 Speakers are under no obligation to answer a question put under clause 4.15. Answers by the speaker, to each question are to be limited to 2 minutes minutes.
- 4.17 Speakers at public forums cannot ask questions of the council, councillors, or council staff.
- 4.18 The general manager or their nominee may, with the concurrence of the chairperson, address the council for up to 1 minute in response to an address to the council at a public forum after the address and any subsequent questions and answers have been finalised.
- 4.19 Where an address made at a public forum raises matters that require further consideration by council staff, the general manager may recommend that the council defer consideration of the matter pending the preparation of a further report on the matters.
- 4.20 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.
- 4.21 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.
- 4.22 Clause 4.21 does not limit the ability of the chairperson to deal with disorderly conduct by speakers at public forums in accordance with the provisions of Part 15 of this code.
- 4.23 Where a speaker engages in conduct of the type referred to in clause 4.20, the general manager or their delegate may refuse further applications from that person to speak at public forums for such a period as the general manager or their delegate considers appropriate.

- 4.24 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 at a council or committee meeting. The council is to maintain a written record of all conflict of interest declarations made at public forums and how the conflict of interest was managed by the councillor who made the declaration.

Note: Public forums should not be held as part of a council or committee meeting. Council or committee meetings should be reserved for decision-making by the council or committee of council. Where a public forum is held as part of a council or committee meeting, it must be conducted in accordance with the other requirements of this code relating to the conduct of council and committee meetings.

COMING TOGETHER

Attendance by councillors at meetings

- 5.1 All councillors must make reasonable efforts to attend meetings of the council and of committees of the council of which they are members.

Note: A councillor may not attend a meeting as a councillor (other than the first meeting of the council after the councillor is elected or a meeting at which the councillor takes an oath or makes an affirmation of office) until they have taken an oath or made an affirmation of office in the form prescribed under section 233A of the Act.

- 5.2 A councillor cannot participate in a meeting of the council or of a committee of the council unless personally present at the meeting, unless permitted to attend the meeting by audio-visual link under this code.

- 5.3 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 5.3 reflects section 397G of the Regulation. Joint organisations may adopt clause 5.3 and omit clause 5.2. Councils must not adopt clause 5.3.

- 5.4 Where a councillor is unable to attend one or more ordinary meetings of the council, the councillor should request that the council grant them a leave of absence from those meetings. This clause does not prevent a councillor from making an apology if they are unable to attend a meeting. However, the acceptance of such an apology does not constitute the granting of a leave of absence for the purposes of this code and the Act.

- 5.5 A councillor's request for leave of absence from council meetings should, if practicable, identify (by date) the meetings from which the councillor intends to be absent and the grounds upon which the leave of absence is being sought.
- 5.6 The council must act reasonably when considering whether to grant a councillor's request for a leave of absence.
- 5.7 A councillor's civic office will become vacant if the councillor is absent from three (3) consecutive ordinary meetings of 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.**
- 5.8 A councillor who intends to attend a meeting of the council despite having been granted a leave of absence should, if practicable, give the general manager at least two (2) days' notice of their intention to attend.

The quorum for a meeting

- 5.9 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 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:
- (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.
- 5.18 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.
- 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 prior to the meeting in question 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:
- (a) the meetings the resolution applies to, and
 - (b) the reason why the councillor is being permitted to attend the meetings by audio-visual link where it is on grounds other than illness, disability, or caring responsibilities.
- 5.25 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. However, the council and committees of the council are under no obligation to approve a councillor's request to attend a meeting by audio-visual link where the technical capacity does not exist to allow the councillor to attend the meeting by these means.
- 5.27 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.

Note: If adopted, clauses 15.14 and 15.15 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 15.14 authorises chairpersons to expel any person, including a councillor, from a council or committee meeting. Alternatively, if adopted, clause 15.15 authorises chairpersons to expel persons other than councillors from a council or committee meeting.

Webcasting of meetings

- 5.34 Each meeting of the council or a committee of the council is to be recorded by means of an audio or audio-visual device.
- 5.35 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.
- 5.36 The recording of a meeting is to be made publicly available on the council's website:

- (a) at the same time as the meeting is taking place, or
- (b) as soon as practicable after the meeting.

5.37 The recording of a meeting is to be made publicly available on the council's website for at least 12 months after the meeting.

5.38 Clauses 5.36 and 5.37 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 5.34 – 5.38 reflect section 236 of the Regulation.

5.39 Recordings of meetings may be disposed of in accordance with the *State Records Act 1998*.

Note: Joint organisations are not required to webcast meetings but may choose to do so by adopting clauses 5.34–5.39. Joint organisations that choose not to webcast meetings may omit clauses 5.34–5.39.

Attendance of the general manager and other staff at meetings

5.40 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 5.40 reflects section 376(1) of the Act.

5.41 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 5.41 reflects section 376(2) of the Act.

5.42 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 5.42 reflects section 376(3) of the Act.

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

5.44 The general manager and other council staff may attend meetings of the council and committees of the council by audio-visual-link. Attendance by council staff at meetings by audio-visual link (other than as members of the public) shall be with the approval of the general manager.

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.

MODES OF ADDRESS

- 7.1 If the chairperson is the mayor, they are to be addressed as 'Mr Mayor' or 'Madam Mayor'.
- 7.2 Where the chairperson is not the mayor, they are to be addressed as either 'Mr Chairperson' or 'Madam Chairperson'.
- 7.3 A councillor is to be addressed as 'Councillor [surname]'.
- 7.4 A council officer is to be addressed by their official designation or as Mr/Ms [surname].

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 general order of business for an ordinary meeting of the council shall be:
- 01 Civic Affirmation and Acknowledgement of Country
 - 02 Statement in relation to live streaming of the Council meeting
 - 03 Apologies and applications for a leave of absence or attendance by audio-visual link by councillors
 - 04 Disclosures of Interest
 - 05 Confirmation of minutes
 - 06 Mayoral minute(s)
 - 07 Notices of motions
 - 08 Reports to council
 - 09 Reports of committees
 - 10 Matters of an Urgent Nature
 - 11 Questions on notice
 - 10 Confidential matters (Closed Session)
 - 11 Close of Ordinary Meeting

Note: Councils must use either clause 8.1 or 8.2.

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

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

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

CONSIDERATION OF BUSINESS AT COUNCIL MEETINGS

Business that can be dealt with at a council meeting

- 9.1 The council must not consider business at a meeting of the council:
- (a) unless a councillor has given notice of the business, as required by clause 3.10, and
 - (b) unless notice of the business has been sent to the councillors in accordance with clause 3.7 in the case of an ordinary meeting or clause 3.9 in the case of an extraordinary meeting called in an emergency.
- 9.2 Clause 9.1 does not apply to the consideration of business at a meeting, if the business:
- (a) is already before, or directly relates to, a matter that is already before the council, or
 - (b) is the election of a chairperson to preside at the meeting, or
 - (c) subject to clause 9.9, is a matter or topic put to the meeting by way of a mayoral minute, or
 - (d) is a motion for the adoption of recommendations of a committee, including, but not limited to, a committee of the council.
- 9.3 Despite clause 9.1, business may be considered at a meeting of the council even though due notice of the business has not been given to the councillors if:
- (a) a motion is passed to have the business considered at the meeting, and
 - (b) the business to be considered is ruled by the chairperson to be of great urgency on the grounds that it requires a decision by the council before the next scheduled ordinary meeting of the council.
- 9.4 A motion moved under clause 9.3(a) can be moved without notice. Despite clauses 10.20–10.30, only the mover of a motion referred to in clause 9.3(a) can speak to the motion before it is put.
- 9.5 A motion of dissent cannot be moved against a ruling by the chairperson under clause 9.3(b).

Mayoral minutes

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

complexity. For the purpose of this clause, a matter will be urgent where it requires a decision by the council before the next scheduled ordinary meeting of the council.

- 9.10 Where a mayoral minute makes a recommendation which, if adopted, would require the expenditure of funds on works and/or services other than those already provided for in the council's current adopted operational plan, it must identify the source of funding for the expenditure that is the subject of the recommendation. If the mayoral minute does not identify a funding source, the council must defer consideration of the matter, pending a report from the general manager on the availability of funds for implementing the recommendation if adopted.

Staff reports

- 9.11 A recommendation made in a staff report is, so far as it is adopted by the council, a resolution of the council.

Reports of committees of council

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

Questions

- 9.14 A question must not be asked at a meeting of the council unless it concerns a matter on the agenda of the meeting or notice has been given of the question in accordance with clauses 3.10 and 3.14.
- 9.15 A councillor may, through the chairperson, put a question to another councillor about a matter on the agenda.
- 9.16 A councillor may, through the general manager, put a question to a council employee about a matter on the agenda. Council employees are only obliged to answer a question put to them through the general manager at the direction of the general manager.
- 9.17 A councillor or council employee to whom a question is put is entitled to be given reasonable notice of the question and, in particular, sufficient notice to enable reference to be made to other persons or to information. Where a councillor or council employee to whom a question is put is unable to respond to the question at the meeting at which it is put, they may take it on notice and report the response to the next meeting of the council.
- 9.18 Councillors must put questions directly, succinctly, respectfully and without argument.
- 9.19 The chairperson must not permit discussion on any reply to, or refusal to reply to, a question put to a councillor or council employee.

RULES OF DEBATE

Motions to be seconded

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

Notices of motion

- 10.2 A councillor who has submitted a notice of motion under clause 3.10 is to move the motion the subject of the notice of motion at the meeting at which it is to be considered.
- 10.3 If a councillor who has submitted a notice of motion under clause 3.10 wishes to withdraw it after the agenda and business paper for the meeting at which it is to be considered have been sent to councillors, the councillor may request the withdrawal of the motion when it is before the council.
- 10.4 In the absence of a councillor who has placed a notice of motion on the agenda for a meeting of the council:
- (a) any other councillor may, with the leave of the chairperson, move the motion at the meeting, or
 - (b) the chairperson may defer consideration of the motion until the next meeting of the council.

Chairperson's duties with respect to motions

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

Motions requiring the expenditure of funds

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

Amendments to motions

- 10.10 An amendment to a motion must be moved and seconded before it can be debated.
- 10.11 An amendment to a motion must relate to the matter being dealt with in the original motion before the council and must not be a direct negative of the original motion. An amendment to a motion which does not relate to the matter being dealt with in the original motion, or which is a direct negative of the original motion, must be ruled out of order by the chairperson.
- 10.12 The mover of an amendment is to be given the opportunity to explain any uncertainties in the proposed amendment before a seconder is called for.
- 10.13 If an amendment has been lost, a further amendment can be moved to the motion to which the lost amendment was moved, and so on, but no more than one (1) motion and one (1) proposed amendment can be before council at any one time.
- 10.14 While an amendment is being considered, debate must only occur in relation to the amendment and not the original motion. Debate on the original motion is to be suspended while the amendment to the original motion is being debated.
- 10.15 If the amendment is carried, it becomes the motion and is to be debated. If the amendment is lost, debate is to resume on the original motion.
- 10.16 An amendment may become the motion without debate or a vote where it is accepted by the councillor who moved the original motion.

Foreshadowed motions

- 10.17 A councillor may propose a foreshadowed motion in relation to the matter the subject of the original motion before the council, without a seconder during debate on the original motion. The foreshadowed motion is only to be considered if the original motion is lost or withdrawn and the foreshadowed motion is then moved and seconded. If the original motion is carried, the foreshadowed motion lapses.
- 10.18 Where an amendment has been moved and seconded, a councillor may, without a seconder, foreshadow a further amendment that they propose to move after the first amendment has been dealt with. There is no limit to the number of foreshadowed amendments that may be put before the council at any time. However, no discussion can take place on foreshadowed amendments until the previous amendment has been dealt with and the foreshadowed amendment has been moved and seconded.
- 10.19 Foreshadowed motions and foreshadowed amendments are to be considered in the order in which they are proposed. However, foreshadowed motions cannot be considered until all foreshadowed amendments have been dealt with.

Limitations on the number and duration of speeches

- 10.20 A councillor who, during a debate at a meeting of the council, moves an original motion, has the right to speak on each amendment to the motion and a right of general reply to all observations that are made during the debate in relation to the motion, and any

amendment to it at the conclusion of the debate before the motion (whether amended or not) is finally put.

- 10.21 A councillor, other than the mover of an original motion, has the right to speak once on the motion and once on each amendment to it.
- 10.22 A councillor must not, without the consent of the council, speak more than once on a motion or an amendment, or for longer than five (5) minutes at any one time.
- 10.23 Despite clause 10.22, the chairperson may permit a councillor who claims to have been misrepresented or misunderstood to speak more than once on a motion or an amendment, and for longer than five (5) minutes on that motion or amendment to enable the councillor to make a statement limited to explaining the misrepresentation or misunderstanding.
- 10.24 Despite clause 10.22, the council may resolve to shorten the duration of speeches to expedite the consideration of business at a meeting.
- 10.25 Despite clauses 10.20 and 10.21, a councillor may move that a motion or an amendment be now put:
- (a) if the mover of the motion or amendment has spoken in favour of it and no councillor expresses an intention to speak against it, or
 - (b) if at least two (2) councillors have spoken in favour of the motion or amendment and at least two (2) councillors have spoken against it.
- 10.26 The chairperson must immediately put to the vote, without debate, a motion moved under clause 10.25. A seconder is not required for such a motion.
- 10.27 If a motion that the original motion or an amendment be now put is passed, the chairperson must, without further debate, put the original motion or amendment to the vote immediately after the mover of the original motion has exercised their right of reply under clause 10.20.
- 10.28 If a motion that the original motion or an amendment be now put is lost, the chairperson must allow the debate on the original motion or the amendment to be resumed.
- 10.29 All councillors must be heard without interruption and all other councillors must, unless otherwise permitted under this code, remain silent while another councillor is speaking.
- 10.30 Once the debate on a matter has concluded and a matter has been dealt with, the chairperson must not allow further debate on the matter.

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

- 11.5 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 11.13 may be omitted.

Commented [JB1]: Should 11.6-11.9 and 11.13 can be deleted courtesy of 11.11?

Voting on planning decisions

- 11.12 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.

11.13 ~~For the purpose of maintaining the register, a division is taken to have been called whenever a motion for a planning decision is put at a meeting of the council or a council committee.~~

11.14 Each decision recorded in the register is to be described in the register or identified in a manner that enables the description to be obtained from another publicly available document.

11.15 Clauses 11.12–11.14 apply also to meetings that are closed to the public.

Note: Clauses 11.12–11.15 reflect section 375A of the Act.

Note: The requirements of clause 11.12 may be satisfied by maintaining a register of the minutes of each planning decision.

COMMITTEE OF THE WHOLE

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

Note: Clause 12.1 reflects section 373 of the Act.

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

Note: Clauses 10.20–10.30 limit the number and duration of speeches.

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

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

DEALING WITH ITEMS BY EXCEPTION

13.1 The council or a committee of council may, at any time, resolve to adopt multiple items of business on the agenda together by way of a single resolution.

13.2 Before the council or committee resolves to adopt multiple items of business on the agenda together under clause 13.1, the chairperson must list the items of business to be adopted and ask councillors to identify any individual items of business listed by the chairperson that they intend to vote against the recommendation made in the business paper or that they wish to speak on.

13.3 The council or committee must not resolve to adopt any item of business under clause 13.1 that a councillor has identified as being one they intend to vote against the

recommendation made in the business paper or to speak on.

- 13.4 Where the consideration of multiple items of business together under clause 13.1 involves a variation to the order of business for the meeting, the council or committee must resolve to alter the order of business in accordance with clause 8.3.
- 13.5 A motion to adopt multiple items of business together under clause 13.1 must identify each of the items of business to be adopted and state that they are to be adopted as recommended in the business paper.
- 13.6 Items of business adopted under clause 13.1 are to be taken to have been adopted unanimously.
- 13.7 Councillors must ensure that they declare and manage any conflicts of interest they may have in relation to items of business considered together under clause 13.1 in accordance with the requirements of the council's code of conduct.

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, and
- (c) are fully discussed in that advice.

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

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

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

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

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

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

14.7 In deciding whether part of a meeting is to be closed to the public, the council or committee concerned must consider any relevant guidelines issued by the 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 3.21 as a matter that is likely to be considered when the meeting is closed, but only if:

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

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

Representations by members of the public

- 14.9 The council, or a committee of the council, may allow members of the public to make representations to or at a meeting, before any part of the meeting is closed to the public, as to whether that part of the meeting should be closed.

Note: Clause 14.9 reflects section 10A(4) of the Act.

- 14.10 A representation under clause 14.9 is to be made after the motion to close the part of the meeting is moved and seconded.
- 14.11 Where the matter has been identified in the agenda of the meeting under clause 3.21 as a matter that is likely to be considered when the meeting is closed to the public, in order to make representations under clause 14.9, members of the public must first make an application to the council in the approved form. Applications must be received by 12 noon the business day before the meeting at which the matter is to be considered.
- 14.12 The general manager (or their delegate) may refuse an application made under clause 14.11. The general manager or their delegate must give reasons in writing for a decision to refuse an application.
- 14.13 No more than two (2) speakers are to be permitted to make representations under clause 14.9.
- 14.14 If more than the permitted number of speakers apply to make representations under clause 14.9, the general manager or their delegate may request the speakers to nominate from among themselves the persons who are to make representations to the council. If the speakers are not able to agree on whom to nominate to make representations under clause 14.9, the general manager or their delegate is to determine who will make representations to the council.
- 14.15 The general manager (or their delegate) is to determine the order of speakers.
- 14.16 Where the council or a committee of the council proposes to close a meeting or part of a meeting to the public in circumstances where the matter has not been identified in the agenda for the meeting under clause 3.21 as a matter that is likely to be considered when the meeting is closed to the public, the chairperson is to invite representations

from the public under clause 14.9 after the motion to close the part of the meeting is moved and seconded. The chairperson is to permit no more than **two (2)** speakers to make representations in such order as determined by the chairperson.

- 14.17 Each speaker will be allowed ten (10) minutes to make representations, and this time limit is to be strictly enforced by the chairperson. Speakers must confine their representations to whether the meeting should be closed to the public. If a speaker digresses to irrelevant matters, the chairperson is to direct the speaker not to do so. If a speaker fails to observe a direction from the chairperson, the speaker will not be further heard.

Expulsion of non-councillors from meetings closed to the public

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

Obligations of councillors attending meetings by audio-visual link

- 14.20 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

- 14.21 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 14.21 reflects section 10D of the Act.

Resolutions passed at closed meetings to be made public

- 14.22 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.

- 14.23 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 14.22 during a part of the meeting that is webcast.

KEEPING ORDER AT MEETINGS

Points of order

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

Questions of order

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

Motions of dissent

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

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

Acts of disorder

- 15.11 A councillor commits an act of disorder if the councillor, at a meeting of the council or a committee of the council:
- (a) contravenes the Act, 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) insults, makes unfavourable personal remarks about, or imputes improper motives to any other council official, or alleges a breach of the council's code of conduct, or
 - (e) says or does anything that is inconsistent with maintaining order at the meeting or is likely to bring the council or the committee into disrepute.

Note: Clause 15.11 reflects section 182 of the Regulation.

- 15.12 The chairperson may require a councillor:
- (a) to apologise without reservation for an act of disorder referred to in clauses 15.11(a), (b), or (e), or
 - (b) to withdraw a motion or an amendment referred to in clause 15.11(c) and, where appropriate, to apologise without reservation, or
 - (c) to retract and apologise without reservation for any statement that constitutes an act of disorder referred to in clauses 15.11(d) and (e).

Note: Clause 15.12 reflects section 233 of the Regulation.

How disorder at a meeting may be dealt with

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

Expulsion from meetings

- ~~15.14 All chairpersons of meetings of the council and committees of the council are authorised under this code to expel any person, including any councillor, from a council or committee meeting, for the purposes of section 10(2)(b) of the Act.~~

- 15.15 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 15.14 or clause 15.15.

- 15.16 Clause 15.15, 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.

- 15.17 A councillor may, as provided by section 10(2)(a) or (b) of the Act, be expelled from a meeting of the council for having failed to comply with a requirement under clause 15.12. The expulsion of a councillor from the meeting for that reason does not prevent any other action from being taken against the councillor for the act of disorder concerned.

Note: Clause 15.17 reflects section 233(2) of the Regulation.

- 15.18 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.

- 15.19 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 only such force as is necessary, remove the councillor or member of the public from that place and, if necessary, restrain the councillor or member of the public from re-entering that place for the remainder of the meeting.

How disorder by councillors attending meetings by audio-visual link may be dealt with

- 15.21 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 15.18, a contravention of clause 15.24 or an attempt to contravene that clause, constitutes disorderly conduct for the purposes of clause 15.18. Any person who contravenes or attempts to contravene clause 15.24, may be expelled from the meeting as provided for under section 10(2) of the Act.
- 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 only such force as is necessary, remove the first-mentioned person from that place and, if necessary, restrain that person from re-entering that place for the remainder of the meeting.

CONFLICTS OF INTEREST

- 16.1 All councillors and, where applicable, all other persons, must declare and manage any conflicts of interest they may have in matters being considered at meetings of the council and committees of the council in accordance with the council's code of conduct. All declarations of conflicts of interest and how the conflict of interest was managed by the person who made the declaration must be recorded in the minutes of the meeting at which the declaration was made.
- 16.2 Councillors attending a meeting by audio-visual link must declare and manage any conflicts of interest they may have in matters being considered at the meeting in accordance with the council's code of conduct. Where a councillor has declared a pecuniary or significant non-pecuniary conflict of interest in a matter being discussed at the meeting, the councillor's audio-visual link to the meeting must be suspended or terminated and the councillor must not be in sight or hearing of the meeting at any time during which the matter is being considered or discussed by the council or committee, or at any time during which the council or committee is voting on the matter.

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 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 10 am the business day following after the meeting at which the resolution was adopted.

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

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

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

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

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

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

Recommitting resolutions to correct an error

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

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

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

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

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

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

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

TIME LIMITS ON COUNCIL MEETINGS

18.1 Meetings of the council and committees of the council are to conclude no later than **Three (3) hours after the start time of the meeting.**

- 18.2 If the business of the meeting is unfinished 3 hours after the start of the meeting, the council or the committee may, by resolution, extend the time of the meeting.
- 18.3 If the business of the meeting is unfinished 3 hours after the start of the meeting, and the council does not resolve to extend the meeting, the chairperson must either:
- (a) defer consideration of the remaining items of business on the agenda to the next ordinary meeting of the council, or
 - (b) adjourn the meeting to a time, date and place fixed by the chairperson.
- 18.4 Clause 18.3 does not limit the ability of the council or a committee of the council to resolve to adjourn a meeting at any time. The resolution adjourning the meeting must fix the time, date and place that the meeting is to be adjourned to.
- 18.5 Where a meeting is adjourned under clause 18.3 or 18.4, the general manager must:
- (a) individually notify each councillor of the time, date and place at which the meeting will reconvene, and
 - (b) publish the time, date and place at which the meeting will reconvene on the council's website and in such other manner that the general manager is satisfied is likely to bring notice of the time, date and place of the reconvened meeting to the attention of as many people as possible.

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.

COUNCIL COMMITTEES

Application of this Part

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

Council committees whose members are all councillors

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

20.3 A committee of the council is to consist of the mayor and such other councillors as are elected by the councillors or appointed by the council.

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

- (a) such number of members as the council decides, or
- (b) if the council has not decided a number – a majority of the members of the committee.

Functions of committees

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

Notice of committee meetings

20.6 The general manager must send to each councillor, regardless of whether they are a committee member, at least three (3) days before each meeting of the committee, a notice specifying:

- (a) the time, date and place of the meeting, and
- (b) the business proposed to be considered at the meeting.

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

Attendance at committee meetings

20.8 A committee member (other than the mayor) ceases to be a member of a committee if the committee member:

- (a) has been absent from three (3) consecutive meetings of the committee without having given reasons acceptable to the committee for the member's absences, or
- (b) has been absent from at least half of the meetings of the committee held during the immediately preceding year without having given to the committee acceptable reasons for the member's absences.

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

Non-members entitled to attend committee meetings

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

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

Chairperson and deputy chairperson of council committees

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

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

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

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

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

Procedure in committee meetings

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

20.16 Whenever the voting on a motion put to a meeting of the committee is equal, the chairperson of the committee is to have a casting vote as well as an original vote unless the council or the committee determines otherwise in accordance with clause 20.15.

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

Closure of committee meetings to the public

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

20.20 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.

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

Disorder in committee meetings

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

Minutes of council committee meetings

- 20.23 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.

- 20.24 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.

- 20.25 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 that subsequent meeting.

- 20.28 The confirmed minutes of a meeting may be amended to correct typographical or administrative errors after they have been confirmed. Any amendment made under this 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.

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.

DEFINITIONS

the Act	means the <i>Local Government Act 1993</i>
act of disorder	means an act of disorder as defined in clause 15.11 of this code
amendment	in relation to an original motion, means a motion moving an amendment to that motion
audio recorder	any device capable of recording speech
audio-visual link	means a facility that enables audio and visual communication between persons at different places
business day	means any day except Saturday or Sunday or any other day the whole or part of which is observed as a public holiday throughout New South Wales
chairperson	in relation to a meeting of the council – means the person presiding at the meeting as provided by section 369 of the Act and clauses 6.1 and 6.2 of this code, and in relation to a meeting of a committee – means the person presiding at the meeting as provided by clause 20.11 of this code
this code	means the council's adopted code of meeting practice
committee of the council	means a committee established by the council in accordance with clause 20.2 of this code (being a committee consisting only of councillors) or the council when it has resolved itself into committee of the whole under clause 12.1
council official	has the same meaning it has in the Model Code of Conduct for Local Councils in NSW
day	means calendar day
division	means a request by two councillors under clause 11.7 of this code requiring the recording of the names of the councillors who voted both for and against a motion
foreshadowed amendment	means a proposed amendment foreshadowed by a councillor under clause 10.18 of this code during debate on the first amendment
foreshadowed motion	means a motion foreshadowed by a councillor under clause 10.17 of this code during debate on an original motion
open voting	means voting on the voices or by a show of hands or by a visible electronic voting system or similar means
planning decision	means a decision made in the exercise of a function of a council under the <i>Environmental Planning and Assessment Act 1979</i> including any decision relating to a development application, an environmental planning instrument, a

	development control plan or a development contribution plan under that Act, but not including the making of an order under Division 9.3 of Part 9 of that Act
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>
webcast	a video or audio broadcast of a meeting transmitted across the internet either concurrently with the meeting or at a later time
year	means the period beginning 1 July and ending the following 30 June

APPROVAL AND REVIEW		
Responsible Business Unit	Governance and Strategy	
Responsible Officer	Manager Governance and Strategy	
Date/s adopted	<i>Council Executive</i> [updated by policy owner]	<i>Council</i>
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Code of Meeting Practice

ADOPTED BY COUNCIL: 23 MARCH 2022

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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".

MEETING PRINCIPLES

2.1 Council and committee meetings should be:

Transparent: Decisions are made in a way that is open and accountable.

Informed: Decisions are made based on relevant, quality information.

Inclusive: Decisions respect the diverse needs and interests of the local community.

Principled: Decisions are informed by the principles prescribed under Chapter 3 of the

Act.

Trusted: The community has confidence that councillors and staff act ethically and make decisions in the interests of the whole community.

Respectful: Councillors, staff and meeting attendees treat each other with respect.

Effective: Meetings are well organised, effectively run and skilfully chaired.

Orderly: Councillors, staff and meeting attendees behave in a way that contributes to the orderly conduct of the meeting.

BEFORE THE MEETING

Timing of ordinary council meetings

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

Note: Councils must use either clause 3.1 or 3.2

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 in a different quarter of the year.

Extraordinary meetings

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

Note: Clause 3.3 reflects section 366 of the Act.

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 is to be published before the meeting takes place. The notice must be published on the council's website, and in such other manner that the council is satisfied is likely to bring notice of the meeting to the attention of as many people as possible.
- 3.6 For the purposes of clause 3.4, notice of more than one (1) meeting may be given in the same notice.

Notice to councillors of ordinary council meetings

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

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, 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 by 5pm two (2) Friday's prior to the Council Meeting.
- 3.11 A councillor may, in writing to the general manager, request the withdrawal of a notice of motion submitted by them prior to its inclusion in the agenda and business paper for the meeting at which it is to be considered.
- 3.12 If the general manager considers that a notice of motion submitted by a councillor for consideration at an ordinary meeting of the council has legal, strategic, financial or policy implications which should be taken into consideration by the meeting, the general manager may prepare a report in relation to the notice of motion for inclusion with the business papers for the meeting at which the notice of motion is to be considered by the council.
- 3.13 A notice of motion for the expenditure of funds on works and/or services other than those already provided for in the council's current adopted operational plan must identify the

source of funding for the expenditure that is the subject of the notice of motion. If the notice of motion does not identify a funding source, the general manager must either:

- (a) prepare a report on the availability of funds for implementing the motion if adopted for inclusion in the business papers for the meeting at which the notice of motion is to be considered by the council, or
- (b) by written notice sent to all councillors with the business papers for the meeting for which the notice of motion has been submitted, defer consideration of the matter by the council to such a date specified in the notice, pending the preparation of such a report.

Questions with notice

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

Agenda and business papers for ordinary meetings

- 3.17 The general manager must cause the agenda for a meeting of the council or a committee of the council to be prepared as soon as practicable before the meeting.
- 3.18 The general manager must ensure that the agenda for an ordinary meeting of the council states:
 - (a) all matters to be dealt with arising out of the proceedings of previous meetings of the council, and
 - (b) if the mayor is the chairperson – any matter or topic that the chairperson proposes, at the time when the agenda is prepared, to put to the meeting, and
 - (c) all matters, including matters that are the subject of staff reports and reports of committees, to be considered at the meeting, and
 - (d) any business of which due notice has been given under clause 3.10.
- 3.19 Nothing in clause 3.18 limits the powers of the mayor to put a mayoral minute to a meeting under clause 9.6.
- 3.20 The general manager must not include in the agenda for a meeting of the council any business of which due notice has been given if, in the opinion of the general manager, the business is, or the implementation of the business would be, unlawful. The general manager must report, without giving details of the item of business, any such exclusion to the next meeting of the council.

- 3.21 Where the agenda includes the receipt of information or discussion of other matters that, in the opinion of the general manager, is likely to take place when the meeting is closed to the public, the general manager must ensure that the agenda of the meeting:
- (a) identifies the relevant item of business and indicates that it is of such a nature (without disclosing details of the information to be considered when the meeting is closed to the public), and
 - (b) states the grounds under section 10A(2) of the Act relevant to the item of business.

Note: Clause 3.21 reflects section 9(2A)(a) of the Act.

- 3.22 The general manager must ensure that the details of any item of business which, in the opinion of the general manager, is likely to be considered when the meeting is closed to the public, are included in a business paper provided to councillors for the meeting concerned. Such details must not be included in the business papers made available to the public and must not be disclosed by a councillor or by any other person to another person who is not authorised to have that information.

Statement of ethical obligations

- 3.23 Business papers for all ordinary and extraordinary meetings of the council and committees of the council must contain a statement reminding councillors of their oath or affirmation of office made under section 233A of the Act and their obligations under the council's code of conduct to disclose and appropriately manage conflicts of interest.

Availability of the agenda and business papers to the public

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

Note: Clause 3.24 reflects section 9(2) and (4) of the Act.

- 3.25 Clause 3.24 does not apply to the business papers for items of business that the general manager has identified under clause 3.21 as being likely to be considered when the meeting is closed to the public.

Note: Clause 3.25 reflects section 9(2A)(b) of the Act.

- 3.26 For the purposes of clause 3.24, copies of agendas and business papers must be published on the council's website and made available to the public at a time that is as close as possible to the time they are available to councillors.

Note: Clause 3.26 reflects section 9(3) of the Act.

- 3.27 A copy of an agenda, or of an associated business paper made available under clause 3.24, may in addition be given or made available in electronic form.

Note: Clause 3.27 reflects section 9(5) of the Act.

Agenda and business papers for extraordinary meetings

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

Pre-meeting briefing sessions

- 3.33 Prior to each ordinary meeting of the council, the general manager may arrange a pre-meeting briefing session to brief councillors on business to be considered at the meeting. Pre-meeting briefing sessions may also be held for extraordinary meetings of the council or any other meetings of Council.
- 3.34 Pre-meeting briefing sessions are to be held in the absence of the public.
- 3.35 Pre-meeting briefing sessions may be held by audio-visual link.
- 3.36 The general manager or a member of staff nominated by the general manager is to preside at pre-meeting briefing sessions.
- 3.37 Councillors must not use pre-meeting briefing sessions to debate or make preliminary decisions on items of business they are being briefed on, and any debate and decision-making must be left to the formal council or committee meeting at which the item of business is to be considered.
- 3.38 Councillors (including the mayor) must declare and manage any conflicts of interest they may have in relation to any item of business that is the subject of a briefing at a pre-meeting briefing session, in the same way that they are required to do so at a council or committee meeting. The council is to maintain a written record of all conflict of interest declarations made at pre-meeting briefing sessions and how the conflict of interest was managed by the councillor who made the declaration.

PUBLIC FORUMS

- 4.1 The council may hold a public forum prior to each ordinary meeting of the council for the purpose of hearing oral submissions from members of the public on items of business to be considered at the meeting. Public forums may also be held prior to extraordinary council meetings and meetings of committees of the council.
- 4.2 Public forums may be held by audio-visual link.
- 4.3 Public forums are to be chaired by the mayor or their nominee.
- 4.4 To speak at a public forum, a person must first make an application to the council in the approved form. Applications to speak at the public forum must be received by 12 noon on the business day prior to when the public forum is to be held, and must identify the item of business on the agenda of the council meeting the person wishes to speak on, and whether they wish to speak 'for' or 'against' the item.
- 4.5 A person may apply to speak on no more than one (1) item of business on the agenda of the council meeting unless express permission has been granted by the Mayor and General Manager.
- 4.6 Legal representatives acting on behalf of others are not to be permitted to speak at a public forum unless they identify their status as a legal representative when applying to speak at the public forum.
- 4.7 The general manager or their delegate may refuse an application to speak at a public forum. The general manager or their delegate must give reasons in writing for a decision to refuse an application.
- 4.8 No more than 2 speakers are to be permitted to speak 'for' or 'against' each item of business on the agenda for the council meeting.
- 4.9 If more than the permitted number of speakers apply to speak 'for' or 'against' any item of business, the general manager or their delegate may request the speakers to nominate from among themselves the persons who are to address the council on the item of business. If the speakers are not able to agree on whom to nominate to address the council, the general manager or their delegate is to determine who will address the council at the public forum.
- 4.10 If more than the permitted number of speakers apply to speak 'for' or 'against' any item of business, the general manager or their delegate may, in consultation with the mayor or the mayor's nominated chairperson, increase the number of speakers permitted to speak on an item of business, where they are satisfied that it is necessary to do so to allow the council to hear a fuller range of views on the relevant item of business.
- 4.11 Approved speakers at the public forum are to register with the council any written, visual or audio material to be presented in support of their address to the council at the public forum, and to identify any equipment needs no more than 12 noon on the business day

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

- 4.12 The general manager or their delegate is to determine the order of speakers at the public forum.
- 4.13 Each speaker will be allowed 5 minutes to address the council. This time is to be strictly enforced by the chairperson.
- 4.14 Speakers at public forums must not digress from the item on the agenda of the council meeting they have applied to address the council on. If a speaker digresses to irrelevant matters, the chairperson is to direct the speaker not to do so. If a speaker fails to observe a direction from the chairperson, the speaker will not be further heard.
- 4.15 A councillor (including the chairperson) may, through the chairperson, ask questions of a speaker following their address at a public forum. Questions put to a speaker must be direct, succinct and without argument.
- 4.16 Speakers are under no obligation to answer a question put under clause 4.15. Answers by the speaker, to each question are to be limited to 2 minutes.
- 4.17 Speakers at public forums cannot ask questions of the council, councillors, or council staff.
- 4.18 The general manager or their nominee may, with the concurrence of the chairperson, address the council for up to 1 minute in response to an address to the council at a public forum after the address and any subsequent questions and answers have been finalised.
- 4.19 Where an address made at a public forum raises matters that require further consideration by council staff, the general manager may recommend that the council defer consideration of the matter pending the preparation of a further report on the matters.
- 4.20 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.
- 4.21 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.
- 4.22 Clause 4.21 does not limit the ability of the chairperson to deal with disorderly conduct by speakers at public forums in accordance with the provisions of Part 15 of this code.
- 4.23 Where a speaker engages in conduct of the type referred to in clause 4.20, the general manager or their delegate may refuse further applications from that person to speak at

public forums for such a period as the general manager or their delegate considers appropriate.

- 4.24 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 at a council or committee meeting. The council is to maintain a written record of all conflict of interest declarations made at public forums and how the conflict of interest was managed by the councillor who made the declaration.

Note: Public forums should not be held as part of a council or committee meeting. Council or committee meetings should be reserved for decision-making by the council or committee of council. Where a public forum is held as part of a council or committee meeting, it must be conducted in accordance with the other requirements of this code relating to the conduct of council and committee meetings.

COMING TOGETHER

Attendance by councillors at meetings

- 5.1 All councillors must make reasonable efforts to attend meetings of the council and of committees of the council of which they are members.

Note: A councillor may not attend a meeting as a councillor (other than the first meeting of the council after the councillor is elected or a meeting at which the councillor takes an oath or makes an affirmation of office) until they have taken an oath or made an affirmation of office in the form prescribed under section 233A of the Act.

- 5.2 A councillor cannot participate in a meeting of the council or of a committee of the council unless personally present at the meeting, unless permitted to attend the meeting by audio-visual link under this code.
- 5.4 Where a councillor is unable to attend one or more ordinary meetings of the council, the councillor should request that the council grant them a leave of absence from those meetings. This clause does not prevent a councillor from making an apology if they are unable to attend a meeting. However, the acceptance of such an apology does not constitute the granting of a leave of absence for the purposes of this code and the Act.
- 5.5 A councillor's request for leave of absence from council meetings should, if practicable, identify (by date) the meetings from which the councillor intends to be absent and the grounds upon which the leave of absence is being sought.
- 5.6 The council must act reasonably when considering whether to grant a councillor's request for a leave of absence.
- 5.7 A councillor's civic office will become vacant if the councillor is absent from three (3) consecutive ordinary meetings of 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.

- 5.8 A councillor who intends to attend a meeting of the council despite having been granted a leave of absence should, if practicable, give the general manager at least two (2) days' notice of their intention to attend.

The quorum for a meeting

- 5.9 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 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:
- (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.
- 5.18 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.
- 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 prior to the meeting in question 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:
- (a) the meetings the resolution applies to, and
 - (b) the reason why the councillor is being permitted to attend the meetings by audio-visual link where it is on grounds other than illness, disability, or caring responsibilities.
- 5.25 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. However, the council and committees of the council are under no obligation to approve a councillor's request to attend a meeting by audio-visual link where the technical capacity does not exist to allow the councillor to attend the meeting by these means.
- 5.27 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.

Note: If adopted, clauses 15.14 and 15.15 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 15.14 authorises chairpersons to expel any person, including a councillor, from a council or committee meeting. Alternatively, if adopted, clause 15.15 authorises chairpersons to expel persons other than councillors from a council or committee meeting.

Webcasting of meetings

- 5.34 Each meeting of the council or a committee of the council is to be recorded by means of an audio or audio-visual device.

- 5.35 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.

- 5.36 The recording of a meeting is to be made publicly available on the council's website:

- (a) at the same time as the meeting is taking place, or
- (b) as soon as practicable after the meeting.

- 5.37 The recording of a meeting is to be made publicly available on the council's website for at least 12 months after the meeting.

- 5.38 Clauses 5.36 and 5.37 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 5.34 – 5.38 reflect section 236 of the Regulation.

- 5.39 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

- 5.40 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 5.40 reflects section 376(1) of the Act.

- 5.41 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 5.41 reflects section 376(2) of the Act.

- 5.42 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 5.42 reflects section 376(3) of the Act.

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

- 5.44 The general manager and other council staff may attend meetings of the council and committees of the council by audio-visual-link. Attendance by council staff at meetings by audio-visual link (other than as members of the public) shall be with the approval of the general manager.

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.

MODES OF ADDRESS

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

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

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

- 01 Civic Affirmation and Acknowledgement of Country
- 02 Statement in relation to live streaming of the Council meeting
- 03 Apologies and applications for a leave of absence or attendance by audio-visual link by councillors
- 04 Disclosures of Interest
- 05 Confirmation of minutes
- 06 Mayoral minute(s)
- 07 Notices of motions
- 08 Reports to council
- 09 Reports of committees
- 10 Matters of an Urgent Nature
- 11 Questions on notice
- 10 Confidential matters (Closed Session)
- 11 Close of Ordinary Meeting

Note: Councils must use either clause 8.1 or 8.2.

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

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

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

CONSIDERATION OF BUSINESS AT COUNCIL MEETINGS

Business that can be dealt with at a council meeting

- 9.1 The council must not consider business at a meeting of the council:
- (a) unless a councillor has given notice of the business, as required by clause 3.10, and
 - (b) unless notice of the business has been sent to the councillors in accordance with clause 3.7 in the case of an ordinary meeting or clause 3.9 in the case of an extraordinary meeting called in an emergency.
- 9.2 Clause 9.1 does not apply to the consideration of business at a meeting, if the business:

- (a) is already before, or directly relates to, a matter that is already before the council, or
- (b) is the election of a chairperson to preside at the meeting, or
- (c) subject to clause 9.9, is a matter or topic put to the meeting by way of a mayoral minute, or
- (d) is a motion for the adoption of recommendations of a committee, including, but not limited to, a committee of the council.

9.3 Despite clause 9.1, business may be considered at a meeting of the council even though due notice of the business has not been given to the councillors if:

- (a) a motion is passed to have the business considered at the meeting, and
- (b) the business to be considered is ruled by the chairperson to be of great urgency on the grounds that it requires a decision by the council before the next scheduled ordinary meeting of the council.

9.4 A motion moved under clause 9.3(a) can be moved without notice. Despite clauses 10.20–10.30, only the mover of a motion referred to in clause 9.3(a) can speak to the motion before it is put.

9.5 A motion of dissent cannot be moved against a ruling by the chairperson under clause 9.3(b).

Mayoral minutes

9.6 Subject to clause 9.9, if the mayor is the chairperson at a meeting of the council, the mayor may, by minute signed by the mayor, put to the meeting without notice any matter or topic that is within the jurisdiction of the council, or of which the council has official knowledge.

9.7 A mayoral minute, when put to a meeting, takes precedence over all business on the council's agenda for the meeting. The chairperson (but only if the chairperson is the mayor) may move the adoption of a mayoral minute without the motion being seconded.

9.8 A recommendation made in a mayoral minute put by the mayor is, so far as it is adopted by the council, a resolution of the council.

9.9 A mayoral minute must not be used to put without notice matters that are routine and not urgent or matters for which proper notice should be given because of their complexity. For the purpose of this clause, a matter will be urgent where it requires a decision by the council before the next scheduled ordinary meeting of the council.

9.10 Where a mayoral minute makes a recommendation which, if adopted, would require the expenditure of funds on works and/or services other than those already provided for in the council's current adopted operational plan, it must identify the source of funding for the expenditure that is the subject of the recommendation. If the mayoral minute does not identify a funding source, the council must defer consideration of the matter, pending a report from the general manager on the availability of funds for implementing the recommendation if adopted.

Staff reports

- 9.11 A recommendation made in a staff report is, so far as it is adopted by the council, a resolution of the council.

Reports of committees of council

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

Questions

- 9.14 A question must not be asked at a meeting of the council unless it concerns a matter on the agenda of the meeting or notice has been given of the question in accordance with clauses 3.10 and 3.14.
- 9.15 A councillor may, through the chairperson, put a question to another councillor about a matter on the agenda.
- 9.16 A councillor may, through the general manager, put a question to a council employee about a matter on the agenda. Council employees are only obliged to answer a question put to them through the general manager at the direction of the general manager.
- 9.17 A councillor or council employee to whom a question is put is entitled to be given reasonable notice of the question and, in particular, sufficient notice to enable reference to be made to other persons or to information. Where a councillor or council employee to whom a question is put is unable to respond to the question at the meeting at which it is put, they may take it on notice and report the response to the next meeting of the council.
- 9.18 Councillors must put questions directly, succinctly, respectfully and without argument.
- 9.19 The chairperson must not permit discussion on any reply to, or refusal to reply to, a question put to a councillor or council employee.

RULES OF DEBATE

Motions to be seconded

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

Notices of motion

- 10.2 A councillor who has submitted a notice of motion under clause 3.10 is to move the motion the subject of the notice of motion at the meeting at which it is to be considered.

- 10.3 If a councillor who has submitted a notice of motion under clause 3.10 wishes to withdraw it after the agenda and business paper for the meeting at which it is to be considered have been sent to councillors, the councillor may request the withdrawal of the motion when it is before the council.
- 10.4 In the absence of a councillor who has placed a notice of motion on the agenda for a meeting of the council:
- (a) any other councillor may, with the leave of the chairperson, move the motion at the meeting, or
 - (b) the chairperson may defer consideration of the motion until the next meeting of the council.

Chairperson's duties with respect to motions

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

Motions requiring the expenditure of funds

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

Amendments to motions

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

- 10.13 If an amendment has been lost, a further amendment can be moved to the motion to which the lost amendment was moved, and so on, but no more than one (1) motion and one (1) proposed amendment can be before council at any one time.
- 10.14 While an amendment is being considered, debate must only occur in relation to the amendment and not the original motion. Debate on the original motion is to be suspended while the amendment to the original motion is being debated.
- 10.15 If the amendment is carried, it becomes the motion and is to be debated. If the amendment is lost, debate is to resume on the original motion.
- 10.16 An amendment may become the motion without debate or a vote where it is accepted by the councillor who moved the original motion.

Foreshadowed motions

- 10.17 A councillor may propose a foreshadowed motion in relation to the matter the subject of the original motion before the council, without a seconder during debate on the original motion. The foreshadowed motion is only to be considered if the original motion is lost or withdrawn and the foreshadowed motion is then moved and seconded. If the original motion is carried, the foreshadowed motion lapses.
- 10.18 Where an amendment has been moved and seconded, a councillor may, without a seconder, foreshadow a further amendment that they propose to move after the first amendment has been dealt with. There is no limit to the number of foreshadowed amendments that may be put before the council at any time. However, no discussion can take place on foreshadowed amendments until the previous amendment has been dealt with and the foreshadowed amendment has been moved and seconded.
- 10.19 Foreshadowed motions and foreshadowed amendments are to be considered in the order in which they are proposed. However, foreshadowed motions cannot be considered until all foreshadowed amendments have been dealt with.

Limitations on the number and duration of speeches

- 10.20 A councillor who, during a debate at a meeting of the council, moves an original motion, has the right to speak on each amendment to the motion and a right of general reply to all observations that are made during the debate in relation to the motion, and any amendment to it at the conclusion of the debate before the motion (whether amended or not) is finally put.
- 10.21 A councillor, other than the mover of an original motion, has the right to speak once on the motion and once on each amendment to it.
- 10.22 A councillor must not, without the consent of the council, speak more than once on a motion or an amendment, or for longer than five (5) minutes at any one time.
- 10.23 Despite clause 10.22, the chairperson may permit a councillor who claims to have been misrepresented or misunderstood to speak more than once on a motion or an

amendment, and for longer than five (5) minutes on that motion or amendment to enable the councillor to make a statement limited to explaining the misrepresentation or misunderstanding.

- 10.24 Despite clause 10.22, the council may resolve to shorten the duration of speeches to expedite the consideration of business at a meeting.
- 10.25 Despite clauses 10.20 and 10.21, a councillor may move that a motion or an amendment be now put:
- (a) if the mover of the motion or amendment has spoken in favour of it and no councillor expresses an intention to speak against it, or
 - (b) if at least two (2) councillors have spoken in favour of the motion or amendment and at least two (2) councillors have spoken against it.
- 10.26 The chairperson must immediately put to the vote, without debate, a motion moved under clause 10.25. A seconder is not required for such a motion.
- 10.27 If a motion that the original motion or an amendment be now put is passed, the chairperson must, without further debate, put the original motion or amendment to the vote immediately after the mover of the original motion has exercised their right of reply under clause 10.20.
- 10.28 If a motion that the original motion or an amendment be now put is lost, the chairperson must allow the debate on the original motion or the amendment to be resumed.
- 10.29 All councillors must be heard without interruption and all other councillors must, unless otherwise permitted under this code, remain silent while another councillor is speaking.
- 10.30 Once the debate on a matter has concluded and a matter has been dealt with, the chairperson must not allow further debate on the matter.

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

- 11.5 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.
- 11.10 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 11.13 may be omitted.

Voting on planning decisions

- 11.12 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 Each decision recorded in the register is to be described in the register or identified in a manner that enables the description to be obtained from another publicly available document.
- 11.15 Clauses 11.12–11.14 apply also to meetings that are closed to the public.

Note: Clauses 11.12–11.15 reflect section 375A of the Act.

Note: The requirements of clause 11.12 may be satisfied by maintaining a register of the minutes of each planning decision.

COMMITTEE OF THE WHOLE

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

Note: Clause 12.1 reflects section 373 of the Act.

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

Note: Clauses 10.20–10.30 limit the number and duration of speeches.

- 12.3 The general manager or, in the absence of the general manager, an employee of the council designated by the general manager, is responsible for reporting to the council

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

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

DEALING WITH ITEMS BY EXCEPTION

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

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, and
 - (c) are fully discussed in that advice.

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

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

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

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

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

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

14.7 In deciding whether part of a meeting is to be closed to the public, the council or committee concerned must consider any relevant guidelines issued by the 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 3.21 as a matter that is likely to be considered when the meeting is closed, but only if:

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

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

Representations by members of the public

14.9 The council, or a committee of the council, may allow members of the public to make representations to or at a meeting, before any part of the meeting is closed to the public, as to whether that part of the meeting should be closed.

Note: Clause 14.9 reflects section 10A(4) of the Act.

14.10 A representation under clause 14.9 is to be made after the motion to close the part of the meeting is moved and seconded.

14.11 Where the matter has been identified in the agenda of the meeting under clause 3.21 as a matter that is likely to be considered when the meeting is closed to the public, in order to make representations under clause 14.9, members of the public must first make an application to the council in the approved form. Applications must be received by 12 noon the business day before the meeting at which the matter is to be considered.

- 14.12 The general manager (or their delegate) may refuse an application made under clause 14.11. The general manager or their delegate must give reasons in writing for a decision to refuse an application.
- 14.13 No more than two (2) speakers are to be permitted to make representations under clause 14.9.
- 14.14 If more than the permitted number of speakers apply to make representations under clause 14.9, the general manager or their delegate may request the speakers to nominate from among themselves the persons who are to make representations to the council. If the speakers are not able to agree on whom to nominate to make representations under clause 14.9, the general manager or their delegate is to determine who will make representations to the council.
- 14.15 The general manager (or their delegate) is to determine the order of speakers.
- 14.16 Where the council or a committee of the council proposes to close a meeting or part of a meeting to the public in circumstances where the matter has not been identified in the agenda for the meeting under clause 3.21 as a matter that is likely to be considered when the meeting is closed to the public, the chairperson is to invite representations from the public under clause 14.9 after the motion to close the part of the meeting is moved and seconded. The chairperson is to permit no more than **two (2)** speakers to make representations in such order as determined by the chairperson.
- 14.17 Each speaker will be allowed ten (10) minutes to make representations, and this time limit is to be strictly enforced by the chairperson. Speakers must confine their representations to whether the meeting should be closed to the public. If a speaker digresses to irrelevant matters, the chairperson is to direct the speaker not to do so. If a speaker fails to observe a direction from the chairperson, the speaker will not be further heard.

Expulsion of non-councillors from meetings closed to the public

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

Obligations of councillors attending meetings by audio-visual link

- 14.20 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

- 14.21 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 14.21 reflects section 10D of the Act.

Resolutions passed at closed meetings to be made public

- 14.22 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.
- 14.23 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 14.22 during a part of the meeting that is webcast.

KEEPING ORDER AT MEETINGS

Points of order

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

Questions of order

- 15.4 The chairperson, without the intervention of any other councillor, may call any councillor to order whenever, in the opinion of the chairperson, it is necessary to do so.

- 15.5 A councillor who claims that another councillor has committed an act of disorder, or is out of order, may call the attention of the chairperson to the matter.
- 15.6 The chairperson must rule on a question of order immediately after it is raised but, before doing so, may invite the opinion of the council.
- 15.7 The chairperson's ruling must be obeyed unless a motion dissenting from the ruling is passed.

Motions of dissent

- 15.8 A councillor can, without notice, move to dissent from a ruling of the chairperson on a point of order or a question of order. If that happens, the chairperson must suspend the business before the meeting until a decision is made on the motion of dissent.
- 15.9 If a motion of dissent is passed, the chairperson must proceed with the suspended business as though the ruling dissented from had not been given. If, as a result of the ruling, any motion or business has been rejected as out of order, the chairperson must restore the motion or business to the agenda and proceed with it in due course.
- 15.10 Despite any other provision of this code, only the mover of a motion of dissent and the chairperson can speak to the motion before it is put. The mover of the motion does not have a right of general reply.

Acts of disorder

- 15.11 A councillor commits an act of disorder if the councillor, at a meeting of the council or a committee of the council:
- (a) contravenes the Act, 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) insults, makes unfavourable personal remarks about, or imputes improper motives to any other council official, or alleges a breach of the council's code of conduct, or
 - (e) says or does anything that is inconsistent with maintaining order at the meeting or is likely to bring the council or the committee into disrepute.

Note: Clause 15.11 reflects section 182 of the Regulation.

- 15.12 The chairperson may require a councillor:
- (a) to apologise without reservation for an act of disorder referred to in clauses 15.11(a), (b), or (e), or
 - (b) to withdraw a motion or an amendment referred to in clause 15.11(c) and, where appropriate, to apologise without reservation, or

- (c) to retract and apologise without reservation for any statement that constitutes an act of disorder referred to in clauses 15.11(d) and (e).

Note: Clause 15.12 reflects section 233 of the Regulation.

How disorder at a meeting may be dealt with

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

Expulsion from meetings

- 15.15 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 15.14 or clause 15.15.

- 15.16 Clause 15.15, 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.
- 15.17 A councillor may, as provided by section 10(2)(a) or (b) of the Act, be expelled from a meeting of the council for having failed to comply with a requirement under clause 15.12. The expulsion of a councillor from the meeting for that reason does not prevent any other action from being taken against the councillor for the act of disorder concerned.

Note: Clause 15.17 reflects section 233(2) of the Regulation.

- 15.18 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.
- 15.19 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 only such force as is necessary, remove the councillor or member of the public from that place and, if necessary, restrain the councillor or member of the public from re-entering that place for the remainder of the meeting.

How disorder by councillors attending meetings by audio-visual link may be dealt with

- 15.21 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 15.18, a contravention of clause 15.24 or an attempt to contravene that clause, constitutes disorderly conduct for the purposes of clause 15.18. Any person who contravenes or attempts to contravene clause 15.24, may be expelled from the meeting as provided for under section 10(2) of the Act.
- 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 only such force as is necessary, remove the first-mentioned person from that place and, if necessary, restrain that person from re-entering that place for the remainder of the meeting.

CONFLICTS OF INTEREST

- 16.1 All councillors and, where applicable, all other persons, must declare and manage any conflicts of interest they may have in matters being considered at meetings of the council and committees of the council in accordance with the council's code of conduct. All declarations of conflicts of interest and how the conflict of interest was managed by the person who made the declaration must be recorded in the minutes of the meeting at which the declaration was made.
- 16.2 Councillors attending a meeting by audio-visual link must declare and manage any conflicts of interest they may have in matters being considered at the meeting in accordance with the council's code of conduct. Where a councillor has declared a pecuniary or significant non-pecuniary conflict of interest in a matter being discussed at the meeting, the councillor's audio-visual link to the meeting must be suspended or terminated and the councillor must not be in sight or hearing of the meeting at any time during which the matter is being considered or discussed by the council or committee, or at any time during which the council or committee is voting on the matter.

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 10 am the business day following after the meeting at which the resolution was adopted.
- 17.11 A motion to alter or rescind a resolution of the council may be moved on the report of a committee of the council and any such report must be recorded in the minutes of the meeting of the council.

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

- 17.12 Subject to clause 17.7, in cases of urgency, a motion to alter or rescind a resolution of the council may be moved at the same meeting at which the resolution was adopted, where:
- (a) a notice of motion signed by three councillors is submitted to the chairperson, and
 - (b) a motion to have the motion considered at the meeting is passed, and
 - (c) the chairperson rules the business that is the subject of the motion is of great urgency on the grounds that it requires a decision by the council before the next scheduled ordinary meeting of the council.
- 17.13 A motion moved under clause 17.12(b) can be moved without notice. Despite clauses 10.20–10.30, only the mover of a motion referred to in clause 17.12(b) can speak to the motion before it is put.
- 17.14 A motion of dissent cannot be moved against a ruling by the chairperson under clause 17.12(c).

Recommitting resolutions to correct an error

- 17.15 Despite the provisions of this Part, a councillor may, with the leave of the chairperson, move to recommit a resolution adopted at the same meeting:
- (a) to correct any error, ambiguity or imprecision in the council's resolution, or
 - (b) to confirm the voting on the resolution.
- 17.16 In seeking the leave of the chairperson to move to recommit a resolution for the purposes of clause 17.15(a), the councillor is to propose alternative wording for the resolution.
- 17.17 The chairperson must not grant leave to recommit a resolution for the purposes of clause 17.15(a), unless they are satisfied that the proposed alternative wording of the resolution would not alter the substance of the resolution previously adopted at the meeting.
- 17.18 A motion moved under clause 17.15 can be moved without notice. Despite clauses 10.20–10.30, only the mover of a motion referred to in clause 17.15 can speak to the motion before it is put.

- 17.19 A motion of dissent cannot be moved against a ruling by the chairperson under clause 17.15.
- 17.20 A motion moved under clause 17.15 with the leave of the chairperson cannot be voted on unless or until it has been seconded.

TIME LIMITS ON COUNCIL MEETINGS

- 18.1 Meetings of the council and committees of the council are to conclude no later than **Three (3) hours after the start time of the meeting.**
- 18.2 If the business of the meeting is unfinished 3 hours after the start of the meeting, the council or the committee may, by resolution, extend the time of the meeting.
- 18.3 If the business of the meeting is unfinished 3 hours after the start of the meeting, and the council does not resolve to extend the meeting, the chairperson must either:
- (a) defer consideration of the remaining items of business on the agenda to the next ordinary meeting of the council, or
 - (b) adjourn the meeting to a time, date and place fixed by the chairperson.
- 18.4 Clause 18.3 does not limit the ability of the council or a committee of the council to resolve to adjourn a meeting at any time. The resolution adjourning the meeting must fix the time, date and place that the meeting is to be adjourned to.
- 18.5 Where a meeting is adjourned under clause 18.3 or 18.4, the general manager must:
- (a) individually notify each councillor of the time, date and place at which the meeting will reconvene, and
 - (b) publish the time, date and place at which the meeting will reconvene on the council's website and in such other manner that the general manager is satisfied is likely to bring notice of the time, date and place of the reconvened meeting to the attention of as many people as possible.

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.

COUNCIL COMMITTEESApplication of this Part

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

Council committees whose members are all councillors

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

20.3 A committee of the council is to consist of the mayor and such other councillors as are elected by the councillors or appointed by the council.

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

- (a) such number of members as the council decides, or
- (b) if the council has not decided a number – a majority of the members of the committee.

Functions of committees

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

Notice of committee meetings

20.6 The general manager must send to each councillor, regardless of whether they are a committee member, at least three (3) days before each meeting of the committee, a notice specifying:

- (a) the time, date and place of the meeting, and
- (b) the business proposed to be considered at the meeting.

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

Attendance at committee meetings

20.8 A committee member (other than the mayor) ceases to be a member of a committee if the committee member:

- (a) has been absent from three (3) consecutive meetings of the committee without having given reasons acceptable to the committee for the member's absences, or

- (b) has been absent from at least half of the meetings of the committee held during the immediately preceding year without having given to the committee acceptable reasons for the member's absences.

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

Non-members entitled to attend committee meetings

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

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

Chairperson and deputy chairperson of council committees

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

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

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

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

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

Procedure in committee meetings

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

20.16 Whenever the voting on a motion put to a meeting of the committee is equal, the chairperson of the committee is to have a casting vote as well as an original vote unless the council or the committee determines otherwise in accordance with clause 20.15.

20.18 Voting at a council committee meeting is to be by open means (such as on the voices,

by show of hands or by a visible electronic voting system).

Closure of committee meetings to the public

- 20.19 The provisions of the Act and Part 14 of this code apply to the closure of meetings of committees of the council to the public in the same way they apply to the closure of meetings of the council to the public.
- 20.20 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.
- 20.21 Resolutions passed during a meeting, or a part of a meeting that is closed to the public must be made public by the chairperson under clause 20.20 during a part of the meeting that is webcast.

Disorder in committee meetings

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

Minutes of council committee meetings

- 20.23 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.
- 20.24 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.
- 20.25 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 that subsequent meeting.

- 20.28 The confirmed minutes of a meeting may be amended to correct typographical or administrative errors after they have been confirmed. Any amendment made under this 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.

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.

DEFINITIONS

the Act	means the <i>Local Government Act 1993</i>
act of disorder	means an act of disorder as defined in clause 15.11 of this code
amendment	in relation to an original motion, means a motion moving an amendment to that motion
audio recorder	any device capable of recording speech
audio-visual link	means a facility that enables audio and visual communication between persons at different places
business day	means any day except Saturday or Sunday or any other day the whole or part of which is observed as a public holiday throughout New South Wales
chairperson	in relation to a meeting of the council – means the person presiding at the meeting as provided by section 369 of the Act and clauses 6.1 and 6.2 of this code, and in relation to a meeting of a committee – means the person presiding at the meeting as provided by clause 20.11 of this code
this code	means the council's adopted code of meeting practice
committee of the council	means a committee established by the council in accordance with clause 20.2 of this code (being a committee consisting only of councillors) or the council when it has resolved itself into committee of the whole under clause 12.1
council official	has the same meaning it has in the Model Code of Conduct for Local Councils in NSW
day	means calendar day
division	means a request by two councillors under clause 11.7 of this code requiring the recording of the names of the councillors who voted both for and against a motion
foreshadowed amendment	means a proposed amendment foreshadowed by a councillor under clause 10.18 of this code during debate on the first amendment
foreshadowed motion	means a motion foreshadowed by a councillor under clause 10.17 of this code during debate on an original motion
open voting	means voting on the voices or by a show of hands or by a visible electronic voting system or similar means
planning decision	means a decision made in the exercise of a function of a council under the <i>Environmental Planning and Assessment Act 1979</i> including any decision relating to a development application, an environmental planning instrument, a

	development control plan or a development contribution plan under that Act, but not including the making of an order under Division 9.3 of Part 9 of that Act
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>
webcast	a video or audio broadcast of a meeting transmitted across the internet either concurrently with the meeting or at a later time
year	means the period beginning 1 July and ending the following 30 June

APPROVAL AND REVIEW		
Responsible Business Unit	Governance and Strategy	
Responsible Officer	Manager Governance and Strategy	
Date/s adopted	<i>Council Executive</i> December 2021	<i>Council</i> 23 March 2022
Date/s of previous adoptions	24 March 2021	
Date of next review	January 2025	
TRIM Reference	AINT/2021/45208	

Attention:
James Roncon
General Manager
Armidale Regional Council
council@armidale.nsw.gov.au

Submission
draft Code of Meeting Practice

I am writing to you regarding the draft Code of Meeting Practice which is recorded in the Minutes of the last Council Meeting (Minute No. 8/22) where Part 1 of the draft Code of Meeting Practice was endorsed with a vote of 7-3, with Mayor Coupland, councillors Mephram, McMillan, O'Brien, O'Connor, Geddes, and Robinson voting for it and councillors Galletly, Widders and Redwood voting against it.

I am very disappointed personally, and more so for the community, that the councillors have chosen to exclude the public observing Council, and councillors, in operation at the Pre-meeting Briefing sessions by voting to endorse provision ' 3.34 Pre-meeting briefing sessions are to be held in the absence of the public'.

In the Model Code of Meeting Practice 2021, Introduction, page 5 "The provisions of the Model Meeting Code that are **not mandatory** are indicated in red font."

Provision "3.34 Pre-meeting briefing sessions are to be held in the absence of the public." is itemized in red font and thus is not obligatory / compulsory / mandated by law. Therefore Council/councillors can choose not to adopt this provision as part of ARC Code of Meeting Practice.

I have been attending these Pre-meeting briefing sessions for the past 6 months on behalf of the Armidale Regional Ratepayers Association and have found them to be invaluable in developing a far greater understanding of what the following Council meeting is all about. They have allowed me background information on decision making, and all the factors that need to be considered, which I then relay to our Executive, members and the wider community. There is no other avenue available to the Public to gain this insight as the formality of the Council meetings does not provide this informal question and answer scenario. I have appreciated this opportunity and have always spoken highly of attending these sessions.

As you know, Armidale Regional Council, and those before it, have endured a sad history and the refreshing change championed by General Manager, James Roncon, in opening the closed doors of Council and allowing the community greater access and transparency, has been applauded by everyone. Council and councillors will face reputational risk if the doors to the Pre-meeting briefing sessions are closed within weeks of their first meeting.

As there is also a confidential component of these Pre-meeting Briefing sessions, any contentious issues can be identified by the General Manager and Mayor in that month's meeting Agenda beforehand so that they are discussed behind closed doors. By so doing, the necessary transparency required by the council employees cannot be seen to be diminished if their work / performance is questioned by councillors. To that end, the rights of the individuals to properly fulfil their job, free from external pressures, remains unencumbered.

A number of new councillors, viewed these Pre-meeting Briefing sessions prior to their election (so that they understood the 'business' of Council) and would also be aware of how beneficial they are to the community in understanding how Council operates. As Mayor Coupland said at his first Council meeting this year "The eyes of the community are rightly on us." Each councillor stood to be a voice for

their community, and I would encourage them to allow the community to see their voice in action, putting the interests of the community at the forefront.

A prime example of the benefits of the public being able to observe the Pre-meeting Briefing sessions was evident in last month's session. In discussion regarding ways to find the necessary funding in an already very tight budget, to cover a legitimate need, councillor Packham displayed wonderful lateral thinking skills, pre-meeting research and financial skills with his suggestion of using the cattle itemised in the sewer fund to solve the budgetary concern. How else would we be able to see such valued, creative input, and to then be able to sing his praises to the community?

Having read many council documents under our General Manager's leadership where the tone is to 'exceed community expectations', 'improve community engagement', 'seek to enhance the relationship with the Council and the community', we see the councillors' decision as a backward step in establishing all of the above. From the checklist of Ethical Decision Making (p7 27 Jan Meeting Minutes), two points spring to mind - can this decision be justified in terms of public interest and would it withstand public scrutiny? Neither of these objectives would be satisfied and we don't think negative public scrutiny is something that Council needs.

I implore you, on behalf of the ARRA Executive, our members and the wider community to amend your decision from the last council meeting, and continue to allow the public access to the Pre-meeting briefing sessions. As the precedent has been set for the last six months, with no notifiable areas of concern raised, we ask you to please reconsider your decision to close this door to the public.

Lou Forsythe
Armidale Regional Ratepayers Association

From: [Helen Webb](#)
To: [Council](#)
Subject: Draft code of meeting practice.
Date: Wednesday, 16 February 2022 12:01:47 AM

Re: submission to Draft code of meeting practice.

I would prefer that the members of the public were able to attend pre-meeting briefing sessions. They are very helpful to the public in understanding issues raised at council meetings.

Regards, Helen Webb

Attention:
James Roncon
General Manager
Armidale Regional Council
council@armidale.nsw.gov.au

Submission

Draft Code of Meeting Practice

– Annette Kilarr – Convenor – Climate Action Sustainable Living Armidale and Facilitator Climate Action Armidale Facebook group

I am writing to you regarding the draft Code of Meeting Practice which is recorded in the Minutes of the last Council Meeting (Minute No. 8/22) where Part 1 of the draft Code of Meeting Practice was endorsed.

I am writing to disagree with '3.34 Pre-meeting briefing sessions are to be held in the absence of the public'.

I agree with the sentiments expressed by Lou Forsythe in her submission to this draft "that In the Model Code of Meeting Practice 2021, Introduction, page 5 "The provisions of the Model Meeting Code that are **not mandatory** are indicated in red font."

