



ATTACHMENTS

Ordinary Council Meeting

Tuesday, 16 November 2021

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Euston Progressive Advisory Committee

Monday 27th September 2021

Opening Meeting at 6.15pm

Acknowledgement of Country

Present: Guy Feilding, Jan Windmill, Rusty Roberts, Santina Zappia, Geoff Windmill, Louie Zaffina, Ray Davey

Apologies: Gray Woodhead, Glen Stewart

Minutes of Previous Meeting for July meeting (no meeting was held in August due to lock down)

Moved by, Jan Windmill 2nd Rusty Roberts, Carried

Matters Arising:

Drinking fountains are still in progress.

Soap dispensers still ongoing.

Ray working on completing the top ups for speed humps on Bertram Rd and Taylor Rd.

Tapaulin Mail Road has been graded.

Thai still chasing up addresses on curbs and rubbish bins at the Euston Sport and Recreation Club Rooms.

Entrance Signs and Master plan still in discussions.

Truck brake noise approaching into town - need signs

Netball-multipurpose courts, need to be finalized.

Ray to send a proposal of a copy of the playground.

Next council meeting held in Euston is schedule to be held in March 2022, Ray will revise meeting dates for next year.

Our committee are very disappointed with council as we still have not received any written correspondence as requested from any Recommendation's made to council from any of our meetings and also there has not been any progress on the Euston Master Plan.

Agenda Items: Nil**Committee Priorities Listing of works:**

The list has been submitted. Council will now look at the list in terms of funding. Once an item has been achieved, other items will move up the list.

1. Taylor Rd & Bertram Rd Calming: **\$120,000**
2. **(Equal second) Addresses and Street Numbers fixed: Completed**
3. **(Equal second) Kilpatrick Rd Upgrade: In discussion**
4. Foot paths: **\$30,000**
5. Water Treatment: **In discussion**
6. Regent Parrots Project: **In Progress**
7. Prungle Rd-Benanee Rd, Tapalin Mail Rd: **Waiting on funding**
8. Shire Office Present in Euston: **Being addressed**
9. Tourist Signage coming into Euston: **\$100,000**
10. Netball-Basketball Courts: **Under consideration \$40,000**
11. Euston State Forest Eco Trail-walking track: **\$50,000**
12. More services in Euston: **Being addressed**
13. Tourism Projects-Story board, walking track: **Being addressed**
14. VCAL education: **Being addressed**
15. Eucalyptus oil factory-placement: **Being addressed**

Correspondence:

Email from Carol on behalf of Oliver McNulty departure

Claire Butler from National Recovery and Resilience Agency

Items without notice:

Jan: Nothing has been done at 37 Perry St, after council had sent letter.

Geoff: Euston Sport & Recreation Club Rooms need a defibrillator, Ray to look into it.

Rusty: Insulation in club rooms needs to be installed – Ray to look into it.

Santina: Our Priority No: 8, Shire Office Present in Euston. There will be a vacant shop front in Murray Terrace, owned by Steve Leslie, that maybe vacant would be a great location for this office.

Also, can the waft at Medley Park be made more accessible for houseboats to use?

Louie: Can council repair nature strip where truck tires have sunk into when emptying skip bins?

Has council got other zoned land for development?

Recommendations to Council:

*** Council to attend to insulation to club rooms.**

*** Conversion of the netball court to a covered Multipurpose court facility, to be made a priority.**

*** Council to consider leasing soon to be vacant shop front in Murray Terrace as to provide a council presence in Euston including Service NSW.**

Next Meeting: 25th October

Meeting Closed at 7.35pm

Euston Progressive Advisory Committee

Monday 25/10/21

Opening Meeting at 6.05pm

Acknowledgement of Country

Present: Mike Colreavy, Glen Wilcox, Guy Fielding, Jan Windmill, Rusty Roberts, Geoff Windmill, Santina Zappia, Ray Davey

Apologies: Louie Zaffina, Gray Woodhead, Glen Stewart

Minutes of Previous Meeting:

Moved Geoff Windmill, 2nd Jan Windmill, Carried

Matters Arising:

Guy welcomed Glen, Mike & Ray to the meeting.

: Santina to send minutes of the meetings to Carol

: Drink Fountains have arrived, need to be installed

: Soap dispenser's & numbers on curbs – Thai still looking into it

: Tapaulin Mail Road has been graded

: Truck brake noise signs – Ray to look into it

: Council meeting in Euston will be in March 2022

: Ray still to send a copy of the proposed playground

: 37 Perry St issue to be referred to Ray Mitchell

: Defibrillator for Euston Sport & Recreation Club Rooms, Rusty to see if he can get a grant from footy club.

Committee Priorities Listing of works:

The list has been submitted. Council will now look at the list in terms of funding. Once an item has been achieved, other items will move up the list.

1. Taylor Rd & Bertram Rd Calming....\$120,000, Completed
2. (equal second) Addresses and Street Numbers fixed....Completed
3. Kilpatrick Rd Upgrade.... In discussion, up for tender
4. Foot paths.... \$30,000, first round completed. Next round to be sorted.
5. Water Treatment....In discussion on different ways for upgrade, needs funding
6. Regent Parrots Project....In Progress
7. Prungle Rd-Benanee Rd, Tapalin Mail Rd....parts Waiting on funding, some parts have been done.
8. Shire Office Present in Euston....Being addressed and still in discussion.
9. Tourist Signage coming into Euston.... \$100,000, in discussion. This money was to be spent by 31st May 2021, as stated in our December 2020 meeting.
10. Netball-Basket Ball Courts....Under consideration \$40,000, was originally in round 2 but now subject to funding. There was meant to be an application put through to NSW Sports Infrastructure Fund as stated in January 2021 meeting for this project.
11. Euston State Forest Eco Trail-walking track....\$50,000
12. More services in Euston....Being addressed
13. Tourism Projects-Story board, walking track....Being addressed
14. VCAL education....Being addressed
15. Eucalyptus oil factory-placement....Being addressed

Correspondence:

: Letter from Helen Dulton regarding Blue Plaques Program.

: Carol Holmes, letter from Helen Dulton regarding nominations for Minister Award.

Items without notice:

Rusty: Rubbish at the grounds, require solution on bins, Ray will get Thai to talk to Rusty

Santina: Mike will ask Carol to email Santina copies of minutes of recommendations after council meetings.

Jan: spouting's need to fixed on the Euston Sport & Recreation Club Rooms, Geoff & Rusty to organize a quote.

Mike: We need to remind people for nominations awards for Australia Day. Nominations need to be put in by early December.

Recommendations to Council:

February 2021 Meeting: Committee puts a recommendation to Council, from Ray's suggestion to repurpose the budget item for the upgrade of the Recreation Reserve Entrance to the master plan. Moved by Glen Stewart, 2nd Gary Mannix, Carried

March 2021 Meeting: Committee puts to council, to tile the toilets at Lake Benanee. Moved by Geoff Windmill, 2nd Rusty Roberts, Carried

June 2021 Meeting: That the grading of Tapaulin Mail Rd be put to Council in their July meeting. Moved by Geoff Windmill, 2nd by Jan Windmill, Carried

That council investigate installing address numbers to curbs so it is easier for emergency vehicles to find street addresses. Moved by Geoff Windmill, 2nd by Jan Windmill, Carried

July 2021 Meeting: Council requested to approach TFNSW regarding heavy vehicles using engine brakes in residential area.

September 2021 Meeting:

* Council to attend to insulation to club rooms.

* Conversion of the netball court to a covered multipurpose court facility, to be made a priority.

* Council to consider leasing soon to be vacant shop front in Murray Terrace as to provide a council presence in Euston including Service NSW.

October 2021 Meeting:

Council to send email to Euston Progressive Advisory Committee on updates on all the previous recommendations.

Next Meeting: Monday 29th November, dinner meeting at the Euston Club.

Meeting Closed at 7.30pm

**Balranald Shire Council Beautification Advisory Committee - Balranald
Minutes of Meeting held at the Balranald Shire Council Chambers
Wednesday 6th October 2021**



Meeting Opened with Acknowledge of Country recited by Toni Tyrer – Chairperson of the Balranald Shire Council Beautification Advisory Committee – at 17:45hrs

Present: Val Bradbury, Sue Morton, Lynne Carter, Penny Jolliffe, Gaye Renfrey, Toni Tyrer (Chairperson), Lea Lawrie, Michael Colreavy (BSC Administrator), Ray Davy (BSC Director Infrastructure and Development), Glenn Wilcox (Acting BSC General Manager) and Karen Norfolk (Secretary)

Apologies: NIL

Minutes Read and Accepted: Moved by Lynne Carter and Seconded by Lea Lawrie

CORRESPONDENCE IN:

- Email from Carol Holmes – Balranald Beautification Resolution
- Email from Val Bradbury – re BBAC
- Email from Gaye Renfrey – re Minutes
- Email from Sue Morton – re BBAC

CORRESPONDENCE OUT:

- Email to Carol Holmes and Ray Davy – August Minutes
- Email to Beautification Committee – BBAC August Minutes
- Email to Carol Holmes – BBAC (cancellation of September's Meeting)
- Email to Carol Holmes, Karlie Rowe and Balranald Shire Council – BBAC
- Email to Beautification Committee – BBAC
- Email to Ray Davy – BBAC
- Email to Gaye Renfrey – Minutes
- Email to Sue Morton and Val Bradbury – BBAC

Moved by Karen Norfolk and Seconded by Val Bradbury

BALRANALD BEAUTIFICATION FINANCIAL STATEMENT:

- No Financial Report this meeting

AGENDA ITEMS:

Reports: No Beautification Report this Meeting Balranald

Balranald Shire Council Update:

- The Council has received and noted the Minutes of the Balranald Beautification Advisory Committee (BBAC) meetings held on Wednesday 7th July 2021 and Wednesday 4th August 2021
- Council is reviewing the locations of the bins along Market Street, Balranald in consultation with members of the Balranald Beautification Advisory Committee
- The Council to investigate the purchase and Storage of Christmas Decorations for Balranald in consultation with Growing Business Industry & Tourism Advisory Committee and Balranald Inc.
- Balranald Shire Council is looking into what can be done to make the Gates at Greenham Park leading into Greenham Park Hall look nice and new, as sandblasting is not an option now, as blasting will destroy the gates.
- Cemetery Toilet – once delivered, the toilet will be erected.
- New bins have been ordered and should be here to be put into place soon. Doggy Doo Bag Dispenser will be attached to the bins where they are needed.

COMMITTEE PRIORITIES:

Priority 1: Windmill Water Feature – Gaye Renfrey spoke about the Committee doing a Windmill Water Feature at the Discovery Centre. The idea is for water to run from the windmill into a corrugated pond, filled with stones, then the water to be working on a recycled system, with the pump been run on solar power. Will need to source the costing of it all.

