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**NARROMINE SHIRE COUNCIL**  
**ORDINARY MEETING BUSINESS PAPER – 8 DECEMBER 2021**  
**REPORTS TO COUNCIL – GENERAL MANAGER**

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## **1. COUNCILLOR OATH OR AFFIRMATION OF OFFICE**

<b>Author:</b>	Director Governance
<b>Responsible Officer:</b>	General Manager
<b>Link to Strategic Plan:</b>	CSP – 4.2.8 Implement best practice governance standards, transparent decision making and a strong ethical culture

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### **Executive Summary**

This report is provided to Council with the information necessary for the newly elected Councillors to undertake their statutory oath or affirmation of office.

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### **Report**

Under the Local Government Act 1993, Councillors are required to take an oath or make an affirmation of office and must be the first item of business for the first meeting of the newly elected Council.

Oaths or affirmations of office must be taken or made by each Councillor at or before the first meeting of the Council after being elected. The oath or affirmation may be taken or made before the General Manager of the Council, and Australian legal practitioner or a Justice of the Peace.

A Councillor who fails, without a reasonable excuse, to take the oath or make an affirmation of office will not be entitled to attend Council Meetings until they do so and will be taken to be absent without leave. If a Councillor is absent without leave for three consecutive Ordinary Meetings their office is automatically declared vacant and a by-election or countback must be held.

The prescribed words of the oath and affirmation are provided below: -

### **Oath**

"I [name of councillor] swear that I will undertake the duties of the office of councillor in the best interests of the people of Narromine Shire and the Narromine Shire Council and that I will faithfully and impartially carry out the functions, powers, authorities and discretions vested in me under the Local Government Act 1993 or any other Act to the best of my ability and judgment."

### **Affirmation**

"I [name of councillor] solemnly and sincerely declare and affirm that I will undertake the duties of the office of councillor in the best interests of the people of Narromine Shire and the Narromine Shire Council and that I will faithfully and impartially carry out the functions, powers, authorities and discretions vested in me under the Local Government Act 1993 or any other Act to the best of my ability and judgment."

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**1. COUNCILLOR OATH OR AFFIRMATION OF OFFICE (Cont'd)**

***Financial Implications***

Applicable if Council is required to hold a by-election. It is noted that Council does not have the option of holding a countback of votes, given the election was uncontested.

***Legal and Regulatory Compliance***

Local Government Act 1993, Section 233A

***Risk Management Issues***

The General Manager must ensure that a record is kept of the taking of the oath or making of the affirmation. This can be done by way of a signed statement containing the oath or affirmation or by recording the taking of the oath or making of the affirmation of each Councillor in the minutes of the meeting.

The taking of the oath or making an affirmation of office outside a council meeting must be publicly recorded by the Council. A council staff member must be present to ensure that an accurate record can be kept by the Council.

***Internal/External Consultation***

Office of Local Government Circular

**Attachment**

- Nil

**RECOMMENDATION**

1. That each Councillor stand and take their statutory oath or make an affirmation of office.
2. That each statutory oath made or affirmation taken be recorded in the minutes of the meeting.

## **2. ELECTION OF MAYOR AND DEPUTY MAYOR**

<b>Author:</b>	Director Governance
<b>Responsible Officer:</b>	General Manager
<b>Link to Strategic Plan:</b>	CSP – 4.2.8 Implement best practice governance standards, transparent decision making and a strong ethical culture

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### **Executive Summary**

This report is provided to Council to in order to conduct mayoral and deputy mayoral elections.

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### **Report**

Councils that elect Mayors and Deputy Mayors must hold a mayoral election at a council meeting within three weeks of the declaration of the election.

The Mayor elected by the Councillors normally hold their office for 2 years (unless a casual vacancy occurs). Due to the postponement of the ordinary elections to 4 December 2021, mayors elected by councillors during the term will have a shorter term than the usual 2 years. Under the Act Council is required to hold mid-term mayoral elections in the month of September. This means that the mid term mayoral elections will need to be held in September 2023. The mayor elected at the mid-term mayoral election will hold their office until the day of Council's next ordinary election in September 2024 when their civic office as a councillor and mayor will expire.

Deputy Mayors hold their office for the term specified in Council's resolution.

### **Election of Mayor by Councillors Procedure**

#### **Returning Officer**

The General Manager (or a person appointed by the General Manager) is the returning officer.

#### **Nomination**

A Councillor may be nominated without notice for election as Mayor or Deputy Mayor. The nomination is to be made in writing by two or more Councillors (one of whom may be the nominee). The nomination is not valid unless the nominee has indicated consent to the nomination in writing. The nomination is delivered or sent to the returning officer. The returning officer is to announce the names of the nominees at the Council Meeting at which the election is to be held.

## **2. ELECTION OF MAYOR AND DEPUTY MAYOR (Cont'd)**

### **Election**

If only one Councillor is nominated, that Councillor is elected. If more than one Councillor is nominated, the Council is to resolve whether the election is to proceed by preferential ballot (place 1, 2, 3 against each candidate), by ordinary ballot (secret ballot – place an “X” against the candidate of their choice) or by open voting (show of hands). A similar procedure applies for the election of a Deputy Mayor. The election is to be held at the Council Meeting at which the Council resolves on the method of voting.

Open ballots can be undertaken remotely where a Council is conducting its meetings via audio visual link.

Ordinary and preferential ballots are secret ballots and Councillors will need to attend the meeting in person if the election is to be by way of an ordinary or preferential ballot.

In deciding which method to use Council should consider the personal circumstances of their Councillors to ensure that all Councillors can participate in the Mayoral Election. Councillors may attend Council Meetings in person under the *Public Health (COVID-19) Gathering Restrictions) Order (No. 2) 2021* and the *Public Health (COVID-19 Additional Restrictions for Delta Outbreak) Order 2021* for the purposes of participating in a mayoral election and staff may attend for the purposes of conducting the election.

Note: Previous elections in recent years have been by ordinary ballot.

### **Ordinary Ballot or Open Voting**

If the election proceeds by ordinary ballot, the returning officer is to decide the manner in which votes are to be marked on the ballot-papers. The formality of a ballot-paper must be determined in terms of clauses 345(1) and (2) of the Regulation. An informal ballot-paper must be rejected at the count.

### **Count – 2 Candidates**

If there are only two candidates, the candidate with the higher number of votes is elected. If there are only two candidates and they are tied, the one elected is chosen by lot.

### **Count – 3 or more Candidates**

- (1) If there are three or more candidates, the one with the lowest number of votes is to be excluded.
- (2) If three or more candidates then remain, a further vote is to be taken of those candidates and the one with the lowest number of votes from that further vote is to be excluded.

## **2. ELECTION OF MAYOR AND DEPUTY MAYOR (Cont'd)**

- (3) If, after that, 3 or more candidates still remain, the procedure set out in sub-clause (2) is to be repeated until only 2 candidates remain.
- (4) A further vote is taken of the 2 remaining candidates.
- (5) The procedure for the count for two candidates then applies as if the two remaining candidates had been the only candidates.
- (6) If at any stage during a count under sub-clause (1) or (2), two or more candidates are tied on the lowest number of votes, the one excluded is to be chosen by lot.

### **Choosing by Lot**

To choose a candidate by lot, the names of the candidates who have equal numbers of votes are written on similar slips of paper by the returning officer, the slips are folded by the returning officer so as to prevent the names being seen, the slips are mixed and one is drawn at random by the returning officer and the candidate whose name is on the drawn slip is chosen.

### **Result**

The result of the election (including the name of the candidate elected as Mayor or Deputy Mayor) is (a) to be declared to the Councillors at the Council Meeting at which the election is held by the returning officer, and (b) to be delivered or sent to the Director General of the Office of Local Government and the Secretary of Local Government NSW.

### **Financial Implications**

Operational Plan and Budget 2021/22

### **Legal and Regulatory Compliance**

Section 230, 231, 290 of the *Local Government Act 1993*  
Clauses 345(1) and (2) of the *Local Government (General) Regulation 2021*  
Schedule 7 of the *Local Government (General) Regulation 2021*

### **Risk Management Issues**

Compliance with legal and regulatory obligations.

### **Internal/External Consultation**

Nil

### **Attachments**

- Nil

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**2. ELECTION OF MAYOR AND DEPUTY MAYOR (Cont'd)**

**RECOMMENDATION**

1. That in the event of more than one candidate for the positions of Mayor and Deputy Mayor the election(s) be conducted by ordinary ballot.
2. That the term of the Deputy Mayor be the same term as the Mayor.

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**3. ORDINARY COUNCIL MEETINGS – ORDER OF BUSINESS**

<b>Author</b>	Director Governance
<b>Responsible Officer</b>	General Manager
<b>Link to Strategic Plans</b>	CSP – 4.2.8 Implement best practice governance standards, transparent decision making and a strong ethical culture

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**Executive Summary**

This report is presented to Council to consider the current Order of Business for Ordinary Meetings.

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**Report**

Council's Code of Meeting Practice provides that the order of business for Ordinary Council Meetings is fixed by a resolution of the Council.

The 2021 Office of Local Government Model Code of Meeting Practice recommends that the order of business be set as follows: -

1. Opening meeting
2. Acknowledgement of country
3. Apologies and applications for a leave of absence or attendance by audio-visual link by councillors
4. Confirmation of minutes
5. Disclosures of interests
6. Mayoral minute(s)
7. Reports of committees
8. Reports to council
9. Notices of motions/Questions with notice
10. Confidential matters
11. Conclusion of the meeting

Section 8 of the Model Code of Meeting Practice provides for the order of business to be altered for a particular meeting of the Council if a motion to that effect is passed at the meeting. Such a motion can be moved without notice.

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**3. ORDINARY COUNCIL MEETINGS – ORDER OF BUSINESS (Cont'd)**

***Financial Implications***

Operational Plan and Budget 2021/22

***Legal and Regulatory Compliance***

Local Government Act 1993 – Section 440(7)  
Clause 232 of the *Local Government (General) Regulation 2021*  
Council's Code of Meeting Practice  
Office of Local Government – Model Code of Meeting Practice 2021

***Risk Management Issues***

Within the first 12 months following the election Council must adopt a code of meeting practice that incorporates the mandatory provisions of the Model Code of Meeting Practice for Local Councils in NSW following public exhibition and the submission of considerations.

A report will be presented to Council in due course to consider Council's Model Code of Meeting Practice as is required under the Act.

***Internal/External Consultation***

Nil

**Attachments**

- Nil

**RECOMMENDATION**

That the Order of Business for Ordinary Meetings of Council be fixed as follows: -

1. Opening Meeting
2. Acknowledgement of Country
3. Apologies and Applications for a Leave of Absence or Attendance by Audio-visual Link by Councillors
4. Confirmation of Minutes
5. Disclosures of Interests
6. Mayoral Minute
7. Reports of Committees
8. Reports to Council
9. Notices of Motions/Questions with Notice
10. Confidential Matters
11. Conclusion of the Meeting

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#### **4. TIMING OF ORDINARY COUNCIL MEETINGS**

<b>Author:</b>	Director Governance
<b>Responsible Officer:</b>	General Manager
<b>Link to Strategic Plan:</b>	CSP – 4.2.8 Implement best practice governance standards, transparent decision making and a strong ethical culture

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#### **Executive Summary**

This report is presented to Council to consider the frequency, time, date and place of Ordinary Council Meetings.

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#### **Report**

Council is required to meet at least 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 (section 365 of the *Local Government Act 1993*).

Council's Code of Meeting Practice provides that the Council shall by resolution set the frequency, time, date and place of its Ordinary Meetings.

Currently Council meetings are held in Council Chambers on the second Wednesday of each calendar month with the exception of the month of January. No Ordinary Meeting is held in January due to holidays and staff absences. If urgent business arises, an Extraordinary Meeting may be called.

#### ***Financial Implications***

Operational Plan and Budget 2021/22

#### ***Legal and Regulatory Compliance***

Local Government Act 1993 – section 365  
Council's Code of Meeting Practice

#### ***Risk Management Issues***

Pre-meeting briefing sessions may be held prior to the Ordinary Council Meeting, as well as Public Forum.

As this is a new Council term with a new Council, it is important that Council selects a suitable day and time for its Ordinary Meetings to ensure all Councillors can attend.

#### ***Internal/External Consultation***

Council will need to publish the day and time of meetings of Council, once resolved.

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#### **4 TIMING OF ORDINARY COUNCIL MEETINGS (Cont'd)**

##### Attachments

- Nil

#### **RECOMMENDATION**

1. Council determine a day and time for Ordinary Council Meetings;
2. That Council not hold an Ordinary Meeting in January;
3. That Ordinary and Extraordinary Council meetings continue to be held in Council Chambers and
4. That the public be notified of the place, day and time of Ordinary Council Meetings.

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#### **5. APPOINTMENT OF COMMITTEES, STATUTORY COMMITTEES, AND APPOINTMENT OF DELEGATES AND REPRESENTATIVES OF COUNCIL**

<b>Author</b>	Director Governance
<b>Responsible Officer</b>	General Manager
<b>Link to Strategic Plans</b>	CSP – 4.1.3 Provide opportunities for community members to participate in Council's decision making DP – 4.3.1.3 Continue to facilitate section 355 Advisory Committees

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#### **Executive Summary**

This report is presented to Council with information in order to consider the appointment of Committees, Statutory Committees and delegates and representatives of Council.

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#### **Report**

Council may appoint or elect such Committees as it may consider necessary in the exercise of its functions, consisting of such number of members as the Council shall decide. The Mayor is an ex-officio member of all Council Committees of which all members are Councillors and Chair of other Committees when stated in the Charter.

Under Section 355(b) of the Local Government Act 1993, a "Committee" of Council may consist of members who are all Councillors or may involve members of the community or other organisations; for example the Narromine and Trangie Showground and Racecourse Advisory Committees, the Narromine Australia Day Committee.

Committee Members are usually appointed for a 12-month period, with the exception of the Western Regional Joint Planning Panel which is a three-year appointment.

Council Staff can be appointed to Committees in an advisory capacity; however they do not have voting rights unless in a Statutory Committee which provides for this.

## **5. APPOINTMENT OF COMMITTEES, STATUTORY COMMITTEES, AND APPOINTMENT OF DELEGATES AND REPRESENTATIVES OF COUNCIL (Cont'd)**

Please note that when the membership of a Committee changes, it is necessary to elect a Chair (if not the Mayor) and, if considered necessary, a Deputy Chair, to be held at the first meeting of the Committee following the appointment of delegates.

Council Committee Charters with the exception of the Internal Audit Committee, currently provide that at least one Councillor must be present for a quorum and the Chair of each Committee should be a Councillor.

If the Councillor is unable to attend a committee meeting, they are requested to arrange attendance of the alternate delegate or another Councillor in their absence. The quorum does not include staff representatives unless they have a voting right. In most section 355(b) Committees of Council, staff have the right to contribute to the debate and provide guidance, however do not vote.

### **Committee Charters**

Charters for each of Council's Statutory Committees and Section 355 Committees are attached for Council's consideration and adoption. The Office of Local Government released a circular in 2016 encouraging Councils to review the operations of committees established under section 355 of the Local Government Act 1993, and in particular, stated that the committees should be fit for purpose and be able to demonstrate clear links for the goals of Council's Delivery Program.

Council's Charters have accordingly been reviewed by staff and suggested amendments have been marked in red for ease of reference (**see Attachment No 1**).

There is no Charter for the General Manager's Performance Review Panel. This panel must operate in accordance with the Office of Local Government's *Guidelines for the Appointment and Oversight of General Managers*.

The Charter for the Internal Audit Committee has been withheld subject to further consideration of the finalisation of the Risk Management and Internal Audit Guidelines.

### ***Financial Implications***

Administrative costs in attending meetings etc.

### ***Legal and Regulatory Compliance***

Section 355 of the Local Government Act 1993

### ***Risk Management Issues***

Committees must be fit for purpose and demonstrate clear links with the goals of Council's Delivery Program

### ***Internal/External Consultation***

Nil

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**5. APPOINTMENT OF COMMITTEES, STATUTORY COMMITTEES, AND APPOINTMENT OF DELEGATES AND REPRESENTATIVES OF COUNCIL (Cont'd)**

Attachments

- Committee Charters

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**Statutory Committees**

**1. Local Emergency Management Committee**

This committee is appointed under Section 355(b) of the Local Government Act 1993 and Section 28 of the State Emergency and Rescue Management Act 1989. In the exercise of its functions, the Committee is responsible to the relevant District Emergency Management Committee.

The Committee has been established to be responsible for the preparation and review of plans in relation to the prevention of, preparation for, response to and recovery from emergencies in the local government area for which it is constituted.

To comprise one Council delegate, The Mayor and one alternate delegate.

**RECOMMENDATION**

That Council adopt the Charter for the Local Emergency Management Committee and appoint the Mayor as Council's Delegate to the committee and one Councillor as an Alternate Delegate to the committee.

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**2. Rural Fire Service Liaison Committee**

This committee is appointed under Section 355(b) of the Local Government Act 1993 and Part 9 of the Narromine Rural Fire District Service Level Agreement 1 July 2012.

The Committee has been established to review the following documents prepared by the Fire Control Officer prior to submission to and consideration by the Council:

- (a) The annual budget and business plan, and
- (b) The quarterly financial and performance reports.

To comprise two Council delegates, and one alternate delegate.

**RECOMMENDATION**

That Council adopt the Charter for the Rural Fire Service Liaison Committee and appoint two Councillor Delegates and one Councillor as an Alternate Delegate to the committee.

**5. APPOINTMENT OF COMMITTEES, STATUTORY COMMITTEES, AND APPOINTMENT OF DELEGATES AND REPRESENTATIVES OF COUNCIL (Cont'd)**

**3. Local Traffic Committee**

This committee is appointed under the provision of Section 50 of the Transport Administration Act 1988.

The Committee has been established to advise and review the provision of traffic control facilities and traffic control measures on public roads in the Narromine Shire Council area.

To comprise one Council delegate, and one alternate delegate.

**RECOMMENDATION**

That Council adopt the Charter for the Local Traffic Committee and appoint one Councillor Delegate and one Councillor as an Alternate Delegate to the committee.

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**4. General Manager's Performance Review Panel**

The whole process of performance reviews of the General Manager is delegated to the performance review panel. The role of the panel includes:-

- Conducting performance reviews
- Reporting findings and recommendations of those reviews to Council
- Development of the performance agreement

In accordance with the Office of Local Government's Guidelines for the Appointment and Oversight of General Managers, the panel is to comprise of the Mayor, the Deputy Mayor, another Councillor appointed by Council and one Councillor nominated by the General Manager.

The governing body of Council and the General Manager may agree on the involvement of an external facilitator to assist with the process of performance appraisal and the development of new performance plans. This person should be selected by the governing body of Council or the performance review panel.

**RECOMMENDATION**

That in accordance with the Office of Local Government's Guidelines for the Appointment and Oversight of General Managers:

- (a) The whole process of performance management of the General Manager including conducting performance reviews; reporting findings and recommendations of those reviews to Council and development of the performance agreement be delegated to the performance review panel; comprising of the Mayor, the Deputy Mayor, another Councillor appointed by Council and one Councillor nominated by the General Manager.
- (b) That Council appoint one Councillor to form part of the General Manager's Review Panel.

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**5. APPOINTMENT OF COMMITTEES, STATUTORY COMMITTEES, AND APPOINTMENT OF DELEGATES AND REPRESENTATIVES OF COUNCIL (Cont'd)**

**5 Internal Audit Committee**

This is a Statutory Committee who review and provide independent advice to the Council on how it is functioning and managing risk.

This Charter of the Internal Audit Committee is to be reviewed in 2022 after finalisation of the Office of Local Government's Risk Management and Internal Audit Guidelines. In the meantime, the committee will continue to operate in accordance with the 2020 Guidelines and its current Charter.

To comprise one Councillor delegate (excluding the Mayor) and one Councillor as an alternate delegate to the committee

**RECOMMENDATION**

That Council appoint one Councillor Delegate and one Councillor as an Alternate Delegate to the Internal Audit Committee.

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**Appointment of Committees – under Section 355(b)**

*(of which not all members are Councillors)*

**1. Narromine Australia Day Committee**

This Committee has been established to organise and run the annual Australia Day celebration in Narromine.

To comprise two Councillor delegates.

**RECOMMENDATION**

That Council adopt the Charter for the Narromine Australia Day Committee and appoint two Councillor Delegates to the committee.

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**2. Narromine Showground and Racecourse Advisory Committee**

This Committee has been established to advise Council regarding the operation of the Narromine Showground and Racecourse by making recommendations to Council, who manage the reserve under the Crown Land Management Act.

To comprise two Council delegates.

**RECOMMENDATION**

That Council adopt the Charter for the Narromine Showground and Racecourse Advisory Committee and appoint two Councillor Delegates to the committee.

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**5. APPOINTMENT OF COMMITTEES, STATUTORY COMMITTEES, AND APPOINTMENT OF DELEGATES AND REPRESENTATIVES OF COUNCIL (Cont'd)**

**3. Trangie Showground and Racecourse Advisory Committee**

This Committee has been established to advise Council regarding the operation of the Trangie Showground and Racecourse by making recommendations to Council, who manage the reserve under the Crown Land Management Act.

To comprise two Council delegates.

**RECOMMENDATION**

That Council adopt the Charter for the Trangie Showground and Racecourse Advisory Committee and appoint two Councillor Delegates to the committee.

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**4. Tomingley Advancement Association Committee**

This Committee has been established to enable additional consultation in regard to items such as Community Strategic Planning, priorities within Council's Delivery Plan and issues that may directly affect the village and nearby residents. The Committee may also offer input into the management of Council owned community facilities such as the Tomingley Memorial Hall and Tomingley Community Centre.