Provision "3.34 Pre-meeting briefing sessions are to be held in the absence of the public." is itemized in red font and thus is not obligatory / compulsory / mandated by law. Therefore Council/councillors can choose not to adopt this provision as part of ARC Code of Meeting Practice.

Like Lou and with interest groups in kind , I have been attending these Pre-meeting briefing sessions for the past 6 months on behalf of the Sustainable Living Armidale and Climate Action Armidale and have found them to be invaluable in developing a far greater understanding of what the following Council meeting is all about. They have allowed me background information on decision making, and all the factors that need to be considered, which I then relay to the SLA Convenor monthly meeting, members, and the wider community. There is no other avenue available to the Public to gain this insight as the formality of the Council meetings does not provide this informal question and answer scenario. Like Lou, I have appreciated this opportunity and have spoken highly of attending these sessions to our community because they help us make sense.

This now from Lou's submission and to which I agree "As you know, Armidale Regional Council, and those before it, have endured a sad history and the refreshing change championed by General Manager, James Roncon, in opening the closed doors of Council and allowing the community greater access and transparency, has been applauded by everyone. Council and councillors will face reputational risk if the doors to the Pre-meeting briefing sessions are closed within weeks of their first meeting.

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Having read many council documents under our General Manager's leadership where the tone is to 'exceed community expectations', 'improve community engagement', 'seek to enhance the relationship with the Council and the community', we see the councillors' decision as a backward step in establishing all of the above. From the checklist of Ethical Decision Making (p7 27 Jan Meeting Minutes), two points spring to mind - can this decision be justified in terms of public interest and would it withstand public scrutiny? Neither of these objectives would be satisfied and we don't think negative public scrutiny is something that Council needs.

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Lou Forsythe
Armidale Regional Ratepayers Association"

I, and those I represent, I do believe, wholeheartedly agree with this submission from the ARRC,

I hope that you will see the importance of continuing the openness to the Monday briefing meeting prior to the Ordinary Meeting of Council on the Wednesday and I look forward to a transparent and community engaged effort as we move forward in these social, environmentally and politically important times.

Thank you for your consideration.

Kind Regards

Annette Kilarr
Convenor – Climate Action Group – Sustainable Living Armidale (approx. 1700 subscribers)
Facilitator – Climate Action Armidale – Facebook Group (approx. 300 members)





Stand for climate action now

**TOGETHER
WE CAN**

Sustainable Living Armidale acknowledge the [Anaiwan](#) People who share the caring of this land with the [Gumbaynggirr](#), [Djangadi](#), [Gamilaraay](#) and others. We pay respect to their elders past, present and future.

TRIM: AINT/2021/44340

Councillor Expense and Facilities Policy

ADOPTED BY COUNCIL: [DATE TO BE COMPLETED BY GOVERNANCE]

1. PURPOSE

This policy enables the reasonable and appropriate reimbursement of expenses and provision of facilities to Councillors to help them undertake their civic duties.

It ensures accountability and transparency, and seeks to align Councillor expenses and facilities with community expectations. Councillors must not obtain private or political benefit from any expense or facility provided under this policy.

The policy has been prepared in accordance with the *Local Government Act 1993* (the Act) and *Local Government (General) Regulation 2021*, and complies with the Office of Local Government's Guidelines for the payment of expenses and provision of facilities to Mayors and Councillors in NSW.

The policy sets out the maximum amounts Council will pay for specific expenses and facilities. Expenses not explicitly addressed in this policy will not be paid or reimbursed.

The main expenses and facilities are summarised in the table below. All monetary amounts are exclusive of GST.

Expense or facility	Maximum amount	Frequency
Reimbursable Expenses		
General travel expenses	\$3,000 per Councillor \$6,000 for the Mayor	Per year
Interstate, overseas and long distance intrastate travel expenses	\$15,000 total for all Councillors	Per year
Accommodation and meals	As per the NSW <i>Crown Employees (Public Service Conditions of Employment) Reviewed Award 2009</i> , adjusted annually	Per meal/night
Meals after scheduled Ordinary Council Meetings	\$8,500 total for all Councillors	Per year
Professional development	\$2,000 per Councillor	Per year
Conferences and seminars	\$11,000 total for all Councillors	Per year
ICT expenses*	\$3,000 per Councillor	In the first year
	\$500 per Councillor	Every year thereafter
Carer expenses	\$4,000 per Councillor	Per year
Home office expenses	\$300 per Councillor	Per year
Council Provided Facilities		
Corporate Clothing	\$500 per Councillor	Per term
Access to facilities in a Councillor room	Provided to all Councillors	Not relevant
Council vehicle and fuel card	Provided to the Mayor	Not relevant
Reserved parking space at Council offices	Provided to the Mayor	Not relevant
Furnished office	Provided to the Mayor	Not relevant

Expense or facility	Maximum amount	Frequency
Laptop computer and accessories* (Council purchased and maintained)	\$3,000 per Councillor	Per term
Laptop data sim	Provided to all Councillors	Not relevant
Mobile phone (Council purchased and maintained)	\$2,500 provided to the Mayor	Per term
Mobile phone data sim	Provided to the Mayor	Not relevant

*Councillors may elect to receive a Council provided laptop computer and accessories and will not be reimbursed for an equivalent electronic device where a Council provided device has been issued.

Additional costs incurred by a Councillor in excess of these limits are considered a personal expense that is the responsibility of the Councillor.

Councillors must provide claims for reimbursement within three (3) months of an expense being incurred. Claims made after this time cannot be approved.

2. APPLICATION

The policy applies to the Mayor, Councillors and accompanying persons.

3. POLICY INTENT

PART A – INTRODUCTION

1. Introduction

- 1.1 The provision of expenses and facilities enables Councillors to fulfil their civic duties as the elected representatives of Armidale Regional Council.
- 1.2 The community is entitled to know the extent of expenses paid to Councillors, as well as the facilities provided.
- 1.3 The purpose of this policy is to clearly state the facilities and support that are available to Councillors to assist them in fulfilling their civic duties.
- 1.4 Council staff are empowered to question or refuse a request for payment from a Councillor when it does not accord with this policy.
- 1.5 Expenses and facilities provided by this policy are in addition to fees paid to Councillors. The minimum and maximum fees a council may pay each Councillor are set by the Local Government Remuneration Tribunal as per Section 241 of the Act and reviewed annually. Council must adopt its annual fees within this set range.
- 1.6 In relation to point 1.5 and in accordance with the Australian Taxation Office Interpretive Decision 2007/205, Council may enter into an arrangement with a Councillor under which the Councillor agrees to forego all or part of their annual fee in exchange for the Council making contributions to a complying superannuation fund on their behalf.

2. Policy Objectives

The main objectives of this policy are to:

- Enable the reasonable and appropriate reimbursement of expenses incurred by Councillors while undertaking their civic duties.

- Enable facilities of a reasonable and appropriate standard to be provided to Councillors to support them in undertaking their civic duties.
- Ensure accountability and transparency in reimbursement of expenses and provision of facilities to Councillors.
- Ensure facilities and expenses provided to Councillors meet community expectations.
- Support a diversity of representation.
- Fulfil Council's statutory responsibilities.

3. Principles

Council commits to the following principles:

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

4. PRIVATE OR POLITICAL BENEFIT

- 4.1 Councillors must not obtain private or political benefit from any expense or facility provided under this policy.
- 4.2 Private use of Council equipment and facilities by Councillors may occur from time to time. For example, telephoning home to advise that a Council meeting will run later than expected.
- 4.3 Such incidental private use does not require a compensatory payment back to Council.
- 4.4 Councillors should avoid obtaining any greater private benefit from Council than an incidental benefit. Where there are unavoidable circumstances and more substantial private use of Council facilities does occur, Councillors must reimburse Council.
- 4.5 Campaigns for re-election are considered to be a political benefit. The following are examples of what is considered to be a political interest during a re-election campaign:
 - Production of election material
 - Use of Council resources and equipment for campaigning
 - Use of official Council letterhead, publications, websites or services for political benefit
 - Fundraising activities of political parties or individuals, including political fundraising events.

PART B – EXPENSES

5. GENERAL EXPENSES

- 5.1 All expenses provided under this policy will be for a purpose specific to the functions of holding civic office. Allowances for general expenses are not permitted under this policy.
- 5.2 Expenses not explicitly addressed in this policy will not be paid or reimbursed.

6. SPECIFIC EXPENSES

General travel arrangements and expenses

- 6.1 All travel by Councillors should be undertaken using the most direct route and the most practicable and economical mode of transport.
- 6.2 Each Councillor may be reimbursed up to a total of \$3,000 per year, and the Mayor may be reimbursed a total of \$6,000 per year, for travel expenses incurred while undertaking official business or professional development or attending approved conferences and seminars within NSW. This includes reimbursement:
- For public transport fares
 - For the use of private vehicle or hire car
 - For parking costs for Council and other meetings
 - For tolls
 - By Cabcharge or equivalent
 - For documented ride-share programs, such as Uber, where tax invoices can be issued.
- 6.3 Allowances for the use of a private vehicle, outside a 10km radius of the Armidale Regional Council Administration building, will be reimbursed at the rate contained in the Local Government (State) Award.
- 6.4 Councillors seeking to be reimbursed for use of a private vehicle must keep a log book recording the date, distance and purpose of travel being claimed. Copies of the relevant log book contents must be provided with the claim.

Interstate, overseas and long distance intrastate travel expenses

- 6.5 This section includes reference to long distance intrastate travel. At Armidale Regional Council long distance intrastate travel is travel that is estimated to take more than four hours from the Councillor's residence.
- 6.6 In accordance with Section 4, Council will scrutinise the value and need for Councillors to undertake overseas travel. Councils should avoid interstate, overseas and long distance intrastate trips unless direct and tangible benefits can be established for the Council and the local community. This includes travel to sister and friendship cities.
- 6.7 Total interstate, overseas and long distance intrastate travel expenses for all Councillors will be capped at a maximum of \$15,000 per year. This amount will be set aside in Council's annual budget.
- 6.8 Councillors seeking approval for any interstate and long distance intrastate travel must submit a business case to, and obtain the approval of, the General Manager prior to travel.
- 6.9 Councillors seeking approval for any overseas travel must submit a request to, and obtain the approval of, a full Council meeting prior to travel.
- 6.10 The case should include:
- objectives to be achieved in travel, including an explanation of how the travel aligns with current Council priorities and business, the community benefits which will accrue as a result and its relevance to the exercise of the Councillor's civic duties;
 - who is to take part in the travel;

- duration and itinerary of travel; and
 - a detailed budget including a statement of any amounts expected to be reimbursed by the participant/s.
- 6.11 For interstate and long distance intrastate journeys of less than three hours the class of air travel is to be economy class.
- 6.12 For interstate journeys by air of more than three hours, the class of air travel may be premium economy where it is available.
- 6.13 For international travel, the class of air travel is to be premium economy if available. Otherwise, the class of travel is to be economy.
- 6.14 Bookings for approved air travel are to be made through the General Manager's office.
- 6.15 For travel that is reimbursed as Council business, Councillors will not accrue points from the airline's frequent flyer program. This is considered a private benefit.

Travel Expenses not paid by Council

- 6.16 Council will not pay any traffic or parking fines or administrative charges for toll road accounts.

Accommodation and meals

- 6.17 Council will reimburse costs for accommodation and meals (when meals are not provided) while Councillors are undertaking prior approved travel or professional development outside the Armidale Regional Council local government area.
- 6.18 The daily limits for accommodation and meal expenses within Australia are to be consistent with those set out in Part B Monetary Rates of the NSW *Crown Employees (Public Service Conditions of Employment) Reviewed Award 2009*¹, adjusted annually.
- 6.19 The daily limits for accommodation and meal expenses outside Australia are to be determined in advance by the General Manager, being mindful of Clause 6.18.
- 6.20 Councillors will not be reimbursed for alcoholic beverages.

Refreshments for Council related meetings

- 6.21 Appropriate refreshments may be available for Council meetings, Council Committee meetings, Councillor briefings, approved meetings and engagements, and official Council functions as approved by the General Manager.
- 6.22 At the General Manager's discretion, meals and non-alcoholic refreshments will be provided at an offsite location following each scheduled Ordinary Council Meeting to the value of \$8,500 per year for all Councillors.
- 6.23 As an indicative guide for the standard of refreshments to be provided at Council related meetings, the General Manager must be mindful of Part B Monetary Rates of the NSW Crown Employees (Public Service Conditions of Employment) Reviewed Award 2009, as adjusted annually.

¹ <http://www.ircgazette.justice.nsw.gov.au/irc/ircgazette.nsf/webviewdate/C8621>

Professional development

- 6.24 Council will set aside \$2,000 per Councillor annually in its budget to facilitate professional development of Councillors through programs, training, education courses and membership of professional bodies.
- 6.25 In the first year of a new Council term, Council will provide a comprehensive induction program for all Councillors which considers any guidelines issued by the Office of Local Government (OLG). The cost of the induction program will be in addition to the ongoing professional development funding.
- 6.26 Annual membership of professional bodies will only be covered where the membership is relevant to the exercise of the Councillor's civic duties, the Councillor actively participates in the body and the cost of membership is likely to be fully offset by savings from attending events as a member.
- 6.27 Approval for professional development activities is subject to a prior written request to the General Manager outlining the:
- details of the proposed professional development;
 - relevance to Council priorities and business; and
 - relevance to the exercise of the Councillor's civic duties.
- 6.28 In assessing a Councillor request for a professional development activity, the General Manager must consider the factors set out in Clause 6.27, as well as the cost of the professional development in relation to the Councillor's remaining budget.

Conferences and seminars

- 6.29 Council is committed to ensuring its Councillors are up to date with contemporary issues facing council and the community, and local government in NSW.
- 6.30 Council will set aside a total amount of \$11,000 annually in its budget to facilitate Councillor attendance at conferences and seminars. This allocation is for all Councillors. The General Manager will ensure that access to expenses relating to conferences and seminars is distributed equitably.
- 6.31 Approval to attend a conference or seminar is subject to a written request to the General Manager. In assessing a Councillor request, the General Manager must consider factors including the:
- relevance of the topics and presenters to current Council priorities and business and the exercise of the Councillor's civic duties; and
 - cost of the conference or seminar in relation to the total remaining budget.
- 6.32 Council will meet the reasonable cost of registration fees, transportation and accommodation associated with attendance at conferences approved by the General Manager. Council will also meet the reasonable cost of meals when they are not included in the conference fees. Reimbursement for accommodation and meals not included in the conference fees will be subject to Clauses 6.17-6.20.

Local Government NSW Annual Conference

- 6.33 Councillors will be permitted to attend the Local Government NSW Annual Conference. Council will reimburse the cost of registration fees and where the conference is outside the local government area, the cost of travel, accommodation and meals not covered by the conference registration, subject to the provisions in 'Accommodation and meals'.
- 6.34 For the Local Government NSW Annual Conference only, Council will meet the costs of the official conference dinner for an accompanying person of a Councillor.

Information and communications technology (ICT) expenses

- 6.35 Council will provide, or reimburse Councillors for expenses associated with, appropriate ICT devices and services up to a limit of \$3,000 in the first year and \$500 per annum thereafter for each Councillor. This may include mobile phones and tablets, mobile phone and tablet services and data, and home internet costs.
- 6.36 Reimbursements will be made only for communications devices and services used for Councillors to undertake their civic duties, such as:
- receiving and reading Council business papers
 - relevant phone calls and correspondence
 - diary and appointment management.
- 6.37 Councillors may seek reimbursement for applications on their mobile electronic communication device that are directly related to their duties as a Councillor, within the maximum limit.

Special requirement and carer expenses

- 6.38 Council encourages wide participation and interest in civic office. It will seek to ensure Council premises and associated facilities are accessible, including provision for sight or hearing impaired Councillors and those with other disabilities.
- 6.39 Transportation provisions as outlined in this policy, will also assist Councillors who may be unable to drive a vehicle.
- 6.40 In addition to the provisions above, the General Manager may authorise the provision of reasonable additional facilities and expenses in order to allow a Councillor with a disability to perform their civic duties.
- 6.41 Councillors who are the principal carer of a child or other elderly, disabled and/or sick immediate family member will be entitled to re-imbursement of carer's expenses up to a maximum of \$4,000 per annum for attendance at official business, plus reasonable travel from the principal place of residence.
- 6.42 Child care expenses may be claimed for children up to and including the age of 16 years where the carer is not a relative.
- 6.43 In the event of caring for an adult person, Councillors will need to provide suitable evidence to the General Manager that reimbursement is applicable. This may take the form of advice from a medical practitioner.

Home office expenses

- 6.44 Each Councillor may be reimbursed up to \$300 per year for costs associated with the maintenance of a home office, such as minor items of consumable stationery and printer ink cartridges.

7. INSURANCES

- 7.1 In accordance with Section 382 of the Act, Council is insured against public liability and professional indemnity claims. Councillors are included as a named insured on this Policy.
- 7.2 Insurance protection is only provided if a claim arises out of or in connection with the Councillor's performance of his or her civic duties, or exercise of his or her functions as a Councillor. All insurances are subject to any limitations or conditions set out in the policies of insurance.
- 7.3 Council shall pay the insurance policy excess in respect of any claim accepted by Council's insurers, whether defended or not.
- 7.4 Appropriate travel insurances will be provided for any Councillors traveling on approved interstate and overseas travel on Council business.

8. LEGAL ASSISTANCE

- 8.1 Council may, if required, indemnify or reimburse the reasonable legal expenses of:
- a Councillor defending an action arising from the performance in good faith of a function under the Act provided that the outcome of the legal proceedings is favourable to the Councillor
 - a Councillor defending an action in defamation, provided the statements complained of were made in good faith in the course of exercising a function under the Act and the outcome of the legal proceedings is favourable to the Councillor
 - a Councillor for proceedings before an appropriate investigative or review body, provided the subject of the proceedings arises from the performance in good faith of a function under the Act and the matter has proceeded past any initial assessment phase to a formal investigation or review and the investigative or review body makes a finding substantially favourable to the Councillor.
- 8.2 In the case of a conduct complaint made against a Councillor, legal costs will only be made available where the matter has been referred by the General Manager to a conduct reviewer or conduct review panel to make formal enquiries into that matter in accordance with Council's Code of Conduct and makes a finding substantially favourable to the Councillor.
- 8.3 Legal expenses incurred in relation to proceedings arising out of the performance by a Councillor of his or her functions under the Act are distinguished from expenses incurred in relation to proceedings arising merely from something that a Councillor has done during his or her term in office. For example, expenses arising from an investigation as to whether a Councillor acted corruptly would not be covered by this section.
- 8.4 Council will not meet the legal costs:
- of legal proceedings initiated by a Councillor under any circumstances
 - of a Councillor seeking advice in respect of possible defamation, or in seeking a non-litigious remedy for possible defamation

- for legal proceedings that do not involve a Councillor performing their role as a Councillor.
- 8.5 Reimbursement of expenses for reasonable legal expenses must have Council approval by way of a resolution at a Council meeting prior to costs being incurred.

PART C – FACILITIES

9. GENERAL FACILITIES FOR ALL COUNCILLORS

Facilities

- 9.1 Council will provide the following facilities to Councillors to assist them to effectively discharge their civic duties:
- a Councillor common room appropriately furnished to include telephone, photocopier, printer, desks, computer terminals, pigeon holes and appropriate refreshments (excluding alcohol)
 - personal protective equipment for use during site visits
 - a name badge which may be worn at official functions, indicating that the wearer holds the office of a Councillor and/or Mayor or Deputy Mayor
 - a corporate clothing package up to \$500 per term, incorporating a jacket, tie/ scarf and shirt/blouse
- 9.2 The provision of facilities will be of a standard deemed by the General Manager as appropriate for the purpose.

Stationery

- 9.4 Council will provide Councillors with an electronic letterhead template, to be used only for correspondence associated with civic duties
- 9.5 Council may from time to time provide stationery or branded items for Councillor use.

Administrative support

- 9.6 Council will provide administrative support to Councillors to assist them with their civic duties only. Administrative support may be provided by staff in the General Manager's office or by a member of Council's administrative staff as arranged by the General Manager or their delegate.
- 9.7 As per Section 4, Council staff are expected to assist Councillors with civic duties only, and not assist with matters of personal or political interest, including campaigning.

10. ADDITIONAL FACILITIES FOR THE MAYOR

- 10.1 Council will provide to the Mayor a maintained motor vehicle to a similar standard of other Council vehicles, with a fuel card. The vehicle will be supplied for use in attending official business and professional development and attendance at the Mayor's office.
- 10.2 The Mayor must keep a log book setting out the date, distance and purpose of all travel. This must include any travel for private benefit. The log book must be submitted to Council on a monthly basis.

- 10.3 The Mayoral Allowance will be reduced to cover the cost of any private use recorded in the log book, calculated on a per kilometre basis by the rate set by the Local Government (State) Award.
- 10.4 A parking space at Council's offices will be reserved for the Mayor's Council-issued vehicle for use on official business, professional development and attendance at the Mayor's office.
- 10.5 Council will provide the Mayor with a furnished office incorporating a computer configured to Council's standard operating environment, telephone and meeting space.
- 10.6 In performing his or her civic duties, the Mayor will be assisted by a small number of staff providing administrative and secretarial support, as determined by the General Manager.
- 10.7 The number of exclusive staff provided to support the Mayor and Councillors will not exceed the number of full time equivalents identified in the adopted organisational structure and as provided in the adopted budget.
- 10.8 As per Section 4, staff in the Mayor's office are expected to work on official business only, and not for matters of personal or political interest, including campaigning.

11 APPROVAL, PAYMENT AND REIMBURSEMENT ARRANGEMENTS:

- 11.1 Expenses should only be incurred by Councillors in accordance with the provisions of this policy.
- 11.2 Approval for incurring expenses, or for the reimbursement of such expenses, should be obtained before the expense is incurred.
- 11.3 Up to the maximum limits specified in this policy, approval for the following may be sought after the expense is incurred:
 - local travel relating to the conduct of official business
 - carer costs
 - ICT expenditure.
- 11.4 Final approval for payments made under this policy will be granted by the General Manager or their delegate.
- 11.5 All requests for reimbursement will be reviewed by two staff members and payment will be authorised by a staff member with the appropriate financial delegation.
- 11.6 The General Manager will provide a system for the request of reimbursements for Councillors. This will include a form whereby Councillors will be required to specifically identify the clause within this policy to which the request relates.

Direct payment

- 11.7 Council may approve and directly pay expenses. Requests for direct payment must be submitted to the General Manager for assessment against this policy using the prescribed form, with sufficient information and time to allow for the claim to be assessed and processed.

Reimbursement

- 11.8 All claims for reimbursement of expenses incurred must be made on the prescribed form, supported by appropriate receipts and/or tax invoices and be submitted to the General Manager.

Advance payment

- 11.9 Council may provide a Debit Card to Councillors attending approved conferences, seminars or professional development.
- 11.10 Requests for Debit Card use must be submitted to the General Manager for assessment against this policy with sufficient information and time to allow for the claim to be assessed and processed.
- 11.11 Councillors must fully reconcile all expenses against the Debit Card within 14 days of incurring the cost and/or returning home. This includes providing to Council:
- a full reconciliation of all expenses including appropriate receipts and/or tax invoices; and
 - reimbursement of any amount of the advance payment not spend in attending to official business or professional development.

Notification

- 11.12 If a claim is approved, Council will make payment directly or reimburse the Councillor through accounts payable, in accordance with Council's standard payment timeframes for all suppliers.
- 11.13 If a claim is refused, Council will inform the Councillor in writing that the claim has been refused and the reason for the refusal.

Reimbursement to Council

- 11.14 If Council has incurred an expense on behalf of a Councillor that exceeds a maximum limit, exceeds reasonable incidental private use or is not provided for in this policy:
- Council will invoice the Councillor for the expense; and
 - the Councillor will reimburse Council for that expense within 14 days of the invoice date.
- 11.15 If the Councillor cannot reimburse Council within 14 days of the invoice date, they are to submit a written explanation to the General Manager. The General Manager may elect to deduct the amount out of the Councillor's allowance.

Timeframe for reimbursement

- 11.16 Unless otherwise specified in this policy, Councillors must provide all claims for reimbursement within three months of an expense being incurred. Claims made after this time cannot be approved.

12 DISPUTES

- 12.1 If the Councillor disputes a determination under this policy, the Councillor should discuss the matter with the General Manager.
- 12.2 If the Councillor and the General Manager cannot resolve the dispute, the Councillor may submit a notice of motion to a Council meeting seeking to have the dispute resolved.

13 RETURN OR RETENTION OF FACILITIES

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

14 PUBLICATION

This policy will be published on Council's website.

15 REPORTING

Council will report on the provision of expenses and facilities to Councillors as required in the Act and Regulations.

16 AUDITING

The operation of this policy, including claims made under the policy, will be included in Council's audit program.

17 FINANCIAL IMPLICATIONS

Implementation of this policy is estimated to cost approximately \$180,000 per annum in direct costs and is provided for in Council's adopted budget.

18 BREACHES

- 18.1 Suspected breaches of this policy are to be reported to the General Manager.
- 18.2 In accordance with the Code of Conduct this Councillor Expenses and Facilities Policy is a policy of Council and must not be contravened.
- 18.3 Alleged breaches of this policy shall be dealt with by the following processes outlines for breaches of the Code of Conduct, as detailed in the Code and in the Procedures for the Administration of the Code.

19 COMMUNITY STRATEGIC PLAN OBJECTIVES

The Community Strategic Plan 2017-2027 reflects the community's input and aspirations for how the Armidale Region can best continue to grow and prosper. It also presents strategies on how Council can effectively balance its economic, environmental, and social aspirations to improve overall community well-being, foster creativity and innovation, build communities, and create opportunities.

The Delivery Program and Operational Plan align with the Community Strategic Plan to ensure consistency in strategic planning and delivery of services and infrastructure.

The main supporting strategies related to procurement in the Delivery Program are:

Leadership for the Region

Fiscal Responsibility: Council exceeds community expectations when managing its budget and operations

Organisational Health: Council demonstrates sound organisational health and has a culture which promotes action, accountability and transparency.

20 LEGISLATIVE REQUIREMENTS

The policy has been prepared in accordance with the *Local Government Act 1993* and *Local Government (General) Regulation 2021*, and complies with the Office of Local Government's Guidelines for the payment of expenses and provision of facilities to Mayors and Councillors in NSW.

21 REVIEW

This Policy will be reviewed every two years from the date of each adoption of the policy, or more frequently as required.

22 RESPONSIBLE OFFICER

Council's Executive Officer is responsible for:

- Processing claims and requests including facilitating staff review and approval or requests
- Reporting as outlined in section 15
- Reporting suspected breaches
- Implementing communications, education and monitoring strategies for the Mayor and Councillors
- Keeping the policy current.

23 RELATED PROCEDURES

Related Council policies:

- Code of Conduct

APPROVAL AND REVIEW		
Responsible Business Unit	Organisational & Corporate Services	
Responsible Officer	Executive Officer	
Date/s adopted	Council Executive [updated by policy owner]	Council [DD Mmmm YYYY]
Date/s of previous adoptions	28 June 2017	
Date of next review	[Two years from last adoption]	
TRIM Reference	AINT/2021/44340	

APPENDIX I: DEFINITIONS

The following definitions apply throughout this policy.

Term	Definition
Accompanying person	Means a spouse, partner or de facto or other person who has a close personal relationship with or provides carer support to a Councillor
Appropriate refreshments	Means food and beverages, excluding alcohol, provided by Council to support Councillors undertaking official business
Act	Means the <i>Local Government Act 1993</i> (NSW)
Clause	Unless stated otherwise, a reference to a clause is a reference to a clause of this policy
Code of Conduct	Means the Code of Conduct adopted by Council or the Model Code if none is adopted
Councillor	Means a person elected or appointed to civic office as a member of the governing body of Council who is not suspended, including the Mayor
General Manager	Means the General Manager of Council and includes their delegate or authorised representative
ICT	Means Telecommunications and Information Communications and Technology
Incidental personal use	Means use that is infrequent and brief and use that does not breach this policy or the Code of Conduct
Long distance intrastate travel	Means travel to other parts of NSW that is estimated to take more than four hours from the Councillor's residence
Maximum limit	Means the maximum limit for an expense or facility provided in the text and summarised in the table at clause 1
NSW	New South Wales
Official business	Means functions that the Mayor or Councillors are required or invited to attend to fulfil their legislated role and responsibilities for Council or result in a direct benefit for Council and/or for the local government area, and includes: <ul style="list-style-type: none"> • meetings of Council and committees of the whole • meetings of committees facilitated by Council • civic receptions hosted or sponsored by Council • meetings, functions, workshops and other events to which attendance by a Councillor has been requested or approved by Council
Professional development	Means a seminar, conference, training course or other development opportunity relevant to the role of a Councillor or the Mayor
Regulation	Means the <i>Local Government (General) Regulation 2021</i> (NSW)
Year	Means the financial year, that is the 12 month period commencing on 1 July each year

28 February 2022

Mr James Roncon
General Manager
Armidale Regional Council
council@armidale.nsw.gov.au

Submission on Draft Councillor Expense and Facilities Policy

Thank you for the opportunity to comment on this draft Policy.

We advocate for the Policy to include provision of a payment per kilometre for any travel done for official Council business by either foot or bicycle.

Although minimal cost may be accrued by an individual undertaking these active modes of travel, it would be great Council to encourage these everyday, active modes of transport.

This should apply for any trip of one kilometre or longer and be at the same rate as for a motor vehicle. Councillors should have to log all of these trips, as is required for motor vehicle travel.

Ideally, the policy would be extended to all Council employees in the future. Such a policy would be consistent with Council's Climate Emergency Declaration and the general principle of encouraging healthy, active, environmentally-friendly transport instead of motor vehicle travel.

By adopting such a policy, Council would be following the lead of other enlightened employers such as the University of Edinburgh, where bicycle travel on official business is reimbursed at the rate of 20 pence per mile - <https://www.ed.ac.uk/transport/cycling/facilities/bike-mileage>

Thank you for considering our submission.

Kind regards,

Tom Fisher
Convenor
Transport Group
Sustainable Living Armidale

Meeting Date	Res #	Detail	Officer	Notes
27/01/2022	14/22	<p>RESOLVED</p> <p>That Council:</p> <ol style="list-style-type: none"> Set an aspirational target to grow jobs in our region by 4,000 by 2040 and generate at least 1,000 new jobs over the next 5 years. Identify the region building infrastructure and catalyst job growth projects that will maximise the region's potential and advocate for both State and Federal Government support. Invite the Hon. Barnaby Joyce, MP, Deputy Prime Minister of Australia to meet with Council and present our vision and key region building infrastructure needed to secure our future as both a region and regional city of significance. Invite Senator the Hon. Bridget McKenzie, Minister for Regionalisation to meet with Council and present our vision and key region building infrastructure needed to secure our future as both a region and regional city of significance. Invite the Hon. Mr Adam Marshall, MP to meet with Council and present our vision and key region building infrastructure needed to secure our future as both a region and regional city of significance. Hold an elected member Strategic Planning and Jobs Growth Summit in February 2022, facilitated by external advisors, to determine Council's vision for the Armidale region and inform the necessary next steps required to realise that vision. <p>Moved Cr Coupland</p> <p>The Motion on being put to the vote was CARRIED unanimously.</p>	Boyce, Daniel	<p>14 Feb 2022 9:33am Boyce, Daniel</p> <p>The Strategic Planning and Jobs Growth Summit held 16 February 2022. Council will receive a report on summarising the outcomes of the Summit.</p>
27/01/2022	17/22	<p>RESOLVED</p> <p>That Council:</p> <ol style="list-style-type: none"> Endorse the draft Councillor Expenses and Facilities Policy for public exhibition for a minimum period of 28 days; and Receive a further report at the conclusion of the exhibition period. <p>Moved Cr Galletly Seconded Cr Robinson</p>	Schaefer, Darren	<p>06 Feb 2022 3:39pm Schaefer, Darren - Target Date Revision</p> <p>Target date changed by Schaefer, Darren from 10 February 2022 to 30 March 2022 - This action will conclude when the policy is presented back to Council at the March OCM after its period of public exhibition which concludes 15th</p>

Meeting Date	Res #	Detail	Officer	Notes
		The Motion on being put to the vote was CARRIED unanimously.		February, 2022. 06 Feb 2022 3:40pm Schaefer, Darren The policy has been placed on public exhibition which will end 15th Feb, 2022. A report containing community feedback from the public exhibition will be put to Council at the March OCM for review, and adoption. 15 Mar 2022 5:58am Schaefer, Darren Policy is in papers for March OCM for Council to adopt.
27/01/2022	34/22	RESOLVED That: a) The General Manager seek an extension of one year to consider the offer. b) A Working Group of Councillors and relevant staff (at the discretion of the General Manager) be established to oversee, develop or review business cases for prospective use(s) of the Armidale Court House. Moved Cr Coupland Seconded Cr O'Connor The Motion on being put to the vote was CARRIED unanimously.	Bower, Jessica	10 Feb 2022 10:12am Bower, Jessica a. Completed. b. To be reviewed following finalisation of key pillar working group representation with the project to be progressed through that forum. 15 Mar 2022 1:06pm Bower, Jessica a. The latest advice from NSW Property as at 10 March 2022 is that they are prepared to provide ARC two months to undertake the necessary activities to ensure that funding is likely to be secured. Return advice to NSW Property has confirmed ARCs adopted position and further advise that ARC are not able to meet the stated position.
23/02/2022	38/22	RESOLVED That Council: a. note the Community Engagement Report.	Schaefer, Darren	16 Mar 2022 8:45am Bower, Jessica - Completion Noted. No further action.

Meeting Date	Res #	Detail	Officer	Notes
		b. note the key concerns raised during the community engagement sessions. c. provide due consideration to concerns raised by landholders prior and during construction of the New England Rail Trail. d. that Council ensure the project is cost neutral to ratepayers. Moved Cr Packham Seconded Cr O'Connor The Motion on being put to the vote was CARRIED unanimously.		
23/02/2022		RESOLVED a. That Council nominate the Mayor and Deputy Mayor as its two representatives to the Regional Planning Panel. b. That Councillors Packham and Mephram be nominated as the two alternate members to the Regional Planning Panel. Moved Cr Widders Seconder Cr McMichael The Motion on being put to the vote was CARRIED unanimously.	Boyce, Daniel	10 Mar 2022 3:22pm Boyce, Daniel - Completion Action completed by Boyce, Daniel - Mayor and Deputy Mayor have received notification of their inclusion on the Regional Panel.
23/02/2022	40/22	RESOLVED That Council note the Delivery Program 2018-2022 and Operational Plan 2021-2022 Progress Report for the period July – December 2021. Moved Cr Robinson Seconded Cr Widders The Motion on being put to the vote was CARRIED unanimously.	Schaefer, Darren	15 Mar 2022 6:10am Schaefer, Darren - Completion Action completed by Schaefer, Darren - Council noted the report and completed this action.
23/02/2022	41/22	RESOLVED That Council a. Receive and note the submissions contained in the report on the draft Community	Roncon, James	14 Mar 2022 2:55pm Bower, Jessica With Communications Team to complete comms around the adoption of the engagement

Meeting Date	Res #	Detail	Officer	Notes
		<p>Engagement Strategy</p> <p>b. Adopt the draft Community Engagement Strategy, including the amendments made following the review by council staff of the feedback contained in the submissions</p> <p>Moved Cr Widders Seconded Cr O'Connor</p> <p>The Motion on being put to the vote was CARRIED unanimously.</p>		<p>strategy.</p> <p>14 Mar 2022 2:57pm Roncon, James - Completion</p> <p>Action completed by Bower, Jessica - No further action required.</p>
23/02/2022	42/22	<p>RESOLVED</p> <p>That Council notes the report summarising the actions taken on the resolutions of Council.</p> <p>Moved Cr Widders Seconded Cr Galletly</p> <p>The Motion on being put to the vote was CARRIED unanimously.</p>	Bower, Jessica	<p>07 Mar 2022 10:34am Bower, Jessica - Completion</p> <p>Action completed by Bower, Jessica - For noting only. No further action required.</p>
23/02/2022	43/22	<p>RESOLVED</p> <p>That Council endorse the draft Civic and Ceremonial Functions and Representation Policy, and place it on public exhibition for comment for a period of 28 days.</p> <p>Moved Cr Gaddes Seconded Cr Redwood</p> <p>The Motion on being put to the vote was CARRIED unanimously.</p>	Hoult, Melissa	<p>14 Mar 2022 2:53pm Hoult, Melissa - Completion</p> <p>Action completed by Hoult, Melissa - Policy has been placed on public exhibition for a period of 28 days.</p>
23/02/2022		<p>RESOLVED</p> <p>That Council support the recommended changes to the traditional format of the Armidale Autumn Festival, broadly summarised as:</p> <p>a. holding it in the Beardy Street Mall to assist with CBD activation and utilise (unveil) the new stage</p> <p>b. retain the name Armidale Autumn Festival.</p>	Schaefer, Darren	<p>15 Mar 2022 1:42pm Schaefer, Darren - Completion</p> <p>Action acknowledged by Bower, Jessica - Noted. No further action.</p>

Meeting Date	Res #	Detail	Officer	Notes
		<p>Moved Cr Robinson Seconded Cr Widders</p> <p>The Motion on being put to the vote was CARRIED unanimously.</p>		
23/02/2022	45/22	<p>RESOLVED</p> <p>That Council:</p> <ol style="list-style-type: none"> Note the 2021-2022 Second Quarter Budget Review. Note the proposed revised 2021-2022 budget produces an operating surplus of \$3.1 million on a consolidated basis and an unrestricted cash forecast of \$3.5 million. Note the proposed reduction in capital expenditure from \$66m to \$47m as a result of the budget review and that this may require further overall downward amendment at the next budget review due to range of impacts on the organisation, such as natural disasters and Covid, that has impacted on project resourcing. Resolve to amend the 2021-2022 budget in accordance with the Quarterly Budget Review Statement for the period 1 October 2021 to 31 December 2021 tabled at the attachment. <p>Moved Cr O'Connor Seconded Cr Gaddes</p> <p>The Motion on being put to the vote was CARRIED unanimously.</p>	Schaefer, Darren	<p>15 Mar 2022 6:13am Schaefer, Darren - Completion</p> <p>Action completed by Schaefer, Darren - Complete</p>
23/02/2022	46/22	<p>RESOLVED</p> <p>That Council:</p> <ol style="list-style-type: none"> Funding contribution from ARC for the Dumaresq Dam Wall Upgrade be sourced from the Water Fund not via borrowed funds. Councillors receive more detailed briefing in relation to the funding options for the Puddledock Dam Raw Water Main Upgrade. Financial Services Department explore and report on refinancing options for all council term loans. That the briefings include long term outlook in improving revenue in the water fund. 	Schaefer, Darren	<p>15 Mar 2022 6:13am Schaefer, Darren</p> <p>Councillors attended a workshop with staff on the 9th March, 2022 in order to better understand the impact of loan borrowings on water fund. Resultant from this workshop, staff have advised Councillors of their intent to put a rescission motion forward in the March OCM with the request that the loan proceed with the view to draw down</p>

Meeting Date	Res #	Detail	Officer	Notes
		<p>Moved Cr Gaddes Seconded Cr Robinson</p> <p>FOR: Mayor Coupland, Cr Gaddes, Cr Galletly, Cr McMichael, Mc Mephram, Cr O'Connor, Cr Packham, Cr Redwood, Cr Robinson and Cr Widders.</p> <p>AGAINST: Cr O'Brien</p> <p>The Motion on being put to the vote was CARRIED.</p>		in May 2022 once approved.
23/02/2022	47/22	<p>RESOLVED</p> <p>That Council:</p> <p>a. Note the Cash and Investment Report for January 2022.</p> <p>b. Note the updated Expected 2022 Year-end cash forecast included in the report as per Council meeting minute 22/22.</p> <p>Moved Cr Galletly Seconded Cr Robinson</p> <p>The Motion on being put to the vote was CARRIED unanimously.</p>	Schaefer, Darren	<p>15 Mar 2022 1:39pm Schaefer, Darren - Completion</p> <p>Action acknowledged by Bower, Jessica - For noting only. No further action.</p>
23/02/2022		<p>RESOLVED</p> <p>That Council:</p> <p>a. Endorse the proposed updates to the ARLEP Planning Proposal arising from agency and community consultation, including Option 2 for Key Issue A, and forward to the Department of Planning Industry & Environment for finalisation of the LEP.</p> <p>b. Delegate to the General Manager the authority to make any minor amendments to the PP required by Department of Planning Industry & Environment/Parliamentary Counsel/other authority in order to finalise the LEP, that do not impact on the intent of the endorsed Planning Proposal.</p>	Boyce, Daniel	<p>10 Mar 2022 3:22pm Boyce, Daniel</p> <p>Final package for LEP has been prepared and forwarded to NSW Government.</p>

Meeting Date	Res #	Detail	Officer	Notes
		<p>c. Note the submission from the owners of Lot 1 DP 597896, 502 Dumaresq Dam Road and commit to revisiting this matter as part of the first review of the Armidale Regional Local Environmental Plan.</p> <p>Moved Cr Galletly Seconded Cr Redwood</p> <p>The Motion on being put to the vote was CARRIED unanimously.</p>		
23/02/2022	49/22	<p>RESOLVED</p> <p>That Council receive and note this report in relation to Local Strategic Planning Statement.</p> <p>Moved Cr O'Connor Seconded Cr Robinson</p> <p>The Motion on being put to the vote was CARRIED unanimously.</p>	Boyce, Daniel	<p>10 Mar 2022 3:32pm Boyce, Daniel - Completion</p> <p>Action completed by Boyce, Daniel - LSPS report noted.</p>
23/02/2022	50/22	<p>RESOLVED</p> <p>That Council approve the transfer of \$14,291.13 currently being held in trust in the Library Deductible Gift Recipient Fund, to the operating account of the Library for the purchase of a compactus shelving unit.</p> <p>Moved Cr O'Connor Seconded Cr McMichael</p> <p>The Motion on being put to the vote was CARRIED unanimously.</p>	Schaefer, Darren	<p>15 Mar 2022 6:21am Schaefer, Darren - Completion</p> <p>Action completed by Schaefer, Darren - Complete</p>
23/02/2022	51/22	<p>RESOLVED</p> <p>That Council:</p> <p>a. Endorse the Community Grants and Sponsorship Policy for public exhibition for a period of 28 days.</p> <p>b. Receive a further report at the conclusion of the exhibition period.</p>	Schaefer, Darren	<p>15 Mar 2022 6:22am Schaefer, Darren</p> <p>Policy is on Public Exhibition.</p>

Meeting Date	Res #	Detail	Officer	Notes
		<p>Moved Cr Widders Seconded Cr Robinson</p> <p>The Motion on being put to the vote was CARRIED unanimously.</p>		
23/02/2022		<p>RESOLVED</p> <p>That Council:</p> <ol style="list-style-type: none"> That Council pilots ‘Community Plan – Key Pillar Working Groups’ for a period of 18 months with formal progress to be reported to Council on a six monthly cycle in line with the Community Plan reporting requirements and ensure flexibility to add additional pillars as required. By June 2022 Council establish a ‘Community Plan Roundtable’ to meet quarterly and be the reporting line for the Key Pillar Working Groups, with invitations to be extended to relevant community groups and individuals to be part of the Roundtable process. The Mayor and General Manager liaise with individual Councillors to establish specific Councillor interest in KPWG membership and a report be presented to the March 2022 Ordinary Meeting of Council confirming such. That Council be represented as follows on statutory and other committees: <ul style="list-style-type: none"> Local Area Traffic Committee – Cr McMichael New England Weeds Authority – Crs O’Connor, Packham and Robinson Armidale Regional Sports Council – Cr Galletly New England Bushfire Committee – Cr Mephram General Manager’s Performance Review Committee – Mayor, Deputy Mayor, Cr O’Brien and one other Councillor (as nominated by the General Manager). That as other opportunities or invitations to committees present, the Mayor determine representation and report back to Council at the next available opportunity. <p>Moved Cr Robinson Seconded Cr O’Brien</p>	Roncon, James	<p>14 Mar 2022 9:52am Roncon, James - Completion</p> <p>Action completed by Bower, Jessica - Completed.</p>

Meeting Date	Res #	Detail	Officer	Notes
		The Motion on being put to the vote was CARRIED unanimously.		
23/02/2022	53/22	<p>RESOLVED</p> <p>That Council note the Minutes of the ARIC meetings held on 14 September 2021 and 16 November 2021.</p> <p>Moved Cr Packham Seconded Cr O'Connor</p> <p>The Motion on being put to the vote was CARRIED unanimously.</p>	Schaefer, Darren	<p>15 Mar 2022 1:39pm Schaefer, Darren - Completion</p> <p>Action acknowledged by Bower, Jessica - For noting only. No further action.</p>
23/02/2022	54/22	<p>RESOLVED</p> <p>That:</p> <ol style="list-style-type: none"> Council endorse the Traffic Advisory Committee's resolution, that the temporary road closure of Canambe Street between Dumaresq and Kirkwood Street for the Armidale & New England Show from 6pm Thursday 3 March until 10pm on Sunday 6 March 2022, be endorsed with the recommendation that the applicants: <ol style="list-style-type: none"> Complete a risk assessment is conducted at the road closure sites to ensure the safety of pedestrians / officials and the permanency of the barriers used for the road closures Prevent unauthorised vehicles entering the site at these locations Post qualified officials at those sites where the barriers for the road closures need to be adjusted to allow the movement of vehicles. Council endorse the Traffic Advisory Committee's resolution, that the current Give Way sign at the intersection of Post Way and Old Gostwyck Road be replaced with a "Stop" sign and the associated line markings complying with TfNSW standards. Council endorse the Traffic Advisory Committee's resolution, that the current Give Way sign at the intersection of Lagoon Road/Bradley Street with Sandon Street Guyra be replaced with a "Stop" sign and the associated line markings complying with TfNSW standards. 	Manners, Alex	<p>07 Mar 2022 2:25pm Manners, Alex - Completion</p> <p>Action completed by Ackling, Belinda - All items have been completed a) Armidale Show completed b) Signs ordered and installation to take place upon arrival c) Signs ordered and installation to take place upon arrival d) resolution advised</p>

Meeting Date	Res #	Detail	Officer	Notes
		<p>d. Council endorse the Traffic Advisory Committee's resolution, that Council deny the request to install a disability parking space in a quiet residential area that has no known history of parking issues.</p> <p>Moved Cr Robinson Seconded Cr Redwood</p> <p>The Motion on being put to the vote was CARRIED unanimously.</p>		
23/02/2022	57/22	<p>RESOLVED</p> <p>That Council;</p> <p>a. Accept the quotation submitted by Stabilcorp Pty Ltd for \$387,410.26 Excl. GST for Heavy Patching Works on Waterfall Way.</p> <p>b. Delegate authority to the General Manager to approve expenditure for the project and contractor up to the upper limit of \$330,000 excl. GST available for the project as provided by TfNSW.</p> <p>c. Delegate authority to the General Manager to execute all documents in relation to the contract.</p> <p>Moved Cr Galletly Seconded Cr Redwood</p> <p>The Motion on being put to the vote was CARRIED unanimously.</p>	Manners, Alex	<p>14 Mar 2022 11:51am Ackling, Belinda</p> <p>Ben Smith: Contract awarded to Stabilcorp. Contractor currently progressing thru ARC & TfNSW agreed scope of works.</p>
23/02/2022	58/22	<p>RESOLVED</p> <p>That Council;</p> <p>a. Accept the tender submitted by Leed Construction and Engineering of \$10,547,750 Inc. GST (\$9,588,864 Excl GST) for the construction of a 450mm diameter raw water supply pipeline and pumping station.</p> <p>b. Delegate authority to the General Manager to approve expenditure up to the upper funding limit of \$11,541,000 exc. GST (\$12,695,100 Inc GST) available for the project as approved and within the terms of the Restart NSW funding deed.</p> <p>c. Delegate authority to the General Manager to execute all documents in relation to the Contract.</p>	Manners, Alex	<p>15 Mar 2022, 8:57am Bower, Jessica Jones - Completion</p> <p>All unsuccessful tenderers notified. Successful tenderer notified and letter of appointment sent. Formal instrument of agreement signed by both parties.</p>

Meeting Date	Res #	Detail	Officer	Notes
		<p>Moved Cr McMichael Seconded Cr Robinson</p> <p>The Motion on being put to the vote was CARRIED unanimously.</p>		
23/02/2022	57/22, 58/22	<p>RESOLVED</p> <p>That Council;</p> <ol style="list-style-type: none"> Accept the quotation submitted by Stabilcorp Pty Ltd for \$387,410.26 Excl. GST for Heavy Patching Works on Waterfall Way. Delegate authority to the General Manager to approve expenditure for the project and contractor up to the upper limit of \$330,000 excl. GST available for the project as provided by TfNSW. Delegate authority to the General Manager to execute all documents in relation to the contract. <p>Moved Cr Galletly Seconded Cr Redwood</p> <p>The Motion on being put to the vote was CARRIED unanimously.</p> <p>RESOLVED</p> <p>That Council;</p> <ol style="list-style-type: none"> Accept the tender submitted by Leed Construction and Engineering of \$10,547,750 Inc. GST (\$9,588,864 Excl GST) for the construction of a 450mm diameter raw water supply pipeline and pumping station. Delegate authority to the General Manager to approve expenditure up to the upper funding limit of \$11,541,000 exc. GST (\$12,695,100 Inc GST) available for the project as approved and within the terms of the Restart NSW funding deed. Delegate authority to the General Manager to execute all documents in relation to the Contract. <p>Moved Cr McMichael Seconded Cr Robinson</p>	Manners, Alex	<p>14 Mar 2022 11:41am Manners, Alex - Completion</p> <p>Action completed by Ackling, Belinda - Unsuccessful tenderers notified. Letter of acceptance sent to Leed Construction & Engineering and Instrument of Agreement signed by both parties. Leed have ordered materials and look to commence works in May. Affected residents will be engaged at the pre-construction walk through</p>

Meeting Date	Res #	Detail	Officer	Notes
		The Motion on being put to the vote was CARRIED unanimously.		
23/02/2022	59/22	<p>RESOLVED</p> <p>That Council:</p> <ol style="list-style-type: none"> Endorse the Procurement Strategy for further utilisation as and when required by Council's Kempsey Road Project Team of the Kempsey Shire Council's arrangement with GHD Pty Ltd under RFT TQE 21/18 "Provision of Project Management and Engineering Services 2021" for the period of the contract to its expiry on 31 July 2024, or alternatively to the extended contract expiry date. Delegate authority to the General Manager to authorise expenditure under the contract to an upper limit of \$1,461,650 excluding GST (\$1,607,815 including GST) that is available for the project as approved by the Adminstrating Agency Transport for NSW (TfNSW). Delegate authority to the General Manager to approve variations up to the upper limit funding for any additional works carried out by GHD under the contract. <p>Moved Cr O'Connor Seconded Cr Gaddes</p> <p>The Motion on being put to the vote was CARRIED unanimously.</p>	Schaefer, Darren	<p>15 Mar 2022 6:28am Schaefer, Darren - Completion</p> <p>Action completed by Schaefer, Darren - Procurement strategy endorsed and delegation to GM resolved. Action completed.</p>

Armidale Regional Council**FORM OF AGREEMENT**

This Form of Agreement is made on the 1st day of July Two Thousand and Twenty Two between **ARMIDALE REGIONAL COUNCIL** (ABN: 39 642 954 203) (hereafter referred to as "The Principal") and **THE UNIVERSITY OF NEW ENGLAND ESTATE & BUILT ENVIRONMENT** (hereafter referred to as "The Contractor").

TERMS OF THE AGREEMENT

- 1 This agreement will allow the Contractor to utilise Council Roads within the precincts of the University of New England for Pay for Parking (under the authority of Armidale Regional Council as the local Roads Authority as provided in Part 10 "Other road management functions" Division 2 of the *Roads Act 1993*).
- 2 The term of the agreement is for a period of five years, from 1 July 2022 to 30 June 2027. If the Agreement is not renewed at the expiry date, the Tenancy will then continue on a month to month basis.
- 4 The agreement will encompass 79 parking spaces within the area identified on the attached maps and identified as follows:

Vehicle Parking Area H	11 parking spaces
Vehicle Parking Area M	15 parking spaces
Vehicle Parking Area S	22 parking spaces
Vehicle Parking Area Q	18 parking spaces
Vehicle Parking Area W	13 parking spaces
Total	79 parking spaces
- 5 The fee will be \$30.00 per parking space per annum including GST, payable annually in advance, totalling \$2,370.00 per annum. Invoices will be raised and forwarded to the Contractor by the Principal. As per Armidale Regional Council's Fees and Charges an initial Administration Fee will be charged at a flat rate per new agreement.
- 6 The annual rental payable will be subject to an increase, in accordance with the following formula, on the anniversary date of each year of the lease and commencing from the anniversary date.

$$R = \frac{A \times B}{C}$$

Where:

R = the Rent payable for the following Lease Year

A = the Rent payable during the Lease Year just ended

Signatures of both parties

File Number: ARC16/1118

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Form of Agreement

Armidale Regional Council**FORM OF AGREEMENT**

B = the Index Number* last published before the end of the Lease Year just ended; and

C = the Index Number last published before the commencement of the Lease Year just ended.

*Index Number shall mean the Consumer Price Index Number for Sydney (all groups) released from time to time in the Commonwealth Statistician's Summary of Australian Statistics.

7. Maintenance of the roadway (pavement and seal) and kerb to remain at the Principal's cost.
8. Maintenance of any signage, markings or other facilities related directly to the parking scheme will be met by the Contractor.
9. If there is a need for any special conditions to be included in this agreement during the term of the agreement, they must be agreed to in writing by both parties, and attached to both copies of this agreement.
10. Any variation to the number of parking bays under the lease shall be by agreement in writing between the Principal and the Contractor. For this purpose of this clause, any proposed variation to the lease shall comply with Part 10 "Other road management functions" Division 2 of the *Roads Act 1993* and any other legislation that may be applicable at the time of the variation.
11. The Contractor must keep in force at all times during the term of this Agreement, at the expense of the Contractor, a policy of insurance with an approved insurance company in respect of public risk for not less than twenty million dollars (\$20,000,000) and to deliver the policy or a Certificate of Currency for such insurance to the Principal yearly upon its renewal to enable a copy to be recorded on file.
12. The Contractor must advise the Principal of any fault, damage, outstanding maintenance/repair issue, or any other matter that relates to the roadway or the surrounding property (including the water or sewerage pipes, drainage pipes, electric wiring, etc) as soon as practical after the discovery of such issue and allow representatives of the Principal access to the roadway to undertake necessary repairs and maintenance.
13. The Contractor shall indemnify and keep indemnified the Principal from and against all action suits, proceedings, costs, claims, damages and demands whatsoever brought, prosecuted or made against the Principal for or on account of loss of life, injury or damage to persons or property suffered or sustained in consequence of the acts, neglects or default of the Contractor, its employees, agents or contractors, including in the foregoing any claims made by or on behalf of any employees, agent or contractor of the Contractor howsoever arising whilst this agreement is in place.

Signatures of both parties

File Number: ARC16/1118

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Armidale Regional Council**FORM OF AGREEMENT**

14. The Contractor shall not do any act or thing or allow any act or thing to be done whereby any insurance effected by the Principal over the property may be refused or cancelled or otherwise prejudicially affected or whereby the premiums in respect thereof may be increased above the scale commonly paid by the Principal on such property.
15. Any fee charged by the Principal for services, maintenance etc will be between the Principal and the Contractor and will not be considered as part of this Agreement.
16. That any notice provided for in this Agreement shall be deemed to be validly served if:
- (i) it is personally served on an officer of the Contractor, or
 - (ii) it is sent by prepaid or ordinary mail or emailed to the Contractor at the address given as:

The Director
Estate and Built Environment
University of New England
Armidale NSW 2351
Email: insurance@une.edu.au

Signatures of both parties**File Number: ARC16/1118***Page 3**Form of Agreement*

Armidale Regional Council**FORM OF AGREEMENT****EXECUTED AS A DEED**

EXECUTED by)
ARMIDALE REGIONAL COUNCIL)
 (ABN: 39 642 954 203))
 under delegated authority)
 pursuant to the provisions)
 of the *Local Government Act 1993*)
 by:)

 General Manager

 Date

EXECUTED by)
THE UNIVERSITY OF NEW ENGLAND)
 Signed as authorised by the)
 General Manager)
)
)
)
)

 Position

 Date

 Position

 Date

Signatures of both parties

File Number: ARC16/1118

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Form of Agreement

Armidale Regional Council**FORM OF AGREEMENT****SCHEDULE**

- | | |
|--|---|
| 1. The Principal | Armidale Regional Council (ABN: 39 642 954 203) |
| 2. The Tenant | The University of New England (Estate and Built Environment) |
| 3. The Property | Use of Council Roads within the precincts of the University of New England for Pay for Parking. |
| 4. Term | Five years |
| 5. Commencement Date | 1 July 2022 |
| 6. Termination Date | 30 June 2027 |
| 7. Fee for the 1 st year (Clause 5) | 79 car parks @ \$30.00 per car per totalling \$2,370.00 per annum including GST, increased annually with CPI. |
| 8. Administration Fee (Clause 5) | \$110.00 Inc GST |
| 9. Fee payment details | Annually In advance. |
| 10. Terms for Renewal | The Contractor should notify the Principal in writing two months prior to the expiry date. |
| 11. Amount of Public Liability Insurance (Clause 10) | \$20,000,000 |
| 12. Guarantor(s) | Nil |

Signatures of both parties

File Number: ARC16/1118

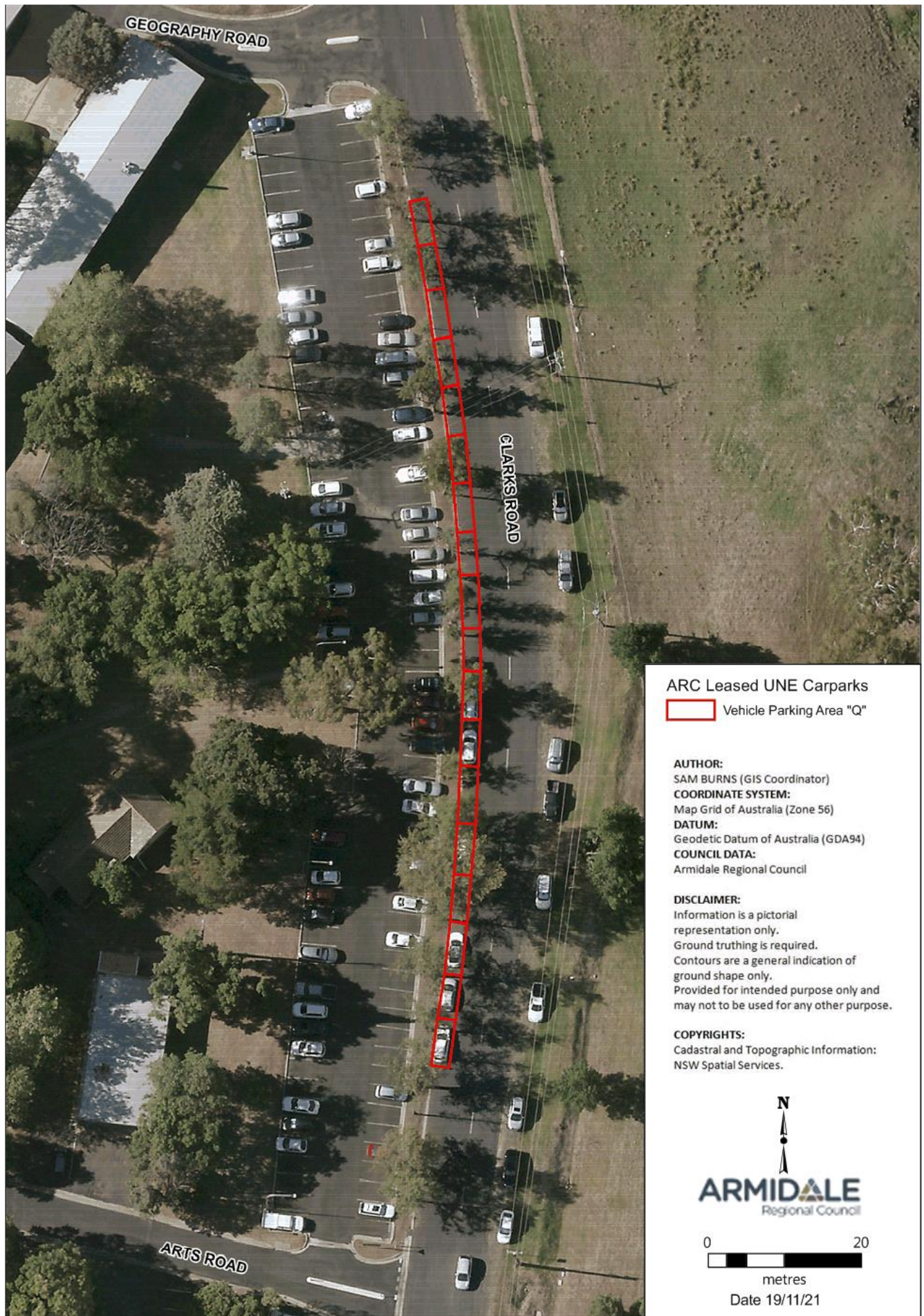
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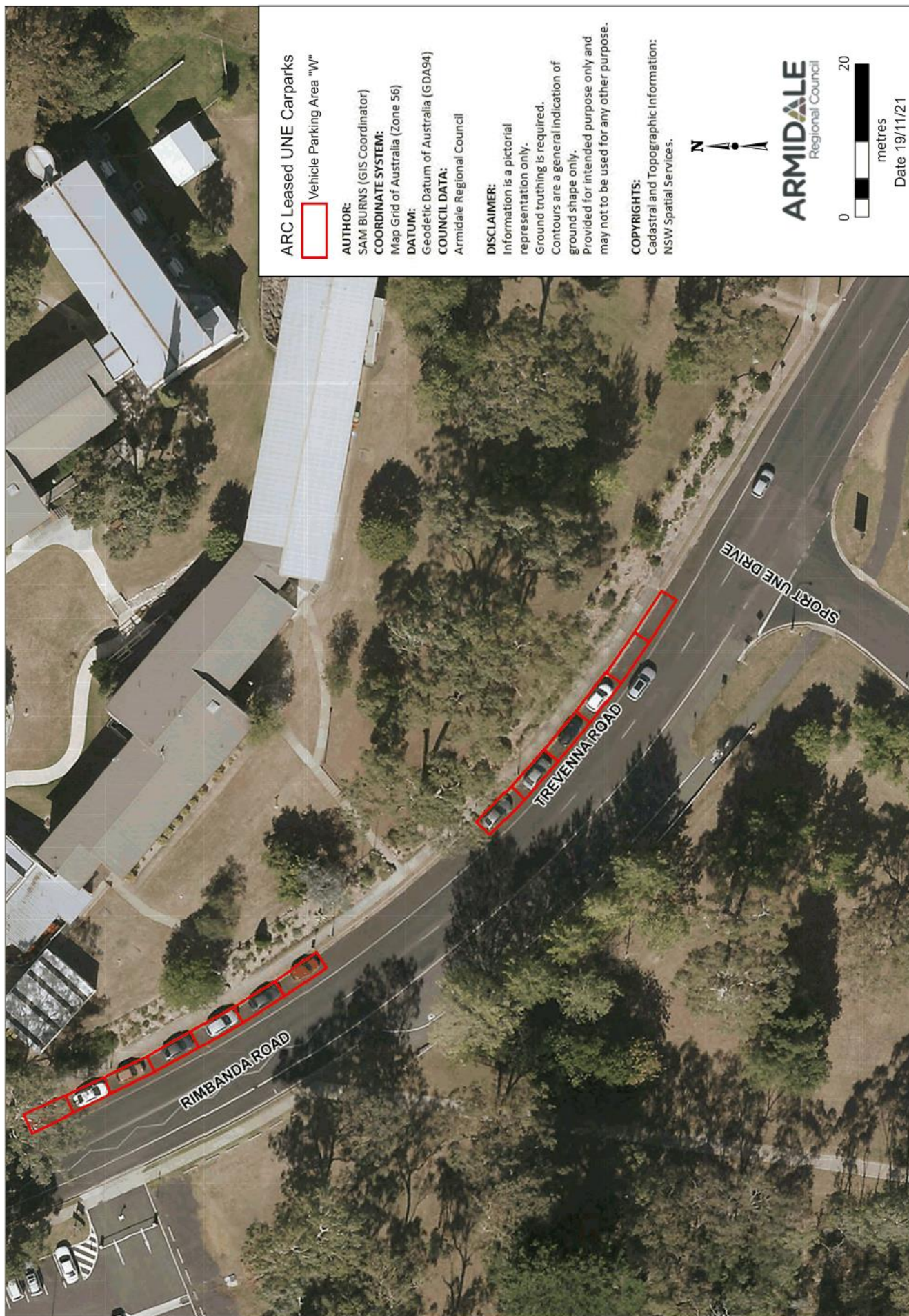
Form of Agreement













EXPLANATION OF INTENDED EFFECT

Agritourism and small-scale agriculture development

Proposed amendments to support farm businesses and regional economies

March 2021



NSW Department of Planning, Industry and Environment | dpie.nsw.gov.au

Agritourism and small-scale agriculture development

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Agritourism and small-scale agriculture development

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About this explanation of intended effect

This explanation of intended effect (EIE) has been prepared for the purposes of section 3.30 of the *Environmental Planning and Assessment Act 1979* (EP&A Act).

It is presented in four parts:

- Part 1 – Executive summary
- Part 2 – Context
- Part 3 – Proposed amendments
- Part 4 – Have your say



Part 1 – Executive summary

1.1 This document

This explanation of intended effect (EIE) proposes amendments to the NSW planning system to better enable 'agritourism' and small-scale agricultural development to be approved. It also seeks to respond to natural disasters such as droughts and bushfires, and to simplify planning approvals for development or activities that have no or low environmental impact.

This document outlines the intended effect of proposed amendments to:

- the *Standard Instrument (Local Environmental Plans) Order 2006* (**Standard Instrument LEP Order**),
- the *State Environmental Planning Policy (Primary Production and Rural Development) 2019* (**PPRD SEPP**), and
- the *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* (**Codes SEPP**).

1.2 Background

In recent years, NSW farmers and farming communities have faced many challenges including prolonged drought, land fragmentation and declining terms of trade. This year alone, farming communities have had to deal with unprecedented bushfires and economic impacts arising from COVID-19 including travel and trade restrictions, cancellation of regional events, and temporary closure of local businesses.

The NSW Government is committed to supporting the recovery and resilience of our regional communities and farming by growing emerging industries that are supplementary to, or based on, agriculture. One such industry is agritourism, which will help to strengthen rural communities as travel restrictions ease across NSW.

Agritourism is a tourism-related experience or product that connects agricultural products, people or places with visitors on a farm or rural land for enjoyment, education, or to participate in activities and events. Agritourism activities enable farmers to diversify their income from farming businesses while maintaining primary production on the land as the principal use.

The NSW Government is seeking comment on proposals recommended by stakeholders to:

- broaden the types of agritourism activities that can be undertaken and provide approval pathways tailored to the scale and types of activities,
- support farmers during times of hardship or following natural disaster events,
- reduce land use conflict by providing clearer rules and better managing environmental and social impacts, and
- clarify current planning controls and expand approval pathways for certain agricultural activities.

The proposed amendments are underpinned by the principle of no or low environmental impact.

1.3 What is proposed

Informed by the NSW Government's *Making Business Easier Program* and a wider agritourism project led by the NSW Small Business Commission and Service NSW, the following amendments are proposed to the NSW planning system to facilitate agritourism:

- **farm stay accommodation** – to support more farm stay accommodation amendments are proposed to the existing definition of 'farm stay accommodation'
- **farm events** – to remove existing barriers and support farm events amendments are proposed to introduce a new definition for 'farm events'
- **farm gate activities** – to enable farm gate businesses to be established amendments are proposed to introduce a new definition for 'farm gate activities'

Fast track approval pathways, known as exempt and complying development, will also be established for these types of agritourism.

Comment is also sought on the following proposals to facilitate or improve approval pathways for low-impact agricultural activities:

- **small-scale processing plants** – allow establishment of these plants as complying development for meat, dairy and honey where certain development standards are met
- **rebuilding of farm infrastructure** – allow reconstruction of farm buildings and other structures as exempt development following natural disaster, where constructed to same size and contemporary building standards
- **stock containment areas** – update and rationalise existing planning controls to reflect current practice, and ensure stock containment areas used temporarily, such as during drought, do not impact negatively on surrounding uses
- **farm dams** – clarify terminology used in the planning system and provide a consistent approval process across the state
- **biosecurity for poultry farms and pig farms** – update development standards to align with separation distances required under biosecurity standards
- **setbacks for rural dwellings** - review controls that allow dwellings on rural lots as complying development to ensure there is sufficient separation from adjacent primary production enterprises
- **recreational beekeeping** – providing an exempt development pathway for recreational beekeeping to improve certainty.