RECOMMENDATIONS:

- Toni Tyrer recommends that the Balranald Shire Council consider a Windmill Water Feature at the Discovery Centre once the Discovery Centre Upgrade is finished. Toni also recommended the Shire to source the costing of the Water Feature. Shire will also talk to the Tourism Group about the Water Feature. Seconded by Gaye Renfrey and all in favour.
- The Balranald Beautification Advisory Committee recommends that our Budget be retained if the Water Feature doesn't get done by 30th June 2022.
- Gaye Renfrey recommended that the Twin Palms located at the Discovery Centre should be relocated to one of the following locations – Swimming Pool Entrance, Lions Park, Caravan Park, Greenham Park (near the entrance leading into Greenham Park Hall) or near the ABC/SBS satellite dishes (need to check to see if they could interfere with signal). Seconded by Penny Jolliffe and all in favour.

ITEMS WITHOUT NOTICE:

- The BBAC needs to be involved in the planning of the Water Feature and Landscaping of the Discovery Centre once the Upgrades are completed. Balranald Shire Council to bring the Discovery Centre Plans to the BBAC Meeting once the plans are completed.
- The Christmas Tree that Balranald Inc gifted to the BBAC is 5 metres tall and Green, Red and Gold in colour. It was agreed that the tree would be stored at the Royal Theatre when it finally arrives in Balranald, as the Royal Theatre is the ideal spot to display it. It was suggested that we put the tree up on the 1st December.
- BBAC to be involved with the landscaping plan for the Balranald Township.
- The bamboo along the riverbank needs to be culled, especially near the swing bridge.
- Lea Lawrie and Karen Norfolk will be the BBAC Representatives on the Australia Day Committee.
- BBAC to have an input into the Lions Park Upgrade

Next Meeting: Wednesday 3rd November 2021 at the Balranald Shire Chambers commencing at 17:00hrs (5:00pm)

Meeting Closed: 19:00hrs

Location: Senior Citizens Building, Market St

Start Time: 4.00-5:30 pm

1. Opening of Meeting
2. Acknowledgement of Country
We pay our respect to the Traditional Custodians of the Lands where we hold this meeting and pay our respects to Elders past, present and emerging.
3. Apologies: Michelle White, Emma Moore, Sue Balshaw
Present: Mandy Haley, Nat Lay, Lea Lawrie, Lyn Flanagan, Mike Colreavy (Administrator), Hodi Beauliv (Director Community and Corporate Services), Rachael Williams
4. Previous Minutes (Sept 2021) – are a true and accurate record. Moved: Lyn Flanagan
Seconded: Nat Lay. Carried.
5. Disclosures of Interest – NIL

Guest Speaker – none

6. Reports from Council / Chair - NIL
7. Correspondence / Connections of note
 - Merging of Ageing Well and SCAIW Advisory Committees (letter from Glenn W circulated with agenda)
DUSCUSSION Group discussed this suggestion and agreed Ageing Well Advisory Committee should remain a standalone Advisory Committee, it was perceived by all present that this would deliver more beneficial outcomes overall as the Ageing Well groups' needs are very specialised and specific
Mike advised that the Ageing Well Advisory Committee will continue even if it does not merge as the group still has 7 members and can also recruit additional members
Mike also advised that Council's ability to support multiple Advisory Committees is limited – so a merger would be convenient from Council's perspective. There is also an emerging call for a Heritage and Cultural Advisory Committee which adds further pressure to Council's resources.
Those present agreed they are happy to review this decision at a later date if required (for example, if the Ageing Well Advisory Committee fails to gain a quorum on multiple occasions).
 - RESOLUTION Council's suggestion that Strengthening Community Access, Inclusion & Wellbeing and Ageing Well Advisory Committees merge was declined unanimously by those present (5/5)
 - Rachael to check position of those members not present (MW, SB, JK & EM)
 - Rachael to write to Glenn Wilcox advising him of the Advisory Committee's decision noting the need for ongoing guidance of and training to the Advisory Committees is central to their viability and success.

- Bidgee Haven – meeting of Advisory Committee Chairs (28/10/21) to discuss sale of Bidgee Haven resulted in Chairs requesting a meeting with Mike Colreavy and Glenn Wilcox. This meeting is set for the 9th November

DISCUSSION

Mike Colreavy explained:

Decision made at the 19th Oct Ordinary Council Meeting is explained in the Shire Newsletter (distributed today, as well as supporting editorial in the Guardian, Riverine Grazier etc)

Reasons – plan is to divest the nursing home to a specialist age care operator so there will be ‘no change’ in service delivery until we can identify a private investor. Gives specialist care, economy of scale etc. Mike has been asking since his arrival for proof the facility will be viable

If we go into the situation of doubling the size (i.e. building the extra 15 bed secure dementia wing) we will need further specialised staffing and the current deficit will rise and the cost will need to be absorbed by other council services (specifically roads). Can only be viable at 90% occupancy. This makes it very high risk, and given Council is ‘cash strapped’ there is no appetite for risk. Not wanting to spend \$6M and double the size of the facility and risk running at a greater loss.

With a new owner they can ‘manage’ the facility from anywhere and just have staff ‘on the ground’ for service delivery. These management overheads can then be shared with other ‘like’ services so the costs are shared allowing greater economy of scale.

Past experience suggests to achieve ‘standalone’ viability a facility needs 50 beds

Would not divest to ‘just anybody’ we would be very picky....

We have a full set of design and construction plans ready to go, we are at the stage we could go to tender to build but a buyer may prefer to do all this themselves.

Ageing Well said – build and then consider divesting the asset

IMPORTANT – the service is not under threat, BUT the facility won’t expand under council mgt, the best chance it has for expansion is under a specialist operator.

Our understanding (from the funding partners) is that the grant funds made available to council can be passed onto the incoming operators.

QUESTIONS from Advisory Committee

Staffing a 30 people facility in Balranald will be a huge risk (Lyn)

Equally the impact of bringing in out outside staff onto our community on wellbeing and businesses will be significant (i.e. loss of local spending, potentially loss of local employment options)

Why does it run at a loss? (Lea)

Mike: income is governed by Commonwealth Gov support, because we do not have economies of scale the costs per head are shared between less people. Mike notes that research suggests a minimum of 50 beds in an Aged Care facility to required to gain the efficiencies needed for success

Hodi: Funding model around aged care has changed so it was easier to make a profit in the first 10 years. Losses in recent years were because of poor mgt however

Can we not outsource the higher level exec / governance skills needed and keep community ownership of the resource.

Lea – I worry that whoever takes over won’t give precedence to locals in beds space

Hodi – in divesting the facility we can put provisos around how it is run. But once they own it they can do what they like

What about the units that were never really used as aged units?

1 unit has an elderly community member and 1 unit has a staff member

Why can't we make Bidgee Haven an industry level service – growing to 50 beds?

What will happen to the proceeds of the sale (if it goes ahead), will there be the chance for the community to decide how these monies are spent?

Mike: Don't expect to get much money from the sale of the service (current Bidgee Haven facility) – so there won't be a windfall for the community in terms of providing some major community facility – and we give them \$6M to go with it

In divesting to a Not for Profit owner the community can set guidelines, and request an ongoing role in the management and decision making, could have a consumer group advisory system, in fact funding protocols for Aged Care providers expects consumer engagement in the governance / management process

Mike: When Council recruits agency staff we don't have knowledge in the field and can end up with substandard.

Mike expects dissatisfaction with his decision, he is not here looking for our approval or go ahead.

Mike asks members of the Advisory Committee to please pass on this 'take-away message' – we are not closing the facility down, residents do not need to be concerned, if we cannot sell it we will not close it.

RESOLUTION – IF divesting of the Bidgee Haven goes ahead Advisory Committees and concerned / skilled community members (including residents) must have a role in developing the parameters of the EOI for sale

Moved Mandy Haley, Seconded Lyn Flanagan, Carried

BECAUSE THE BIDGEE HAVEN DISCUSSION TOOK MOST OF THE MEETING THE FOLLOWING AGENDA ITEMS WERE ONLY QUICKLY COVERED.

- Big Brothers Big Sisters (BBBS) correspondence – group's thoughts
SCAIW agreed to review the emails and BBBS website and determine if what can be offered compliments current local services / meets an identified gaps in needs. This discussion remains on hold until January 2022 meeting

8. Meeting with Sarah Artist re Community Strategic Plan scheduled for 25/11/21 (initial Action Plan attached)

Rachael explained Councils are required to develop a Community Strategic Plan (CSP) every 10 years, and review / refresh these plans every 4 years. Council's Annual Operational Plan is based on the goals and objectives of the CSP so our input into this document is very important.

Our next meeting (25/11/21) will be with Sarah Artist the Sydney based consultant contracted to develop the Balranald Shire Council CSP.

Please think about

What you want to see included in our CSP for the next 10 years

What goals, objectives and action are important to you group – once these are written into the CSP Council are required to pursue them – so THINK BIG, BE VISIONARY and BE STRATEGIC

Rachael will circulate draft ideas to the group based on our original Action Plan (developed Nov 2020) for everyone to add their thoughts to

9. Review of Service Directory development

Rachael will put current list of services into an email and circulate to the Advisory Committee
Advisory Committee members put their name next to those services they have a relationship with (i.e. if they know someone who works there).

Any service you have a connection with you will be in charge of sending the survey link to (with the logic being that if the service knows you they will be more likely to complete the survey).
All services with no name next to them will then be divided up between members.

10. November White Ribbon event

Emma advised (via text) that Maari Ma are holding a pamper day and lunch on the 19th November for White Ribbon Day followed by a march in the evening.

Emma will email out further details to the group.

Those present agreed that the SCAIW Advisory Committee members will support Emma both at the event and with any preparation that might be required.

11. Review of potential guest speakers to support priorities and workplan – NO HOLD UNTIL 2022

12. Items without Notice

Lyn brought to the meeting a copy of the PHNs *My Health Book*

Lyn and Emma will manage the distribution of the book

Rachael to email Karlie Duryea to secure a promo of the book into BSC Newsletter

13. Next Meeting (25th November 2021)

Group agreed there will be no Dec 2021 meeting, and consideration to be given to a 27th January 2022 meeting

1. Attendance

Ray Davy, (BSC Director Infrastructure and Development & Chair); Mike Colreavy (BSC Administrator); David Vant (TfNSW); Jeanine Pout (TfNSW); Sgt Wayne Demery (NSW Police); Ms Marg Vanzanten (community representative)

2. Apologies

Insp Prue Burgun (NSW Police); Sgt Mitch Everton (NSW Police)

3. Minutes

Minutes of the Local Traffic Committee meeting held on 10 August 2021 were circulated and approved

4. Business Carried Forward**4.1 Traffic management measures, Euston**

Ray Davy to email David Vant regarding the additional 80kph signs for SH14 near Bertram and Taylor Roads and provide an estimate for installation.

4.2 Urban speed limit SH14 – request for 80 kmh buffer zone

David Vant to follow up Council letter requesting consideration of a buffer speed zone on the western approach to Balranald.