In addition, the Committee has also been established to organise and run the annual Australia Day celebrations in Tomingley when held.

To comprise one Council representative and one alternate delegate

**RECOMMENDATION**

That Council adopt the Charter for the Tomingley Advancement Association Committee and appoint one Councillor Delegate and one Councillor as an Alternate Delegate to the committee.

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**5. Trangie Memorial Hall Committee**

This Committee was established to be responsible for the care, protection, management, operation and improvement of the Memorial Hall in Trangie.

This facility is managed by Council staff and as such does not warrant a committee for its care and control. Any requests for maintenance can be lodged through the CRM system. A working group can be established in the future if required.

**RECOMMENDATION**

That the Trangie Memorial Hall Committee be disbanded.

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**5. APPOINTMENT OF COMMITTEES, STATUTORY COMMITTEES, AND APPOINTMENT OF DELEGATES AND REPRESENTATIVES OF COUNCIL (Cont'd)**

**6. Narromine Floodplain Management Committee**

This Committee has been established primarily to assist Council in respect to studies undertaken in regard to the Narromine Flood Plain Risk Management Plan, the Narromine Town Levee Feasibility Study and Concept Design.

To comprise two Council delegates.

**RECOMMENDATION**

That Council adopt the Charter for the Narromine Floodplain Management Committee and appoint two Councillor Delegates to the committee.

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**7. Economic Development Group Committee**

This Committee has been established to assist Council in the implementation of Council's Economic Development Strategy.

To comprise three Council delegates.

**RECOMMENDATION**

That Council adopt the Charter for the Economic Development Group Committee and appoint three Councillor Delegates to the committee.

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**Representatives of Council to External Committees**

The following external Committees require Council to elect representatives for a one year term:-

**1. Narromine Health Council**

*(To bring local health needs and issues to the attention of the Health Service; participate in service planning and delivery; promote and improve the health of the local community in partnership with the Health Service and others; develop and strengthen networks and links within the community).*

**RECOMMENDATION**

That Council appoint one Councillor representative and one Councillor as the alternate representative to the Narromine Health Council.

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**5. APPOINTMENT OF COMMITTEES, STATUTORY COMMITTEES, AND APPOINTMENT OF DELEGATES AND REPRESENTATIVES OF COUNCIL (Cont'd)**

**2. Orana Crime Prevention Partnership**

*(An initiative whereby local government representatives meet with the Police Local Area Command and other agencies and organisations to develop a plan of activities to address crime)*

**RECOMMENDATION**

That Council appoint the Mayor and General Manager (or nominee) to the Orana Crime Prevention Partnership.

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**3. Trangie Action Group Incorporated**

*(To organise activities of a cultural or educational nature for the people of Trangie and district; generally, promote the village of Trangie for the betterment and improvement of the village and its community; establish facilities for the betterment of the community)*

**RECOMMENDATION**

That Council appoint two Councillors as representatives to the Trangie Action Group.

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**4. Bush Fire Management Committee**

*(Provides a forum for cooperative and coordinated bushfire management in the local area. The committee is responsible for preparing, coordinating, reviewing and monitoring the Bush Fire Risk Management Plan for the area. Also assist in coordination of bush fire detection, mitigation, control and suppression).*

**RECOMMENDATION**

That Council appoint one Councillor and the Director Infrastructure and Engineering Services to the Bushfire Management Committee.

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**5. Macquarie Valley Weeds Advisory Committee**

*(A regional network of Councils, Local Land Services and other stakeholders working together to improve weed management across Central and Western NSW)*

**RECOMMENDATION**

That Council appoint two Councillors as representatives to the Macquarie Valley Weeds Advisory Committee.

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**5. APPOINTMENT OF COMMITTEES, STATUTORY COMMITTEES, AND APPOINTMENT OF DELEGATES AND REPRESENTATIVES OF COUNCIL (Cont'd)**

**6. Narromine Aviation Museum**

*(To raise the profile of the museum in the community; collect, conserve, manage and make accessible aviation related material and recorded evidence of the past in western NSW and the impact of aviation on community life; provide cultural resources for the enrichment and entertainment of the community; preserve items of aviation heritage; increase resources to support ongoing development of the museum and archive facilities etc.)*

**RECOMMENDATION**

That Council appoint two Councillors as representatives to the Narromine Aviation Museum Committee.

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**7. Macquarie Flood Mitigation Zone (MFMZ) Reference Group**

*(This is an advisory panel that guides WaterNSW on the balance between water releases, river heights and downstream flooding effects to land and infrastructure, as well as the environment.)*

**RECOMMENDATION**

That Council appoint one Councillor as a representative to the Macquarie Flood Mitigation Zone (MFMZ) Reference group.

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**8. Tomingley Gold Operations (TGO) Project Community Consultative Committee**

*(To provide a forum for discussion between a proponent and representatives of the community, stakeholder groups and Council on issues directly relating to this State significant project)*

**RECOMMENDATION**

That Council appoint one Councillor representative and one Councillor as alternate representative to the Tomingley Gold Operations (TGO) Community Consultative Committee.

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**9. Tomingley Gold Operations (TGO) Community Fund**

*(As part of the Voluntary Planning Agreement terms, the fund is to contribute to notable projects and events in the Narromine Shire on an applications basis. Administered by a panel of Tomingley Gold Operations and Council representatives, the fund is used to support projects in the Shire with economic benefit, community connectivity, education and training, and community infrastructure)*

**RECOMMENDATION**

That Council appoint two Councillors as representatives and one Councillor as alternate representative to the Tomingley Gold Operations (TGO) Community Fund.

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**5. APPOINTMENT OF COMMITTEES, STATUTORY COMMITTEES, AND APPOINTMENT OF DELEGATES AND REPRESENTATIVES OF COUNCIL (Cont'd)**

**10. Western Regional Planning Panel (3-year appointment)**

*(Determines regionally significant DAs and s4.56 modification applications; acts as the Planning Proposal Authority when directed; undertakes rezoning reviews; provides advice on other planning and development matters when requested; determines site compatibility certificates under the SEPP (Housing for Seniors or People with a Disability) 2004)*

*At least one council member is required to have expertise in one or more of the following areas: planning, architecture, heritage, the environment, urban design, land economics, traffic and transport, law, engineering or tourism.*

**RECOMMENDATION**

That Council appoint two Councillors as representatives and one Councillor as alternate representative to the Western Regional Joint Planning Panel for a three year term.

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**11. Floodplain Management Association (FMA)**

*(A non-profit organisation of professionals involved in floodplain management, flood hazard mitigation, climate change, the National Flood Insurance Program, and flood preparedness, warning and recovery)*

**RECOMMENDATION**

That the Chair of the Floodplain Management Committee be the Councillor representative to the Floodplain Management Association (FMA) and that the General Manager and Director Infrastructure and Engineering Services (or nominee) be representatives to the Floodplain Management Association (FMA).

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**12. Murray Darling Association (MDA)**

*(To provide for effective representation of local government and communities at State and Federal level in the management of Basin resources by providing information; facilitating debate; and seeking to influence government policy)*

**RECOMMENDATION**

That the Mayor and General Manager be appointed as representatives to the Murray Darling Association (MDA)

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**13. Country Mayor's Association of New South Wales**

*(To further the interests of Country Councils by being an advocate on state wide issues and to act as an information sharing forum)*

**RECOMMENDATION**

That the Mayor and General Manager be appointed as representatives to the Country Mayor's Association of New South Wales.

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**5. APPOINTMENT OF COMMITTEES, STATUTORY COMMITTEES, AND APPOINTMENT OF DELEGATES AND REPRESENTATIVES OF COUNCIL (Cont'd)**

**14. Orana Joint Organisation – Alternate Board Representative**

*(Elevates the shared priorities of member councils' strategic plans, programs, priorities and policies to perform three principle functions in their region: strategic planning and priority setting; intergovernmental collaboration; shared leadership and advocacy)*

Voting representatives include the Mayors of each of the member councils. Member councils may appoint the Deputy Mayor, or another Councillor, to attend board meetings in place of the Mayor if the Mayor is unable to attend.

This Committee is inactive. It is intended that an Alliance of Western Councils will be formally established in the near future. A further report will be brought before Council to appoint representatives in due course.

**RECOMMENDATION**

That the information be noted.

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**15. NSW Public Libraries Association**

*(Membership is open to all Local Government Councils in NSW that have adopted the NSW Library Act 1939. The purpose of the association is to provide strong representation to all levels of government, work with State Library of NSW for the betterment of the public library network, promote understanding of the value that public libraries contribute, develop and review services and standards to public libraries, apply for grants and raise finance for specific purposes where appropriate, assist Councils to recognise the value of library services to their communities)*

**RECOMMENDATION**

That Council appoint one Councillor as representative to the NSW Public Libraries Association.

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**6 LEASE FEE – PART 44/1209533 – NARROMINE AERODROME**

<b>Author</b>	Director Governance
<b>Responsible Officer</b>	General Manager
<b>Link to Strategic Plans</b>	CSP – 4.3.4 Ensure Council's property assets are monitored and well managed

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**Executive Summary**

This report is presented to Council in order to consider the lease fee for the renewal of the lease of a portion of land at the Narromine Aerodrome.

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**6. LEASE FEE – PART 44/1209533 – NARROMINE AERODROME (Cont'd)**

**Report**

Council has an existing agreement for the lease of 9640 square metres at the Narromine Aerodrome for an office building and anhydrous ammonia depot. The lessee has requested that the agreement be renewed for a period of 15 months.

***Financial Implications***

Current rental being charged is \$17,246.40 (inclusive of GST) per annum payable by monthly instalments in advance.

It is recommended that the commencing rental be \$17,953.14 for the first 12 months, after which the annual CPI be applied.

The lessee will be responsible for any lease preparation costs.

***Legal Implications***

A new lease agreement will need to be entered into for a further 15 month term.

***Risk Management Issues***

The lessee is responsible for taking out appropriate public liability insurance coverage over the area being leased.

***Internal/External Consultation***

Consultation with lessee

Attachments

- Nil

**RECOMMENDATION**

That the commencing fee for the lease of part lot 44/1209533 at the Narromine Aerodrome be \$17,953.14 (inclusive of GST) for the first 12 months, after which the annual CPI be applied for the remaining three month period.

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**NARROMINE SHIRE COUNCIL**  
**ORDINARY MEETING BUSINESS PAPER – 8 DECEMBER 2021**  
**REPORTS TO COUNCIL – GENERAL MANAGER**

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## **7. 2020/2021 ANNUAL REPORT**

<b>Author</b>	Director Governance
<b>Responsible Officer</b>	General Manager
<b>Link to Strategic Plans</b>	CSP – 4.3.1 Operate and manage Council in a financially sustainable manner that meets all statutory and regulatory compliance and Council policies. DP – 4.3.1.1 – Implementation of the Delivery Program and Operational Plan including Budget and Asset Management Plan on an annual basis.

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### **Executive Summary**

This report is presented to Council to note the publication of Council's 2020/2021 Annual Report. The Annual Report may be downloaded from Council's website.

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### **Report**

Council must prepare an Annual Report within five months of the end of the financial year. The report must outline Council's achievements in implementing its Delivery Program. Council's Annual Report must also contain its audited financial statements. A copy of the report is to be published on Council's website with the notification of publication to the Minister.

The following information is required to be included in Council's Annual Report (as per the Regulations): -

- Details of overseas visits by Councillors and Council Staff
- Details of Mayoral and Councillor fees, expenses and facilities
- Contracts of \$150,000 and above awarded by the Council
- Amounts incurred in relation to legal proceedings
- Private works and financial assistance
- Details of external bodies, companies and partnerships
- Statement of total General Manager's total remuneration
- Statement of total remuneration of all Senior Staff
- Information on stormwater levies and charges
- A statement of the activities undertaken by the Council to implement its equal employment opportunity management plan
- A statement of Council's activities to enforce and comply with the Companion Animals Act

It is noted that the Department of Planning, Industry and Environment has determined that the NSW Rural Fire Service and the State do not control rural firefighting equipment. The NSW Audit Office has accepted the Department's position and as such requires Councils to recognise these assets. Management have therefore recognised the RFS assets in Council's financial statements, increasing Council's income and asset value by \$2.6M and increasing depreciation for the financial year by \$356,884 and for future years.

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## **7. 2020/2021 ANNUAL REPORT (Cont'd)**

### **Key Achievements for the Year**

#### **Major Capital Works Projects**

- Apex Park Upgrades – Construction of new netball courts, upgrade of multi-court, amenities building and paths
- Cale Oval Community Sporting Precinct – Building design and boundary fencing upgrade
- Dedicated Dog area at Rotary Park
- Lighting at Burns Oval, Trangie
- Trangie Playground plus Pathways – Trangie Sporting Precinct
- Narromine Aerodrome Business Park Development
- Narromine Skypark Residential Development – Stages 5-7
- HubnSpoke Coworking Space – 37 Burraway Street
- Park & Precinct Beautification Trangie and Tomingley
- Narromine Wetlands Extension – Carpark and Pond
- Narromine Temporary Bore Water Treatment Facility
- Narromine, Trangie and Tomingley Streetscape Beautification.

#### **Successful Grants**

- Growing Local Economies – Infrastructure Grant - \$9M
- Resources for Regions - \$1.67M
- Regional Connectivity Program, Narromine Shire Council and Field Solutions Group \$1.6M
- Showground Stimulus Funding for Trangie Showground upgrading infrastructure - \$100,276
- Local Roads Community Infrastructure Fund \$777,770 – Cale Oval off road car park and landscaping and Gainsborough Road
- Stronger Country Communities Allocation - \$750,000
- 2020-21 Fixing Country Roads - \$638,400
- 2021 Road Safety Funding - \$150,000
- Showground Stimulus Funding for Narromine Showground - \$57,000
- Crown Reserves Improvement Fund Trangie Showground - \$18,524

#### **Delivery Program Targets**

- 97% of targets in the 2020/2021 Delivery Program achieved

#### **Challenges**

- Covid-19 Pandemic

## **7. 2020/2021 ANNUAL REPORT (Cont'd)**

### ***Financial Implications***

Council's Audited Financial Statements are included in Annexure One of the Annual Report. Council's 2020/21 financial status continues to remain sound.

The Department of Planning, Industry and Environment has determined that the NSW Rural Fire Service and the State do not control rural firefighting equipment. The NSW Audit Office has accepted the Department's position and as such requires Councils to recognise these assets. Management have therefore recognised the RFS assets in Council's financial statements, increasing Council's income and asset value by \$2.6M and increasing depreciation for the financial year by \$356,884 and for future years.

### ***Legal and Regulatory Compliance***

Sections 404, 428 and 428A of the Local Government Act 1993  
Clause 217 of the Local Government (General) Regulation 2021  
Integrated Planning and Reporting Guidelines

### ***Risk Management Issues***

Nil – Council's Annual Report has been prepared in accordance with the Regulations and Integrated Planning and Reporting guidelines, and the Minister notified accordingly

### ***Internal/External Consultation***

Internal consultation with relevant personnel

### Attachments

Nil

## **RECOMMENDATION**

That the report be noted.

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## **8. OFFICE CLOSURE – CHRISTMAS/NEW YEAR PERIOD**

<b>Author</b>	Director Governance
<b>Responsible Officer</b>	General Manager
<b>Link to Strategic Plans</b>	DP – 4.2.2.1 – Provide policies, programs and initiatives that support employee work/life balance

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### **Executive Summary**

This report is presented to Council to advise the closure of the Council Chambers and Council's Customer Service and Payments Centre from 21 December 2021 to 5 January 2022.

## **8. OFFICE CLOSURE – CHRISTMAS/NEW YEAR PERIOD (Cont'd)**

### **Report**

The General Manager, under delegated authority, will close the Depot facilities, Council Chambers, and Customer Service and Payments Centre from 5pm Tuesday 21 December 2021 and reopen at 8.30am Wednesday 5 January 2022.

All other facilities (including Swimming Pools and Waste Depots) are closed on Christmas Day and re-open during the rest of the Christmas and New Year period but may operate with changes to the hours of operation. Council continues to provide essential services to ensure the health and safety of the community i.e. kerbside garbage collection, CBD cleaning and cleaning of public facilities e.g. toilets, BBQs.

Council will still provide appropriate on-call officers to respond to urgent maintenance work or emergency situations.

### **Financial Implications**

Organisational leave liabilities must be managed at sustainable levels for minimum impact on funds in reserve required for other organisational requirements.

### **Legal and Regulatory Compliance**

Local Government (State) Award 2020

Delegated authority under Section 377 of the Local Government Act 1993

### **Risk Management Issues**

Maintaining staff health and wellbeing is critical to a productive working environment. Given that the Government and commercial sectors close for several weeks over Christmas/New Year, Council's contracted projects will be unaffected by the proposed closure.

### **Internal/External Consultation**

Employee consultation

### Attachments

Nil

## **RECOMMENDATION**

That the information be noted.

Marion Truscott  
**Acting General Manager**





## **CHARTER – LOCAL EMERGENCY MANAGEMENT COMMITTEE**

*Adopted By Council 18 September 2012 Resolution No 2012/311  
Amended By Council 20 November 2012 Resolution No 2012/428  
Amended By Council 9 October 2013 Resolution No 2013/383  
Amended By Council 13 November 2013 Resolution No 2013/426  
Amended By Council 13 September 2017, Resolution No 2017/253  
Amended By Council 12 September 2018, Resolution No 2018/216  
Amended By Council 11 September 2019, Resolution No 2019/222*

**CHARTER OF THE NARROMINE SHIRE COUNCIL LOCAL EMERGENCY MANAGEMENT COMMITTEE**

**1. NAME**

The committee, as appointed under the provision of Section 355(b) of the Local Government Act 1993 and Section 28 of the State Emergency and Rescue Management Act 1989, shall be known as the **Narromine Shire Council Local Emergency Management Committee**.

**2. INTERPRETATION**

For the purpose of this charter:-

"The Committee" means the Narromine Shire Council Local Emergency Management Committee

"Council" means Narromine Shire Council

"Member" means a member of the committee

"Emergency" means an emergency due to an actual or imminent occurrence (such as fire, flood, storm, earthquake, explosion, terrorist act, accident, epidemic or warlike action) which:

- (a) endangers, or threatens to endanger, the safety or health of persons or animals in the State, or
- (b) destroys or damages, or threatens to destroy or damage, property in the State,

being an emergency which requires a significant and co-ordinated response.

"Local Emergency Operations Controller" means a Police Officer appointed by the Regional Emergency Operations Controller as the Local Emergency Operations Controller for the Local Government Area.

**3. STATUS OF COMMITTEE**

Statutory Committee

**4. PURPOSE**

The Committee has been established to be responsible for the preparation and review of plans in relation to the prevention of, preparation for, response to and recovery from emergencies in the local government area for which it is constituted.

**5. FUNCTIONS**

5.1 The Committee is responsible for the preparation and review of plans in relation to the prevention of, preparation for, response to and recovery from emergencies in the local government area for which it is constituted.

5.2 The Committee may give effect to and carry out emergency management policy and practice, consistent with information on that policy and practice disseminated by the State Emergency Management Committee.

- 5.3 Review and prepare plans in respect of the relevant local government area that are, or are proposed to be, subplans or supporting plans established under the State Emergency Management Plan.
- 5.4 Make recommendations about and assist in the co-ordination of training in relation to emergency management in the relevant local government area.
- 5.5 Develop, conduct and evaluate local emergency management training exercises.
- 5.6 Facilitate local level emergency management capability through inter-agency co-ordination, co-operation and information sharing arrangements.
- 5.7 Assist the Local Emergency Operations Controller for the relevant local government area in the Controller's role.
- 5.8 Such other functions as are
  - (i) related to the State Emergency and Rescue Management Act 1989
  - (ii) assigned to the Committee (or to Local Emergency Management Committees generally) from time to time by the relevant Regional Emergency Management Committee or by the State Emergency Management Committee.

## **6. COMMITTEE DELEGATIONS**

- 6.1 The Committee does not have the power to incur expenditure.
- 6.2 The Committee does not have the power to bind Council.
- 6.3 The Committee can make recommendations to the Council on all business presented before it. Recommendations of the Committee will be presented to Council in written form, accompanied by a report from relevant Council officers. Recommendations made by the Committee may or may not be adopted by Council.
- 6.4 To operate in accordance with the provisions of any Regulations, as adopted by Council.

## **7. MEMBERSHIP**

The Committee does not have the authority to co-opt anyone to its membership.

### **Council Representation**

General Manager or nominee

### **Emergency Services Organisation Representation**

NSW Fire and Rescue Representative

NSW Rural Fire Service Representative

NSW Police Representative

Regional Emergency Management Officer Representative

NSW Ambulance Representative

VRA Representative

SES Representative

### **Functional Area Representatives**

One Alternate Councillor Delegate, The Mayor (annually nominated by Council in September). If any of the appointed Councillors are unable to attend meetings of this Committee, that Councillor must arrange for an alternative Councillor to represent them.

ARTC Representative

DOCS Representative

Industry and Investment Representative

Country Energy / Essential Energy Representative

Western NSW Local Health Network Representative

Local Land Services Representative (DPI)

[Alkane Representative - Tomingley](#)

### **Support Staff**

Staff from Council will attend meetings to provide administrative support to the Committee. Administrative support is provided for the preparation of the agenda, business papers and recording of the minutes.

### **Chairperson**

The Chairperson of this Committee shall be the General Manager or a Council Officer appointed by the General Manager.