Part 2 – Context

2.1 Background

With changes in markets, diminishing wholesale returns from traditional agricultural production and the seasonal nature of many agricultural industries, some traditional farms can no longer remain viable by simply producing food or fibre for wholesale markets. The planning system seeks to protect agricultural land and secure it as a resource for food production for future generations. There is scope for the planning framework to better support farmers' ability to innovate and diversify from purely primary production to other forms of value adding or complementary agribusiness.

Agritourism involves visiting a farm or food related business for enjoyment and education or to participate in activities and events. Agritourism is a growing sector of both the Australian and NSW economies, worth more than \$2 billion in NSW in 2014–15¹ and is expected to be worth \$18.6 billion in Australia by 2030, up from \$10.8 billion in 2018.² In 2019, Australians took 4.7 million trips to a farmgate, winery, brewery or distillery in a regional destination.³

Farmers are increasingly seeking options to diversify their income stream or value-add to their core agricultural business to make it more resilient, profitable and attractive to a new generation of farmers. The current regulatory and land use planning framework for these options can be complicated, costly and challenging for farmers to navigate.

Certainty, confidence and consistency in the planning framework will support investment in agritourism. A robust and flexible land use planning framework can provide strategic direction and a streamlined and efficient process for facilitating land uses that supplement agricultural industries.

In addition to agritourism, the department has identified other changes that could be made to reduce red tape and make it easier to use for farmers, particularly those running small-scale operations.

The NSW Government is committed to supporting economic development and job creation for NSW farms through a range of initiatives including simplifying land use definitions and development approval processes.

The proposed changes outlined below recognise the significance of agricultural industries and seek to:

- support investment in farms seeking supplementary incomes through other uses on the land
- facilitate a simple and streamlined approach to gaining approval for uses supplementary to primary production
- support farmers during times of hardship and following disaster events
- reduce land use conflict.

¹ NSW Department of Primary Industries, *NSW Agribusiness Positioned for prosperity*, Deloitte Access Economics report for the NSW Department of Primary Industries, July 2019, https://www.dpi.nsw.gov.au/_data/assets/pdf_file/0009/691191/Positioned-for-prosperity_final.pdf.

² CSIRO, *Growth opportunities for Australian food and agribusiness: Economic analysis and market sizing*, 2019, <https://www.csiro.au/en/Do-business/Futures/Reports/Ag-and-Food/Opportunities-for-Food-and-Agribusiness>.

³ Tourism Research Australia, *Wineries, Breweries, Distilleries, Farmgates*, Headline Stats for 2019.

2.2 Consultation and collaboration

2.2.1 Making Business Easier

The NSW Small Business Commission in collaboration with Service NSW has undertaken a program to help farmers diversify as part of the NSW Government's *Making Business Easier* program. Diversification is especially important in times of drought where land typically reserved for productive use is unable to generate enough income through its primary activities. It also supports the continued sustainability of agriculture in rural areas.

The department has worked with the commission to identify simplified pathways to establish low impact agritourism businesses on farms, including farm stay accommodation, farm tours, roadside stalls, farm events and retail on farms. This work aligns with the department's commitment to reduce red tape and make the planning system easy to use.

What is 'agritourism'?

'Agritourism' is a tourism-related experience or product that connects agricultural products, people or places with visitors on a farm or rural land for enjoyment, education, or to participate in activities and events.

Agritourism activities include direct shopfront outlets with produce tastings, regional markets, farm and winery tours, cooking classes, food and wine festivals, farm stays, restaurants sourcing local produce, self-picking experiences and farm gate sales. The term also covers farm-stay, camping and other on-farm accommodation, farm tours and activities, and events based on farms for their scenic quality, such as weddings.

More broadly, agritourism allows regional economies to showcase what's special about the region, its unique growing conditions and natural resources and provides a visitor draw card from which other regional tourism businesses and experiences can benefit.

Service NSW has conducted research that identified challenges in the current planning regime for aspirational agri-entrepreneurs.⁴ Many regional businesses have experienced difficulties in setting up agritourism businesses as:

- there is a lack of guidance to understand the planning approvals required
- it can be costly and time consuming to obtain approval
- some requirements have not kept up with contemporary practices
- some existing land use definitions and standards are inappropriate for the proposed use.

There is also variability in how the planning system is applied across NSW. This variation often relates to historical land use planning approaches and is not necessarily justified by regional differences or reflective of modern agricultural businesses.

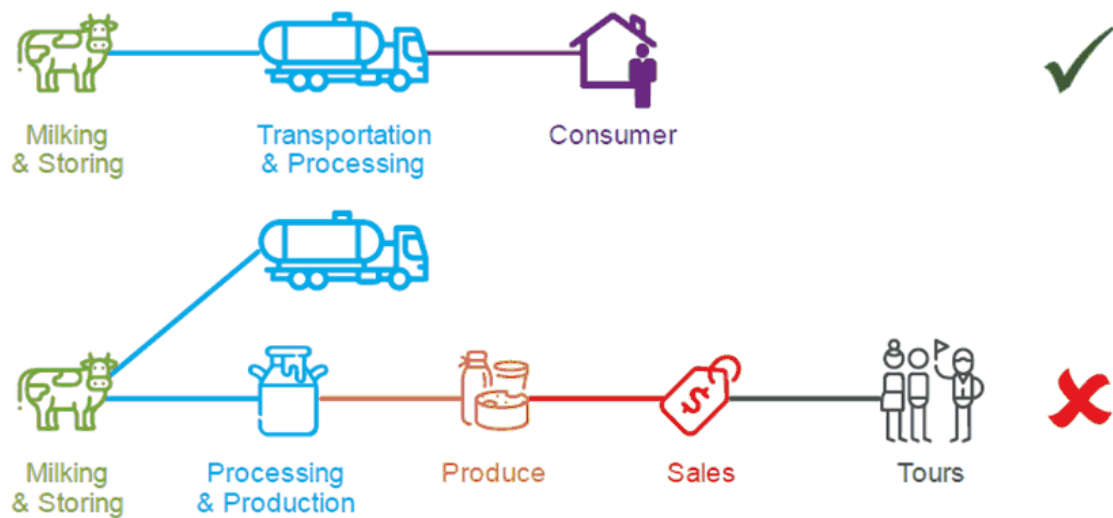
Figure 1 illustrates the variation between the permissibility of a traditional supply chain compared with agritourism activities, approval for which may vary for land with the same zoning in adjoining local government areas.

For example, two farmers can have cows, milk the cows and send the milk off site for processing, as intensive livestock agriculture is permitted. However, if they want to turn some milk into cheese, sell it on the property and provide tours, there may be different local environmental planning controls in place, which mean different rules apply to each farmer. On one side of the fence the farmer may be able to undertake the additional activities, but these may not be permitted on the other side because of local regulations. The activities could also be categorised, in planning terms,

⁴ Service NSW and NSW Small Business Commissioner, *Starting and running an agritourism business: Farmers' experiences and needs*, December 2019.

as covering a range of different uses including retail, artisan food and drink, light industry, eco-tourism, and information and education premises.

Figure 1 - Traditional supply chain compared with agritourism activities



Part 3 – Proposed amendments

3.1 Overview

The department is proposing amendments to existing controls within the planning system to facilitate more agritourism and small-scale agricultural developments, while balancing the need for individual councils to respond to different environmental and development settings.

The proposed changes include:

1. **Farm stay accommodation:** amending the existing definition for farm stay accommodation in the Standard Instrument LEP Order
2. **New land use terms:** introducing two new land use terms for farm gate activities and farm events in the Standard Instrument LEP Order. Including the new term in the Standard Instrument LEP Order will automatically introduce the term into all Standard Instrument LEPs
3. **New optional LEP clauses** - introducing new optional clauses for farm stay accommodation and farm gate activities that councils can apply where a development application is required
4. **New approval pathways** - providing exempt and complying development approval pathways in the Codes SEPP for agritourism activities where certain development standards are met
5. **Small-scale processing plants** - allowing the establishment of small-scale processing plants as complying development for meat, dairy and honey where certain development standards are met
6. **Rebuilding of farm infrastructure** - allowing the reconstruction of farm buildings and other structures as exempt development following natural disaster, where constructed to the same size and contemporary building standards including the Building Code of Australia and relevant Australian Standards.
7. **Stock containment lots** - updating and rationalising existing controls for stock containment lots to reflect current practice, and ensuring stock containment areas used temporarily, such as during drought, do not impact negatively on surrounding uses.
8. **Farm dams** - clarify terminology used in the planning system and provide a consistent approval process across the state
9. **Biosecurity** - updating development standards for poultry farms and pig farms to align with separation distances required under biosecurity standards
10. **Rural dwelling setbacks** - updating controls that allow dwellings on rural lots as complying development to ensure enough separation from adjacent primary production enterprises.
11. **Recreational beekeeping** – providing exempt development pathway for recreational beekeeping to improve certainty

These changes will allow small-scale agritourism development and other small-scale agricultural activities to occur on land where the primary use of the land is agriculture. Recognising the seasonal nature of some agricultural uses of land and the variability of the Australian climate, the proposals will also allow agritourism activities on farms that are not currently producing for reasons outside the landowner's control such as prolonged drought. The changes are not intended to enable hobby farmers or other recreational farmers to establish agritourism businesses.

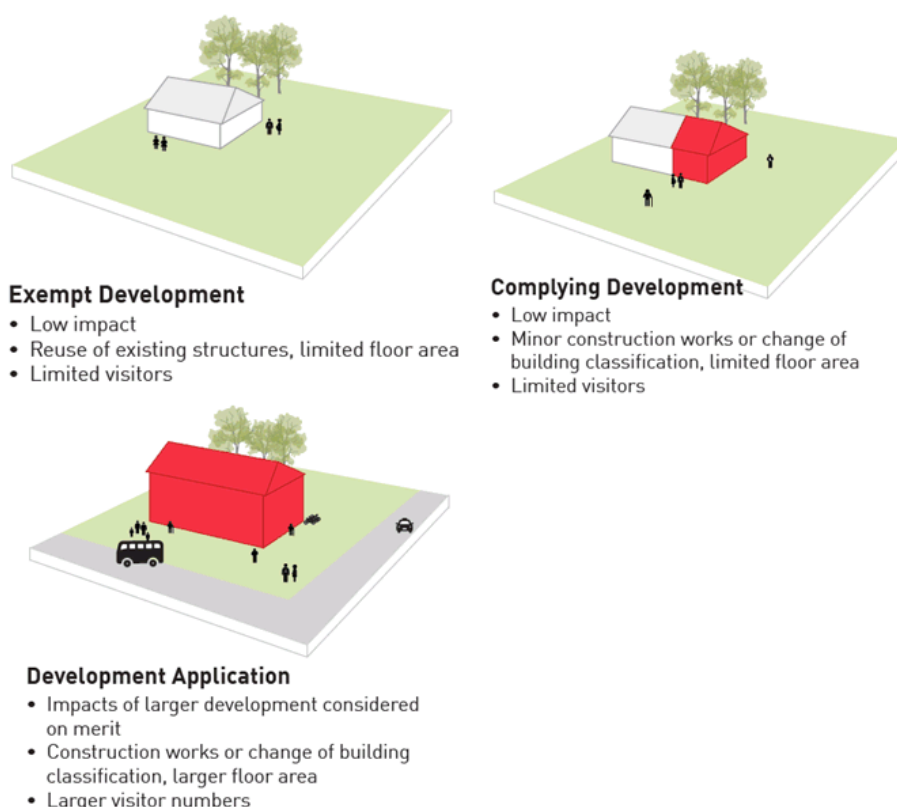
3.1.1 Simplified planning pathways

As illustrated in Figure 2 below, exempt development is minor, low impact development that can be undertaken without the need for planning or building approval if the work complies with specified development standards. Complying development is a combined planning and construction

approval for straightforward development that can be determined through a fast track assessment by a local council or a registered certifier. Complying development must also meet specified development standards.

Some councils have already simplified their planning requirements at a local level. The new exempt and complying development will allow more activities and development of low environmental impact on farms to gain planning approval quickly across NSW. Proposed new development standards will ensure development is at a scale appropriate for the agritourism or agricultural activity with minimal impacts on the surrounding land and amenity. Where these standards cannot be met, a landowner can lodge a development application with the local council.

Figure 2 - Illustration of development approval pathway thresholds (indicative only)



3.2 Farm stay accommodation

A key aspect of an agritourism business is the provision of on farm accommodation. It is also critical to the tourism industry in some regions. On farm accommodation:

- encourages tourism to locations that cannot be reached by day trip from major centres
- encourages longer stays
- can utilise existing assets – such as farm workers' accommodation or large homesteads
- can provide ancillary income for a business – particularly where the business is seasonal or affected by weather conditions
- allows visitors to understand and engage with the area in greater depth than can be offered by day visits. It is often coupled with activities within the property
- facilitates recreation, entertainment and/or educational experiences to visitors
- supports increased awareness of agriculture and an improved connection between food

production and consumption.

Current Definition (Standard Instrument LEP)

'farm stay accommodation' means a building or place that provides temporary or short-term accommodation to paying guests on a working farm as a secondary business to primary production.

3.2.1 Proposed amendments

The changes propose to amend the existing definition of farm stay accommodation to recognise that farming activities may fluctuate seasonally (particularly during periods of drought) and to broaden the use to include camping.

To ensure farm stay accommodation remains a low impact use, an optional clause is proposed that councils can choose to adopt, with development standards councils can tailor to suit local conditions.

Exempt and complying development pathways have been developed to allow some building works, the change of use of existing buildings to farm stay accommodation and some camping opportunities without the need for a development application as long as the development standards are met.

3.2.1.1 Proposed definition

It is proposed to amend the existing definition of farm stay accommodation in the Standard Instrument LEP Order to:

- remove the references to working farm and secondary business as these requirements are restrictive for farms that operate on a seasonal basis and are not typically planning considerations
- replace these references with a requirement that the existing principal use of the land must be the production of agricultural/primary production goods for commercial purposes to ensure a farm stay supplements an existing commercial farming business
- enable farm stay accommodation on a farm that is currently not producing goods because of drought or similar events outside the landowner's control
- include accommodation in a building and camping (camping is currently not included under farm stay accommodation). It is proposed to amend the definitions of camping ground and caravan park to exclude tents, campervans and caravans erected on land for the purposes of farm stay accommodation. This is intended to facilitate small-scale camping being undertaken on a farm as exempt development (described below).

Amending the definitions in the Standard Instrument LEP Order will amend the definitions in all Standard Instrument LEPs.

3.2.1.2 Permissibility

Farm stay accommodation will continue to be permissible with consent wherever councils currently identify it as permissible with consent in their LEPs.

3.2.1.3 Approval Pathways

The proposed approval pathways for farm stay accommodation are exempt development, complying development and lodging a development application. The approval pathway will depend on the type of development proposed, as shown in Table 1.

Table 1 - Summary of proposed approval pathways for farm stay accommodation

Approval pathway	Proposed development	Approval required
Exempt development	<ul style="list-style-type: none"> Change of use of an existing dwelling or part of a dwelling Use of land for farm stay accommodation in tents, caravans or similar 	No planning or building approval required if specified development standards are met
Complying development	<ul style="list-style-type: none"> Change of use of an existing building or manufactured home Erection, alteration or addition to a building or manufactured home 	A fast-tracked approval can be issued by the local council or a registered certifier if specified development standards are met
Development application	<ul style="list-style-type: none"> Any proposal that does not satisfy the requirements for exempt and complying development 	The local council will undertake a merit assessment of the proposal and issue a development consent if approved

Further details about these proposed approval pathways and the proposed development standards for each pathway are explained below.

Exempt development

Change of use of an existing dwelling or part of a dwelling

It is proposed to allow the change of use of an existing dwelling or part of a dwelling (including rural workers dwelling and secondary dwellings) on rural zoned land as exempt development for the purpose of farm stay accommodation where it has been lawfully constructed and introduce the following development standards:

Maximum guests

- allow up to two persons aged over 12 per bedroom

Waste management

- waste generated must be managed on the site and then disposed of at a waste management facility including the recycling of all recyclables
- putrescible and organic waste may only be disposed of on-site if disposed in a managed composting system where odours and other pollutants are controlled and or managed.

Use of land for farm stay accommodation

It is proposed to allow the use of land for farm stay accommodation as exempt development where visitors reside in tents, caravans, campervans or other similar portable and light weight temporary shelters on rural zoned land and introduce the following development standards:

Operational requirements

- the use must be permissible with consent under council's local environmental plan
- allow up to 20 persons in any tents, caravans, campervans or other similar portable and light weight temporary shelters at any one time on the landholding for up to 14 days
- unoccupied caravans, campervans and tents are not to remain on the land after 24 hours

Location and size

- a tent must not be installed closer than 6 metres to any building, caravan, annexe or campervan or closer than 3 metres to any other tent
- the development cannot occur on land that is significantly contaminated land within the meaning of the *Contaminated Land Management Act 1997*
- the development cannot occur on land that is bush fire prone land

Setbacks

- the minimum following setbacks from any adjoining established or proposed:
 - pig farm, feedlot or poultry farm – 1,000 metres
 - other intensive livestock agriculture – 500 metres
 - intensive plant agriculture, forestry, mines and extractive industries, railway lines and rural industries – 250 metresor 250 metres from the boundary with the other use, whichever is greater
- if any existing dwelling has a setback from the other use that is less than these setbacks, or is less than 250 metres from the boundary, the farm accommodation may have the same setback
- a setback of 100 metres from any waterway

Waste management

- waste generated must be managed on the site and then disposed of at a waste management facility including the recycling of all recyclables
- putrescible and organic waste may only be disposed of on-site if disposed in a managed composting system where odours and other pollutants are controlled and or managed
- if human waste storage devices are proposed, these devices must not be emptied on sites without reticulated sewerage.

Complying development**Change of use of an existing building or manufactured home**

It is proposed to enable a change of use of an existing building or manufactured home to farm stay accommodation on rural zoned land as complying development under the Codes SEPP. The following development standards are proposed:

Use, number of buildings and size

- the current use must be a lawful use
- maximum one dwelling per 15 hectares, to a maximum of six dwellings on a landholding
- the new use must not be carried out at premises that are a moveable dwelling or associated structure (except for a manufactured home), temporary structure, or tent
- maximum floor area of the development must be 60 square metres

Bush fire prone land and flood control lots

- the development must comply with the flood control lots requirements in the Codes SEPP (clause 3D.7) if the building is on this type of land
- the development must not be a type that requires a bush fire safety authority under section 100B of the *Rural Fires Act 1997* because it is on bushfire prone land.

Setbacks

- the minimum setbacks from any adjoining established or proposed:
 - pig farm, feedlot or poultry farm – 1,000 metres

- other intensive livestock agriculture – 500 metres
- intensive plant agriculture, forestry, mines and extractive industries, railway lines and rural industries – 250 metres

or 250 metres from the boundary with the other use, whichever is greater

- if an existing dwelling has a setback from another use that is less than these setbacks or is less than 250 metres from the boundary, the farm stay accommodation may have the same setback

Services

- if water supply or sewerage services (or both) is to be provided by a water utility, the applicant must obtain written advice that specifies the works or other requirements to be completed from the relevant water utility

Waste management

- waste generated must be managed on the site and then disposed of at a waste management facility including the recycling of all recyclables
- putrescible and organic waste may only be disposed of on-site if disposed in a managed composting system where odours and other pollutants are controlled and or managed.

Note: Farm stay accommodation is a type of 'tourist and visitor accommodation' under the SI LEP Order. Under the *Rural Fires Act 1997*, development for the purpose of tourist accommodation cannot be undertaken as complying development on bush fire prone land.

Erection, alteration or addition to a building or manufactured home

It is proposed to enable the **erection, alteration or addition to a building or manufactured home** as complying development on rural zoned land to be used for farm stay accommodation. The following development standards are proposed:

Use, location and size

- any structure constructed or converted for the purpose of farm stay accommodation cannot be used as a dwelling without consent
- the erection of a new building or manufactured home for farm stay accommodation must be within 300 metres of the existing dwelling
- maximum height of 6 metres
- for a new building or manufactured home, a maximum floor area that is the greater of the standard in the relevant LEP or 60 square metres
- maximum one dwelling per 15 hectares, to a maximum of six dwellings on a landholding
- the development cannot occur on land that is significantly contaminated land within the meaning of the *Contaminated Land Management Act 1997*

Setbacks

- side setback of the existing dwelling on the land or 200 metres, whichever is less
- the minimum following setbacks from any adjoining established or proposed:
 - pig farm, feedlot or poultry farm – 1,000 metres
 - other intensive livestock agriculture – 500 metres
 - intensive plant agriculture, forestry, mines and extractive industries, railway lines and rural industries – 250 metres

or 250 metres from the boundary with the other use, whichever is greater

- if an existing dwelling has a setback from the other use that is less than these setbacks or is less than 250 metres from the boundary, the farm stay accommodation may have the same setback

Services

- the development cannot occur on unsewered land to which *State Environmental Planning Policy (Sydney Drinking Water Catchment) 2011* applies, if that development will result in an increase to the number of bedrooms on the site or in a site disturbance area of more than 250 square metres or in any other drinking water catchment identified in any other environmental planning instrument

Waste management

- waste generated must be managed on the site and then disposed of at a waste management facility including the recycling of all recyclables
- putrescible and organic waste may only be disposed of on-site if disposed in a managed composting system where odours and other pollutants are controlled and or managed.

Development application

Where a proposal for farm stay accommodation does not satisfy the requirements for exempt or complying development, a development application can be lodged with the local council. To appropriately consider the impact of farm stay accommodation where development consent is required, an optional clause is proposed that councils can choose to include in their LEPs which:

- includes objectives to:
 - allow for small scale tourism and commercial uses that complement the agricultural use of the land
 - balance the impacts of tourism and commercial uses on the environment, infrastructure and adjoining land uses
- provides the following requirements for farm stay accommodation:
 - allow the number of people accommodated in any buildings/manufactured homes to be three times the number of bedrooms permitted under clause 5.4(5) of the council's LEP, or the number the council specifies in its LEP
 - allow the number of persons in any tents, caravans, campervans or other similar portable and light weight temporary shelters on the landholding to be 20 at any one time for up to 14 days
 - require the maximum floor area of any new building to be 75 square metres or the number the council specifies in its LEP (which must be not more than 75 square metres).

It is also proposed to amend clause 2.6 of the Standard Instrument LEP Order to prevent the creation of a dwelling entitlement in relation to farm stay accommodation. This is intended to preclude the fragmentation of prime agricultural land.

3.2.2 Farm stay accommodation - consultation questions

1. Are the proposed setbacks to pig farms, other intensive livestock, forestry and mines for exempt and complying development appropriate?
2. Where a development application is required, should farm stay accommodation be permitted only on land that benefits from a dwelling entitlement?
3. For complying development, should there be a requirement that a new building or manufactured home for farm stay accommodation be within 300 metres (or some other distance) from the existing dwelling house to enable clustering together of sensitive land uses?

4. Should there be different development standards for farm stay accommodation based on land size or location (such as whether the land is inland or east of Great Dividing Range)? If yes, please provide your suggestions and reasons.



Photo courtesy of Smith and Tzannes Architecture and Urban Planning

3.3 Farm gate activities

Farm gate is a common term used where value is added to a farm's produce and there is an interaction with the farm by the purchaser of the goods. Farm gate activities may include appropriate infrastructure to enable on-farm dining or entertainment.

Farm gate activities are in keeping with the surrounding agricultural landscape, community and region. These activities can also protect farming from encroachment by non-agricultural or conflicting uses by strengthening the value of the agricultural activity itself.

Landholders are generally unable to process and sell retail products produced on a farm under existing planning requirements.

The proposed changes will make it easier for farmers to gain approval and establish businesses associated with their agricultural production activity. Farm gate activities vary significantly, from selling apple pie on a farm where the apples are grown on the property, to developing a cidery on a farm which uses ingredients predominantly grown in the surrounding area.

It is proposed to introduce a new land use term 'farm gate activities' into the Standard Instrument LEP Order to provide greater opportunities for landowners to showcase the agricultural produce from their land or the surrounding area through retail sales, a small restaurant or café, or tastings and workshops.

To ensure farm gate activities remain low intensity uses, an optional clause is proposed that councils can choose to adopt and tailor to suit local conditions.

Exempt and complying development pathways have also been developed to allow streamlined approval pathways for farm gate activities on certain land. This will allow some building works as complying development, changing the use of existing buildings to farm gate activities and erecting a roadside stall as exempt development.

3.3.1 Proposed amendments

3.3.1.1 Proposed definition

It is proposed to introduce a new land use term in the Standard Instrument LEP Order for farm gate activities which includes:

- a. the processing, packaging and sale of agricultural produce, or
- b. a restaurant or café, or
- c. facilities for the holding of tastings, workshops or providing information or education to visitors

for agricultural produce grown on the farm or predominantly grown in the surrounding area.

The proposed definition will make it clear that the principal use of the land must be the production of agricultural goods for commercial purposes. The proposed new term will also enable farm gate activities where the farm is currently not producing goods because of drought or similar events outside the landowner's control.

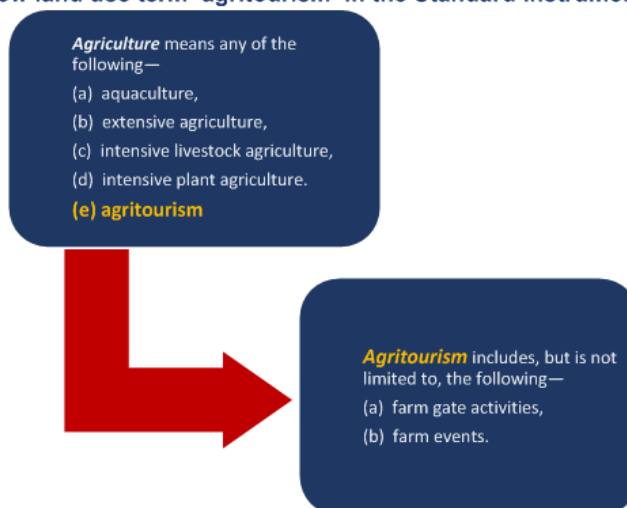
3.3.1.2 Permissibility

It is proposed to create a new land use term 'agritourism' in the Standard Instrument LEP Order and farm gate activities will be a subset of this new term. It is further proposed that 'agritourism' will be a subset of the existing land use term 'agriculture'.

Additional proposals include existing terms in the Standards Instrument LEP Order, 'roadside stall' and 'cellar door premises', to become subsets of the new 'farm gate activities' term.

These changes mean that farm gate activities will initially be permissible in all LEPs wherever 'agriculture' is currently permissible. Councils can then permit farm gate activities in additional zones, such as zones in which existing land uses, e.g. roadside stalls, are currently permitted. Roadside stalls and cellar door premises will continue to be permissible where they are currently permitted, as well as being permitted wherever 'agriculture' is permissible.

Figure 3 - Proposed new land use term 'agritourism' in the Standard Instrument LEP Order



Note: This is indicative only and subject to change in response to feedback received during exhibition

3.3.1.3 Approval pathways

The proposed approval pathways for farm gate activities are exempt development, complying development and lodging a development application. The approval pathway will depend on the type of development proposed, as shown in Table 2.

Table 2 - Summary of proposed approval pathways for farm gate activities

Approval pathway	Proposed development	Approval required
Exempt development	<ul style="list-style-type: none"> Use of land for farm gate activities Change of use to a roadside stall Erection of a roadside stall 	No planning or building approval required if specified development standards are met
Complying development	<ul style="list-style-type: none"> Change of use of an existing building Erection, alteration or addition to a building for a farm gate activity 	A fast-tracked approval can be issued by the local council or a registered certifier if specified development standards are met
Development application	<ul style="list-style-type: none"> Any proposal that does not satisfy the requirements for exempt and complying development 	The local council will undertake a merit assessment of the proposal and issue a development consent if approved

Further detail about these proposed approval pathways and the proposed development standards for each pathway are explained below.

Exempt development

Use of land for farm gate activities

It is proposed to allow the use of land for farm gate activities on rural zoned land as exempt development and introduce the following development standards:

Operational requirements

- the development must not involve a change of building use
- standard hours of operation to apply – 7.00 am to 7.00 pm Monday to Saturday and 9.00 am to 6.00 pm on a Sunday or a public holiday

Setbacks

- the minimum setbacks from any neighbouring established or proposed:
 - pig farm, feedlot or poultry farm – 1,000 metres
 - other intensive livestock agriculture – 500 metres
 - intensive plant agriculture, forestry, mines and extractive industries, railway lines and rural industries – 250 metres

or 250 metres from the boundary with the other use, whichever is greater

- if any existing dwelling has a setback from the other use that is less than these setbacks, or is less than 250 metres from the boundary, the farm gate activity may have the same setback

Site location and access

- where development utilises an existing access point to a road, that access point is to have a clear sight distance of 250 metres to an approaching vehicle along the major road or comply with the sight distance requirements of Austroads Guide to Road Design Part 3, Table 5.5
- the development cannot be carried out on land in bush fire attack level-40 or the flame zone

Maximum guests

- maximum number of guests is 50 at any one time

Waste management

- waste generated must be managed on the site and then disposed of at a waste management facility including the recycling of all recyclables
- putrescible and organic waste may only be disposed of on-site if disposed in a managed composting system where odours and other pollutants are controlled and or managed.

Change of use to a roadside stall

It is proposed to allow a change of use to a roadside stall on rural-zoned land as exempt development subject to the existing development standards in clause 2.20B of the Codes SEPP (roadside stalls are currently excluded from these provisions), which include preventing an increase in gross floor area of the building, compliance with existing conditions of development consent relating to hours of operation, noise, car parking, waste management, etc.

Erection of a roadside stall

It is proposed to allow the erection of a roadside stall on rural zoned land as exempt development and introduce the following development standards:

Building use, location and size

- the use must be permissible with consent under council's local environmental plan
- maximum footprint 8 square metres
- the development must be located on private property
- the development must not be located adjacent to a classified road

Site access and parking

- development must use an existing access point to a road and this access is to have a clear sight distance of 250 metres to an approaching vehicle along the road or comply with the sight distance requirements of Austroads Part 3, Table 5.5.
- any parking accommodated on the verge:
 - must be at least 3 metres from any carriageway
 - the verge must be graded
- if parking is not provided on the verge, it must be provided within the boundary of the property and cars must be able to access and leave the property in a forward direction
- maximum one roadside stall per land holding

Waste Management

- waste generated must be managed on the site and then disposed of at a waste management facility including the recycling of all recyclables
- putrescible and organic waste may only be disposed of on-site if disposed in a managed composting system where odours and other pollutants are controlled and or managed.

Note: Approval from the roads authority is required for any new access driveway.

Complying development**Change of use of an existing building**

It is proposed to allow the **change of use of an existing building** to a farm gate activity premises on rural zoned land as complying development and introduce the following development standards:

Use, location and size

- the current use must be a lawful use
- the new use must not be carried out at premises that are a manufactured home, moveable dwelling or associated structure, temporary structure, tent
- maximum 200 square metre footprint for each building and 500 square metre footprint for all buildings used for farm gate activities and farm events

Maximum guests

- maximum number of guests is 50 at any one time

Setbacks

- the minimum following setbacks from any adjoining established or proposed:
 - pig farm, feedlot or poultry farm – 1,000 metres
 - other intensive livestock agriculture – 500 metres
 - intensive plant agriculture, forestry, mines and extractive industries, railway lines and rural industries – 250 metres
 or 250 metres from the boundary with the other use, whichever is greater
- if any existing dwelling has a setback from the other use that is less than these setbacks, or is less than 250 metres from the boundary, the farm gate activity may have the same setback
- setback at least 50 metres from any other fence or otherwise marked property boundary

Services

- if water supply or sewerage services (or both) is to be provided by a water utility, the applicant must obtain written advice that specifies the works or other requirements to be completed from the relevant water utility

Waste management

- waste generated must be managed on the site and then disposed of at a waste management facility including the recycling of all recyclables
- putrescible and organic waste may only be disposed of on-site if disposed in a managed composting system where odours and other pollutants are controlled and or managed.

Erection, alteration or addition to a building for a farm gate activity

It is proposed to allow the **erection, alteration or addition to a building for a farm gate activity** on rural zoned land as complying development and introduce the following development standards:

Building location and size

- maximum 200 square metres for each building and 500 square metre footprint for all buildings used for farm gate activities and farm events provide that a road setback is not required for structures with a floor area less than 12 square metres and height up to 3.5 metres and which are for the sale of goods or produce (roadside stalls)
- maximum height:
 - 7 metres for landholding 4000 square meters to 10 hectares
 - 10 metres for landholding greater than 10 hectares
- the development cannot occur on land that is significantly contaminated land within the meaning of the *Contaminated Land Management Act 1997*

Maximum guests

- maximum number of guests is 50 at any one time

Setbacks

- the minimum following setbacks from any neighbouring established or proposed:
 - pig farm, feedlot or poultry farm – 1,000 metres
 - other intensive livestock agriculture – 500 metres
 - intensive plant agriculture, forestry, mines and extractive industries, railway lines and rural industries – 250 metres

or 250 metres from the boundary with the other use, whichever is greater

- if any existing dwelling has a setback from the other use that is less than these setbacks, or is less than 250 metres from the boundary, the farm gate activity may have the same setback
- setback at least 50 metres from any other fence or otherwise marked property boundary

Services

- the development cannot occur on unsewered land in the Sydney drinking water catchment if it will cause a site disturbance area of more than 250 square metres, or in any other drinking water catchment identified in an environmental planning instrument

Waste management

- waste generated must be managed on the site and then disposed of at a waste management facility including the recycling of all recyclables
- putrescible and organic waste may only be disposed of on-site if disposed in a managed composting system where odours and other pollutants are controlled and or managed.

Development application

Where a proposal for farm stay accommodation does not satisfy the requirements for exempt or complying development, a development application can be lodged with the local council. To appropriately consider the impact of farm gate activities where development consent is required, an optional clause that councils can adopt in their LEPs is proposed which will:

- introduce objectives:
 - to allow for small scale tourism and commercial uses that complement the agricultural use of the land
 - to balance the impacts of tourism and commercial uses on the environment, infrastructure and adjoining land uses
- introduce the following standards:
 - a. the gross floor area must not exceed 200 square metres or the number the council specifies in its LEP (which must be not less than 200 square metres)
 - b. the maximum number of people is not to exceed 50 at any one time or the number the council specifies in its LEP (which must be not less than 50)
 - c. despite a., if a structure is a roadside stall, the maximum floor area must not exceed 8 square metres or the number the council specifies in its LEP (which must be not less than 8 square metres).

3.3.2 Farm gate activities - consultation questions

5. How far do you think a roadside stall should be setback from the road?
6. What additional standards should be included for the exempt and complying development pathways for farm gate activities, if any?



Photo courtesy of Smith and Tzannes Architecture and Urban Planning

3.4 Farm events

The ability to hold rural events can allow farmers to diversify and value add to their agricultural business. In addition to the direct benefits to agricultural business, rural events can have a far-reaching supply chain benefit to the surrounding economy. For example, if a farm can host a wedding, beyond just the hiring of a venue on a farm, the event can result in hiring of local accommodation services, engagement of event services (such as photographers, stylists and transport), food and drink services, supporting services (gift shops, child minding) and facilities services (party hire, mobile toilet hire etc).

There are limited land use terms in the planning system that enable rural events. Applicants can rely on the definition in the Standard Instrument LEP Order for 'function centre' or use the temporary use of land clause in the Standard Instrument LEP Order (clause 2.8) to seek development consent. Including a definition for events on farms will provide greater certainty around where such development can take place.

It is proposed to introduce a new land use term 'farm events' into the Standard Instrument LEP Order to allow events, tours, functions and conferences on land used for agriculture.

The proposed definition will also enable farm events on a commercial farm that is currently not producing goods because of drought or similar events outside the landowner's control.

Exempt and complying development pathways have been developed to allow streamlined approvals for low scale, low impact farm events. The exempt development pathway will only be available for a limited number and scale of events per year and certain development standards must be met. Complying development pathways will allow some building works and a change of use of existing buildings for farm events.

3.4.1 Proposed amendments

3.4.1.1 Proposed definition

It is proposed to introduce a new land use term in the Standard Instrument LEP Order to permit events, tours, functions, conferences, fruit picking, horse riding and other similar experiences on land for which the principal use of the land is the production of agricultural goods for commercial purposes. The definition will also enable farm events on a commercial farm that is currently not producing goods because of drought or similar events outside the landowner's control.

3.4.1.2 Permissibility

It is proposed to create a new land use term 'agritourism' in the Standard Instrument LEP Order and farm events will be a subset of this new term. It is further proposed that 'agritourism' will be a subset of the existing land use term 'agriculture' – see diagram at section 3.3.1.2 Permissibility.

These changes mean that initially, farm events will be permissible in all local environmental plans wherever 'agriculture' is currently permissible. Councils can then permit farm events in any additional zones.

3.4.1.3 Approval pathways

The proposed approval pathways for farm events are exempt development, complying development and lodging a development application. The approval pathway will depend on the type of development proposed, as shown in Table 3.

Table 3 - Summary of proposed approval pathways for farm events

Approval pathway	Proposed development	Approval required
Exempt development	<ul style="list-style-type: none"> Use of rural zoned land for farm events 	No planning or building approval required if specified development standards are met
Complying development	<ul style="list-style-type: none"> Change of use of an existing building to farm event premises Erection, alteration or addition to a farm event building 	A fast-tracked approval can be issued by the local council or a registered certifier if specified development standards are met
Development application	<ul style="list-style-type: none"> Any proposal that does not satisfy the requirements for exempt and complying development 	The local council will undertake a merit assessment of the proposal and issue a development consent if approved

Further detail about these proposed approval pathways and the proposed development standards for each pathway are explained below.

Exempt development

Use of rural zoned land

It is proposed to allow the use of rural zoned land for a farm event that does not involve manufacturing food or drink as exempt development and introduce the following development standards:

Operational requirements

- the development must not involve a change of building use
- events must only take place during the following times:

Agritourism and small-scale agriculture development

- 7.30 am to 11.00 pm on Monday, Tuesday, Wednesday or Thursday
- 7.30 am to 12.00 am on Friday or Saturday
- 8.00 am to 8.00 pm on Sunday
- maximum number of guests and event days per year:
 - 52 event days per year and up to 30 guests per event, or
 - 10 event days per year and up to 50 guests per event
- the event holder is to notify neighbours of an event at least one week before holding the event

Setbacks

- the minimum setbacks from any neighbouring established or proposed:
 - pig farm, feedlot or poultry farm – 1,000 metres
 - other intensive livestock agriculture – 500 metres
 - intensive plant agriculture, forestry, mines and extractive industries, railway lines and rural industries – 250 metres
 or 250 metres from the boundary with the other use, whichever is greater
- if any existing dwelling has a setback from the other use that is less than these setbacks, or is less than 250 metres from the boundary, the farm accommodation gate activity may have the same setback
- setback at least 50m from any other fence or otherwise marked property boundary
- events that have amplified music or voices, must be located at least 1,000 metres from the nearest existing dwelling house and any building which houses animals including stables, stock yards and poultry sheds, on an adjoining property

Waste management

- waste generated must be managed on the site and then disposed of at a waste management facility including the recycling of all recyclables
- putrescible and organic waste may only be disposed of on-site if disposed in a managed composting system where odours and other pollutants are controlled and or managed.

Complying development**Change of use of an existing building to farm event premises**

It is proposed to allow a change of use of an existing building to farm event premises on rural zoned land as complying development and introduce the following development standards:

Operational requirements

- the current use must be a lawful use
- the new use must not be carried out at premises that are a manufactured home, moveable dwelling or associated structure, temporary structure, tent
- events must only take place during the following times:
 - 7.30 am to 11.00 pm on Monday, Tuesday, Wednesday or Thursday
 - 7.30 am to 12.00 am on Friday or Saturday
 - 8.00 am to 8.00 pm on Sunday
- maximum number of guests and event days per year:
 - 52 event days per year and up to 30 guests per event, or
 - 10 event days per year and up to 50 guests per event

Use, location and size

- maximum 200 square metres for each building and 500 square metre footprint for all buildings used for farm gate activities and farm events

Setbacks

- the minimum setbacks from any neighbouring established or proposed:
 - pig farm, feedlot or poultry farm – 1,000 metres
 - other intensive livestock agriculture – 500 metres
 - intensive plant agriculture, forestry, mines and extractive industries, railway lines and rural industries – 250 metresor 250 metres from the boundary with the other use, whichever is greater
- if any existing dwelling has a setback from the other use that is less than these setbacks, or is less than 250 metres from the boundary, the farm event may have the same setback
- setback at least 50 metres from any other fence or otherwise marked property boundary

Services

- if water supply or sewerage services (or both) is to be provided by a water utility, the applicant must obtain written advice that specifies the works or other requirements to be completed from the relevant water utility

Waste management

- waste generated must be managed on the site and then disposed of at a waste management facility including the recycling of all recyclables
- putrescible and organic waste may only be disposed of on-site if disposed in a managed composting system where odours and other pollutants are controlled and or managed

Erection, alteration or addition to a farm event building

It is proposed to allow the erection, alteration or addition to a building that is to be used for a farm event on rural zoned land as complying development and introduce the following development standards:

Operational requirements

- maximum number of guests and event days per year:
 - 52 event days per year and up to 30 guests per event, or
 - 10 event days per year and up to 50 guests per event
- events must only take place during the following times:
 - 7.30 am to 11.00 pm on Monday, Tuesday, Wednesday or Thursday
 - 7.30 am to 12.00 am on Friday or Saturday
 - 8.00 am to 8.00 pm on Sunday
- the event holder is to notify neighbours of an event at least one week before holding the event

Building location and size

- maximum footprint of 200 square metres for each building and 500 square metres for all buildings used for farm gate activities and farm events
- maximum height:
 - 7 metres for landholding 4000 square metres to 10 hectares
 - 10 metres for landholding greater than 10 hectares

- the development cannot occur on land that is significantly contaminated land within the meaning of the *Contaminated Land Management Act 1997*

Setbacks

- the minimum following setbacks from any neighbouring established or proposed:
 - pig farm, feedlot or poultry farm – 1,000 metres
 - other intensive livestock agriculture – 500 metres
 - intensive plant agriculture, forestry, mines and extractive industries, railway lines and rural industries – 250 metres
 or 250 metres from the boundary with the other use, whichever is greater
- if any existing dwelling has a setback from the other use that is less than these setbacks, or is less than 250 metres from the boundary, the farm event may have the same setback
- setback at least 50 metres from any other fence or otherwise marked property boundary

Services

- the development cannot occur on unsewered land in the Sydney water catchment if it will cause a site disturbance area of more than 250 square metres, or in any other drinking water catchment identified in an environmental planning instrument

Waste management

- waste generated must be managed on the site and then disposed of at a waste management facility including the recycling of all recyclables
- putrescible and organic waste may only be disposed of on-site if disposed in a managed composting system where odours and other pollutants are controlled and or managed.

3.4.2 Farm events - consultation questions

- The proposed maximum number of people and events per day for exempt and complying development are:
 - 52 event days per year and up to 30 guests per event, or
 - 10 event days per year and up to 50 guests per event
 Are these appropriate?
- What events, if any, do you think should be excluded from the definition of farm events?
- Should changes be made to the planning system to facilitate destination weddings under a development application? If so, in which zones should destination weddings be permitted? Please provide reasons for your selection.
 - RU1
 - RU2
 - RU4 zones
 - Other zones (please specify)
- Should the department prepare a model clause for destination weddings which councils can choose to adopt?
- Is there any rural land or areas in which agritourism activities should not be permitted? If yes, why?



3.5 Additional proposed changes relating to agritourism

The following additional changes are proposed to apply existing standards to the agritourism activities and amend existing exempt development standards to better facilitate these activities.

3.5.1 Proposed amendments

Bush fire prone land: Apply existing complying development standards in the Codes SEPP for bush fire prone land to buildings used for farm activities or farm events as complying development.

Business identification signs: Amend clause 2.83 exempt development provisions of the Codes SEPP to allow business identification signs for farm stay accommodation, farm gate activities and farm events, limited to 4 per landholding and one sign every 2 kilometres.

Free standing signs: Amend the Codes SEPP to allow the construction of business identification signs as exempt development that are displayed on a free-standing structure, fixed to the fence adjacent the entry gate or the entry gate. Introduce the following development standards:

- a) the development must not result in more than 3 business identification signs of this type per property
- b) the development must be associated with a farm gate activity use, farm stay accommodation, or farm events use on the land
- c) the development must not be more than 2 metres above ground level (existing)
- d) each sign must not have an area greater than 2 square metres
- e) the development must be constructed and installed in accordance with Australian Standards:
 - i. AS/NZS 1170.0:2002, Structural design actions, Part 0: General principles
 - ii. AS/NZS 1170.2:2011, Structural design actions, Part 2: Wind actions
- f) only one sign may be illuminated and if illuminated must:
 - i. not be animated, flashing or moving
 - ii. comply with AS 4282-1997 Control of the obtrusive effects of outdoor lighting
- g) if the hours of operation of the business identified on the sign have been approved, operate during those hours, or if the hours of operation of the business identified on the sign have not been approved, operate between 7.00 am and 10.00 pm on any day

- h) a sign on rural zoned land advertising a roadside stall may only be located on the same landholding as the roadside stall.

Verandahs: Amend clause 2.12 of the Codes SEPP to allow decks, patios, pergolas, terraces and verandahs on the front of buildings in rural zones as exempt development if they are setback 50 metres from the road. This will allow farm gate businesses to provide an area for tastings.



3.6 Small-scale processing plants

Amendments to the Codes SEPP are proposed to allow small-scale processing plants associated with agricultural produce industries that process meat, honey and dairy as complying development. The provisions would use the definitions of livestock processing industries and agricultural produce industries contained in the Standard Instrument LEP.

3.6.1 Proposed development standards

Small-scale processing plants would be complying development with the following development standards:

- maximum throughput per annum of:
 - 3 million litres for dairy
 - 4,000 carcasses for pork
 - 1,000 lamb carcasses
 - 100 beef carcasses
 - 4,000 carcasses for poultry
 - 1,000 carcasses for other animals such as deer, kangaroo
- not be used for the processing of skins or wool of animals, or as knackereries, tanneries, woolscours or rendering plants
- must be setback a minimum of:
 - 100 metres from a natural waterbody or wetland
 - 500 metres from the nearest existing dwelling house other than the house located on the property
 - 5 kilometres from a residential zone

- no more than one per property.
- hours of operation 6am to 7pm Monday to Saturday, 8am to 5pm Sunday
- must be a minimum of 500 metres from another existing or proposed poultry or pig production facility.

Note: There are provisions in the EP&A Regulation (Schedule 3) that classify livestock processing industries and agricultural produce industries as designated development by certain locational criteria. Designated development cannot be complying development.

3.6.2 Small scale processing plants - consultation questions

12. Should any other agricultural produce industries be complying development? What standards should apply?
13. Is a maximum throughput of 1,000 carcasses per annum for other animals such as deer or kangaroo appropriate?
14. Should any additional standards be included?
15. Should the locational criteria that classify livestock processing industries as designated development be reviewed for small-scale processing plants to determine whether these plants could be approved:
 - a) as complying development?
 - b) through the standard DA process?

3.7 Rebuilding of farm infrastructure

This year, farming communities were impacted by unprecedented bushfires. A range of amendments were made to planning controls in January and February 2020 to help people affected by the bushfires such as allowing certain activities without planning approval including temporary accommodation, temporary portable offices, temporary storage, and demolition and repair of damaged buildings.

To further assist in efficient recovery following future events, amendments to the Codes SEPP are proposed to allow farm buildings that have been damaged or destroyed by a natural disaster event to be rebuilt as exempt development, if built to a contemporary standard and in the same location. This will benefit farmers that are unable to use the existing exempt development provisions to rebuild farm buildings because of requirements such as minimum setbacks from boundaries.

3.7.1 Proposed development standards

Reconstruction of farm buildings is exempt development with the following development standards:

- The structure must have been destroyed or significantly damaged in a natural disaster.
- The structure must be of the same building class under the BCA.
- The structure must have been a lawful structure.
- The structure must be built to current BCA standards.
- The new structure is to be located on the same building footprint as the former structure.
- The height of the new structure must not be greater than the structure that was lost due to a natural disaster.
- The new structure must comply with standards identified under the following provisions except for provisions relating to height and footprint. If it is:
 - a farm building (other than stock holding yards, grain silos, and grain bunkers) it must comply with clause 2.32 of the Codes SEPP
 - a stock holding yard it must comply with clause 2.32B of the Codes SEPP

- a grain silo or grain bunker it must comply with clause 2.32D, 2.32E, 2.32F of the Codes SEPP.

3.7.2 Rebuilding of farm infrastructure - consultation questions

16. Will these provisions sufficiently enable the rebuilding of buildings lost to natural disasters in the same location of the same size and form?
17. Should any additional standards be included?



3.8 Stock containment areas

These proposed amendments relate to the construction of stock containment areas to temporarily contain livestock to assist during and immediately after natural disasters, and for routine animal husbandry purposes:

- amendments to implement locational requirements for all stock containment areas in response to impacts some containment areas have had on waterways and the oyster industry
- amendments to simplify clauses 18(2) and (3) of the Primary Production and Rural Development SEPP and update them to reflect current practice
- currently the provisions for stock containment areas and feedlots are spread across the Primary Production and Rural Development SEPP and Standard Instrument LEP. To reduce complexity, options to locate these controls in one place are being explored.

Allow minor permanent infrastructure to be developed without consent for stock containment areas (to contain livestock temporarily, not permanently).

3.8.1 Proposed development standards

Development for the purpose of a stock containment area, or other feeding or housing arrangements, for any or a combination of the following purposes:

- to manage stock during or immediately following a drought, flood, fire or similar emergency
- for temporary agistment or housing; or
- for weaning, dipping, tagging, backgrounding or similar husbandry purposes may be carried out without development consent if:

- a) development for the purpose of agriculture may be carried out with or without development consent on the land
- b) there is currently an agriculture land use lawfully occurring on the land
- c) it is not located in an environmentally sensitive area
- d) it is not located within 100 metres of a natural watercourse
- e) it is not located within 500 metres of a residential zone or an adjoining dwelling that is not associated with the development.

3.8.2 Stock containment areas - consultation questions

18. What type of permanent infrastructure should be permitted for stock containment areas?

19. What type of permanent infrastructure should not be permitted for stock containment areas?

3.9 Farm dams

Farm dams are minor development that is essential for agricultural purposes to provide water for stock, fire protection and irrigation. In areas of NSW (near the Murray River) small farm dams are permitted without consent while in other areas they are considered 'water storage facilities' that often need consent.

There is some inconsistency in terminology used around farm dams in the Standard Instrument LEP, the PPRD SEPP, and the Environmental Planning and Assessment Regulation 2000 (EP&A Regulation).

Stakeholders have suggested the various planning terms and approval pathways that apply across the state could be consolidated to simplify the planning system.

3.9.1 Proposed amendments

Clarify terminology used in the SI LEP, PPRD SEPP and EP&A Regulation 2000 and consider providing a consistent approval process.

3.9.2 Farm dams - consultation questions

20. How could we simplify planning provisions for farm dams?

3.10 Biosecurity for poultry farms and pig farms

Currently, the standards for biosecurity for poultry farms and pig farms in the Standard Instrument LEP (clause 5.18) and PPRD SEPP are not in line with industry standards such as the Best Practice Management for Meat Chicken Production in NSW produced by the NSW Poultry Meat Industry Committee in conjunction with the Department of Primary Industries and other government agencies.

Amendments are proposed to better address biosecurity for poultry farms and pig farms. Biosecurity risks for poultry are negligible up to 10,000 birds, so it is proposed to raise the provisions allowing poultry farms to be developed without consent from 1,000 to 10,000 birds, subject to locational restrictions.

3.10.1 Proposed amendments

Clause 5.18 of the Standard Instrument LEP will be amended so that development consent is not required for poultry farms with less than 10,000 birds but only if they are not within:

- 1,000 metres of other poultry farms, or
- 5,000 metres of poultry farms used for the breeding of poultry
- If it is a poultry farm used for the breeding of poultry – 5,000 metres of a poultry farm.

Development consent is not required for pig farms with fewer than 20 breeding sows, or fewer than 200 pigs (of which fewer than 20 may be breeding sows) but only if they are not within 3,000 metres of another pig farm.

Other locational restrictions in clause 5.18 will remain. The PPRD SEPP will be amended to align with these changes.

3.10.2 Biosecurity for poultry and pig farms - consultation questions

21. Do the proposed provisions adequately provide for biosecurity between poultry farms and pig farms?

22. Should any additional standards be included?

3.11 Rural dwelling setbacks from intensive livestock agriculture

Currently, the Codes SEPP requires a setback of 250m for rural dwellings from a boundary with adjoining land being used for any of the following:

- (i) forestry
- (ii) intensive livestock agriculture
- (iii) intensive plant agriculture
- (iv) mines and extractive industries
- (v) railway lines
- (vi) rural industries.

There are concerns that these setbacks may not be large enough to minimise impacts from intensive livestock agriculture on new dwellings.

3.11.1 Proposed amendments

In addition to the existing setbacks from boundaries of properties being used for intensive livestock agriculture, the department proposes that rural dwellings have a setback of:

- 1,000 metres from any existing or proposed pig farm, feedlot or poultry farm
- 500 metres from any existing or proposed other intensive livestock agriculture development

The greater separation distance will apply. If these setbacks cannot be complied with, a development application will be required.

These changes to setbacks seek to reduce potential land use conflict without significantly reducing the ability for rural landowners to develop new houses as complying development.

3.11.2 Rural dwelling setbacks from intensive agriculture - consultation questions

23. Should the setbacks for rural dwellings be increased from its current requirement to be 250 metres from the boundary (when carried out as complying development)?

24. From which point should the setbacks be measured?

- a) From the proposed or existing intensive agricultural use
- b) From the property boundary shared with land used for intensive agriculture
- c) A combination of the above



3.12 Recreational Beekeeping

Recreational beekeeping has grown in popularity in recent years, including in urban and metropolitan areas. It can be an interesting and rewarding hobby with minor impacts if managed appropriately.

While commercial beekeeping is defined as a form of extensive agriculture in the Standard Instrument LEP, recreational beekeeping is not defined. This has led to some confusion regarding whether development approval is needed for the activity.

In NSW, beekeepers who own honey bees for more than 3 months during a 12 month period, are required to hold a biosecurity registration under the *Biosecurity Act 2015*. The biosecurity registration requires information on the location, contact person and number of hives on a property and ensures that the Department of Primary Industries can effectively manage any disease outbreaks.

The proposed amendments will clarify that recreational beekeeping is exempt development and does not need planning approval if it complies with certain standards. These standards are in line with the NSW Beekeeping Code of Practice and are designed to avoid inappropriate development and minimise impacts related to such development.

3.12.1 Proposed amendments

Amendments are proposed to the Codes SEPP to permit recreational beekeeping as exempt development if certain development standards are met. Where the development standards cannot be met a development application would be required.

The development:

- Must not be used for a commercial purpose.
- Must not consist of more than:
 - 2 hives for lots up to 300m²,
 - 4 hives for lots 300m² to 1000m²,
 - 8 hives for lots above 1000m²,
 - no limit for lots in a rural zone.
- Must not contain any hive within 1m of any lot boundary, or within 3m of any boundary adjoining a public reserve, childcare centre, health services facility, educational establishment or community facility.
- Must be located in a rural, residential, or environmental zone.

Agritourism and small-scale agriculture development

- If it is in a residential zone, be located in the rear yard.
- If it is located on bush fire prone land, not be within 5m of a dwelling.

Note: Beekeepers must also comply with the requirements of the *Biosecurity Act 2015*, the Australian Honey Bee Industry Biosecurity Code of Practice and the Beekeeping Code of Practice for NSW.

3.12.2 Recreational Beekeeping – Consultation Questions

25. Are the proposed development standards appropriate and are any additional standards needed?

Part 4 – Have your say

This EIE outlines proposed changes to the NSW Planning System to better support farming businesses and rural and regional areas. The department welcomes your feedback during public exhibition.

Your feedback will help us better understand the views of the community, which will then inform the preparation of the proposed changes to the planning framework.

The department will publish all individual submissions and an assessment report on all submissions received, shortly after the exhibition period has ended.

To view the EIE and supporting documents, and to make a submission online, please follow the steps below:

www.planningportal.nsw.gov.au/exhibition

- 1) Read our privacy statement and decide whether to include your personal information in your submission.
- 2) Fill in the online submission form. Your submission can either be typed or uploaded as a PDF and should include:
 - a. the name of the proposal (Agritourism and small-scale agriculture development: Proposed amendments to support farm businesses and regional economies)
 - b. a brief statement on whether you support or object to the proposal
 - c. the reason why you support or object to the proposal.
- 3) Ensure you disclose reportable political donations. Anyone lodging submissions must declare reportable political donations (including donations of \$1,000 or more) made in the previous two years.
- 4) Agree to our online statement and lodge your submission.

You may also lodge your submission via post by sending it to:

Executive Director
Local Government and Economic Policy
Department of Planning, Industry and Environment
Locked Bag 5022, Parramatta NSW 2124

In your submission, you are encouraged to respond to the consultation questions at the end of each proposal. Alternatively, you can respond to these questions via a survey on the department's website www.planning.nsw.gov.au.

All submissions will be made public in line with our objective to promote an open and transparent planning system. If you do not want your name published, please state this clearly at the top of your submission.

Call for expressions of interest from local councils

During exhibition of the EIE, councils are asked to consider whether they wish to adopt the new optional clauses for farm stay accommodation and farm gate activities and identify the zones in which they wish to allow the new farm events and farm gate activities. Councils who wish to make these changes to their LEPs are invited to provide an expression of interest and nominate a suitable contact(s) to liaise with the department about implementation.

Following exhibition, the department will work with councils that have submitted an expression of interest to facilitate amendments to their LEPs through an amending State environmental planning policy, saving the time and resources required to progress individual planning proposals.

To find out more, please visit www.planning.nsw.gov.au.

4.1 Consultation Questions

4.1.1 Farm stay accommodation

1. Are the proposed setbacks to pig farms, other intensive livestock, forestry and mines for exempt and complying development appropriate?
2. Where a development application is required, should farm stay accommodation be permitted only on land that benefits from a dwelling entitlement?
3. For complying development, should there be a requirement that a new building or manufactured home for farm stay accommodation be within 300 metres (or some other distance) from the existing dwelling house to enable clustering together of sensitive land uses?
4. Should there be different development standards for farm stay accommodation based on land size or location (such as whether the land is inland or east of Great Dividing Range)? If yes, please provide your suggestions and reasons.

4.1.2 Farm gate activities

5. How far do you think a roadside stall should be setback from the road?
6. What additional standards should be included for the exempt and complying development pathways for farm gate activities, if any?

4.1.3 Farm events

7. The proposed maximum number of people and events per day for exempt and complying development are:
 - a) 52 event days per year and up to 30 guests per event, or
 - b) 10 event days per year and up to 50 guests per eventAre these appropriate?
8. What events, if any, do you think should be excluded from the definition of farm events?
9. Should changes be made to the planning system to facilitate destination weddings under a development application? If so, in which zones should destination weddings be permitted? Please provide reasons for your selection.
 - a) RU1
 - b) RU2
 - c) RU4 zones
 - d) Other zones (please specify)
10. Should the department prepare a model clause for destination weddings which councils can choose to adopt?
11. Is there any rural land or areas in which agritourism activities should not be permitted?

4.1.4 Small scale processing plants

12. Should any other agricultural produce industries be complying development? What standards should apply?
13. Is a maximum throughput of 1,000 carcasses per annum for other animals such as deer or kangaroo appropriate?
14. Should any additional standards be included?

15. Should the locational criteria that classify livestock processing industries as designated development be reviewed for small-scale processing plants to determine whether these plants could be approved:
- a) as complying development?
 - b) through the standard DA process?

4.1.5 Rebuilding of farm infrastructure

16. Will these provisions sufficiently enable the rebuilding of buildings lost to natural disasters in the same location of the same size and form?
17. Should any additional standards be included?

4.1.6 Stock containment areas

18. What type of permanent infrastructure should be permitted for stock containment areas?
19. What type of permanent infrastructure should not be permitted for stock containment areas?

4.1.7 Farm dams

20. How could we simplify planning provisions for farm dams?

4.1.8 Biosecurity for poultry and pig farms

21. Do the proposed provisions adequately provide for biosecurity between poultry farms and pig farms?
22. Should any additional standards be included?

4.1.9 Rural dwelling setbacks from intensive agriculture

23. Should the setbacks for rural dwellings be increased from its current requirement to be 250 metres from the boundary (when done as complying development)?
24. From which point should the setbacks be measured?
- a) From the proposed or existing intensive agricultural use
 - b) From the property boundary shared with land used for intensive agriculture
 - c) A combination of the above

4.1.10 Recreational Beekeeping

25. Are the proposed development standards appropriate and are any additional standards needed?

draft



New South Wales

Standard Instrument (Local Environmental Plans) Amendment (Agritourism) Order 2021

under the

Environmental Planning and Assessment Act 1979

The following local environmental plan is made by the local plan-making authority under the *Environmental Planning and Assessment Act 1979*.

.....

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draft

Standard Instrument (Local Environmental Plans) Amendment (Agritourism) Order 2021 [NSW]

Standard Instrument (Local Environmental Plans) Amendment (Agritourism) Order 2021

under the

Environmental Planning and Assessment Act 1979

1 Name of Plan

This Plan is *Standard Instrument (Local Environmental Plans) Amendment (Agritourism) Order 2021*.

2 Commencement

This Plan commences on the day on which it is published on the NSW legislation website.

3 Amendment of Standard Instrument (Local Environmental Plans) Order 2006

Land Use Table

Insert in appropriate order in Direction 5—

Agritourism;
Farm experience premises;
Farm gate premises;

draft

Standard Instrument (Local Environmental Plans) Amendment (Agritourism) Order 2021 [NSW]
Schedule 1 Amendment of Standard Instrument prescribed by Standard Instrument (Local Environmental Plans) Order 2006

Schedule 1 Amendment of Standard Instrument prescribed by Standard Instrument (Local Environmental Plans) Order 2006

[1] Clause 5.4 Controls relating to miscellaneous permissible uses [compulsory]

Omit “not less than 8” from clause 5.4(8). Insert instead “not less than 9”.

[2] Clause 5.18 Intensive livestock agriculture [compulsory if intensive livestock agriculture permitted with consent]

Omit clause 5.18(4)(b)(v). Insert instead—

- (v) for a poultry farm used for breeding poultry—within 5,000 metres of another poultry farm, or
- (vi) for a poultry farm not used for breeding poultry—
 - (A) within 5,000 metres of a poultry farm used for breeding poultry, or
 - (B) within 1,000 metres of a poultry farm not used for breeding poultry, or
- (vii) for a pig farm—within 3,000 metres of another pig farm.

[3] Clauses 5.23 and 5.24

Insert after clause 5.22—

5.23 Farm stay accommodation [optional]

- (1) The objectives of this clause are—
 - (a) to diversify the uses of agricultural land without adversely impacting the principal use of the land for a primary production business, and
 - (b) to balance the impact of tourism and related commercial uses with the use of land for primary production, the environment, scenic values, infrastructure and adjoining land uses.
 - (c) [set out other objectives of the clause]
- (2) Development consent must not be granted to development for the purposes of farm stay accommodation on a landholding unless the consent authority is satisfied that—
 - (a) the maximum number of guests accommodated in bedrooms at any 1 time will not be more than the greater of—
 - (i) 3 times the number of bedrooms permitted under clause 5.4(5), or
 - (ii) 20 guests, and
 - (b) the gross floor area of a building used to accommodate guests will not be more than [insert number no less than 60] square metres, and
 - (c) the maximum number of guests accommodated in moveable dwellings on the landholding will not be more than [insert number no more than 20] at any 1 time, and
 - (d) the maximum number of moveable dwellings used for the accommodation of guests will not be more than [insert number no more than 6], and
 - (e) all buildings or moveable dwellings used to accommodate guests will be—
 - (i) on the same lot as an existing lawful dwelling house, or

draft

Standard Instrument (Local Environmental Plans) Amendment (Agritourism) Order 2021 [NSW]
 Schedule 1 Amendment of Standard Instrument prescribed by Standard Instrument (Local Environmental Plans) Order 2006

- (ii) on a lot—
 - (A) for which a minimum size is shown for a dwelling house on the Lot Size Map, and
 - (B) the size of which is not less than the minimum size shown.
- (3) Subclause (2)(b) does not apply if the development is the change of use of an existing dwelling to farm stay accommodation.
- (4) Development consent must not be granted to development for the purposes of farm stay accommodation on land unless the consent authority has considered—
 - (a) whether the development will result in noise or pollution that will have significant adverse impact on the following on or near the land—
 - (i) residential accommodation,
 - (ii) primary production operations,
 - (iii) other land uses, and
 - (b) whether the development will have significant adverse impact on the following on or near the land—
 - (i) the visual amenity, heritage or scenic values,
 - (ii) native or significant flora or fauna,
 - (iii) water quality,
 - (iv) traffic,
 - (v) the safety of persons, and
 - (c) whether the development is on bush fire prone land or flood prone land, and
 - (d) the suitability of the land for the proposed development, and
 - (e) the compatibility of the development with nearby land uses.

5.24 Farm gate premises [optional]

- (1) The objectives of this clause are—
 - (a) to allow for small scale tourism and related commercial uses on land used for primary production without adversely impacting the principal use of the land for primary production, and
 - (b) to balance the impact of tourism and related commercial uses with the use of land for primary production, the environment, scenic values, infrastructure and adjoining land uses.
 - (c) *[set out other objectives of the clause]*
- (2) Development consent must not be granted to development for the purposes of farm gate premises on a landholding unless the consent authority is satisfied that—
 - (a) the gross floor area of a building used for farm gate premises will not be more than *[insert number no more than 200]* square metres, and
 - (b) the maximum number of persons that will be permitted on the landholding at any 1 time for the purposes of the farm gate premises will not be more *[insert number not more than 50]* persons.
- (3) Development consent must not be granted to development for the purposes of farm gate premises on land unless the consent authority has considered—
 - (a) whether the development will result in noise or pollution that will have significant adverse impact on the following on or near the land—

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Standard Instrument (Local Environmental Plans) Amendment (Agritourism) Order 2021 [NSW]
 Schedule 1 Amendment of Standard Instrument prescribed by Standard Instrument (Local Environmental Plans) Order 2006

- (i) residential accommodation,
- (ii) primary production operations,
- (iii) other land uses, and
- (b) whether the development will have significant adverse impact on the following on or near the land—
 - (i) the visual amenity, heritage or scenic values,
 - (ii) native or significant flora or fauna,
 - (iii) water quality,
 - (iv) traffic,
 - (v) the safety of persons, and
- (c) whether the development is on bush fire prone land or flood prone land, and
- (d) the suitability of the land for the proposed development, and
- (e) the compatibility of the development with nearby land uses.

[4] Dictionary

Insert after the definition of *agriculture*, paragraph (d)—

- (e) agritourism.

[5] Dictionary

Omit the definition of *farm stay accommodation*.

Insert in alphabetical order—

agritourism means the following—

- (a) farm gate premises,
- (b) farm experience premises.

Note— Agritourism is a type of *agriculture*—see the definition of the term in this Dictionary.

farm stay accommodation means a building or place—

- (a) on a farm —
 - (i) that is a primary production business, or
 - (ii) on land categorised as farmland under the *Local Government Act 1995*, section 515, and
- (b) used to provide temporary accommodation to paying guests of the farm including in buildings or moveable dwellings.

Note— Farm stay accommodation is a type of *tourist and visitor accommodation*—see the definition of the term in this Dictionary.

farm experience premises means a building or place—

- (a) on a farm that is—
 - (i) a primary production business, or
 - (ii) on land categorised as farmland under the *Local Government Act 1995*, section 515, and
- (b) that is ancillary to the farm, and
- (c) that is used to provide visitors to the farm with small scale and low impact tourist or recreational services on a commercial basis including the following—
 - (i) horse riding,

draft

Standard Instrument (Local Environmental Plans) Amendment (Agritourism) Order 2021 [NSW]
 Schedule 1 Amendment of Standard Instrument prescribed by Standard Instrument (Local Environmental Plans) Order 2006

- (ii) farm tours,
- (iii) functions or conferences,
- (iv) farm field days.