4.3 Atlas-Campaspe Mineral Sands Project – road closures

The Committee approved the closure of Hatfield-The Vale Road between Magenta Station and MR67 with effect from 15 November 2021 until late February 2022 for construction works on the mine haul road.

4.4 Safety upgrades on MR67

Ray Davy reported on Council concerns about a 3km section of the mine haul route that is below minimum width for edge lines. Ray Davy to forward to David Vant a copy of his earlier email to TfNSW.

4.5 Overtaking lanes on SH14

TfNSW has not responded to Council request re overtaking lanes on SH14 between Euston and Gol Gol. Wayne Demery suggested that Council should compile crash data for this section of the highway to support the case. David Vant to contact Wayne Demery to share information on historic crash data

5. New Business

There was no new business

6. Matters for Information Only**6.1 Iluka West Balranald Mineral Sands Project update**

Ray Davy gave a verbal briefing on the status of this project and Council's consideration of a Balranald Western Bypass.

6.2 Balranald Gypsum – proposed new development

Ray Davy gave a verbal briefing on the status of this project.

6.3 Road construction projects

Ray Davy gave a brief overview of current and proposed road construction projects. The intersection of Weimby-Kyalite Road and MR694 was discussed and David Vant suggested that Council should commission a formal Road Safety Audit of the intersection to support its case for safety improvements.

6.4 Strategic road upgrade – Marma Box Creek Road and Arumpo Road (MR431)

Ray Davy gave a verbal briefing on discussions with Tronox regarding a joint approach to Government to seek special funding to upgrade the unsealed route between Buronga and the Atlas-Campaspe mine, citing both economic and tourism significance of having an all-weather route. Mike Colreavy reiterated the importance of all-weather access for this route in relation to the Lake Mungo World Heritage site.

6.5 Emergency management incident – truck fire and highway closure on SH14 on 7 November

Ray Davy gave a verbal briefing on an emergency incident involving a truck fire on SH14 on the evening of Sunday 7 November 2021. The Committee discussed the implications of light vehicles being diverted to Prungle Mail Road. David Vant and Wayne Demery advised that TfNSW and Police are not permitted to direct traffic on to unsealed roads.

Ray Davy to contact David Dickie and/or Joel Beardon to discuss EM implications

6.6 Community engagement

Jeanine Pout advised that she will be visiting in late November to meet with various community groups, especially those suffering transport disadvantage. Marg Vanzanten and Jeanine Pout to meet and discuss hospital transport. Noted that TfNSW community liaison team are planning to travel to Balranald and Wentworth for the February 2022 LTC meetings. Visit schedule to be planned in advance.

7. Next Meeting

The next scheduled meeting of the Committee will be held on Tuesday 8th February 2022, commencing at 12.30pm.

8. Close

The meeting closed at 1.55pm.

MODEL CODE OF MEETING PRACTICE

for Local Councils
in NSW

2021



**MODEL CODE OF MEETING PRACTICE FOR LOCAL COUNCILS IN NSW
2021****ACCESS TO SERVICES**

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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 **5** 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.

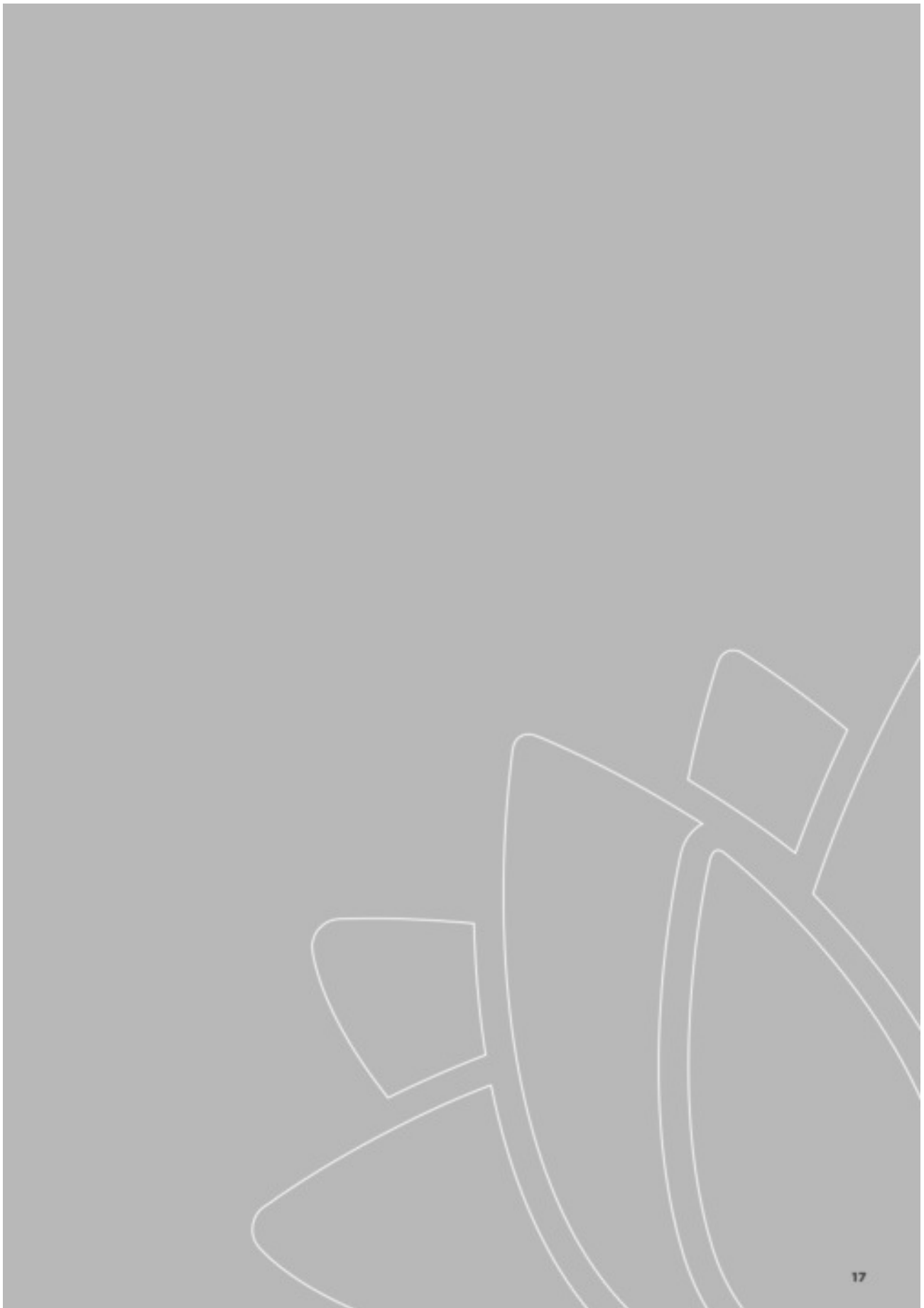
Model Code of Meeting Practice for Local Councils in NSW

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.

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- 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 **5** 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.**



Model Code of Meeting Practice for Local Councils in NSW

5 Coming Together

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

Note: Clauses 5.34 – 5.38 reflect section 236 of the Regulation.

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.

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6 The Chairperson

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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.

Model Code of Meeting Practice for Local Councils in NSW

7 Modes of Address

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- 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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Model Code of Meeting Practice for Local Councils in NSW

8 Order of Business for Ordinary Council Meetings

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8.1 ~~At a meeting of the council, the general order of business is as fixed by resolution of the council.~~

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

01 Opening meeting

02 Acknowledgement of country

03 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 **8.2** 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.

Model Code of Meeting Practice for Local Councils in NSW

9 Consideration of Business at Council Meetings

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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.

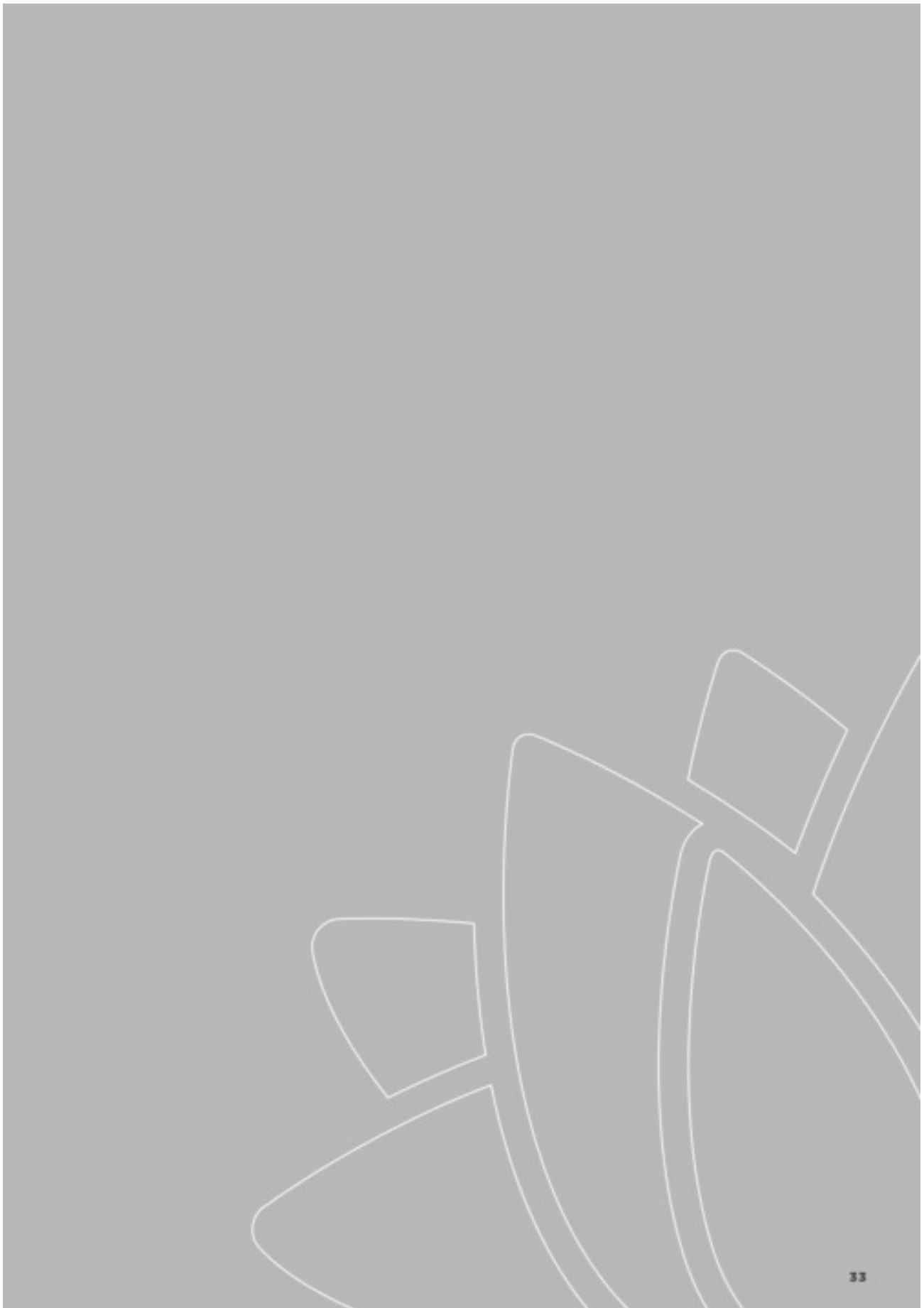
9.16 A councillor may, through the general manager, put a question to a council employee about a matter on the agenda. Council employees are only obliged to

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.