The role of the Chairperson is to preside at a meeting of the Committee. The Chairperson requires the skills to be able to facilitate the effective functioning of the Committee.

If the Chairperson of the Committee is unable to preside at a meeting of the Committee, the Director of Engineering Services will preside at the meeting as an Acting Chairperson.

### **Other Office Bearers**

There are no office bearers on the Committee.

## **9. TERM OF OFFICE**

Emergency Services Organisation representatives continue on the Committee on an ongoing basis.

Councillors and designated staff remain on the Committee for the duration of the Council term (usually 1 year).

## **10. QUORUM & RECOMMENDATION MAKING**

The quorum required to enable business to be transacted at meetings is a minimum of six and must include a delegated Council representative.

In the absence of a quorum, 15 minutes after the advertised start of the meeting the meeting is to be adjourned and reconvened for another date.

Wherever possible, decisions of the Committee will be made on the basis of consensus. Where consensus cannot be reached, the matter will be decided by a simple majority of those members present at the meeting, provided a quorum is present. In the event of a tied vote, the Chairperson or person acting in the position of Chairperson shall in addition to their ordinary vote, have the casting vote.

## **11. GENERAL PUBLIC**

The Committee will not usually be open to members of the general public. However, the Committee can decide to open the meeting to the public, subject to the agreement of the Chairperson in consultation with the General Manager. Voting does not extend to members of the general public and is restricted to only elected committee members.

Representatives of organisations or the general community may be invited to address the Committee on matters on the agenda.

## **12. TIMETABLE FOR MEETINGS**

The meeting will occur every three months or more often as determined by the Committee.

The meeting will be limited to a maximum of two hours duration unless the committee resolves to extend the length of the meeting to a particular time or the completion of business.

Extraordinary meetings may be called by the Chairperson of the Committee.

The location, date and starting time for meetings will be advised on the agenda.

Committee meetings can only be held if three (3) working days notice has been given to all members.

## **13. MEETING PRACTICES & PROCEDURES**

The administrative provisions of Council's adopted Code of Meeting Practice shall apply.

The Committee will observe any other relevant Council protocols.

The minutes of the Committee will be included in Council's Business Papers for Council ratification, at the following Council Meeting.

## **14. INSURANCE**

Committee members are covered by Council's personal accident insurance only for attendance at meetings and other activities formally endorsed by the Committee, and reported to Council via the minutes.

## **15. CODE OF CONDUCT**

All members of Council committees are required to observe the provisions of Council's Code of Conduct and any other policy applicable to the proper functioning of the Committee. All new members will be provided with a copy of Council's Code of Conduct and will sign to indicate that they have read and understood their obligations. A breach of the Code of Conduct may lead to the member being excluded from the Committee and may include disciplinary action.

In particular, if a committee member has a pecuniary interest in any matter with which the Committee is concerned, and who is present at a meeting of the committee at which the matter is being considered, they must disclose the interest to the meeting and must not be present during any discussion or decision making relating to that matter. Leaving the room is necessary because to remain in the presence of the meeting but refrain from voting is taken to be a vote against the motion (see Clause 251 of the Local Government (General) Regulation 2005).

A person does not breach the above clause if he or she did not know and could not reasonably be expected to have known that the matter under consideration at the meeting was a matter in which he or she had a pecuniary interest.

A member of a committee who has a non-pecuniary conflict of interest in any matter with which the committee is concerned and who is present at a meeting of the Committee at which the matter is being considered will disclose the interest to the meeting as soon as practicable. If a member of the committee has declared a non-pecuniary conflict of interest there are a range of options for managing the conflict. The option chosen will depend on an evaluation of the circumstances of the matter, the nature of the interest and the importance of the issue being dealt with.

Committee members must act in a professional and conscientious manner with any information they obtain as a committee member, especially as committees need openness and honesty to operate efficiently. Committee members should feel free to express their opinions and views without fear of recrimination. It is therefore important that committee members respect each other, despite differences, and work together to create an open and trusting atmosphere.

## **16. CONFIDENTIALITY & PRIVACY**

Members, through their involvement on the Committee, may come in contact with confidential or personal information retained by Council. Committee members are required to maintain the security and confidentiality of any such information and not access, use or remove that information, unless authorised to do so.

Privacy legislation governs the collection, holding, use, correction, disclosure and transfer of personal information. More information about the legislation can be obtained by contacting Council's Public Officer.

Should a committee member become aware of any breach of the security, or misuse of Council's confidential or personal information they are asked to contact the Public Officer.

## **17. MEDIA PROTOCOL**

Council's media relations policy states that all media relations shall be conducted through the Mayor for policy matters and through the General Manager for procedural matters.

No other member of the committee is permitted to speak to the media in his or her capacity as a committee member.

## **18. REVIEW**

Amendments to this charter may be proposed to the Council by the Committee at any time, and change will not take effect until such time as Council has resolved to make any required amendments.



## **CHARTER – RURAL FIRE SERVICE LIAISON COMMITTEE**

*Adopted by Council 18 September 2012 Resolution No 2012/313  
Amended By Council 11 March 2014 Resolution No 2015/69  
Amended By Council September 2017, Resolution No 2017/253  
Amended By Council 12 September 2018, Resolution No 2018/216  
Amended By Council 11 September 2019, Resolution No 2019/222*



## **CHARTER OF THE NARROMINE SHIRE COUNCIL RURAL FIRE SERVICE LIAISON COMMITTEE**

### **1. NAME**

The committee, as appointed under the provision of Section 355(b) of the Local Government Act 1993 and Part 9 of the Narromine Rural Fire District Service Level Agreement 1 July 2012, shall be known as the **Narromine Shire Council Rural Fire Service Liaison Committee.**

### **2. INTERPRETATION**

For the purpose of this charter:-

"The Committee" means the Narromine Shire Council Rural Fire Service Liaison Committee

"Council" means Narromine Shire Council

"Member" means a member of the committee

"FCO" means Fire Control Officer

### **3. STATUS OF COMMITTEE**

Statutory Committee

### **4. PURPOSE**

The Committee has been established to review the following documents prepared by the Fire Control Officer prior to submission to and consideration by the Council:

- (a) The annual budget and business plan, and
- (b) The quarterly financial and performance reports.

### **5. FUNCTIONS**

- 5.1 The Committee is to advise and assist Council in monitoring and reviewing the performance of the Narromine Rural Fire District Service Level Agreement by the Council and the Rural Fire Service.

### **6. COMMITTEE DELEGATIONS**

- 6.1 The Committee does not have the power to incur expenditure.
- 6.2 The Committee does not have the power to bind Council.
- 6.3 The Committee can make recommendations to the Council on all business presented before it. Recommendations of the Committee will be presented to Council in written form, accompanied by a report from relevant Council officers. Recommendations made by the Committee may or may not be adopted by Council.
- 6.4 To operate in accordance with the provisions of any Regulations, as adopted by Council.

## **7. MEMBERSHIP**

The Committee does not have the authority to co-opt anyone to its membership.

### **Council Representation**

- Two Councillors from the Council appointed by resolution of the Council
- One Alternate Councillor from the Council appointed by resolution of the Council
- General Manager or his/her delegate

### **Rural Fire Service Representation**

- One volunteer rural fire fighter from the District appointed by the local branch of the NSW Rural Fire Service Association Inc (the RFSA), or, in the absence of a local branch of the RFSA, elected in accordance with the applicable Service Standard
- One member of the Service staff assigned to the District of Team nominated by the FCO and approved by the Commissioner
- FCO who will be the Committee's Executive Officer.

The Commissioner, the Council and the groups or entities which appoint or elect members of the Liaison Committee pursuant of sub-clause 9.1(a) to (b) may appoint another person to attend any meeting of the Liaison Committee in the event that the person they have elected is unable, for any reason, to attend that meeting.

### **Support Staff**

Staff from Council will attend meetings to provide administrative support to the Committee. Council staff send meeting requests and record the minutes of the meetings. Rural Fire Service staff set the meeting dates and prepare meeting agendas and business papers.

### **Chairperson**

The Chairperson of this Committee shall be a Councillor. At the first Committee meeting after the annual nomination of Councillor Representatives to the Committee (usually conducted in September), the Chairperson shall be elected by the members present at the meeting.

The role of the Chairperson is to preside at a meeting of the Committee. The Chairperson requires the skills to be able to facilitate the effective functioning of the Committee.

If the Chairperson of the Committee is unable to preside at a meeting of the Committee, the other Councillor will preside.

### **Other Office Bearers**

There are no office bearers on the Committee.

## **9. TERM OF OFFICE**

The Rural Fire Service representatives continue on the Committee on an ongoing basis.

Councillors and designated staff remain on the Committee for the duration of the Council term (usually 1 year).

## **10. QUORUM & RECOMMENDATION MAKING**

The quorum required to enable business to be transacted at meetings is a minimum of four and must include a delegated Councillor representative and one ranking Rural Fire Service Staff Member.

In the absence of a quorum, 15 minutes after the advertised start of the meeting the meeting is to be adjourned and reconvened for another date.

Wherever possible, decisions of the Committee will be made on the basis of consensus. Where consensus cannot be reached, the matter will be decided by a simple majority of those members present at the meeting, provided a quorum is present. In the event of a tied vote, the Chairperson or person acting in the position of Chairperson shall in addition to their ordinary vote, have the casting vote.

## **11. GENERAL PUBLIC**

The Committee will not usually be open to members of the general public. However, the Committee can decide to open the meeting to the public, subject to the agreement of the Chairperson in consultation with the General Manager. Voting does not extend to members of the general public and is restricted to only elected committee members.

Representatives of organisations or the general community may be invited to address the Committee on matters on the agenda.

## **12. TIMETABLE FOR MEETINGS**

The meeting will occur every three months or more often as determined by the Committee.

The meeting will be limited to a maximum of two hours duration unless the committee resolves to extend the length of the meeting to a particular time or the completion of business.

Extraordinary meetings may be called by the Chairperson of the Committee.

The location, date and starting time for meetings will be advised on the agenda.

Committee meetings can only be held if three (3) working days notice has been given to all members.

### **13. MEETING PRACTICES & PROCEDURES**

The administrative provisions of Council's adopted Code of Meeting Practice shall apply.

The Committee will observe any other relevant Council protocols.

The minutes of the Committee will be included in Council's Business papers for Council ratification, at the following Council Meeting.

### **14. INSURANCE**

Committee members are covered by Council's personal accident insurance only for attendance at meetings and other activities formally endorsed by the Committee, and reported to Council via the minutes.

### **15. CODE OF CONDUCT**

All members of Council committees are required to observe the provisions of Council's Code of Conduct and any other policy applicable to the proper functioning of the Committee. All new members will be provided with a copy of Council's Code of Conduct and will sign to indicate that they have read and understood their obligations. A breach of the Code of Conduct may lead to the member being excluded from the Committee and may include disciplinary action.

In particular, if a committee member has a pecuniary interest in any matter with which the Committee is concerned, and who is present at a meeting of the committee at which the matter is being considered, they must disclose the interest to the meeting and must not be present during any discussion or decision making relating to that matter. Leaving the room is necessary because to remain in the presence of the meeting but refrain from voting is taken to be a vote against the motion (see Clause 251 of the Local Government (General) Regulation 2005).

A person does not breach the above clause if he or she did not know and could not reasonably be expected to have known that the matter under consideration at the meeting was a matter in which he or she had a pecuniary interest.

A member of a committee who has a non-pecuniary conflict of interest in any matter with which the committee is concerned and who is present at a meeting of the Committee at which the matter is being considered will disclose the interest to the meeting as soon as practicable. If a member of the committee has declared a non-pecuniary conflict of interest there are a range

of options for managing the conflict. The option chosen will depend on an evaluation of the circumstances of the matter, the nature of the interest and the importance of the issue being dealt with.

Committee members must act in a professional and conscientious manner with any information they obtain as a committee member, especially as committees need openness and honesty to operate efficiently. Committee members should feel free to express their opinions and views without fear of recrimination. It is therefore important that committee members respect each other, despite differences, and work together to create an open and trusting atmosphere.

## **16. CONFIDENTIALITY & PRIVACY**

Members, through their involvement on the Committee, may come in contact with confidential or personal information retained by Council. Committee members are required to maintain the security and confidentiality of any such information and not access, use or remove that information, unless authorised to do so.

Privacy legislation governs the collection, holding, use, correction, disclosure and transfer of personal information. More information about the legislation can be obtained by contacting Council's Public Officer.

Should a committee member become aware of any breach of the security, or misuse of Council's confidential or personal information they are asked to contact the Public Officer.

## **17. MEDIA PROTOCOL**

Council's media relations policy states that all media relations shall be conducted through the Mayor for policy matters and through the General Manager for procedural matters.

No other member of the committee is permitted to speak to the media in his or her capacity as a committee member.

## **18. REVIEW**

Amendments to this charter may be proposed to the Council by the Committee at any time, and change will not take effect until such time as Council has resolved to make any required amendments.



## **CHARTER – LOCAL TRAFFIC COMMITTEE**

*Adopted By Council on 18 September 2012, Resolution No 2012/314,  
Amended By Council 13 May 2015, Resolution No 2015/116,  
Amended By Council September 2017, Resolution No 2017/253  
Amended by Council 12 September 2018, Resolution No 2018/216  
Amended by Council 11 September 2019, Resolution No 2019/222*

## **CHARTER OF THE NARROMINE SHIRE COUNCIL LOCAL TRAFFIC COMMITTEE**

### **1. NAME**

The committee, as appointed under the provision of Section 50 of the Transport Administration Act 1988, shall be known as the **Local Traffic Committee**.

### **2. INTERPRETATION**

For the purpose of this charter:-

"The Committee" means the Narromine Shire Council Local Traffic Committee

"Council" means Narromine Shire Council

"Member" means a member of the committee

"~~RMSTfNSW~~" means ~~Roads and Maritime Services~~Transport for NSW

"Police" means NSW Police Force

### **3. STATUS OF COMMITTEE**

Technical Advisory Committee

### **4. PURPOSE**

The Committee has been established to advise and review the provision of traffic control facilities and traffic control measures on public roads in the Narromine Shire Council area.

~~The TfNSWRMS~~ has delegated certain powers to Councils with respect to the provision of traffic control facilities and traffic management measures on public roads. Exercise of the powers is conditional upon Council forming a "Local Traffic Committee" and seeking its advice/approval before a traffic control facility/traffic management measure is implemented or removed.

### **5. FUNCTIONS**

The committee shall consider the following traffic measures to ensure technical criteria and local requirements are being met as required by ~~the RMS TfNSW~~.

The functions are outlined in "A guide to delegation to Councils for the regulation of traffic, including the operation of a Traffic Committee" Attachment A.

### **6. OUTCOMES**

The Committee will advise and assist Council by reviewing the provision of traffic control facilities and traffic control measures on public roads in the Narromine Shire Council area.

## **7. COMMITTEE DELEGATIONS**

- 7.1 The Committee does not have the power to incur expenditure.
- 7.2 The Committee does not have the power to bind Council.
- 7.3 The Committee can make recommendations to the Council on all business presented before it. Recommendations of the Committee will be presented to Council in written form, accompanied by a report from relevant Council officers. Recommendations made by the Committee may or may not be adopted by Council.
- 7.4 To operate in accordance with the provisions of any Regulations, as adopted by Council.

## **8. MEMBERSHIP**

The Committee does not have the authority to co-opt anyone to its membership.

### **FORMAL MEMBERS**

#### **Councillor Representation**

One Councillor (annually appointed by Council in September)

If the appointed Councillor is unable to attend meetings of this Committee, that Councillor must arrange for an alternative Councillor to represent them.

#### **NSW Police Representation**

One NSW Police Representative

#### **~~RMS~~ TfNSW Representation**

One ~~TfNSWRMS~~ Representative

#### **Local Member Representation**

One Delegate for State Member for Dubbo

#### **Council Staff Advisors**

The following staff members are assigned to this Committee:-

- General Manager
- Director of Infrastructure & Engineering Services
- Manager Engineering Services

#### **Informal Advisors**

Informal advisors and other interest sectors for example, Bus Operators, Ambulance Services and other Council Staff may be invited to attend from time to time as required, will participate equally with Council in terms of discussion and/or debate but will not have any voting rights.



### **Support Staff**

Staff from Council will attend meetings to provide administrative support to the Committee. Administrative support is provided for the preparation of the agenda, business papers and recording of the minutes.

### **Chairperson**

The Chairperson of this Committee shall be the Councillor Representative.

The role of the Chairperson is to preside at a meeting of the Committee. The Chairperson requires the skills to be able to facilitate the effective functioning of the Committee.

If the Chairperson of the Committee is unable to preside at a meeting of the Committee, the alternate Councillor shall become the Acting Chairperson for that meeting.

### **Other Office Bearers**

There are no other office bearers on the Committee.

## **9. TERM OF OFFICE**

Community representatives continue on the Committee on an ongoing basis as provided by the residing State Member.

Councillor and designated staff remain on the Committee for the duration of the Council term (usually 1 year). They can be re-appointed each year.

## **10. QUORUM & RECOMMENDATION MAKING**

The quorum required to enable business to be transacted at meetings is a minimum of 3 formal members and must include a delegated Councillor representative.

In the absence of a quorum, 15 minutes after the advertised start of the meeting, the committee members present may discuss the agenda items although any decisions taken will not become formalised until they have been ratified at the next committee meeting with a quorum present.

Wherever possible, decisions of the Committee will be made on the basis of consensus. Where consensus cannot be reached, the matter will be decided by a simple majority of those members present at the meeting, provided a quorum is present. In the event of a tied vote, the Chairperson or person acting in the position of Chairperson shall in addition to their ordinary vote, have the casting vote.

## **11. GENERAL PUBLIC**

The Committee will not usually be open to members of the general public. However, the Committee can decide to open the meeting to the public, subject to the agreement of the Chairperson in consultation with the General

Manager. Voting does not extend to members of the general public and is restricted to only formal committee members.

Representatives of organisations or the general community may be invited to address the Committee on matters on the agenda.

## **12. TIMETABLE FOR MEETINGS**

The meetings will occur every two months on the first Monday (unless there is a Public Holiday whereby the meeting will occur on the 2<sup>nd</sup> Monday).

The meetings will be limited to a maximum of two hours duration unless the committee resolves to extend the length of the meeting to a particular time or the completion of business.

Extraordinary meetings may be called by the Chairperson of the Committee in consultation with the General Manager.

The location, date and starting time for meetings will be advised on the agenda.

Committee meetings can only be held if a minimum of three (3) working days notice has been given to all members.

In the event there is no business, the meeting can be cancelled in consultation with the Chairperson and General Manager.

In the event of special or urgent matters, the Chairperson or General Manager can elect to conduct electronic meetings were the advice of the members is sought via facsimile or email.

Minutes of electronic meetings will be confirmed at the next meeting.

## **13. MEETING PRACTICES & PROCEDURES**

The administrative provisions of Council's adopted Code of Meeting Practice shall apply.

The Committee will observe any other relevant Council protocols.

The minutes of the Committee will be forwarded to the committee members for endorsement and then provided to Council for Council ratification, at the following Council Meeting.

## **14. INSURANCE**

Committee members are covered by Council's personal accident insurance only for attendance at meetings and other activities formally endorsed by the Committee, and reported to Council via the minutes.

## **15. CODE OF CONDUCT**

All members of Council committees are required to observe the provisions of Council's Code of Conduct and any other policy applicable to the proper functioning of the Committee. All new members will be provided with a copy of Council's Code of Conduct and will sign to indicate that they have read and understood their obligations. A breach of the Code of Conduct may lead to the member being excluded from the Committee and may include disciplinary action.

In particular, if a committee member has a pecuniary interest in any matter with which the Committee is concerned, and who is present at a meeting of the committee at which the matter is being considered, they must disclose the interest to the meeting and must not be present during any discussion or decision making relating to that matter. Leaving the room is necessary because to remain in the presence of the meeting but refrain from voting is taken to be a vote against the motion (see Clause 251 of the Local Government (General) Regulation 2005).

A person does not breach the above clause if he or she did not know and could not reasonably be expected to have known that the matter under consideration at the meeting was a matter in which he or she had a pecuniary interest.

A member of a committee who has a non-pecuniary conflict of interest in any matter with which the committee is concerned and who is present at a meeting of the Committee at which the matter is being considered will disclose the interest to the meeting as soon as practicable. If a member of the committee has declared a non-pecuniary conflict of interest there are a range of options for managing the conflict. The option chosen will depend on an evaluation of the circumstances of the matter, the nature of the interest and the importance of the issue being dealt with.

Committee members must act in a professional and conscientious manner with any information they obtain as a committee member, especially as committees need openness and honesty to operate efficiently. Committee members should feel free to express their opinions and views without fear of recrimination. It is therefore important that committee members respect each other, despite differences, and work together to create an open and trusting atmosphere.

## **16. CONFIDENTIALITY & PRIVACY**

Members, through their involvement on the Committee, may come in contact with confidential or personal information retained by Council. Committee members are required to maintain the security and confidentiality of any such information and not access, use or remove that information, unless authorised to do so.

Privacy legislation governs the collection, holding, use, correction, disclosure and transfer of personal information. More information about the legislation can be obtained by contacting Council's Information Officer.

Should a committee member become aware of any breach of the security, or misuse of Council's confidential or personal information they are asked to contact the Information Officer.

## **17. MEDIA PROTOCOL**

Council's media relations policy states that all media relations shall be conducted through the Mayor for policy, strategic and emergency matters and through the General Manager for procedural and operational matters.

No other member of the committee is permitted to speak to the media in his or her capacity as a committee member.