Note— Farm experience premises is a type of **agritourism**—see the definition of the term in this Dictionary.

farm gate premises—

- (a) means a building or place—
 - (i) on a farm that is—
 - (A) a primary production business, or
 - (B) on land categorised as farmland under the *Local Government Act 1995*, section 515, and
 - (ii) that is ancillary to the farm, and
 - (iii) that is used to provide visitors to the farm with agricultural products predominantly from the farm or other farms in the region or with services or activities related to the products, including the following—
 - (A) processing, packaging and sale of the products, but not the processing of animals,
 - (B) a restaurant or cafe,
 - (C) a facility for holding tastings or workshops, or providing information or education, related to the products, and
- (b) includes cellar door premises.

Note— Farm gate premises is a type of **agritourism**—see the definition of the term in this Dictionary.

landholding means 1 or more lots of land that—

- (a) are constituted or worked as a single property, and
- (b) are contiguous or are separated only by a road or watercourse.

primary production business has the same meaning as in the *Income Tax Assessment Act 1997* of the Commonwealth and includes a business that—

- (a) was a primary production business, and
- (b) has temporarily ceased to be a primary production business because of a natural disaster, including a drought, flood or bush fire.

[6] Dictionary, definition of “cellar door premises”

Omit “*retail premises*” from the note. Insert instead “*farm gate premises*”.

[7] Dictionary, definition of “restaurant or cafe”

Insert “, but does not include a restaurant or cafe that is included as part of artisan food and drink industry or farm gate premises” after “provided”.

[8] Dictionary, definition of “retail premises”

Insert “farm gate premises,” before highway service centres”.

[9] Dictionary, definition of “retail premises”

Omit paragraph (b).



Office of
Local Government

Circular to Councils

Circular Details	22-03 / 7 March 2022 / A811946
Previous Circular	20-38 Special Rate Variation and Minimum Rate Variation Guideline and Process
Who should read this	Councillors / General Managers / Rating and Finance Staff
Contact	Policy Team / 02 4428 4100 / olg@olg.nsw.gov.au
Action required	Information

Subject

Guidelines for Additional Special Variation (ASV) Process for 2022-23

What's new or changing

- The Independent Pricing and Regulatory Tribunal (IPART) will accept and process an additional round of 2022-23 Special Variation (ASV) applications from councils.
- For applications made under the ASV process, the ASV Guidelines set out in this circular apply in place of the [Guidelines for the preparation of an application for a special variation to general income](#) issued by the Office of Local Government in 2020.
- For more information on when these ASV Guidelines apply, please see 'What this will mean for your council' below.
- This one-off ASV round is available for the 2022-23 financial year only.
- This one-off ASV round is for councils that can demonstrate the need for a special variation to meet the obligations they set for 2022-23 in their 2021-22 Integrated Planning and Reporting (IP&R) documentation.
- Councils seeking a permanent special variation will also need to demonstrate the financial need for the special variation to be included in their rate base on an ongoing basis.
- Separately, IPART has also agreed to undertake a broader review of its rate peg methodology, including the Local Government Cost Index, with outcomes from the review expected to shape rate peg determinations in future years.

What this will mean for your council

- The ASV Guidelines set out in this Circular apply where council is applying for:
 - a temporary or permanent single year special variation for 2022-23 under section 508(2) of the *Local Government Act 1993* (the Act), AND
 - the percentage sought in the application is the lower of:
 - 2.5% (including population factor) or
 - the council's assumed 2022-23 rate peg as exhibited in its 2021-22 Long Term Financial Plan (LTFP) (including population factor)

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5 O'Keefe Avenue NOWRA NSW 2541
Locked Bag 3015 NOWRA NSW 2541
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E olg@olg.nsw.gov.au W www.olg.nsw.gov.au ABN 20 770 707 468

- For ASV applications made under the Guidelines set out in this Circular, councils will need to demonstrate that:
 - Council has demonstrable financial need such that, in the absence of a special variation, council would not have sufficient funds to meet its obligations as identified in its 2021-22 LTFP as and when they fall due in 2022-23; and
 - Where councils are applying for a permanent special variation, in addition to the above criterion, the council has demonstrable financial need for the special variation to be retained in its rate base on an ongoing basis; and
 - Council's 2021-22 IP&R documentation budgeted for an income increase above the percentage specified for the council for 2022-23 under section 506 of the Act; and
 - Council has resolved to apply for the special variation under section 508(2) of the Act and that the resolution clearly states:
 - whether the resolution is for a temporary or permanent special variation under section 508(2) of the Act; and
 - the additional income that council will receive if the special variation is approved; and
 - why the special variation is required; and
 - that the council has considered the impact on ratepayers and the community in 2022-23 and, if permanent, in future years if the special variation is approved and considers that it is reasonable.
- The ASV application process will be a simpler more targeted application process.
- IPART will not require councils to demonstrate community consultation outside of the processes outlined above. To demonstrate community consultation, IPART will consider the consultation undertaken through the IP&R process and consider the resolution to apply for a ASV meets the requirements outlined above.
- IPART will release streamlined application forms and further information shortly.
- Under this ASV round of applications:
 - IPART will accept applications until 29 April 2022;
 - IPART will publish applications to enable community consultation for a period of at least three weeks; and
 - IPART will notify councils of its decision no later than 21 June 2022.

Key points

- In late 2021, IPART announced the rate peg for the 2022-23 financial year was set at an increase of between 0.7% and 5.0%.
- Special variations provide an opportunity for councils to vary general income by an amount greater than the annual rate peg. However IPART's normal period for special variation applications in relation to the 2022-23 rate peg has now passed.
- The Office of Local Government and IPART recognise that, due to the delayed council elections and the determination of the 2022-23 rate peg at a lower rate than councils had forecast, councils may not have had sufficient time to prepare special variation application within the normal timeframe.


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This may result in some councils not having sufficient funds to pay for required infrastructure and services.

- As such the NSW Government and IPART have agreed to a one-off ASV round for the 2022-23 financial year only.
- This process is not intended to address applications from councils that require a special variation (above 2.5%) to achieve long term financial sustainability for reasons other than those set out in the criteria above, which should be addressed through the standard special variation process.
- Application forms, information papers, and submission details will be published shortly on [IPART's website](#).

Where to go for further information

- For further information please contact IPART on 02 9290 8400 or by email to ipart@ipart.nsw.gov.au.



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Placeholder for Attachment 1

Employment Zones Reform

Attachment to be provided.

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All references to Public Works Advisory are taken to be references to the Department of Regional NSW for and on behalf of the State of New South Wales.

Executive Summary

Armidale experienced its driest and warmest year on record in 2019. Level 3 water restrictions were enforced across the entire Local Government Area in April 2019 and level 5 restrictions were introduced in October 2019 and were not eased until September 2020. As part of the Integrated Water Cycle Management (IWCM) planning, an options assessment was undertaken to evaluate and shortlist options to improve the long-term security of the Armidale and Guyra water supply.

The water security issue

A water cycle analysis was completed to forecast the 30-year unrestricted annual extraction using a Council nominated growth rate of 1.065% for Armidale City and 1% for Guyra (1.06% for the combined serviced population). The forecast unrestricted annual extraction requirements are provided in Table S1.

Table S1: Forecast unrestricted annual extraction requirements for Armidale and Guyra

	2021	2026	2031	2036	2041	2046	2048
Armidale (ML/year)	3,546	3,788	4,064	4,337	4,628	4,939	5,066
Guyra (ML/year)	603	621	639	661	685	712	

The capacity of the existing Armidale and Guyra water supply headworks was estimated to be 2,428 ML/year on a secure yield basis using the DPIE Water's draft guidelines "Assuring future urban water security, Assessment and Adaption guidelines for NSW local water utilities". For a total 2048 unrestricted annual extraction of 5,778 ML/year, there is a shortfall of 3,349 ML/year and water security is not achieved

Malpas dam raising

As the existing Malpas dam storage was found to be insufficient, an augmentation with 3.0m and 6.5m dam raising options were considered. The secure yield analysis however showed that these augmentations would not be sufficient with a shortfall of 2,734 ML/year for the 3.0m raising and 2,088 ML/year for the 6.5m raising. This indicates that the water resource yield from the Gara River may be at the limit and additional sources from different catchments, that could supplement the yield from the Gara River catchment, would need to be identified. These sources could supplement the existing source either by pumping in to a raised Malpas dam, or by pumping into a new storage.

Alternate surface water sources

The new water sources included the Gwydir River in the Moredun Creek Water Source, the Aberfoyle River in the Aberfoyle River Water Source (within the Clarence River Catchment), the Gara River Water Source, the Salisbury Water Source, the Styx River Water Source and the Chandler River Water Source within the Macleay River Catchment. Extraction locations (for pumping stations) and On-river and Off-River storage sites were identified. The long list of extraction locations and storage sites were shortlisted through an objective assessment process. The top ten shortlisted scheme options are provided in Table S2.

Table S2: Shortlisted surface water schemes

Storage	Source 1	Source 2	Source 3
St Helena Creek	Styx River U/S of Kempsey Road	None	None
St Helena Creek	Styx River U/S of Kempsey Road	Chandler River D/S of Grafton Road	None
St Helena Creek	Styx River U/S of Kempsey Road	Chandler River D/S of Grafton Road	Bakers Creek U/S of Grafton Road
Styx River	Styx River	None	None
Chandler River	Styx River U/S of Kempsey Road	None	None
Raised Malpas dam	Styx River U/S of Kempsey Road	None	None
Raised Malpas dam	Styx River U/S of Kempsey Road	Chandler River D/S of Grafton Road	None
Raised Malpas dam	Styx River U/S of Kempsey Road	Chandler River D/S of Grafton Road	Bakers Creek U/S of Grafton Road
Nowlands Backwater	Aberfoyle River at Goonyal	None	None
Raised Malpas dam	Aberfoyle River at Goonyal	Nowlands Backwater (NB)	None

The shortlisted schemes were assessed to determine if the secure yield from the schemes would make-up the shortfall in the existing scheme. If extraction from the main source (Source 1) did not provide the required secure yield, the secondary sources were progressively added to the scheme. The shortlisted schemes that would meet the shortfall in secure yield, either by pumping to a raised Malpas dam or pumping to a new storage, are provided in Table S3.

Table S3: Shortlisted schemes that meet the secure yield shortfall

Scheme	Water Source(s)	New works
Raised Malpas dam (MD)	Styx River U/S of Kempsey Road	<ul style="list-style-type: none"> 6.5m raised MD 50 ML/d transfer from Styx River
Raised Malpas dam (MD)	Aberfoyle River at Goonyal & Nowlands Backwater (NB)	<ul style="list-style-type: none"> 6.5m raised MD 50 ML/d transfer from Aberfoyle and NB
Storage on Chandler River	Styx River U/S of Kempsey Road	<ul style="list-style-type: none"> 3,552 ML On-River storage 50 ML/d transfer from Styx

Oaky River dam

Oaky River Dam was a hydroelectric dam owned by Essential Energy located on Oaky River, approximately 3 km downstream of Kempsey Road. The right embankment of the dam failed during an extreme flood event on 22 February 2013. The estimated total capital cost to repair the dam and upgrade it to meet the Dam Safety requirements is \$8 M.

Essential Energy does not plan to repair the dam as power generation is no longer their core business. The dam is within one of the NSW Government's renewable energy zones. Therefore,

there is the potential that the site could be acquired to be part of the water supply scheme. The Oaky river source is expected to have the same yield as the Styx River source. The Oaky River dam has therefore also been considered as an alternate surface water source. Further secure yield modelling will be required using the Oaky River stream flows once the flows are obtained from Essential Energy.

Groundwater

A groundwater investigation identified four production bores. Council estimated a total yield of 1,512 kL/d from these bores for 16 hours pumping. This amounted to about 550 ML/year.

In order to meet the entire shortfall in secure yield about 30 to 50 more production bores would be required. The risks of developing such a borefield include:

- finding the number of bores required with sufficient yield
- obtaining approval for the bore construction
- negotiating the land and access requirements for the scheme

Considering the above risks and challenges, the development of a borefield to supply to entire shortfall in yield, has not been considered. Instead, only the four production bores that have already been drilled are considered as a reliable supplementary source to the surface water. For this assessment, a conservative groundwater yield of 200 ML/year has been considered as a reliable supplementary source to the surface water.

Scheme Options

Following the identification of the schemes that would meet the shortfall in secure yield, further analysis was undertaken to optimise the scheme components and to determine the scheme requirements for the different Malpas dam raising options that have been assessed. Those options that were close or able to meet the shortfall in secure yield, are outlined in Table S4.

Table S4: Works required for scheme options that meet the secure yield shortfall

No	Malpas dam raising	Additional source/storage	Works required
1	No	25 ML/d from Styx River	74 km of 600mm diameter pipeline, 2 pumping stations (1060kW & 840kW)
2	No	10 ML/d from Styx River + 7.8 GL on-stream Storage on Chandler River	66 km of 375mm diameter pipeline 2 pumping stations (400 kW & 540 kW) 1 dam 7.8 GL
3	3m	15 ML/d from Styx River	74 km of 450mm diameter pipeline 2 pumping stations (680 kW & 590 kW) Raise Malpas Dam 3m
4	6.5m	10 ML/d from Styx River	74 km of 375mm diameter pipeline 2 pumping stations (470 kW & 420 kW) Raise Malpas 6.5m
5	6.5m	10 ML/d from Aberfoyle River and 10 ML/d from Nowlands Backwater	13 km of 375mm diameter pipeline 44 km of 525mm diameter pipeline 3 pumping stations (90 kW, 730 kW and 270 kW) Raise Malpas 6.5m
6	No	25 ML/d from Oaky River Dam	Restore and upgrade Oaky River Dam Transfer to Malpas Dam 67 km of 600mm diameter pipeline, 2 pumping stations (880kW & 840kW)



No	Malpas dam raising	Additional source/storage	Works required
7	3m	15 ML/d from Oaky River Dam	Restore and upgrade Oaky River Dam 67 km of 450mm diameter pipeline 2 pumping stations (560kW & 590kW) Raise Malpas Dam 3m
8	6.5m	10 ML/d from Oaky River Dam	Restore and upgrade Oaky River Dam Transfer to Malpas Dam 67 km of 375mm diameter pipeline 2 pumping stations (380kW & 420kW) Raise Malpas dam by 6.5 m

All the short-listed options meet the secure yield for the Armidale and Guyra water supply. The schemes, staging costs and, triple bottom line assessment and ranking of the schemes are provided in Table S5.

Table S5: Scheme options – staging and cost estimates

Works	Staging	Capital Cost (\$M)	Annual O&M Cost (\$M)	30-year PV (\$M)	Non-cost Score	TBL Score Non-cost NPV	Rank
25 ML/d from Styx River	None	111	1.30	95.53	52.8	0.55	6
10 ML/d from Styx River + 7.8 GL Storage on Chandler River	None	99	0.95	84.35	37.2	0.44	8
15 ML/d from Styx River + 3m raising	None	102	1.08	87.85	52.5	0.60	5
	Styx River transfer – 2025 Raise Malpas dam – 2033	102	1.10	80.98		0.65	4
10 ML/d from Styx River + 6.5 m raising	None	95	0.91	80.98	31.2	0.38	9
10 ML/d from Aberfoyle and 10 ML/d from NB + 6.5m raising	None	97	0.86	81.72	16.4	0.20	10
25 ML/day from Oaky River to Malpas	None	111	1.22	94.94	65.7	0.69	3
15 ML/day from Oaky River to Malpas + 3m raising	None	95	1.07	81.92	67.0	0.82	1
	Oaky River transfer – 2025 Raise Malpas dam – 2033	106	1.07	83.28		0.81	2
10 ML/d from Oaky River to Malpas + 6.5m raising	None	100	0.87	83.98	41.9	0.50	7

Council's aspirational growth strategy

In February 2022 the newly elected Council held a Mayoral Summit and updated the base case population projection and introduced an aspirational population projection. The water demand projections for these three projections are graphed in Figure S1.

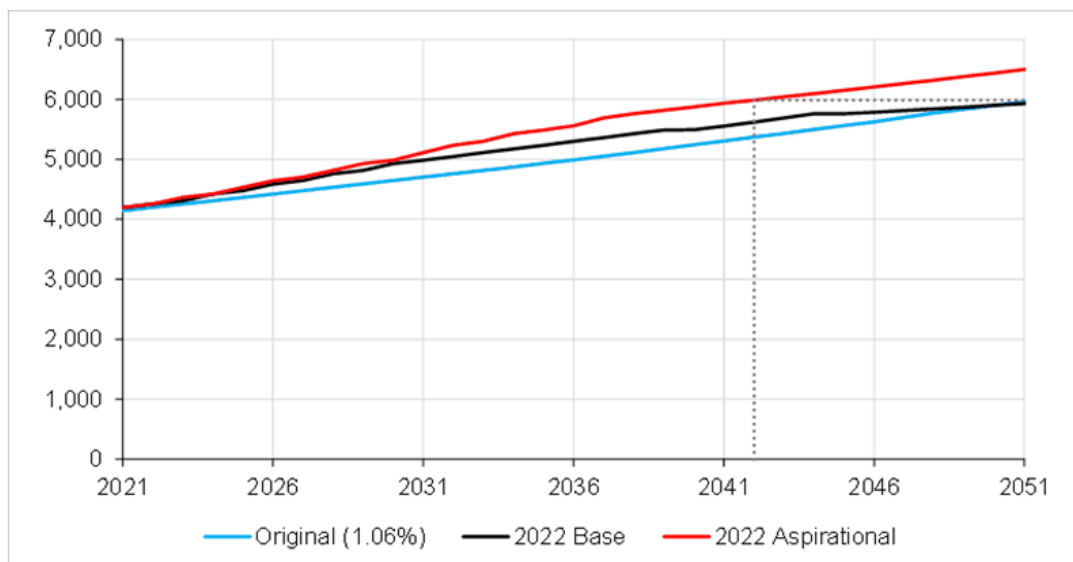


Figure S1: Unrestricted annual demand (ML/year)

As shown in Figure S1, if the Aspirational Growth is realised, the original 2051 Unrestricted annual demand (ML/year) will occur around 2042. The recommended scheme options to accommodate the Aspirational Growth are summarised in Table S6.

Table S6: Scheme options for Aspirational Growth – staging and cost estimates

Works	Staging	Capital Cost	Annual	30-year PV
		(\$M)	O&M Cost (\$M)	(\$M)
Option 1 25 ML/d from Oaky River + 6.5m raising	Oaky River transfer 2025 Raise Malpas 2042	137	1.24	101
Option 2 25 ML/d from Styx River + 6.5m raising	Styx River transfer 2025 Raise Malpas 2042	146	1.33	109

The Option comprising Oaky River dam as the alternate source is the preferred option. However, if Council are unsuccessful in acquiring the Oaky River dam then the Styx River is the next preferred alternate source option.

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1. Introduction

Armidale Regional Council (ARC) commissioned Public Works Advisory (PWA) to prepare Council's Integrated Water Cycle Management (IWC) Strategy. The first phase was the completion of the IWC Issues Paper which identified the water supply and sewerage system issues. Water security was identified as significant issue in the IWC Issues Paper.

Armidale experienced its driest and warmest year on record in 2019. The rainfall total for 2019 of 306.6 mm was 475 mm lower than the annual average and is the driest on record. Level 3 water restrictions were enforced across the entire Local Government Area in April 2019 and level 5 restrictions were introduced in October 2019 and were not eased until September 2020.

As part of the IWC planning, an options assessment was undertaken to evaluate and shortlist options for the long-term security of the Armidale and Guyra water supply. The options assessment included:

- quantification of the issue
- assessment of Malpas dam raising options
- identification of alternate catchments and schemes
- formulation and assessment of scheme options
- staging and cost estimates.

This report presents the outcomes of the water security options assessment.

2. Water supply schemes

Armidale Regional Council operates two water supply schemes the Armidale water supply scheme and the Guyra water supply schemes.

A schematic diagram of the Armidale Water supply scheme is shown in Figure 2-1.

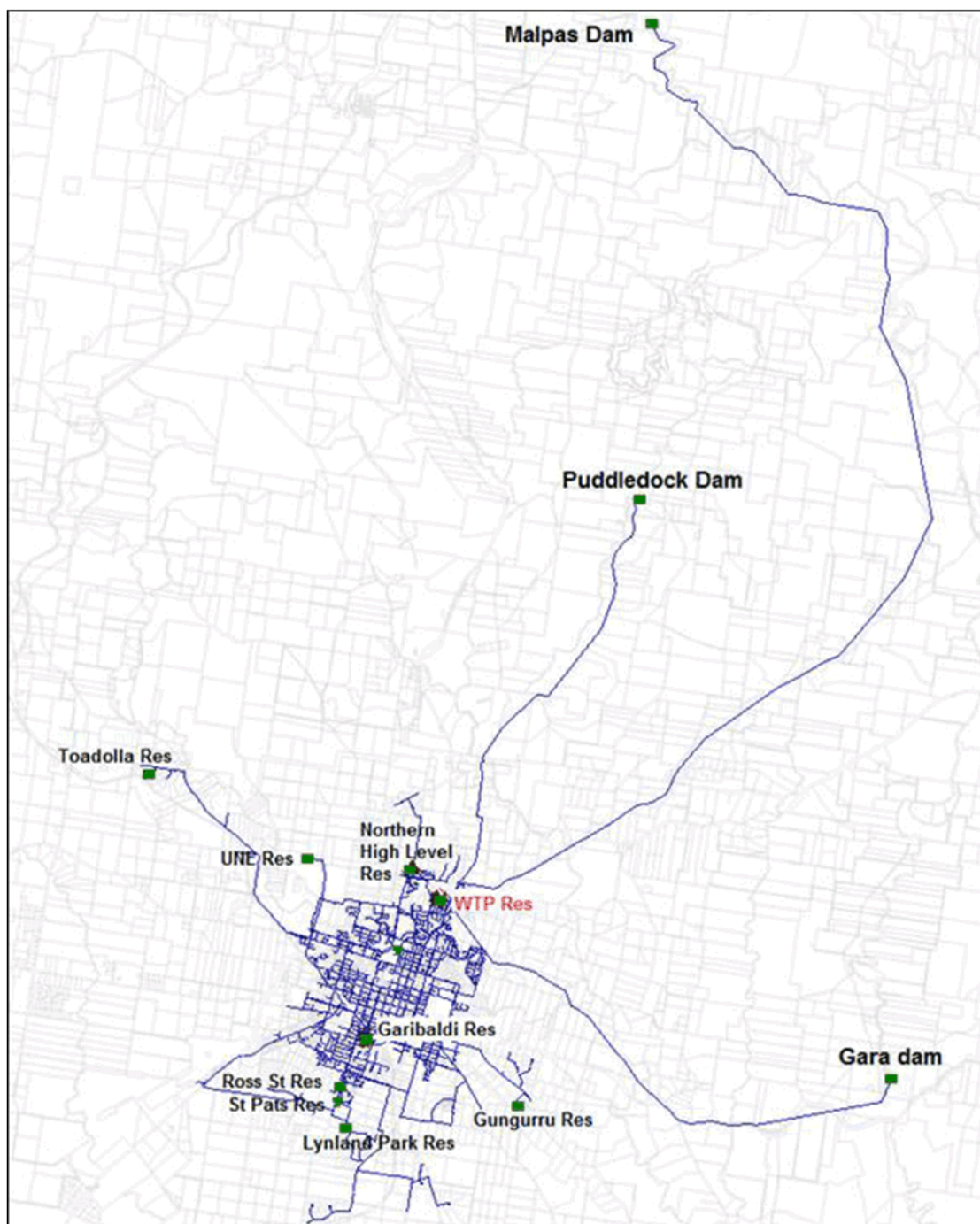


Figure 2-1: Armidale water supply scheme overview

The primary source for the Armidale water supply scheme is the Malpas dam with backup supply from Puddledock dam. The Gara Dam transfer infrastructure is not currently operational.

A schematic diagram of the Guyra water supply scheme is shown in Figure 2-2:.

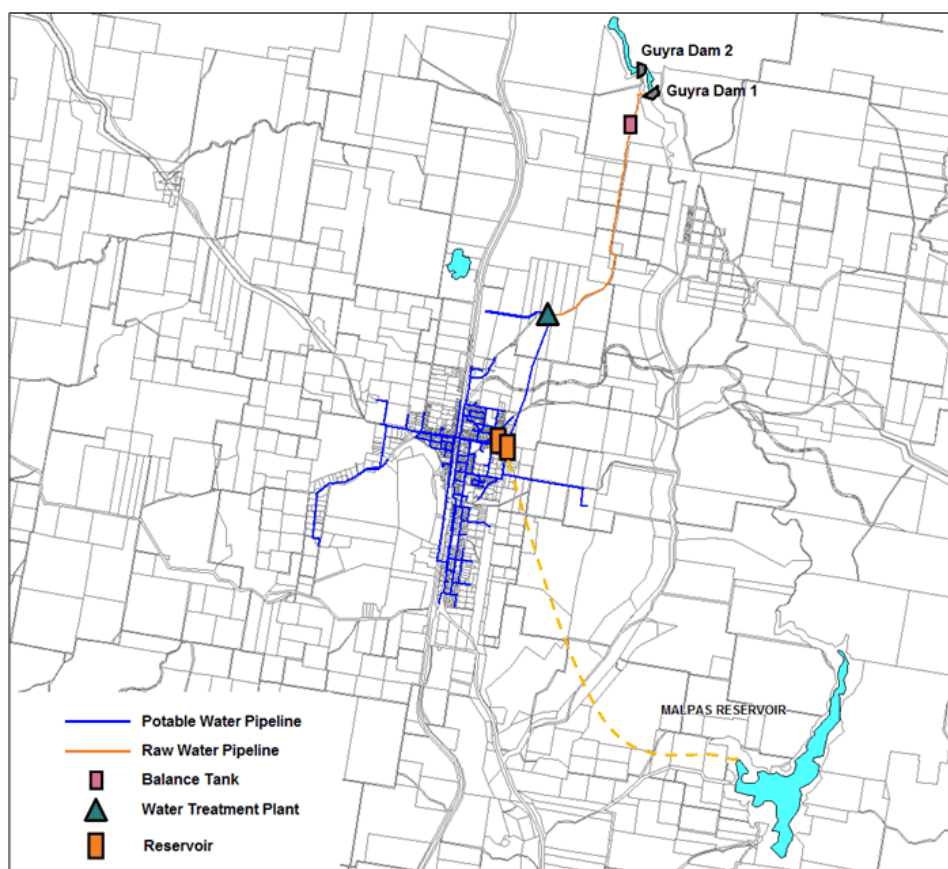


Figure 2-2: Guyra water supply scheme overview

The water supply for Guyra is sourced from two dams on the Gara River approximately 8 km north of the town. The upper dam (Dam 2) is located immediately upstream of the lower dam (Dam 1) so that any overflow from Dam 2 flows directly into Dam 1. A pipeline connecting the Malpas Reservoir to Guyra was completed in October 2019.

3. Water security assessment

3.1 Identifying the issue

A water cycle analysis was completed for the Issues Paper. This included an analysis of the historical water production and metered consumption information to estimate the unrestricted annual water extraction requirements for the Armidale and Guyra water supply schemes. The unrestricted extraction requirements were then forecast for a 30-year planning period using a Council nominated population growth rate of 1.06% for Armidale City and 1% for Guyra. The forecast unrestricted annual extraction requirements are provided in Table 3-1.

Table 3-1: Forecast unrestricted annual extraction requirements for Armidale and Guyra

	2021	2026	2031	2036	2041	2046	2048
Armidale (ML/year)	3,546	3,788	4,064	4,337	4,628	4,939	5,066
Guyra (ML/year)	603	621	639	661	685	712	

To understand the behaviour of the existing Malpas dam storage when supplying the current and 30-year forecast demand, a simple water balance was undertaken between the daily inflow to and outflow from Malpas dam. The analysis was then hindcast to 1890 to simulate the behaviour of the Malpas storage for the historical droughts on record. The drawdown of the Malpas dam when supplying the 2021 and the 2048 annual unrestricted extraction for the historical climate, is shown in Figure 3-1 and Figure 3-2.

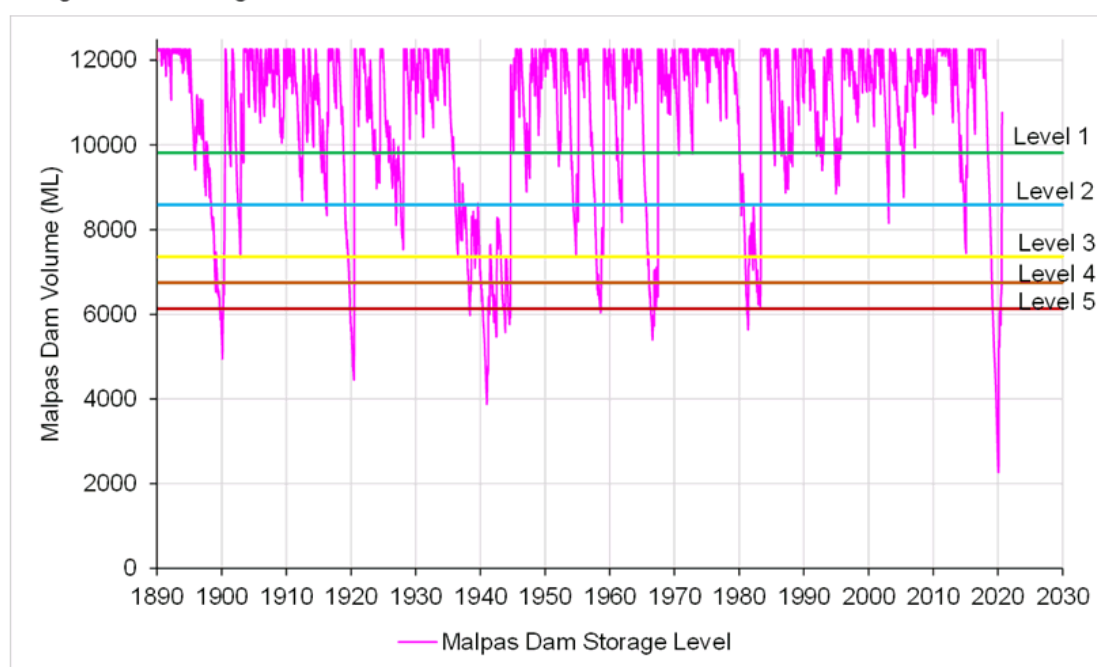


Figure 3-1: Storage behaviour of Malpas dam hindcast when supplying 2021 demand



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Armidales water supply – water security options

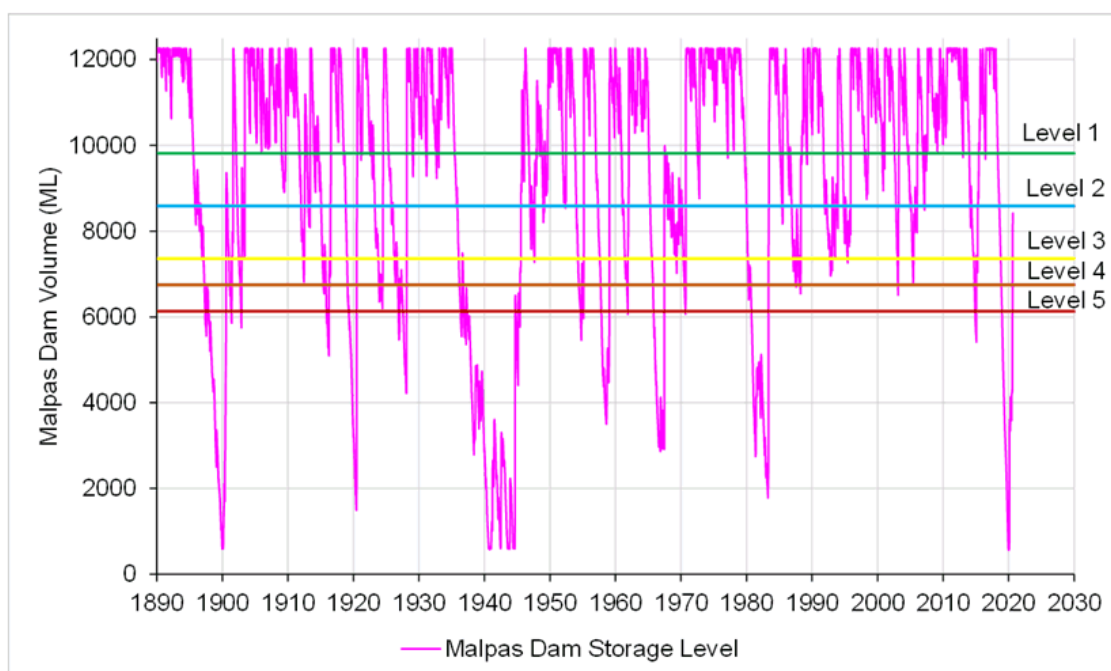


Figure 3-2: Storage behaviour of Malpas dam hindcast when supplying 2048 demand

Figure 3-1 and Figure 3-2 shows how often Level 5 restrictions would be imposed when supplying the 2021 and 2048 demands, with the storage emptying for the Federation, World War and 2019 droughts. This situation would be further exacerbated due to future climate change which is expected to further reduce the yield of the Malpas dam catchment.

3.2 Quantifying the issue

In order to quantify the water security issue, the capacity of the existing system needs to be defined. The capacity of the existing headworks is defined as the annual demand that can be supplied on a secure yield basis. Water security is then achieved if the secure yield of a water supply headworks is at least equal to the forecast unrestricted annual demand estimated in Table 3-1.

'Secure yield' is estimated in accordance with DPIE Water's draft guidelines "Assuring future urban water security, Assessment and Adaption guidelines for NSW local water utilities". Secure yield is defined as the highest annual water demand that can be supplied from a water supply headworks system while meeting the '5/10/10 design rule'. This rule dictates that water restrictions must not be too severe, not too frequent, nor of excessive duration, hence under the NSW Security of Supply requirement, water supply headworks systems are normally sized so that:

- Duration of restrictions does not exceed 5% of the time; and
- Frequency of restrictions does not exceed 10% of years
- Severity of restrictions does not exceed 10%. Systems must be able to meet 90% of the unrestricted annual water demand through simulation of the worst drought on record, commencing with the storage drawn down to the level at which restrictions need to be imposed to satisfy a) and b) above at the time restrictions are introduced.

This enables water utilities to operate their systems without restrictions until the volume of stored water approaches the restriction volume. The above rule is typical of what is being used by Local Water Utilities across Regional NSW as a service standard for water security. Council could

consider variations to this rule to see what impact it has on the town water security and the infrastructure needs.

The secure yield of the water supply system estimated for the historical climate and for the 1°C climate warming scenario for the 5/10/10 rule, is provided in Table 3-2.

Table 3-2: Secure yield estimates for Armidale and Guyra water supplies

	Secure yield for historic climate	Secure yield for 1°C climate warming
Armidale (ML/year)	3,428	2,333
Guyra (ML/year)	175	95

For a total 2048 unrestricted annual demand of 5,778 ML/year and a total climate change secure yield of 2,428 ML/year, there is a shortfall of 3,350 ML/year and water security is not achieved for the 5/10/10 rule.

4. Augmentation of Malpas dam capacity

As the existing Malpas dam storage was found to be insufficient, the option of augmenting the storage by raising Malpas dam was considered. Council engaged PWA to investigate options for raising Malpas dam considering the existing safety levels of the dam and meeting the requirements of the Australian National Committee on Large Dams (ANCOLD) and Dams Safety NSW (DSNSW). The investigation included the following three (3) options:

1. Dam upgrade with current FSL;
2. Dam upgrade with FSL raised by 3.0m; and
3. Dam upgrade with FSL raised by 6.5m.

To test if this storage augmentation would be sufficient, further modelling was undertaken to assess the water security of the system with the Malpas dam raised by 3.0 m and 6.5 m. The results are presented in Table 4-1.

Table 4-1: Secure yield estimates for raised Malpas dam

	Secure yield for 1°C climate warming
Guyra + 3.0m raised Malpas dam + Puddledock	3,044
Guyra + 6.5m raised Malpas dam + Puddledock	3,690

The results showed that even with an augmented storage provided by a 6.5 m raising of the Malpas dam wall, the secure yield would still be insufficient to meet the forecast 30-year extraction requirements. This indicates that the water resource yield from the Gara River may be at the limit and raising Malpas dam alone will not secure the water supply.

To meet the shortfall and achieve water security, the current Malpas dam source needs to be augmented and potentially supplemented by an additional/alternate water source.

5. Alternate source options

The following long list of source options that could supplement the current scheme, were considered:

- Surface water
- Groundwater

- Recycled effluent
- Sea water
- Managed Aquifer Recharge
- Rainwater
- Stormwater

A description of these sources is provided below.

Surface water

The new surface water sources were identified using information on stream gauges, provided by DPIE Water. These included: the Gwydir River in the Moredun Creek Water Source, the Aberfoyle River in the Aberfoyle River Water Source (within the Clarence River Catchment) and the following water sources within the Macleay River Catchment:

- Gara River Water Source
- Salisbury Waters Water Source
- Styx River Water Source
- Chandler River Water Source.

Groundwater

In July 2019 Armidales Regional Council (ARC) engaged Hydroilex to undertake an investigation to provide an assessment of the potential for groundwater in the Guyra region. The investigation (Hydroilex, 2019) identified 10 test bore sites of which four were deemed to have sufficient yield for production bores. Council estimated a total yield of 1,512 kL/d from these bores for 16 hours pumping. This amounted to about 550 ML/year.

Council made an application to the Natural Resource Access Regulator (NRAR) for a Local Water Utility (LWU) category Specific Purpose Access License (SPAL) for 512 ML/year. DPIE Water Hydrogeologist recommended NRAR approve an extraction of about 200 ML/year. The primary concern was the potential impact in the neighbouring bores. There is potential for higher allocation if monitoring bores with data loggers are placed in strategic locations and Council agrees to reduce the allocation if potential adverse impacts are identified in the monitoring bores.

Recycled effluent

Recycled effluent can be used as a water source and can also be used to reduce the potable water demand by substitution for some applications such as lawn irrigation. The source water options for recycled effluent are direct and indirect potable reuse, and as environmental flow substitution.

Direct and indirect potable reuse

Direct Potable Reuse (DPR) can be defined as either the injection of recycled water directly into the potable water supply distribution system downstream of the water treatment plant, or into the raw water supply immediately upstream of the water treatment plant.

Indirect potable reuse (IPR) can be defined as the treatment and eventual return of sewage effluent into the current/natural water cycle well upstream of the drinking water treatment plant.

To date, DPR and IPR have not been done anywhere in Australia and the regulatory framework in this regard has not been developed. Recycled effluent as DPR and IPR has therefore not been considered further as a source option.

Environmental flow substitution

Currently there are some operating rules on Council's Water Access License that require releases to be made in the Malpas Dam Water Source, as environmental flows. Using recycled effluent to

provide the environmental flows (e-flows), thereby maintaining the water in the dam, would provide an increase in the yield of the current headworks.

A higher effluent quality would be required if the effluent is to be used as an e-flow substitute. This will require an upgrade/augmentation of the Armidale sewage treatment plant to an activated sludge-based process. A typical cost of this upgrade based on an Intermittently Decanted Extended Aeration (IDEA) activated sludge process, is about \$30M. The government policy and regulatory framework has also not been developed for this use of recycled effluent and hence the process for obtaining regulatory approval is unknown.

Sea water

Desalinated sea water provides a climate independent source. However, Armidale and Guyra being located inland, the transfer of sea water and the disposal of brine would be significant challenge. Hence sea water has not been considered further as a source option.

Managed Aquifer Recharge

Managed Aquifer Recharge (MAR) is a mechanism to store water and supply it later, in the future, when needed. Depending on the approach to getting water into the aquifer, additional treatment can also be affected. If MAR is found acceptable, it can be used to store water from various sources, including urban storm water, treated sewage effluent, desalinated seawater, rainwater, or even rural runoff.

Where suitable aquifers are available, subsurface storage is beneficial to projects that involve indirect reuse of recycled water. The hydraulic retention time within the storage is important to allow for required water quality improvements.

MAR is akin to 'Water Banking', where water is stored for later use and does not quite meet the requirement of being an alternate source for Armidale. The regulatory framework for this process has not yet been developed. MAR has therefore not been considered further as a source option.

Rainwater

Rainwater can be harvested using rainwater tanks installed at individual dwellings and other commercial, institutional and community premises. Rainwater tanks are already included in most new residential developments in order to achieve the BASIX aims to reduce the average potable water consumption of new residential developments. However, the yield from rainwater tanks during drought is not reliable and hence it has not been considered further as an alternate source option.

Stormwater

Stormwater harvesting requires construction of significant infrastructure. However, like rainwater tanks, the stormwater yield during drought is not reliable and hence it has not been considered further as an alternate source option.

6. Alternate surface water sources

The identification and preliminary assessment of new water sources was done using information on stream gauges, provided by DPIE Water. These included: the Gwydir River in the Moredun Creek Water Source, the Aberfoyle River in the Aberfoyle River Water Source (within the Clarence River Catchment) and the following water sources within the Macleay River Catchment:

- Gara River Water Source
- Salisbury Waters Water Source
- Styx River Water Source
- Chandler River Water Source.

The stream gauge information obtained from DPIE Water, along with the location of the gauges, are provided in Appendix A. Once the catchments were assessed, extraction points were located, and storage sites were identified.

6.1 Location of extraction points

Locations for extraction points (pumping stations) in the selected water sources were identified based on the following criteria:

- outside of national parks and nature reserves
- reasonably accessible by vehicles
- have a large catchment area
- be a potential storage site.

The extraction locations and the associated catchment boundaries are provided in Table 6-1 and shown in Figure 6-1.

Table 6-1: Extraction locations on new water sources

Catchment	Area (km ²)	Elevation (mAHD)	Major catchment
Aberfoyle River at Goonyal	250	1,065	Clarence River
Nowlands Backwater at Riverview	170	995	Clarence River
Bakers Creek U/S of Grafton Road	130	965	Macleay River
Chandler River D/S Grafton Road	310	915	Macleay River
Junction of Commissioners Waters and Gara River	900	905	Macleay River
Salisbury Waters U/S of Dangars Falls	630	965	Macleay River
Styx River U/S of Kempsey Rd	160	810	Macleay River
Wollomombi River U/S Grafton Road	390	920	Macleay River
Gwydir River at Bundarra	4,290	760	Gwydir River
Gwydir River at Yarrowyck	850	660	Gwydir River

In the 1956, Council considered sourcing water from Serpentine Creek, near the junction of Serpentine Creek and Back Creek. This option has been excluded as the right bank of Serpentine Creek is the eastern boundary of the Serpentine Nature Reserve.

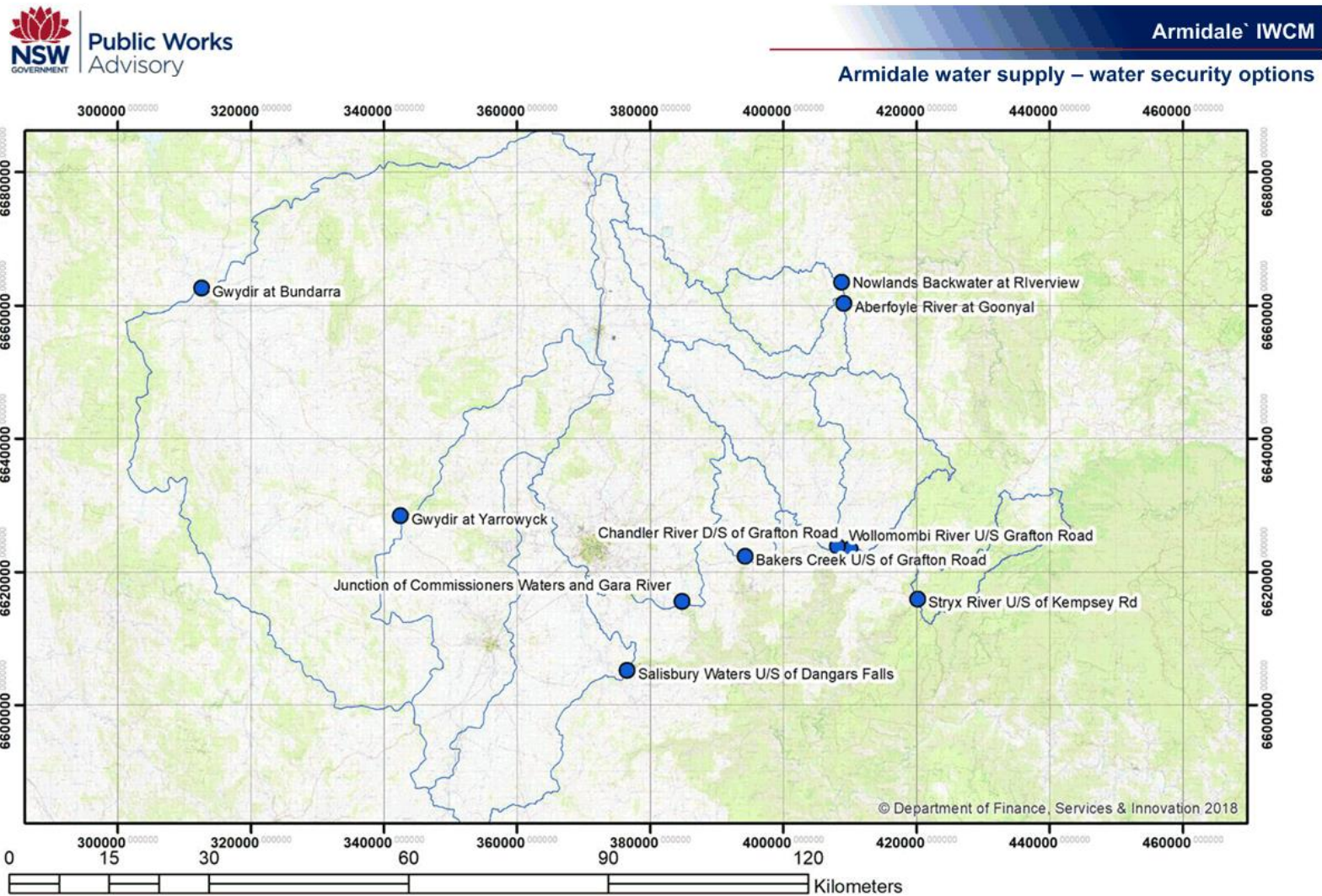


Figure 6-1: Potential pump station locations and catchment boundaries

6.2 Identification of storage sites

A number of sites were also identified for storage options. They were classified as:

- On river – traditional dams that capture most of the local runoff that is physically possible
- Off river – small storages in small catchments that store water transferred in from major waterways
- Hybrid – a combination of the above two options.

The storage sites were chosen to require short dam walls, store a large volume of water and have large relatively deep lakes. The storages were classified as small (between 4 and 11 GL) and large (greater than 20 GL) storages. The guidelines used in the selection of the storage sites, the methods used to calculate the wall height, the storage volume and the efficiency are provided in Appendix B. The small and large storages identified, are provided in Table 6-2 and Table 6-3.

Table 6-2: Small storages

Name	Volume (ML)	Wall height* (m)	Wall length (m)	Surface area (ha)	Volume stored per volume of wall	Higher wall acceptable	Local catchment area (km ²)	Comment
Boorolong Creek (small)	6,333	25	300	76	22.52	Yes	290	Hybrid
Devils Hill	10,583	25	600	127	18.81	Yes	7.13	Off river
Cooney Creek	4,333	25	209	52	22.12	Yes	46.4	Off river
Grose Creek	7,750	25	635	93	13.02	No	30.8	Hybrid
Jeogla Creek	5,300	30	274	53	14.33	Yes	22.5	Off river
St Helena Creek	8,460	27	520	94	14.88	No	8.6	Off river
Wyatts Creek	7,400	30	418	74	13.11	No	12.1	Hybrid

Table 6-3: Large storages

Name	Volume (ML)	Wall height* (m)	Wall length (m)	Surface area (ha)	Volume stored per volume of wall	Suitable for use in major transfer	Lower wall acceptable	Higher wall acceptable	Catchment area (km ²)
Aberfoyle River	20,300	35	420	174	26.30	No	Yes	No	136
Boorolong Creek	32,700	45	533	218	20.20	No	Yes	No	160
Chandler River	36,850	55	705	201	11.52	No	Yes	No	146.8
Gara River	33,183	55	460	181	15.90	Yes	Yes	Yes	253.8
Mehi Creek	65,400	45	1275	436	16.89	No	Yes	No	41.9
Nowlands Backwater	72,417	55	570	395	28.00	Yes	Yes	Yes	169.7



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Name	Volume (ML)	Wall height* (m)	Wall length (m)	Surface area (ha)	Volume stored per volume of wall	Suitable for use in major transfer	Lower wall acceptable	Higher wall acceptable	Catchment area (km ²)
Styx River	76,400	60	490	382	28.87	Yes	Yes	No	131
Toms Creek	88,000	55	902	480	21.50	Yes	Yes	Yes	91.9
Wollomombi River	37,917	35	382	325	54.02	Yes	Yes	No	344.6

The locations of the storages (excluding Devils Hill) are shown in Figure 6-2 and Figure 6-3. The maps of individual storages are provided in Appendix C. The Devils Hill site is approximately 13km south-southwest of Bundara and 58km northwest of Uralla.



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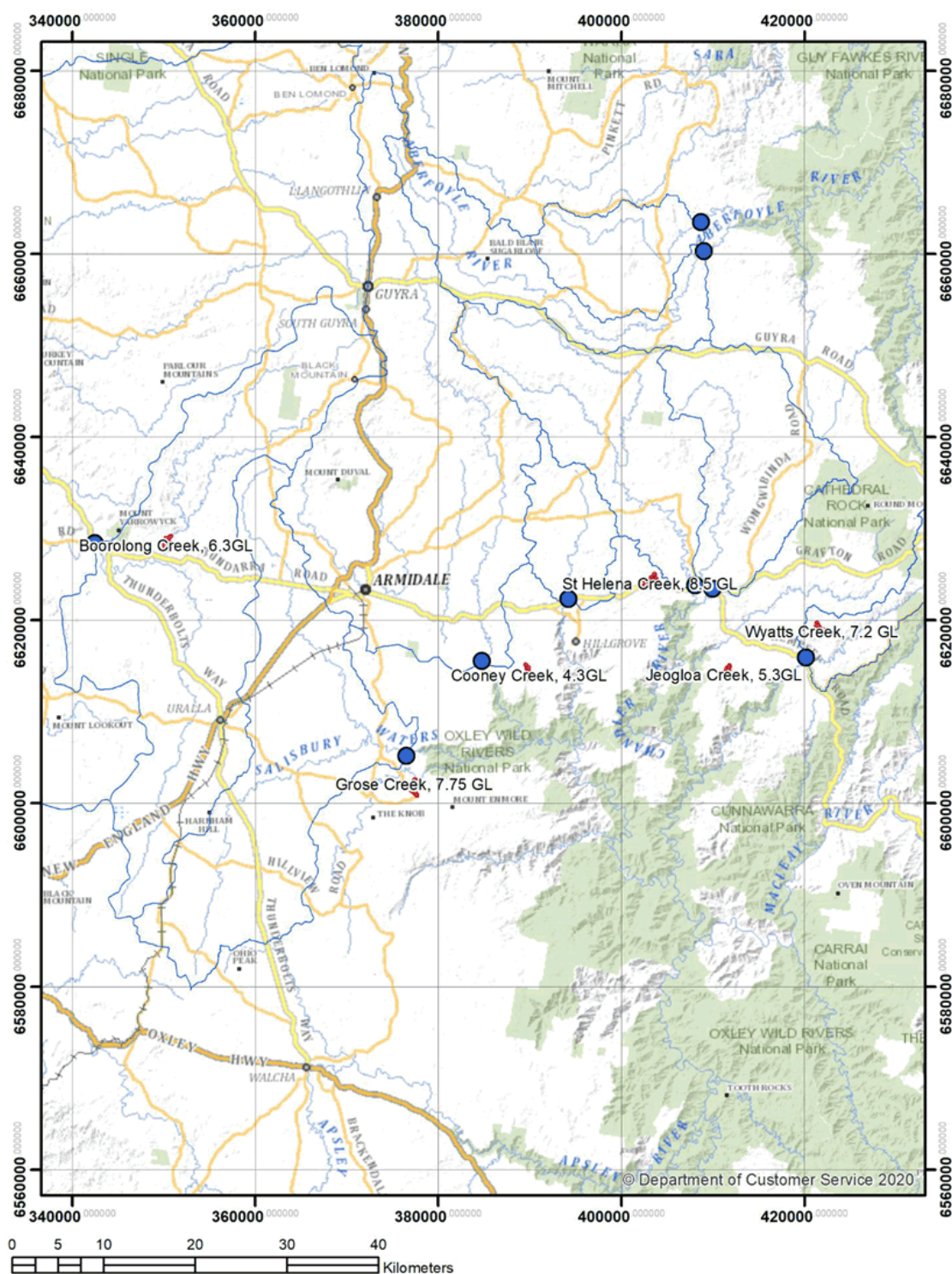


Figure 6-2: Locations of small storages excluding Devils Hill

Hunter New England | South Coast | Riverina Western | North Coast | Sydney

Report No. ISR21160

Asset Advisory | Heritage | Project + Program Management | Assurance | Procurement | Engineering | Planning | Sustainability
Developments | Buildings | Water Infrastructure | Roads + Bridges | Coastal | Waste | Emergency Management | Surveying

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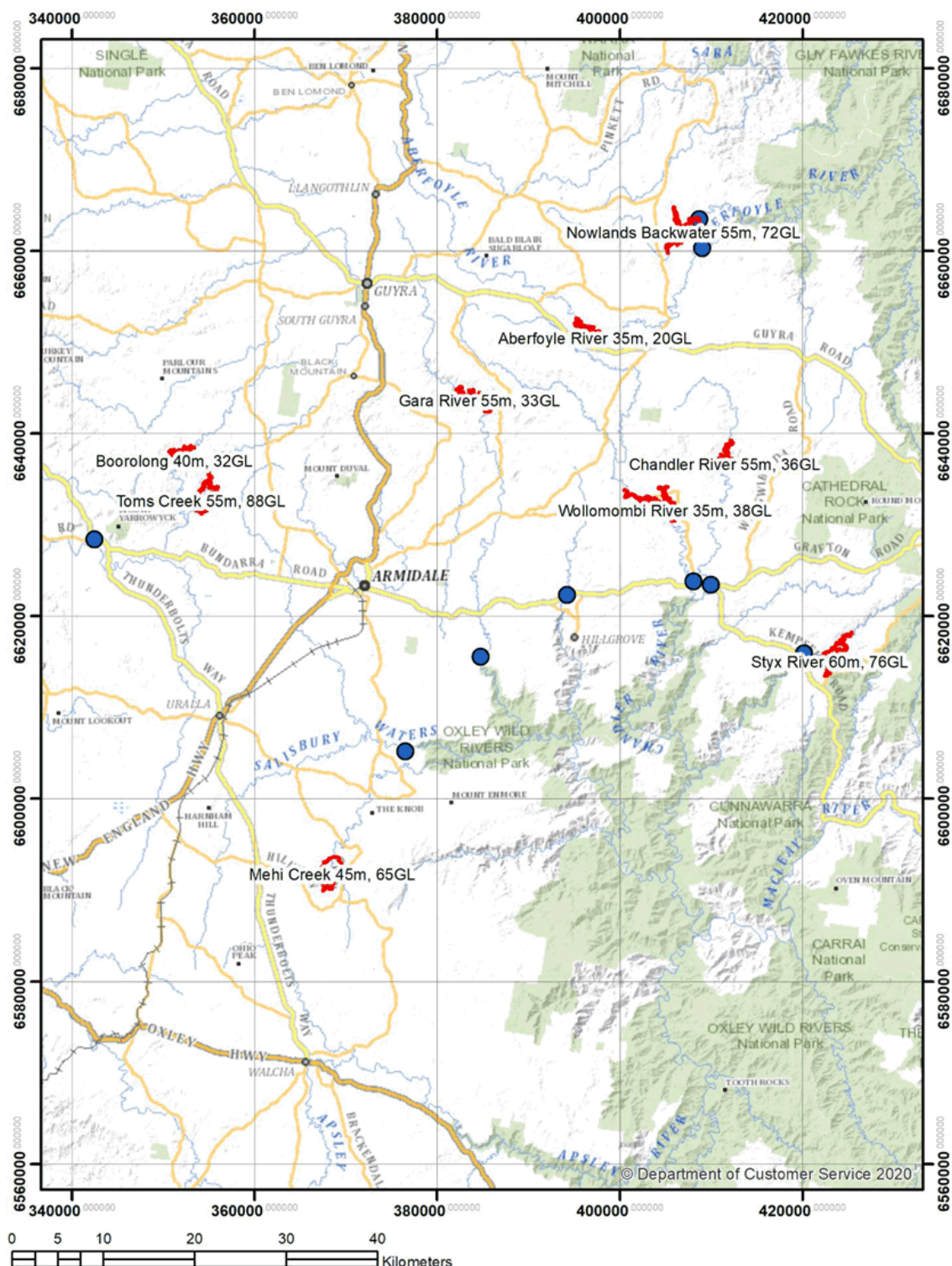


Figure 6-3: Locations of large storages

Hunter New England | South Coast | Riverina Western | North Coast | Sydney

Report No. ISR21160

Asset Advisory | Heritage | Project + Program Management | Assurance | Procurement | Engineering | Planning | Sustainability
Developments | Buildings | Water Infrastructure | Roads + Bridges | Coastal | Waste | Emergency Management | Surveying

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6.3 Shortlisting of schemes

The long list of extraction locations and storage sites were shortlisted through an objective assessment process. The 'Themes' and categories within these Themes, that were used for the assessment of the extraction and storage options, are provided in Table 6-4.

Table 6-4: Assessment criteria used for shortlisting of extraction and storage sites

Theme	Category	Basis	Fail Criteria
Water security	Storage volume	Total volume of Malpas and Guyra dams is 13 GL	<5 GL
	Mean discharge	Estimated mean discharge for Malpas is 67 ML/day	<60 ML/day
Potential future risk management	Ability to augment storage	Same as storage volume	None
	Catchment land use up to intake or storage	Minimise pathogen and hazardous chemical risk pathways	Close to known point sources of pollution
Land use	Environmental value of inundated area	Minimise ecological damage to natural ecosystems	> 2km ² in high natural value forest
	Number of private land holders of the inundated area	Relative between options	None
	Heritage - Aboriginal (AIHMS sites results) (inc. pumpstation locations)	Relative between options	None
	Highest environmental and terrestrial value of downstream water courses	The distance to National Park	None
	Downstream river distance to National Park from storage and pump stations	Relative between options	None
Engineering Challenge	Steep terrain at dam site	Relative between options (Malpas 31m high, 500m long, ratio = 16)	None
	Accessibility to site (distance to B-Double Route)	Relative between options	None
	Complexity	Relative between options	None
	Distance from Armidale WTP	Relative between options	None

The following options were excluded due to the fail criteria:

- Located in Gwydir Catchment - Boorolong Creek (small), Boorolong Creek (large), Devils Hill, Toms Creek
- Did not meet minimum storage volume– Cooney Creek

- Hazardous chemicals – Gara River below junction with Commissioners Waters (pumping station location), Wollomombi River storage and Wollomombi River pumping station are all downstream of former mines sites known to be contaminated with arsenic and/or antimony.

The detailed scoring criteria and outcomes of the assessment are provided in Appendix D. The top ten shortlisted scheme options are provided in Table 6-5.

Table 6-5: Shortlisted scheme options

Storage	Source 1	Source 2	Source 3
St Helena Creek	Styx River U/S of Kempsey Road	None	None
St Helena Creek	Styx River U/S of Kempsey Road	Chandler River D/S of Grafton Road	None
St Helena Creek	Styx River U/S of Kempsey Road	Chandler River D/S of Grafton Road	Bakers Creek U/S of Grafton Road
Styx River	Styx River	None	None
Chandler River	Styx River U/S of Kempsey Road	None	None
Raised Malpas dam	Styx River U/S of Kempsey Road	None	None
Raised Malpas dam	Styx River U/S of Kempsey Road	Chandler River D/S of Grafton Road*	None
Raised Malpas dam	Styx River U/S of Kempsey Road	Chandler River D/S of Grafton Road	Bakers Creek U/S of Grafton Road
Nowlands Backwater	Aberfoyle River at Goonyal	None	None
Raised Malpas dam	Aberfoyle River at Goonyal	Nowlands Backwater	None

The storages on the Styx River, Aberfoyle River and Nowlands Backwater are prohibited under the Water Sharing Plans.

6.4 Assessment of shortlisted schemes

The shortlisted schemes were assessed to determine if the secure yield from the schemes would make-up the shortfall in the existing scheme. The three main water sources in the shortlisted schemes are the Styx River U/S of Kempsey Road, the Aberfoyle River at Goonyal, and the Chandler River D/S of Grafton Road, with Nowlands Backwater and Bakers Creek as secondary sources.

6.4.1 Environmental flow rules

Any augmentation of the existing water supply works could trigger the inclusion of additional operating rules on Council's water access license (WAL). The objectives of these rules are to comply with the principles of the Water Management Act, manage downstream third party impacts, and to protect the health of the rivers and their instream ecology.

Current operating rules

Currently there are some operating rules on Council's WAL which are based on the requirements of the Water Sharing Plan (WSP).

WSP access rule – CI 28 Releases in the Malpas Dam Water Source

(2) Subject to subclause (3), when inflows to Malpas Dam, as measured at the Gara River at Willow Glen gauge (206035), are:

- a) less than 1 ML/day, a release equal to or greater than the inflows plus 1 ML/day, must be made from Malpas Dam, or
- b) equal to or greater than 1 ML/day and less than or equal to 6 ML/day, a release of 2 ML/day or greater, must be made from Malpas Dam, or
- c) greater than 6 ML/day, a release of 3 ML/day or greater, must be made from Malpas Dam.

(3) Subclause (2) does not apply when the Malpas Dam is less than or equal to 55% (6,724 ML) of the dam's storage capacity.

Proposed operating rule

For the augmented scheme options, the following operating rule is proposed.

for Styx, Aberfoyle, and Chandler Rivers:

1. January to July can only transfer/store when flow is above the 90th percentile
2. August to December can only transfer/store when flow is above the 80th percentile
3. Can only extract 30% of the flow above the 80th percentile flows.
4. If Malpas dam less than 60% full then above 90th percentile is relaxed to 95th percentile and 80th percentile relaxed to 90th percentile
5. Existing Malpas Dam WSP rule remains with 55% of existing dam volume.

The above proposed operating rule is typical and based on experience in other projects. Additional environmental assessments and studies by eco-hydrologists will need to be done to gather more specific information which will be reviewed by DPIE Water. The final environmental flow rules will be determined and approved by the Natural Resources Access Regulator (NRAR).

6.4.2 Secure yield analysis

The secure yield was initially estimated for the following schemes:

1. St Helena Creek off-stream storage (8,460 ML) sourced from Styx River
2. Chandler River on-stream storage sourced from Chandler River and Styx River
3. Pumping from Styx River to raised Malpas Dam
4. Pumping from Aberfoyle River to raised Malpas Dam

If extraction from the main source did not provide the required secure yield, the secondary sources were progressively added to the scheme. If, with the addition of the secondary sources, the schemes did not provide the required secure yield then the storage on Styx River and Nowlands Backwater, currently not permitted under the WSP rules, would be considered. The shortlisted schemes that would meet the shortfall in secure yield, either by pumping to a raised Malpas dam or pumping to a new storage, are provided in Table 6-6.

Table 6-6: Shortlisted schemes that meet the secure yield shortfall

Scheme	Water Source(s)	New works
Raised Malpas dam (MD)	Styx River U/S of Kempsey Road	<ul style="list-style-type: none"> 6.5m raised MD 50 ML/d transfer from Styx River
Raised Malpas dam (MD)	Aberfoyle River at Goonyal & Nowlands Backwater (NB)	<ul style="list-style-type: none"> 6.5m raised MD 50 ML/d transfer from Aberfoyle River and NB.
Storage on Chandler River	Styx River U/S of Kempsey Road	<ul style="list-style-type: none"> 3,552 ML On-River storage 50 ML/d transfer from Styx

6.5 Oaky River Dam

Oaky River Dam was a hydroelectric dam owned by Essential Energy located on Oaky River, approximately 3 km downstream of Kempsey Road. The dam was built between 1951 and 1956 and has a catchment area 200 km², which is mostly pasture and which is larger than the 160 km² Styx River catchment being considered. The dam had a gross storage capacity of about 2,700 ML at Full Supply Level and stored water was used to power 5 turbines with a combined output of 12 MW.

The right embankment of the dam failed during an extreme flood event on 22 February 2013. In October 2014, George Samios and Steve Gough presented a paper to the annual ANCOLD conference on the failure of Oaky River Dam and the cost of repair. The estimated direct cost to repair the dam and upgrade it to meet the Dam Safety requirements at the time was \$5.96 M ex GST, applying the relevant capital cost factor from the NSW Reference Rates Manual (1.12), the current estimated direct cost of the repairs and upgrades is \$6.675 M ex GST and the total capital cost is \$8 M ex GST.

Essential Energy does not plan to repair the dam as power generation is no longer their core business. The dam is within one of the NSW Government's renewable energy zones. Therefore, there is the potential that the site could be sold or transferred to another organisation for re-development into a pumped hydroelectric scheme.

From Council's perspective, if the site can be obtained, it has several advantages:

- access to site and power supplies have already been constructed
- the existing site use means that the environmental impact is lower
- the site is expected to have similar flow characteristics to the Styx River, therefore the potential yield is expected to be similar
- the water sharing plan allows for dams in the Oaky River Water Source
- the river is 50m above the Styx River source considered and about 8km closer to Armidale reducing both the pumping power required and the pipeline cost.

The Oaky River Dam source is expected to have the same flow as the Styx River source. This is a reasonable assumption given:

- the catchment is slightly larger, (Oaky River 210 km², Styx River 160 km²)
- the catchment is mostly pasture, this generally leads to more initial runoff and less initial infiltration, this in turn leads to less flow during droughts
- the dam will hold more water than the pool in the Styx, therefore it is expected that water will be available for pumping on more days.

Given the 2700 ML instream storage of Oaky River Dam, the yield is likely to be greater than pumping high flows from a smaller natural pool on the Styx River. A secure yield analysis needs to be undertaken for the Oaky River dam, which would need to consider the following:

- 25, 15 and 10 ML/d transfers from Oaky River Dam direct to Malpas Dam for the 2,700 ML instream storage (with the option to bypass Malpas Dam during periods of poor water quality).
- 25, 15 and 10 ML/d transfers from Oaky River Dam direct to Armidale WTP as a base load supplemented by transfers from Malpas Dam
- 25 and 15 ML/d transfers from Oaky River Dam direct to Armidale WTP as a base load supplemented by transfers from Malpas Dam with excess transfers from Oaky River Dam transferred up to Malpas Dam.

7. Groundwater

A groundwater investigation undertaken by Hydroilex identified 10 test bore sites with a recommendation to construct all bores that have an indicative yield of greater than 3 L/s. Of the ten test bores, four were deemed to have sufficient yield for production bores. Council estimated a total yield of 1,512 kL/d from these bores for 16 hours pumping. This amounted to about 550 ML/year.

In order to meet the shortfall in secure yield of 3,350 ML/year about 25 to 30 more production bores would be required. Further, if the license issued by NRAR imposes a condition that restricts the extraction from the bore to 50 percent of its capacity, then about 50 bores would be required. The bores would be located at least 500m apart which would extend to about 25 km for 50 bores, with the associated transfer system. The risks of developing such a borefield include:

- finding the number of bores required with sufficient yield
- obtaining approval for the bore construction
- negotiating the land and access requirements for the scheme

Considering the above risks and challenges, the development of a borefield to supply to entire shortfall in yield, has not been considered. Instead, only the four production bores that have already been drilled are considered in the following two options:

- as a reliable supplementary source to the surface water
- as an alternate drought contingency source

For this assessment, a conservative groundwater yield of 200 ML/year has been considered as a reliable supplementary source to the surface water.