Model Code of Meeting Practice for Local Councils in NSW

10 Rules of Debate

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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.

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.

Model Code of Meeting Practice for Local Councils in NSW

11 Voting

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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.~~

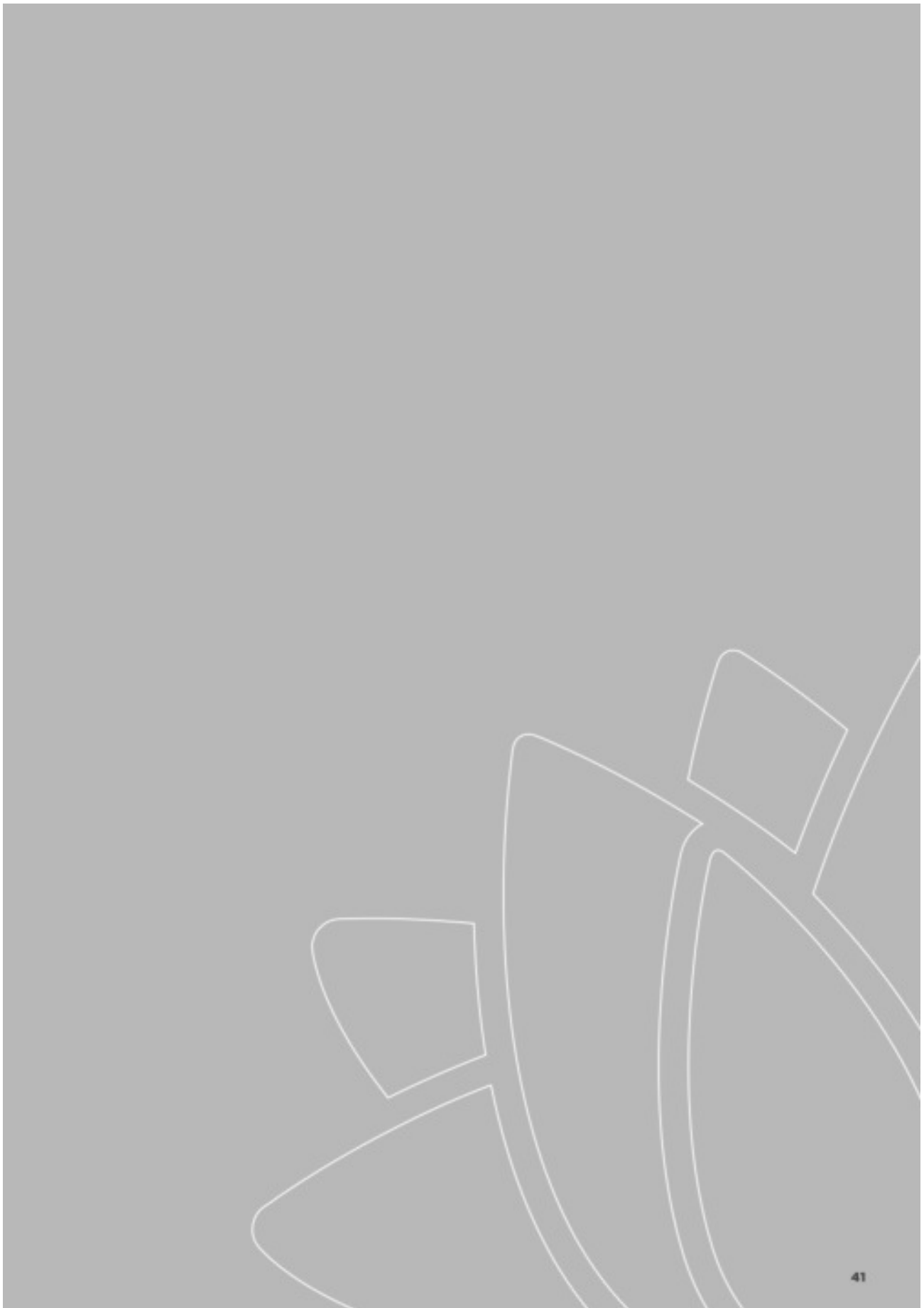
Note: If clause 11.11 is adopted, clauses 11.6 – 11.9 and clause 11.13 may be omitted.

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.



Model Code of Meeting Practice for Local Councils in NSW

12 Committee of the Whole

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- 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.

Model Code of Meeting Practice for Local Councils in NSW

13 Dealing with Items by Exception

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- 13.1 The council or a committee of council may, at any time, resolve to adopt multiple items of business on the agenda together by way of a single resolution.
- 13.2 Before the council or committee resolves to adopt multiple items of business on the agenda together under clause 13.1, the chairperson 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.

Model Code of Meeting Practice for Local Councils in NSW

14 Closure of Council Meetings to the Public

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Grounds on which meetings can be closed to the public

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

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

(h) information concerning the nature and location of a place or an item of Aboriginal significance on community land,

(i) alleged contraventions of the council's code of conduct.

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

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

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

Matters to be considered when closing meetings to the public

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

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

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

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 **1 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 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 **2** speakers to make representations in such order as determined by the chairperson.

14.17 Each speaker will be allowed **5** 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.

Model Code of Meeting Practice for Local Councils in NSW

15 Keeping Order at Meetings

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Points of order

- 15.1 A councillor may draw the attention of the chairperson to an alleged breach of this code by raising a point of order. A point of order does not require a seconder.
- 15.2 A point of order 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 15.14, does not limit the ability of the council or a committee of the council to resolve to expel a person, including a councillor, from a council or committee meeting, under section 10(2)(a) of the Act.

15.17 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.

Model Code of Meeting Practice for Local Councils in NSW

16 Conflicts of Interest

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- 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.

Model Code of Meeting Practice for Local Councils in NSW

17 Decisions of the Council

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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 **21 days** after the meeting at which the resolution was adopted.

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

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.

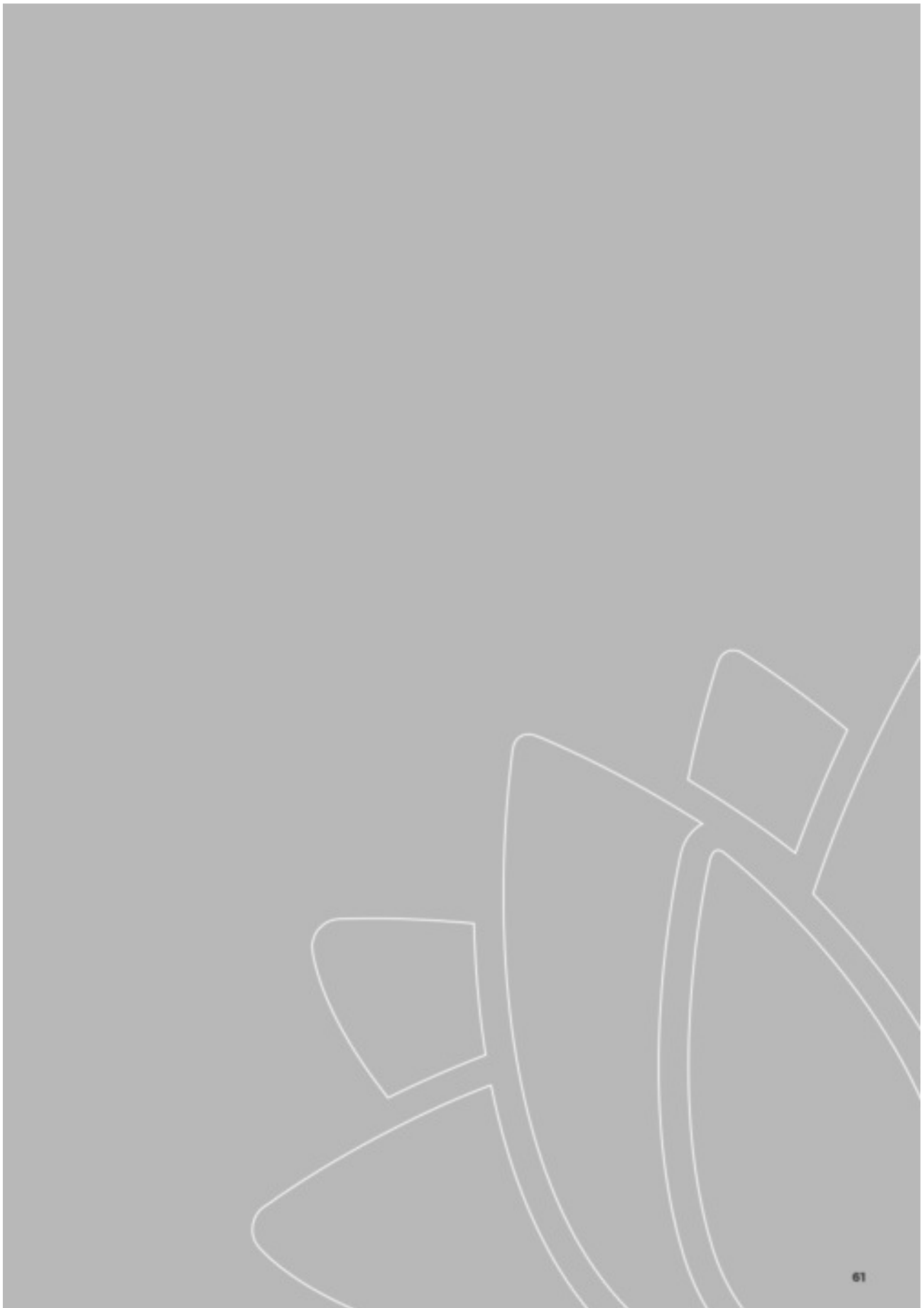
17.16 In seeking the leave of the chairperson to move to recommit a resolution for the purposes of clause 17.15(a), the councillor is to propose alternative wording for the resolution.

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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Model Code of Meeting Practice for Local Councils in NSW

18 Time Limits on Council Meetings

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- 18.1 Meetings of the council and committees of the council are to conclude no later than **9pm**.
- 18.2 If the business of the meeting is unfinished at **9pm**, 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 **9pm**, 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.

Model Code of Meeting Practice for Local Councils in NSW

19 After the Meeting

Minutes of meetings

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

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

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

- (a) the names of councillors attending a council meeting and whether they attended the meeting in person or by audio-visual link,
- (b) details of each motion moved at a council meeting and of any amendments moved to it,
- (c) the names of the mover and seconder of the motion or amendment,
- (d) whether the motion or amendment was passed or lost, and
- (e) such other matters specifically required under this code.