## **18. REVIEW**

Amendments to this charter may be proposed to the Council by the Committee at any time, and change will not take effect until such time as Council has resolved to make any required amendments.



# A guide to the delegation to councils for the regulation of traffic

Including the operation of Traffic Committees



[Inside front cover  
– provided for double sided printing purposes only]

**A Guide to  
the Delegation to Councils  
for the Regulation of Traffic  
(including the operation of  
Traffic Committees)**





**Roads and Traffic Authority**  
[www.nsw.rta.gov.au](http://www.nsw.rta.gov.au)

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**APPROVED BY:**

**SIGNED**

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General Manager  
Traffic Management

**AUTHORISED FOR USE BY:**

**SIGNED**

Michael Bushby  
Director  
Network Management

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## Amendment record

Please note that the following updates have been made to this document.

Version Number	Page(s)	Description	Issued
1.1	8-11	Sections 5.3, 5.3.2, 5.3.4 & 5.3.5 amended to introduce optional public galleries	December 2007
1.2	Various	Hyperlink to Council Delegation Reference document updated	February 2009
1.3	Various	Sections 1.0, 2.0, 3.1, 5.1, 7.1, 7.2 & Flowcharts amended to reflect release of a new Delegation	March 2009



## 1. Introduction

The Roads and Traffic Authority is legislated as the organisation responsible for the control of traffic on all roads in New South Wales. Traffic is controlled by the installation of prescribed traffic control devices, such as regulatory signs, or traffic control facilities, such as medians.

New South Wales has many roads, which range from freeways to local streets. All these roads require the control of traffic. The RTA believes that the most effective means of dealing with the number and range of traffic related matters, particularly those which arise on regional and local roads, is to deal with them at the local level. The RTA has therefore delegated certain aspects of the control of traffic on regional and local roads to the Councils of Local Government areas.

The RTA continues to manage NSW's State road network. However, local government continues to also play an important role in the management of this road network by providing traffic input and advice when necessary.

These guidelines provide the policy and framework for Councils to exercise the traffic functions delegated to them by the RTA. They outline the delegated functions, the limitations that apply to Councils when exercising their delegated functions, the responsibilities of the various parties involved in the process, and the roles of the local and regional traffic committees.

**Note:** These guidelines do not cover B-double route approvals as they are the subject of a separate delegation.

These guidelines have been prepared by the RTA:

- (i) in accordance with current NSW legislation; and
- (ii) in consultation with RTA's Legal Branch, the NSW Police, LGSA, and representatives from a number of metropolitan Councils.

**It is important to note that the legislative power to control traffic through the authorisation of traffic control devices, lies with the RTA and the delegation of this power does not remove the RTA's ability to exercise those delegated functions should circumstances warrant action.**

## 2. Definitions and abbreviations

**classified road** – any of the following: a main road, a State highway, a freeway, a controlled access road, a secondary road, a tourist road, a tollway, a State work. See *Roads Act 1993, Part 5* for further details.

**Council** – the council of a local government area and includes an Administrator.

**Delegation** – 'Delegation to Councils – Regulation of Traffic' document.

**LGSA** – Local Government Association of NSW and the Shires Association of NSW.

**LTC** – Local Traffic Committee.



**prescribed traffic control device** - a sign, signal, marking, structure or other device to direct or warn traffic on a road or road related area (or part of a road or road related area) that is prescribed by the regulations for the purposes of this definition.

**regulate traffic** – for the purposes of the *Roads Act* means to restrict or prohibit the passage along a road of persons, vehicles or animals.

**Roads Act** – *Roads Act 1993*.

**roads and road related areas** – have the same meaning as in *ARR Rules 12 and 13*. Each reference to a road includes reference to a road-related area unless otherwise expressly stated.

**Regional Road** – a road shown to be a Regional road in the RTA's *Schedule of Classified Roads and State and Regional Roads*.

**RR** – NSW Road Rules 2008.

**RTA** – Roads and Traffic Authority, NSW.

**RTC** – Regional Traffic Committee.

**State Road** – a road declared to be a State Road under the *Roads Act 1993* and documented in the RTA's *Schedule of Classified Roads and State and Regional Roads*.

**STMA** – *Road Transport (Safety and Traffic Management) Act 1999*.

**STMR** – *Road Transport (Safety and Traffic Management) Regulation 1999*.

**Sub-delegate** – any Councillor, the General Manager or an employee of the Council who has been formally delegated by the Council.

**TMP** – Traffic Management Plan.

**Traffic control facility** – means:

- (a) traffic control lights and equipment used in connection with traffic control lights; or
- (b) any sign, marking, structure or device containing or relating to a requirement or direction, contravention of which is an offence arising under:
  - (i) the *Transport Administration Act, 1988* or the regulations; or
  - (ii) any other Act, regulation or by-law prescribed for the purposes of Section 45E of the *Transport Administration Act, 1988*; or
- (c) any sign, marking, structure or device that is intended to promote safe and orderly traffic movement on roads or road related areas or to warn, advise or inform the drivers of vehicles or pedestrians of any matter or thing in relation to vehicular or pedestrian traffic or road conditions or hazards; or
- (d) any bridge or subway or other facility for use by pedestrians over, across, under or alongside a road or road related area; or
- (e) any other thing prescribed as a traffic control facility by the Regulations under the *Transport Administration Act, 1988*.



### 3. Delegation of functions

Traffic control facilities and prescribed traffic control devices may be authorised for use on a road or road related area, whether a public road or on private land, only by the RTA or Councils. In addition, traffic may be regulated for various purposes by means of notices or barriers erected by a roads authority.

The *Transport Administration Act, 1988* confers the following powers to the RTA:

- to exercise the functions relating to safety and traffic management set out in Section 52A;
- to delegate its functions to other public agencies such as councils (Section 50);
- to give directions to public authorities in relation to RTA functions under Part 6 (Section 53A).

The *Road Transport (Safety & Traffic Management) Act, 1999* provides for a system of traffic laws relating to all vehicles (motorised and non-motorised) and pedestrians found in subordinate legislation made under the Act. Principally, these are:

- *Road Transport (Safety and Traffic Management) Regulation 1999*, and
- *Road Rules 2008*.

Part 8 (Sections 114 to 124) of the *Roads Act, 1993* deals with the regulation of traffic on public roads by erecting notices or barriers or taking any other action which may be necessary in order to manage traffic. The reference to regulating traffic in Part 8 should not be confused with the authorisation of prescribed traffic control devices under Division 1 of Part 4 (Sections 50 to 55) of the *Road Transport (Safety and Traffic Management) Act, 1999*. For the purposes of Part 8, regulating traffic includes such things as implementing road closures and other physical restrictions. Road closures effected by this part of the legislation remain as public roads after the road closure.

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Note: Road closures effected under Part 4 of the *Roads Act, 1993* do not remain as a public road.

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A Council can regulate traffic for the specific reasons set out in Division 1 of Part 8 (Section 115) of the *Roads Act, 1993* such as carrying out work on a road, etc. whereas the RTA can regulate traffic for any purpose.

If a Council wishes to regulate traffic for purposes other than those specified in Division 1 of Part 8 (Section 115) of the *Roads Act, 1993*, (e.g. for amenity reasons) it must seek the advice of its Local Traffic Committee. The procedures for regulating traffic covering road closures, traffic calming, etc. are detailed in Division 2 of Part 8 (Sections 116 to 119) of the *Roads Act, 1993*.

The delegation of these functions is carried out by the RTA, issuing Councils the RTA document, *Delegation to Councils – Regulation of Traffic*.



The functions delegated to Council in the *Delegation* are:

1. authorisation of prescribed traffic control devices covered under Division 1 of Part 4 (Sections 50 to 55) of the *STMA*;
2. regulation of traffic under Division 2 of Part 8 (Sections 116 to 119) of the *Roads Act*;
3. authorisation of special event parking schemes under Division 2 of Part 5 (Clauses 122 and 123) of the *STMR* on public roads other than classified roads.

The Council may sub-delegate their powers to Councillors, the General Manager or an employee of the Council for Items 1 and 3 above.

The Council **may not** sub-delegate Item 2.

Note: There is a separate delegation for B-double route approvals.

### 3.1 Limitations

The exercise of functions delegated to Council is subject to a number of conditions or limitations as documented in Schedule 4 (Limitations) of the [Delegation](#).

Councils:

- are only permitted to authorise the implementation of certain traffic control facilities / prescribed traffic control devices on roads and road related areas within their area of operations. Council cannot exercise a function on a State Road as defined in the RTA document [Schedule of Classified Roads and State and Regional Roads](#).
- may only authorise prescribed traffic control devices as nominated in the RTA's online [Traffic Signs Database](#) indicated as "Delegated to Council for Authorisation – Yes".
- listed in Schedule 1 of the *Delegation*, must not exercise delegated functions listed in Schedule 4 of the *Delegation* including referral of issues for formal advice until a TMP has been assessed by the RTA. Refer to Section 3.1.1 TRAFFIC MANAGEMENT PLANS.
- must not exercise a function in respect of the following signs:

Permissive parking signs  
No Parking signs  
No Stopping signs

on any public road or road or road related area (or any part thereof), which falls within a 1 km radius of any train station listed in the RTA's document [Nominated Train Stations with Commuter Parking](#), and which has current unrestricted parking, without the approval of the RTA.

- are not empowered to authorise traffic control lights.
- are not empowered to interfere with traffic control lights, including the addition of any signs.



## Delegation to Councils for the Regulation of Traffic

- may authorise portable traffic control lights for roadworks, see RTA's document, *Portable Traffic Signals Guide to Use*.
- cannot authorise an internally illuminated traffic control device.
- must obtain the advice of the NSW Police and the RTA prior to exercising their delegated powers.
- must establish an LTC. Refer to Section 5 LOCAL TRAFFIC COMMITTEE.
- may authorise "Roadwork Speed Limit" signs under the conditions outlined in the *Delegation*.
- may sub-delegate traffic management powers (delegated functions), in respect of Division 1 of Part 4 (Traffic control devices) of the *STMA*, and Division 2 of Part 5 (Special Event parking schemes) of the *STMR*.
- **may not** sub-delegate traffic management powers (delegated functions), in respect of Division 2 of Part 8 (Sections 116 to 119) of the *Roads Act*.

### 3.1.1 Traffic Management Plans

A Council, listed in Schedule 1 (*Delegates*) of the RTA's *Delegation*, must develop and submit to the RTA, a TMP if it intends to do any of the following:

- prohibit the passage of pedestrian, vehicle or motor vehicle traffic on a road or road related area by physical means or regulatory signs or both;
- install or display any road sign, marking or physical device that prohibits or compels a vehicle with respect to a turning movement;
- change a two-way street into a one-way street or reversing the direction of a one-way street; and
- reduce the number of traffic lanes on a road or road related area by physical means or regulatory signs or both.

A TMP is not required if a council certifies to the RTA in writing that a NO TRUCKS or NO BUSES traffic control sign is to be erected solely for the purposes of protecting a road from damage by the passage of motor vehicles.

Where a Council seeks to exercise its delegated powers in respect of a function that requires a TMP, the Council must submit the TMP to the RTA for review prior to the matter being referred to the LTC for formal advice.

The TMP must outline the scope of the traffic management changes proposed. It must also include an assessment of the impact of those changes and proposed measures to ameliorate any potential impact arising from the proposal.



See the RTA document, *Procedures for use in the preparation of a Traffic Management Plan*.

Note: The RTA's acceptance of the TMP merely indicates that due process has been followed and does not indicate its position on the proposal when it is referred to the LTC for consideration.

## 4. Exercising delegated functions

Councils may only exercise their delegated functions in accordance with the *Delegation*. Councils may sub-delegate certain powers to Councillors, the General Manager or an employee of the Council. Refer to Section 3 DELEGATION OF FUNCTIONS.

The *Delegation* requires Council to seek the advice of the NSW Police and the RTA prior to exercising their delegated functions. This is usually done via the LTC.

In cases where the LTC advice is unanimous, and Council intends to follow that advice, Council may authorise the implementation of the facility or device without further notifying the RTA or the NSW Police.

If the elected Council wishes to exercise a delegated function when the LTC advice is not unanimous, or the elected Council wishes to act contrary to unanimous LTC advice, then Council must notify in writing, both the NSW Police and the RTA representatives on the LTC.

Note: Council does not need to notify the NSW Police or the RTA if Council decides not to proceed with any proposal for any reason.

Council then must refrain from taking any action for 14 days so that the NSW Police or the RTA is given an opportunity to appeal to the Chairperson, Regional Traffic Committee should they wish.

In the case of an appeal, the decision of the Chairperson, Regional Traffic Committee is binding and final for matters under the STMA. For matters under the Roads Act, further appeals may be made to the Minister for Roads. Refer to Section 6 REGIONAL TRAFFIC COMMITTEE, for more details.

## 5. Local Traffic Committee

### 5.1 General

The LTC has no decision-making powers. The LTC is primarily a technical review committee, which is required to advise the Council on matters referred to it by Council. These matters must be related to prescribed traffic control devices and traffic control facilities for which Council has delegated authority.

The LTC should consider the technical merits of the proposal and ensure that the proposal meets current technical guidelines.





## Delegation to Councils for the Regulation of Traffic

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The Council must refer all traffic related matters to the LTC prior to exercising its delegated functions. Matters related to State Roads or functions that have not been delegated to the elected Council must be referred directly to the RTA or relevant organisation. Such matters must not be referred to the LTC. However, the RTA will generally seek the views of the Council on State Road traffic issues via the informal items process.

A Council is not bound by the advice of its LTC. Refer to Section 4 EXERCISING DELEGATED FUNCTIONS.

Where required, a TMP must be submitted to, and reviewed by, the RTA before that matter can be referred to the LTC. Refer to Section 3.1.1 TRAFFIC MANAGEMENT PLANS.

The LTC should not consider any proposal requiring a TMP prior to the review of the TMP by the RTA.

Similarly, the LTC should not consider any proposal to alter unrestricted parking to permissive or restricted parking on roads within a 1 km radius of any train station nominated in the RTA's document *Nominated Train Stations with Commuter Parking*, without the prior approval of the RTA.

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Note: The LTC should not be confused with a separate Council Traffic Committee, formed by Council under the Local Government Act. The establishment of which is a Council prerogative. Refer to Section 8 TRAFFIC ENGINEERING ADVICE.

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## 5.2 Members

The LTC is to be made up of four formal members. The members are as follows:

- one representative of Council
- one representative of the NSW Police
- one representative of the RTA
- the local State Member of Parliament (MP) or their nominee.

The Council's representative may be any Councillor or Council officer. The Council representative may be a sub-delegate if Council has formally approved this.

Where a Council LGA is represented by more than one MP, or covered by more than one NSW Police LAC, MPs or NSW Police officers representing the relevant electorate or LAC are entitled to be members of the LTC. However they are only permitted to vote on matters, which effect their electorate or LAC. Refer to Section 5.3.6 VOTING.

The Council (in consultation with the formal members of the LTC) may also decide to have additional informal (non-voting) advisors to the LTC who can provide input into the process. These additional advisors can include a:

- Road Safety Officer



- Ministry of Transport representative
- Fire Brigade representative
- Ambulance Service representative
- Bus operator representative
- Transport Workers Union representative
- Chamber of Commerce representative

Generally, informal advisors are not required to attend every LTC meeting. Their attendance is only required when items appear on the Agenda which effect their area of expertise or responsibility.

The informal advisors of the committee are not entitled to a vote. Refer to Section 5.3.6 VOTING.

### 5.3 Meetings

The LTC is not a committee within the meaning of the *Local Government Act, 1993*. The operating arrangements for the LTC are contained in these guidelines.

At LTC meetings the following are at the discretion of Council:

- conduct at meeting
- frequency of meetings
- format of meetings. [Within the following guidelines.]
- provision for a public gallery.

#### 5.3.1 Meeting Formats

The most common format for LTC meetings is a monthly face to face meeting held in the offices of the Council.

The meeting is to be convened by a Council representative. The convenor may be the Council's voting member or may be an additional non-voting member of the LTC.

While there is no need for a specific quorum to allow an LTC meeting to proceed, it must be remembered that any advice can only be returned to the elected Council by the LTC if the views of the RTA and the NSW Police have been obtained.

Acceptable alternative meeting formats include:

- Electronic meetings – where the advice of the members is sought via facsimile or email. This allows items to be considered as they arise and may reduce response time.
- A combination of electronic (for minor issues) and face-to-face meetings. This allows minor issues to be addressed between meetings. The response time for minor issues may be reduced using this format and this format can result in shorter face to face meetings. It may even be possible to increase the interval between meetings.




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 Delegation to Councils for the Regulation of Traffic
 

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**Note:** Should Council wish to adopt these (or any other) alternate formats then they should seek the advice of the RTA prior to making a final decision.”

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It is strongly recommended that any format where the LTC and the normal Council meeting are held concurrently is to be avoided. The LTC is principally a technical review committee, and due consideration and debate is required when considering a proposal. This particular meeting format does not lend itself to this process.

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**Note:** Any change to the meeting format must be agreed to by the formal members of the LTC. When proposing to discuss a format change, reasonable advanced notice must be provided.

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### 5.3.2 Agendas, minutes and reports

All LTC meetings require the preparation of an agenda.

An LTC agenda must be prepared by Council and circulated to all formal members and informal advisors of the committee a minimum of one week prior to the meeting. This will allow members to fully consider the issues and determine their response on each item. This period will also allow a site visit if necessary.

For each agenda item, Council must prepare a report which must contain a brief summary of the issue, details of the proposed solution including a plan if the proposal involves signs, lines or structures, details of the policies / guidelines / standards used (if any) and the proposed recommendation to the elected Council. This report must be sent to the members of the LTC with the Agenda.

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**Note:** For the information of the members of the LTC, the meeting papers should also include a summary of the final decisions made by the elected Council (or their sub-delegate) on items addressed at the previous meeting or on any items addressed since the last meeting.

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The LTC agenda should only contain items, which require the elected Council to exercise its delegated functions. If no action is required, or advice only is being sought, or the issue does not require the exercise of delegated functions then the issue should not appear on the LTC agenda. Such issues should be dealt with as general traffic advice. Refer to Section 8 TRAFFIC ENGINEERING ADVICE.

Items, which do not appear on the agenda (i.e. items without notice), must only be considered if the elected Council has referred the issue and Council officers have been able to prepare a report on the proposal in the normal manner. Items raised without notice must be referred to the next meeting (or dealt with separately between meetings) if any member of the committee requests time to consider the issue.

All LTC meetings require the preparation of minutes.



Council must prepare the minutes of the meeting. Copies of the LTC minutes must be forwarded to all LTC members for their concurrence prior to the recommendations either being presented to the elected Council or acted on by the Council's sub-delegate.

**Note:** B-double routes are the subject of a separate delegation and should have a separate agenda and minutes.

**Note:** The RTA members of the LTC must keep a copy of all minutes for the future reference of the RTA.

Councils may also need to prepare a report to the elected Council. This report must indicate the type of support from the LTC (i.e. unanimous or not unanimous). Where the advice is not unanimous, dissenting votes should be noted. Refer to Section 5.3.6 VOTING.

**Note:** All proposals recommended by the LTC must still be formally approved by the elected Council (or their sub-delegate), subject to certain limitations. Refer to Section 3.1.

### 5.3.3 Site visits

It is recommended that each member of the LTC undertake a site visit prior to considering any proposal. This site visit may be undertaken individually by LTC members, or may be organised by Council as a joint visit of all members of the LTC.

Where this is not practical due to issues such as time or distance, then it is recommended that modern electronic alternative methods be used.

### 5.3.4 Public participation

The role of the LTC is to consider the technical aspects of any proposal and make a recommendation to the Council. The merits of the scheme, from a public perspective, is the responsibility of the Council and thus residents views should be taken into account by the Council rather than the LTC.

However, there is nothing preventing the LTC members from agreeing to allow residents, or other interested stakeholders, to address the committee, if it so chooses. In addition, the LTC members may agree to limit the number of public presenters on any particular item and/or place time limits on them. Any such constraints should be conveyed to the presenters at the time they are notified of the LTC's agreement for them to address the committee.

The LTC's advice to Council is not binding upon the Council therefore ideally this advice should not be released to the public until the Council has decided whether or not to exercise its delegated authority. However, where Council has decided to allow the public to be in attendance at the LTC meetings, the convenor must make it clear to the public gallery that the Council is still required to accept the recommendation of the LTC to finalise the issue. This should be done after each item to cater for members of the public who may only attend the meeting for a specific item.



### 5.3.5 Media participation

The role of the LTC is to consider the technical aspects of proposals and provide their advice to Council. Media involvement, or interest, in the process should be addressed through the normal Council meeting process.

However, should the media be interested in a proposal, they can attend the LTC meeting if the Council has decided to allow a public gallery. Again as with the general public, the convenor must make it clear that the Council is still required to accept the recommendation of the LTC to finalise the issue. This should be done after each item to cater for the media who may only attend for a single item. The media is not permitted to address the LTC.

### 5.3.6 Voting

While an organisation, which is a voting member, may choose to send more than one representative, that organisation is still limited to one vote only. For example:

- Where the LTC is chaired by a convenor who is a member of the elected Council and the LTC also has a Council staff member on the committee, the Council as an organisation is still only entitled to one vote [i.e. the Council representatives are not entitled to a vote each]
- Where the Council representative is also the convenor, the Council is still only entitled to one vote. There is no casting vote available to the convenor in the case of a tied vote.
- Where a Council LGA is represented by more than one State MP, only the MP representing the State electorate containing the proposal is permitted to vote. However, if the proposal is actually contained in more than one State electorate, then each State MP for those electorates may vote.
- Where a Council LGA has more than one NSW Police LAC, only the NSW Police officer representing the LAC containing the proposal is permitted to vote. However, if the proposal is actually contained in more than one LAC, then each NSW Police officer for those LACs may vote.