8. Scheme options

Following the identification of the alternate surface water options that would meet the shortfall in secure yield, further analysis was undertaken to develop the scheme options. The following scheme options were assessed:

No Malpas dam raising

- Transfer from the Styx River
- Transfer from the Aberfoyle River and Nowlands Backwater
- Chandler River storage
- Transfer from Oaky River to Malpas Dam

3m Malpas dam raising

- Transfer from the Styx River

- Transfer from the Aberfoyle River and Nowlands Backwater
- Transfer from Oaky River to Malpas Dam

6.5m Malpas dam raising

- Transfer from the Styx River
- Transfer from the Aberfoyle River and Nowlands Backwater
- Transfer from Oaky River to Malpas Dam

Those of the above options that exceeded or were close to the target of 5,778 ML/year, are outlined in Table 8-1. The works required in each of these options (including the Oaky River Dam options) are provided in Table 8-2.

Table 8-1: Scheme options that meet the secure yield shortfall

Storages	Malpas dam raising	Additional source/storage
Guyra + Malpas + Puddledock	No	25 ML/d from Styx River
	No	15 or 25 ML/d from Oaky River
	No	7.8 GL on-stream Storage on Chandler River, plus pumping from the Styx River to the Chandler River
	3m	15 ML/d from Styx River
	3 m	10 or 15 ML/d from Oaky River
	6.5m	10 ML/d from Styx River
	6.5 m	10 ML/d from Oaky River
	6.5m	10 ML/d from Aberfoyle and 10 ML/d from NB

Table 8-2: Works required for the scheme options

No	Malpas dam raising	Additional source/storage	Works required
1	No	25 ML/d from Styx River	74 km of 600mm diameter pipeline, 2 pumping stations (1060kW & 840kW)
2	No	10 ML/d from Styx River + 7.8 GL on-stream Storage on Chandler River	66 km of 375mm diameter pipeline 2 pumping stations (400 kW & 540 kW) 1 dam 7.8 GL
3	3m	15 ML/d from Styx River	74 km of 450mm diameter pipeline 2 pumping stations (680 kW & 590 kW) Raise Malpas Dam 3m
4	6.5m	10 ML/d from Styx River	74 km of 375mm diameter pipeline 2 pumping stations (470 kW & 420 kW) Raise Malpas 6.5m



No	Malpas dam raising	Additional source/storage	Works required
5	6.5m	10 ML/d from Aberfoyle River and 10 ML/d from Nowlands Backwater	13 km of 375mm diameter pipeline 44 km of 525mm diameter pipeline 3 pumping stations (90 kW, 730 kW and 270 kW) Raise Malpas 6.5m
6	No	25 ML/d from Oaky River Dam	Restore and upgrade Oaky River Dam Transfer to Malpas Dam 67 km of 600mm diameter pipeline, 2 pumping stations (880kW & 840kW)
7	3m	15 ML/d from Oaky River Dam	Restore and upgrade Oaky River Dam 67 km of 450mm diameter pipeline 2 pumping stations (560kW & 590kW) Raise Malpas Dam 3m
8	6.5m	10 ML/d from Oaky River Dam	Restore and upgrade Oaky River Dam Transfer to Malpas Dam 67 km of 375mm diameter pipeline 2 pumping stations (380kW & 420kW) Raise Malpas dam by 6.5 m

A map showing the locations of the pipelines and pumping stations for the options, is provided in Figure 8-1.



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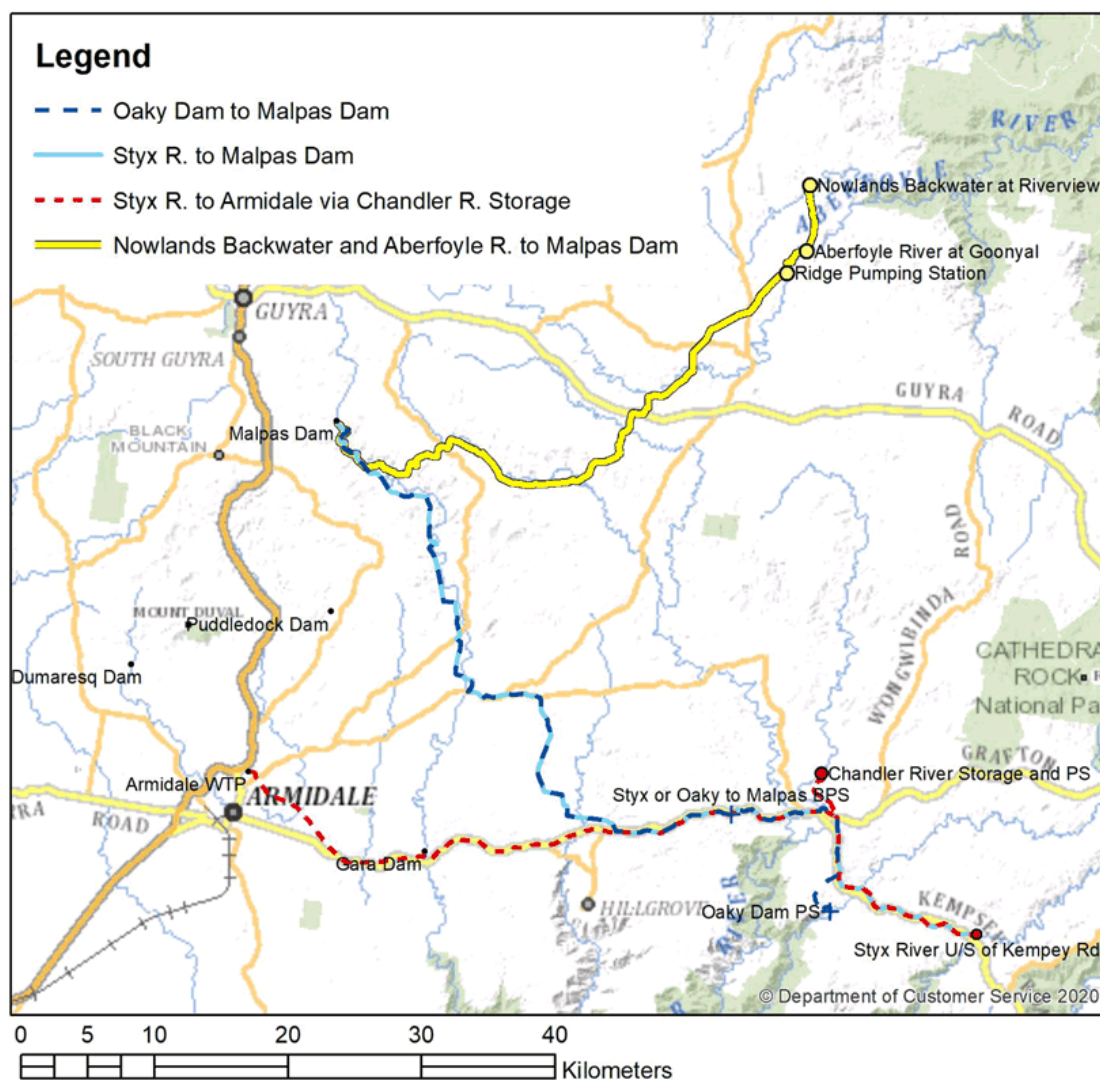


Figure 8-1: Locations of pipelines and pumping stations for the selected scheme options

8.1 Assessment of scheme options

A non-cost assessment was used to rank the shortlisted surface water options. The criteria and their weightings, are provided in Table 8-3, and the scores and rankings are in Table 8-4.

Table 8-3: Non-cost assessment criteria used for ranking scheme options

Category	Criteria	Discussion	% of category score	% of final score
Total environmental impact (40%)	Environmental value of extraction point	Scores calculated from the sum of the scores for each river extraction point or storage. The scoring system was: Highly modified, area already disturbed for extensive river structures, 3 points Moderately modified, cleared pasture up to the riverbank, 4 points Slightly modified, wooded pasture with livestock excluded from the bank or State Forest up to bank, 5 points	25%	10%
	Additional area inundated	Score calculated using $0.1 \times (\text{additional area inundated (ha)})$	35%	14%
	Land clearing for pipeline and roads	Score calculated using $0.25 \times (\text{length of clearing required (km)})$	20%	8%
	Annual electricity use	Score calculated using $0.005 \times (\text{annual electricity consumption (kWh/year)})$, this resulted in scores ranging from 3.3 to 7.9.	20%	8%
Planning and regulatory approval (20%)	Existing catchment protection	Score calculated per river no new structures in waterways, 0 points structures in sub-catchments where dams are allowed, 2 points minor structures in sub-catchments where dams are prohibited, 4 points	40%	8%
	Approvals required	Score calculated using $2 \times (\text{number of rivers} + \text{number of dams} + 1 \text{ pipeline/road})$.	40%	8%
	Inter-catchment transfer	Score of 4 given if inter-catchment transfer required	20%	4%
Flexibility and future risk management (20%)	Potential for future storage augmentation	Scores assigned: Additional storage available at storage site equivalent to Malpas being raised from current height 6.5m, 4 points Additional storage available at storage site equivalent to Malpas being raised from 3m above current to 6.5m above current, 8 points No additional storage available, 20 points	100%	20%

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Category	Criteria	Discussion	% of category score	% of final score
Constructability (20%)	Rugged terrain	Scores assigned: Less than 2km of steep terrain, 2 points Less than 5km of steep terrain, 3 points More than 5km of steep terrain, 5 points	20%	4%
	Proximity to HV power	Score calculated as (1.7 x distance to closest power pole) + (0.425 length of existing power lines to be upgraded to reach an 11kV 3 phase supply)	55%	11%
	Proximity to main roads	Score calculated as (0.25 x distance to closest B-Double route).	25%	5%

Table 8-4: Non-cost scoring and rank

Scheme Description		25 ML/d from Styx River	10 ML/d from Styx River + 7.8 GL Storage on Chandler River	15 ML/d from Styx River + 3m MD raising	10 ML/d from Styx River + 6.5 m MD raising	10 ML/d from Aberfoyle and 10 ML/d from NB + 6.5m MD raising	25 ML/day from Oaky River to MD	15 ML/d from Oaky River + 3m MD raising	10 ML/d from Oaky River to Malpas + 6.5m MD raising
Environmental impact	River extraction points	5	1	5	5	2	7	7	7
	Additional inundation area	14	1	10	3	3	14	10	3
	Land clearing for pipeline and roads	1	1	1	1	5	2	2	2
	Annual electricity consumption	0	1	0	2	5	1	5	2
	Total	20	4	15	10	14	24	23	14

Armidale water supply – water security options

Scheme Description		25 ML/d from Styx River	10 ML/d from Styx River + 7.8 GL Storage on Chandler River	15 ML/d from Styx River + 3m MD raising	10 ML/d from Styx River + 6.5 m MD raising	10 ML/d from Aberfoyle and 10 ML/d from NB + 6.5m MD raising	25 ML/day from Oaky River to MD	15 ML/d from Oaky River + 3m MD raising	10 ML/d from Oaky River to Malpas + 6.5m MD raising
Planning/ regulatory approval	Catchment protection	4	2	4	4	0	6	6	6
	Approvals required	2	0	2	2	0	2	0	0
	Inter-catchment transfer	4	4	4	4	0	4	4	4
	Total	10	6	10	10	0	12	10	10
Flexibility and future risk management		3	4	4	0	0	3	4	0
Constructability	Rugged terrain	0	2	0	0	0	0	0	0
	Proximity to HV power	7	5	7	7	1	10	10	10
	Access to main roads	1	1	1	1	1	3	3	3
	Total	8	8	8	8	2	12	12	12
Total non-cost		53	37	53	31	16	66	67	42
Rank		3	6	3	7	8	2	1	5

The options with the 6.5m raising of Malpas Dam receive relatively low non-cost scores due to a lack of future flexibility and increased inundation area.

8.2 Staging and cost estimates

Once the scheme options were identified, potential opportunities for staging of the works were assessed for each option. Staging of the works reduces the life cycle cost of the option. Additionally, if the construction of any new infrastructure can be deferred it allows for the timing of this construction to be reviewed in line with anticipated growth. A construction period of 4 years has been allowed for all augmentations and the groundwater works have been included in stage 1 for all schemes. The staging of the works for the selected scheme options, is shown in Figure 8-2 to Figure 8-6.

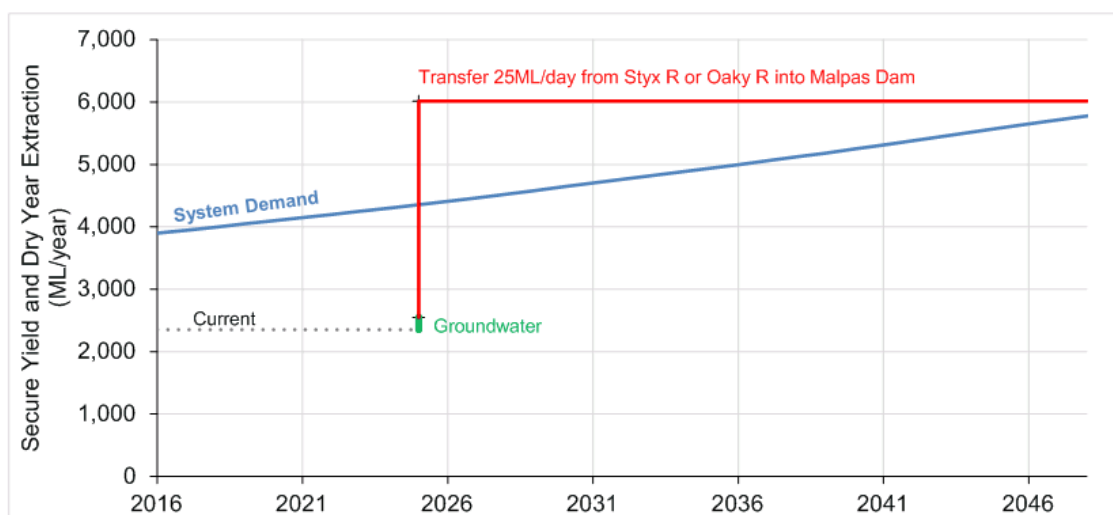


Figure 8-2: Staging – 25 ML/d transfer from Styx River or Oaky River dam

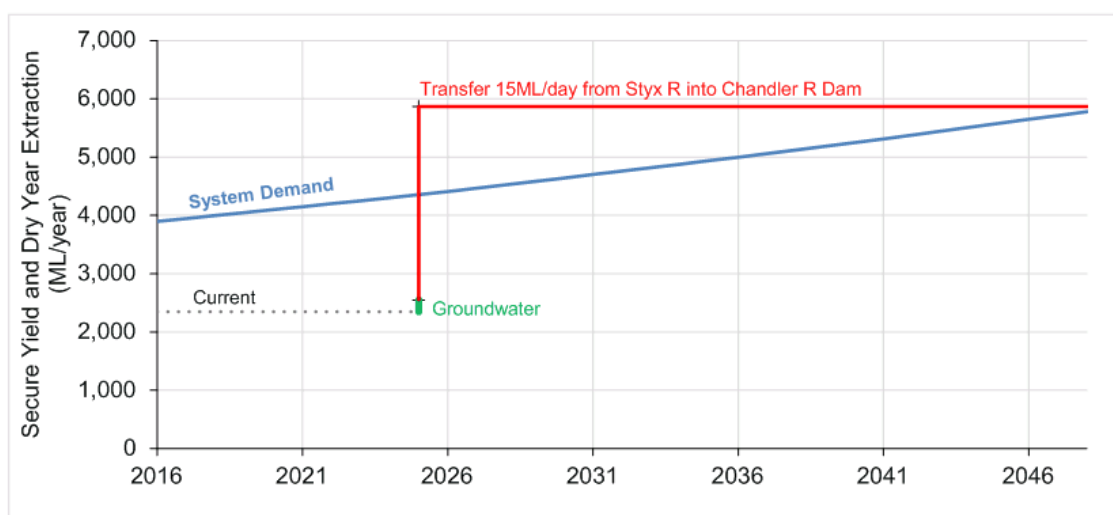


Figure 8-3: Staging – 10 ML/d transfer from Styx River Chandler River storage



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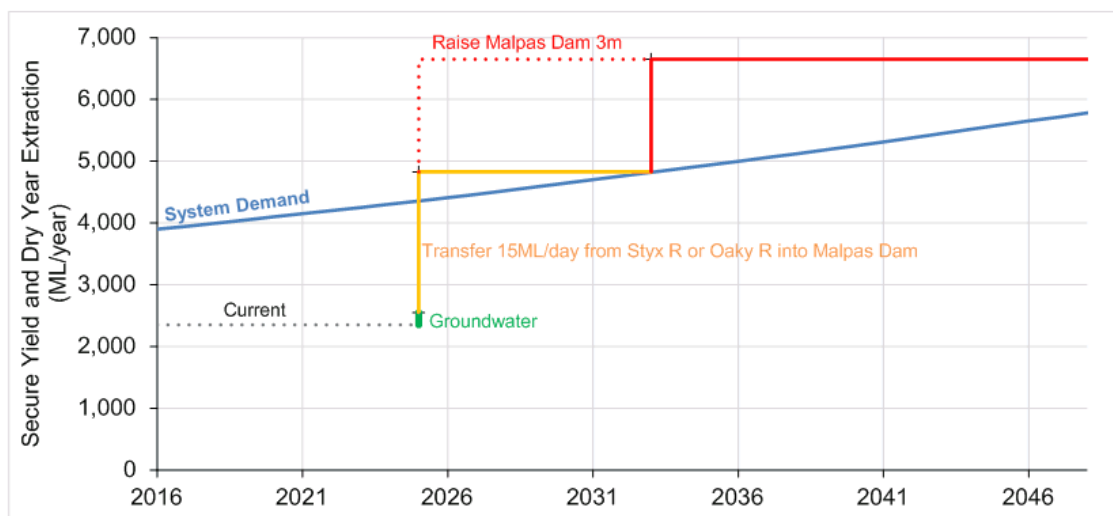


Figure 8-4: Staging – 3m Malpas dam raising and 15 ML/d transfer from Styx River or Oaky River Dam

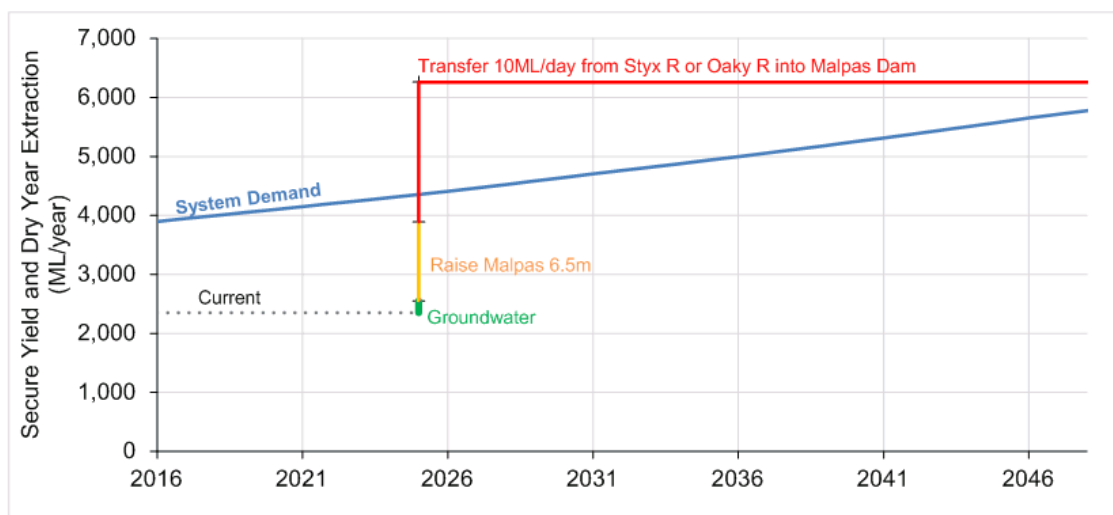


Figure 8-5: Option 4 staging – 6.5m Malpas dam raising and 10 ML/d transfer from Styx River or Oaky River Dam



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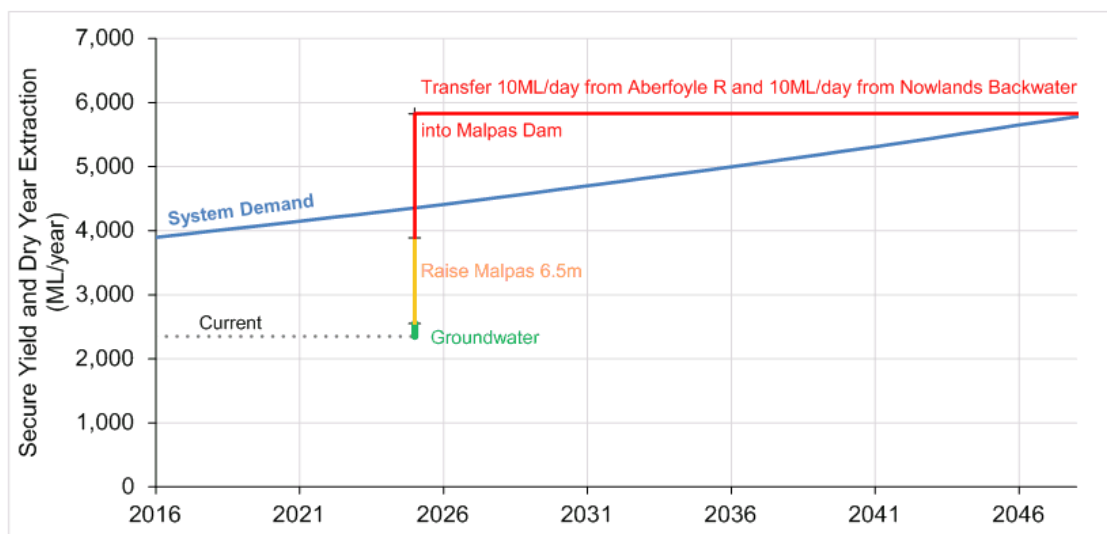


Figure 8-6: Option 5 staging – 6.5m Malpas dam raising 10 ML/d transfer from Aberfoyle and Nowlands Backwater

The 30-year present value (PV) of the scheme options along with the staging sub-options, is provided in Table 8-5. Detail cost estimate spreadsheets are provided in Appendix E.

Table 8-5: Scheme options cost estimates and TBL score

No	Works	Staging	Capital Cost (\$M)	Annual O&M Cost (\$M)	30-year PV (\$M)	Non-cost Score	TBL Score Non-cost NPV	Rank
1	25 ML/d from Styx River	None	111	1.30	95.53	52.8	0.55	6
2	10 ML/d from Styx River + 7.8 GL Storage on Chandler River	None	99	0.95	84.35	37.2	0.44	8
3	15 ML/d from Styx River + 3m raising	None	102	1.08	87.85	52.5	0.60	5
		Complete Styx River transfer in 2025, raise Malpas by 2033	102	1.10	80.98		0.65	4
4	10 ML/d from Styx River + 6.5 m raising	None	95	0.91	80.98	31.2	0.38	9
5	10 ML/d from Aberfoyle and 10 ML/d from NB + 6.5m raising	None	97	0.86	81.72	16.4	0.20	10
6	25 ML/day from Oaky River to Malpas	None	111	1.22	94.94	65.7	0.69	3
7	15 ML/day from Oaky River to Malpas + 3m raising	None	95	1.07	81.92	67.0	0.82	1
		Complete Oaky River transfer in 2025, raise Malpas by 2033	106	1.07	83.28		0.81	2
8	10 ML/d from Oaky River to Malpas + 6.5m raising	None	100	0.87	83.98	41.9	0.50	7

For the preferred option, a further refinement for the alternate source options would be to transfer from the alternate source directly to the Armidale water treatment plant (WTP). During off-peak demand periods, when the demand on the Armidale WTP is less than the transfer from the alternate source, the excess water would be pumped to Malpas dam using the existing pipeline which gravitates water from the Malpas dam to the Armidale WTP. This refinement would provide the following benefits:

- a shorter pipeline route from the alternate source, making use of existing assets
- an alternate water source enabling Malpas Dam to be taken off-line for maintenance or if there are water quality issues in the dam

The Malpas Dam to Armidale WTP raw water trunk main is mostly constructed of 450 mm steel pipe with sections of 525 mm and 600 mm pipe closer to the dam. If this pipeline is in good condition, then the maximum transfer capacity from Armidale WTP to Malpas dam is estimated to be about 15-20 ML/day.

The 2048 forecast off-peak water demand for Armidale is estimated to be about 9 ML/day. Therefore, the transfer from Armidale WTP to Malpas dam would only be considered for options transferring more than 10 ML/day from the alternate source.

9. Council's aspirational growth strategy

In February 2022 the newly elected Council held a Mayoral Summit and updated the base case population projection and introduced an aspirational population projection. The serviced community population forecasts for the original (1.06%), updated baseline, and aspirational growth rates are shown in Figure 9-1.

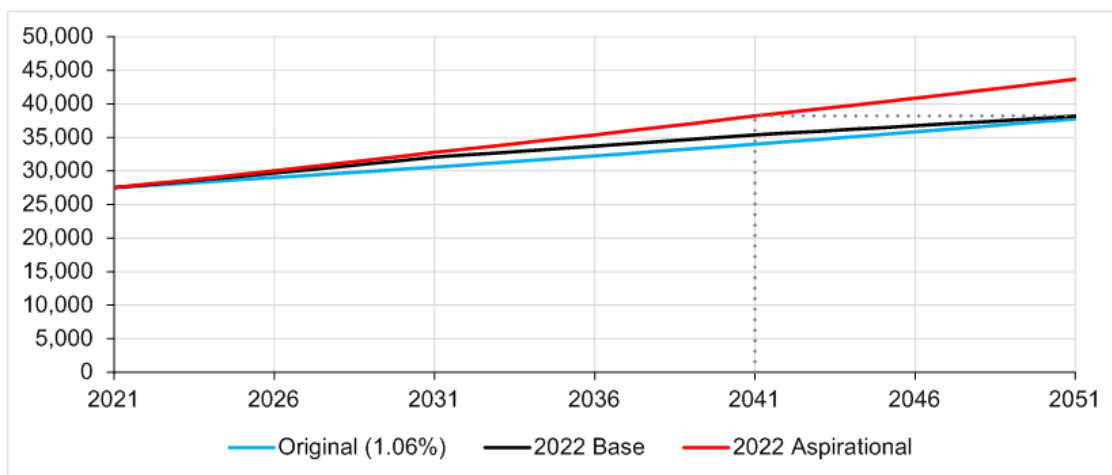


Figure 9-1: Serviced population projection

The details of the original, 2022 base and 2022 aspirational forecasts are provided in Appendix F. The forecast unrestricted annual extraction requirements for each growth forecast are shown in Figure 9-2.



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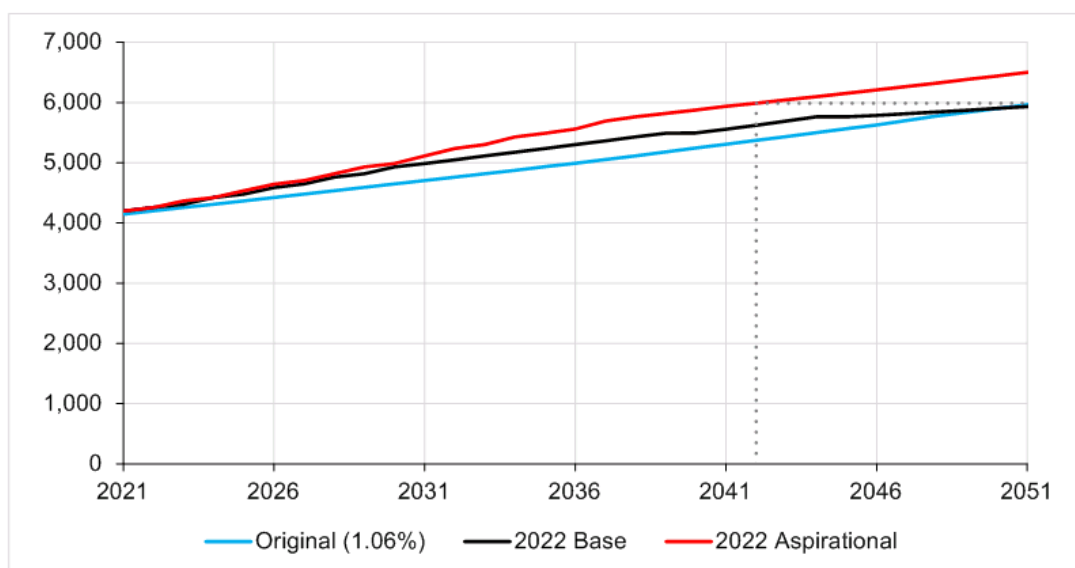


Figure 9-2: Unrestricted annual demand (ML/year)

It can be seen from the above figures that the 30-year population and the unrestricted water extraction requirement for the 1.06% growth rate would be realised in 20 years at the aspirational growth rate. Hence the water security option selected to cater for the 1.06% growth, would need an augmentation in about 15 years.

To accommodate the aspirational growth, the following option is recommended with a staged implementation (which will allow for an adaptive planning approach):

- Stage 1 – construct a 25 ML/d transfer capacity from the Oaky River Dam immediately
- Stage 2 – raise Malpas dam by 6.5m by 2042.

Council is currently negotiating with Essential Energy to acquire the Oaky River Dam. If Council cannot acquire the dam, then the Styx River source will become the preferred option as follows:

- Stage 1 – construct a 25 ML/d transfer capacity from the Styx River immediately
- Stage 2 – raise Malpas dam by 6.5m by 2042.

The secure yield and dry year demand are graphed in Figure 9-3 and the costing of these works is summarised in Table 9-1, an un-staged option is included for reference.



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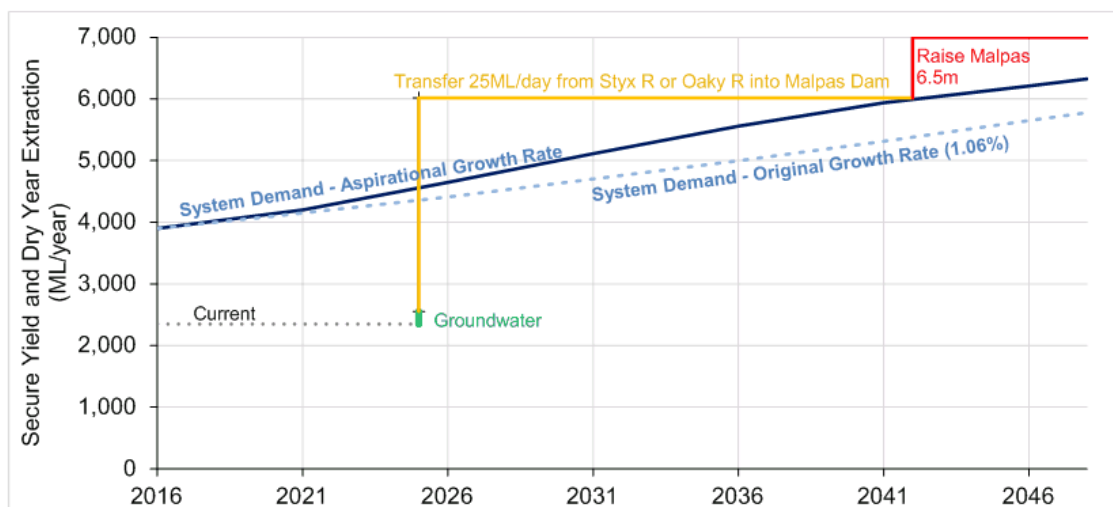


Figure 9-3: Aspirational Case - secure yield and unrestricted annual demand

Table 9-1: Aspirational Case scheme option and cost estimates

Works	Staging	Capital Cost (\$M)	Annual O&M Cost (\$M)	30-year PV (\$M)
Option 1 25 ML/d from Oaky River + 6.5m raising	Oaky River transfer 2025 Raise Malpas 2042	137	1.24	101
Option 2 25 ML/d from Styx River + 6.5m raising	Styx River transfer 2025 Raise Malpas 2042	146	1.33	109

The advantage of the staged approach is that Council can defer the construction of the Malpas Dam raising until there is evidence of sufficient growth in water demand to warrant the additional yield. This approach minimises the risk of over capitalisation.

The main advantage of bringing the second source online before raising Malpas Dam is that the Armidale demand can be supplied by second source greatly reducing the demand on Malpas Dam during construction, enabling the level in the dam to be reduced (making the work easier and safer) and then enabling the dam to be refilled faster after the works are complete.

10. References

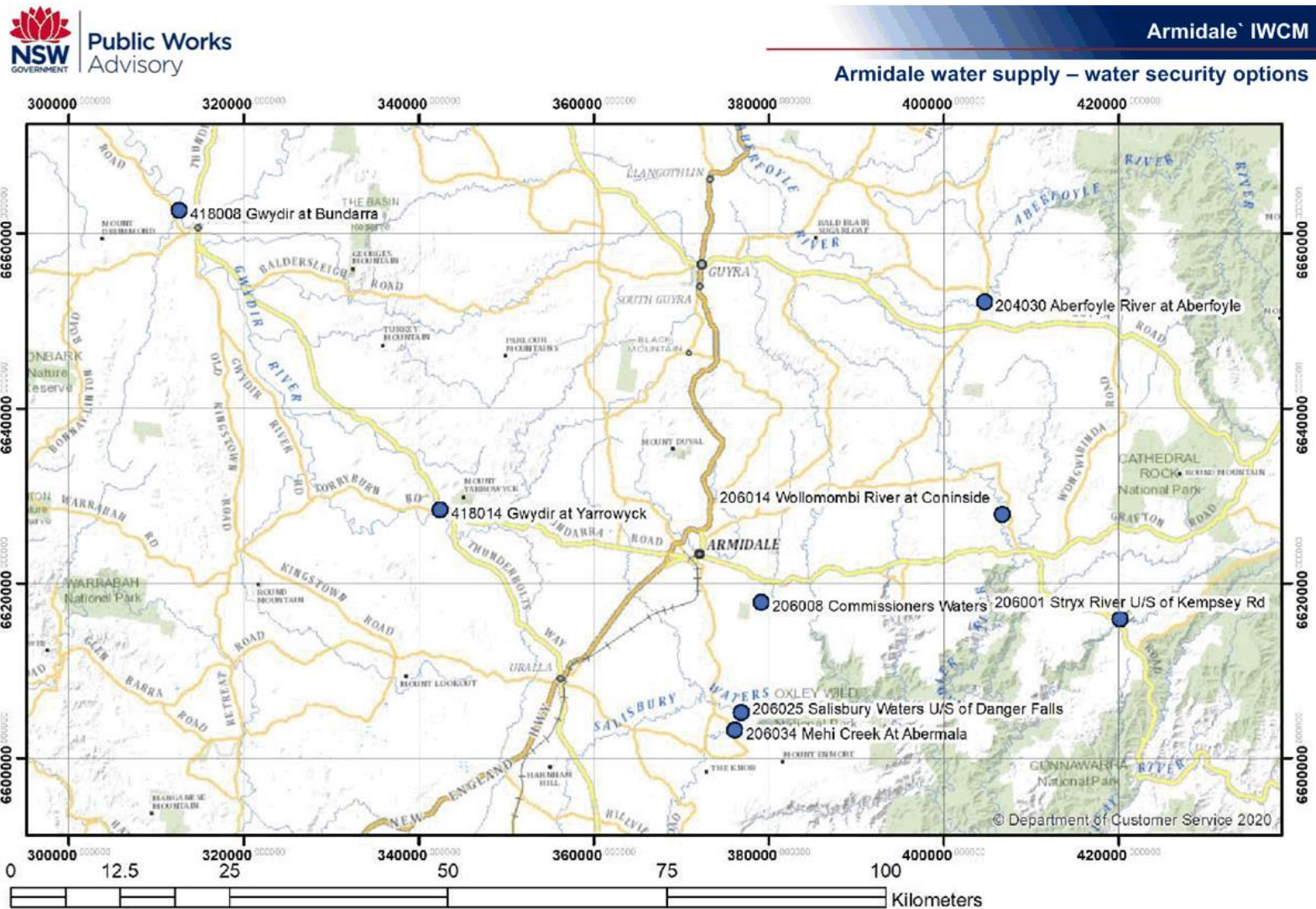
Hydroilex, 2019. *Hydrogeological Investigation Guyra – Emergency Town Water Supply*, Molong, NSW: Hydroilex.

Samios, G. & G. S., 2014. *Oay River Dam Failure*. Canberra, Australian National Committee on Large Dams (ANCOLD).

Appendix A Stream Gauges – Location and Information

Appendix Table

Gauge number	Gauge name	Catchment area (km ²)	Specific Mean Discharge, (ML/day/km ²)	Mean Discharge (ML/day)	Major Catchment	Gauge zero
418014	Gwydir River at Yarrowyck	855	0.194	165.9	Gwydir	758.5m AHD
418008	Gwydir River at Bundarra	3,990	0.221	881.8	Gwydir	663.9m AHD
204030	Aberfoyle River at Aberfoyle	200	0.255	51.0	Clarence	955.9m AHD
206008	Commissioners Waters at Tiverton (earrhorpe)	362	0.21	76.0	Macleay	938.5m AHD
206001	Styx River at Jeogla	163	1.245	202.9	Macleay	808.5m AHD
206025	Salisbury Waters near Dangar Falls	594	0.12	71.3	Macleay	955.9m AHD
206014	Wollomombi River at Coninside	376	0.268	100.8	Macleay	Estimated 955m AHD



Appendix Figure A-1: Map of gauging stations

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A-1

Appendix B Criteria for selection and calculation of storage volumes

The guidelines used in the selection of the storage sites are provided in Table B1.

Table B1: Guidelines used in selection of storage sites

Volume (GL)	Wall height (m)	Wall Length (m)
4	15	400
10	25	600
20	40	
60	50	
70	60	

Topology

The storage sites were chosen to:

- require short dam walls
- store a large volume of water
- have large relatively deep lakes.

Calculation methods

The wall height was estimated based on the contour maps.

The following parameters were calculated using ArcGIS:

- surface areas were calculated based on the contour chosen as the top water level.
- wall length was calculated by measuring the distance between the top water level contours at the selected dam wall location (intermediate points were added if required by the topography).

The storage volume was estimated using the following equation

$$\text{Stored Volume} = \frac{1}{3} \times \text{area} \times \text{height}$$

Wall volume was estimated using the following equation

$$\text{Wall Volume} = 1.5 \times \text{length} \times \text{height}^2$$

The efficiency was estimated using the following equation

$$\text{efficiency} = \frac{\text{Stored volume}}{\text{Wall volume}}$$



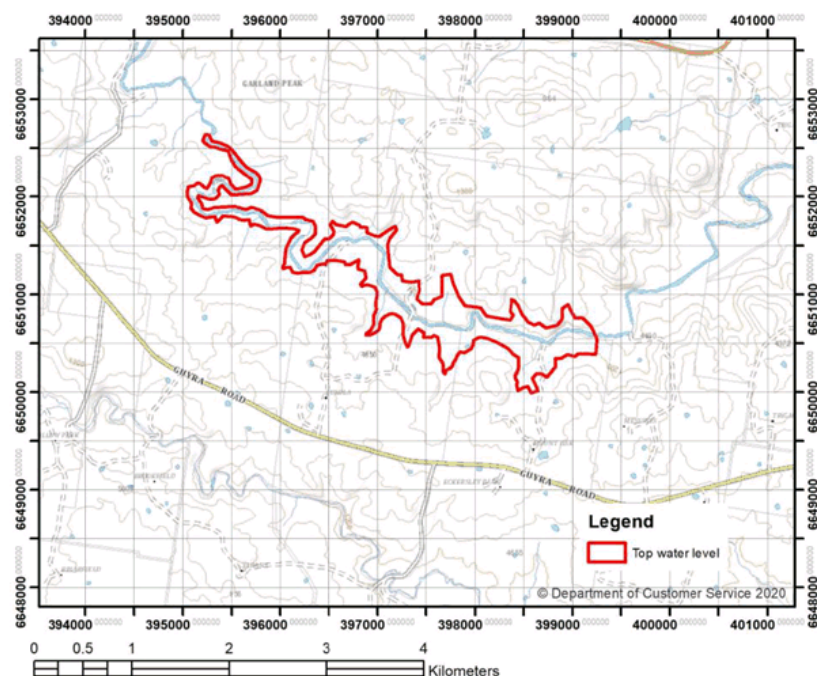
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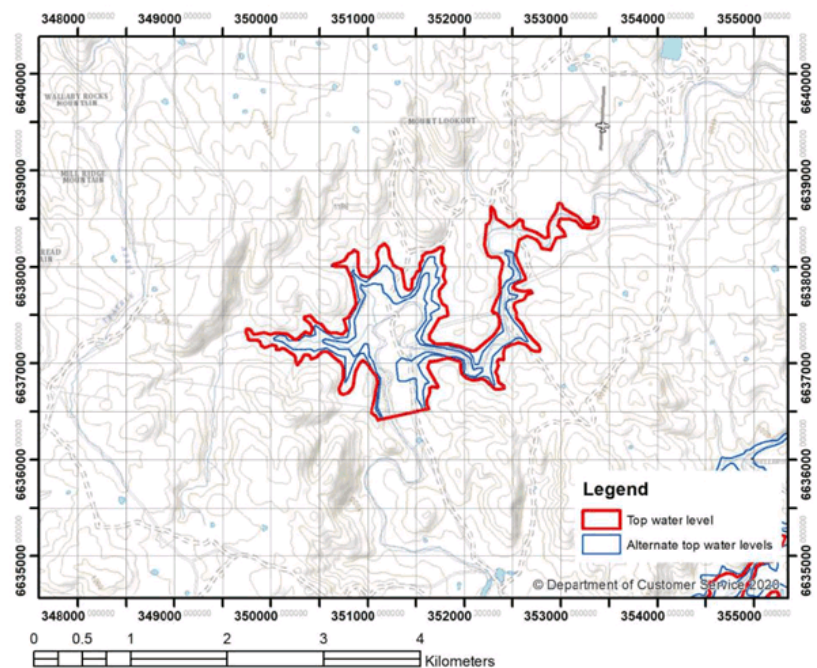
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Appendix C Maps of individual storages

C.1 Large Storages



Appendix Figure C-1: Aberfoyle River



Appendix Figure C-2: Boorolong Creek

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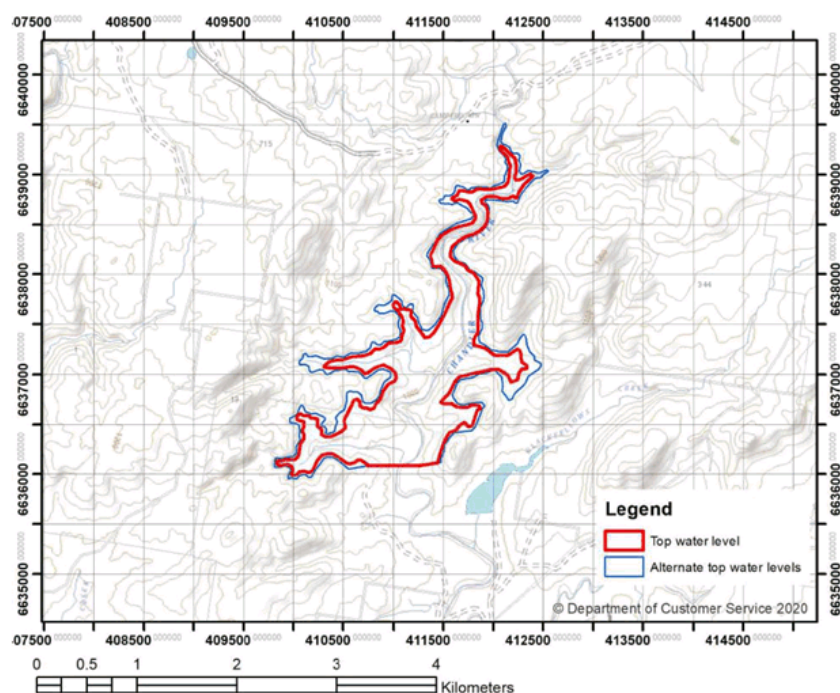
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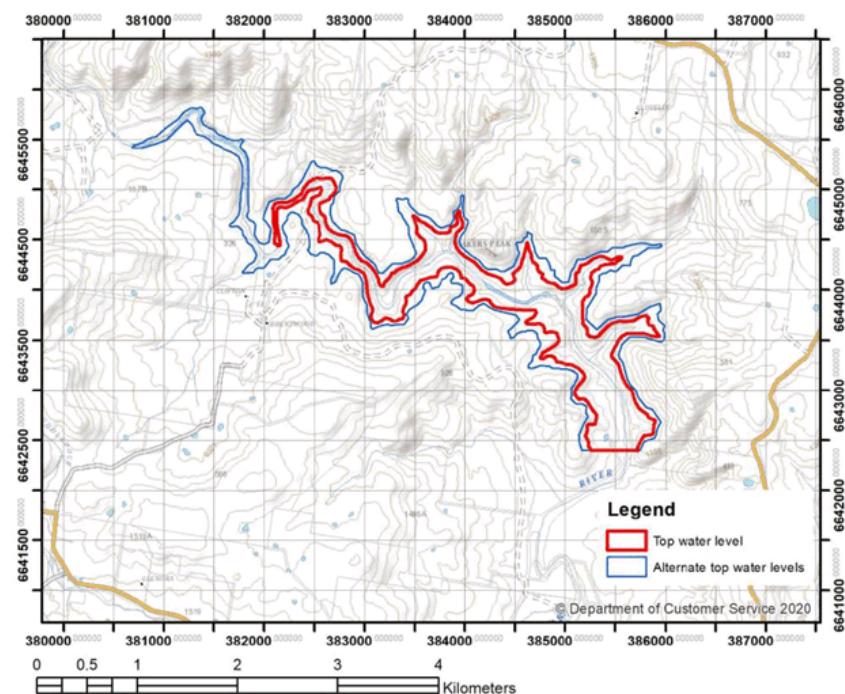
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Appendix Figure C-3: Chandler River



Appendix Figure C-4: Gara River

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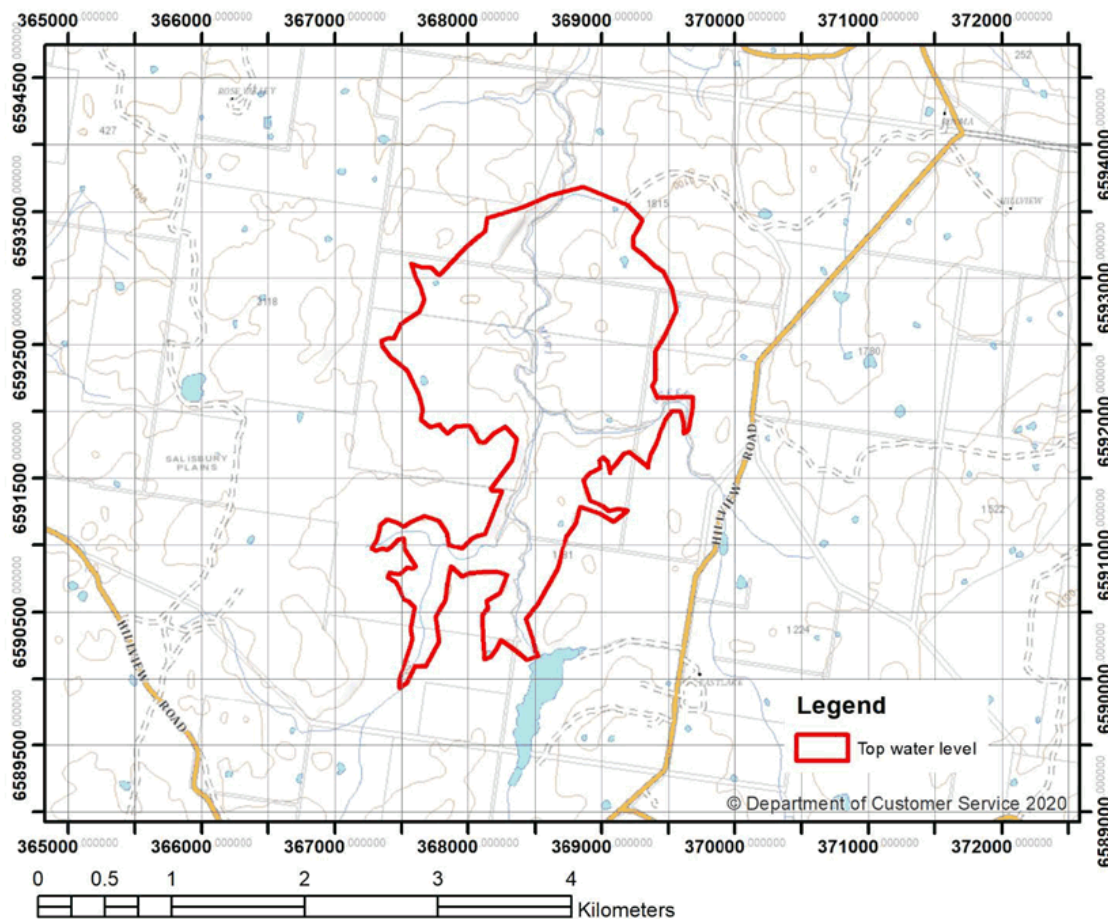
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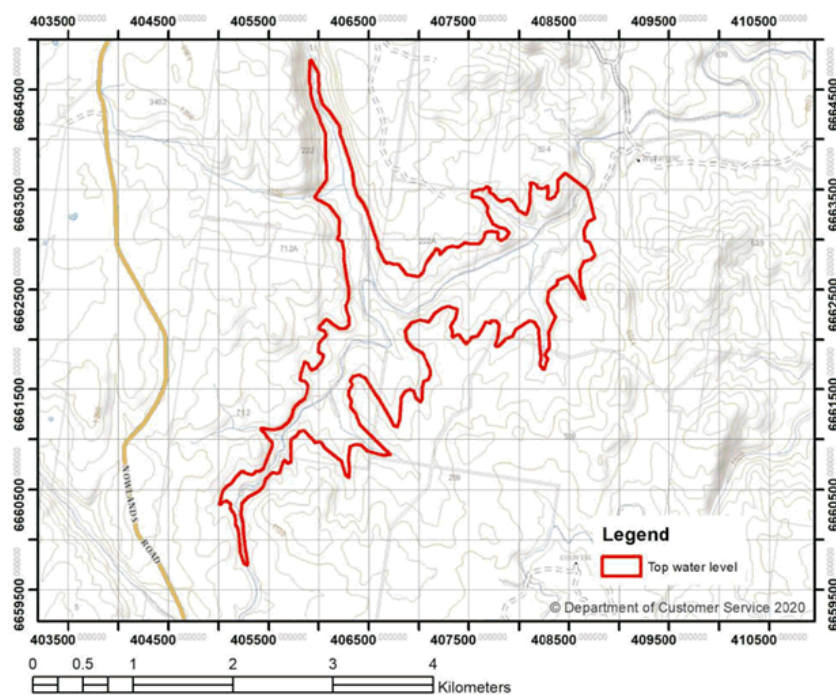
Appendix Figure C-5: Mehi Creek



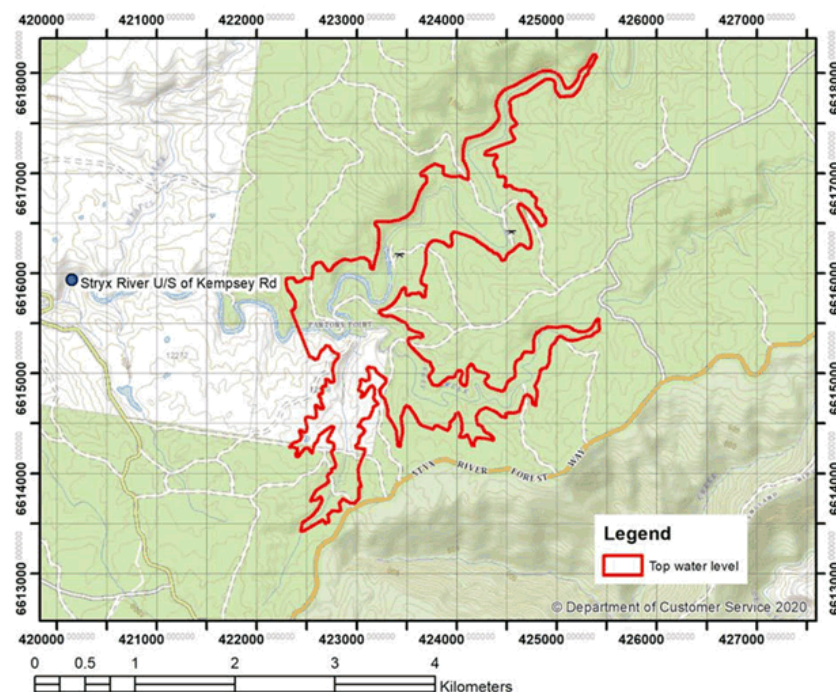
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Appendix Figure C-6: Nowlands Backwater



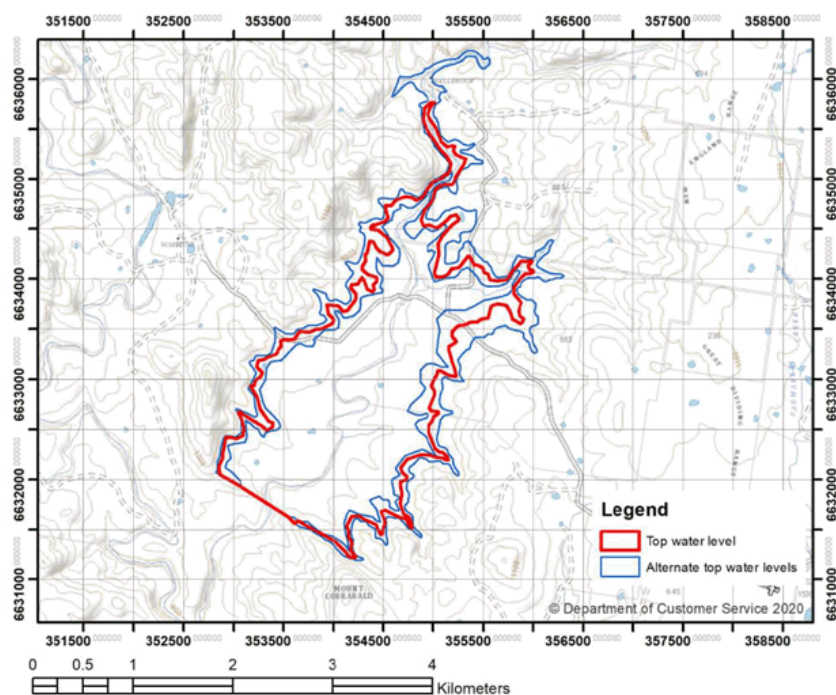
Appendix Figure C-7: Styx River



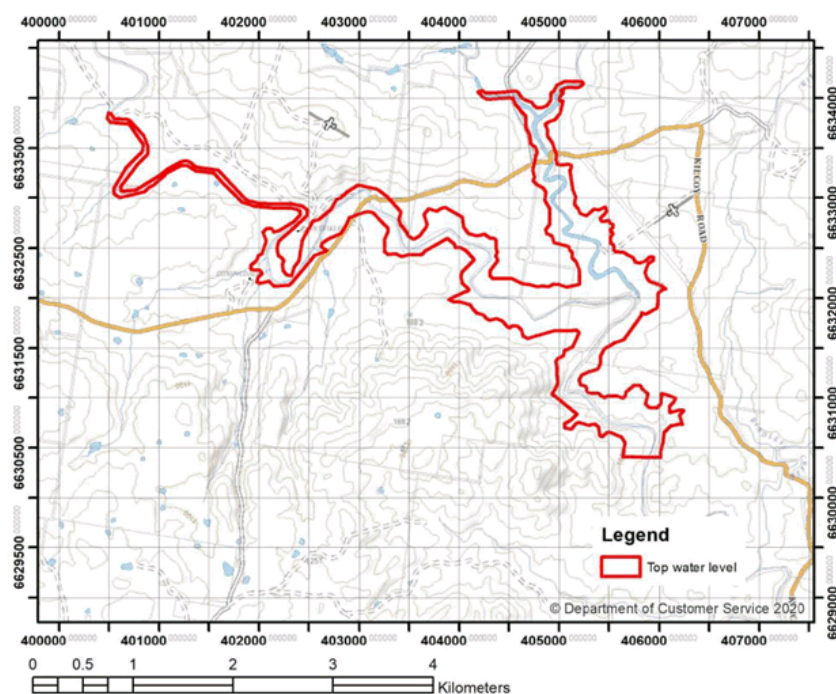
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Appendix Figure C-8: Toms Creek



Appendix Figure C-9: Wollomombi River

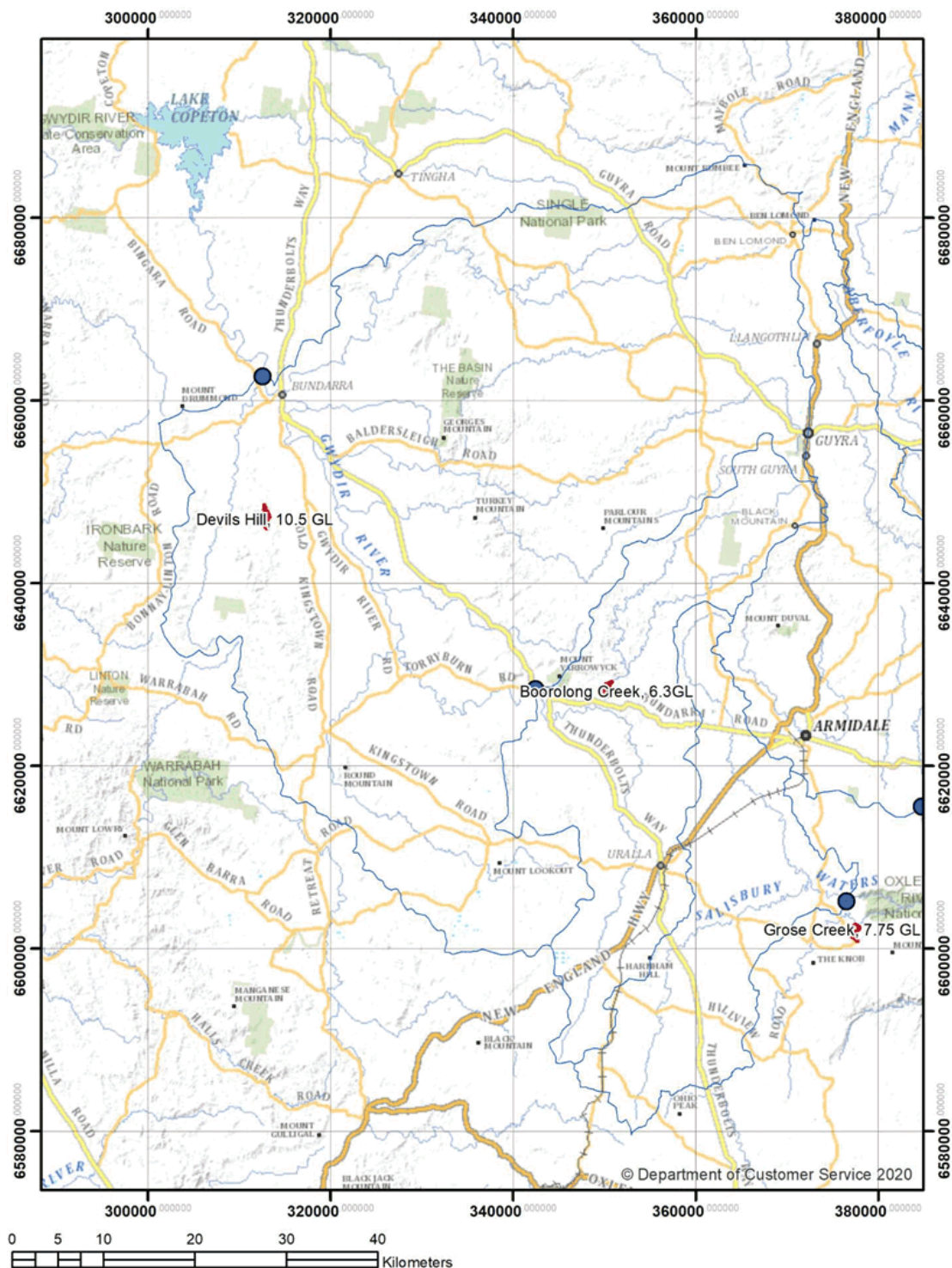


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C.2 Small storages



Appendix Figure C-10: Devils Hill regional map

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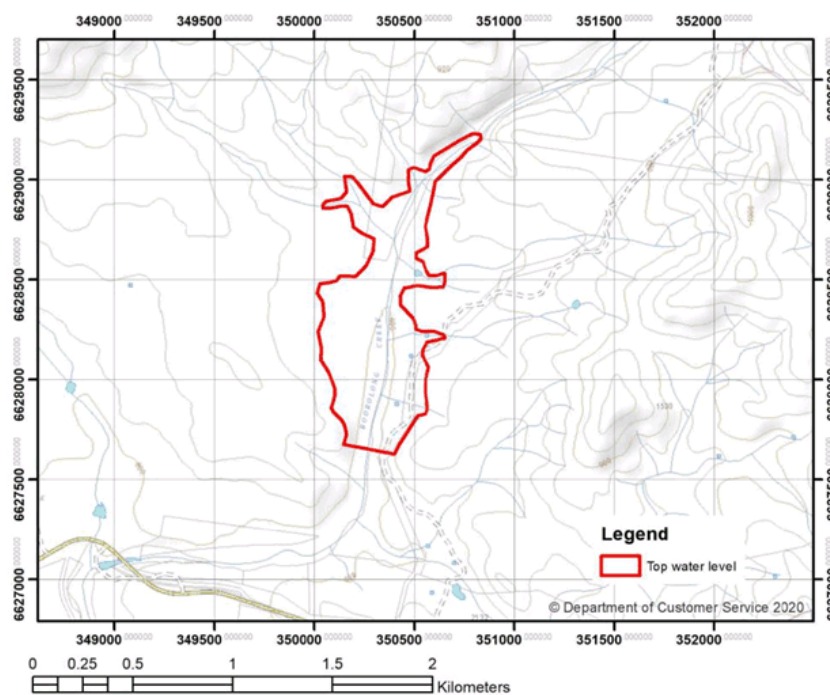
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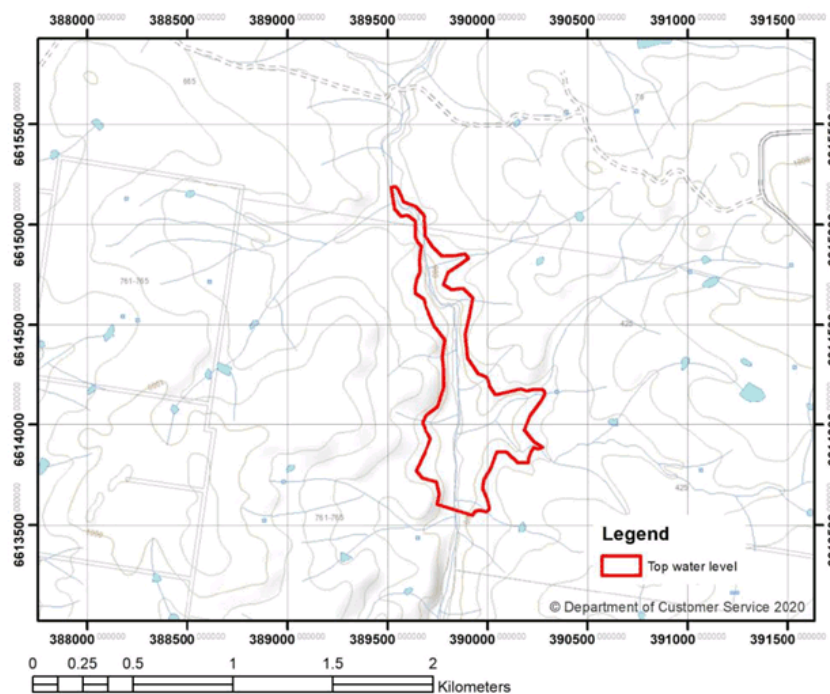
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Appendix Figure C-11: Boorolong Creek



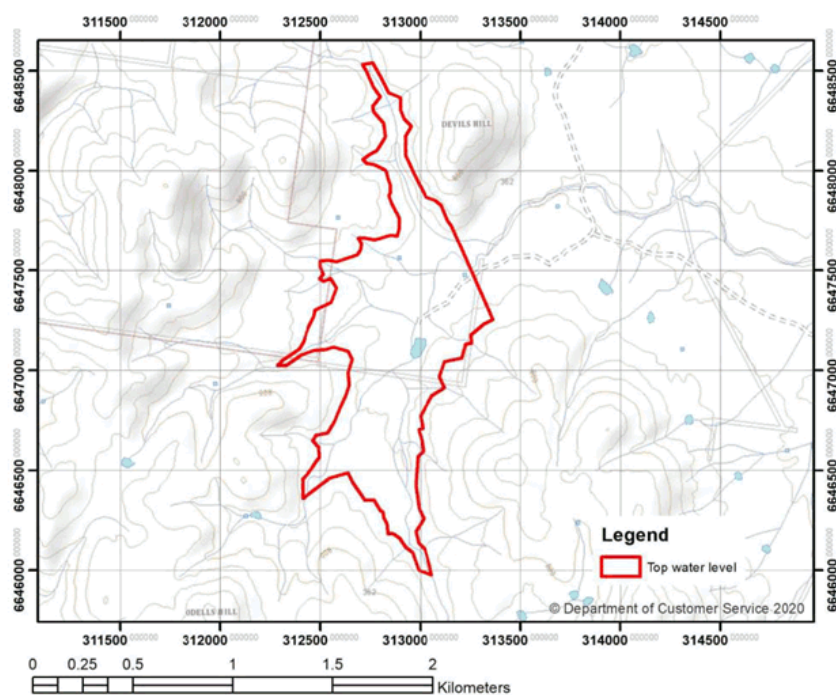
Appendix Figure C-12: Cooney Creek



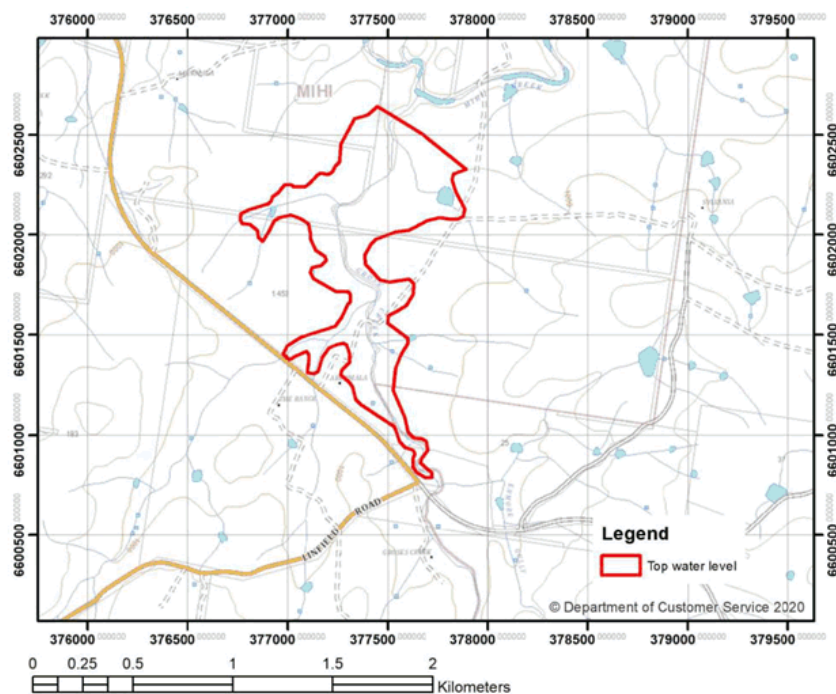
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Appendix Figure C-13: Devils Hill