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

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

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

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

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

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

confirmed. Any amendment made under this clause must not alter the substance of any decision made at the meeting.

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

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

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

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

- 19.9 Clause 19.8 does not apply if the correspondence or reports relate to a matter that was received or discussed or laid on the table at, or submitted to, the meeting when the meeting was closed to the public.

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

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

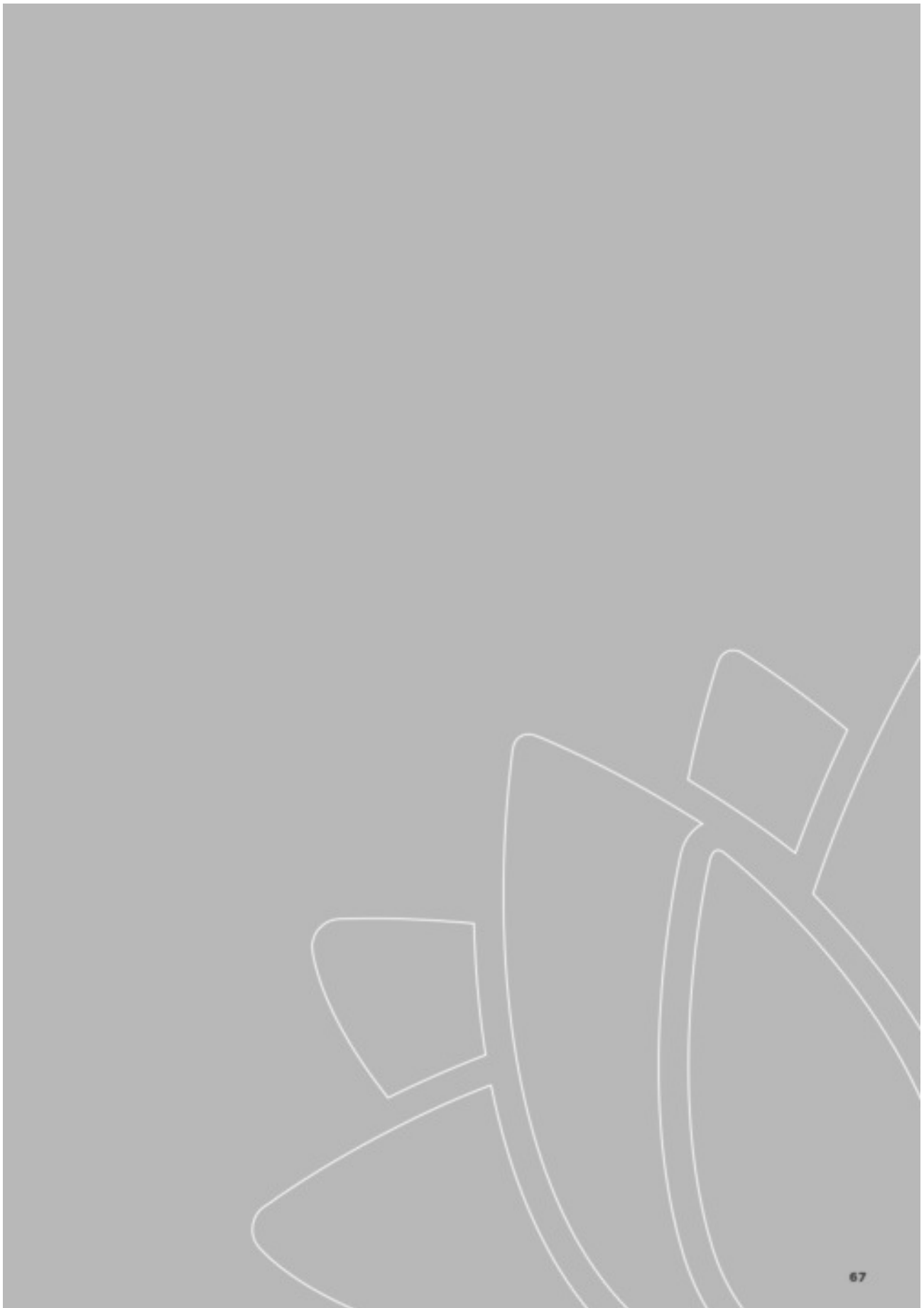
Note: Clause 19.10 reflects section 11(3) of the Act.

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

Implementation of decisions of the council

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

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



Model Code of Meeting Practice for Local Councils in NSW

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.

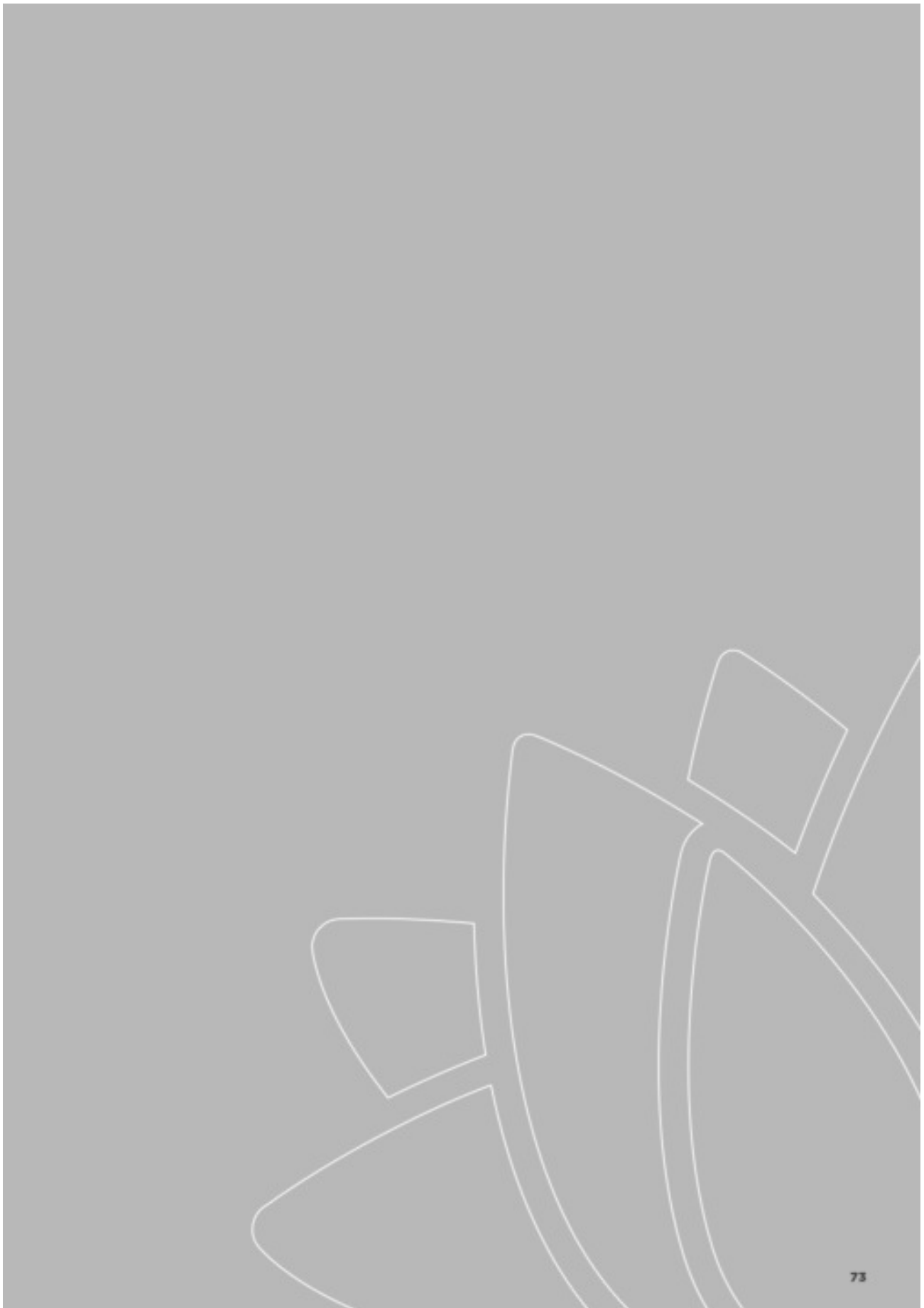
20.26 Any debate on the confirmation of the minutes is to be confined to whether the minutes are a full and accurate record of the meeting they relate to.

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

Model Code of Meeting Practice for Local Councils in NSW

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.



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21 Irregularities

2021

- 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.

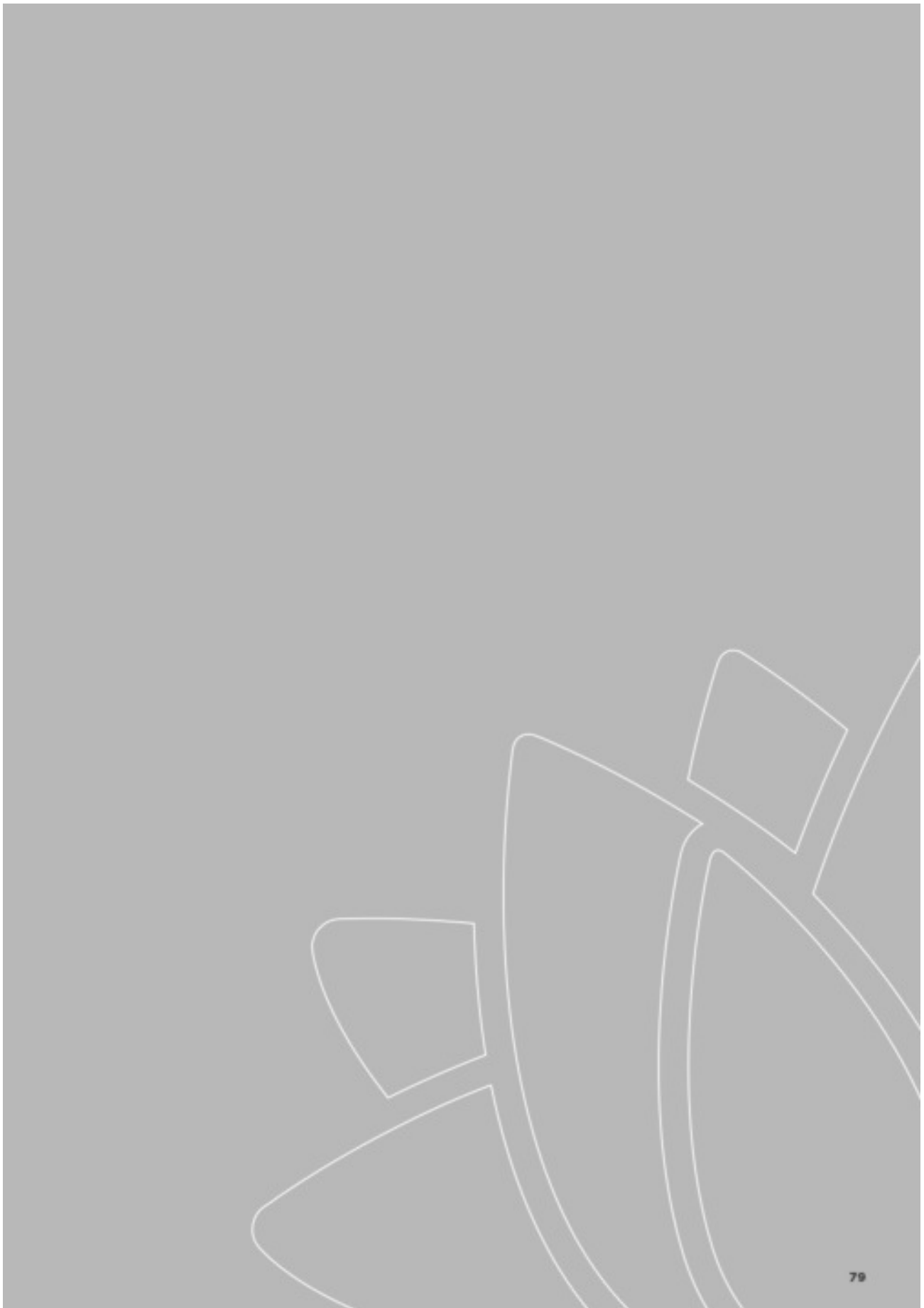
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22 Definitions