Council must consult with the Ministry of Transport where public passenger transport matters are affected.

LTC advice to Council on a proposal referred to it by Council must be one of the following:

- 1) unanimous support;
- 2) majority support;
- 3) split vote;
- 4) minority support; or
- 5) unanimous decline.



A Council's action on the above LTC advice will be:

- (a) If Council is in agreement with the LTC unanimous support then the proposal may be approved. In these cases there is no conflict between Council and the advice of the LTC, consequently there is no need for Council to inform the RTA or the NSW Police representatives of the decision.
- (b) If Council is in agreement with the LTC unanimous support, but no longer wants to proceed, the proposal may still be rejected.
- (c) If Council is in agreement with the LTC unanimous decline then the proposal may be rejected. Again there is no conflict between Council and the advice of the LTC. Consequently there is no need for Council to inform the RTA or the NSW Police representatives of the decision.
- (d) If Council decides to proceed with a proposal where the advice of the LTC is not unanimous support, then the Council must first advise the RTA and the NSW Police representatives in writing of their intention to approve the proposal. The RTA or the NSW Police may then lodge an appeal to the RTC. Refer to Section 5.4, APPEALS.
- (e) If Council decides to proceed with a proposal where the advice of the LTC is a unanimous decline, then the Council must first advise the RTA and NSW Police representatives in writing of their intention to approve the proposal. The RTA or the NSW Police may then lodge an appeal to the RTC. See Section 5.4, APPEALS.

Flowcharts have been provided to assist with the understanding of this process.

Refer to the relevant flowcharts in Appendix A for:

- the *Road Transport (Safety and Traffic Management) Act, 1999*; or
- the *Roads Act, 1993*.

Due to the fact that the RTA and the NSW Police have the power to appeal certain decisions of the Council, the LTC cannot provide its advice to Council until both the RTA and the NSW Police have provided their vote on the issue.

## 5.4 Appeals

### 5.4.1 Road Transport (Safety and Traffic Management) Act 1999

Where a determination of Council to proceed is contrary to a unanimous decline or is based on the non-unanimous advice of the LTC, then Council must notify both the NSW Police and the RTA representatives of its decision. Council must not exercise any of the functions, in relation to the subject proposal, for a period of 14 days from the date of notification in writing.

An appeal, may only be lodged by either the NSW Police or the RTA. The appeal is made to the Chairperson, RTC and must be lodged within the 14 day period. As a matter of courtesy, it is expected that the appellants inform Council in the initial stages of their intention to lodge an appeal.



## Delegation to Councils for the Regulation of Traffic

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To assist with the process the appeal should be lodged using RTC Form 1 Regional Traffic Committee – Appeal. A copy of this form can be found in Appendix A of this document.

The RTA provides secretarial services to the RTC and appeals must be forwarded to:

Secretariat  
Office of the Chairperson  
Regional Traffic Committees  
Level 16 101 Miller Street  
Locked Bag 928  
NORTH SYDNEY NSW 2059

Facsimile: 8588 4164  
Email: [regional\\_traffic\\_committee@rta.nsw.gov.au](mailto:regional_traffic_committee@rta.nsw.gov.au)

The Secretary will then notify all parties in writing that an appeal has been lodged.

The Chairperson, RTC notifies Council regarding the outcome of the appeal hearing. It is important that Council does not act until further advice has been received from the Chairperson, RTC about the issue under appeal.

The Chairperson's decision may:

- (i) uphold the appeal, i.e. not support the Council's decision, or
- (ii) reject the appeal. Rejection of the appeal could either support the Council's decision unconditionally or apply conditions.

Refer to Appendix A of this document for the Terms of Reference for the RTC and flowcharts indicating the process involved in the implementation or rejection of a proposal.

### 5.4.2 Roads Act 1993 – Division 2 of Part 8

The appeal process is similar to that specified above for *Road Transport (Safety and Traffic Management) Act, 1999* matters. However, in cases where Council is not satisfied with the determination by the Chairperson, RTC, Council may further appeal to the Minister for Roads.

The Minister's decision may be:

- (i) rejection of the Council appeal, or
- (ii) approval of the Council proposal either unconditionally or with conditions.

See the flowcharts in Appendix A which indicate the process involved in the implementation or rejection of a Council proposal.



## 6. Regional Traffic Committee

The RTC operates across the state. Meetings are generally held in the offices of the local Council.

The purpose of the RTC is to deal with appeals from the RTA or the NSW Police members of the LTC on matters delegated to Councils.

The members of the RTC are:

- Independent Chairperson (appointed by the RTA with concurrence from the LGSA )
- LGSA nominee (usually a Local Government Engineer from the region)
- RTA representative (usually the Regional Traffic Manager)

It should be noted the LGSA and RTA representatives merely provide advice as required by the Chairman.

In addition, nominees of the NSW Police, Council and the local State MP may attend as observers.

When a notice of appeal and relevant information is lodged with the RTC, the Chairperson will convene a meeting and the appeal matter is discussed. The Chairman shall determine who, if anyone, shall be permitted to address the appeal based on the documented evidence presented by each party prior to the Appeal. Generally the members of the RTC and each party to the appeal attend the meeting only.

The decision of the Chairperson, RTC in regard to such matters is final, except in matters relating to the *Roads Act, 1993*, wherein Council may further appeal to the Minister for Roads. Refer to Section 5.4.2.

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Note: The RTC should not be confused with the Regional Development Committee, which deals with SEPP11 issues under the *Environmental Planning and Assessment Act 1979*.

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## 7. Responsibilities

### 7.1 Council

The Council has responsibility for:

- exercising the delegated functions related to the *Roads Act 1993*
- documenting the sub-delegation of Council powers

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Note: Councils cannot sub-delegate their Roads Act powers.

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- seeking the advice of the NSW Police and the RTA prior to exercising delegated functions.
- obtaining the views of local residents affected by any proposal, if necessary. [This is to be done outside the LTC process]
- preparing any TMP required under Schedule 4 of the *Delegation* or when considered necessary by Council.





## Delegation to Councils for the Regulation of Traffic

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- seeking the approval of the RTA to any proposal to alter unrestricted parking to permissive or restricted parking on any road within a 1 km radius of any train station nominated in the RTA's document *Nominated Train Stations with Commuter Parking*. [This is to be done outside the LTC process]
- convening meetings of the LTC.
- referring items to the LTC.
- providing secretarial services to the LTC.
- preparing the LTC meeting agenda.
- preparing a technical report on each issue.
- documenting the LTC advice (including providing a report to the elected Council)
- providing minutes of meetings to all LTC members
- providing a summary of the final decisions made by Council on items addressed at previous LTC meetings or any addressed since the last meeting.
- notifying the RTA and the NSW Police if the elected Council intends to exercise its delegated functions contrary to the advice of the LTC.

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Note: Deciding not to proceed does not constitute exercising a function and therefore does not require notification.

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### 7.2 RTA

The RTA has responsibility for:

- reviewing any TMP submitted to it.
- approving any proposal to alter unrestricted parking to permissive or restricted parking on any road within a 1 km radius of any train station nominated in the RTA's document *Nominated Train Stations with Commuter Parking*.
- providing advice on Council proposals referred to the LTC.
- appointing the Chairperson of the RTC (with the concurrence of LGSA)
- providing secretarial services to the RTC.

### 7.3 NSW Police

The NSW Police have responsibility for:

- providing advice on Council proposals referred to the LTC.

### 7.4 Local State Member of Parliament

The local State Member of Parliament has responsibility for:

- providing advice on Council proposals referred to the LTC.
- nominating someone to represent them if necessary.



## 8. Traffic engineering advice

Councils often require advice on, or investigation of options for, difficult traffic problems. Council may also wish to consider traffic issues, which are outside the *Delegation* (e.g. installation of speed limits or traffic control signals). As these problems or issues do not require the exercise of delegated functions at that point in time (though they may or may not require it in the future) they should not be dealt with as formal items by the LTC.

Council may take advantage of the knowledge and experience of the LTC members to help them to resolve or clarify an issue. When wishing to utilise the expertise of the LTC members in this manner, Council could either include items on the agenda under a separate Informal Items section or produce a separate agenda.

Informal items should be dealt with following the completion of formal LTC items where Council intends to exercise a delegated function. Any outcomes from discussions on informal items cannot be included in the LTC report to the Council. However, Council can use any outcomes from these discussions in their deliberations on such issues.

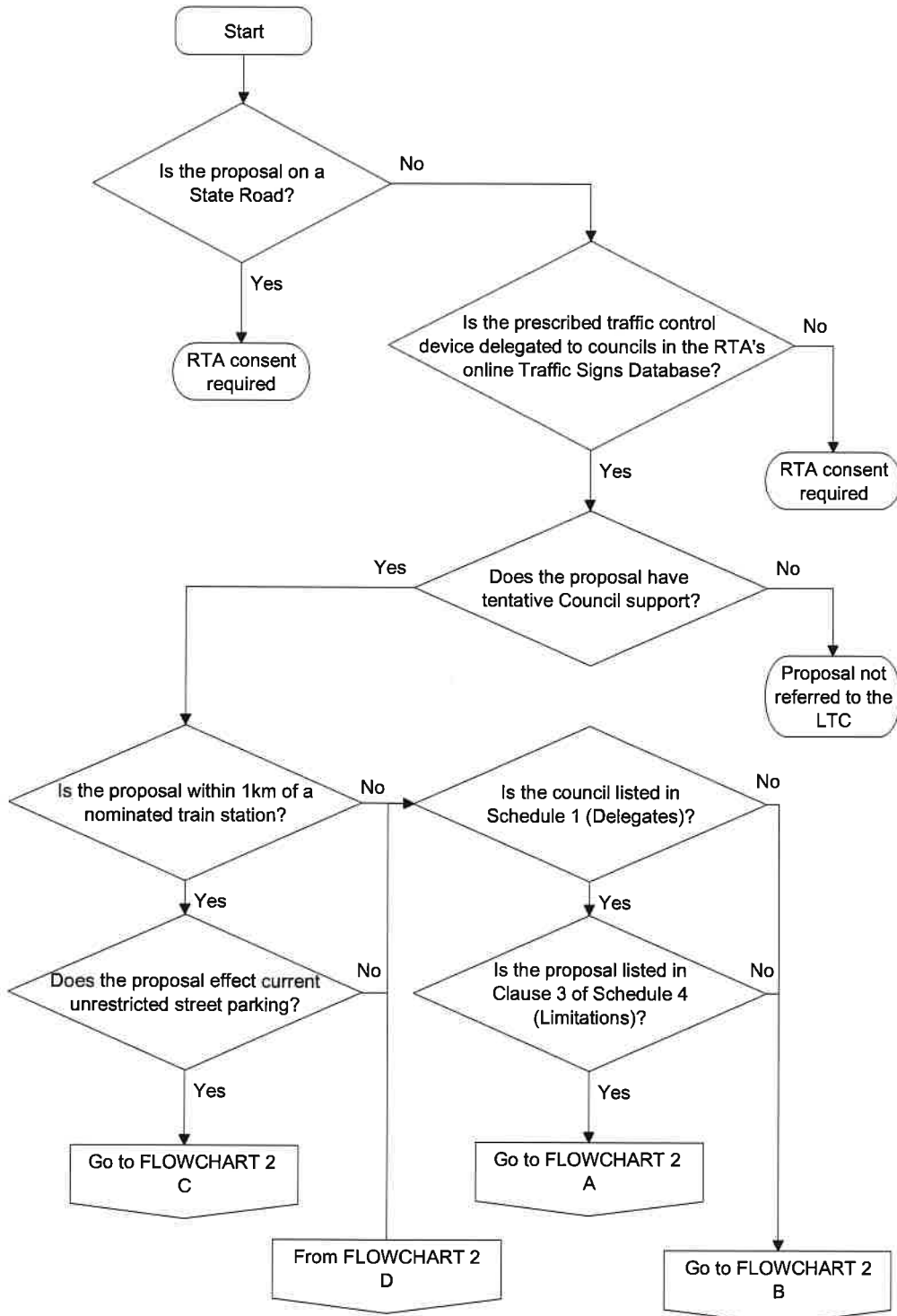


# APPENDIX A



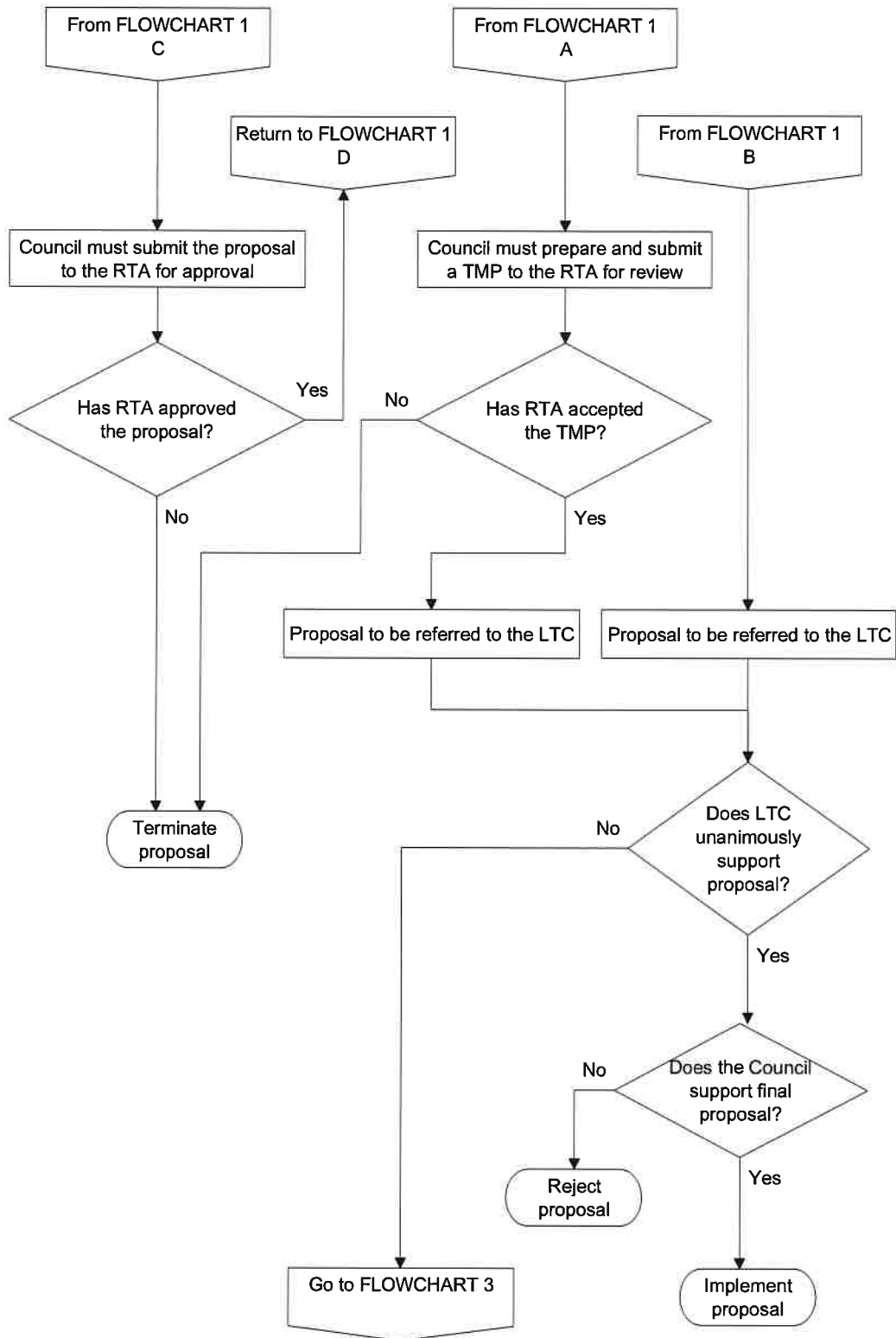
# Process for Exercising Delegated Road Transport Powers