Appendix Figure C-14: Grose Creek

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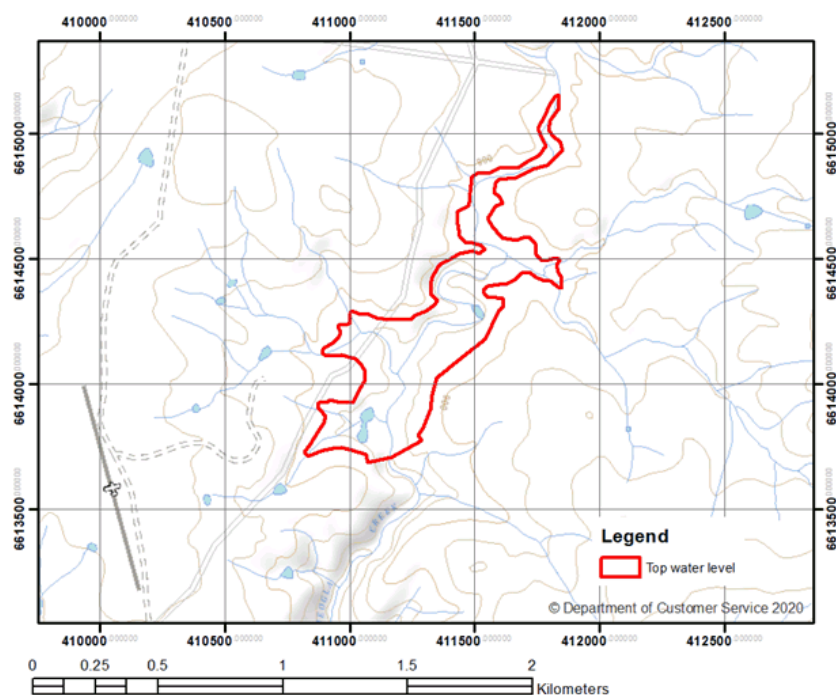
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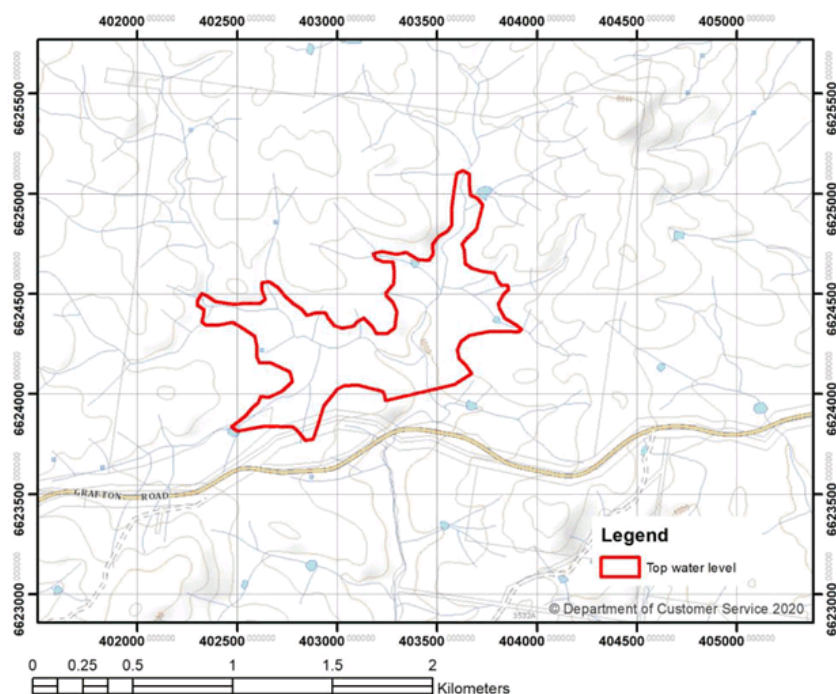
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Appendix Figure C-15: Jeogla Creek



Appendix Figure C-16: St Helena Creek

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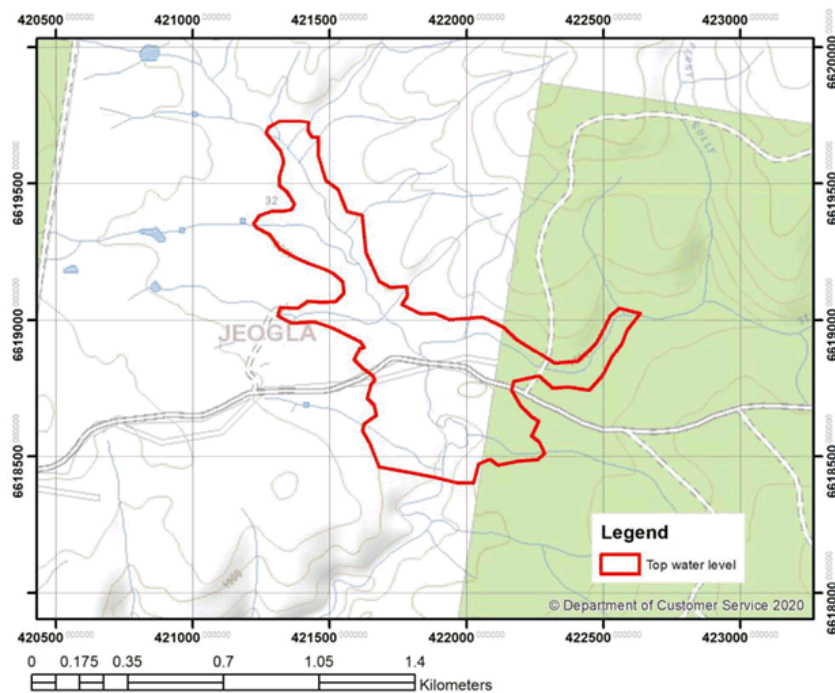
C-9



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Appendix Figure C-17: Wyatts Creek

Appendix D Assessment Criteria for Shortlisting Extraction and Storage sites

Storage	Storage allowed under WSP	Source 1	Source 2	Source 3	Scores												Total score if mean discharge score >0
					Storage score	Mean Discharge of scheme	Flexibility	Complexity	Land holders	Water quality risk due to catchment land use	Inundated area - environmental value	Aboriginal Heritage	River Distance to National Park	Steep terrain at dam site (wall length over height)	Sleep terrain at dam site (wall length over height)	Accessibility to site (distance to B-Double Route)	
St Helena Creek	Yes	Styx River U/S of Kempsey Rd			1	5	0	4	4	2	5	4	3	4	4	3	39
St Helena Creek	Yes	Styx River U/S of Kempsey Rd	Chandler River D/S Grafton Road,		1	5	0	3	4	2	5	3	3	4	4	3	37
St Helena Creek	Yes	Styx River U/S of Kempsey Rd	Chandler River D/S Grafton Road,	Bakers Creek U/S of Grafton Road	1	5	0	2	4	2	5	3	3	4	4	3	36
St Helena Creek	Yes	Bakers Creek U/S of Grafton Road			1	0	0	1	4	2	5	4	3	4	4	3	
St Helena Creek	Yes	Chandler River D/S Grafton Road,			1	0	0	1	4	2	5	4	3	4	4	3	
St Helena Creek	Yes	Chandler River D/S Grafton Road,	Bakers Creek U/S of Grafton Road		1	0	0	1	4	2	5	3	3	4	4	3	
Styx River	No				5	5	0	5	4	5	2	4	4	1	1	1	37
Jeogla Creek	No	Styx River U/S of Kempsey Rd			1	5	1	4	4	2	5	2	3	2	1	2	32
Wyatts Creek	No	Styx River U/S of Kempsey Rd			1	5	0	4	4	2	2	4	3	3	1	1	30
Wyatts Creek	No	Styx River U/S of Kempsey Rd	Wollomombi River U/S Grafton Road		1	5	0	3	4	2	2	3	3	3	1	1	28
Wyatts Creek	No	Styx River U/S of Kempsey Rd	Chandler River D/S Grafton Road,		1	5	0	3	4	2	2	3	3	3	1	1	28
Chandler River	Yes				5	0	0	5	3	2	4	4	5	3	1	2	
Chandler River	Yes	Chandler River D/S Grafton Road,			5	1	0	4	3	2	4	3	3	3	1	2	31
Chandler River	Yes	Chandler River D/S Grafton Road,	Bakers Creek U/S of Grafton Road		5	4	0	3	3	2	4	3	3	3	1	2	33
Chandler River	Yes	Styx River U/S of Kempsey Rd			5	5	0	4	3	2	4	4	3	3	1	2	36
Chandler River	Yes	Styx River U/S of Kempsey Rd	Chandler River D/S Grafton Road,		5	5	0	3	3	2	4	3	3	3	1	2	34
Chandler River	Yes	Styx River U/S of Kempsey Rd	Chandler River D/S Grafton Road,	Bakers Creek U/S of Grafton Road	5	5	0	2	3	2	4	2	3	3	1	2	32
Gara River	Yes				5	0	5	5	3	2	3	5	5	1	1	4	
Gara River	Yes	Chandler River D/S Grafton Road,	Bakers Creek U/S of Grafton Road		5	2	5	2	3	2	3	3	3	1	1	4	34
Gara River	Yes	Styx River U/S of Kempsey Rd			5	5	5	2	3	2	3	4	3	1	1	4	38
Gara River	Yes	Styx River U/S of Kempsey Rd	Chandler River D/S Grafton Road,		5	5	5	2	3	2	3	3	3	1	1	4	37
Gara River	Yes	Styx River U/S of Kempsey Rd	Chandler River D/S Grafton Road,	Bakers Creek U/S of Grafton Road	5	5	5	2	3	2	3	3	3	1	1	4	37
Mehi Creek	Yes				5	0	0	5	2	2	3	5	5	5	5	3	

Storage	Storage allowed under WSP	Source 1	Source 2	Source 3	Scores												Total score if mean discharge score >0
					Storage score	Mean Discharge of scheme	Flexibility	Complexity	Land holders	Water quality risk due to catchment land use	Inundated area - environmental value	Aboriginal Heritage	River Distance to National Park	Steep terrain at dam site (wall length over height)	Accessibility to site (distance to B-Double Route)	Distance of storage to Armidale WTP	
Mehi Creek	Yes	Salisbury Waters U/S of Dangars Falls			5	0	0	4	2	2	3	2	3	5	5	3	
Nowlands Backwater	No				5	0	5	5	0	2	3	4	5	2	0	1	
Nowlands Backwater	No	Aberfoyle River at Goonyal			5	4	5	4	0	2	3	4	5	2	0	1	35
Aberfoyle River	No				4	0	0	5	0	2	5	5	5	3	4	2	
Aberfoyle River	No	Aberfoyle River at Goonyal			4	0	0	4	0	2	5	4	5	3	4	2	
Aberfoyle River	No	Aberfoyle River at Goonyal	Nowlands Backwater		4	3	0	3	0	2	5	4	5	3	4	2	35
Oaky River	Yes				0*	5	0	5	4	2	5	5	2	5	2	2	37
Maximum Score																	39

* Oaky River Dam fails the minimum storage volume criteria

Appendix E Present value cost estimates

Armidale water supply – water security options

[illegible]

Styx River 10 ML/day pipeline to new Chandler River Dam then direct to Armistide																																							
ITEM	DESCRIPTION	[UNIT]	[QTY]	[RATE]	AMT	PRESENT WORTH (\$K)			2021	2022	2023	2024	2025	2026	2027	2028	2029	2030	2031	2032	2033	2034	2035	2036	2037	2038	2039	2040	2041	2042	2043	2044	2045	2046	2047	2048	2049	2050	2051
				\$ / Unit	\$K	4%	7%	10%																															
Pipe cost (supply and lay)																																							
	Styx to Chandler MSCL - welded thin 375mm diameter	m	18926	\$	563	\$ 10,659	\$9,111	\$8,132	\$7,280	\$ -	\$ -	\$ -	\$ -	\$ 10,659	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
	Chandler to Armistide MSCL - welded thin 375mm diameter	m	48946	\$	563	\$ 26,440	\$22,601	\$20,171	\$18,059	\$ -	\$ -	\$ -	\$ -	\$ 26,440	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Pumping Stations																																							
	Styx River PS 400 kW	Item	1	\$	812,800	\$ 813	\$695	\$620	\$555	\$ -	\$ -	\$ -	\$ -	\$ 813	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
	Chandler Dam PS 540 kW	Item	1	\$	1,085,600	\$ 1,086	\$928	\$826	\$741	\$ -	\$ -	\$ -	\$ -	\$ 1,086	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
River Intakes																																							
	Styx River	Item	1	\$	320,000	\$ 320	\$274	\$244	\$219	\$ -	\$ -	\$ -	\$ -	\$ 320	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
	Chandler River Dam	Item	1	\$	320,000	\$ 320	\$274	\$244	\$219	\$ -	\$ -	\$ -	\$ -	\$ 320	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Chandler River Dam																																							
	B GL	Item	1	\$	24,000,000	\$ 24,000	\$20,515	\$18,309	\$16,392	\$ -	\$ -	\$ -	\$ -	\$ 24,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Prime Costs																																							
		% of Prime Cost				\$63,637	\$54,397	\$48,549	\$43,485	\$0	\$0	\$0	\$0	\$63,637	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
	General Contingency		30%			\$19,091	\$16,319	\$14,565	\$13,040	\$ -	\$ -	\$ -	\$ -	\$ 19,091	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Direct Costs																																							
						\$82,728	\$70,717	\$63,113	\$56,505	\$ -	\$ -	\$ -	\$ -	\$ 82,728	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
	Design & Preconstruction Activities		10%			\$8,273	\$7,072	\$6,311	\$5,650	\$ -	\$ -	\$ -	\$ -	\$ 8,273	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
	Construction Activities		10%			\$8,273	\$7,072	\$6,311	\$5,650	\$ -	\$ -	\$ -	\$ -	\$ 8,273	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
TOTAL CAPITAL COST																																							
						\$99,274	\$84,680	\$75,736	\$67,806	\$0	\$0	\$0	\$0	\$99,274	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	
OPERATION & MAINTENANCE COSTS																																							
Pumping Cost																																							
	Styx River PS	\$/KWh	\$0.26			\$2,240	\$1,479	\$1,026	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 164	\$ 164	\$ 164	\$ 164	\$ 164	\$ 164	\$ 164	\$ 164	\$ 164	\$ 164	\$ 164	\$ 164	\$ 164	\$ 164	\$ 164	\$ 164	\$ 164	\$ 164	\$ 164	\$ 164	\$ 164	\$ 164	\$ 164	\$ 164	\$ 164	
	Chandler Dam PS					\$2,426	\$1,610	\$1,122	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 221	\$ 175	\$ 175	\$ 175	\$ 175	\$ 175	\$ 175	\$ 175	\$ 175	\$ 175	\$ 175	\$ 175	\$ 175	\$ 175	\$ 175	\$ 175	\$ 175	\$ 175	\$ 175	\$ 175	\$ 175	\$ 175	\$ 175	\$ 175	\$ 175	
Maintenance and renewals																																							
	Maintenance Civil	% of Capital Cost	0.50%			\$10,013	\$5,262	\$3,475	\$2,410	\$ -	\$ -	\$ -	\$ -	\$ 385	\$ 385	\$ 385	\$ 385	\$ 385	\$ 385	\$ 385	\$ 385	\$ 385	\$ 385	\$ 385	\$ 385	\$ 385	\$ 385	\$ 385	\$ 385	\$ 385	\$ 385	\$ 385	\$ 385	\$ 385	\$ 385	\$ 385	\$ 385	\$ 385	
	Maintenance Mech + Elec + Telemetry	% of Capital Cost	4.00%			\$2,830	\$1,487	\$982	\$681	\$ -	\$ -	\$ -	\$ -	\$ 109	\$ 109	\$ 109	\$ 109	\$ 109	\$ 109	\$ 109	\$ 109	\$ 109	\$ 109	\$ 109	\$ 109	\$ 109	\$ 109	\$ 109	\$ 109	\$ 109	\$ 109	\$ 109	\$ 109	\$ 109	\$ 109	\$ 109	\$ 109	\$ 109	
	Renewals - Telemetry, every 10 years									\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	
	Renewals - Mechanical and Electrical (20y)									\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	
TOTAL OPERATION & MAINTENANCE COSTS																																							
						\$25,615	\$13,222	\$8,615	\$5,891	\$0	\$0	\$0	\$0	\$879	\$833	\$833	\$833	\$833	\$833	\$833	\$833	\$833	\$1,929	\$833	\$833	\$833	\$833	\$833	\$833	\$833	\$3,554	\$833	\$833	\$833	\$833	\$833	\$833	\$833	
TOTAL PRESENT VALUE																																							
						\$124,789	\$98,082	\$84,351	\$73,697	\$0	\$0	\$0	\$0	\$99,274	\$879	\$833	\$833	\$833	\$833	\$833	\$833	\$833	\$1,929	\$833	\$833	\$833	\$833	\$833	\$833	\$833	\$833	\$3,554	\$833	\$833	\$833	\$833	\$833	\$833	\$833

[illegible]

Styx River 15 ML/day pipeline to Malpas Dam, raise Malpas 3m in 2033																																									
ITEM	DESCRIPTION	[UNIT]	[QTY]	[RATE]	AMT	PRESENT WORTH (\$K)			2021	2022	2023	2024	2025	2026	2027	2028	2029	2030	2031	2032	2033	2034	2035	2036	2037	2038	2039	2040	2041	2042	2043	2044	2045	2046	2047	2048	2049	2050	2051		
				\$ / Unit	\$K	4%	7%	10%																																	
Pipe cost (supply and lay)	Styx to St Helena Creek PS MSCL - welded thin 450mm diameter	m	23000	\$ 660	\$ 15,186	\$12,981	\$11,585	\$10,372	\$ -	\$ -	\$ -	\$ -	\$ 15,186	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
	St Helena Creek PS to Malpas Dam MSCL - welded thin 450mm diameter	m	50784	\$ 660	\$ 33,531	\$28,663	\$25,581	\$22,902	\$ -	\$ -	\$ -	\$ -	\$ 33,531	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Pumping Stations	Styx River PS 680 kW	Item	1	\$ 1,359,200	\$ 1,359	\$1,162	\$1,037	\$928	\$ -	\$ -	\$ -	\$ -	\$ 1,359	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
	St Helena Creek PS 590 kW	Item	1	\$ 1,183,200	\$ 1,183	\$1,011	\$903	\$808	\$ -	\$ -	\$ -	\$ -	\$ 1,183	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
River Intakes	Styx River	Item	1	\$ 400,000	\$ 400	\$342	\$305	\$273	\$ -	\$ -	\$ -	\$ -	\$ 400	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
	Balance Tank 0.3 ML	Item	1	\$ 750,000	\$ 750	\$641	\$572	\$512	\$ -	\$ -	\$ -	\$ -	\$ 750	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	
Malpas Dam 3m raising		Item	1	\$ 13,201,800	\$ 13,202	\$8,246	\$5,862	\$4,207	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 13,202	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Prime Costs						\$65,611	\$53,046	\$45,845	\$40,093	\$0	\$0	\$0	\$0	\$52,410	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$13,202	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
General Contingency					% of Prime Cost	30%	\$19,683	\$15,914	\$13,753	\$12,001	\$ -	\$ -	\$ -	\$ 15,723	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 3,981	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Direct Costs						\$85,295	\$68,960	\$59,598	\$52,094	\$ -	\$ -	\$ -	\$ 68,123	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 17,162	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Design & Preconstruction Activities					10%	\$8,529	\$6,899	\$5,960	\$5,200	\$ -	\$ -	\$ -	\$ 6,813	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 1,716	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Construction Activities					10%	\$8,529	\$6,899	\$5,960	\$5,200	\$ -	\$ -	\$ -	\$ 6,813	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 1,716	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
TOTAL CAPITAL COST						\$102,354	\$82,751	\$71,518	\$62,495	\$0	\$0	\$0	\$0	\$81,739	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$28,995	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	
OPERATION & MAINTENANCE COSTS																																									
Pumping Cost																																									
Styx River PS					\$/KWh	\$0.26			\$2,941	\$1,942	\$1,347	\$ -	\$ -	\$ -	\$ -	\$ 215	\$ 215	\$ 215	\$ 215	\$ 215	\$ 215	\$ 215	\$ 215	\$ 215	\$ 215	\$ 215	\$ 215	\$ 215	\$ 215	\$ 215	\$ 215	\$ 215	\$ 215	\$ 215	\$ 215	\$ 215	\$ 215	\$ 215	\$ 215		
St Helena Creek PS								\$2,559	\$1,690	\$1,172	\$ -	\$ -	\$ -	\$ -	\$ 187	\$ 187	\$ 187	\$ 187	\$ 187	\$ 187	\$ 187	\$ 187	\$ 187	\$ 187	\$ 187	\$ 187	\$ 187	\$ 187	\$ 187	\$ 187	\$ 187	\$ 187	\$ 187	\$ 187	\$ 187	\$ 187	\$ 187	\$ 187	\$ 187		
Maintenance and renewals																																									
Maintenance Civil					% of Capital Cost	0.50%	\$9,473	\$4,870	\$3,162	\$2,158	\$ -	\$ -	\$ -	\$ -	\$ 310	\$ 310	\$ 310	\$ 310	\$ 310	\$ 310	\$ 310	\$ 384	\$ 384	\$ 384	\$ 384	\$ 384	\$ 384	\$ 384	\$ 384	\$ 384	\$ 384	\$ 384	\$ 384	\$ 384	\$ 384	\$ 384	\$ 384	\$ 384	\$ 384	\$ 384	
Maintenance Mech + Elec + Telemetry					% of Capital Cost	4.90%	\$3,672	\$1,930	\$1,274	\$884	\$ -	\$ -	\$ -	\$ -	\$ 141	\$ 141	\$ 141	\$ 141	\$ 141	\$ 141	\$ 141	\$ 141	\$ 141	\$ 141	\$ 141	\$ 141	\$ 141	\$ 141	\$ 141	\$ 141	\$ 141	\$ 141	\$ 141	\$ 141	\$ 141	\$ 141	\$ 141	\$ 141	\$ 141	\$ 141	
Renewals - Telemetry, every 10 years									\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 1,439	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Renewals - Mechanical and Electrical (20y)									\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
TOTAL OPERATION & MAINTENANCE COSTS						\$28,682	\$14,653	\$9,462	\$6,411	\$0	\$0	\$0	\$0	\$854	\$854	\$854	\$854	\$854	\$854	\$854	\$854	\$928	\$2,368	\$928	\$928	\$928	\$928	\$928	\$928	\$928	\$928	\$928	\$928	\$928	\$928	\$928	\$928	\$928	\$928	\$928	\$928
TOTAL PRESENT VALUE						\$130,936	\$97,405	\$80,980	\$68,915	\$0	\$0	\$0	\$0	\$81,739	\$854	\$854	\$854	\$854	\$854	\$854	\$854	\$854	\$21,523	\$2,368	\$928	\$928	\$928	\$928	\$928	\$928	\$928	\$928	\$928	\$928	\$928	\$928	\$928	\$928	\$928	\$928	\$928

Styx River 10 ML/day pipeline to Malpas Dam, raise Malpas 6.5m																																								
ITEM	DESCRIPTION	[UNIT]	[QTY]	[RATE]	AMT	PRESENT WORTH (\$K)			2021	2022	2023	2024	2025	2026	2027	2028	2029	2030	2031	2032	2033	2034	2035	2036	2037	2038	2039	2040	2041	2042	2043	2044	2045	2046	2047	2048	2049	2050	2051	
				\$ / Unit	\$K	4%	7%	10%																																
Pipe cost (supply and lay)	Styx to St Helena Creek PS MSCL - welded thin 375mm diameter	m	23000	\$ 563	\$ 12,954	\$11,073	\$9,882	\$8,847	\$ -	\$ -	\$ -	\$ -	\$ 12,954	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
	St Helena Creek PS to Malpas Dam MSCL - welded thin 375mm diameter	m	50784	\$ 563	\$ 28,602	\$24,449	\$21,820	\$19,535	\$ -	\$ -	\$ -	\$ -	\$ 28,602	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Pumping Stations	Styx River PS 470 kW	Item	1	\$ 949,600	\$ 950	\$812	\$724	\$649	\$ -	\$ -	\$ -	\$ -	\$ 950	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
	St Helena Creek PS 420 kW	Item	1	\$ 852,000	\$ 852	\$728	\$650	\$582	\$ -	\$ -	\$ -	\$ -	\$ 852	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
River Intakes	Styx River	Item	1	\$ 400,000	\$ 400	\$342	\$305	\$273	\$ -	\$ -	\$ -	\$ -	\$ 400	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Balance Tank	0.2 ML	Item	1	\$ 500,000	\$ 500	\$427	\$381	\$342	\$ -	\$ -	\$ -	\$ -	\$ 500	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Malpas Dam	6.5m raising	Item	1	\$ 16,828,800	\$ 16,829	\$14,385	\$12,839	\$11,494	\$ -	\$ -	\$ -	\$ -	\$ 16,829	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Prime Costs					\$61,086	\$52,216	\$46,602	\$41,722	\$0	\$0	\$0	\$0	\$61,086	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	
General Contingency	% of Prime Cost	30%			\$18,326	\$15,665	\$13,981	\$12,517	\$ -	\$ -	\$ -	\$ -	\$ 18,326	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	
Direct Costs					\$79,412	\$67,881	\$60,583	\$54,239	\$ -	\$ -	\$ -	\$ -	\$ 79,412	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Design & Preconstruction Activities		10%			\$7,941	\$6,788	\$6,058	\$5,424	\$ -	\$ -	\$ -	\$ -	\$ 7,941	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Construction Activities		10%			\$7,941	\$6,788	\$6,058	\$5,424	\$ -	\$ -	\$ -	\$ -	\$ 7,941	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
TOTAL CAPITAL COST					\$95,294	\$81,458	\$72,699	\$65,087	\$0	\$0	\$0	\$0	\$95,294	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	
OPERATION & MAINTENANCE COSTS																																								
Pumping Cost																																								
	Styx River PS	\$/KWh	\$0.26			\$2,349	\$1,551	\$1,076	\$ -	\$ -	\$ -	\$ -	\$ 172	\$ 172	\$ 172	\$ 172	\$ 172	\$ 172	\$ 172	\$ 172	\$ 172	\$ 172	\$ 172	\$ 172	\$ 172	\$ 172	\$ 172	\$ 172	\$ 172	\$ 172	\$ 172	\$ 172	\$ 172	\$ 172	\$ 172	\$ 172	\$ 172	\$ 172		
	St Helena Creek PS					\$2,126	\$1,404	\$974	\$ -	\$ -	\$ -	\$ -	\$ 156	\$ 156	\$ 156	\$ 156	\$ 156	\$ 156	\$ 156	\$ 156	\$ 156	\$ 156	\$ 156	\$ 156	\$ 156	\$ 156	\$ 156	\$ 156	\$ 156	\$ 156	\$ 156	\$ 156	\$ 156	\$ 156	\$ 156	\$ 156	\$ 156	\$ 156	\$ 156	
Maintenance and renewals																																								
	Maintenance Civil	% of Capital Cost	0.50%		\$9,240	\$4,855	\$3,206	\$2,224	\$ -	\$ -	\$ -	\$ -	\$ 355	\$ 355	\$ 355	\$ 355	\$ 355	\$ 355	\$ 355	\$ 355	\$ 355	\$ 355	\$ 355	\$ 355	\$ 355	\$ 355	\$ 355	\$ 355	\$ 355	\$ 355	\$ 355	\$ 355	\$ 355	\$ 355	\$ 355	\$ 355	\$ 355	\$ 355	\$ 355	
	Maintenance Mech + Elec + Telemetry	% of Capital Cost	4.90%		\$2,881	\$1,514	\$1,000	\$693	\$ -	\$ -	\$ -	\$ -	\$ 111	\$ 111	\$ 111	\$ 111	\$ 111	\$ 111	\$ 111	\$ 111	\$ 111	\$ 111	\$ 111	\$ 111	\$ 111	\$ 111	\$ 111	\$ 111	\$ 111	\$ 111	\$ 111	\$ 111	\$ 111	\$ 111	\$ 111	\$ 111	\$ 111	\$ 111	\$ 111	
	Renewals - Telemetry, every 10 years								\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
	Renewals - Mechanical and Electrical (20y)								\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
TOTAL OPERATION & MAINTENANCE COSTS					\$24,610	\$12,735	\$8,285	\$5,605	\$0	\$0	\$0	\$0	\$0	\$794	\$794	\$794	\$794	\$794	\$794	\$794	\$794	\$1,995	\$794	\$794	\$794	\$794	\$794	\$794	\$794	\$794	\$794	\$3,564	\$794	\$794	\$794	\$794	\$794	\$794		
TOTAL PRESENT VALUE					\$119,904	\$94,193	\$80,984	\$70,742	\$0	\$0	\$0	\$0	\$95,294	\$794	\$794	\$794	\$794	\$794	\$794	\$794	\$794	\$1,995	\$794	\$794	\$794	\$794	\$794	\$794	\$794	\$794	\$794	\$3,564	\$794	\$794	\$794	\$794	\$794	\$794	\$794	

Hunter New England | South Coast | Riverina Western | North Coast | Sydney

Asset Advisory | Heritage | Project + Program Management | Assurance | Procurement | Engineering | Planning | Sustainability
 Developments | Buildings | Water Infrastructure | Roads + Bridges | Coastal | Waste | Emergency Management | Surveying

[illegible]

7 Oaky River 15 ML/day pipeline to Maipás Dam, raise Maipás 3m (concurrent)																																									
ITEM	DESCRIPTION	(UNIT)	(QTY)	(RATE) \$/ Unit	AMT \$K	PRESENT WORTH (\$K)																																			
						4%	7%	10%	2021	2022	2023	2024	2025	2026	2027	2028	2029	2030	2031	2032	2033	2034	2035	2036	2037	2038	2039	2040	2041	2042	2043	2044	2045	2046	2047	2048	2049	2050	2051		
Pipe cost (supply and lay)	Oaky to Gratton Rd PS MSC/L - welded thin 450mm diameter	m	16334	\$	660	\$ 10,785			\$ 9,219	\$8,228	\$7,366	\$ -	\$ -	\$ -	\$ -	\$ 10,785	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
	Gratton Rd PS to Maipás Dam MSC/L - welded thin 450mm diameter	m	50830	\$	660	\$ 33,561			\$28,688	\$25,604	\$22,923	\$ -	\$ -	\$ -	\$ -	\$ 33,561	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Pumping Stations	Oaky River PS 560 kW	Item	1	\$	1,124,800	\$ 1,125			\$961	\$858	\$768	\$ -	\$ -	\$ -	\$ -	\$ 1,125	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
	Gratton Road PS 590 kW	Item	1	\$	1,183,200	\$ 1,183			\$1,011	\$903	\$808	\$ -	\$ -	\$ -	\$ -	\$ 1,183	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
River Intakes	Oaky River	Item	1	\$	400,000	\$ 400			\$342	\$305	\$273	\$ -	\$ -	\$ -	\$ -	\$ 400	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
	Balance Tank 0.3 ML	Item	1	\$	750,000	\$ 750			\$641	\$572	\$512	\$ -	\$ -	\$ -	\$ -	\$ 750	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Maipás Dam	6.5m raising	Item	1	\$	13,201,800	\$ 13,202			\$11,285	\$10,072	\$9,017	\$ -	\$ -	\$ -	\$ -	\$ 13,202	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Oaky River Dam	Restoration and safety upgrade	Item	1	\$	6,675	\$ 7			\$6	\$0	\$0	\$0	\$ -	\$ -	\$ -	\$ -	\$ 7	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Prime Costs						\$61,012	\$52,154	\$46,546	\$41,672	\$0	\$0	\$0	\$0	\$61,012	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	
Direct Costs	General Contingency	% of Prime Cost	30%		\$18,304	\$15,846	\$13,964	\$12,502	\$ -	\$ -	\$ -	\$ -	\$ 18,304	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	
					\$79,316	\$67,800	\$60,510	\$54,174	\$ -	\$ -	\$ -	\$ -	\$ 79,316	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	
	Design & Preconstruction Activities		10%		\$7,932	\$6,780	\$6,051	\$5,417	\$ -	\$ -	\$ -	\$ -	\$ 7,932	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	
	Construction Activities		10%		\$7,932	\$6,780	\$6,051	\$5,417	\$ -	\$ -	\$ -	\$ -	\$ 7,932	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	
TOTAL CAPITAL COST						\$95,179	\$81,360	\$72,612	\$65,099	\$0	\$0	\$0	\$0	\$95,179	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0		
OPERATION & MAINTENANCE COSTS																																									
Pumping Cost	Oaky River PS	\$/KWh	\$0.26			\$2,417	\$1,596	\$1,107	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 177	\$ 177	\$ 177	\$ 177	\$ 177	\$ 177	\$ 177	\$ 177	\$ 177	\$ 177	\$ 177	\$ 177	\$ 177	\$ 177	\$ 177	\$ 177	\$ 177	\$ 177	\$ 177	\$ 177	\$ 177	\$ 177	\$ 177	\$ 177	\$ 177	\$ 177		
	Gratton Road PS					\$2,558	\$1,889	\$1,171	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 187	\$ 187	\$ 187	\$ 187	\$ 187	\$ 187	\$ 187	\$ 187	\$ 187	\$ 187	\$ 187	\$ 187	\$ 187	\$ 187	\$ 187	\$ 187	\$ 187	\$ 187	\$ 187	\$ 187	\$ 187	\$ 187	\$ 187	\$ 187	\$ 187			
Maintenance and renewals																																									
Maintenance Civil	% of Capital Cost	0.50%			\$10,140	\$5,328	\$3,518	\$2,440	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 390	\$ 390	\$ 390	\$ 390	\$ 390	\$ 390	\$ 390	\$ 390	\$ 390	\$ 390	\$ 390	\$ 390	\$ 390	\$ 390	\$ 390	\$ 390	\$ 390	\$ 390	\$ 390	\$ 390	\$ 390	\$ 390	\$ 390	\$ 390	\$ 390			
Maintenance Mech + Elec + Telemetry	% of Capital Cost	4.00%			\$3,465	\$1,821	\$1,203	\$834	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 133	\$ 133	\$ 133	\$ 133	\$ 133	\$ 133	\$ 133	\$ 133	\$ 133	\$ 133	\$ 133	\$ 133	\$ 133	\$ 133	\$ 133	\$ 133	\$ 133	\$ 133	\$ 133	\$ 133	\$ 133	\$ 133	\$ 133	\$ 133	\$ 133			
Renewals - Telemetry, every 10 years																																									
Renewals - Mechanical and Electrical (20y)																																									
TOTAL OPERATION & MAINTENANCE COSTS						\$27,720	\$14,319	\$9,304	\$6,343	\$0	\$0	\$0	\$0	\$0	\$887	\$887	\$887	\$887	\$887	\$887	\$887	\$887	\$2,203	\$887	\$887	\$887	\$887	\$887	\$887	\$887	\$887	\$887	\$887	\$887	\$887	\$887	\$887	\$887	\$887		
TOTAL PRESENT VALUE						\$122,899	\$95,679	\$81,915	\$71,351	\$0	\$0	\$0	\$0	\$95,179	\$887	\$887	\$887	\$887	\$887	\$887	\$887	\$887	\$2,203	\$887	\$887	\$887	\$887	\$887	\$887	\$887	\$887	\$887	\$887	\$887	\$887	\$887	\$887	\$887	\$887	\$887	

Oakly River 15 ML/day pipeline to Maipapas Dam, raise Maipapas 3m in 2033																																									
ITEM	DESCRIPTION	(UNIT)	(QTY)	(RATE)	AMT	PRESENT VALUE (\$K)																																			
				\$/ Unit	\$K	4%	7%	10%	2021	2022	2023	2024	2025	2026	2027	2028	2029	2030	2031	2032	2033	2034	2035	2036	2037	2038	2039	2040	2041	2042	2043	2044	2045	2046	2047	2048	2049	2050	2051		
Pipe cost (supply and lay)	Oakly to Grafton Rd PS MSC/L - welded thin 450mm diameter	m	16334	\$	660	\$ 10,785			\$ -	\$ -	\$ -	\$ -	\$ 10,785	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
	Grafton Rd PS to Maipapas Dam MSC/L - welded thin 450mm diameter	m	50830	\$	660	\$ 33,561			\$ -	\$ -	\$ -	\$ -	\$ 33,561	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Pumping Stations	Oakly River PS 560 kW	Item	1	\$	1,124,800	\$ 1,125			\$ -	\$ -	\$ -	\$ -	\$ 1,125	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
	Grafton Road PS 590 kW	Item	1	\$	1,183,200	\$ 1,183			\$ -	\$ -	\$ -	\$ -	\$ 1,183	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
River Intakes	Oakly River	Item	1	\$	400,000	\$ 400			\$ -	\$ -	\$ -	\$ -	\$ 400	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
	Balance Tank 0.3 ML	Item	1	\$	750,000	\$ 750			\$ -	\$ -	\$ -	\$ -	\$ 750	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	
Maipapas Dam	6.5m raising	Item	1	\$	13,201,800	\$ 13,202			\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 13,202	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Oakly River Dam	Restoration and safety upgrade	Item	1	\$	6,675,200	\$ 6,675			\$ -	\$ -	\$ -	\$ -	\$ 6,675	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Prime Costs						\$67,681	\$54,815	\$47,424	\$41,416	\$0	\$0	\$0	\$0	\$54,479	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$13,202	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	
General Contingency					% of Prime Cost	30%	\$20,304	\$16,444	\$14,227	\$12,425	\$ -	\$ -	\$ -	\$ 16,344	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 3,961	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Direct Costs						\$87,985	\$71,259	\$61,651	\$53,841	\$ -	\$ -	\$ -	\$ 70,823	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 17,162	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Design & Preconstruction Activities					10%	\$6,799	\$7,126	\$6,105	\$5,384	\$ -	\$ -	\$ -	\$ 7,082	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 1,716	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Construction Activities					10%	\$8,799	\$7,126	\$6,105	\$5,384	\$ -	\$ -	\$ -	\$ 7,082	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 1,716	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
TOTAL CAPITAL COST						\$106,562	\$85,511	\$73,981	\$64,610	\$0	\$0	\$0	\$0	\$84,987	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$28,595	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	
OPERATION & MAINTENANCE COSTS																																									
Pumping Cost	Oakly River PS	\$/KWh	\$0.26			\$2,417	\$1,596	\$1,107	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 177	\$ 177	\$ 177	\$ 177	\$ 177	\$ 177	\$ 177	\$ 177	\$ 177	\$ 177	\$ 177	\$ 177	\$ 177	\$ 177	\$ 177	\$ 177	\$ 177	\$ 177	\$ 177	\$ 177	\$ 177	\$ 177	\$ 177	\$ 177	\$ 177	\$ 177		
	Grafton Road PS					\$2,556	\$1,689	\$1,171	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 187	\$ 187	\$ 187	\$ 187	\$ 187	\$ 187	\$ 187	\$ 187	\$ 187	\$ 187	\$ 187	\$ 187	\$ 187	\$ 187	\$ 187	\$ 187	\$ 187	\$ 187	\$ 187	\$ 187	\$ 187	\$ 187	\$ 187	\$ 187	\$ 187			
Maintenance and renewals																																									
Maintenance Civil					% of Capital Cost	0.50%	\$10,140	\$5,328	\$3,516	\$2,440	\$ -	\$ -	\$ -	\$ -	\$ 390	\$ 390	\$ 390	\$ 390	\$ 390	\$ 390	\$ 390	\$ 390	\$ 390	\$ 390	\$ 390	\$ 390	\$ 390	\$ 390	\$ 390	\$ 390	\$ 390	\$ 390	\$ 390	\$ 390	\$ 390	\$ 390	\$ 390	\$ 390	\$ 390		
Maintenance Mech + Elec + Telemetry					% of Capital Cost	4.00%	\$3,465	\$1,821	\$1,203	\$834	\$ -	\$ -	\$ -	\$ -	\$ 133	\$ 133	\$ 133	\$ 133	\$ 133	\$ 133	\$ 133	\$ 133	\$ 133	\$ 133	\$ 133	\$ 133	\$ 133	\$ 133	\$ 133	\$ 133	\$ 133	\$ 133	\$ 133	\$ 133	\$ 133	\$ 133	\$ 133	\$ 133	\$ 133		
Renewals - Telemetry, every 10 years														\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 1,315	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -		
Renewals - Mechanical and Electrical (20y)													\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -		
TOTAL OPERATION & MAINTENANCE COSTS						\$27,710	\$14,315	\$9,304	\$6,343	\$0	\$0	\$0	\$0	\$0	\$887	\$887	\$887	\$887	\$887	\$887	\$887	\$887	\$2,203	\$887	\$887	\$887	\$887	\$887	\$887	\$887	\$887	\$887	\$887	\$887	\$887	\$887	\$887	\$887	\$887	\$887	
TOTAL PRESENT VALUE						\$133,301	\$99,830	\$83,284	\$70,952	\$0	\$0	\$0	\$0	\$84,987	\$887	\$887	\$887	\$887	\$887	\$887	\$887	\$887	\$21,482	\$2,203	\$887	\$887	\$887	\$887	\$887	\$887	\$887	\$887	\$887	\$887	\$887	\$887	\$887	\$887	\$887	\$887	

Armidale water supply – water security options

[illegible]

[illegible]

Hunter New England | South Coast | Riverina Western | North Coast | Sydney

Asset Advisory | Heritage | Project + Program Management | Assurance | Procurement | Engineering | Planning | Sustainability
Developments | Buildings | Water Infrastructure | Roads + Bridges | Coastal | Waste | Emergency Management | Surveying

Appendix F Comparison of population growth scenarios

Serviced population forecast

		2021	2026	2031	2036	2041	2046	2048	2052
Original	Armidale	25,426	26,809	28,267	29,805	31,426	33,135	33,845	33,989
	Guyra	2,108	2,216	2,329	2,448	2,573	2,704	2,758	2,870
	Total serviced	27,534	29,025	30,596	32,252	33,999	35,839	36,603	36,859
2022 Base	Armidale	25,426	27,456	29,669	31,181	32,763	34,046	34,571	35,646
	Guyra	2,108	2,254	2,411	2,515	2,623	2,710	2,745	2,817
	Total serviced	27,534	29,710	32,079	33,696	35,386	36,756	37,316	38,463
2022 Aspirational	Armidale	25,426	27,759	30,323	32,769	35,394	37,874	38,909	41,062
	Guyra	2,108	2,277	2,458	2,631	2,815	2,988	3,061	3,210
	Total serviced	27,534	30,036	32,781	35,400	38,209	40,863	41,969	44,273

Annual population growth rates

		2021-26	2026-31	2031-36	2036-41	2041-46	2046-52
Original	Armidale	1.065%	1.065%	1.065%	1.065%	1.065%	1.065%
	Guyra	1.000%	1.000%	1.000%	1.000%	1.000%	1.000%
	Total serviced	1.060%	1.060%	1.060%	1.060%	1.060%	1.060%
2022 Base	Armidale	1.55%	1.56%	1.00%	0.99%	0.77%	0.77%
	Guyra	1.35%	1.35%	0.85%	0.85%	0.65%	0.65%
	Total serviced	1.53%	1.55%	0.99%	0.98%	0.76%	0.76%
2022 Aspirational	Armidale	1.77%	1.78%	1.56%	1.55%	1.36%	1.36%
	Guyra	1.55%	1.55%	1.37%	1.37%	1.20%	1.20%
	Total serviced	1.75%	1.76%	1.55%	1.54%	1.35%	1.34%



Public Works
Advisory

12 Darcy Street, Parramatta NSW 2150
Locked Bag 5022, Parramatta NSW 2124
www.publicworksadvisory.nsw.gov.au

Document No. PWF-3006b June 2020



TRAFFIC ADVISORY COMMITTEE

Held on

Tuesday, 1 March 2022
10am

at

Function room

In attendance

Committee Members:

Cr Susan McMichael
Mr Hans Hietbrink (Rep. Member for Northern Tablelands)
Snr Sgt Paul Caldwell (NSW Police)
Mr Stefan Wielebinski (TfNSW)

Council Staff:

Mr Graham Earl (ARC Technical Officer)
Ms Belinda Ackling (Minute Taker)
Mr Ian Chetcuti (Ranger)

Others:

MINUTES

Armidale Regional Council
Traffic Advisory Committee
Tuesday, 1 March 2022

Page 2

1. Apologies / Leave Of Absence
2. Confirmation of Previous Minutes -

CONFIRMATION OF THE MINUTES OF THE TRAFFIC ADVISORY COMMITTEE MEETING HELD ON 1 FEBRUARY 2022

RECOMMENDATION:

That the minutes be taken as read and be accepted as a true record of the Meeting.

3. Declarations of Interest
Cr Hans Heithbrink declared an interest for item 5.1 as the author of the application.
4. Business Arising
Nil
5. Special Event Reports

5.1 Special Event Transport Management Plan - Guyra Anzac Day Service & March 2021

Ref: AINT/2022/06346 (ARC16/0168-7)

The Traffic Advisory Committee Recommends:

- a) That Council endorse the road closure requested for the annual ANZAC Day Dawn Service will occur on 25 April 2022 between 5.30 am and 7.00 am, in accordance with the provided traffic control plan.
- b) That Council endorse the rolling road closures requested for the annual Anzac Day March held on 25 April 2022 between 10.00am and 12.30pm, in accordance with the provided traffic control plan.

The Motion on being put to the vote was CARRIED unanimously.

5.2 Special Event Transport Management Plan Armidale Anzac Day 25 April 2022*Ref: AINT/20.*

The Traffic Advisory Committee Recommends:

That Council endorse the temporary road closures for the Armidale 2022 ANZAC Day March and Commemoration Service that will occur on Sunday 25 April 2022, for Faulkner Street from Dumaresq Street to Beady Street and the connecting intersections with East Mall and Rusden Street roundabout.

Armidale Regional Council
Traffic Advisory Committee
Tuesday, 1 March 2022

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The Motion on being put to the vote was **CARRIED** unanimously.

5.3 Special Event Transport Management Plan for the staging of the 'Tour de Rocks' 2022

Ref: AINT/2022/07410 (ARC16/0168-7)

The Traffic Advisory Committee Recommends:

- a) That Council endorse the approval for the Special Event Transport Management Plan for the staging of the 'Tour de Rocks' Thursday 7th April, for the occupation and usage of Armidale Regional Council Local Government Area (LGA) local roads only, pending approval for the use of local roads within the LGA of Kempsey Council, and of any regional classified roads from Transport NSW, and any further recommendations from NSW Police.
- b) That Council endorse the approval for the temporary closure of Dangar Street between Dumaresq and Kirkwood Streets, from 6am to 9am on Thursday the 7th April 2022.
- c) That Council note the recommendation that Council staff and Tour de Rocks organisers work together on the use of the Kempsey Road given the current road conditions and unpredictable weather.

AND

Note that subsequent to the meeting, the road is no longer suitable for the event and alternate routes has been investigated by staff and event organisers, further advice of the new route will be forth coming once event organisers have driven the suggested routes for suitability.

The Motion on being put to the vote was **CARRIED** unanimously.

5.4 Special Event Transport Management Plan for the Big Chill 2022*Ref: AINT/2022/07569 (AR*

The Traffic Advisory Committee Recommends:

- a) That Council endorse the Big Chill Festival which will occur the 14th and 15th May 2022.
- b) That Council endorse the road closures required for the 3 weekends of events for Faulkner Street between Kirkwood and Dumaresq Street during the Big Chill Festival and to allow the set up and removal of attractions, including Sunday 8th only, Thursday 12th to Sunday 15th and Thursday 19th – Monday 23rd May 2022.
- c) That Council endorse a temporary no parking zone to be used for 2 x designated Disability parking spots and a Drop off/ Collection Zone for Taxis and patrons in Dumaresq Street between Faulkner and Danger Street on Saturday 14th and Sunday 15th May.

The Motion on being put to the vote was **CARRIED** unanimously.

Armidale Regional Council
Traffic Advisory Committee
Tuesday, 1 March 2022

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6. Correspondence

6.1 Pedestrian safety Butler Street between Rusden Street and Barney Street.*Ref: AINT/2022/*

The Traffic Advisory Committee Recommends:

That Council decline the request to install a pedestrian crossing at Butler Street between Rusden Street and Barney Street at this time, until after further investigation can occur and be in line with the Active Transport Plan.

The Motion on being put to the vote was CARRIED unanimously.

7. General Business

7.1 Tree Removal Program on Uralla Road and Black Mountains Road*Ref: AINT/2022/06632 (4*

The Traffic Advisory Committee Noted :

- The temporary partial closure of Uralla Road from 21 until 23 February 2022 from 7am to 6pm to enable the removal of high risk street trees. TfNSW approval has been provided with a Road Occupancy Licence (ROL).
- The tree removal work at Black Mountain which is scheduled to commence on 19 April 2022. TfNSW approval has been provided with a Road Occupancy Licence (ROL).

There being no further business the Chairman declared the meeting closed at COB 3rd March.



BUSINESS PAPER

TRAFFIC ADVISORY COMMITTEE

To be held on

Tuesday, 1 March 2022
10am

at

Electronic Meeting

Committee Members:

Cr Susan McMichael (ARC Councillor Rep)
Mr Hans Hietbrink (Rep. Member for Northern Tablelands)
Snr Sgt Paul Caldwell (NSW Police)
Mr Stefan Wielebinski (TfNSW)

Council Staff:

Mr Graham Earl (ARC Technical Officer)
Ms Belinda Ackling (Minute Taker)
Mr Ian Chetcuti (Ranger)

Others:

Nil

AGENDA

The Armidale Traffic Advisory Committee, has no decision-making powers and is primarily a technical review committee. It only advises the Council on matters for which the Council has delegated authority.

The Committee operates under Roads and Maritime Services 'A guide to the delegation to councils for the regulation of traffic'.

In summary:

Roads and Maritime Services (RMS) has delegated certain aspects of the control of traffic on regional and local roads to Council. A condition of this delegation is that Council must refer all traffic related matters to the Traffic Advisory Committee prior to exercising its delegated functions.

The four voting members on the Traffic Advisory Committee are:

- Council's representative (chair)
- RMS representative
- NSW Police representative for the Local Area Command containing the item.
- State Member of Parliament representative for the electorate containing the item.

The meeting does not need a specific quorum, however any advice can only be returned to the Council if the views of NSW Police and RMS have been obtained.

The Traffic Advisory Committee meeting operates as a closed meeting and attendance to the meeting is via invitation only. At times interested stakeholders may address items referred to the Traffic Committee where their information adds value and does not greatly increase the time spent by the Committee on progressing the item. Interested stakeholders always have the opportunity to attend the Council meeting when the minutes of the Traffic Advisory Committee are discussed / determined.

All formal items referred to the Traffic Advisory Committee typically have been fully investigated, consulted (if needed) and proposed actions identified.

Where the Council decides on an item contrary to the Traffic Advisory Committee recommendation, then Council must immediately advise RMS and NSW Police in writing of its decision. The RMS or NSW Police may then lodge an appeal within 14 days to the Regional Traffic Committee.

The Council must not action any item under appeal until the matter has been determined by the Regional Traffic Committee.

Armidale Regional Council
Traffic Advisory Committee
Tuesday, 1 March 2022

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2	Confirmation of Previous Minutes <i>Traffic Advisory Committee - 1 February 2022</i>	
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Armidale Regional Council
Traffic Advisory Committee
Tuesday, 1 March 2022

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Item:	5.1	Ref: AINT/2022/06346
Title:	Special Event Transport Management Plan - Guyra Anzac Day Service & March 2021	Container: ARC16/0168-7
Author:	Belinda Ackling, Personal Assistant	
Attachments:	<ol style="list-style-type: none"> 1. Guyra Transport Management Plan ANZAC Day Service 2022(3)(2) 2. Guyra Transport Management Plan ANZAC Day Dawn Service 2022(3) 3. Schedule 1 - Notice of Intention to Hold a Public Assembly Guyra Anzac Day Service 2022 4. Schedule 1 - Notice of Intention to Hold a Public Assembly Guyra Anzac Day Dawn Service 2022(2)(2) 5. TCP Guyra Anzac Day Services 6. Guyra RSL Sub Branch Insurance 21-22(3) 	

1. Purpose

To endorse the requested road closure request for the Guyra ANZAC Day march and Commemorative Service on 25 April 2021.

2. OFFICERS' RECOMMENDATION:

- a) That Council endorse the road closure requested for the annual ANZAC Day Dawn Service will occur on 25 April 2022 between 5.30 am and 7.00 am, in accordance with the provided traffic control plan.
- b) That Council endorse the rolling road closures requested for the annual Anzac Day March held on 25 April 2022 between 10.00am and 12.30pm, in accordance with the provided traffic control plan.

3. Background

The annual Anzac Day March to be held on 25 April 2021 this is an annual event supported by Council. The March held on 25 April 2022 between 10.00am and 12.30pm. The road closure of Bradley Street is to allow the march to proceed from Ollera Street to the Soldier's Memorial Hall at 163 Bradley Street. Bradley Street can be reopened to Mackenzie Street once the march has passed. The street will remain closed from Mackenzie Street to the southern side of the Hall to allow the crowd to gather for the service outside the Hall.

ANZAC Day Dawn Service will occur on 25 April 2022 between 5.30 am and 7.00 am. The road closure of Bradley Street from MacKenzie Street to the Southern side of the Hall is to allow the crowd to gather outside the Soldier's Memorial Hall at 163 Bradley Street for the service

4. Discussion

Guyra ANZAC Day march and Commemorative Service on 25 April 2022 is an annual event. All Anzac Day ceremonies are supported by Armidale Regional Council. The requested road closures have not changed. The Public Liability is current and has been provided.

Armidale Regional Council
Traffic Advisory Committee
Tuesday, 1 March 2022

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5. Implications

5.1. Strategic and Policy Implications

- CPS: G3.1 Tourism strategy to attract visitors to stay and enhance the economic and cultural offerings and attractions of the region.
- The application is in accordance as per POL086 – Road – Events on public roads and as per the TfNSW guidelines for Event Management.

5.2. Risk

- The closure is an annual occurrence to which the public are very aware of for the duration of the event.
- No homes are disadvantaged by the closure.
- The temporary road closure controls the risk of contact between pedestrians and moving vehicles.

5.3. Sustainability

- Annual tourism strategy to attract visitors to stay and enhance the economic and cultural offerings and attractions of the region

5.4. Financial

Budget Area:	CARS						
Funding Source:	City Service - Events						
Budget Ref: (PN)	Description	Approved Budget	Actual	Committed	Proposed	Total Forecast Expenditure	Remaining Budget
	Provide, Install and remove road closure				\$470	\$470	

6. Consultation and Communication

Anzac Day is a National Event and advertisement of the event and the road closure will occur upon approval.

7. Conclusion

That the committee request Council to endorse of the temporary road closure associated with the Guyra Anzac Day events.

Special Event Transport Management Plan

1 EVENT DETAILS

1.1 Event summary

Event Name <Guyra Anzac Day 25 April 2022.>

Event Location: <Bradley Street, Guyra >

Event Date: <25 April 2021 > Event Start Time: <10am> Event Finish Time: <12pm>

Event Setup Start Time: <10am> Event Packdown Finish Time: <12pm>

Event is ☒ on street - moving

1.2 Contact names

Event Organiser* <

Phone:< 02 6779 2070> Mobile:<0402 044 891> E-mail: hans@mcasterhouse.com.au

Event Management Company (if applicable)

Phone: Fax: Mobile: E-mail:

Police GUYRA Police

Phone: 02 6738 4299 Fax:

Council ARMIDALE REGIONAL COUNCIL

Phone:02 67703800 Fax: 02 67729275 council@armidale.nsw.gov.au

Roads & Traffic Authority (if Class 1)

Phone: Fax: Mobile: E-mail:

**Note: The Event Organiser is the person or organisation who is the employer and in whose name the Public Liability Insurance is taken out.*

1.3 Detailed description of event (please attach any maps to back of application)

The ANZAC Day march and Commemorative Service will occur on 25 April 2022. The road closure of Bradley Street is to allow the march to proceed from Ollera Street to the Soldier's Memorial Hall at 163 Bradley Street. Bradley Street can be reopened to Mackenzie Street once the march has passed. The street will remain closed from Mackenzie Street to the southern side of the Hall to allow the crowd to gather for the service outside the Hall.

Local SES and VRA personnel will man the road closures.

2 Risk Management - Traffic

<div>CLASS 1</div> <div>CLASS 2</div> <div>CLASS 3</div>	2.1	Occupational Health & Safety - Traffic Control
	<input type="checkbox"/>	Risk assessment plan (or plans) attached
	2.2	Public Liability Insurance
	x <input type="checkbox"/>	Public liability insurance arranged. <u>Copy of Policy included</u>
	2.3	Police
	<input type="checkbox"/>	Police written approval attached
	2.4	Fire Brigades and Ambulance
	<input type="checkbox"/>	Fire brigades notified - Guyra Fire Brigade notified
	<input type="checkbox"/>	Ambulance notified – Guyra Ambulance notified

3 TRAFFIC AND TRANSPORT MANAGEMENT

<div>CLASS 1</div> <div>CLASS 2</div> <div>CLASS 3</div>	3.1	The route or location
	<input type="checkbox"/>	Map
	3.2	Parking
	<input type="checkbox"/>	Parking organised - details attached.
	<input type="checkbox"/>	Parking not required < >
	3.3	Construction, traffic calming and traffic generating developments
	<input type="checkbox"/>	Plans to minimise impact of construction activities, traffic calming devices or traffic-generating developments attached
	x <input type="checkbox"/>	There are no construction activities, traffic calming devices or traffic-generating developments at the location/route or on the detour routes
	3.4	Trusts and Authorities
	<input type="checkbox"/>	This event uses a facility managed by a Trust or Authority; written approval attached
	<input type="checkbox"/>	This event does not use a facility managed by a trust or Authority
	3.5	Public transport
	<input type="checkbox"/>	Public transport plans created - details attached
	x <input type="checkbox"/>	Public transport not required
	3.6	Reopening roads after moving events
	x <input type="checkbox"/>	This is a moving event - details attached.
	<input type="checkbox"/>	This is a non-moving event.
	3.7	Traffic management requirements unique to this event
<input type="checkbox"/>	Description of unique traffic management requirements attached	
x <input type="checkbox"/>	There are no unique traffic requirements for this event	
3.8	Contingency plans	
<input type="checkbox"/>	Contingency plans attached	

Attachment 1

Guyra Transport Management Plan ANZAC Day Service 2022(3)(2)

CLASS 1	3.9 Heavy vehicle alternate routes
	<input type="checkbox"/> Alternative routes for heavy vehicles required - RTA to arrange
	x <input type="checkbox"/> Alternative routes for heavy vehicles not required
	3.10 Special event clearways
	<input type="checkbox"/> Special event clearways required - RTA to arrange
	x <input type="checkbox"/> Special event clearways not required
4 MINIMISING IMPACT ON NON-EVENT COMMUNITY & EMERGENCY SERVICES	
CLASS 3	4.1 Access for local residents, businesses, hospitals and emergency vehicles
	<input type="checkbox"/> Plans to minimise impact on non-event community attached
	x <input type="checkbox"/> This event does not impact the non-event community either on the main route (or location) or detour routes
CLASS 2	4.2 Advertise traffic management arrangements
	<input type="checkbox"/> Road closures -advertising medium and copy of proposed advertisements attached
	<input type="checkbox"/> No road closures but special event clearways in place - advertising medium and copy of proposed advertisements attached
	<input type="checkbox"/> No road closures or special event clearways - advertising not required
CLASS 1	4.3 Special event warning signs
	<input type="checkbox"/> Special event information signs are described in the Traffic Control Plan/s
	x <input type="checkbox"/> This event does not require special event warning signs
	4.4 Permanent Variable Message Signs
	<input type="checkbox"/> Messages, locations and times attached
	x <input type="checkbox"/> This event does not use permanent Variable Message Signs
	4.5 Portable Variable Message Signs
	<input type="checkbox"/> The proposed messages and locations for portable VMS are attached
	x <input type="checkbox"/> This event does not use portable VMS

5 APPROVAL

Your application needs to be provided to Council 3 weeks prior to the Local Traffic Committee meeting which is held 2nd Tuesday of each month, with Council approval being sought for recommendations at the meeting held 4th Monday of the month.

Privacy and Personal Information Protection Notice (S.10 PPIPA Act 1998)
Your information will be stored and used by Armidale Regional Council, 135 Rusden St, Armidale 2350
Purpose of Collection: Traffic Management for a Special Event
Intended Recipients of your information: Local Traffic Committee
You have the right to access and amend your personal information by contacting the Public Officer at the address above.
Your personal information is required: By law
Consequences if you do not supply your information:

Special Event Transport Management Plan

1 EVENT DETAILS

1.1 Event summary

Event Name <Guyra Anzac Day Dawn Service 25 April 2022.>

Event Location: <Bradley Street, Guyra >

Event Date: <25 April 2021 > Event Start Time: <5.30am> Event Finish Time: <7.00am>

Event Setup Start Time: <5.30am> Event Packdown Finish Time: <6.30 am>

Event is ☒ on street – non-moving

1.2 Contact names

Event Organiser* <

Phone:< 02 6779 2070> Mobile:<0402 044 891> E-mail: hans@mcasterhouse.com.au

Event Management Company (if applicable)

Phone: Fax: Mobile: E-mail:

Police GUYRA Police

Phone: 02 6738 4299 Fax:

Council ARMIDALE REGIONAL COUNCIL

Phone:02 67703800 Fax: 02 67729275 council@armidale.nsw.gov.au

Roads & Traffic Authority (if Class 1)

Phone: Fax: Mobile: E-mail:

**Note: The Event Organiser is the person or organisation who is the employer and in whose name the Public Liability Insurance is taken out.*

1.3 Detailed description of event (please attach any maps to back of application)

The ANZAC Day Dawn Service will occur on 25 April 2022 between 5.30 am and 7.00 am.
The road closure of Bradley Street from MacKenzie Street to the Southern side of the Hall is to allow the crowd to gather outside the Soldier's Memorial Hall at 163 Bradley Street for the service.

Local SES and VRA personnel will man the road closures.

2 Risk Management - Traffic

<div>CLASS 1</div> <div>CLASS 2</div> <div>CLASS 3</div>	2.1	Occupational Health & Safety - Traffic Control
	<input type="checkbox"/>	Risk assessment plan (or plans) attached
	2.2	Public Liability Insurance
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	2.3	Police
	<input type="checkbox"/>	Police written approval attached
	2.4	Fire Brigades and Ambulance
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	<input type="checkbox"/>	Plans to minimise impact of construction activities, traffic calming devices or traffic-generating developments attached
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	3.6	Reopening roads after moving events
	<input type="checkbox"/>	This is a moving event - details attached.
	x <input type="checkbox"/>	This is a non-moving event.
	3.7	Traffic management requirements unique to this event
<input type="checkbox"/>	Description of unique traffic management requirements attached	
x <input type="checkbox"/>	There are no unique traffic requirements for this event	
3.8	Contingency plans	
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	x <input type="checkbox"/> This event does not require special event warning signs
	4.4 Permanent Variable Message Signs
	<input type="checkbox"/> Messages, locations and times attached
	x <input type="checkbox"/> This event does not use permanent Variable Message Signs
	4.5 Portable Variable Message Signs
	<input type="checkbox"/> The proposed messages and locations for portable VMS are attached
	x <input type="checkbox"/> This event does not use portable VMS

5 APPROVAL

Your application needs to be provided to Council 3 weeks prior to the Local Traffic Committee meeting which is held 2nd Tuesday of each month, with Council approval being sought for recommendations at the meeting held 4th Monday of the month.