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

Model Code of Meeting Practice for Local Councils in NSW

performance improvement order	means an order issued under section 438A of the Act
quorum	means the minimum number of councillors or committee members necessary to conduct a meeting
the Regulation	means the <i>Local Government (General) Regulation 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



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Balranald Shire Council

Quarterly Budget Review Statement
for the period 01/07/21 to 30/09/21

Report by responsible accounting officer

The following statement is made in accordance with Clause 203(2) of the Local Government (General) Regulations 2005:

30 September 2021

It is my opinion that the Quarterly Budget Review Statement for Balranald Shire Council for the quarter ended 30/09/21 indicates that Council's projected financial position at 30/6/22 will be satisfactory at year end, having regard to the projected estimates of income and expenditure and the original budgeted income and expenditure.

In making this statement it should be noted that Council's Financial Reports for the 2020/21 Financial Year are yet to be finalised and works are in progress that need to be brought forward. It should be noted that only grant funded expenditure will be brought forward, no revenue funded programs will be brought forward. This Quarterly Report is based purely on Council's adopted budget, which shows a budget surplus of \$376,273.

Taking into account the budget variations to Income and Expenditure in this Quarterly Budget Review, a budget surplus of \$228,316 is projected.



Signed: _____

date: 11/11/2021

Hodi Beauliv, Director Corporate & Community Services
Responsible accounting officer

Balranald Shire Council

Quarterly Budget Review Statement

for the period 01/07/21 to 30/09/21

Income & expenses budget review statement

Budget review for the quarter ended 30 September 2021

Income & expenses - Council Consolidated

(\$000's)	Original budget 2021/22	Approved changes					Revised budget 2021/22	Variations for this Sep Qtr	Notes	Projected year end result	Actual YTD figures	Variance Surplus (Deficit)	Notes
		Carry forwards	Other than by QBRs	Sep QBRs	Dec QBRs	Mar QBRs							
Income													
Administration	8,002						8,002	103	1	8,105	4,021	50.2%	a
Health Services	38						38		2	38	2	5.3%	b
Public order & safety	259						259		3	259	1	0.4%	c
Community services & education	5,534						5,534		4	5,534	316	5.7%	d
Housing & community amenities	794						794	(71)	5	723	431	54.3%	e
Recreation & Culture	2,745						2,745		6	2,745	250	9.1%	f
Building Control	18						18		7	18	3	16.7%	g
Transport & communication	5,422						5,422		8	5,422	947	17.5%	h
Business Undertakings	1,806						1,806		9	1,806	64	3.5%	i
Water supplies	1,594						1,594		10	1,594	962	60.4%	j
Sewer supplies	717						717		11	717	667	93.0%	k
Total income from continuing operations	26,929	-	-	-	-	-	26,929	32		26,961	7,664	28.5%	
Expenses													
Administration	3,533						3,533	65	12	3,598	1,502	42.5%	l
Health Services	161						161		13	161	51	31.7%	m
Public order & safety	541						541		14	541	25	4.6%	n
Community services & education	1,254						1,254	-	15	1,254	251	20.0%	o
Housing & community amenities	902						902	54	16	956	155	17.2%	p
Recreation & Culture	755						755		17	755	175	23.2%	q
Building Control	78						78	(4)	18	74	21	26.9%	r
Transport & communication	1,858						1,858		19	1,858	289	15.6%	s
Business Undertakings	862						862	33	20	895	137	15.9%	t
Water supplies	1,137						1,137	16	21	1,153	71	6.2%	u
Sewer supplies	297						297	15	22	312	24	8.1%	v
Total expenses from continuing operations	11,378	-	-	-	-	-	11,378	179		11,557	2,761	23.7%	
Net operating result from continuing operations	15,551	-	-	-	-	-	15,551	(147)		15,404	4,963	31.9%	

This statement forms part of Council's Quarterly Budget Review Statement (QBRs) for the quarter ended 30/09/2021 and should be read in conjunction with the total QBRs report

Balranald Shire Council

Quarterly Budget Review Statement
for the period 01/07/21 to 30/09/21

Income & expenses budget review statement
Recommended changes to revised budget

Budget Variations being recommended include the following material items:

Notes	Details	Adopted Budget	Budget Amended To	Variation + or -
1	Administration Income			
	General Rates - Balranald	356,511	355,100	1,411
	General Rates - Euston	163,478	161,400	2,078
	General Rates - Euston Settlement	261,534	260,300	1,234
	General Rates - Oxley	8,882	8,500	382
	General Rates - Rural	2,065,552	2,094,500	28,948
	Administration Recoveries	360,000	438,900	78,900
	Total			<u>102,743</u>
5	Housing & Community Amenities Income			
	Balranald Domestic Waste Charges	262,210	214,000	48,210
	Euston Domestic Waste Charges	129,150	106,000	23,150
	Balranald Vacant Land Access	2,100	2,220	120
	Euston Vacant Land Access	3,500	3,300	200
	Total			<u>71,440</u>
12	Administration Expenses			
	Photography Competition	3,500	0	3,500
	Consultancy - Office of GM	25,000	100,000	75,000
	Far Western Joint Organisation	0	15,000	15,000
	Administrator Motor Vehicle	4,000	0	4,000
	Administrator Living Allowance	15,000	0	15,000
	Membership Fees - Corporate	2,000	0	2,000
	Total			<u>65,500</u>
15	Community Services Expenses			
	Youth Convenor	1,000	0	1,000
	Youth Special Events	0	1,000	1,000
	Total			<u>0</u>
16	Housing & Community Amenities Expenses			
	Urban Drainage Transfer to Restriction	0	13,640	13,640
	Urban Drainage Transfer to Restriction	0	5,230	5,230
	Transfer to Restriction W/ Management	98,400	133,150	34,750
	Total			<u>53,620</u>
18	Building Control Expenses			
	DA Advertising - Town Planning	4,000	0	4,000
	Total			<u>4,000</u>

20	Business Undertakings Expenses			
	5 Rivers Festival	3,500	0	3,500
	Transfer to Extnl Restriction Caravan Park	0	36,520	36,520
	Total			<u>33,020</u>
21	Water Supply Expenses			
	Asset Valuations	0	10,000	10,000
	Public Liability Insurance	0	6,000	6,000
	Total			<u>16,000</u>
22	Sewer Supply Expenses			
	Asset Valuations	0	9,120	9,120
	Public Liability Insurance	0	6,000	6,000
	Total			<u>15,120</u>

Balranald Shire Council

Quarterly Budget Review Statement

for the period 01/07/21 to 30/09/21

Capital budget review statement

Budget review for the quarter ended 30 September 2021

Capital budget - Council Consolidated

(\$000's)	Original budget 2021/22	Approved changes					Revised budget 2021/22	Variations for this Sep Qtr	Notes	Projected year end result	Actual YTD figures	Variance Surplus (Deficit)	Notes
		Carry forwards	Other than by QBRs	Sep QBRs	Dec QBRs	Mar QBRs							
Capital expenditure													
New assets													
- Plant & equipment	338						338		1	338	22	6.5%	a
- Land & buildings	5,470						5,470		2	5,470	145	2.7%	b
- Roads, bridges, footpaths	298						298		3	298	35	11.7%	c
- Water	10						10		4	10	1	10.0%	d
- Sewer	-						-		5	-	-	0.0%	e
- Other	957						957		6	957	56	5.9%	f
Renewal assets (replacement)													
- Plant & equipment	-						-		7	-	-	0.0%	g
- Land & buildings	1,935						1,935		8	1,935	192	9.9%	h
- Roads, bridges, footpaths	5,037						5,037		9	5,037	804	16.0%	i
- Water	410						410		10	410	6	1.5%	j
- Sewer	420						420		11	420	103	24.5%	k
- Other	111						111		12	111	-	0.0%	l
Loan repayments (principal)	189						189		13	189	11	5.8%	m
Total capital expenditure	15,175	-	-	-	-	-	15,175	-		15,175	1,375	9.1%	
Capital funding													
Rates & other untied funding	2,112						2,112		14	2,112	135	6.4%	n
Capital grants & contributions	12,846						12,846		15	12,846	1,240	9.7%	o
Reserves:													
- External restrictions/reserves	197						197		16	197	-	0.0%	p
- Internal restrictions/reserves	20						20		17	20	-	0.0%	q
New loans	-						-		18	-	-	0.0%	r
Receipts from sale of assets													
- Plant & equipment	-						-		19	-	-	0.0%	s
- Land & buildings	-						-		20	-	-	0.0%	t
Total capital funding	15,175	-	-	-	-	-	15,175	-		15,175	1,375	9.1%	
Net capital funding - surplus/(deficit)	-	-	-	-	-	-	-	-		-	-	0	

This statement forms part of Council's Quarterly Budget Review Statement (QBRs) for the quarter ended 30/09/2021 and should be read in conjunction with the total QBRs report.

Balranald Shire Council

Quarterly Budget Review Statement
for the period 01/07/21 to 30/09/21**Capital budget review statement**
Recommended changes to revised budget

Budget variations being recommended include the following material items:

Notes Details

N/A Nil Capital variations for this quarter

Balranald Shire Council

Quarterly Budget Review Statement
for the period 01/07/21 to 30/09/21

Cash & investments budget review statement**Comment on cash & investments position**

Not applicable

Investments

Investments have not been invested in accordance with Council's Investment Policy.