**FLOWCHART I**  
*(Road Transport (Safety and Traffic Management) Act, 1999)*



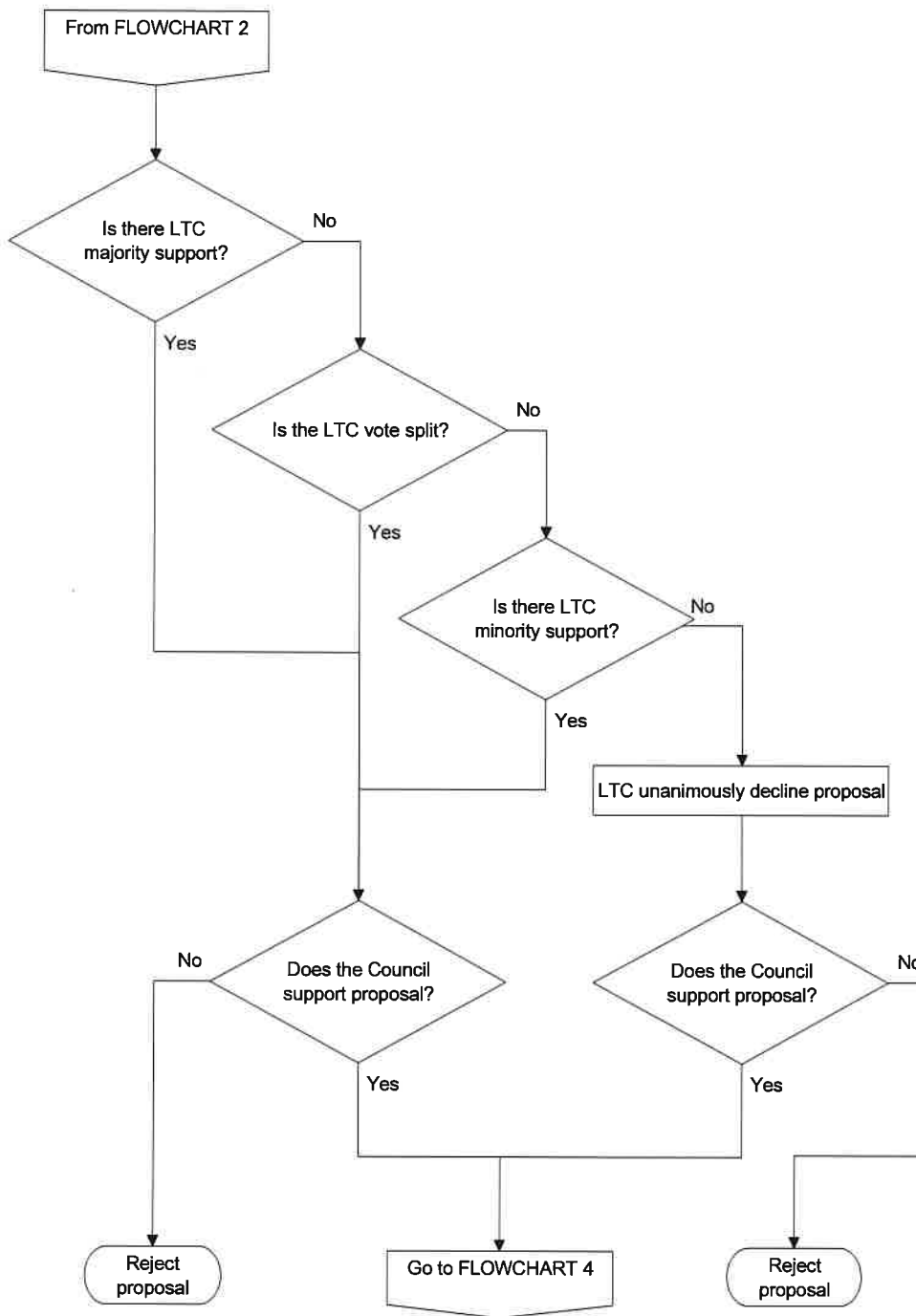


**FLOWCHART 2**  
*(Road Transport (Safety and Traffic Management) Act, 1999)*



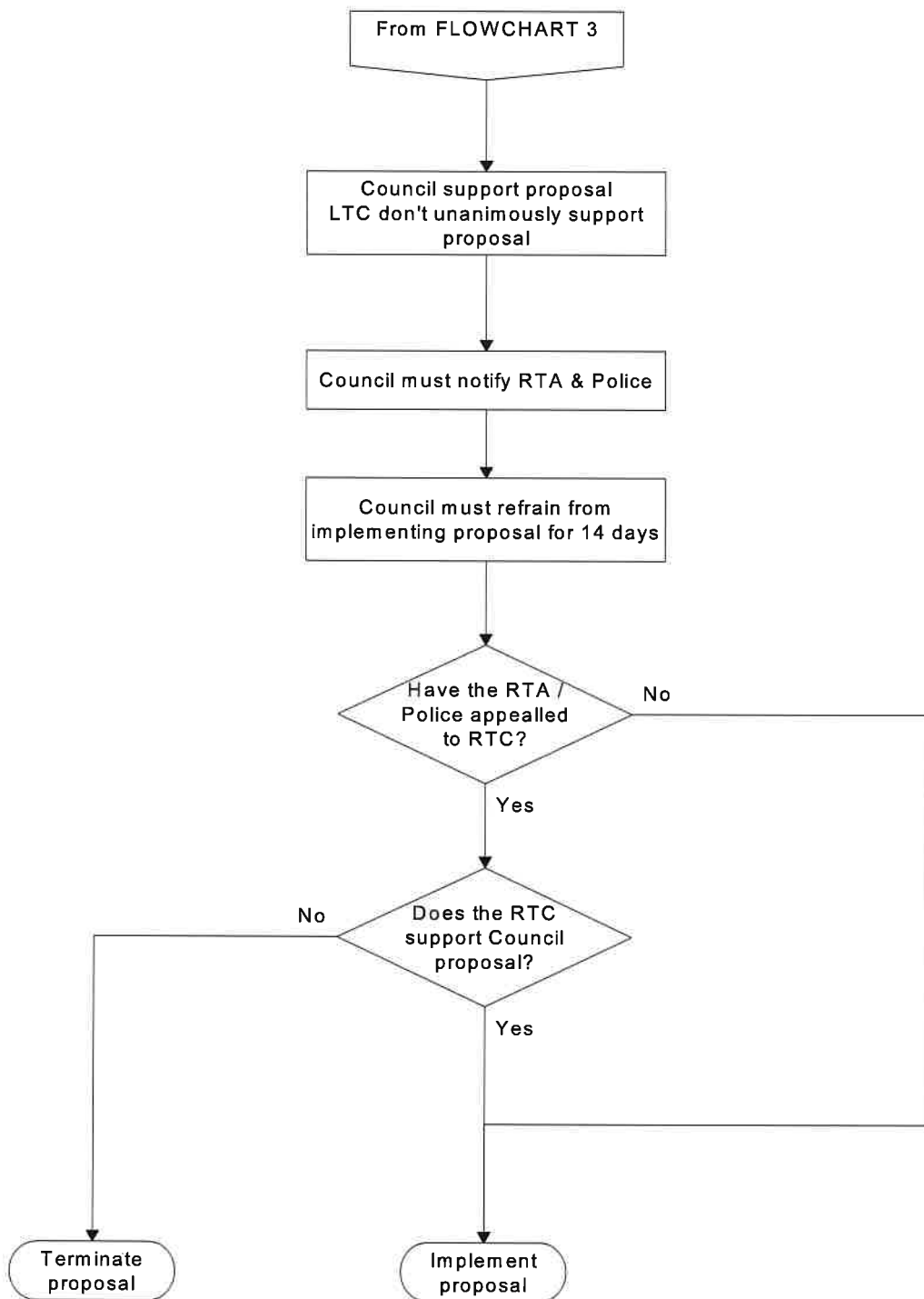


**FLOWCHART 3**  
*(Road Transport (Safety and Traffic Management) Act, 1999)*





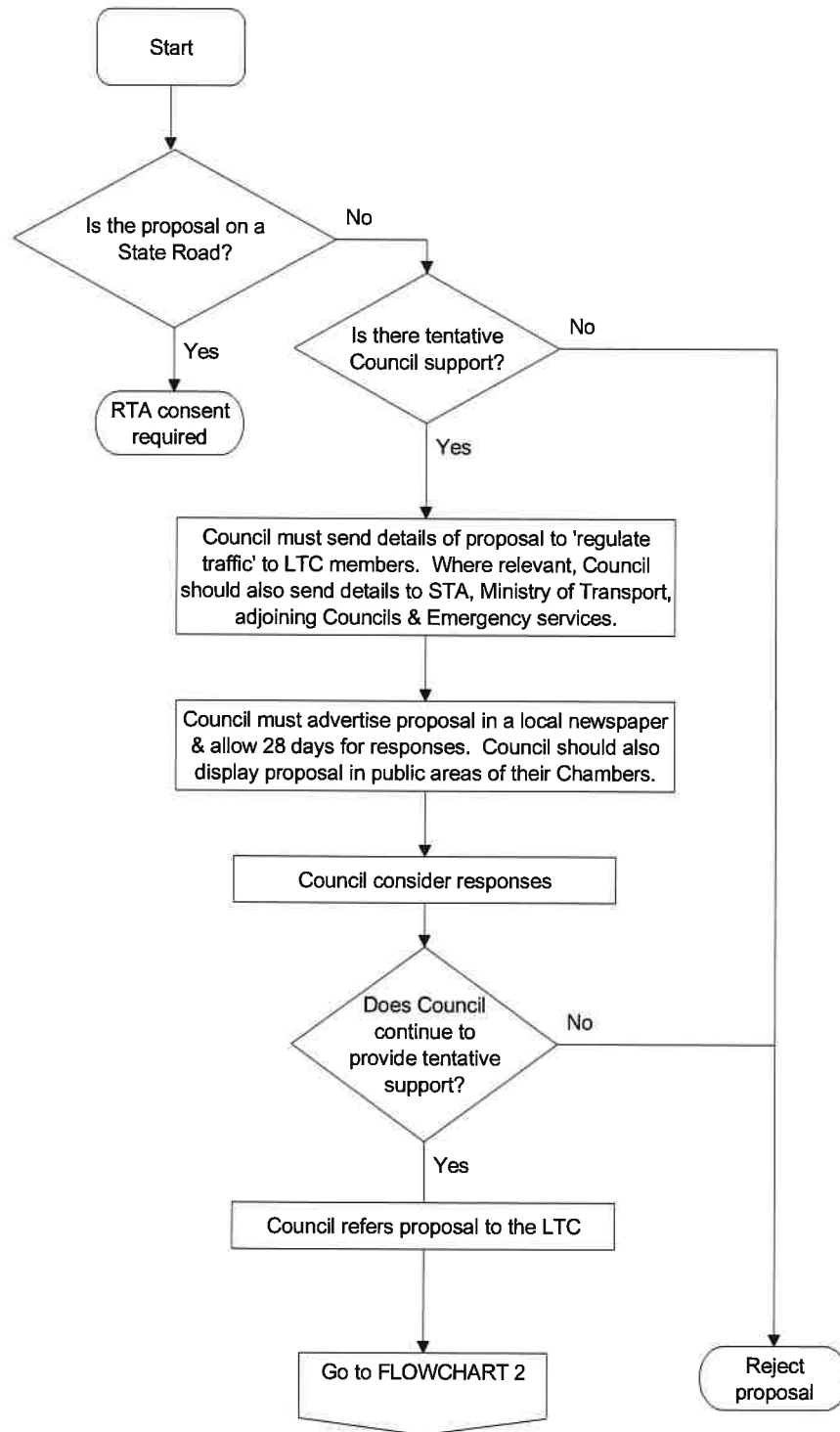
**FLOWCHART 4**  
*(Road Transport (Safety and Traffic Management) Act, 1999)*





## Process for Exercising Delegated Roads Act Powers

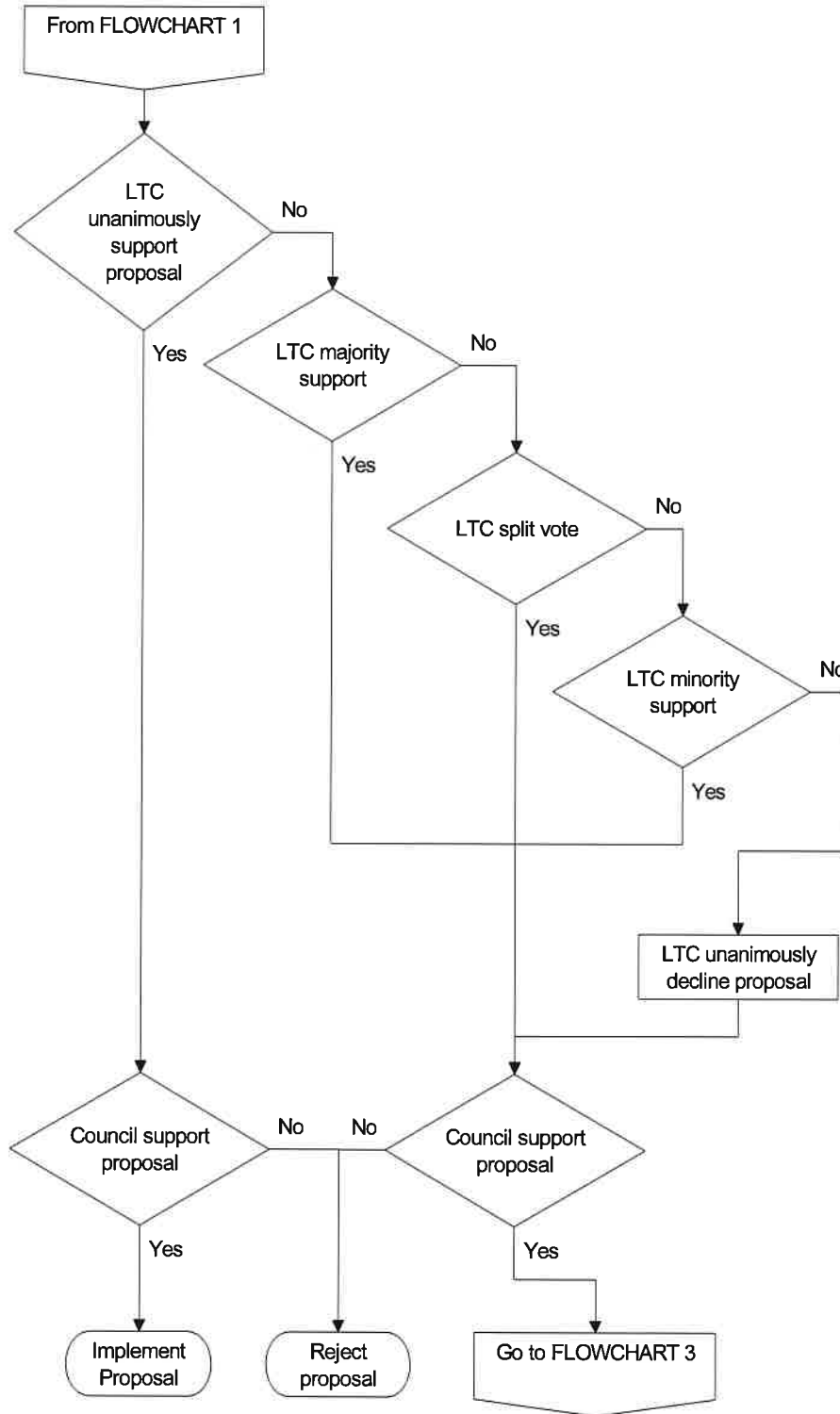
**FLOWCHART 1**  
*(Roads Act, 1993)*





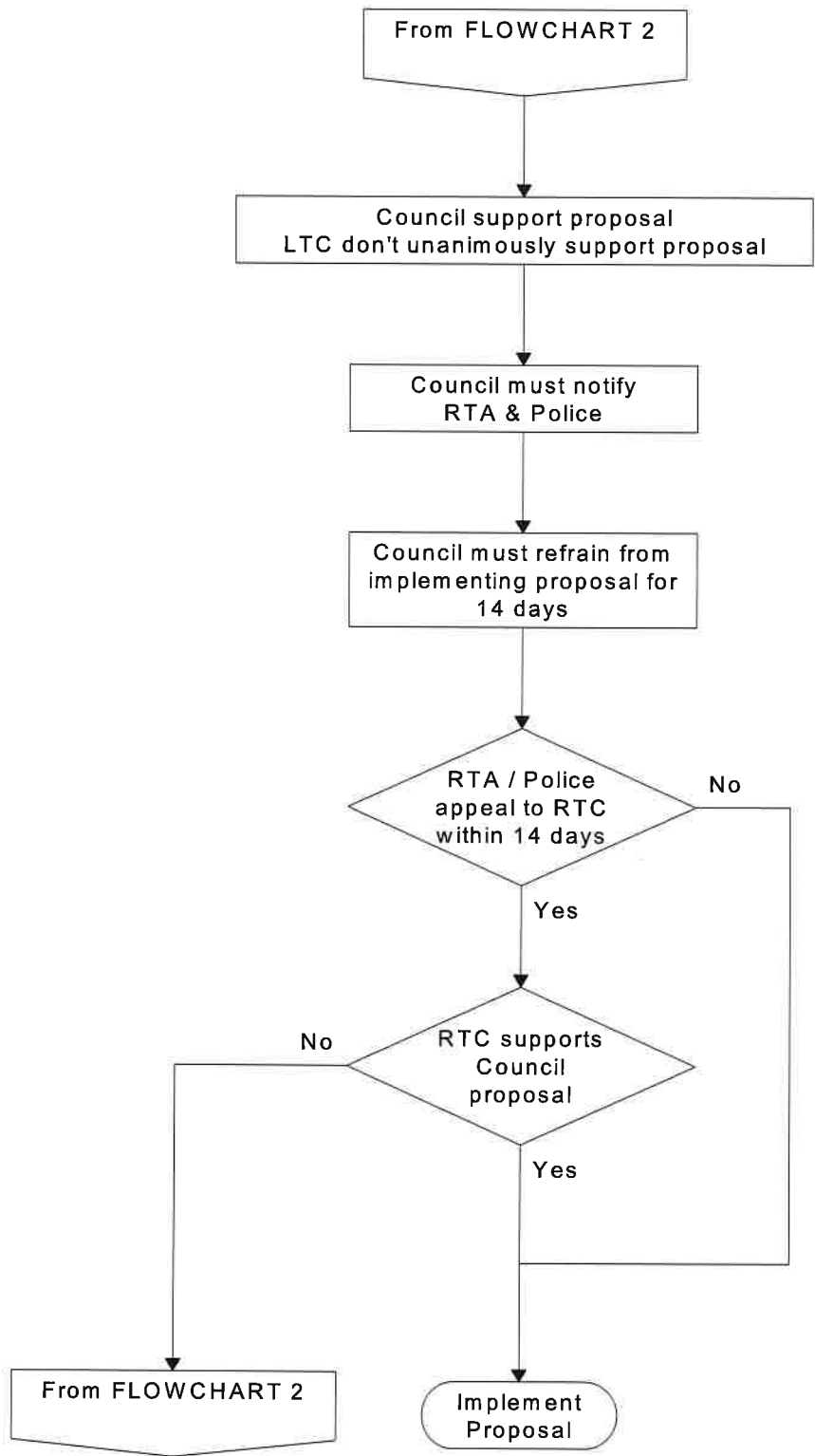


**FLOWCHART 2**  
*(Roads Act, 1993)*



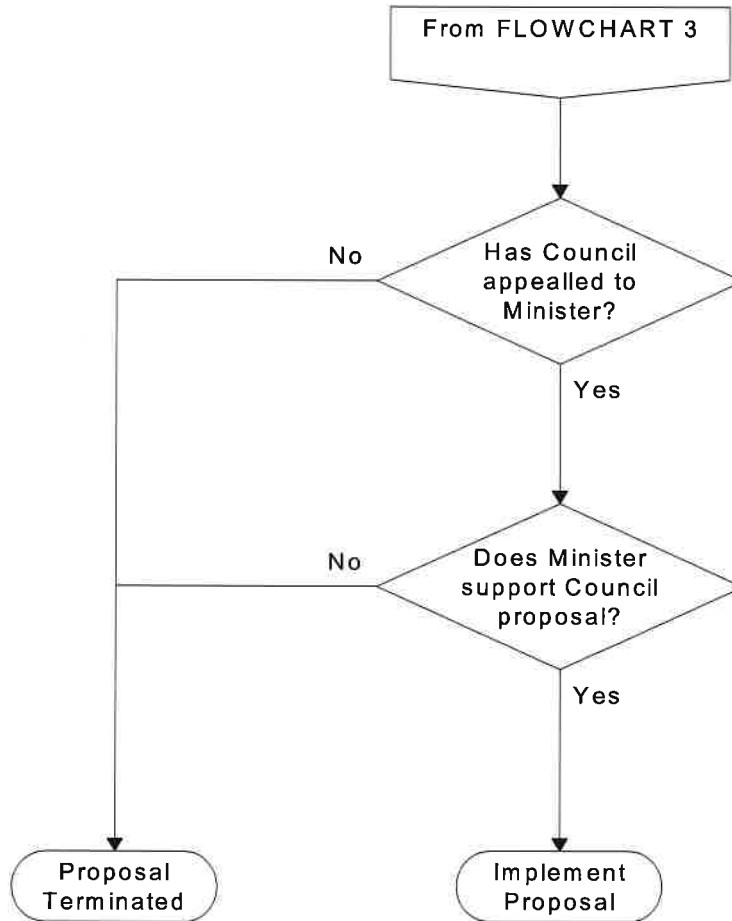


**FLOWCHART 3**  
*(Roads Act, 1993)*





**FLOWCHART 4**  
*(Roads Act, 1993)*





## RTC TERMS OF REFERENCE

<b>SCOPE</b>	<p>The Regional Traffic Committee deals with appeals from members of the Local Traffic Committees (RTA and NSW Police only) on matters delegated to Councils by the Roads and Traffic Authority.</p>
<b>ROLES</b>	<ul style="list-style-type: none"> <li>• The Roads and Traffic Authority (hereinafter called "the Authority") pursuant to Section 50 of the Transport Administration Act 1988 and all other enabling powers hereby delegates to the chairperson of a Regional Traffic Committee appointed by the Authority.             <ul style="list-style-type: none"> <li>-- The exercise of all those functions of the Authority necessary to determine appeals by a member of the Local Traffic Committee in connection with the exercise of any of the functions delegated by the Authority to a council, or any of the functions sub-delegated by it, in respect of:                 <ol style="list-style-type: none"> <li>1. Division 2 of Part 8 (Regulation of traffic by roads authorities) of the Roads Act 1993.</li> <li>2. Division 1 of Part 4 (Traffic control devices) of the Road Transport (Safety and Traffic Management) Act 1999.</li> <li>3. Division 2 of Part 5 (Special event parking schemes) of the Road Transport (Safety and Traffic Management) (Road Rules) Regulation 1999.</li> </ol> </li> </ul> </li> </ul>
<b>MEMBERSHIP</b>	<ul style="list-style-type: none"> <li>• Independent Chairperson, Regional Traffic Committees</li> <li>• Local Government and Shires Associations for each RTA Region</li> <li>• Roads and Traffic Authority for each RTA Region</li> </ul>
<b>ENQUIRIES</b>	<p>Should you have any further enquires please do not hesitate to contact the <b>Secretary, Regional Traffic Committees</b> by Facsimile on 8588 4164 or          Email: <a href="mailto:regional_traffic_committee@rta.nsw.gov.au">regional_traffic_committee@rta.nsw.gov.au</a></p>



Delegation to Councils for the Regulation of Traffic

## REGIONAL TRAFFIC COMMITTEE APPEAL FORM

SUBJECT OF APPEAL:		
APPELLANT (APPEAL) CONTACT:	Title: Name: Organisation: Phone: Fax: E-mail:	
DATE APPEAL SUBMITTED:	•	
REASON FOR APPEAL:	•	
RELEVANT HISTORY:	• • • •	
SUPPORTING DOCUMENTS:	• •  (Please attach documents)	
PARTIES TO APPEAL:	• • •	
DATE RECEIVED RTC use only		

Forward to:

Secretariat  
 Office of the Chairperson  
 Regional Traffic Committees  
 Level 16 101 Miller Street  
 Locked Bag 928  
 NORTH SYDNEY NSW 2059

Facsimile: 8588 4164  
 Email: [regional\\_traffic\\_committee@rta.nsw.gov.au](mailto:regional_traffic_committee@rta.nsw.gov.au)



**[Inside rear cover  
– provided for double sided printing purposes only]**

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→ For further enquiries:



[www.rta.nsw.gov.au/trafficinformation/guidelines](http://www.rta.nsw.gov.au/trafficinformation/guidelines)



[technical\\_directions\\_publication@rta.nsw.gov.au](mailto:technical_directions_publication@rta.nsw.gov.au)

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## **CHARTER – NARROMINE AUSTRALIA DAY COMMITTEE**

*Adopted By Council 18 September 2012, Resolution No 2012/319  
Amended By Council September 2017, Resolution No 2017/253  
Amended by Council 12 September 2018, Resolution No 2018/216  
Amended by Council 11 September 2019, Resolution No 2019/222*

## **CHARTER OF THE NARROMINE AUSTRALIA DAY COMMITTEE**

### **1. NAME**

The committee, as appointed under the provision of Section 355 of the Local Government Act 1993, shall be known as the **Narromine Australia Day Committee**.

### **2. INTERPRETATION**

For the purpose of this charter:-

"The Committee" means the Narromine Shire Council Narromine Australia Day Committee

"Council" means Narromine Shire Council

"Member" means a member of the committee

### **3. STATUS OF COMMITTEE**

Operational Committee

### **4. PURPOSE**

The Committee has been established to organise and run the annual Australia Day celebration in Narromine.

### **5. FUNCTIONS**

The Committee shall:-

- 5.1 Provide a forum for discussion of the strategic direction of the event.
- 5.2 Organisation and delivery of the Australia Day event.

### **6. COMMITTEE DELEGATIONS**

- 6.1 The Committee does not have the power to bind Council.
- 6.2 The Committee can make recommendations to the Council on all business presented before it. Recommendations of the Committee will be presented to Council in the minutes from the meetings. Recommendations made by the Committee may or may not be adopted by Council.
- 6.3 To operate in accordance with the provisions of any Regulations, as adopted by Council.

## **7. MEMBERSHIP**

The Committee does not have the authority to co-opt anyone to its membership. The Committee can make recommendations to Council for membership and can invite relevant persons to attend the meetings when required. They will not have voting rights.

### **Councillor Representation**

Two Councillors (annually appointed by Council in September). If any of the appointed Councillors are unable to attend meetings of this Committee, that Councillor must arrange for an alternative Councillor to represent them.

### **Community Representation**

Six Community Representatives

### **Council Staff Representation**

The following staff are assigned to this Committee:-

Director Community and Economic Development or nominee

Staff required to attend the committee will participate equally with Council Representation and Community Representation in terms of discussion and debate but will not have any voting rights.