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Your information will be stored and used by Armidale Regional Council, 135 Rusden St, Armidale 2350
Purpose of Collection: Traffic Management for a Special Event
Intended Recipients of your information: Local Traffic Committee
You have the right to access and amend your personal information by contacting the Public Officer at the address above.
Your personal information is required: By law
Consequences if you do not supply your information:

Schedule 1 - Notice of Intention to Hold a Public Assembly

SUMMARY OFFENCES ACT 1988 - Sec 23

To the Commissioner of Police

1	<p>I Johan Peter Hietbrink (name) of 18b Tenterden Street, Guyra, NSW 2365 (address) on behalf of RSL Guyra sub-Branch..... (organisation) notify the Commissioner of Police that on the 25th..... (day) of April..... (month), 2022..... (year), it is intended to hold</p> <p>(a) a public assembly, being a procession of approximately 1000 persons, which will assemble the Ollera Street end of Bradley Street Guyra at approximately 10 am and at approximately 10.30 am the procession will commence and shall proceed along Bradley Street Guyra to the Soldier's Memorial Hall 163 Bradley Street where the ANZAC Day Service will be conducted. The service will conclude at approximately 11.30 am at which time the crowd will disperse.</p> <p>(Specify route, any stopping places and the approximate duration of any stop; and the approximate time of termination. A diagram may be attached.)</p>
2	<p>The purpose of the proposed assembly is to commemorate ANZAC Day with a march and Main Service in Guyra.</p> <p>.....</p>

3	<p>The following special characteristics associated with the assembly would be useful for the Commissioner of Police to be aware of in regulating the flow of traffic or in regulating the assembly (<i>strike out whichever is not applicable</i>):</p> <p>(I) There will be ...5..... (number) of vehicles and/or..... (number) of floats involved. The type and dimensions are as follows: Jeeps and sedans</p> <p>(II) There will be ...0..... (number) of bands, musicians, entertainers, etc. which will entertain or address the assembly.</p> <p>(III) The following number and type of animals will be involved in the assembly: There may be a couple of horses ridden by the Light Horse soldiers.</p> <p>(IV) Other special characteristics of the proposed assembly are as follows:</p>
4	I take responsibility for organising and conducting the proposed assembly.
5	<p>Notices for the purposes of the <i>Summary Offences Act 1988</i> may be served upon me at the following address:</p> <p>18b Tenterden Street</p> <p>Guyra</p> <p>.....NSW2365..... Postcode.</p> <p>Telephone No. 02 6779 2070</p>
6	<p>Signed </p> <p>Capacity/Title President RSL Guyra sub-Branch</p> <p>Date 14 February 2022</p>




Schedule 1 - Notice of Intention to Hold a Public Assembly

SUMMARY OFFENCES ACT 1988 - Sec 23

To the Commissioner of Police

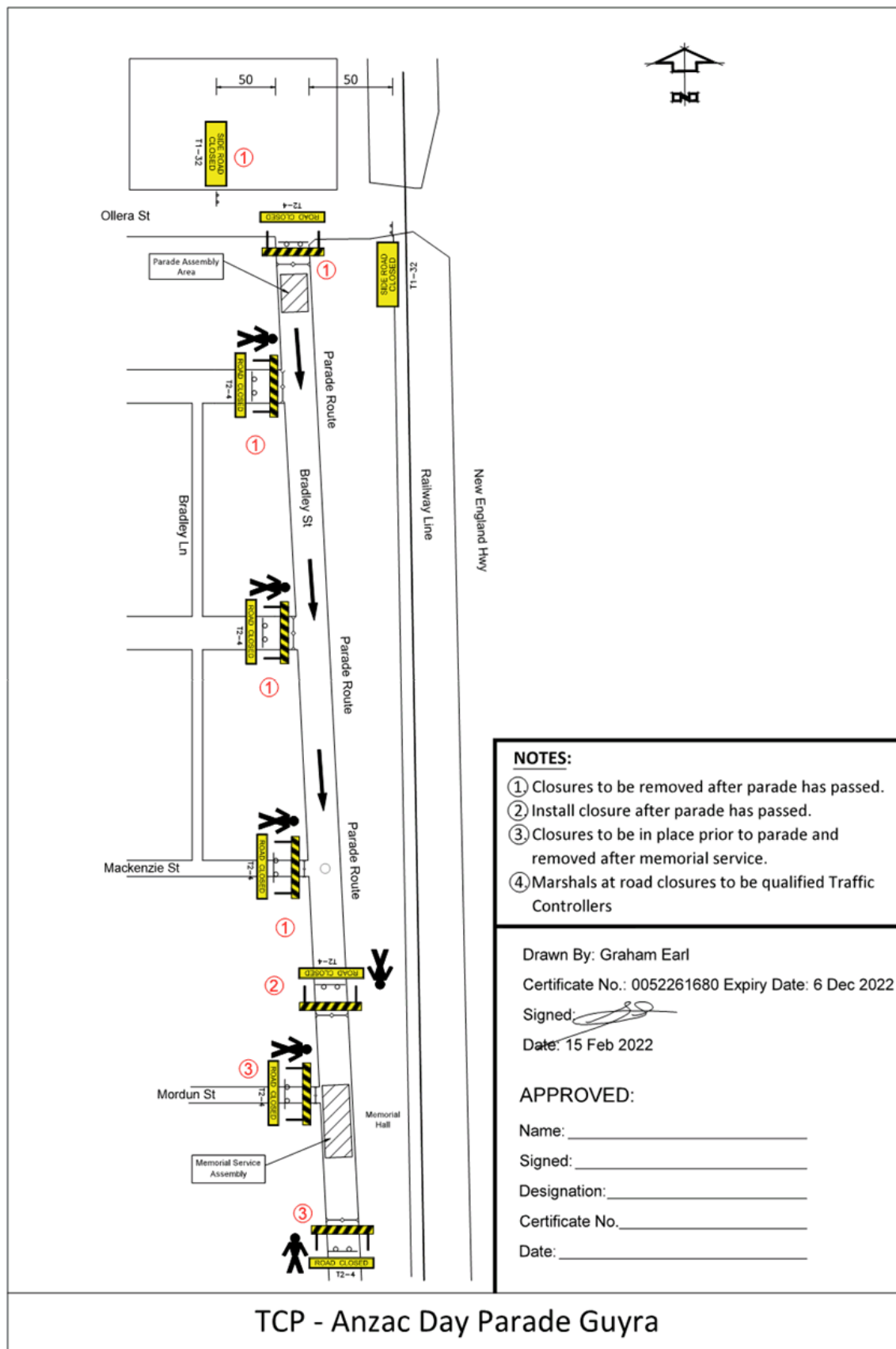
1	<p>I Johan Peter Hietbrink (name) of 18b Tenterden Street, Guyra, NSW 2365 (address) on behalf of RSL Guyra sub-Branch..... (organisation) notify the Commissioner of Police that on the 25th..... (day) of April..... (month), 2022..... (year), it is intended to hold</p> <p>(a) a public assembly, not being a procession, of approximately 100 persons, which will assemble at the Soldiers Memorial Hall, 163 Bradley Street, Guyra at approximately 5.30 am and disperse at approximately 7.00 am</p> <p><i>(Specify route, any stopping places and the approximate duration of any stop; and the approximate time of termination. A diagram may be attached.)</i></p>
2	<p>The purpose of the proposed assembly is to commemorate the ANZAC Day Dawn Service.</p> <p>.....</p>

3	<p>The following special characteristics associated with the assembly would be useful for the Commissioner of Police to be aware of in regulating the flow of traffic or in regulating the assembly (<i>strike out whichever is not applicable</i>):</p> <p>(I) There will be ...0 (<i>number</i>) of vehicles and/or.....0... (<i>number</i>) of floats involved.</p> <p>The type and dimensions are as follows:</p> <p>.....</p> <p>(II) There will be ...0..... (<i>number</i>) of bands, musicians, entertainers, etc. which will entertain or address the assembly.</p> <p>(III) The following number and type of animals will be involved in the assembly:</p> <p>(IV) Other special characteristics of the proposed assembly are as follows:</p>
4	I take responsibility for organising and conducting the proposed assembly.
5	<p>Notices for the purposes of the <i>Summary Offences Act 1988</i> may be served upon me at the following address:</p> <p>18b Tenterden Street</p> <p>Guyra</p> <p>.....NSW.....2365..... Postcode.</p> <p>Telephone No. 02 6779 2070</p>
6	<p>Signed </p> <p>Capacity/Title President RSL Guyra sub-Branch</p> <p>Date 14 February 2022</p>



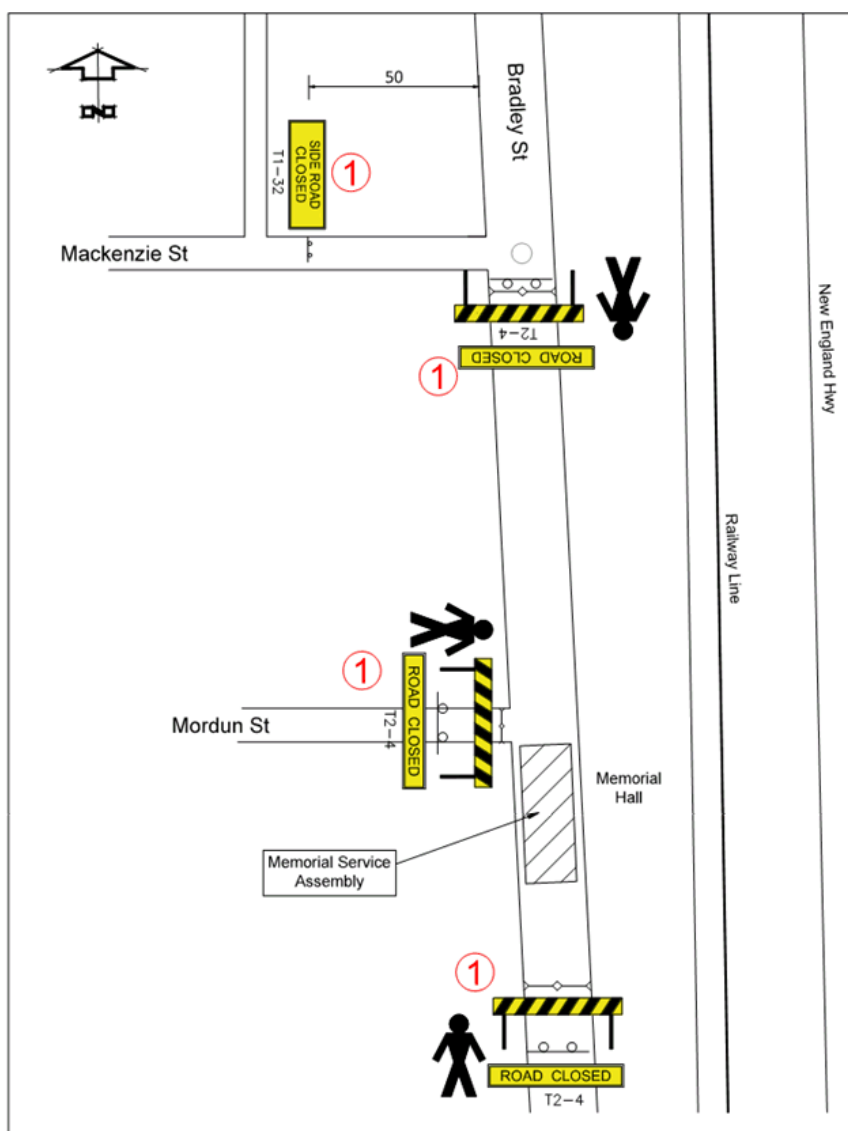
Attachment 5

TCP Guyra Anzac Day Services



Attachment 5

TCP Guyra Anzac Day Services

**NOTES:**

- ① Closures to be in place prior to service and removed after service.
- ② Marshals at road closures to be qualified Traffic Controllers

Drawn By: Graham Earl
 Certificate No.: 0052261680
 Expiry Date: 6 Dec 2022
 Signed: 
 Date: 15 Feb 2022

APPROVED:

Name: _____
 Signed: _____
 Designation: _____
 Certificate No. _____
 Date: _____

TCP - Anzac Day Dawn Service Guyra



Certificate of Currency

The policy referred to is current as at the date of this certificate and whilst a due date has been indicated it should be noted that the policy may be cancelled in the future. Accordingly, reliance should not be placed on the expiry date.

Policy Number: 10M 7431902

Insured: RSL of Australia Sub Branches, Day Clubs and RSL Auxiliaries as declared and agreed, including Guyra RSL Sub Branch

Period of Insurance: (From) 31 May 2021 at 4:00pm local time at the place of issue
(To) 31 May 2022 at 4:00pm local time at the place of issue

Policy Type: General and Products Liability

Limit of Indemnity:

Public Liability	\$20,000,000	any one Occurrence
Advertising Injury	\$20,000,000	any one Occurrence
Products Liability	\$20,000,000	any one Occurrence and in the aggregate for any one Period of Insurance

Interest Noted: It is noted and agreed that this Policy is endorsed to include the interests of:
Guyra War Memorial Hall Trust & Armidale Council in respect of the Remembrance Day & ANZAC Day services held by Guyra RSL Sub Branch.

Remarks: The above is subject always to the terms, conditions, exclusions and endorsements of the Policy.

Signed for and on behalf of Insurance Australia Limited trading as CGU Insurance.

A handwritten signature in blue ink, appearing to read 'Laura Lawrence'.

Laura Lawrence
Liability Underwriting Manager – Northern Region
24/05/2021

Armidale Regional Council
Traffic Advisory Committee
Tuesday, 1 March 2022

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Item:	5.2	Ref: AINT/2022/06348
Title:	Special Event Transport Management Plan Armidale Anzac Day 25 April 2022	Container: ARC16/0168-7
Author:	Belinda Ackling, Personal Assistant	
Attachments:	1. Transport Management Plan ANZAC Day 2. RSL Insurance Anzac day 2022 Armidale	

1. Purpose

To endorse the requested road closure request for the Guyra ANZAC Day march and Commemorative Service on 25 April 2022.

2. OFFICERS' RECOMMENDATION:

Approve the temporary road closures for the Armidale 2022 ANZAC Day March and Commemoration Service that will occur on Sunday 25 April 2022, for Faulkner Street from Dumaresq Street to Beardy Street and the connecting intersections with East Mall and Rusden Street roundabout.

3. Background

Anzac Day is a recognised National event held on 25 April each year, the event is supported by Council and under Police escort.

The Dawn Service will not include a march participants will be bussed to central park from the Ex Serviceman's for a ceremony start at 5.30am and conclude at 7am.

The Main ANZAC March and Service will start to gather at 10.30am in Faulkner Street and head up to Central Park where the service will start at 11am and conclude at 12.30pm.

4. Discussion

It is requested that temporary road closures be installed to allow for the parade route in Faulkner Street at the intersections with Dumaresq Street, Moore Street, Beardy Street and Rusden Street for both the 5am and the 10.30am marches. This is a rolling road closure and roads can be reopened once the parade has passed by.

The requested road closures have not changed. The Public Liability is current and has been provided.

5. Implications

5.1. Strategic and Policy Implications

This application is in line with the requirements and regulation of traffic under the *Roads Act 1993 and the Road Transport (Safety & Traffic Management) Act 1999*

5.2. Risk

Armidale Regional Council
Traffic Advisory Committee
Tuesday, 1 March 2022

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- Installation and removal of the closure will be at a cost to Council.
- Organisers will abide by the current PHO
- The Public Liability certificate of currency has been provided.

5.3. Sustainability

No considerations

5.4. Financial

6.

Budget Area:	Transport and Parks						
Funding Source:	City Services - Events						
Budget Ref: (PN)	Description	Approved Budget	Actual	Committed	Proposed	Total Forecast Expenditure	Remaining Budget
APW038269	Provide and install signage for the event				\$470		

There is an existing budget within the Events area to cover the resourcing required for all Anzac Day preparations for the LGA.

7. Consultation and Communication

As an annual event all Anzac Day commemorative Service and associated road closures are advertised and the general public and business are very familiar with this tradition.

8. Conclusion

The Traffic Advisory Committee recommendation, that the associated rolling road closures in conjunction with the Guyra Anzac Day Commemorative Service and March for 2022 be endorsed.

Special Event Transport Management Plan

1 EVENT DETAILS

1.1 Event summary

Event Name Anzac Day

Event Location: Armidale Event Date: 25 April 2022 Event Start Time: 11am..... Event Finish Time: 12.30pm

Event Setup Start Time: 10.00am Event Packdown Finish Time: 12.30pm

Event is ☐ off street ☒ on street - moving ☐ on street non-moving

Is this event being held on Council Land ☒ Yes ☐ No

1.2 Contact names

Event Organiser* **Armidale RSL Branch**

Phone:< > Mobile:0408 634 806 E-mail: rs125pensions@bigpond.com

Event Management Company (if applicable)

Phone: Fax: Mobile: E-mail:

Police ARMIDALE POLICE

Phone: 02 6771 0699 Fax: 02 67710611

Council ARMIDALE REGIONAL COUNCIL

Phone:02 67703600 Fax: 02 67729275 council@armidale.nsw.gov.au

Roads & Maritime Services (if Class 1)

Phone: Fax: Mobile: E-mail:

**Note: The Event Organiser is the person or organisation who is the employer and in whose name the Public Liability Insurance is taken out.*

Attachment 1

Transport Management Plan ANZAC Day

1.3 Detailed description of event (please attach any maps to back of application)

The ANZAC Day March and Commemoration Service will occur on 25 April 2022.

This is a rolling road closure and roads can be reopened once the parade has passed by causing minimal impact of traffic.

The Dawn Service will not include a march.

The main ANZAC March and Service will this year line up in Faulkner and Beardy Street marching up Faulkner Street up to Central Park where the service will start at 11am and conclude at 12.30pm.

It is requested that a temporary rolling road closures of Faulkner Street between Moore and Barney Street and the Beardy Street East Mall be installed to allow for the parade route in Faulkner Street up to Central Park. This is a rolling road closure and roads can be reopened once the parade has passed by.

Attachment 1

Transport Management Plan ANZAC Day

2 Risk Management - Traffic

CLASS 1	CLASS 2	CLASS 3	2.1 Occupational Health & Safety - Traffic Control
			<input type="checkbox"/> Risk assessment plan (or plans) attached
			2.2 Public Liability Insurance
			<input checked="" type="checkbox"/> Public liability insurance arranged. <u>Copy of Policy attached.</u>
CLASS 1	CLASS 2	CLASS 3	2.3 Police
			<input type="checkbox"/> Police written approval attached <u>Letter sent to the Armidale Police – referred to Traffic Advisory Committee, Armidale Regional Council.</u>
			2.4 Fire Brigades and Ambulance
			<input type="checkbox"/> Fire brigades notified 02 67715076
			<input type="checkbox"/> Ambulance notified 02 6771 1710

3 TRAFFIC AND TRANSPORT MANAGEMENT

CLASS 1	CLASS 2	CLASS 3	3.1 The route or location
			<input checked="" type="checkbox"/> Map attached
			3.2 Parking
			<input type="checkbox"/> Parking organised - details attached.
			<input checked="" type="checkbox"/> Parking not required < >
			3.3 Construction, traffic calming and traffic generating developments
			<input type="checkbox"/> Plans to minimise impact of construction activities, traffic calming devices or traffic-generating developments attached
			<input checked="" type="checkbox"/> There are no construction activities, traffic calming devices or traffic-generating developments at the location/route or on the detour routes
			3.4 Trusts and Authorities
			<input type="checkbox"/> This event uses a facility managed by a Trust or Authority; written approval attached
<input type="checkbox"/> This event does not use a facility managed by a trust or Authority			
CLASS 1	CLASS 2	CLASS 3	3.5 Public transport
			<input type="checkbox"/> Public transport plans created - details attached
			<input checked="" type="checkbox"/> Public transport not required
			3.6 Reopening roads after moving events
			<input checked="" type="checkbox"/> This is a moving event - details attached.
			<input type="checkbox"/> This is a non-moving event.
			3.7 Traffic management requirements unique to this event
			<input type="checkbox"/> Description of unique traffic management requirements attached
			<input checked="" type="checkbox"/> There are no unique traffic requirements for this event
			3.8 Contingency plans
<input type="checkbox"/> Contingency plans attached			

Attachment 1

Transport Management Plan ANZAC Day

Class 1	3.9 Heavy vehicle alternate routes
	<input type="checkbox"/> Alternative routes for heavy vehicles required - RMS to arrange
	<input checked="" type="checkbox"/> Alternative routes for heavy vehicles not required
	3.10 Special event clearways
	<input type="checkbox"/> Special event clearways required - RMS to arrange
	<input checked="" type="checkbox"/> Special event clearways not required
4 MINIMISING IMPACT ON NON-EVENT COMMUNITY & EMERGENCY SERVICES	
Class 3	4.1 Access for local residents, businesses, hospitals and emergency vehicles
	<input checked="" type="checkbox"/> Plans to minimise impact on non-event community attached
	<input type="checkbox"/> This event does not impact the non-event community either on the main route (or location) or detour routes
Class 2	4.2 Advertise traffic management arrangements
	<input type="checkbox"/> Road closures -advertising medium and copy of proposed advertisements attached
	<input type="checkbox"/> No road closures but special event clearways in place - advertising medium and copy of proposed advertisements attached
	<input checked="" type="checkbox"/> No road closures or special event clearways - advertising not required
Class 1	4.3 Special event warning signs
	<input type="checkbox"/> Special event information signs are described in the Traffic Control Plan/s
	<input checked="" type="checkbox"/> This event does not require special event warning signs
	4.4 Permanent Variable Message Signs
	<input type="checkbox"/> Messages, locations and times attached
	<input checked="" type="checkbox"/> This event does not use permanent Variable Message Signs
	4.5 Portable Variable Message Signs
	<input type="checkbox"/> The proposed messages and locations for portable VMS are attached
	<input checked="" type="checkbox"/> This event does not use portable VMS

5 APPROVAL

Your application needs to be provide to Council 3 weeks prior to the Traffic Advisory Committee meeting which is held 2nd Tuesday of each month, with Council approval being sort for recommendations at the meeting held 4th Monday of the month.

Privacy and Personal Information Protection Notice (S.10 PPIPA Act 1998)
Your information will be stored and used by Armidale Regional Council, 135 Rusden St, Armidale 2350
Purpose of Collection: Traffic Management for a Special Event
Intended Recipients of your information: Traffic Advisory Committee
You have the right to access and amend your personal information by contacting the Public Officer at the address above.
Your personal information is required: By law
Consequences if you do not supply your information:



Certificate of Currency

The policy referred to is current as at the date of this certificate and whilst a due date has been indicated it should be noted that the policy may be cancelled in the future. Accordingly, reliance should not be placed on the expiry date.

Policy Number: 10M 7431902

Insured: RSL of Australia Sub Branches, Day Clubs and RSL Auxiliaries as declared and agreed, including Armidale RSL Sub Branch

Period of Insurance: (From) 31 May 2021 at 4:00pm local time at the place of issue
(To) 31 May 2022 at 4:00pm local time at the place of issue

Policy Type: General and Products Liability

Limit of Indemnity:

Public Liability	\$20,000,000	any one Occurrence
Advertising Injury	\$20,000,000	any one Occurrence
Products Liability	\$20,000,000	any one Occurrence and in the aggregate for any one Period of Insurance

Interest Noted: It is noted and agreed that this Policy is endorsed to include the interests of:
Armidale Regional Council in respect of Remembrance Day, National Service Day and ANZAC Day services held by Armidale RSL Sub Branch.

Remarks: The above is subject always to the terms, conditions, exclusions and endorsements of the Policy.

Signed for and on behalf of Insurance Australia Limited trading as CGU Insurance.

A handwritten signature in blue ink, appearing to be 'Laura Lawrence'.

Laura Lawrence
Liability Underwriting Manager – Northern Region
24/05/2021

Armidale Regional Council
Traffic Advisory Committee
Tuesday, 1 March 2022

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Item:	5.3	Ref: AINT/2022/07410
Title:	Special Event Transport Management Plan for the staging of the 'Tour de Rocks' 2022	Container: ARC16/0168-7
Author:	Belinda Ackling, Personal Assistant	
Attachments:	1. 2022 April Tour de Rocks Ride Management Plan A v16 2. 2022 April Tour de Rocks Transport Management Plan v17 3. 2022 April Tour de Rocks Schedule 1 - Notice of Intention to Hold a Public Assembly v17 4. Plan - Tour De Rocks TCP	

1. Purpose

Is gain endorsement for the Special Event Transport Management Plan for the staging of the 'Tour de Rocks' Thursday 7th April, for the occupation and usage of Armidale Regional Council Local Government Area (LGA) local roads only.

2. OFFICERS' RECOMMENDATION:

- (a) That approval be provided for the Special Event Transport Management Plan for the staging of the 'Tour de Rocks' Thursday 7th April, for the occupation and usage of Armidale Regional Council Local Government Area (LGA) local roads only, pending approval for the use of local roads within the LGA of Kempsey Council, and of any regional classified roads from Transport NSW, and any further recommendations from NSW Police.
- (b) That approval be provided for the temporary closure of Dangar Street between Dumaresq and Kirkwood Streets, from 6am to 9am on Thursday the 7th April 2022.

3. Background

The event is a charity cycling event encompassing amateur cyclists.
The charity event will raise \$250,000 for researching a cure for cancer. The Tour de Rocks is an incorporated charitable organisation that distributes funds to both research and local cancer program providers.

Approximately 500 cyclists will ride from Armidale to South West Rocks over a three-day period with support personnel. Each day's route provides specific challenges and hazards relative to distance, terrain, frequency of vehicular traffic, road surface.

4. Discussion

The 'Tour de Rocks' charity mountain bike ride is being staged over three consecutive days commencing at a public park (Civic Park) in Dangar Street, Armidale Thursday, 7th April 2022. Day 1 starts at 6am at Civic Park and ends at Georges Junction, 93.4 km East of Armidale at 5pm. Day 2 of the ride commences at Georges Junction at 8am and ends at Willawarrin showground, 78 km East of Georges Junction at approximately 5pm. The final day of the ride commences at Willawarrin showground at 6am and ends at a 2pm Headlands Park located at South West Rocks Headland adjacent to Livingstone Street. Distance 90km east of Willawarrin.

Armidale Regional Council
Traffic Advisory Committee
Tuesday, 1 March 2022

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5. Implications

5.1. Strategic and Policy Implications

- CPS: G3.1 Tourism strategy to attract visitors to stay and enhance the economic and cultural offerings and attractions of the region.
- The application is in accordance as per POL086 – Road – Events on public roads and as per the TfNSW guidelines for Event Management.

5.2. Risk

- The closure is an annual occurrence to which the public are very aware of for the duration of the event.
- No homes are disadvantaged by the closure.
- The temporary road closure controls the risk of contact between pedestrians and moving vehicles.

5.3. Sustainability

- Annual tourism strategy to attract visitors to stay and enhance the economic and cultural offerings and attractions of the region

5.4. Financial

Budget Area:	CARS						
Funding Source:	City Services - Event						
Budget Ref: (PN)	Description	Approved Budget	Actual	Committed	Proposed	Total Forecast Expenditure	Remaining Budget
	Provide, install and remove signage for the event				\$470		

6. Consultation and Communication

Advertisement will occur well before the event, signage will be in place the week prior and up to the event to remind and highlight the activities.

7. Conclusion

That the committee request Council to endorse of the Special Event Transport Management Plan for the staging of the 'Tour de Rocks' as per the management plan.



2022 Tour de Rocks Ride Schedule and Management Plan
Armidale to South West Rocks
7th – 9th April 2022



Attachment 1

2022 April Tour de Rocks Ride Management Plan A v16



2022 Tour de Rocks Ride Schedule and Management Plan

Armidale to South West Rocks

7th – 9th April 2022Day 1 Thursday 7th April 2022 Armidale – Georges Junction 94 kms

Time	Item	Activity	Additional Notes for Participants		Logistics	Safety	Signage
5:30am	Registrations Commence.	All riders and supporters are required to sign waivers and receive identification wrist bands.	Registration desks will be at the rear carpark of the Armidale Ex Services Memorial Club.	Tables, Chairs, Forms, Stationery, Notice Board, Volunteers for registrations, Road Closures ACC, No parking in Armidale Ex Services Memorial Club car park.	All waivers to be signed, Peloton posted on Notice Board.	Mark Bullen to marshal riders, 2 Way radios and sat phone, Endy – lead car, Bill – rear car and bus, Motor bikes – Frosty, Bullo and Anthony Williams, St Johns Ambulance x 2, Mechanics Van with Signs.	Signage at start of Rockvale Road and 100 metres past Chandler Road warning motorists of cyclists on road on Thursday 11th April. Signs to be placed 2 days before event.
6:30am	Welcome and Morning Briefing.	Combined Rider and Supporter briefing.	Coffee, Highland Band.	Stage, Power, Microphone, Flags and Tent, Coffee Cart.		Safety Briefing.	
7:00am	Registrations Close						
7:00am	First Peloton departs for Wollomombi via Chandler and Kilcoy Roads.	Distance to Drink Station No 1 is 22 kms on sealed road, From Drink Station No 1 to Wollomombi, travel a further 29 kms on formed gravel road passing under the Waterfall Way, via the tunnel, and arriving at the Chandler School for morning tea.	Pelotons will be in teams or combination of teams and will be posted on the notice board on the morning of the ride. Pelotons will be departing at approximately 5-minute intervals and shall remain in pelotons until the first drink stop at the Chandler Road turn.	Mark Bullen to Marshall, Police Escort, Highland Band.	Drink Stop with toilets at Chandler Road turn off, Drinks and Toilets will be bought out from Armidale and taken back when complete, Collect signs from Chandler Road.	Confirm distances, Ambulance and TDR support vehicles to keep back from riders.	Signage at turn to left to take riders under the Waterfall Way through Tunnel, TDR with Arrow.
8:30am	Last Peloton departs.	Estimated time to Drink Station No 1 is 1.5 hours, Estimated time to Chandler School is 3.2 hours.		Pack tent and flags.	Permission and Key for Chandler School.		
8:30 – 9:00am	Supporters leave for Georges Junction.	Support vehicles are prohibited from following riders. Support vehicles are to travel via Waterfall Way to Wollomombi and then directly to Georges Junction. Distance is 85 kms and travel time is approximately 1.75 hours. Any Support vehicles that have not passed the Chandler School by 10:00am will not be able to proceed to Georges Junction until after the riders. This will mean an arrival at Georges Junction around 4:30pm.	Lunch will be provided for all supporters at Georges Junction from 12:00 pm. It is expected that supports will arrive at the Junction as early as possible, set their own camp up and then offer to assist the catering team prepare lunch and then the evening meal. This is our big day; we will need as much assistance as possible.			Support vehicles to have passed the Junction by 10:00am. Cyclists leaving for Georges Junction to be marshalled at Chandler School immediately prior to Waterfall Way, Marshalls with 2-way radios to be stationed at signs to advise when road is clear.	Waterfall Way / Chandler School / Old Kempsey Road, 200 Cyclists Ahead +Cyclists turning across road 200 metres ahead signs to be placed before Chandler School going east and before Old Kempsey Road heading west, Signage to be placed on Old Kempsey Road 1 week prior indicating cyclists will be on the road.
10:30am	Estimated time for First Riders to leave Chandler School, Riders starting at Wollomombi ready to go.	Distance to Forestry Huts 22 kms for Lunch Break, Estimated riding time is 1.5 hours.	A couple of steep pinches on this leg, Keep the fluids up.				
11:30am	Last Riders leave Chandler School		Last Riders will arrive at Lunch around 1:30pm.	Pack catering equipment and follow to the Forestry Huts for lunch.	Collect signs from Waterfall Way.		

Attachment 1

2022 April Tour de Rocks Ride Management Plan A v16



2022 Tour de Rocks Ride Schedule and Management Plan

Armidale to South West Rocks

7th – 9th April 2022

Time	Item	Activity	Additional Notes for Participants		Logistics	Safety	Signage
11:30 – 2:00pm	Lunch Stop at Forestry Huts.	Enjoy a well-earned break in the magnificent forest with the toughest part of the day over.	Have a good meal focused on the carbohydrates and keep the fluids up.		Toilets to be loaded and returned to Armidale. Lunch gear to be loaded and taken to Georges Junction following riders.	Single file 23 kms downhill. Road open to traffic.	Hill signage: Keep Left, Single File, Slow Down, Oncoming Traffic. All by 2 Signs at the bottom – 200 cyclists descending 1:00pm – 3:00pm today, next 23 kms. Marshall at the bottom warning traffic of riders descending.
1:00pm	Estimated time for First Riders to leave Forestry Huts for Georges Junction.	Distance to Georges Junction 20 kms. Riding time is approximately 1.5 hours.	As the "Big Hill" is one of our greatest safety risks, teams will depart again in the same teams / groups as they started the day in. Each Captain will be required to confirm numbers as they leave Forestry Huts and again at the bottom of the hill.		Bunch riders for decent leaving between 1:00pm and 2:00pm. Targeting being off the mountain by 3:00pm. Riders in 4 groups behind marshal bike / car. Mark Bullen to marshal from 12:45pm. Peloton leader to write number riders in peloton and confirm to marshal at the bottom.	Single file, keep left, ride within means.	
2:00pm	Last Riders leave Forestry Huts.		Extreme caution required on rough roads and steep sections. Do not under any circumstances cross to the other side of the road as vehicles coming up the hill will not be able to see you. Please be careful.				
4:00pm	Last Riders arrive at Georges Junction	Sad Bus, Mechanics to follow assisting as required.					
5:30pm	Safety Committee Meeting.	Review day's events.				Shoes for swim in the river.	
6:00pm	Jersey Awards.	Daily Recognition Jerseys to be presented.					
6:20pm	Brief overview of Day 2.	10 mins on Day 2.			Remind supporters that they will need to have left Georges Junction before 7:45am to be ahead of the child riders. Toilets to be cleaned the night before.		
6:30pm	Dinner.		Make sure you are eating well for the next day – plenty of carbs.				
7:30pm	Clean Up Camp Kitchen and prepare for Day 2.	Any assistance in the Camp Kitchen will be appreciated after the enormous effort by the catering team to provide 400 meals.			Roster for assistance with chores.		
					Child riders will leave at 8:00am sharp with adult supervision.	Lead car in front.	200 Cyclists on Road 8:00am – 1:00pm Friday 12 th April. Signs between Bellbrook and Georges Junction.
					Adult riders will leave at 9:00am.	Motorbike in front.	

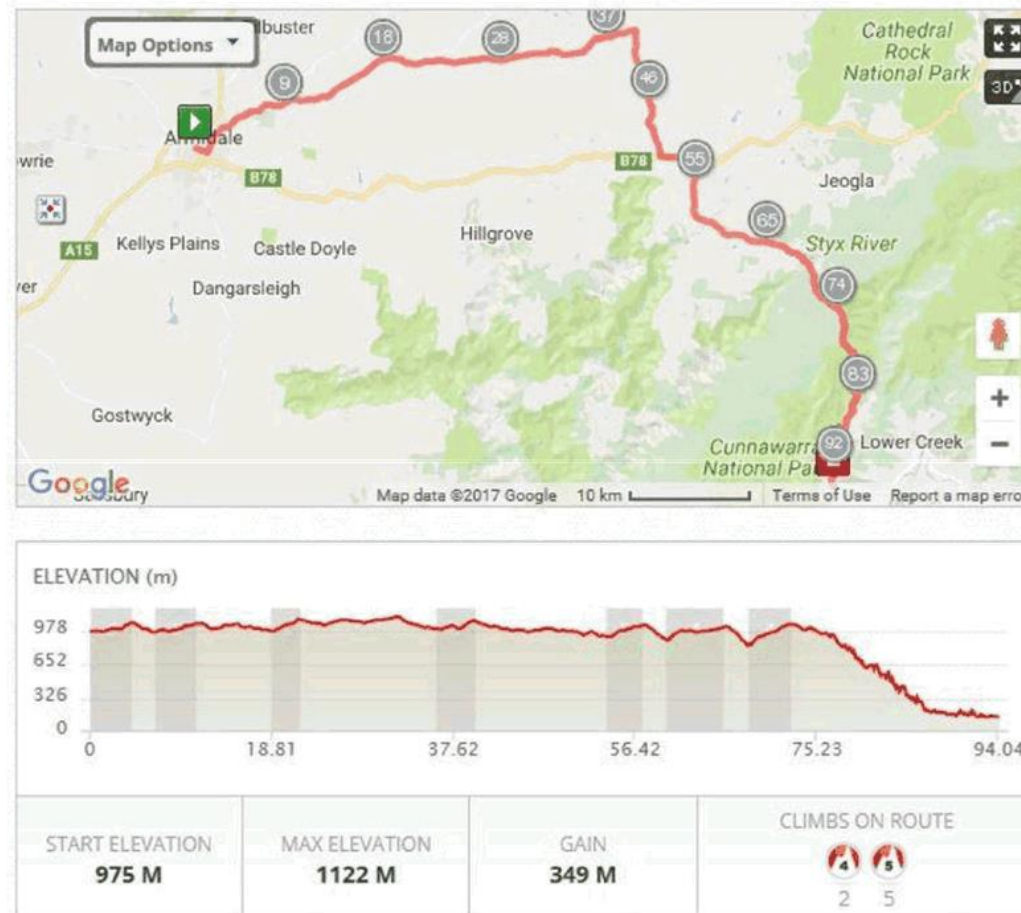
Attachment 1

2022 April Tour de Rocks Ride Management Plan A v16



2022 Tour de Rocks Ride Schedule and Management Plan

Armidale to South West Rocks

7th – 9th April 2022

Attachment 1

2022 April Tour de Rocks Ride Management Plan A v16



2022 Tour de Rocks Ride Schedule and Management Plan

Armidale to South West Rocks

7th – 9th April 2022Day 2 Friday 8th April 2022 Georges Junction - Willawarrin 79 kms

Time	Item	Activity	Additional Notes for Participants		Logistics	Safety	Signage
6:30am	Breakfast.	Continental breakfast served. Stock up on carbs in cereals, toasts, and jams.	Keep drinking				
7:30am	Morning Briefing at Information Tent.	Outline the days ride, including road conditions and safety advice.		Catering crew to leave early for Blackbird Flat.			
8:00am	First wave of Supporters and Catering Teams leave.		Real need for supporters to assist with packing up the catering equipment and getting them ahead of the riders today to ensure they have sufficient time to prepare the breaks and meals for us on the road ahead.				
8:00am	Child Ride Commences.	Georges Junction to Blackbird Flat 26 kms. Estimated 2 hours arrive at 10:00am.	Child Riders must be accompanied by a parent / guardian. TdR support vehicle will accompany.				200 Cyclists on Road 8:00am – 1:00pm Friday 12 th April. Signs between Bellbrook and Georges Junction.
9:00am	Adult Riders Leave.	Georges Junction to Blackbird Flat along banks of Macleay River. Estimated riding time is 1.5 hours, casual formation.	Keep to left hand side of roadway.		Camp packed up, water truck back up the hill, flat top, tent, and C to C equipment. Toilets strapped onto car trailers and taken to Bellbrook and then additional drink stop before Willawarrin, and then onto Willawarrin.		
10:15am	Second wave of Supporters leave Georges Junction for 20-minute drive to Blackbird Flat.	Supporters leave and arrive for morning tea at Blackbird Flat. If Supporters catch any riders, they are not to pass and must remain behind the escort vehicles.			Catering Crew to leave for Bellbrook to prepare lunch.		
10:00am	Morning Tea Blackbird Flat	Enjoy the river views and refuel for the couple of steep pinches on the next section.	Keep drinking.				
10:30am	Supporters leave for Bellbrook.	Important that all supporters and vehicles have left before the riders will be marshalled for departure.					
11:00am	First Riders leave Blackbird Flat for Bellbrook.	Distance 20 kms. Estimated riding time is 1.5 – 2 hours. Several steep sections.	Enjoy the magnificent Macleay River.				200 Cyclists on Road 8:00am – 1:00pm Friday 12 th April. Signs between Bellbrook and Georges Junction.
12:30 – 1:30pm	Lunch Bellbrook.	Lunch will be available in the grounds to the east of the cabins.	Be sure to call in and see Michelle at the Bellbrook Shop, or Dane at the Bellbrook Hotel and a swim in the river. The owner of the shop has allowed us to use the grounds / power and water at the cabins for lunch, please support her little shop.		Marshalls, Toilet and Drink Stop leave Bellbrook for designated gate. Prepare for riders arriving around 2:00pm. Riders will leave Bellbrook from 1:00pm in small groups. Gate openers will be on duty for approximately 3 hours.		TDR Arrow signage on intersections.
1:15pm	Supporters leave for Willawarrin.		Supporters will arrive at the Willawarrin Sports Ground around 2:00pm and establish camp and assist catering team – if required.		Check both amenities are open and hot water is on.		

Attachment 1

2022 April Tour de Rocks Ride Management Plan A v16



2022 Tour de Rocks Ride Schedule and Management Plan

Armidale to South West Rocks

7th – 9th April 2022

Time	Item	Activity	Additional Notes for Participants		Logistics	Safety	Signage
1:00pm	First Riders leave for Willawarrin.	Distance 33 kms. Estimated riding time is 2 – 3.5 hours.	Riders will leave heading west over the Bellbrook Bridge via Toose Road and travelling along the southern side of the Macleay River until crossing again via Toorooka Road turning right back onto the Old Kempsey Road and into Willawarrin.		5 gates to be manned, opened, and stock movements controlled. Bus will pick up marshalls. Additional Drink and Toilet break. Toilets on a trailer at one of the gates.	Cars required at intersection of Old Kempsey Road and Tarooka Road. One marshal required.	
3:00 – 4:30pm	Riders arrive at Willawarrin.						
5:30pm	Safety / Logistics Committee Meeting.	Review day's events.					Signage to be placed for following day.
6:00pm	Jersey Awards.	Daily Recognition Jerseys to be presented.					
6:20pm	Brief overview of Day 3.	10 minutes on Day 3.					
6:30pm	Dinner.	Dinner at the Sports Ground.					
7:30pm	Clean up Camp Kitchen and prepared for Day 3.	Any assistance in the camp kitchen will be appreciated after the enormous effort by the catering team to provide 300 meals.	Willawarrin Hotel opens for business with traditional entertainment.				

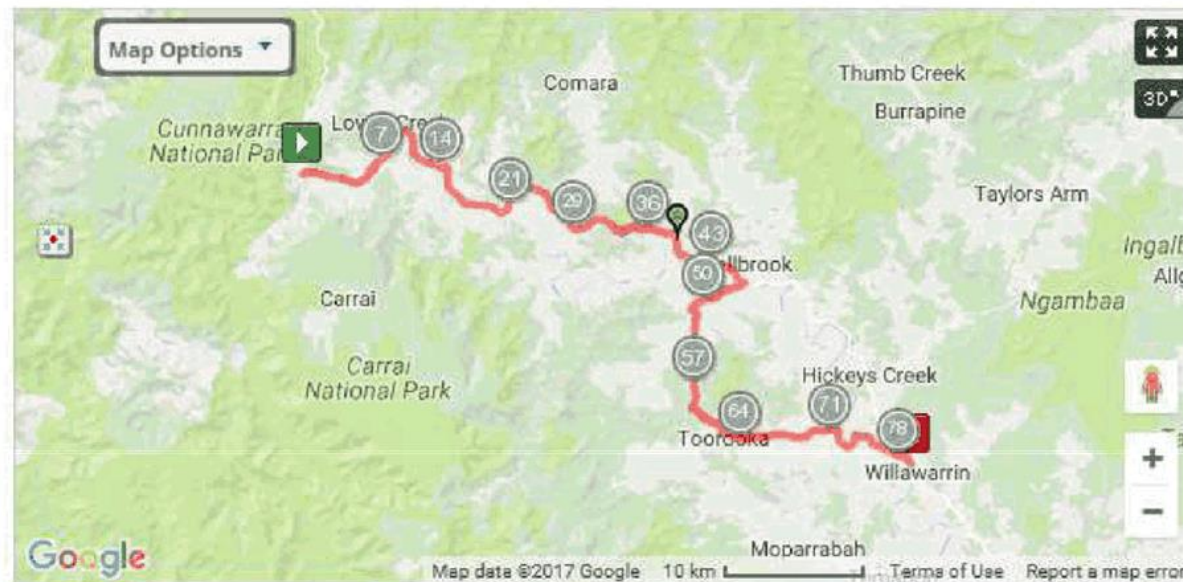
Attachment 1

2022 April Tour de Rocks Ride Management Plan A v16



2022 Tour de Rocks Ride Schedule and Management Plan

Armidale to South West Rocks

7th – 9th April 2022

Attachment 1

2022 April Tour de Rocks Ride Management Plan A v16



2022 Tour de Rocks Ride Schedule and Management Plan

Armidale to South West Rocks

7th – 9th April 2022Day 3 Saturday 9th April 2022 Willawarrin – South West Rocks 83 kms

Time	Item	Activity	Additional Notes for Participants		Logistics	Safety	Signage
6:00am	Breakfast.	Continental breakfast served. Stock up on carbs in cereals, toasts, and jams.	Early start to manage traffic conditions between Kempsey and South West Rocks.				
6:30am	Morning Briefing at Information Tent.	Outline the days ride, including road conditions and safety advice.	Rides will ride in Pelotons from Willawarrin to South West Rocks.				
7:00am	First Peloton departs Willawarrin for Riverside Park, Kempsey.	Pelotons will depart at 5 min intervals and be required to ride in pelotons for the first 7 kms until turning right onto Temagog Road where riders will cross the Macleay River and travel on the southern side until 34 kms where the river will be crossed again via Sherwood Road. Distance 47 kms. Estimated riding team 3 – 4 hrs.	Pelotons are required to observe road rules and not to allow traffic to bank up behind. Captains to communicate clearly as to singles and when to pull over. Riders may ride free from Temagog Road. Extreme care required when turning across Old Kempsey Road and when riding into Kempsey.		Pelotons to marshal in original teams in from of the Willawarrin Hotel. Slower teams to leave first.	Marshals required at Temagog turn as riders will be turning across the flow of traffic. Briefing to include instructions on turning right across traffic paying particular attention to cars back and ahead.	Signage required both east and west approaches to Temagog Road. 200 Cyclists turning across road between 7:00am and 9:30am 13 th April 2019. TdR Arrow signage.
8:30am	Last Riders to leave Willawarrin.	Last Riders will be selected as quicker riders that will make time up into Kempsey.	Please nominate if you would like to start earlier at Willawarrin.				
9:30 – 11:30am	Morning Tea at Riverside Park Kempsey.	Comfort stops and fuel. 35 kms to go probably without a stop. Make sure the tank is full.	Enjoy the park on the banks of the Macleay River.				Signage on SWR Road, Kempsey and SWR. 200 Cyclists on SWR Road between 9:30am and 1:30pm.
10:00am	First Riders to leave for South West Rocks.	Those riders ready to go will be marshalled and sent as they are ready to the Bridge walkway where bikes must be dismounted and walked across the bridge.	Back on the bike and 35 kms to ride to the finish – all flat. Pelotons must now ride all the way to South West Rocks in single file at the pace of their slowest rider. Make sure the slowest is protected within the bunch. Keep the fluids up and Captains call for comfort stops. If a peloton catches up, you are to stop and let them pass with a reasonable gap. Pelotons must not combine as it extends the line and makes it more difficult for traffic to pass. Pelotons are not to allow traffic to build up behind.				
9:00am	Supporters leave Willawarrin for South West Rocks.	Very important that supporters wait until 9:00am and then head straight for South West Rocks. The supporters will take an alternative route from that of the riders from Kempsey to South West Rocks to avoid congestion and danger on the South West Rocks Road.	See the Supporters Maps provided. Supporters' directions: Approaching Kempsey at 27 kms turn right into North Street, cross Kemp Street proceed along Second Lane onto Macleay Valley Way. Proceed to Fredericktown and onto Pacific Highway. Do not take the Smithtown exit to South West Rocks. Proceed to next exit at 47 kms turn right into Plammers Lane. You will join the South West Rocks Road at 57 kms ahead of all riders.				
11:30am	Last Riders leave Kempsey.						

Attachment 1

2022 April Tour de Rocks Ride Management Plan A v16



2022 Tour de Rocks Ride Schedule and Management Plan

Armidale to South West Rocks

7th – 9th April 2022

Time	Item	Activity	Additional Notes for Participants		Logistics	Safety	Signage
10:30am	Supporters arrive in South West Rocks.	Supporters and Catering Crew arrive in South West Rocks and prepare lunch.					
1:30pm	Last Riders arrive South West Rocks Headland.				There is 16 kms of dirt. This will take its toll on the weaker riders. Be prepared to assist / pick up slower riders.		
1:30pm	Team Captains Meeting.	Team Captains to confirm all riders have arrived safely.					
1:30 – 2:30pm	Lunch and Celebration.	Enjoy lunch on the Headland as we reflect on what we have achieved.					
3:00 – 5:00pm	Final pack up and drinks at the Seabreeze Hotel.				Clean and pack all equipment. Food to go back with F&R Cool Rooms.		
6:30pm	Celebration on Saturday afternoon, location will be advised.	Slide Show presented after dinner of the three days, celebrate your achievements with your friends and family. Final Tour Jerseys will be awarded.			Arrange slide show production. Raffle bike in the front of the Services Club.		

Attachment 1

2022 April Tour de Rocks Ride Management Plan A v16



2022 Tour de Rocks Ride Schedule and Management Plan

Armidale to South West Rocks

7th – 9th April 2022

Attachment 1

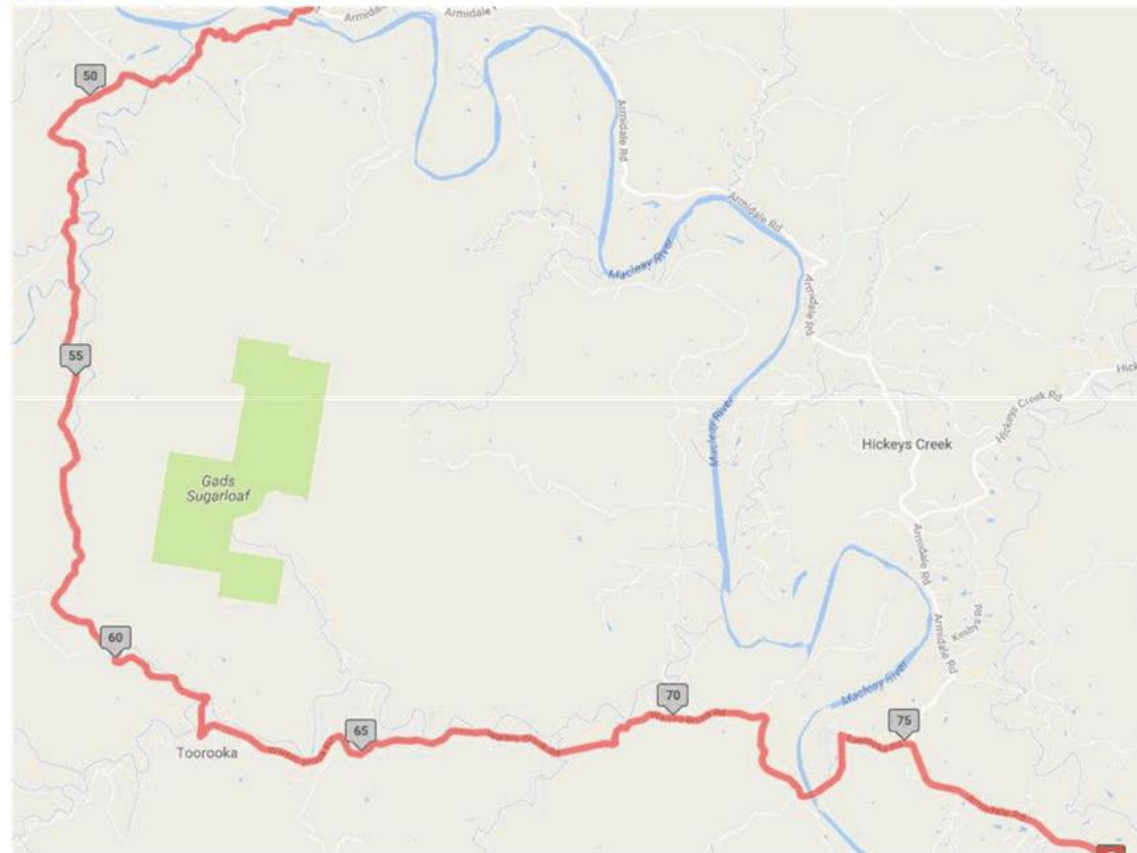
2022 April Tour de Rocks Ride Management Plan A v16

**2022 Tour de Rocks Ride Schedule and Management Plan**

Armidale to South West Rocks

7th – 9th April 2022

Detail Bellbrook to Willawarrin

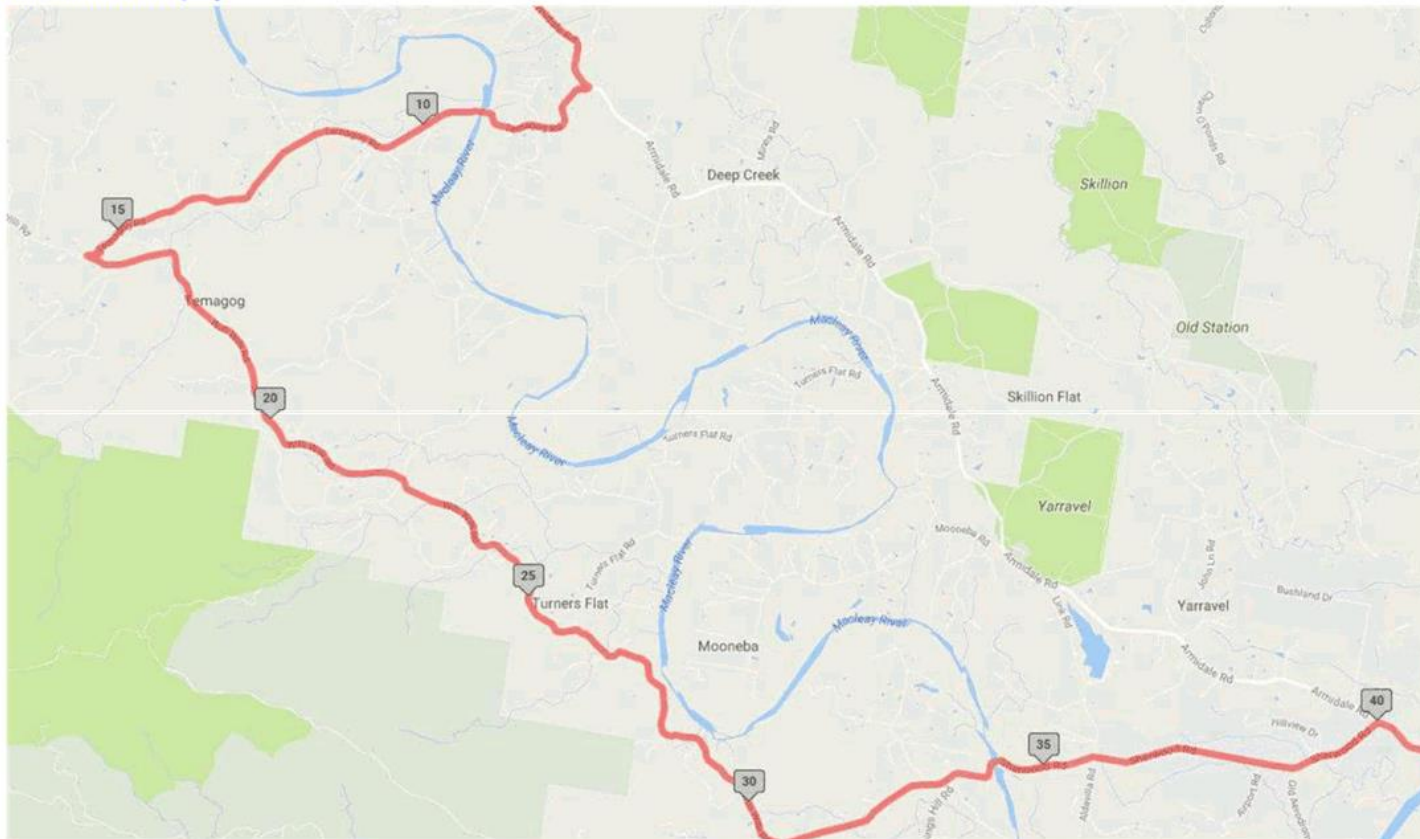


Attachment 1

2022 April Tour de Rocks Ride Management Plan A v16

**2022 Tour de Rocks Ride Schedule and Management Plan**

Armidale to South West Rocks

7th – 9th April 2022**Detail Willawarrin to Kempsey**

Special Event Transport Management Plan

1 EVENT DETAILS

1.1 Event summary

Event Name **Tour de Rocks – Charity Bike Ride**

Event Location: **Civic Park – Dangar Street, Armidale NSW to
Headland Park Area – Livingstone Street, South West Rocks NSW**

Event Dates: **Thursday 7th April to Saturday 9th April 2022 (Daily)**

Event Start Time: **06:00 am** Event Finish Time: **05:00 pm**

Event Setup Start: **05:00 am ...Event Packdown** Finish: **09:00 am (Armidale)**
 10:00 am ...Event Packdown Finish: **03:00 pm (South West Rocks)**

Event is ☒ off street ☒ on street - moving ☐ on street non-moving

1.2 Contact names

Event Organiser Tour de Rocks Ltd – Board
 Chairman – Kay Endres
 Mobile: . 0409 723 657
 E-mail: kay@netc.com.au

Police Armidale Police
 Phone: . 02 6771 0699 Fax:02 6771 0611

Council Armidale Regional Council – Belinda Ackling
 Phone: . 02 6770 3852 Fax:02 6772 9275
 E-mail: ... BAckling@armidale.nsw.gov.au

Council Kempsey Shire Council – Cliff Toms
 Phone: . 02 6566 3200
 E-mail: ksc@kempsey.nsw.gov.au

Roads and Traffic Authority (if class 1) Transport for NSW – Ryan Farrell
 Mobile: . 0476 802 987
 E-mail: regional.special.events@transport.nsw.gov.au

1.3 Detailed description of event (please attach any maps to back of application)

The 'Tour de Rocks' charity mountain bike ride is being staged over three consecutive days commencing at a public park (Civic Park) in Dangar Street, Armidale Thursday, 7th April 2022. Day 1 starts at 6am at Civic Park and ends at Georges Junction, 93.4 km East of Armidale at 5pm. Day 2 of the ride commences at Georges Junction at 8am and ends at Willawarrin showground, 78 km East of Georges Junction at approximately 5pm. The final day of the ride commences at Willawarrin showground at 6am and ends at a 2pm Headlands Park located at South West Rocks Headland adjacent to Livingstone Street. Distance 90km east of Willawarrin.

The event is a charity cycling event encompassing amateur cyclists.

The charity event will raise \$250,000 for researching a cure for cancer. The Tour de Rocks is an incorporated charitable organisation that distributes funds to both research and local cancer program providers.

General Outline

Approximately 500 cyclists will ride from Armidale to South West Rocks over a three-day period with support personnel. Each day's route provides specific challenges and hazards relative to distance, terrain, frequency of vehicular traffic, road surface. Below, the route has been divided up into each day and traffic management details are provided for each.

The Route**Day 1 - Thursday 7th April 2022 - Armidale to Georges Junction**

Cyclists will be travelling from Civic Park Dangar Street, Armidale left into Dumaresq Street, left into Marsh Street, continue onto Rockvale Road, right onto Chandler Road, right into Kilcoy Road, left onto Grafton Road (Waterfall Way), right onto Old Kempsey Road to Georges Junction – 93.4kms. The days riding will conclude at 5pm.

The initial 20km involves undulating sealed two-way road. Participants will ride in pelotons (approximate numbers 20 – 2 abreast) during this part of the ride. From Chandler Road to Georges Junction (75kms) will be a combination of sealed (approx. 20%) and Gravel (80%).

Signage will be erected during the week prior to the event.

Warning signage will be erected west of the Chandler School entrance of the Waterfall Way and east of the Old Kempsey Road entrance to the Waterfall Way warning traffic of riders entering and exiting Waterfall Way. Tour de Rocks personnel will manage the flow of cyclists at these intersections to assist riders enter and exit the Waterfall Way safely.

There will be an escort vehicle at the front and rear of the riding group. The escort vehicles will be fitted with warning flashing amber lights and signs as per the expectations of escort vehicles including a sign indicating "cyclists ahead." A minibus with trailer will travel well behind at a safe distance behind the rear escort vehicle to pick up individuals who may require pickup. The bus will park in a safe location off the road whilst the cyclists travel along the route. The bus will drive 5-10kms along the route at a time and park at the next location. The bus will NOT follow behind the rear escort vehicle or the last cyclist. This will enable it to travel at the road's designated speed for most of the route, minimising impacts on traffic. The Escort Vehicles and Bus will communicate via UHF or Satellite phone, as necessary. The bus will have a sign and flashing lights warning vehicles of cyclists ahead.

Three motorcyclists will patrol the riding group, to ensure there is no build-up of traffic behind riders, ensure rider safety, enforce riders are obeying traffic laws and function as first response to any incident.

Day 2 - Friday 8th April 2022 - Georges Junction to Willawarrin Show Grounds

Tour de rocks personnel will be placed at each intersection and gate. There are 7 gates along this route to control livestock.

Day 2 comprises a 78km ride from Georges Junction East on Old Kempsey Road to Willawarrin Show Ground. Departure at Georges Junction at 9am and arrive in Willawarrin at 5.00pm.

The initial 37.2km is along the Armidale Kempsey Road. At Bellbrook riders will turn right at Apex Park, cross the bridge, turning right onto Toose Road, at 3.5km from Bellbrook riders turn left onto Mackenzies Road, at 6.9km turn left onto Balls Road, at 14.0km riders turn left staying on Balls Road, at 16.4km riders turn left onto Watto Brook Road, at 27.1km riders turn left onto Toorooka Road, at 28.4km riders turn right remaining on Toorooka Road, at 29.4km riders turn right onto the Armidale Kempsey Road for the last 3km to Willawarrin.

The riders will travel 2 abreast on two-way roads (not exceeding 1.5m apart). There are no turns across oncoming traffic on this section of the route apart from crossing westbound traffic into the Willawarrin camping ground.

There will be an escort vehicle at the front and rear of the riding group. The escort vehicles will be fitted with warning flashing amber lights and signs as per the expectations of escort vehicles including a sign indicating cyclists ahead. A minibus with trailer will travel well behind at a safe distance behind the rear escort vehicle to pick up individuals who may require pickup. The bus will park in a safe location off the road whilst the cyclists travel along the route. The bus will drive 5-10kms along the route at a time and park at the next location. The bus will NOT follow behind the rear escort vehicle or the last cyclist. This will enable it to travel at the road's designated speed for most of the route, minimising impacts on traffic. The Escort Vehicles and Bus will communicate via UHF, or Satellite phone, always. The bus will have a sign and flashing lights warning vehicles cyclists ahead. Three motorcyclists will patrol the riding group, to ensure there is no build-up of traffic behind riders, ensure rider safety, enforce riders are obeying traffic laws and function as first response to any incident.

Day 3 - Saturday 9th April 2022 - Willawarrin to South West Rocks

The route for 2022 has remained as per 2017 – 19 to use quieter roads into Kempsey. Tour de Rocks Personnel will be placed on each major intersection to ensure all cyclist travel in the correct direction.

Day 3 comprises an 85km ride from Willawarrin to South West Rocks via Willi Willi Road, Sherwood Road, Dungog Creek Road and South Kempsey. Departure at Willawarrin at 7am and arrive in South West Rocks approximately 1:00pm. The entire route is a combination of two way sealed/unsealed roads. Day 3 involves travelling through Kempsey crossing the Macleay River, (with the new Pacific Highway Bypass now in use); the risk to riders progressing through this area of the ride is significantly decreased

At the 7.1km mark along the Armidale Kempsey Road, turn right onto Temagong Road. At 15.6km turn left onto Willi Willi Road, at 25.7km head straight onto Sherwood Road, at 30.6km turn left onto Dungog Creek Road, at 39.8km turn right onto Armidale Kempsey Road.

At 47km from Willawarrin each cyclist will turn right from Elbow Street onto Tozer Street via a roundabout and will meet at for rest break and refreshments. Riverside Park on Verge Street. Riders will be grouped in riding enclosures of no more than 20 riders. These groups will be spaced 5 minutes apart travelling from Kempsey to the destination at Headlands Park, South West Rocks. The groups will ride from Riverside Park along Verge St passing under the Pacific Hwy right into York Lane then left on Forth Avenue, then left onto Macleay Valley Way, cross the Macleay River, then turning left onto Rudder Street, right onto Bissett Street, left into Washington Street and onto South West Rocks Road. The riders will ride in single file of groups of no more than 20 riders.

There will be an escort vehicle at the front and rear of the riding group. The escort vehicles will be fitted with warning flashing amber lights and signs as per the expectations of escort vehicles including a sign indicating cyclists ahead. A minibus with trailer will travel well behind at a safe distance behind the rear escort vehicle to pick up individuals who may require pickup. The bus will park in a safe location off the road whilst the cyclists travel along the route. The bus will drive 5-10kms along the route at a time and park at the next location. The bus will NOT follow behind the rear escort vehicle or the last cyclist. This will enable it to travel at the road's designated speed for most of the route, minimising impacts on traffic. The Escort Vehicles and Bus will always communicate via UHF or Satellite phone. The bus will have a sign and flashing lights warning vehicles cyclists ahead. Three motorcyclists will patrol the riding group, to ensure there is no build-up of traffic behind riders, ensure rider safety, enforce riders are obeying traffic laws and function as first response to any incident.

Refer to Appendix 1 – Event Maps.

Attachment 2 – 2022 April Tour de Rocks Ride Management Plan v16

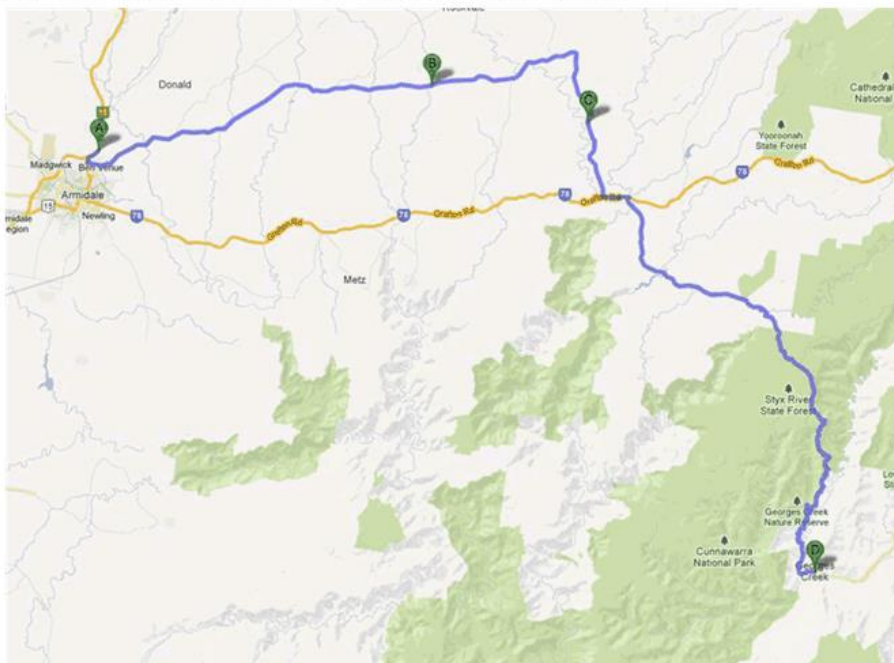
<div>2</div> <div>CLASS 1</div> <div>CLASS 2</div> <div>CLASS 3</div>	Risk Management - Traffic	
	2.1 Occupational Health & Safety - Traffic Control	
	<input checked="" type="checkbox"/>	Risk assessment plan – Refer to Appendix 2 – Route Survey and Appendix 5 – Volunteers and Event Personnel
	2.2 Public Liability Insurance	
	<input checked="" type="checkbox"/>	Public liability insurance arranged. Refer to Attachment 1 – Insurance Policies
	2.3 Police	
	<input checked="" type="checkbox"/>	Police written approval attached. <u>Letter sent to the Armidale Police – referred to Belinda Ackling: Armidale Regional Council.</u>
	2.4 Fire Brigades and Ambulance	
	<input checked="" type="checkbox"/>	Fire brigades notified 02 6771 5076
	<input checked="" type="checkbox"/>	Ambulance notified 02 6771 1710
<div>3</div> <div>CLASS 1</div> <div>CLASS 2</div> <div>CLASS 3</div>	TRAFFIC AND TRANSPORT MANAGEMENT	
	3.1 The route or location	
	<input checked="" type="checkbox"/>	Map attached – Refer to Appendix 1 – Event Maps
	3.2 Parking	
	<input type="checkbox"/>	Parking organised - details attached.
	<input checked="" type="checkbox"/>	Parking not required.
	3.3 Construction, traffic calming and traffic generating developments	
	<input type="checkbox"/>	Plans to minimise impact of construction activities, traffic calming devices or traffic-generating developments attached
	<input checked="" type="checkbox"/>	There are no construction activities, traffic calming devices or traffic-generating developments at the location/route or on the detour routes
	3.4 Trusts and Authorities	
	<input type="checkbox"/>	This event uses a facility managed by a Trust or Authority; written approval attached
	<input checked="" type="checkbox"/>	This event does not use a facility managed by a trust or Authority
	3.5 Public transport	
	<input type="checkbox"/>	Public transport plans created - details attached
	<input checked="" type="checkbox"/>	Public transport not required
	3.6 Reopening roads after moving events	
<input checked="" type="checkbox"/>	This is a moving event - details attached.	
<input type="checkbox"/>	This is a non-moving event.	
3.7 Traffic management requirements unique to this event		
<input type="checkbox"/>	Description of unique traffic management requirements attached	
<input checked="" type="checkbox"/>	There are no unique traffic requirements for this event	
3.8 Contingency plans		
<input checked="" type="checkbox"/>	Contingency plans - Refer to Appendix 3 – Contingency Plans	

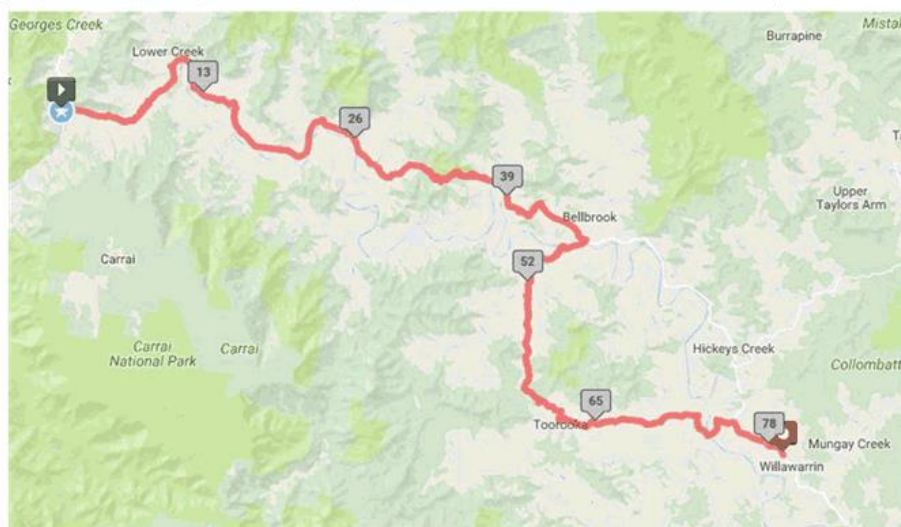
Class 1	3.9 Heavy vehicle alternate routes
	<input type="checkbox"/> Alternative routes for heavy vehicles required - RTA to arrange
	<input checked="" type="checkbox"/> Alternative routes for heavy vehicles not required
	3.10 Special event clearways
	<input type="checkbox"/> Special event clearways required - RTA to arrange
	<input checked="" type="checkbox"/> Special event clearways not required
4	MINIMISING IMPACT ON NON-EVENT COMMUNITY & EMERGENCY SERVICES
Class 1	4.1 Access for local residents, businesses, hospitals and emergency vehicles
	<input type="checkbox"/> Plans to minimise impact on non-event community attached
	<input checked="" type="checkbox"/> This event does not impact the non-event community either on the main route (or location) or detour routes
	4.2 Advertise traffic management arrangements
	<input type="checkbox"/> Road closures -advertising medium and copy of proposed advertisements attached
	<input type="checkbox"/> No road closures but special event clearways in place - advertising medium and copy of proposed advertisements attached
	<input checked="" type="checkbox"/> No road closures or special event clearways - advertising not required
	4.3 Special event warning signs
	<input checked="" type="checkbox"/> Special event information signs - Refer to Appendix 4 – Event Signage
	<input type="checkbox"/> This event does not require special event warning signs
	4.4 Permanent Variable Message Signs
	<input type="checkbox"/> Messages, locations, and times attached
	<input checked="" type="checkbox"/> This event does not use permanent Variable Message Signs
	4.5 Portable Variable Message Signs
	<input type="checkbox"/> The proposed messages and locations for portable VMS are attached
	<input checked="" type="checkbox"/> This event does not use portable VMS

5 APPROVAL

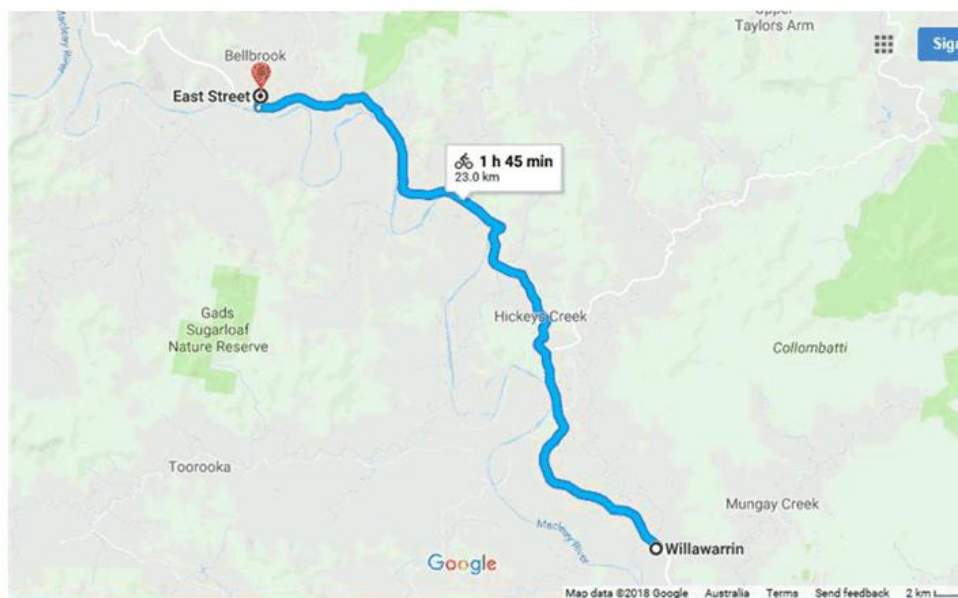
Your application needs to be provided to Council 4 weeks prior to the Local Traffic Committee meeting which is held 1st Tuesday of each month, with Council endorsement occurring 3rd Wednesday of each month.