Reasons of non compliance include:

AMP is an A2 rated bank and Council has greater than 10% invested with them. This is in breach of the investment policy but will be rectified as the term deposits fall due

Cash

The Cash at Bank figure included in the Cash & Investment Statement totals \$2,451,030

This Cash at Bank amount has been reconciled to Council's physical Bank Statements.
The date of completion of this bank reconciliation is 30/09/21

Reconciliation status

The YTD cash & investment figure reconciles to the actual balances held as follows:

\$ 000's

Cash at bank (as per bank statements)
Investments on hand

2,451
14,380

Reconciled cash at bank & investments

16,831

Balance as per September Monthly Statement of funds:

16,831

Difference:

-

Balranald Shire Council

Quarterly Budget Review Statement

for the period 01/07/21 to 30/09/21

Contracts budget review statement

Budget review for the quarter ended 30 September 2021

Part A - Contracts listing - contracts entered into during the quarter

Contractor	Contract detail & purpose	Contract value	Start date	Duration of contract	Budgeted (Y/N)	Notes
Nil						

This statement forms part of Council's Quarterly Budget Review Statement (QBRs) for the quarter ended 30/09/2021 and should be read in conjunction with the total QBRs report

Balranald Shire Council

Quarterly Budget Review Statement
for the period 01/07/21 to 30/09/21**Consultancy & legal expenses budget review statement**

Consultancy & legal expenses overview

Expense	YTD expenditure (actual dollars)	Budgeted (Y/N)
Consultancies	125,504	Y
Legal Fees	20,900	Y

Definition of a consultant:

A consultant is a person or organisation engaged under contract on a temporary basis to provide recommendations or high level specialist or professional advice to assist decision making by management. Generally it is the advisory nature of the work that differentiates a consultant from other contractors.

Comments

Expenditure included in the above YTD figure but not budgeted includes:

Details

Nil



SPECIFICATION

20/21–07 IT Transformation and Managed Services

Closes: 30 July 2021

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Overview

Balranald Shire Council (BSC) is looking to move its current IT Infrastructure (currently hosted on premise and managed by a third-party Managed Services Provider, otherwise stated as the Incumbent) that hosts corporate applications. More details of the current state can be found at IT Transformation and Managed Services Invitation to Tender, Attachment D : Current State.

BSC are seeking solutions to achieve this in an approach consisting of three phases:

Phase 1 – Develop the ICT Strategy – that includes a fully costed roadmap of improvements and innovations to be undertaken over the next 3 years. Develop IT Security Policy, IT Management Policy, Disaster Recovery and Business Continuity Plan.

Phase 2 – Moving to Office 365 and upgrading on-premise infrastructure, network and PCs as required, and

Phase 3 – Migrating corporate apps to a cloud environment (Azure preferred).

Support for a period of up to 3 years (with an option to extend this for a further 2 years and a further 1 year as agreed between BSC and the Provider) is also required and would commence during Phase 2 (at an appropriate time agreed by BSC).

In addition, tenderers are invited to include in their proposal, replacement of WAN links as described in the Appendix D : Current State, as an option. If these are included, the pricing of these must be itemised separately. Please note that BSC prefer that new links/upgrade of existing links be provisioned through Aussie Broadband. In addition, BSC may decide to include or exclude the replacement of these WAN links from scope.

All infrastructure required to host all applications detailed in the IT Current State document (see BSC IT Transformation and Managed Services Invitation to Tender, Attachment D : Current State) must be included, provisioned, commissioned and supported for the term of agreement as part of a Provider's proposal. This infrastructure to be provided and supported by the Provider may include physical servers, switches and routers, and virtualisation infrastructure, UPS and other equipment and software required to meet the requirements of this Invitation to Tender.

In addition, BSC are seeking solutions that include the support of all IT infrastructure (new and existing) from the desktop (including management of desktop configuration and images) through to all layers of infrastructure. Please note that BSC requires proposals that include a level of onsite support that will complement and work closely with BSC. This support model scope is represented in the diagram to the left.

BSC is looking for the Provider to be the first point of contact for all IT related issues covering all aspects of IT infrastructure (including issues related to server environment, operating systems and technical application issues, VoIP telephony and the data network).

Licensing. Prospective tenderers must assume that BSC are unable to re-provision or transfer any operating system, operations management, or infrastructure software licensing from their current managed service environment. Thus, prospective tenderers must include pricing for all such software in their proposal, including:

- Operating System (desktop, device and server)
- Office (including Word, Excel, Access, PowerPoint)
- Exchange
- Security software (including Virus Protection and Content/Email Filtering/DMZ/Intrusion Detection)
- System monitoring

BSC IT Transformation and Managed Services Specification

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- Helpdesk management software

Licensing for business applications (ie those being lifted and shifted as part of this Invitation) is out of scope of this Invitation.

Readiness Review. Prospective tenderers are required to include in their proposal the costs and approach for undertaking a Readiness Review of BSC IT infrastructure, with the view of specifying any additional remedial work that would be required for the provider to achieve SLAs (as described in the Proposed Contract (Schedule 3 : Service Level Agreement)). BSC reserves the right to terminate the agreement depending upon the results of the Readiness Review (eg if Readiness Review identifies the need for significantly greater work than that described in the proposal).

Please also note that BSC may request the Provider to enter into a Non-Disclosure / Confidentiality agreement with the Incumbent to obtain information needed to undertake this Readiness Review.

Scope Summary. The scope of this offer includes:

- Developing the BSC IT Strategy (including fully costed roadmap for improvement and innovation over the next 3 years and current/target ICT architectures)
- Develop IT Security Policy, IT Management Policy, Disaster Recovery and Business Continuity Plan
- Undertaking a Readiness Review to gather more details on the current state of BSC IT infrastructure
- Replacing end-user computing devices (PCs and laptops) with Surface Pros
- Remediating any bottlenecks in the network (eg Depot and ensuring sufficient backhaul into the Main Office)
- Setting up a new Office 365 tenant for BSC, provision Office 365 licencing (E3 preferred) and move email, file share to this Office 365 tenant
- Establishing the BSC intranet using SharePoint Online
- Establishing backup infrastructure in the cloud
- Establishing a new website for BSC to replace the existing BSC website (<http://www.bairnald.nsw.gov.au/>)
- Move corporate applications to shared 3rd party infrastructure / public cloud (Azure preferred)
- Decommissioning of IT infrastructure that is no longer required
- Services required to design, implement, migrate accounts and data, commission, and handover the cloud environment.
- BSC functional requirements including:
 - Centralised domain management, including
 - user account management (adds, updates and deletions).
 - security management (managing permissions of users to BSC resources).
 - system console management (inc the monitoring, starting and stopping of server processes).
 - asset management (ie a single view of software running on each server under BSC control).
 - Centralised directory and file management.
 - Centralised update and patch management architected to maximise available bandwidth on the BSC network
 - Centralised Exchange management.

BSC IT Transformation and Managed Services Specification

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- Centralised backup and recovery, and hot Disaster Recovery capability.
- Support of the environment for a period of 3 years (with +2 and +1 year optional extensions).

Partnering

Council is seeking a "partnering" relationship with the Provider for the Contract Term. Council has adopted the following Partnering Principles to guide the development of a successful contract relationship and the behaviour of the parties to the Contract:

- Encourage the proactive communication and optimal use of the service and IT systems.
- Developing a strong relationship to deliver desired outcomes for our customers.
- We seek long term business relationships with our service providers.
- We will be open, accessible, honest, fair, ethical and flexible in our relationship.
- We shall seek to understand and respect each other's cultures, business objectives, expertise and expectations.

Council intends to establish an effective working relationship with its Provider that shall encourage the pro-active communication of issues.

Detailed specification items

More detail on the requirements and scope of this tender are provided in the Specification items below:

Tenderers are required to indicate whether they comply with each detailed specification item listed below. If a tenderer answers Yes for a specification item that is identified as Negotiable, then the tenderer must provide more details of how their solution addresses this item.

Area / Requirement	Importance for BSC	Compliance (Yes, No)
1. ICT Strategy		
a) Develop an ICT Strategy in collaboration with BSC and in-line with the organisation's strategy	Mandatory	
b) Develop IT Security Policy, IT Management Policy, Disaster Recovery and Business Continuity Plan		
c) Supply of current and target ICT architectures	Mandatory	
d) Provide a fully costed roadmap for improving and innovating ICT over the next 3 years	Mandatory	
2. Service		
a) Allow for a fluctuation of staff numbers at ~10%.	Mandatory	
b) Service access via a Desktop and web client, providing access to all components of the service from a BSC site or remotely.	Mandatory	
c) Service Provider must be proactive in providing recommendations of new and/or enhanced hardware or software opportunities or changes.	Mandatory	
3. Infrastructure		
a) Proactively managed and maintain all infrastructure to ensure optimal performance of all business applications	Mandatory	
b) Primary housed with a 2N data centre configuration	Negotiable	
c) Secondary or Disaster Recovery site housed in an independent or separately located data centre	Mandatory	
d) Data Centres to be located within Australia	Mandatory	
e) If located on shared (with other clients) hardware, a detailed configuration description must be provided to ensure the safety and security of the solution and associated data	Mandatory	
f) As-built documentation that includes an Infrastructure description and diagram to show the location, connectivity, and configuration of all physical and virtual servers and storage infrastructure.	Mandatory	
g) A remediation and preventive maintenance, monitoring, patch and update management plan must be provided, and tasks completed without any impact on day to day activities.	Mandatory	

BSC IT Transformation and Managed Services Specification

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Area / Requirement	Importance for BSC	Compliance (Yes, No)
h) Remediation and preventive maintenance, monitoring, patch and update management of all client infrastructure including routers, switches, Wi-Fi, Printers, Office Cabling and UPS's as outlined in the Infrastructure environment attached. All routers are supplied, managed and maintained by ISP.	Mandatory	
i) Management and tracking of all IT assets. Monthly reporting on these assets (including device type, version, serial number and location).	Mandatory	
j) A testing and development environment to ensure all changes to the operating system, software and applications are tested fully, with the option for end user testing by nominated staff prior to going Live.	Mandatory	
k) Monitoring of all physical and virtual server performance, availability, storage space, and nominated services.	Mandatory	
4. Storage		
a) Allocation of a central corporate storage repository for company data with an increase allowance of 20% per annum and the option to acquire additional storage if required.	Negotiable	
b) Provide options for long term data archiving as per Backup requirements	Mandatory	
c) Remediation and preventive maintenance, monitoring, patch and update management of all Storage	Mandatory	
5. Network and Communication Infrastructure		
a) Provision of a private data network to replace the current data network (as detailed in the BSC IT Managed Services Current State).	Negotiable	
b) Core sites require secondary links for failover purposes and higher levels of resilience. Secondary links should be provided via separate physical paths from the primary link to reduce the possibility of a single event damaging both the primary and secondary links to the site. Secondary links may be lower bandwidth than the primary links (example: 4G wireless secondary). Where secondary links cannot be provided, a suitable "work-around" solution, with timelines, shall be proposed that will provide the required levels of resilience.	Negotiable	
c) Failover is to be enabled to provide resilience across the architecture, particularly for the three core sites. Failover is to be automated and managed by the provider as part of their service.	Negotiable	
d) Data transmission within the cloud should not incur any volume-based traffic charges (be considered "on-net" or "non-tariffed").	Negotiable	
e) It is expected that the Private IP network will be "Elastic" and bandwidths across the network can be readily scaled up or down as part of the service agreement.	Negotiable	
f) As a minimum, the network capacity to the core sites should be capable of handling Video conferencing services across their primary links without notable degradation of normal performance of other systems across the network.	Negotiable	
6. Network and Communication Management		
a) Management, monitoring and support of LAN and WAN to ensure optimal performance, completing a pre-migration audit and assessment to identify any risks, load and performance issues or ISP restrictions.	Negotiable	
b) Working with existing Internet Service Provider, manage, monitor and support network internet services, also ensuring the identification and mitigation of any risks, load and performance issues or ISP restrictions; including data allocation, that may impact the solution proposed.	Mandatory	
c) Remediation and preventive maintenance, monitoring, patch and update management of all Network Devices.	Negotiable	
7. Backup and Recovery		
a) All data, applications and databases are backed up and managed as outlined in the Data Management Statement and Retention Schedule	Mandatory	
b) Review and modify DR as agreed with BSC to suit new solution.	Mandatory	
c) Backup and recovery of individual files and mailboxes within	Mandatory	