### **Support Staff**

Staff from Council will attend meetings to provide administrative support to the Committee. Administrative support is provided for the preparation of the agenda, business papers and recording of the minutes. Council staff will prepare a financial statement for each meeting.

### **Chairperson**

The Chairperson of this Committee shall be elected from the Councillor Representatives. At the first Committee meeting after the annual nomination of Councillor Representatives to the Committee (usually conducted in September), the Chairperson shall be elected by the members present at the meeting.

The role of the Chairperson is to preside at a meeting of the Committee. The Chairperson requires the skills to be able to facilitate the effective functioning of the Committee.

If the Chairperson of the Committee is unable to preside at a meeting of the Committee, another Councillor representative will preside at the meeting as an Acting Chairperson.

### **Other Office Bearers**

There are no office bearers on the Committee

## **8. TERM OF OFFICE**

Community representatives continue on the Committee on an ongoing basis.

Councillors and designated staff remain on the Committee for the duration of the Council term (usually 1 year). They can be reappointed each year.

## **9. QUORUM & RECOMMENDATION MAKING**

The quorum required to enable business to be transacted at meetings is a minimum of four and must include a delegated Councillor representative.

In the absence of a quorum, 15 minutes after the advertised start of the meeting the meeting is to be adjourned and reconvened for another date.

Wherever possible, decisions of the Committee will be made on the basis of consensus. Where consensus cannot be reached, the matter will be decided by a simple majority of those members present at the meeting, provided a quorum is present. In the event of a tied vote, the Chairperson or person acting in the position of Chairperson shall in addition to their ordinary vote, have the casting vote.

## **10. GENERAL PUBLIC**

The Committee will not usually be open to members of the general public. However, the Committee can decide to open the meeting to the public, subject to the agreement of the Chairperson in consultation with the General Manager. Voting does not extend to members of the general public and is restricted to only elected committee members.

Representatives of organisations or the general community may be invited to address the Committee on matters on the agenda.

## **11. TIMETABLE FOR MEETINGS**

The meetings will occur as required. Usually from the first Monday in October through to the first Monday in February. A brief recess between the months of April and September is held.

The meetings will be limited where possible to a maximum of two hours duration unless the committee resolves to extend the length of the meeting to a particular time or the completion of business.

Extraordinary meetings may be called by the Chairperson of the Committee in consultation with the General Manager.

The location, date and starting time for meetings will be advised on the agenda.

Committee meetings can only be held if a minimum of three (3) working days notice has been given to all members.

## **12. MEETING PRACTICES & PROCEDURES**

The administrative provisions of Council's adopted Code of Meeting Practice shall apply.

The Committee will observe any other relevant Council protocols.

The minutes of the Committee will be included in Council's business papers for Council ratification, at the following Council Meeting.

### **13. INSURANCE**

Committee members are covered by Council's personal accident insurance only for attendance at meetings and other activities formally endorsed by the Committee, and reported to Council via the minutes.

### **14. CODE OF CONDUCT**

All members of Council committees are required to observe the provisions of Council's Code of Conduct and any other policy applicable to the proper functioning of the Committee. All new members will be provided with a copy of Council's Code of Conduct and will sign to indicate that they have read and understood their obligations. A breach of the Code of Conduct may lead to the member being excluded from the Committee (refer Section 15. Disciplinary Action)

In particular, if a committee member has a pecuniary interest in any matter with which the Committee is concerned, and who is present at a meeting of the committee at which the matter is being considered, they must disclose the interest to the meeting and must not be present during any discussion or decision making relating to that matter. Leaving the room is necessary because to remain in the presence of the meeting but refrain from voting is taken to be a vote against the motion (see Clause 251 of the Local Government (General) Regulation 2005).

A person does not breach the above clause if he or she did not know and could not reasonably be expected to have known that the matter under consideration at the meeting was a matter in which he or she had a pecuniary interest.

A member of a committee who has a non-pecuniary conflict of interest in any matter with which the committee is concerned and who is present at a meeting of the Committee at which the matter is being considered will disclose the interest to the meeting as soon as practicable. If a member of the committee has declared a non-pecuniary conflict of interest there are a range of options for managing the conflict. The option chosen will depend on an evaluation of the circumstances of the matter, the nature of the interest and the importance of the issue being dealt with.

Committee members must act in a professional and conscientious manner with any information they obtain as a committee member, especially as committees need openness and honesty to operate efficiently. Committee members should feel free to express their opinions and views without fear of recrimination. It is therefore important that committee members respect each other, despite differences, and work together to create an open and trusting atmosphere.

## **15. DISCIPLINARY ACTION**

Should a member of the Committee breach Council's Code of Conduct, the matter will be referred to Council's General Manager for deliberation. The General Manager may consider a range of sanctions, depending on the nature of the breach. Serious breaches may result in removal of the member concerned from the Committee. In such cases the General Manager would convene a meeting of the Chairperson and person concerned to discuss the matter prior to the decision being finalised. The member who has committed the breach may be suspended from the Committee until the matter is determined.

## **16. CONFIDENTIALITY & PRIVACY**

Members, through their involvement on the Committee, may come in contact with confidential or personal information retained by Council. Committee members are required to maintain the security and confidentiality of any such information and not access, use or remove that information, unless authorised to do so.

Privacy legislation governs the collection, holding, use, correction, disclosure and transfer of personal information. More information about the legislation can be obtained by contacting Council's Public Officer.

Should a committee member become aware of any breach of the security, or misuse of Council's confidential or personal information they are asked to contact the Public Officer.

## **17. MEDIA PROTOCOL**

Council's Media Relations Policy states that all media relations shall be conducted through the Mayor for policy matters and through the General Manager for procedural matters.

No other member of the committee is permitted to speak to the media in his or her capacity as a committee member.

## **18. REVIEW**

Amendments to this charter may be proposed to the Council by the Committee at any time, and change will not take effect until such time as Council has resolved to make any required amendments.



## **CHARTER – NARROMINE SHOWGROUND & RACECOURSE ADVISORY COMMITTEE**

*Adopted By Council 18 September 2012, Resolution No 2012/320  
Amended By Council September 2017, Resolution No 2017/253  
Amended By Council 12 September 2018, Resolution No 2018/216  
Amended By Council 11 September 2019, Resolution No 2019/222*

## **CHARTER OF THE NARROMINE SHOWGROUND & RACECOURSE ADVISORY COMMITTEE**

### **1. NAME**

The committee, as appointed under the provision of Section 355(b) of the Local Government Act 1993, shall be known as the **Narromine Showground & Racecourse Advisory Committee**.

### **2. INTERPRETATION**

For the purpose of this charter:-

"The Committee" means the Narromine Showground & Racecourse Advisory Committee

"Council" means Narromine Shire Council

"Member" means a member of the committee

### **3. STATUS OF COMMITTEE**

Advisory Committee

### **4. PURPOSE**

The Committee has been established to ~~manage the day to day~~ advise Council regarding the operations of the Narromine Showground and Racecourse by making recommendations to Council, who ~~is the Trust Manager of the Reserve~~ manage the reserve under the Crown Land Management Act.

### **5. FUNCTIONS**

The Committee shall:-

- 5.1 Provide input on the strategic direction of the Narromine Showground and Racecourse
- 5.2 Provide advice on proposed capital improvements and maintenance of the Narromine Showground and Racecourse.

### **6. COMMITTEE DELEGATIONS**

- 6.1 The Committee does not have the power to bind Council.
- 6.2 The Committee can make recommendations to the Council on all business presented before it. Recommendations of the Committee will be presented to Council in the minutes from the meetings. Recommendations made by the Committee may or may not be adopted by Council.
- 6.3 To operate in accordance with the provisions of any Regulations, as adopted by Council.



## **7. MEMBERSHIP**

The Committee does not have the authority to co-opt anyone to its membership. The Committee can make recommendations to Council for membership and can invite relevant persons to attend the meetings when required. They will not have voting rights.

### **Councillor Representation**

Two Councillors (annually appointed by Council in September). If any of the appointed Councillors are unable to attend meetings of this Committee, that Councillor must arrange for an alternative Councillor to represent them.

### **Community Representation**

Two representatives from Narromine Agricultural Show Society  
Two representatives from Narromine Turf Club  
Two representatives from Narromine Pony Club

### **Council Staff Representation**

The following staff are assigned to this Committee:-

Director Community and Economic Development or nominee

Staff required to attend the committee will participate equally with Council Representation and Community Representation in terms of discussion and debate but will not have any voting rights.

### **Support Staff**

Staff from Council will attend meetings to provide administrative support to the Committee. Administrative support is provided for the preparation of the agenda, business papers and recording of the minutes. A financial report will also be prepared by Council.

### **Chairperson**

The Chairperson of this Committee shall be elected from the Councillor Representatives. At the first Committee meeting after the annual nomination of Councillor Representatives to the Committee (usually conducted in September), the Chairperson shall be elected by the members present at the meeting.

The role of the Chairperson is to preside at a meeting of the Committee. The Chairperson requires the skills to be able to facilitate the effective functioning of the Committee.

If the Chairperson of the Committee is unable to preside at a meeting of the Committee, another Councillor representative will preside at the meeting as an Acting Chairperson.

### **Other Office Bearers**

There are no office bearers on the Committee.

## **8. TERM OF OFFICE**

Community representatives continue on the Committee on an ongoing basis.

Councillors and designated staff remain on the Committee for the duration of the Council term (usually 1 year). They can be reappointed each year.

## **9. QUORUM & RECOMMENDATION MAKING**

The quorum required to enable business to be transacted at meetings is a minimum of five and must include a delegated Councillor representative.

In the absence of a quorum, 15 minutes after the advertised start of the meeting the meeting is to be adjourned and reconvened for another date.

Wherever possible, decisions of the Committee will be made on the basis of consensus. Where consensus cannot be reached, the matter will be decided by a simple majority of those members present at the meeting, provided a quorum is present. In the event of a tied vote, the Chairperson or person acting in the position of Chairperson shall in addition to their ordinary vote, have the casting vote.

## **10. GENERAL PUBLIC**

The Committee will not usually be open to members of the general public. However, the Committee can decide to open the meeting to the public, subject to the agreement of the Chairperson in consultation with the General Manager. Voting does not extend to members of the general public and is restricted to only elected committee members.

Representatives of organisations or the general community may be invited to address the Committee on matters on the agenda.

## **11. TIMETABLE FOR MEETINGS**

The meetings will occur ~~quarterly~~ in February and June.

The meetings will be limited where possible to a maximum of two hours duration unless the committee resolves to extend the length of the meeting to a particular time or the completion of business.

Extraordinary meetings may be called by the Chairperson of the Committee in consultation with the General Manager.

The location, date and starting time for meetings will be advised on the agenda.

Committee meetings can only be held if a minimum of three (3) working days notice has been given to all members.

## **12. MEETING PRACTICES & PROCEDURES**

The administrative provisions of Council's adopted Code of Meeting Practice shall apply.

The Committee will observe any other relevant Council protocols.

The minutes of the Committee will be included in Council's Business Papers for Council ratification, at the following Council Meeting.

## **13. INSURANCE**

Committee members are covered by Council's personal accident insurance only for attendance at meetings and other activities formally endorsed by the Committee, and reported to Council via the minutes.

## **14. CODE OF CONDUCT**

All members of Council committees are required to observe the provisions of Council's Code of Conduct and any other policy applicable to the proper functioning of the Committee. All new members will be provided with a copy of Council's Code of Conduct and will sign to indicate that they have read and understood their obligations. A breach of the Code of Conduct may lead to the member being excluded from the Committee and may include disciplinary action.

In particular, if a committee member has a pecuniary interest in any matter with which the Committee is concerned, and who is present at a meeting of the committee at which the matter is being considered, they must disclose the interest to the meeting and must not be present during any discussion or decision making relating to that matter. Leaving the room is necessary because to remain in the presence of the meeting but refrain from voting is taken to be a vote against the motion (see Clause 251 of the Local Government (General) Regulation 2005).

A person does not breach the above clause if he or she did not know and could not reasonably be expected to have known that the matter under consideration at the meeting was a matter in which he or she had a pecuniary interest.

A member of a committee who has a non-pecuniary conflict of interest in any matter with which the committee is concerned and who is present at a meeting of the Committee at which the matter is being considered will disclose the interest to the meeting as soon as practicable. If a member of the committee has declared a non-pecuniary conflict of interest there are a range of options for managing the conflict. The option chosen will depend on an evaluation of the circumstances of the matter, the nature of the interest and the importance of the issue being dealt with.

Committee members must act in a professional and conscientious manner with any information they obtain as a committee member, especially as committees need openness and honesty to operate efficiently. Committee members should feel free to express their opinions and views without fear of recrimination. It is therefore important that committee members respect each other, despite differences, and work together to create an open and trusting atmosphere.

## **15. CONFIDENTIALITY & PRIVACY**

Members, through their involvement on the Committee, may come in contact with confidential or personal information retained by Council. Committee members are required to maintain the security and confidentiality of any such information and not access, use or remove that information, unless authorised to do so.

Privacy legislation governs the collection, holding, use, correction, disclosure and transfer of personal information. More information about the legislation can be obtained by contacting Council's Public Officer.

Should a committee member become aware of any breach of the security, or misuse of Council's confidential or personal information they are asked to contact the Public Officer.

## **16. MEDIA PROTOCOL**

Council's Media Relations Policy states that all media relations shall be conducted through the Mayor for policy matters and through the General Manager for procedural matters.

No other member of the committee is permitted to speak to the media in his or her capacity as a committee member.

## **17. REVIEW**

Amendments to this charter may be proposed to the Council by the Committee at any time, and change will not take effect until such time as Council has resolved to make any required amendments.



# **CHARTER – TRANGIE SHOWGROUND & RACECOURSE ADVISORY COMMITTEE**

*Adopted By Council 18 September 2012, Resolution No 2012/321  
Amended By Council September 2017, Resolution No 2017/253  
Amended By Council 12 September 2018, Resolution No 2018/216  
Amended By Council 11 September 2019, Resolution No 2019/222*

## **CHARTER OF THE TRANGIE SHOWGROUND & RACECOURSE ADVISORY COMMITTEE**

### **1. NAME**

The committee, as appointed under the provision of Section 355(b) of the Local Government Act 1993, shall be known as the **Trangie Showground & Racecourse Advisory Committee**.

### **2. INTERPRETATION**

For the purpose of this charter:-

"The Committee" means the Trangie Showground & Racecourse Advisory Committee

"Council" means Narromine Shire Council

"Member" means a member of the committee

### **3. STATUS OF COMMITTEE**

Advisory Committee

### **4. PURPOSE**

The Committee has been established to ~~manage the day to day operation of~~ advise Council regarding the operations of the Trangie Showground and Racecourse by making recommendations to Council, who ~~is the Trust Manager of the reserve~~ manage the reserve under the Crown Land Management Act.

### **5. FUNCTIONS**

The Committee shall:-

- 5.1 Provide input on the strategic direction of the Trangie Showground and Racecourse
- 5.2 Provide advice on proposed capital improvements and maintenance of the Trangie Showground and Racecourse.

### **6. COMMITTEE DELEGATIONS**

- 6.1 The Committee does not have the power to bind Council.
- 6.2 The Committee can make recommendations to the Council on all business presented before it. Recommendations of the Committee will be presented to Council in the minutes from the meetings. Recommendations made by the Committee may or may not be adopted by Council.
- 6.3 To operate in accordance with the provisions of any Regulations, as adopted by Council.

## **7. MEMBERSHIP**

The Committee does not have the authority to co-opt anyone to its membership. The Committee can make recommendations to Council for membership and can invite relevant persons to attend the meetings when required. They will not have voting rights.

### **Councillor Representation**

Two Councillors (annually appointed by Council in September). If any of the appointed Councillors are unable to attend meetings of this Committee, that Councillor must arrange for an alternative Councillor to represent them.

### **Community Representation**

Two representatives from Macquarie Picnic Race Club

Two representatives from Trangie Jockey Club

Two representatives from Trangie Horse & Pony Club

Two representatives from Trangie Campdraft Association

Two representatives from Trangie Truck and Tractor Show Committee

Two community representatives

### **Council Staff Representation**

The following staff are assigned to this Committee:-

Director Community and Economic Development or nominee

Staff required to attend the committee will participate equally with Council Representation and Community Representation in terms of discussion and debate but will not have any voting rights.

### **Support Staff**

Staff from Council will attend meetings to provide administrative support to the Committee. Administrative support is provided for the preparation of the agenda, business papers and recording of the minutes. Council will prepare a financial statement for each meeting.

### **Chairperson**

The Chairperson of this Committee shall be elected from the Councillor Representatives. At the first Committee meeting after the annual nomination of Councillor Representatives to the Committee (usually conducted in September), the Chairperson shall be elected by the members present at the meeting.

The role of the Chairperson is to preside at a meeting of the Committee. The Chairperson requires the skills to be able to facilitate the effective functioning of the Committee.

If the Chairperson of the Committee is unable to preside at a meeting of the Committee, another Councillor representative will preside at the meeting as an Acting Chairperson.

### **Other Office Bearers**

There are no office bearers on the Committee.

## **8. TERM OF OFFICE**

Community representatives continue on the Committee on an ongoing basis.

Councillors and designated staff remain on the Committee for the duration of the Council term (usually 1 year). They can be reappointed each year.

## **9. QUORUM & RECOMMENDATION MAKING**

The quorum required to enable business to be transacted at meetings is a minimum of five and must include a delegated Councillor representative.

In the absence of a quorum, 15 minutes after the advertised start of the meeting the meeting is to be adjourned and reconvened for another date.

Wherever possible, decisions of the Committee will be made on the basis of consensus. Where consensus cannot be reached, the matter will be decided by a simple majority of those members present at the meeting, provided a quorum is present. In the event of a tied vote, the Chairperson or person acting in the position of Chairperson shall in addition to their ordinary vote, have the casting vote.

## **10. GENERAL PUBLIC**

The Committee will not usually be open to members of the general public. However, the Committee can decide to open the meeting to the public, subject to the agreement of the Chairperson in consultation with the General Manager. Voting does not extend to members of the general public and is restricted to only elected committee members.

Representatives of organisations or the general community may be invited to address the Committee on matters on the agenda.

## **11. TIMETABLE FOR MEETINGS**

The meetings will occur ~~quarterly~~ in February and June.

The meetings will be limited where possible to a maximum of two hours duration unless the committee resolves to extend the length of the meeting to a particular time or the completion of business.

Extraordinary meetings may be called by the Chairperson of the Committee in consultation with the General Manager.

The location, date and starting time for meetings will be advised on the agenda.



Committee meetings can only be held if a minimum of three (3) working days notice has been given to all members.

## **12. MEETING PRACTICES & PROCEDURES**

The administrative provisions of Council's adopted Code of Meeting Practice shall apply.

The Committee will observe any other relevant Council protocols.

The minutes of the Committee will be included in Council's Business Papers for Council ratification, at the following Council Meeting.

## **13. INSURANCE**

Committee members are covered by Council's personal accident insurance only for attendance at meetings and other activities formally endorsed by the Committee, and reported to Council via the minutes.

## **14. CODE OF CONDUCT**

All members of Council committees are required to observe the provisions of Council's Code of Conduct and any other policy applicable to the proper functioning of the Committee. All new members will be provided with a copy of Council's Code of Conduct and will sign to indicate that they have read and understood their obligations. A breach of the Code of Conduct may lead to the member being excluded from the Committee and may include disciplinary action.

In particular, if a committee member has a pecuniary interest in any matter with which the Committee is concerned, and who is present at a meeting of the committee at which the matter is being considered, they must disclose the interest to the meeting and must not be present during any discussion or decision making relating to that matter. Leaving the room is necessary because to remain in the presence of the meeting but refrain from voting is taken to be a vote against the motion (see Clause 251 of the Local Government (General) Regulation 2005).

A person does not breach the above clause if he or she did not know and could not reasonably be expected to have known that the matter under consideration at the meeting was a matter in which he or she had a pecuniary interest.

A member of a committee who has a non-pecuniary conflict of interest in any matter with which the committee is concerned and who is present at a meeting of the Committee at which the matter is being considered will disclose the interest to the meeting as soon as practicable. If a member of the committee has declared a non-pecuniary conflict of interest there are a range of options for managing the conflict. The option chosen will depend on an evaluation of the circumstances of the matter, the nature of the interest and the importance of the issue being dealt with.

Committee members must act in a professional and conscientious manner with any information they obtain as a committee member, especially as committees need openness and honesty to operate efficiently. Committee members should feel free to express their opinions and views without fear of recrimination. It is therefore important that committee members respect each other, despite differences, and work together to create an open and trusting atmosphere.

## **15. CONFIDENTIALITY & PRIVACY**

Members, through their involvement on the Committee, may come in contact with confidential or personal information retained by Council. Committee members are required to maintain the security and confidentiality of any such information and not access, use or remove that information, unless authorised to do so.

Privacy legislation governs the collection, holding, use, correction, disclosure and transfer of personal information. More information about the legislation can be obtained by contacting Council's Public Officer.

Should a committee member become aware of any breach of the security, or misuse of Council's confidential or personal information they are asked to contact the Public Officer.

## **16. MEDIA PROTOCOL**

Council's Media Relations Policy states that all media relations shall be conducted through the Mayor for policy matters and through the General Manager for procedural matters.

No other member of the committee is permitted to speak to the media in his or her capacity as a committee member.

## **17. REVIEW**

Amendments to this charter may be proposed to the Council by the Committee at any time, and change will not take effect until such time as Council has resolved to make any required amendments.