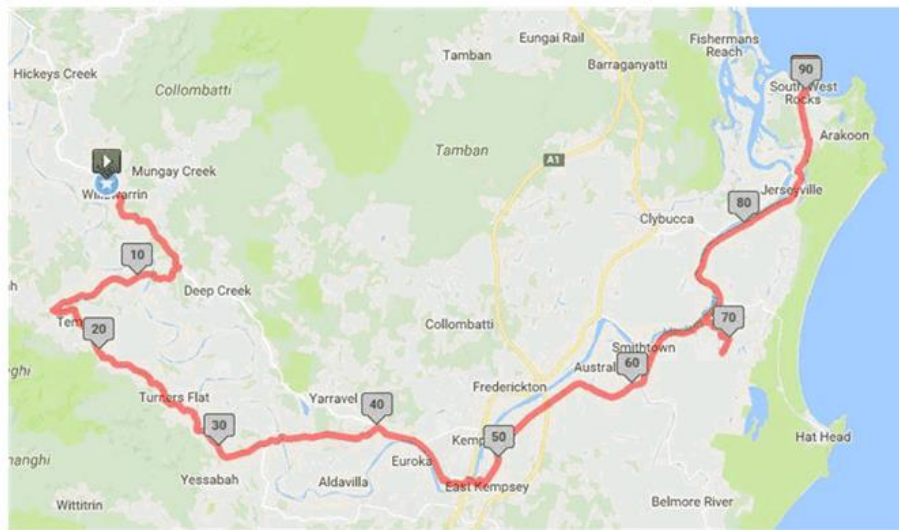
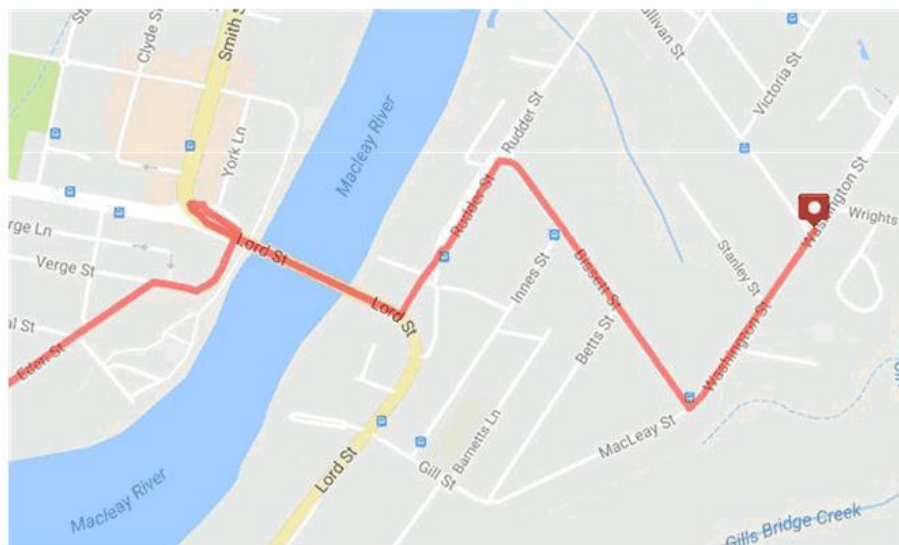
Privacy and Personal Information Protection Notice (S.10 PPIPA Act 1998)
Your information will be stored and used by Armidale Dumaresq Council, 135 Rusden St, Armidale 2350
Purpose of Collection: Traffic Management for a Special Event
Intended Recipients of your information: Traffic Advisory Committee
You have the right to access and amend your personal information by contacting the Public Officer at the address above.
Your personal information is required: By law
Consequences if you do not supply your information:

APPENDIX 1 – EVENT MAPS**Day 1 - Thursday 7th April 2022 - Armidale to Georges Junction**

Day 2 - Friday 8th April 2022 - Georges Junction to Willawarrin Show Grounds

NOTE: - If there is rain preceding Day 2 or rain on day 2 and it is found that the low-level crossings between Bellbrook and Willawarrin are not safe to cross then the original route from Bellbrook to Willawarrin via Armidale Road will be used. This route was used from 2010 to 2016 without any major incidents. This route is all weather and tar sealed.



Day 3 - Saturday 9th April 2022 - Willawarrin to South West Rocks**Day 3 – Route through Kempsey**

APPENDIX 2 – ROUTE SURVEY

Tour de Rocks have undertaken a physical survey of the route and the results / comments / actions are outlined below.

Item	Verified	Action Taken
All one-way streets are described	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>	• Xxx.
Block access to Church on Sunday	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>	• The event runs from Thursday to Saturday.
Block access to local business	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>	• All stops scheduled for low population areas.
Block Ambulance / Fire Access	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>	•
Block Heavy Vehicle Access	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>	•
Block Hospital Access	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>	•
Block Local Resident	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>	•
Block Police Vehicle Access	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>	•
Block Public Facility (oval, etc.)	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>	•
Block Public Transport Access	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>	•
Can route use alternatives such as bike tracks, paths, parks, bush tracks, etc.	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>	• Route developed to exclude Pacific Highway use. Timings of ride to avoid major vehicular traffic.
Conflict with local construction	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>	•
Distance measured is correct	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>	• As per google maps (254 kms total).

Item	Verified	Action Taken
Lane widths and numbers checked to ensure safety of participants and public	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>	• Route driven multiple times; photographic survey undertaken of layby areas for pulling over
Restricted Turns / Movements Checked	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>	•
Road Signage / Restrictions Checked	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>	•
Route Impeded by Traffic Calming Devices?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>	•
Signalised Intersections Checked for event requirements / restrictions	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>	•
Tidal Flows Relevant		•
Traffic Generators such as shopping centres, schools, etc. are checked and notifications given	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>	•

APPENDIX 3 – CONTINGENCY PLANS

Tour de Rocks have continued to build the safety committee comprising of experienced cyclists and Police Officers who have a background in Ambulatory Care, Medical, Workplace Health and Safety, Emergency Management and Rescue. This committee will convene if, and when, any risks are identified as outlined below.

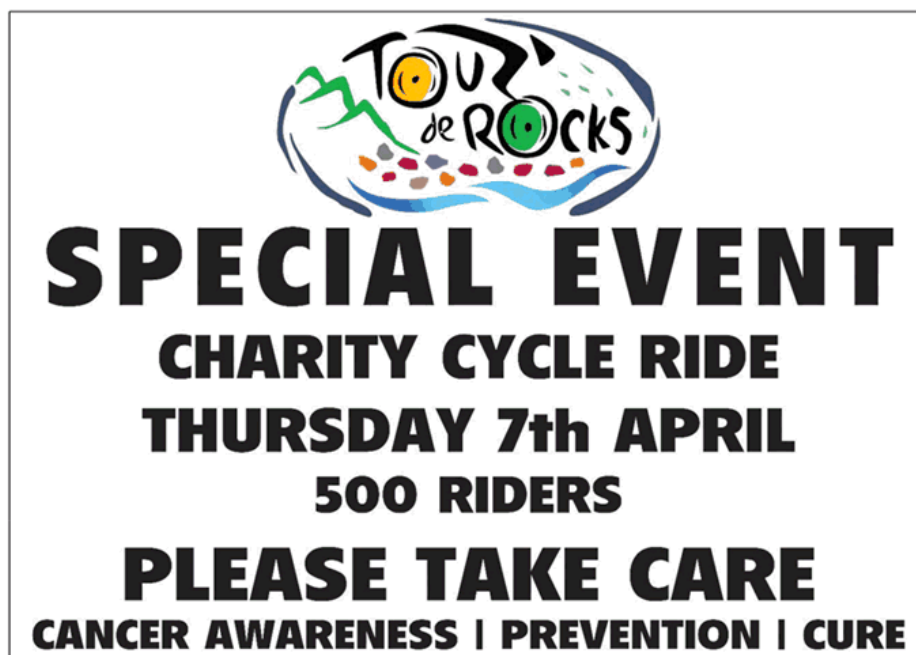
Issues / Risks	Applicable	Action Taken
Heavy/Bad Weather	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	<ul style="list-style-type: none"> • Monitor up to 10 minutes. • After 20 minutes pull to roadside, put on wet weather riding gear, find man made shelter if possible. • Communicate with all groups via UHF and motorcycle marshals. • Marshall all together at lead group location if possible. • Motorcyclists used to convey messages and ensure compliance. • Monitor at hourly intervals for 3 hours. • At each hour, a decision to wait or abandon the day's ride is made. • Safety Coordinator – check list to be completed each day prior rider's departure.
Poor Lighting	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	<ul style="list-style-type: none"> • If event occurs delaying the ride. Each hour Event Coordinator will make decision if the final rider will finish in poor light. If so, uplift all riders to overnight camp. • No rider will finish in dark or poor light. • No rider will continue to ride after 5pm cut off.
Bush fire Hazard	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	<ul style="list-style-type: none"> • The first objective of this contingency plan is to AVOID bush fire. • Safety Committee, Safety Coordinator and Event Organiser to review current fire activity leading up to and during event via information at website each evening before next day's ride and morning of ride - http://www.rfs.nsw.gov.au/dsp_content.cfm?cat_id=683 - Safety committee, Safety Coordinator (committee) and Event Organiser to cancel ride if Fire Danger Rating is Severe, Extreme or Catastrophic to area of ride. • Ensure one UHF is held by each escort vehicle. • If smoke/fire observed on route by support / riders report immediately to Communications Manager via UHF who will contact RFS via Satellite phone to ascertain risk. • If advice received from RFS is to halt ride, Event Supervisor is to organise IMMEDIATELY to uplift all riders to location to be decided by RFS, Police and Event Organiser- All support vehicles / bus to IMMEDIATELY proceed to rolling enclosures as directed by Event Supervisor / Comms Manager. • Leave bikes on roadside. &, evacuate all riders in vehicles in direction recommended by RFS. • All event participants to be accounted for using roll calls for each rolling enclosure. • Locate nearest safe area for extraction by road, helicopter and notify Comms manager via UHF. • In prestart meeting each morning, these steps to be outlined to all riders / support vehicles.

Issues / Risks	Applicable	Action Taken
Accident on route	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	<ul style="list-style-type: none"> Contact emergency services. GP doctors available to treat injured persons. St John Ambulance notified and attend. Cones and high vis clothing available in each escort vehicle for temp traffic control until emergency services arrive.
Breakdown on route	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	<ul style="list-style-type: none"> Contact local towing company. If escort vehicle, support car will be fitted out to take place as new escort vehicle.
Absence of Marshal/Volunteer	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	<ul style="list-style-type: none"> In the event of an absent marshal/volunteer, a team leader will assign either themselves or one of their riders to assume the position until the position can be filled by another Tour de Rocks personnel.
Absence of Event Signage	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	<ul style="list-style-type: none"> Additional escort vehicle signage to be carried in support vehicle in the event sign is damaged, falls from vehicle and is lost.
Blockage to Public Transport	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
Slow Participants	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	<ul style="list-style-type: none"> Minibus with trailer will follow last group. Bus will not follow directly behind last group but will park off road where safe and move at the speed limit to with close proximity of final rolling enclosure in a bunny hopping movement for route's duration. Experienced group leader will identify weak participants and provide encouragement and indicate to Safety Coordinator that pickup will be required if necessary. Rider not at designated location outlined by Safety Committee by requested time will be conveyed by bus to next designated location.
Cancellation of Event	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	<ul style="list-style-type: none"> If event cancelled during the ride for reasons such as bushfire risk, extreme weather, or other reason - <ul style="list-style-type: none"> uplift participant to next overnight camp location or return to Armidale in bus and support vehicles. Bikes remain with at least two persons until trailers can pick up all bikes. Catering team will establish tent and provide food and water for those participants waiting for uplift.
Delayed Event	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
Security of Participants	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
Security of VIP's	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
Bridge Crossing Problems	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	

APPENDIX 4 – EVENT SIGNAGE

Tour de Rocks will advertise the Charity Ride via local media and signage will be displayed with the heading "Major Event" the week prior to the ride on the roads used. The purpose of the signage is to advise road users of the dates, timings, and rider numbers.

An example of the signage is indicated below



APPENDIX 5 – VOLUNTEERS AND EVENT PERSONNEL

Tour de Rocks have identified the following volunteer and event personnel roles and assigned the duties outlined below.

Volunteer Roles	Duties
Escort vehicle drivers	<ul style="list-style-type: none"> Adhere to Traffic Management Plan. Ensure safety of cyclists. Minimise impact on other road users. Provide updates on road conditions, weather, cyclist conditions. In the event of traffic build up, clear roadway, pulling to shoulder keeping cyclists between escort vehicles.
Safety Coordinator	<ul style="list-style-type: none"> Be available on UHF, mobile and satellite phone 24 hrs per day, during riding hours. Receive information from Escort vehicle drivers and pass on to all rolling enclosures if significant. In the event of an emergency, contact relevant emergency services, event organiser. (To have list of all Emergency Service contact details for entire route). Have knowledge of contingency plan and roles.
Safety Committee	<ul style="list-style-type: none"> Be available on UHF. Receive information from participants – forward to Safety Coordinator. Have knowledge of contingency plan and roles. In the event of an emergency, ensure contact is made with relevant emergency services, Safety Coordinator and Event coordinator.
Doctors – St John Ambulance Volunteers	<ul style="list-style-type: none"> Always retain communication with Safety Coordinator during ride (possess UHF). Provide first aid and advice to event organiser in the event of injury. Supply medical goods and defibrillator.
Caterers	<ul style="list-style-type: none"> Provide clean and safe delivery of food and drinks (morning tea, lunch & dinners). Timely delivery of food and drinks.
Camp setup / equipment support vehicle drivers	<ul style="list-style-type: none"> Provide support to event organiser to arrange erecting tents, cleaning, packing up. Support vehicles NOT to be used as escort vehicles.

APPENDIX 6 – ADMINISTRATION, LOGISTICS AND COMMUNICATIONS

Tour de Rocks have identified the following Duties and Responsibilities.

DUTY	RESPONSIBILITY	CONTACT NAME	CONTACT NO.
Event Organiser	To manage the event	Tour de Rocks Ltd Board - Kay Endres	0409 723 657
Police		Armidale LAC Sgt Alex Weissel	02 6771 0699 02 9265 4720
RMS		Danial Wills	02 6604 9332
Media Liaison		Kay Endres	0409 723 657
Insurance		Kay Endres	0409 723 657
Safety Committee	To manage safety and risks prior to and during cycling event.	David Boundy Theron King Glen Townsend Satellite phone	0409 325 238 0427 682 057 0422 224 888 0147 167 452

ATTACHMENT 1 – INSURANCE POLICIES**JUA Underwriting Agency Pty Limited**ACN 004 566 465
ABN 70 004 566 465
AFSL 235411PO BOX Q1205 Queen Victoria Building, NSW 1230
Telephone (02) 8272 4800 Facsimile (02) 9247 2411 Free Call 1800 252 263

October 18, 2021

ARTHUR J. GALLAGHER - BEENLEIGH
PO BOX 404
BEENLEIGH QLD 4207

Policy No: 211080825

SUMMARY of CURRENCY

THIS IS TO CERTIFY that in accordance with the authorisation granted under contract to the undersigned by certain Underwriters whose name and the proportions underwritten by them are listed below and who are bound each for his own part and not for one another, their Heirs, Executors and Administrators, to insure in accordance with the terms and conditions contained in the Policy and Policy Certificate or any subsequent Renewal Certificate or Endorsement Certificate.

<u>Insured</u>	TOUR DE ROCK PTY LTD
<u>ABN</u>	50 157 824 014
<u>Period Insured</u>	From 23 Oct 2021 to 23 Oct 2022 From Start Date until 4pm on the End Date
<u>Cover</u>	General Liability

It is declared that the above numbered policy is current to the date shown unless cancelled subsequent to the issue of this certificate.

Yours faithfully,

Sally Stanley (via email)
Liability Underwriter



JUA Underwriting Agency Pty Limited

ACN 004 566 465
ABN 70 004 566 465
AFSL 235411PO BOX Q1205 Queen Victoria Building, NSW 1230
Telephone (02) 8272 4800 Facsimile (02) 9247 2411 Free Call 1800 252 263

October 18, 2021

ARTHUR J. GALLAGHER - BEENLEIGH
PO BOX 404
BEENLEIGH QLD 4207

Policy No: 211080825

TO WHOM IT MAY CONCERN

CERTIFICATE OF CURRENCY
EFFECTED THROUGH JUA UNDERWRITING AGENCY PTY LIMITED
(hereinafter called the Coverholder)

THIS CERTIFICATE OF INSURANCE confirms that in return for payment of the Premium shown in Schedule, Certain Underwriters at Lloyd's have agreed to insure you, in accordance with the wording attached to this Certificate.

You or your representative can obtain further details of the syndicate numbers and the proportions of this insurance for which each of the Underwriters at Lloyd's is liable by requesting them from the Coverholder shown above. The subscribing insurers' obligations under contract of insurance to which they subscribe are several and not joint and are limited solely to the extent of their individual subscriptions. The subscribing insurers are not responsible for the subscription of any co-subscribing insurers who for any reason does not satisfy all or part of its obligations.

In accepting this insurance, the Underwriters have relied on the information and statements that you have provided on the Proposal Form (or Declaration) the date of which is stated in the Schedule. You should read this Certificate carefully and if it is not correct contact the Coverholder. It is an important document and you should keep it in a safe place with all other papers relating to this insurance.

SCHEDULE

Agreement Number	B042411INT06182 Sec 2
Policy Number	211080825
Period of Insurance	From 23 Oct 2021 to 23 Oct 2022 From Start Date until 4pm on the End Date
Insured ABN	TOUR DE ROCK PTY LTD 50 157 824 014
Address	ARMIDALE NSW 2350
Class of Business	General Liability
Underwriters	CERTAIN UNDERWRITERS AT LLOYD'S 100.00%
Occupation	ANNUAL FUNDRAISING EVENTS & BICYCLE RIDE 23/10/2021
Sum Insured	General Liability \$20,000,000
	TOTAL SUM INSURED \$20,000,000

Page 2 of 2

ATTACHMENT 2 – 2022 APRIL TOUR DE ROCKS RIDE MANAGEMENT PLAN v16

Schedule 1 - Notice of Intention to Hold a Public Assembly

SUMMARY OFFENCES ACT 1988 - Sec 23

To the Commissioner of Police

1	<p>I Kay Endres (name) of PO Box 837, Armidale NSW 2350 (address) on behalf of Tour de Rocks Limited (organisation) notify the Commissioner of Police that on the 7th of April, 2022, it is intended to hold</p> <p><i>either:</i></p> <p>(a) a public assembly, not being a procession, of approximately (number) persons, which will assemble at (Place) at approximately am/pm, and disperse at approximately am/pm.</p> <p>or</p> <p>(b) a public assembly, being a gathering of approximately 500 persons, who will assemble at approximately 6:00 am, and at approximately 7:30 am the ride will commence and shall proceed in accordance with the Event Execution Plans, Maps and Schedules (refer to Appendix 1) <i>(Specify route, any stopping places and the approximate duration of any stop, and the approximate time of termination. A diagram may be attached.)</i></p>
2	<p>The purpose of the proposed assembly is for the commencement of the Tour de Rocks Charity Mountain Bike Ride. The 'Tour de Rocks' charity mountain bike ride is staged over three consecutive days commencing at a public park (Civic Park) in Dangar Street, Armidale Thursday, 7th April 2022. Day 1 starts at 6am at Civic Park and ends at Georges Junction, 93.4 km East of Armidale at 5pm. Day 2 of the ride commences at Georges Junction at 8am and ends at Willawarrin Showground, 78 km East of Georges Junction at approximately 5pm. The final day of the ride commences at Willawarrin Showground at 6am and ends at approximately 2pm Headlands Park located at South West Rocks Headland adjacent to Livingstone Street. Distance 90km east of Willawarrin. The event is a charity cycling event encompassing amateur cyclists.</p>

3	<p>The following special characteristics associated with the assembly would be useful for the Commissioner of Police to be aware of in regulating the flow of traffic or in regulating the assembly (<i>strike out whichever is not applicable</i>):</p> <p>(I) There will be ... (number) of vehicles and/or (number) of floats involved. The type and dimensions are as follows: </p> <p>(II) There will be ... (number) of bands, musicians, entertainers, etc. which will entertain or address the assembly.</p> <p>(III) The following number and type of animals will be involved in the assembly: </p> <p>(IV) Other special characteristics of the proposed assembly are as follows: There will be an escort vehicle at the front and rear of the riding group. The escort vehicles will be fitted with warning flashing amber lights and signs as per the expectations of escort vehicles including a sign indicating "Cyclists Ahead." A minibus with trailer will travel well behind at a safe distance the rear escort vehicle to pick up individuals who may require pickup. The bus will park in a safe location off the road whilst the cyclists travel along the route.</p>
4	I take responsibility for organising and conducting the proposed assembly.
5	<p>Notices for the purposes of the <i>Summary Offences Act 1988</i> may be served upon me at the following address:</p> <p>PO Box 837</p> <p>Armidale, NSW 2350</p> <p>Telephone No. 0409 723 657</p>
6	<p>Signed</p> <p>Capacity/Title . Chairman – Tour de Rocks Limited</p> <p>Date</p>

APPENDIX 1 – EVENT EXECUTION PLANS, MAPS and SCHEDULES**General Outline**

Approximately 500 cyclists will ride from Armidale to South West Rocks over a three-day period with support personnel. Each day's route provides specific challenges and hazards relative to distance, terrain, frequency of vehicular traffic, road surface. Below, the route has been divided up into each day and traffic management details are provided for each.

The Route**Day 1: Thursday 7th April 2022 - Armidale to Georges Junction**

Cyclists will be travelling from Civic Park Dangar Street, Armidale left into Dumaresq Street, left into Marsh Street, continue onto Rockvale Road, right onto Chandler Road, right into Kilcoy Road, left onto Grafton Road (Waterfall Way), right onto Old Kempsey Road to Georges Junction – 93.4kms. The days riding will conclude at 5pm.

The initial 20km involves undulating sealed two-way road. Participants will ride in pelotons (approximate numbers 20 – 2 abreast) during this part of the ride. From Chandler Road to Georges Junction (75kms) will be a combination of sealed (approx. 20%) and gravel (80%) roads.

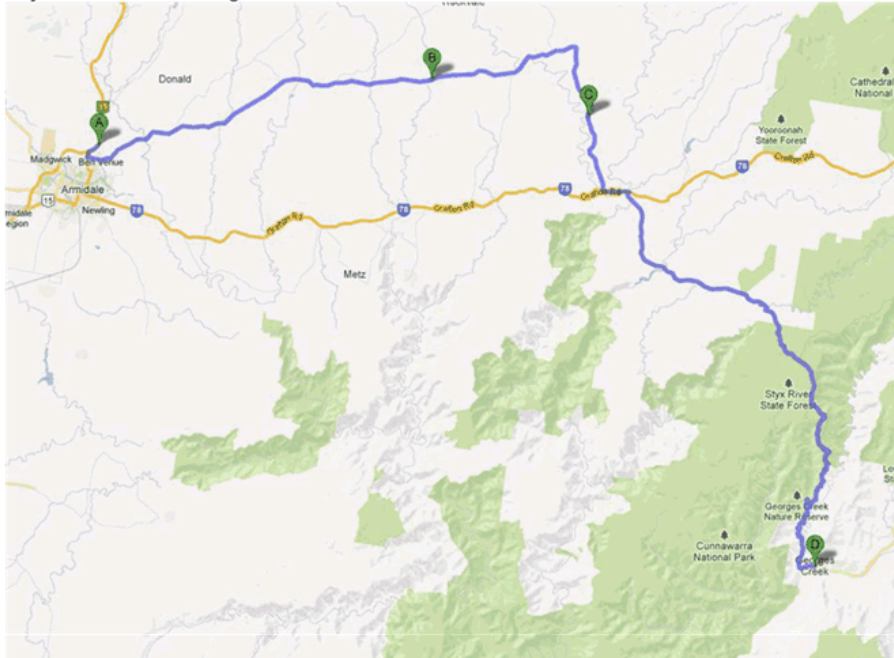
Signage headed will be erected during the week prior to the event.

Warning signage will be erected west of the Chandler School entrance of the Waterfall Way and east of the Old Kempsey Road entrance to the Waterfall Way warning traffic of riders entering and exiting Waterfall Way. Tour de Rocks personnel will manage the flow of cyclists at these intersections to assist riders enter and exit the Waterfall Way safely.

There will be an escort vehicle at the front and rear of the riding group. The escort vehicles will be fitted with warning flashing amber lights and signs as per the expectations of escort vehicles including a sign indicating "Cyclists Ahead." A minibus with trailer will travel well behind at a safe distance behind the rear escort vehicle to pick up individuals who may require pickup. The bus will park in a safe location off the road whilst the cyclists travel along the route. The bus will drive 5-10 kms along the route at a time and park at the next location. The bus will NOT follow behind the rear escort vehicle or the last cyclist. This will enable it to travel at the road's designated speed for most of the route, minimising impacts on traffic. The Escort Vehicles and Bus will communicate via UHF or Satellite phone, as necessary. The bus will have a sign and flashing lights warning vehicles of cyclists ahead.

Three motorcyclists will patrol the riding group, to ensure there is no build-up of traffic behind riders, ensure rider safety, enforce riders are obeying traffic laws and act as first response to any incident.

Day 1 - Armidale – Georges Junction



Day 2: Friday 8th April 2022 - Georges Junction to Willawarrin Show Grounds

Tour de Rocks personnel will be placed at each intersection and gate. There are 7 gates along this route to control livestock.

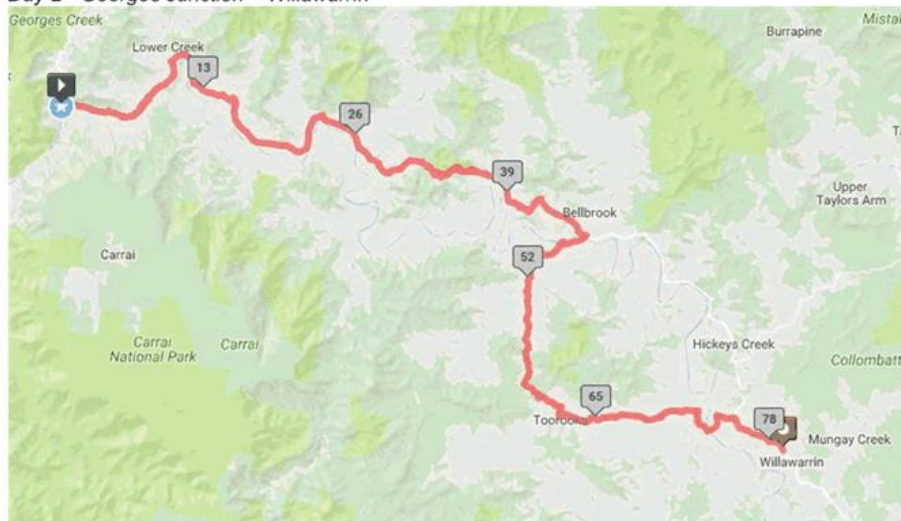
Day 2 comprises a 78km ride from Georges Junction East on Old Kempsey Road to Willawarrin Show Ground. Departure at Georges Junction at 9am and arrive in Willawarrin at 5.00pm.

The initial 37.2km is along the Armidale Kempsey Road. At Bellbrook riders will turn right at Apex Park, cross the bridge, turning right onto Toose Road, at 3.5km from Bellbrook riders turn left onto Mackenzies Road, at 6.9km turn left onto Balls Road, at 14.0km riders turn left staying on Balls Road, at 16.4km riders turn left onto Watto Brook Road, at 27.1km riders turn left onto Toorooka Road, at 28.4km riders turn right remaining on Toorooka Road, at 29.4km riders turn right onto the Armidale Kempsey Road for the last 3km to Willawarrin.

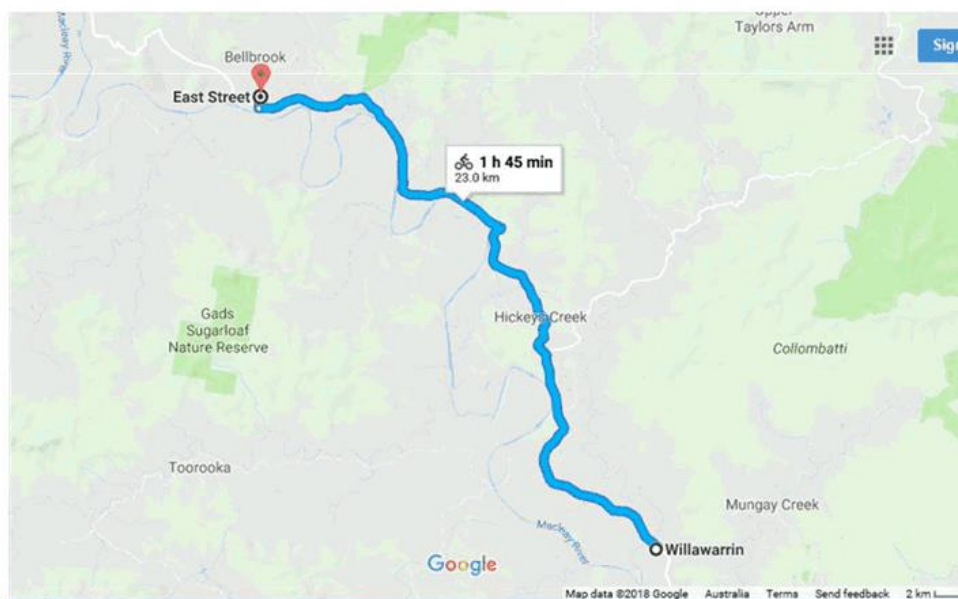
The riders will travel 2 abreast on two-way roads (not exceeding 1.5m apart). There are no turns across oncoming traffic on this section of the route apart from crossing westbound traffic into the Willawarrin camping ground.

There will be an escort vehicle at the front and rear of the riding group. The escort vehicles will be fitted with warning flashing amber lights and signs as per the expectations of escort vehicles including a sign indicating cyclists ahead. A minibus with trailer will travel well behind at a safe distance behind the rear escort vehicle to pick up individuals who may require pickup. The bus will park in a safe location off the road whilst the cyclists travel along the route. The bus will drive 5-10kms along the route at a time and park at the next location. The bus will NOT follow behind the rear escort vehicle or the last cyclist. This will enable it to travel at the road's designated speed for most of the route, minimizing impacts on traffic. The Escort Vehicles and Bus will communicate via UHF, or Satellite phone, always. The bus will have a sign and flashing lights warning vehicles cyclists ahead. Three motorcyclists will patrol the riding group, to ensure there is no build-up of traffic behind riders, ensure rider safety, enforce riders are obeying traffic laws and function as first response to any incident.

Day 2 - Georges Junction – Willawarrin



NOTE: - If there is rain preceding Day 2 or rain on day 2 and it is found that the low-level crossings between Bellbrook and Willawarrin are not safe to cross then the original route from Bellbrook to Willawarrin via Armidale Road will be used. This route was used from 2010 to 2016 without any major incidents. This route is all weather and tar sealed.



Day 3: Saturday 9th April 2022 - Willawarrin to South West Rocks

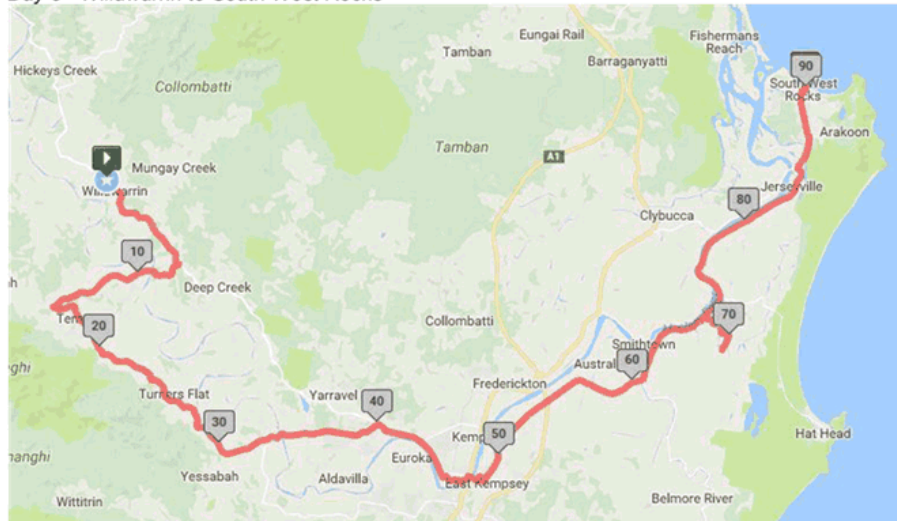
The route for 2022 has remained as per 2019- 2018 - 2017 to use quieter roads into Kempsey. Tour de Rocks Personnel will be placed on each major intersection to ensure all cyclist travel in the correct direction.

Day 3 comprises an 85km ride from Willawarrin to South West Rocks via Willi Willi Road, Sherwood Road, Dungog Creek Road and South Kempsey. Departure at Willawarrin at 7am and arrive in South West Rocks approximately 1:00pm. The entire route is a combination of two way sealed/unsealed roads. Day 3 involves travelling through Kempsey crossing the Macleay River, (with the new Pacific Highway Bypass now in use); the risk to riders progressing through this area of the ride is significantly decreased

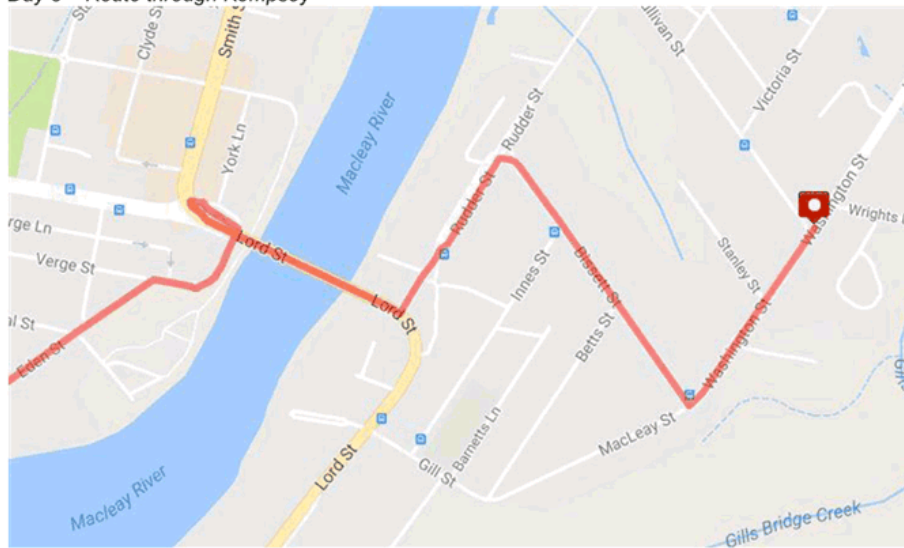
At the 7.1km mark along the Armidale Kempsey Road, turn right onto Temagong Road. At 15.6km turn left onto Willi Willi Road, at 25.7km head straight onto Sherwood Road, at 30.6km turn left onto Dungog Creek Road, at 39.8km turn right onto Armidale Kempsey Road.

At 47km from Willawarrin each cyclist will turn right from Elbow Street onto Tozer Street via a roundabout and will meet at for rest break and refreshments. Riverside Park on Verge Street. Riders will be grouped in riding enclosures of no more than 20 riders. These groups will be spaced 5 minutes apart travelling from Kempsey to the final destination at Headlands Park, South West Rocks. The groups will ride from Riverside Park along Verge St passing under the Pacific Hwy right into York Lane then left on Forth Avenue, then left onto Macleay Valley Way, cross the Macleay River, then turning left onto Rudder Street, right onto Bissett Street, left into Washington Street and onto South West Rocks Road. The riders will ride in single file of groups of no more than 20 riders.

There will be an escort vehicle at the front and rear of the riding group. The escort vehicles will be fitted with warning flashing amber lights and signs as per the expectations of escort vehicles including a sign indicating cyclists ahead. A minibus with trailer will travel well behind at a safe distance behind the rear escort vehicle to pick up individuals who may require pickup. The bus will park in a safe location off the road whilst the cyclists travel along the route. The bus will drive 5-10kms along the route at a time and park at the next location. The bus will NOT follow behind the rear escort vehicle or the last cyclist. This will enable it to travel at the road's designated speed for most of the route, minimizing impacts on traffic. The Escort Vehicles and Bus will always communicate via UHF or Satellite phone. The bus will have a sign and flashing lights warning vehicles cyclists ahead. Three motorcyclists will patrol the riding group, to ensure there is no build-up of traffic behind riders, ensure rider safety, enforce riders are obeying traffic laws and function as first response to any incident.

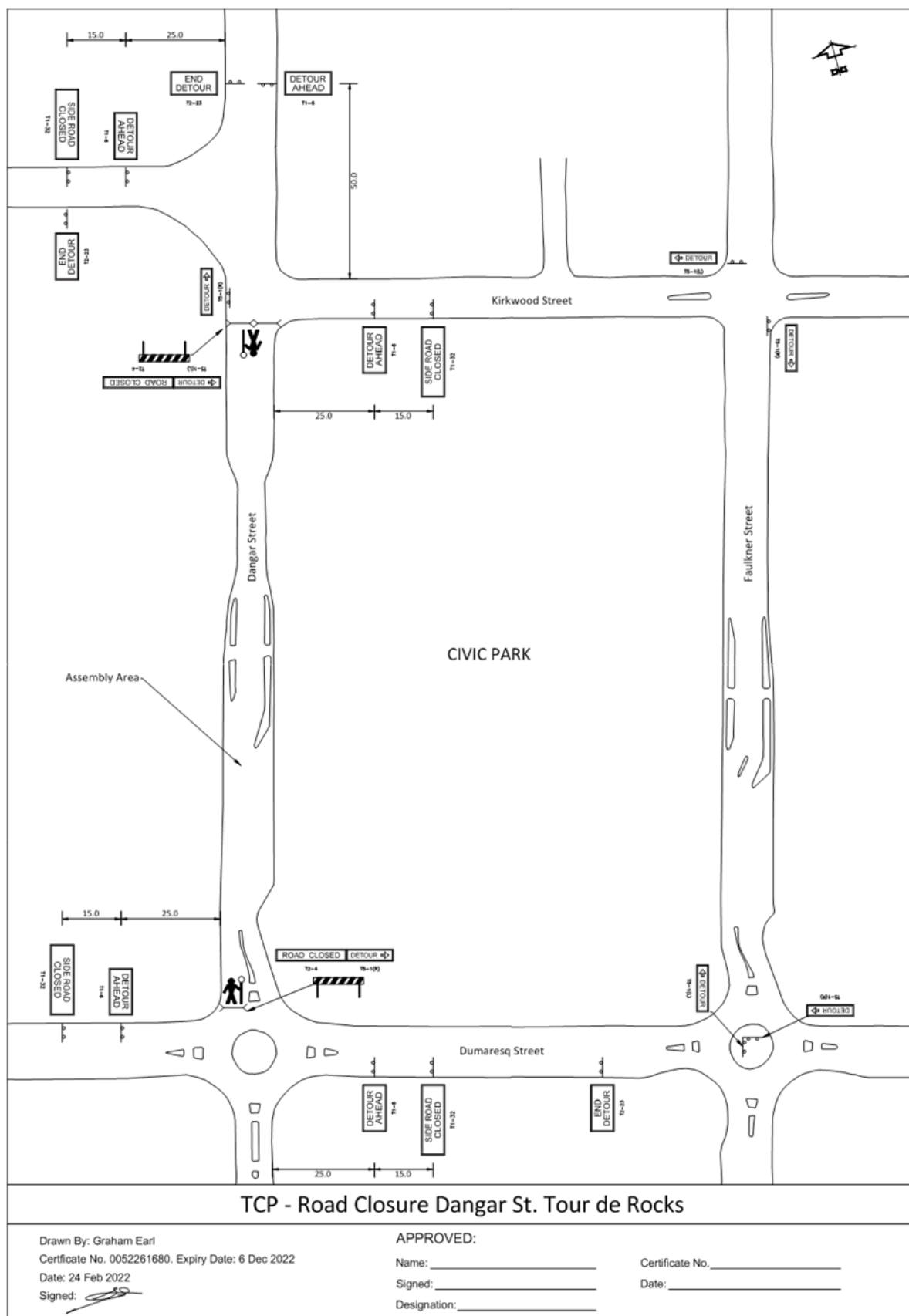
Day 3 - Willawarrin to South West Rocks

Day 3 – Route through Kempsey



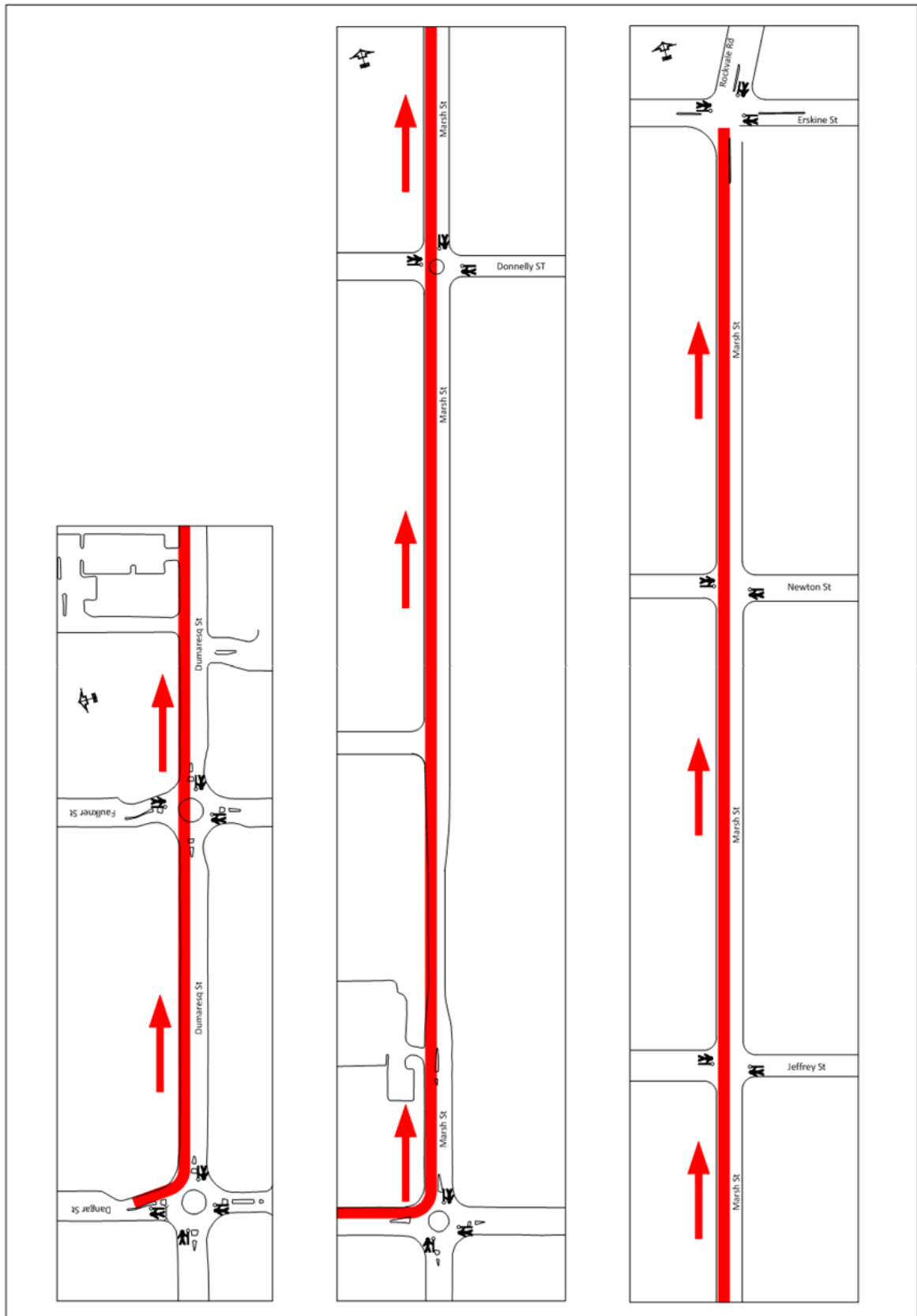
Attachment 4

Plan - Tour De Rocks TCP



Attachment 4

Plan - Tour De Rocks TCP



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Item:	5.4	Ref: AINT/2022/07569
Title:	Special Event Transport Management Plan for the Big Chill 2022	
	Container: ARC16/0168-7	
Author:	Belinda Ackling, Personal Assistant	
Attachments:	1. Special Event Transport Management Plan -Big Chill 2022 2. Notice of Intention to Hold a Public - traffic management for a special event	

1. Purpose

The purpose of this report is to seek approval to close Faulkner Street between Kirkwood and Dumaresq Street during the Big Chill Festival 2022.

2. OFFICERS' RECOMMENDATION:

- a) That Council endorse the road closure required for the 3 weekends of events for Faulkner Street between Kirkwood and Dumaresq Street during the Big Chill Festival from 12am Saturday 15 May until 10pm Sunday 16, Thursday 12th – Sunday 15th and Thursday 19th – Sunday 22nd May 2022
- b) That Council endorse a temporary no parking zone to be used for 2 x designated Disability parking spots and a Drop off/ Collection Zone for Taxis and patrons in Dumaresq Street between Faulkner and Danger Street on Saturday 14th and Sunday 15th May.

3. Background

The Big Chill Beer & BBQ Festival was due to be held in June 2020. The aim of the event was to help kick-start the social and economic recovery of the community after the bushfires, using a grant from the NSW Bushfire Resilience and Economic Recovery Fund. The event was cancelled due to COVID-19 and did not occur in 2020. With COVID-19 restrictions lifted, the event occurred in May 2021.

This event was so successful it was decided to continue with the event with a few changes to keep it fresh.

4. Discussion

Entry to the Festival has been placed on Faulkner Street, opposite Curtis Park, so as not to encroach on activity around Dumaresq Street and the Ex-Services Club on Dangar Street. For pedestrian safety given alcohol is being served at the event, the Events & Tourism department of Council have decided that it would be preferable for Faulkner Street to be closed for the duration of the event.

Security on the gate will need to check patron identification, tickets and bags (for alcohol), as this is a licenced, ticketed, 18+ event only, with only one entry and exit for COVID-19 compliance. There is a potential for queues to form at the gate on Faulkner Street with this activity.

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5. Implications

5.1. Strategic and Policy Implications

The Big Chill Beer & BBQ Festival falls in line with the CSP in regard to economic and social stimulus. The event will draw people from neighbouring towns and villages, as well as acting as a tourist drawcard for travellers and competitors.

CPS: G3.1 Tourism strategy to attract visitors to stay and enhance the economic and cultural offerings and attractions of the region.

5.2. Risk

- There is minimal risk in closing Faulkner Street between Kirkwood and Dumaresq Streets, as there are no residential access points through this part of the road, and minimal impact will occur for general traffic with Dangar and Marsh Streets still open.
- This is also not a main road and does not carry public transport routes.

5.3. Sustainability

- Closure of Faulkner Street for the event is proposed to be temporary and for the purpose of holding the event only.

5.4. Financial

Budget Area:	Tourism & Events						
Funding Source:	Regional Events Acceleration Fund						
Budget Ref: (PN)	Description	Approved Budget	Actual	Committed	Proposed	Total Forecast Expenditure	Remaining Budget
210713.1.1140.333.2476	Ice Rink Big Chill Festival	\$147,500 This event allocation only	\$0	\$0	\$147,500	\$147,500	\$0

6. Consultation and Communication

No community consultation is required to close Faulkner Street between Kirkwood and Dumaresq Streets, and efforts will be made to advertise the road closure through Councils normal media outlets and road closure notifications.

7. Conclusion

The closure and temporary parking restrictions for Faulkner Street between Kirkwood and Dumaresq Streets to run the Big Chill events, will ensure pedestrian access to the event is safe. Impact on surrounding residential areas and traffic will be minimal, due the location of the closure, and fact that other major roads will not be impacted.

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Special Event Transport Management Plan

1 EVENT DETAILS

1.1 Event summary

Event Name: The Big Chill

Event Location: Civic Park /Curtis Park

Event Date: **6-22 May**.....Event Start Time: 10am Event Finish Time: 9pm

Event Setup Start Time: 7amEvent Pack down Finish Time: 9pm

Event is ☒ off street ☐ on street – moving ☐ on street non-moving

1.2 Contact names

Event Organiser Armidale Regional Council (Laura Purkiss)

Phone: 6770 381 Fax: Mobile: 0467 946 475

E-mail: events@armidale.nsw.gov.au .

Event Management Company (if applicable) NA.....

Phone: Fax: Mobile:..... E-mail:

Police Colin Bird

Phone: 02 6771 0699 Fax: Mobile:.....
..... E-mail:

Council Armidale Regional Council

Phone: 02 6770 3800 Fax: 02 6772 9275 .Mobile:E-mail:
council@armidale.nsw.gov.au.....

Roads & Traffic Authority (if Class 1).....

Phone: Fax: Mobile:..... E-mail:

**Note: The Event Organiser is the person or organisation who is the employer and in whose name the Public Liability Insurance is taken out.*



1.3 Brief description of the event (one paragraph)

The Big Chill Festival is a Festival running over the weekend of 14-15 May 2022. Council Events & Tourism Team will fence off Civic Park for the event, and licence the whole area so that craft breweries, wineries and distilleries can serve alcohol. There will also be food and trade stall vans and live music for the weekend, including a headline act for Saturday night. We are also hosting an Ice Skating rink in Curtis Park for 16 days for the Armidale community and surroundings to enjoy.

This event is designed to provide a platform to showcase local produce and draw tourists, outside trade and competitors from all over NSW and QLD. This will help stimulate the Armidale economy over the weekend.

Council have endorsed the event, and Civic and Curtis Park has been booked through the Parks and Facilities Team.

2 RISK MANAGEMENT - TRAFFIC

CLASS 1 CLASS 2 CLASS 3	2.1	Occupational Health & Safety - Traffic Control
	<input type="checkbox"/>	Risk assessment plan (or plans) attached.
	2.2	Public Liability Insurance
	<input checked="" type="checkbox"/>	Public liability insurance attached.
	2.3	Police
	<input checked="" type="checkbox"/>	Police written approval attached Liaising with Colin Bird at Armidale Police Station
	2.4	Fire Brigades and Ambulance
	<input checked="" type="checkbox"/>	Fire brigades notified 02 6771 5076
	<input checked="" type="checkbox"/>	Ambulance notified 02 6771 1710

3 TRAFFIC AND TRANSPORT MANAGEMENT

CLASS 1 CLASS 2 CLASS 3	3.1	The route or location
	<input checked="" type="checkbox"/>	Map attached
	3.2	Parking
	<input type="checkbox"/>	Parking organised
	<input checked="" type="checkbox"/>	Parking not required
	3.3	Construction, traffic calming and traffic generating developments
	<input type="checkbox"/>	Plans to minimise impact of construction activities, traffic calming devices or traffic-generating developments attached
	<input checked="" type="checkbox"/>	There are no construction activities, traffic calming devices or traffic-generating developments at the location/route or on the detour routes
	3.4	Trusts and Authorities
	<input checked="" type="checkbox"/>	This event uses a facility managed by a Trust or Authority; written approval attached
	<input type="checkbox"/>	This event does not use a facility managed by a trust or Authority
	3.5	Public transport
	<input type="checkbox"/>	Public transport plans created
	<input checked="" type="checkbox"/>	Public transport not required

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SPECIAL EVENT TRAFFIC MANAGEMENT PLAN



CLASS 1		3.6 Reopening roads after moving events
		<input type="checkbox"/> This is a moving event - details attached.
		<input checked="" type="checkbox"/> This is a non-moving event.
		3.7 Traffic management requirements unique to this event
		<input type="checkbox"/> Description of unique traffic management requirements attached
		<input checked="" type="checkbox"/> There are no unique traffic requirements for this event
		3.8 Contingency plans
		<input type="checkbox"/> Contingency plans attached
		3.9 Heavy vehicle alternate routes
		<input type="checkbox"/> Alternative routes for heavy vehicles required – contact RMS
	<input type="checkbox"/> Alternative routes for heavy vehicles not required	
	3.10 Special event clearways	
	<input type="checkbox"/> Special event clearways required – contact RMS	
	<input type="checkbox"/> Special event clearways not required	
4 MINIMISING IMPACT ON NON-EVENT COMMUNITY & EMERGENCY SERVICES		
CLASS 1	CLASS 3	4.1 Access for local residents, businesses, hospitals and emergency vehicles
		<input type="checkbox"/> Plans to minimise impact on non-event community attached
		<input checked="" type="checkbox"/> This event does not impact the non-event community either on the main route (or location) or detour routes
		4.2 Advertise traffic management arrangements
		<input checked="" type="checkbox"/> Road closures
		<input type="checkbox"/> No road closures but special event clearways in place - advertising medium and copy of proposed advertisements attached
		<input type="checkbox"/> No road closures or special event clearways - advertising not required
		4.3 Special event warning signs
		<input type="checkbox"/> Special event information signs are described in the Traffic Control Plan/s
		<input checked="" type="checkbox"/> This event does not require special event warning signs
	4.4 Permanent Variable Message Signs	
	<input type="checkbox"/> Messages, locations and times attached	
	<input type="checkbox"/> This event does not use permanent Variable Message Signs	
	4.5 Portable Variable Message Signs	
	<input type="checkbox"/> The proposed messages and locations for portable VMS are attached	
	<input type="checkbox"/> This event does not use portable VMS	

5 APPROVAL

PAGE 3

SPECIAL EVENT TRAFFIC MANAGEMENT PLAN



Approved by Event Organiser Laura Purkiss

Date:22/2/2022



Road Closure Required on 3 separate weekends in May, 1. Sunday 8th only 2. Thursday 12th – Sunday 15th 3. Thursday 19th – Sunday 22nd on Faulkner Street between Kirkwood and Dumaresq Street.

Road Closure needed from 6am on the starting date through till midnight on the last date.

We also propose to Make the Civic Park side of Dumaresq Street (between Faulkner and Danger Marked in green line) a no parking zone and make it Drop off/ Collection Zone for Taxis and 2 x designated Disability parking spots on Saturday 14th and Sunday 15th May




Schedule 1 - Notice of Intention to Hold a Public Assembly

SUMMARY OFFENCES ACT 1988 - Sec 23

To the Commissioner of Police

1	<p>I Laura Purkiss (name) of 135 Rusden Street, Armidale , NSW 2350.....(address) on behalf of Armidale Regional Council (organisation) notify the Commissioner of Police that On the 6th – 22nd..... (day) of .May..... (month), .2022..... (year), it is intended to hold (a) a public assembly, being a procession of approximately 5000 persons, Which will assemble at Civic and Curtis from approximately 10 am and at will commence at approximately 9pm (Specify route, any stopping places and the approximate duration of any stop; and the approximate time of termination. A diagram may be attached.)</p>
2	<p>The purpose of the proposed assembly is for the Big Chill Festival and Ice Rink. Big Chill to be held on the 14th and 15th May in Civic Park and the Ice Rink from 6th-22nd May In Curtis Park.</p>

3	<p>The following special characteristics associated with the assembly would be useful for the Commissioner of Police to be aware of in regulating the flow of traffic or in regulating the assembly (<i>strike out whichever is not applicable</i>):</p> <p>(I) There will be (number) of vehicles and/or..... (number) of floats involved.</p> <p>The type and dimensions are as follows:</p> <p>Only stationary trades vans and food trucks will be used in civic park, an ice skating rink will be placed in Curtis Park</p> <p>(II) There will be ...10.... (number) of bands, musicians, entertainers, etc. which will entertain or address the assembly.</p> <p>(III) The following number and type of animals will be involved in the assembly: There may be a couple of horses ridden by the Light Horse soldiers.</p> <p>NA</p> <p>(IV) Other special characteristics of the proposed assembly are as follows:</p>
4	<p>I take responsibility for organising and conducting the proposed assembly.</p>
5	<p>Notices for the purposes of the <i>Summary Offences Act 1988</i> may be served upon me at the following address:</p> <p>135 Rusden Street.....</p> <p>Armidale</p> <p>.....NSW.....2350..... Postcode.</p> <p>Telephone No. 02 6770 3815</p>
6	<p style="text-align: center;"></p> <p>Signed</p> <p>Capacity/Title President RSL Guyra sub-Branch</p> <p>Date 21 February 2022</p>



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Item:	6.1	Ref: AINT/2022/07657
Title:	Pedestrian safety Butler Street between Rusden Street and Barney Street.	Container: ARC16/0168-7
Author:	Belinda Ackling, Personal Assistant	
Attachments:	1. Pedestrian safety Butler St 2. Plan - Butler St, Barney to Rusden. Existing Parking Layout.	

1. Purpose

To consider the concern for Pedestrian Safety for Butler Street between Rusden Street and Barney Street.

2. OFFICERS' RECOMMENDATION:

That Council acknowledge the request but decline the request to install a pedestrian crossing at this time, until after further investigation can occur through the Active Transport Plan.

3. Background

Council has received the occasional concern for pedestrians crossing Butler Street between Rusden Street and Barney Street. The Hospital is located on the western side of Barney and the general store, and other medical facilities on the eastern side in Rusden Street. There is no history of pedestrian and vehicle accidents.

4. Discussion

Council has investigated this area on a number of occasions. Parking is the prime concern/complaint in this area, installing a pedestrian crossing will remove 6 parking spaces on each side. The installation of a pedestrian crossing is very difficult with the layout of driveways.

A pedestrian Crossing would not make the warrant as set out by TfNSW, while this street is used continuously throughout the day by visitors and hospital staff, there is no history of pedestrian and vehicle accidents.

Council has applied for funding to do an Active Transport Plan which will include the Hospital precinct, further investigation will occur as to providing safe walking corridors within those investigations.

5. Implications

5.1. Strategic and Policy Implications

- E4.1 - Maintain safe and effective traffic facilities on the road network, through appropriate resourcing, including applying for a Special Rate Variation to maintain and renew roads and bridges to expected service levels.
- E3.1 - Partner with all levels of government to support the provision of essential infrastructure and improvements to Council assets for the benefit of the region
- E4-4- Develop a network of footpaths, cycleways and cycle routes to encourage sustainable and active transport options

5.2. Risk

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- There is always risk when pedestrians cross a road.
- There is a financial risk, if installation of a pedestrian crossing is not inline with the Active Transport framework

5.3. Sustainability

- The installation of a pedestrian crossing would provide any sustainability benefit if it does not sit within the Active Transport framework.

5.4. Financial

Budget Area:							
Funding Source:							
Budget Ref: (PN)	Description	Approved Budget	Actual	Committed	Proposed	Total Forecast Expenditure	Remaining Budget
nil	nil	nil	nil	nil	nil	nil	nil

6. Consultation and Communication

Council received the attached complaint and as discussed will further look at the concern when consultation occurs during the investigations as part of the Active Transport Plan which is expected to take place in the 22/23 financial year.

7. Conclusion

That the committee decline the request to install a pedestrian crossing at this time, until after further investigation can occur through the Active Transport Plan.

Attachment 1

Pedestrian safety Butler St

From: [Tracey Griffin](#)
To: [Council](#)
Subject: Pedestrian safety
Date: Monday, 7 February 2022 7:40:52 PM

Dear councillors,

I would like to draw your attention to safety issues for pedestrians crossing Butler Street between Rusden Street and Barney Street.

Over many months I have witnessed countless near misses involving pedestrians trying to cross the road on Butler Street close to the hospital. There is currently no pedestrian crossing available. Many of the people I have observed are elderly and slow to cross. Others have compromised vision and wearing eye patches and are trying to make their way to or from the Ophthalmology Surgery located on the corner of Butler Street and West Avenue.

Another contributing factor to the issue is that West Avenue has been signposted as a one way street with no permitted access to drive in a westerly direction. I have observed a number of drivers ignoring the one way sign and exiting onto Butler Street from West Avenue and sometimes almost hitting pedestrians. Last week I saw a driver reversing from West Avenue onto Butler Street and narrowly missed colliding with me.

Could council consider a pedestrian crossing on Butler Street. In addition more prominent one way and no entry signage on West Avenue for drivers heading west. I am concerned there may be a fatality without safer measures in place than are currently available.

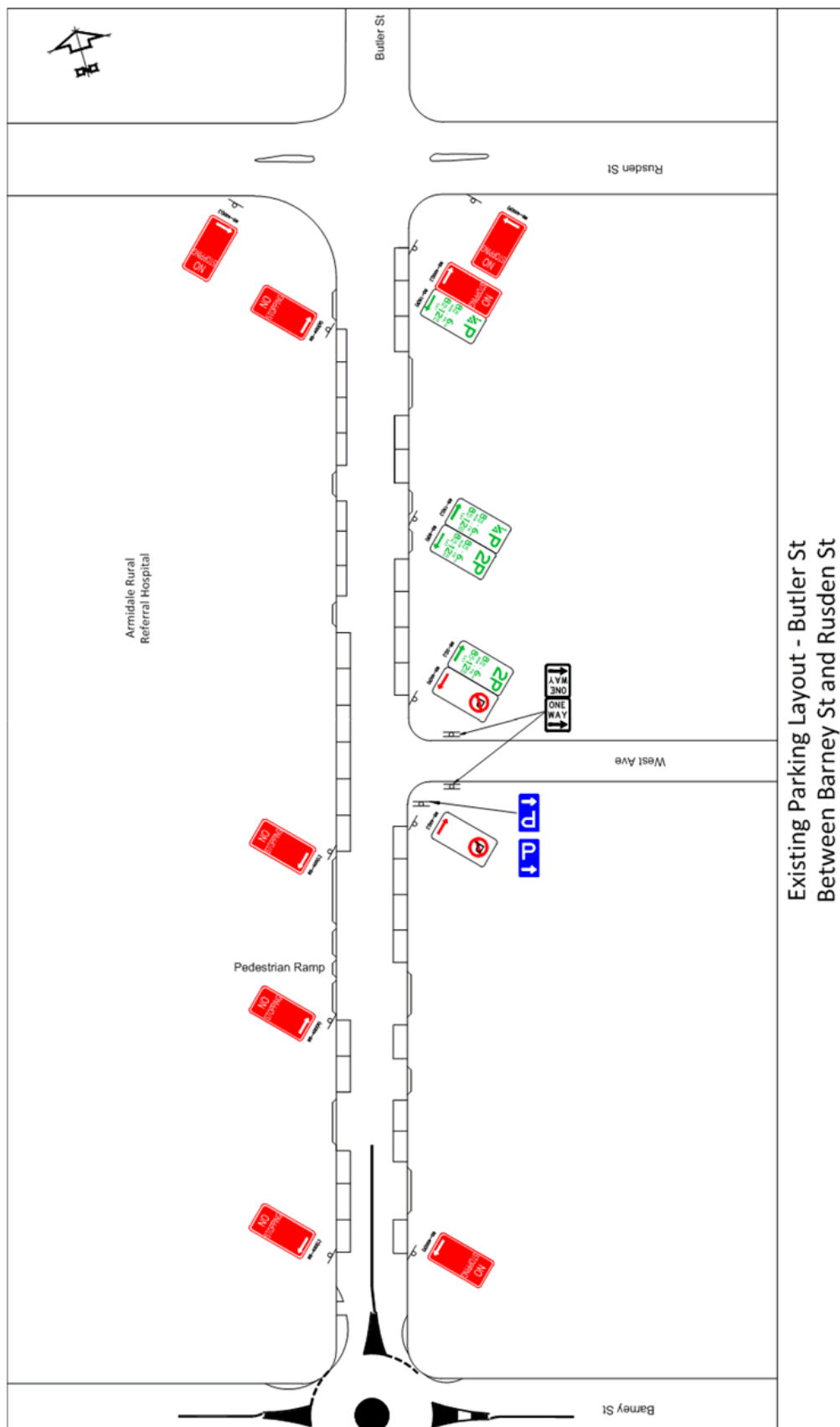
Thank you for your consideration of this matter.

Regards

Tracey Griffin

Attachment 2

Plan - Butler St, Barney to Rusden. Existing Parking Layout.



Existing Parking Layout - Butler St
Between Barney St and Rusden St

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Item:	7.1	Ref: AINT/2022/06632
Title:	Tree Removal Program on Uralla Road and Black Mountains Road	
	Container: ARC16/0168-7	
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Attachments:	Nil	

1. Purpose

The purpose of this report is to note the partial closure of Uralla Road to undertake tree removal works opposite NEGS. The report also aims to provide information about tree removal works on Black Mountains Road.

2. OFFICERS' RECOMMENDATION:

That Council

- Note the temporary partial closure of Uralla Road from 21 until 23 February 2022 from 7am to 6pm to enable the removal of high risk street trees.
- be aware of the tree removal work which is scheduled to commence on 19 April 2022

3. Background

For many years, Council has been aware of the deteriorating condition of the Silver poplar trees on Uralla Road near NEGS as well as the ones on the Black Mountains Road. In 2008 (20 October Council meeting) Council resolved to remove the high risk Poplars on Black Mountains Road, whereas, Poplars on Uralla Road will be removed and replaced with Liquidambar trees.

These trees were found to have significant internal fungal decay and have now reached a point where they need to be removed to eliminate the risk to motorists and property.

The removal and replacement of street trees is addressed within the Urban Streetscape Policy POL120. Council is responsible for the management of vegetation outside the shoulder of state road reserves.

4. Discussion

Council's Parks staff conducted a level 1 assessment of all the urban trees in August last year. Following the assessment, Council drafted a list of trees that were further inspected using the level 2 Quantified Tree Risk Assessment methodology. A number of trees were identified as posing an unacceptable risk to people and property.

Work will commence on 21st February 2022 to remove the Silver Poplar trees on Uralla Road and work on Black Mountains Road to commence on 19th April 2022.

5. Implications

5.1. Strategic and Policy Implications

Applicable links with the current CSP:

Environment E1.4 Protect and enhance the natural environment to promote and support biodiversity

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Infrastructure E3:4 Provide and maintain functional. Appropriate, safe and desirable community facilities

There are no policy implications as the work is consisted with Council's adopted Urban Streetscape Policy POL120. The continual renewal of Armidale's street and park trees is required to maintain a healthy Urban Forest. Council parks staff replant more trees than is generally removed to maintain a steady increase in the urban forest.

5.2. Risk

A range of heavy machinery is required onsite during the process of removing and chipping the trees. A temporary partial closure of Uralla Road to both traffic and pedestrians will eliminate the risk of pedestrian and vehicular traffic clashes and provide sufficient space to undertake the work.

Given that these trees have been assessed as posing an unacceptable risk to life and property, if they are not removed then Council risks a significant and unacceptable public liability going forward.

Over expenditure of the budget in order to address all the trees that require removal.

5.3. Sustainability

The sustainable management of the urban forest requires that trees that become a risk to life and property are removed and replaced.

5.4. Financial

Budget Area:	Roads and Parks						
Funding Source:	Internal Urban Forest operational budget						
Budget Ref: (PN)	Description	Approved Budget	Actual	Committed	Proposed	Total Forecast Expenditure	Remaining Budget
240510	Urban Forest	\$306,577	178,487	179,183	\$30,000	\$306,577	\$98,090

The existing Urban Forest budget may be able to accommodate the cost of the removal of these trees. Current expenditure is currently \$25,898 less than expected at this point in the FY. If not, we may need to look at the extra cost being subsidised by other area of the Parks' budget.

6. Consultation and Communication

Information about road closure will be communicated via Council's website as well as social media platforms 2 weeks in advance. A Councillor briefing note has been provided outlining the high risk tree removal program and identifying the trees to be removed. Letters have been sent to residents and businesses providing at least two weeks' notice where works will take place, advising of the nature and timing of the work.

7. Conclusion

It is essential that Council remove trees assessed as posing an unacceptable risk to life and property. Traffic Advisory Committee is recommended to approve this road closure request. The road closure will be managed by the staff in accordance with the TCP.