BSC IT Transformation and Managed Services Specification

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Area / Requirement	Importance for BSC	Compliance (Yes, No)
SharePoint and Exchange.		
d) Data backup testing to be completed on a monthly basis to ensure integrity of data, including SharePoint and Online Exchange.	Mandatory	
e) Remediation and preventative maintenance, monitoring, patch and update management of Backup and Recovery environment.	Mandatory	
f) Provide options for long term data archiving as per Data Management Statement and Retention Schedule	Mandatory	
g) Users can restore their own files from backup	Mandatory	
h) Backup solution includes systems that are currently on premise	Mandatory	
i) Provide input into the organisation's Business Continuity Plan	Mandatory	
8. Disaster Recovery (DR) and Backups		
a) Active independent Secondary Service with Auto Failover to ensure minimal downtime of the service.	Mandatory	
b) Active data links are in place to the DR centre enabling alternative access paths to the DR infrastructure	Mandatory	
c) Full DR testing to be conducted annually with participation from BSC staff, with testing requirements and specifications to be negotiated and agreed to by the service provider and BSC at the commencement of the contract.	Mandatory	
d) Complete test plan to be reviewed and approved by BSC prior to the commencement of testing.	Mandatory	
e) Formal presentation of DR testing results and suggested changes/preventative measures to be completed annually within 30 days of the successful conclusion of DR testing.	Mandatory	
f) Remediation and preventive maintenance, monitoring, patch and update management of DR environment.	Mandatory	
g) Review and update DR and BC Plan as agreed with BSC to suit new solution proposed.	Mandatory	
9. Security		
a) Management of a web traffic service to manage security threats, blocking access to harmful, inappropriate, and dangerous websites that may contain phishing/pharming attacks, malware such as spyware, or objectionable content that can expose BSC to legal liability. In addition, firewall and intrusion detection services to be provided to manage all internet traffic	Mandatory	
b) Provide and manage an Anti-Virus solution for all servers and client devices.	Mandatory	
c) Provide a monthly report summarising key intrusion attempts and virus monitoring statistics. This should include proactive vendor recommendations regarding IT Security as applicable.	Mandatory	
d) DMZ is established between the corporate network and external networks (including the Internet)	Mandatory	
e) Remediation and preventive maintenance, monitoring, patch and update management of all Security.	Mandatory	
f) All applications and software to have an agreed patch management strategy in place.	Mandatory	
g) Enabling single-sign-on capability for all applications (most critical being Civica)	Mandatory	
h) Support is provided for enabling 2-factor authentication for selected applications (most critical being SCADA)	Mandatory	
i) Allowance to be made for some users (authorised by BSC IT) to have local administration rights	Mandatory	
j) All data must be located with an Australian Data Centre and at no stage can the data be located or transferred outside of Australia without prior consent from BSC.	Mandatory	
k) Must meet standards outlined in the NSW Cyber Security Policy and the Protective Security Policy Framework and Information Security Manual released by the Australian Signals Directorate.	Mandatory	
l) Annual staff training on IT security policy, risks, ways of mitigating these risks and complying with standards as described in 8k.	Mandatory	
m) IT change management process that includes BSC approval of all changes before they are applied	Mandatory	
n) Monthly reporting on all users in Active Directory and the level of	Mandatory	

BSC IT Transformation and Managed Services Specification

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Area / Requirement	Importance for BSC	Compliance (Yes, No)
access they have		
o) Self-service password reset is available for all BSC users in accessing their desktop.	Negotiable	
10. Applications and Software		
a) All applications and software, including licensing, integration and accessibility, to be managed and administered within the proposed service as outlined in BSC IT Managed Services Current State document. Please note that BSC will purchase and own all software licensing, where possible, under the advice of the Provider.	Mandatory	
b) All applications and software to have a clear lifecycle management strategy in place with a minimum of a two-year forward window.	Negotiable	
c) All software upgrades should only be completed with the express written pre-approval of BSC.	Mandatory	
d) Compliance reporting must be made available on request.	Mandatory	
e) Liaise with software vendor when required and BSC will provide necessary authorisation when needed.	Mandatory	
f) Provide recommendation for SharePoint and Online Exchange email and document archiving, security, backup and recovery improvements including 3rd party software options.	Mandatory	
g) SharePoint and Online Exchange management including email and document archiving, security, backup and recovery, SharePoint workflows, MySite and other opportunities.	Mandatory	
h) Preventive maintenance, monitoring, patch and update management of all applications and software as outlined in the BSC Current State attached which is to be completed outside business hours, unless otherwise organised and agreed with BSC.	Mandatory	
11. Technical and Support Services		
a) Dedicated Help Desk and Phone Support team for all inquiries, requests and problems provided between the hours of 7am-7pm Monday-Friday; excluding public holidays, with the option for additional support outside these times at a fixed fee.	Mandatory	
b) Online Support Portal for all support or development requests.	Mandatory	
c) End to End unlimited technical support on all applications, software, services, and infrastructure.	Mandatory	
d) One day a fortnight where the Provider provides on-site support, with all travel charges incorporated into the service fee.	Negotiable	
e) The support and enhancement of the current Office solution including SharePoint and Exchange.	Mandatory	
f) The management and maintenance of service (staff) accounts, access and permissions with any changes to be initiated by a nominated BSC staff member(s) and reviewed by the BSC IT staff.	Mandatory	
g) Support requests target resolution must be managed and delivered as per SLA (as defined in the Proposed Contract : Schedule 3 Service Level Agreement)'s which are to be negotiated and agreed to by the service provider and BSC at the commencement of the contract.	Mandatory	
h) The Provider must apply sufficient protection against the introduction of harmful code in hosted data and systems as well as via any communication with BSCs local systems	Mandatory	
i) The Provider must ensure that all people they engage to work on BSC IT systems have passed a Police Check.	Mandatory	
j) BSC IT staff are provided with full administration access rights to all aspects of the solution to a level that enables the person in this role to effectively perform their duties.	Mandatory	
12. Client Devices		
a) Support, development and asset management of new and existing devices and equipment and new device identification and procurement. Note that BSC will purchase all devices and equipment, under the advice of the Provider.	Mandatory	
b) Remediation and preventive maintenance, monitoring, patch and update management of all Client devices and equipment as per Infrastructure Scope.	Mandatory	

BSC IT Transformation and Managed Services Specification

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Area / Requirement	Importance for BSC	Compliance (Yes, No)
c) A Standard Operating Environment (SOE) and a Mobile Operating Environment (MOE) to be developed, managed and deployed to all existing and new desktop, laptop and mobile devices. A local server is to be established for imaging devices.	Mandatory	
d) A Mobile Device Management solution is developed, implemented and managed	Mandatory	
e) Fully support user printing on existing and new printers.	Mandatory	
13. Transition-in Services		
a) Implement a Disaster Recovery site for the current server environment hosted by the incumbent.	Mandatory	
b) Work with the incumbent migrate the current server environment to the proposed solution, and including: <ul style="list-style-type: none"> i. Assessment, implementation and configuration and migration of all systems, servers, client devices and equipment, network services, applications, databases, software and data. ii. Implementation planning, scope of works and communications plan, including tasks and responsible officers. 	Mandatory	
14. Transition-out Services		
a) Should a termination of service be required the proposed solution must provide the ability for a smooth transfer of services and for the provisioning of the service provider to assist BSC to achieve this at a once agreed fee. In addition, the provider must:		
b) Give all reasonable assistance in helping with the disengagement and transition including retrieval of all data in formats approved by BSC	Mandatory	
c) Supply a detailed disengagement and transition plan to give BSC confidence in the nature and scope of the provider's disengagement services		
f) Not delete any data at the end of the agreement without the express approval of BSC. The Provider must safeguard all data until this approval is received.		
15. Performance and Planning		
a) All services proposed, including support services, must come with a service level agreement and guarantee with SLA's (as defined in the Proposed Contract, Schedule 3 : Service Level Agreement) to be negotiated and agreed to by the service provider and BSC as part of the contract.	Mandatory	
b) Provide a monthly report summarising service and network performance.	Mandatory	
c) Provide a monthly report detailing performance against the SLA's agreed and including the following call statistics and request activities, including: <ul style="list-style-type: none"> i. Summary of calls by groups and individuals; ii. All calls for the period by status; iii. Open and closed calls sorted by subject; iv. Ten most frequent subjects and individuals 	Mandatory	
d) A system monitoring dashboard showing the availability and performance of all BSC IT infrastructure	Mandatory	
e) Monthly Service Meetings will be conducted onsite; or as agreed by both parties, via VC or Phone throughout the life of the service to review the monthly report and ensure service delivery and all issues are being resolved in a timely manner as per agreed SLA's.	Mandatory	
f) Weekly Phone Meetings with IT Manager and the provider to discuss Help Desk and Support tasks for the first 6 months after Transition In is complete.	Mandatory	
g) Weekly Phone Meetings with IT Manager and the provider to discuss Help Desk and Support tasks after the first 6 months after Transition In is complete.	Negotiable	

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Area / Requirement	Importance for BSC	Compliance (Yes, No)
h) Ad hoc meetings can be organised by either party on an as needed basis.	Negotiable	
i) Annual customer satisfaction surveys to be completed as agreed with BSC representative	Mandatory	
j) The Provider will provide BSC access to their facilities for the purpose of internal or external audit.	Mandatory	
16. Training and Education		
a) Onsite Pre and Post Migration training for all staff and advanced training for a small group of nominated support staff, including advanced training for power users and IT staff.	Mandatory	
b) Ongoing training and environment documentation resources to ensure staff have what they need to fully utilise the service proposed.	Mandatory	