## **CHARTER – TOMINGLEY ADVANCEMENT ASSOCIATION COMMITTEE**

*Adopted by Council 21 September 2016, Resolution No 2016/247  
Amended By Council September 2017, Resolution No 2017/253  
Amended By Council 12 September 2018, Resolution No 2016/216  
Amended By Council 11 September 2019, Resolution No 2019/222*

## **CHARTER OF THE TOMINGLEY ADVANCEMENT ASSOCIATION COMMITTEE**

### **1. NAME**

The committee, as appointed under the provision of Section 355(b) of the Local Government Act 1993, shall be known as the **Tomingley Advancement Association Committee**.

### **2. INTERPRETATION**

For the purpose of this charter:-

"The Committee" means the Narromine Shire Council Tomingley Advancement Association Committee

"Council" means Narromine Shire Council

"Member" means a member of the committee

### **3. STATUS OF COMMITTEE**

Advisory Committee

### **4. PURPOSE**

The Committee has been established to enable additional consultation in regards to items such as Community Strategic Planning, priorities within Council's Delivery Plan and issues that may directly affect the village and nearby residents. The Committee may also offer input into the management of Council owned community facilities such as the Tomingley Memorial Hall and Tomingley Community Centre.

In addition the Committee has also been established to organise and run the annual Australia Day celebration in Tomingley when held.

### **5. FUNCTIONS**

The Committee shall:-

Provide advice to Council on issues that affect the residents of the Tomingley area.

Provide a forum for the discussion of issues within the Community Strategic Plan

Organise and deliver the Tomingley Australia Day event when held.

## **6. COMMITTEE DELEGATIONS**

- 6.1 The Committee does not have the power to bind Council.
- 6.2 The Committee can make recommendations to the Council on all business presented before it. Recommendations of the Committee will be presented to Council in the minutes from the meetings. Recommendations made by the Committee may or may not be adopted by Council.
- 6.3 To operate in accordance with the provisions of any Regulations, as adopted by Council.

## **7. MEMBERSHIP**

The Committee is open to those interested community members who wish to join.

### **Councillor Representation**

One Councillor

One Alternate Delegate (annually appointed by Council in September). If any of the appointed Councillors are unable to attend meetings of this Committee, that Councillor must arrange for an alternative Councillor to represent them.

### **Community Representation**

Five Community Representatives

### **Council Staff Representation**

The following staff are assigned to this Committee:-

Director Community and Economic Development or nominee

Staff required to attend the committee will participate equally with Council Representation and Community Representation in terms of discussion and debate but will not have any voting rights.

### **Support Staff**

Staff from Council will attend meetings to provide administrative support to the Committee. Administrative support is provided for the preparation of the agenda, business papers and recording of the minutes. Council will provide a financial report to each meeting.

### **Chairperson**

The Chairperson of this Committee shall be elected from the Councillor Representatives. At the first Committee meeting after the annual nomination of Councillor Representatives to the Committee (usually conducted in September), the Chairperson shall be elected by the members present at the meeting.

The role of the Chairperson is to preside at a meeting of the Committee. The Chairperson requires the skills to be able to facilitate the effective functioning of the Committee.

If the Chairperson of the Committee is unable to preside at a meeting of the Committee, the other Councillor representative will preside at the meeting as an Acting Chairperson.

### **Other Office Bearers**

There are no office bearers on the Committee

## **8. TERM OF OFFICE**

Community representatives continue on the Committee on an ongoing basis.

Councillors and designated staff remain on the Committee for one year. They can be reappointed each year.

## **9. QUORUM & RECOMMENDATION MAKING**

The quorum required to enable business to be transacted at meetings is a minimum of four (4) attendees and must include a delegated Councillor representative.

In the absence of a quorum, 15 minutes after the advertised start of the meeting the meeting is to be adjourned and reconvened for another date.

Wherever possible, decisions of the Committee will be made on the basis of consensus. Where consensus cannot be reached, the matter will be decided by a simple majority of those members present at the meeting, provided a quorum is present. In the event of a tied vote, the Chairperson or person acting in the position of Chairperson shall in addition to their ordinary vote, have the casting vote.

## **10. GENERAL PUBLIC**

The General Public are welcome to attend meetings. Representatives of organisations may be invited to address the committee on matters on the agenda.

## **11. TIMETABLE FOR MEETINGS**

The meetings will occur twice a year. If there is no quorum, the meeting will be deferred and another meeting must be held within 1 month.

The meetings will be limited to a maximum of two hours duration unless the committee resolves to extend the length of the meeting to a particular time or the completion of business.

Extraordinary meetings may be called by the Chairperson of the Committee in consultation with the General Manager.

The location, date and starting time for meetings will be advised on the agenda.

Committee meetings can only be held if a minimum of seven (7) working days notice has been given to all members.

## **12. MEETING PRACTICES & PROCEDURES**

The administrative provisions of Council's adopted Code of Meeting Practice shall apply.

The Committee will observe any other relevant Council protocols.

The minutes of the Committee will be included in Council's business papers for Council ratification, at the following Council Meeting.

## **13. INSURANCE**

Committee members are covered by Council's personal accident insurance only for attendance at meetings and other activities formally endorsed by the Committee, and reported to Council via the minutes.

## **14. CODE OF CONDUCT**

All members of Council committees are required to observe the provisions of Council's Code of Conduct and any other policy applicable to the proper functioning of the Committee. All new members will be provided with a copy of Council's Code of Conduct and will sign to indicate that they have read and understood their obligations. A breach of the Code of Conduct may lead to the member being excluded from the Committee and may include disciplinary action.

In particular, if a committee member has a pecuniary interest in any matter with which the Committee is concerned, and who is present at a meeting of the committee at which the matter is being considered, they must disclose the interest to the meeting and must not be present during any discussion or decision making relating to that matter. Leaving the room is necessary because to remain in the presence of the meeting but refrain from voting is taken to be a vote against the motion (see Clause 251 of the Local Government (General) Regulation 2005).

A person does not breach the above clause if he or she did not know and could not reasonably be expected to have known that the matter under consideration at the meeting was a matter in which he or she had a pecuniary interest.

A member of a committee who has a non-pecuniary conflict of interest in any matter with which the committee is concerned and who is present at a

meeting of the Committee at which the matter is being considered will disclose the interest to the meeting as soon as practicable. If a member of the committee has declared a non-pecuniary conflict of interest there are a range of options for managing the conflict. The option chosen will depend on an evaluation of the circumstances of the matter, the nature of the interest and the importance of the issue being dealt with.

Committee members must act in a professional and conscientious manner with any information they obtain as a committee member, especially as committees need openness and honesty to operate efficiently. Committee members should feel free to express their opinions and views without fear of recrimination. It is therefore important that committee members respect each other, despite differences, and work together to create an open and trusting atmosphere.

## **15. CONFIDENTIALITY & PRIVACY**

Members, through their involvement on the Committee, may come in contact with confidential or personal information retained by Council. Committee members are required to maintain the security and confidentiality of any such information and not access, use or remove that information, unless authorised to do so.

Privacy legislation governs the collection, holding, use, correction, disclosure and transfer of personal information. More information about the legislation can be obtained by contacting Council's Public Officer.

Should a committee member become aware of any breach of the security, or misuse of Council's confidential or personal information they are asked to contact the Public Officer.

## **16. MEDIA PROTOCOL**

Council's Media Relations Policy states that all media relations shall be conducted through the Mayor for policy matters and through the General Manager for procedural matters.

No other member of the committee is permitted to speak to the media in his or her capacity as a committee member.

## **17. REVIEW**

Amendments to this charter may be proposed to the Council by the Committee at any time, and change will not take effect until such time as Council has resolved to make any required amendments.





**CHARTER – NARROMINE  
FLOODPLAIN MANAGEMENT  
COMMITTEE**

*Adopted By Council 18 September 2012, Resolution Nos 2012/330, 2012/384  
Amended By Council September 2017, Resolution No 2017/253  
Amended By Council 12 September 2018, Resolution No 2018/216  
Amended By Council 11 September 2019, Resolution No 2019/222*

## **CHARTER OF THE NARROMINE SHIRE COUNCIL FLOODPLAIN MANAGEMENT COMMITTEE**

### **1. NAME**

The committee, as appointed under the provision of Section 355(b) of the Local Government Act 1993, shall be known as the Narromine Floodplain Management Committee.

### **2. INTERPRETATION**

For the purpose of this charter:-

“The Committee” means the Narromine Shire Council – Narromine Floodplain Management Committee

“Council” means Narromine Shire Council

“Member” means a member of the committee

### **3. STATUS OF COMMITTEE**

Advisory Committee

### **4. PURPOSE**

The Committee has been established primarily to assist Council in respect to studies undertaken in regards to the Narromine Flood Plain Risk Management Plan, the Narromine Town Levee Feasibility Study and Concept Design.

### **5. FUNCTIONS**

The Committee shall assist in:-

- 5.1 formulating objectives, strategies and outcomes sought from the process, after a review of specialist studies;
- 5.2 providing a link between the local community and Council;
- 5.3 indentifying the flood problem to be assessed within the study area;
- 5.4 providing input into known flood behaviour as part of the flood study;
- 5.5 co-ordinate with relevant emergency agencies and management boards.

### **6. OUTCOMES**

The Committee will act as a forum for the discussion of technical, social, economic, environmental and cultural issues and for the distillation of possibly differing viewpoints on these issues in regards to potential flood related impacts for the Narromine Township.

## **7. COMMITTEE DELEGATIONS**

- 7.1 The Committee does not have the power to incur expenditure.
- 7.2 The Committee does not have the power to bind Council.
- 7.3 The Committee can make recommendations to the Council on all relevant business presented before it. Recommendations of the Committee will be presented to Council in the written form of minutes, accompanied by the agenda or reports from relevant Council officers. Recommendations made by the Committee may or may not be adopted by Council.
- 7.4 Actions which are determined by the General Manager to be operational will be dealt with by the relevant Director/Manager, and any action or decision not to act will be reported to the Committee.

## **8. MEMBERSHIP**

The Committee does not have the authority to co-opt anyone to its membership. Any recommendations for new membership must be approved by Council.

### **Councillor Representation**

Two (2) Councillors (annually appointed by Council in September). If any of the appointed Councillors are unable to attend meetings of this Committee, that Councillor must arrange for an alternative Councillor to represent them.

### **Community and Industry Representation**

Representatives of the local community, relevant industry bodies and environmental groups (maximum of seven (7) members across affected areas).

### **Council Staff Representation**

Council staff representation must include a mix of engineering, strategic and planning and environmental.

Staff required to attend the Committee will participate equally with other members in terms of discussion and/or debate but will not have any voting rights.

### **Office of Environment and Heritage**

Minimum of one (1) representative from a Floodplain Risk Management perspective (no voting rights).

### **State Emergency Service Representation**

Minimum of one (1) representative required to consider any implications with emergency operations.

## **Chairperson**

The Chairperson of this Committee shall be elected from the Councillor Representatives. At the first Committee meeting after the annual nomination of Councillor Representatives to the Committee (usually conducted in September), the Chairperson shall be elected by the members present at the meeting.

The role of the Chairperson is to preside at a meeting of the Committee. The Chairperson requires the skills to be able to facilitate the effective functioning of the Committee.

If the Chairperson of the Committee is unable to preside at a meeting of the Committee, the other appointed Council representative shall become the Acting Chairperson for that meeting.

## **Other Office Bearers**

There are no other office bearers on the Committee.

## **9. TERM OF OFFICE**

Community representatives continue on the Committee on an ongoing basis.

Councillors serving on the Committee shall have a duration of the Council term for committees (usually 1 year). They can be re-appointed each year.

## **10. QUORUM & RECOMMENDATION MAKING**

The quorum required to enable business to be transacted at meetings is a minimum of five representatives and must include a delegated Councillor representative.

In the absence of a quorum, 15 minutes after the advertised start of the meeting, the committee members present may discuss the agenda items although any decisions taken will not become formalised until they have been ratified at the next committee meeting with a quorum present.

Wherever possible, decisions of the Committee will be made on the basis of consensus. Where consensus cannot be reached, the matter will be decided by a simple majority of those members present at the meeting, provided a quorum is present. In the event of a tied vote, the Chairperson or person acting in the position of Chairperson shall in addition to their ordinary vote, have the casting vote.

## **11. GENERAL PUBLIC**

The Committee will not usually be open to members of the general public. However, the Committee can decide to open the meeting to the public, subject to the agreement of the Chairperson in consultation with the General

Manager. Voting does not extend to members of the general public and is restricted to only elected committee members.

Representatives of organisations or the general community may be invited to address the Committee on matters on the agenda.

## **12. TIMETABLE FOR MEETINGS**

The meetings will occur as required.

The meetings will be limited to a maximum of two hours duration unless the committee resolves to extend the length of the meeting to a particular time or the completion of business.

The location, date and starting time for meetings will be advised on the agenda.

Committee meetings can only be held if a minimum of three (3) working days notice has been given to all members.

## **13. MEETING PRACTICES & PROCEDURES**

The administrative provisions of Council's adopted Code of Meeting Practice shall apply.

The Committee will observe any other relevant Council protocols.

The minutes of the Committee will be included in Council's Business Papers for Council ratification, at the following Council Meeting.

## **14. INSURANCE**

Committee members are covered by Council's personal accident insurance only for attendance at meetings and other activities formally endorsed by the Committee, and reported to Council via the minutes.

## **15. CODE OF CONDUCT**

All members of Council committees are required to observe the provisions of Council's Code of Conduct and any other policy applicable to the proper functioning of the Committee. All new members will be provided with a copy of Council's Code of Conduct and will sign to indicate that they have read and understood their obligations. A breach of the Code of Conduct may lead to the member being excluded from the Committee and may include disciplinary action.

In particular, if a committee member has a pecuniary interest in any matter with which the Committee is concerned, and who is present at a meeting of the committee at which the matter is being considered, they must disclose the

interest to the meeting and must not be present during any discussion or decision making relating to that matter. Leaving the room is necessary because to remain in the presence of the meeting but refrain from voting is taken to be a vote against the motion (see Clause 251 of the Local Government (General) Regulation 2005).

A person does not breach the above clause if he or she did not know and could not reasonably be expected to have known that the matter under consideration at the meeting was a matter in which he or she had a pecuniary interest.

A member of a committee who has a non-pecuniary conflict of interest in any matter with which the committee is concerned and who is present at a meeting of the Committee at which the matter is being considered will disclose the interest to the meeting as soon as practicable. If a member of the committee has declared a non-pecuniary conflict of interest there are a range of options for managing the conflict. The option chosen will depend on an evaluation of the circumstances of the matter, the nature of the interest and the importance of the issue being dealt with.

Committee members must act in a professional and conscientious manner with any information they obtain as a committee member, especially as committees need openness and honesty to operate efficiently. Committee members should feel free to express their opinions and views without fear of recrimination. It is therefore important that committee members respect each other, despite differences, and work together to create an open and trusting atmosphere.

## **16. CONFIDENTIALITY & PRIVACY**

Members, through their involvement on the Committee, may come in contact with confidential or personal information retained by Council. Committee members are required to maintain the security and confidentiality of any such information and not access, use or remove that information, unless authorised to do so.

Privacy legislation governs the collection, holding, use, correction, disclosure and transfer of personal information. More information about the legislation can be obtained by contacting Council's Information Officer.

Should a committee member become aware of any breach of the security, or misuse of Council's confidential or personal information they are asked to contact the Information Officer.

## **17. MEDIA PROTOCOL**

Council's media relations policy states that all media relations shall be conducted through the Mayor for policy, strategic and emergency matters and through the General Manager for procedural and operational matters.

No other member of the committee is permitted to speak to the media in his or her capacity as a committee member.

## **18. REVIEW**

Amendments to this charter may be proposed to the Council by the Committee at any time, and change will not take effect until such time as Council has resolved to make any required amendments.



## **CHARTER – ECONOMIC DEVELOPMENT GROUP COMMITTEE**

*Adopted by Council 8 March 2017  
Amended By Council September 2017, Resolution No 2017/253  
Amended By Council 12 September 2018, Resolution No 2018/216  
Amended by Council 11 September 2019, Resolution No 2019/222*



## **CHARTER OF THE ECONOMIC DEVELOPMENT GROUP COMMITTEE**

### **1. NAME**

The committee, as appointed under the provision of Section 355(b) of the Local Government Act 1993, shall be known as the **Economic Development Group Committee**.

### **2. INTERPRETATION**

For the purpose of this charter:-

“The Committee” means the Economic Development Group Committee

“Council” means Narromine Shire Council

“Member” means a member of the committee

### **3. STATUS OF COMMITTEE**

Advisory Committee

### **4. PURPOSE**

The Committee has been established to assist Council in the implementation of Council's Economic Development Strategy and Social Plan.

### **5. FUNCTIONS**

The Committee shall:-

- 5.1 Provide a forum for industry, local government and the non-government sector to grow the regional economy.
- 5.2 Identify strategic opportunities to enhance the economic and social viability of our community.
- 5.3 Encourage business diversity, innovation and new technologies to help stimulate jobs, collaboration and creativity.

### **6. COMMITTEE DELEGATIONS**

- 6.1 The Committee does not have the power to bind Council.
- 6.2 The Committee can make recommendations to the Council on all business presented before it. Recommendations of the Committee will be presented to Council in the minutes from the meetings. Recommendations made by the Committee may or may not be adopted by Council.
- 6.3 To operate in accordance with the provisions of any Regulations, as adopted by Council.

## **7. MEMBERSHIP**

The Committee does not have the authority to co-opt anyone to its membership. The Committee can make recommendations to Council for membership and can invite relevant persons to attend the meetings when required. They will not have voting rights.

### **Councillor Representation**

Three Councillors (annually appointed by Council in September). If any of the appointed Councillors are unable to attend meetings of this Committee, that Councillor must arrange for an alternative Councillor to represent them.

### **Business and Community Representation**

~~Five-Six~~ representatives from the local business industry and/or community

One representative from Regional Development Australia

One arts/culture representative

### **Community Representation**

~~Seven representatives from the community~~

### **Council Staff Representation**

General Manager or nominee

Staff required to attend the committee will participate equally with Council Representation and Community Representation in terms of discussion and debate but will not have any voting rights.

### **Support Staff**

Staff from Council will attend meetings to provide administrative support to the Committee. Administrative support is provided for the preparation of the agenda, business papers and recording of the minutes.

### **Chairperson**

The Chairperson of this Committee shall be elected from the Councillor Representatives. At the first Committee meeting after the annual nomination of Councillor Representatives to the Committee (usually conducted in September), the Chairperson shall be elected by the members present at the meeting.

The role of the Chairperson is to preside at a meeting of the Committee. The Chairperson requires the skills to be able to facilitate the effective functioning of the Committee.

If the Chairperson of the Committee is unable to preside at a meeting of the Committee, another Councillor representative will preside at the meeting as an Acting Chairperson.

### **Other Office Bearers**

There are no office bearers on the Committee.

## **8. TERM OF OFFICE**

Community representatives continue on the Committee on an ongoing basis.

Councillors and designated staff remain on the Committee for the duration of the Council term (usually 1 year). They can be reappointed each year.

## **9. QUORUM & RECOMMENDATION MAKING**

The quorum required to enable business to be transacted at meetings is a minimum of four and must include a delegated Councillor representative.

In the absence of a quorum, 15 minutes after the advertised start of the meeting the meeting is to be adjourned and reconvened for another date.

Wherever possible, decisions of the Committee will be made on the basis of consensus. Where consensus cannot be reached, the matter will be decided by a simple majority of those members present at the meeting, provided a quorum is present. In the event of a tied vote, the Chairperson or person acting in the position of Chairperson shall in addition to their ordinary vote, have the casting vote.

## **10. GENERAL PUBLIC**

The Committee will not usually be open to members of the general public. However, the Committee can decide to open the meeting to the public, subject to the agreement of the Chairperson in consultation with the General Manager. Voting does not extend to members of the general public and is restricted to only elected committee members.

Representatives of organisations or the general community may be invited to address the Committee on matters on the agenda.

## **11. TIMETABLE FOR MEETINGS**

The meetings will occur quarterly.

The meetings will be limited where possible to a maximum of two hours duration unless the committee resolves to extend the length of the meeting to a particular time or the completion of business.

Extraordinary meetings may be called by the Chairperson of the Committee in consultation with the General Manager.

The location, date and starting time for meetings will be advised on the agenda.

Committee meetings can only be held if a minimum of three (3) working days notice has been given to all members.

## **12. MEETING PRACTICES & PROCEDURES**

The administrative provisions of Council's adopted Code of Meeting Practice shall apply.

The Committee will observe any other relevant Council protocols.

The minutes of the Committee will be included in Council's business papers for Council ratification, at the following Council Meeting.

## **13. INSURANCE**

Committee members are covered by Council's personal accident insurance only for attendance at meetings and other activities formally endorsed by the Committee, and reported to Council via the minutes.

## **14. CODE OF CONDUCT**

All members of Council committees are required to observe the provisions of Council's Code of Conduct and any other policy applicable to the proper functioning of the Committee. All new members will be provided with a copy of Council's Code of Conduct and will sign to indicate that they have read and understood their obligations. A breach of the Code of Conduct may lead to the member being excluded from the Committee and may include disciplinary action.

In particular, if a committee member has a pecuniary interest in any matter with which the Committee is concerned, and who is present at a meeting of the committee at which the matter is being considered, they must disclose the interest to the meeting and must not be present during any discussion or decision making relating to that matter. Leaving the room is necessary because to remain in the presence of the meeting but refrain from voting is taken to be a vote against the motion (see Clause 251 of the Local Government (General) Regulation 2005).

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