



2 APRIL 2014

ATTACHMENT

6.2.6

Investigation into possibilities for Art and Culture.
Dated 21 March 2014



*Looking After
our Community*

PARTICIPATE

AN INVESTIGATION INTO
POSSIBILITIES FOR ART AND
CULTURE

21 MARCH 2014



pARTicipate
An investigation into possibilities for art and culture.

MID-WESTERN REGIONAL COUNCIL
COMMUNITY SERVICES

■ ■ ■ ■ ■ TOWARDS 2030



THIS DOCUMENT HAS BEEN PREPARED BY CATHERINE VAN LAEREN, DIRECTOR - DEVELOPMENT AND COMMUNITY SERVICES FOR MID-WESTERN REGIONAL COUNCIL.

ANY QUESTIONS IN RELATION TO THE CONTENT OF THIS DOCUMENT SHOULD BE DIRECTED TO:
CATHERINE.VANLAEREN@MIDWESTERN.NSW.GOV.AU OR (02) 6378 2850

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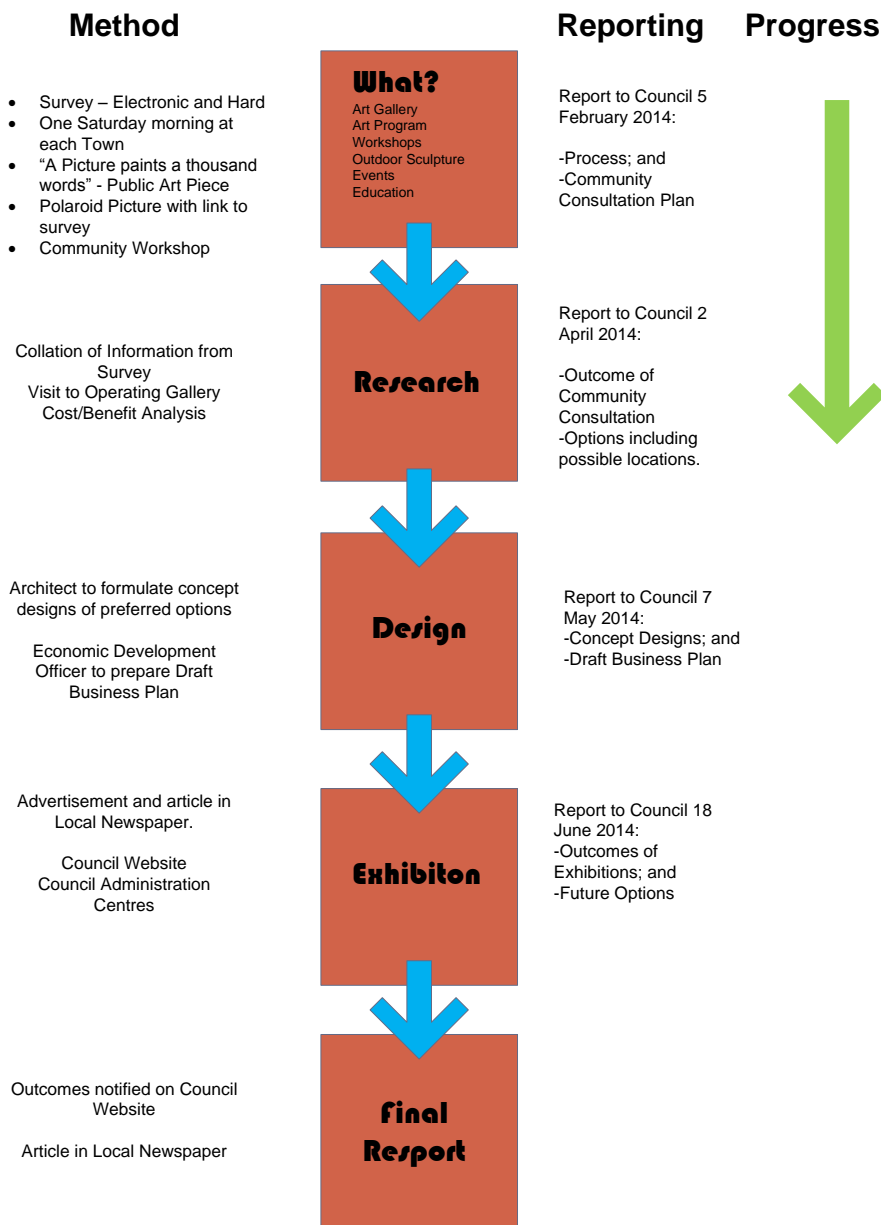
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1. Introduction

The purpose of this document is to present the findings of the investigations undertaken by Mid-Western Regional Council in relation to the future development of initiatives to support the development of arts and cultural activities in the Mid-Western Region.

Council considered a report on the 5 March 2014 and resolved to proceed with the pARTicipate investigation. The process is shown in Diagram 1 with the green arrow representing the progress of the process. It is important to note that this document is a working draft. It presents the relevant information and analysis undertaken to date in relation to the project and will be added to as the project evolves based on further Council and community feedback.

DIAGRAM 1: PROCESS FOR PARTICIPATE INVESTIGATION



1.1 Project Background

Council finalised a Cultural Plan for the Mid-Western Region in June 2006. The aim of the Cultural Plan was to “ensure that achievable outcomes create equitable access to cultural services and facilities in the region as well as responding to the cultural priorities of the community”. (Mid-Western Regional Council, Adopted 2006). This investigation should not be viewed as replacing the Cultural Plan but rather providing a focused investigation into development opportunities which may guide Council’s long term planning for arts and culture and also provide information for grant applications.

The intention of this investigation is to:

- Build upon the work undertaken in the Cultural Plan in relation to the needs and desires of the community for initiatives in arts and culture;
- Identify a range of options including possible programs and capital projects; and
- To undertake a preliminary investigation into the economic feasibility and sustainability of those projects.

1.2 Cultural Plan

The Cultural Plan provides an invaluable foundation for the investigation. The Cultural Plan states that *Council recognises the need to ensure that ‘culture’ is inclusive rather than exclusive and encapsulates the broad range of arts, crafts and related industries.*

In determining a definition of ‘Culture’ in the Cultural Plan, three formal definitions were embraced in the development of the Plan:

“Culture in its widest sense is about what matters to people and communities. It is about relationships, shared memories and experiences. It is about identity, history and a sense of place. It is about the different cultural and religious backgrounds found in most communities. It is about the things we consider valuable for passing on to future generations. It is our way of connecting the present with the past and the future”.
(Department of Local Government in its Cultural Planning Guidelines);

and

“Culture in its broadest term is about how people socialise, interact with their environment and each other, whether through activities and responsibilities associated with work, sports, leisure, common interests and other activities contributing to the well being of their society and family and to their quality of life. Culture is both tangible and intangible, it is the spirit of individuals and communities. Culture is how people determine their way of life”.
(Local Government Association of NSW in GHD Pty Ltd, 2003);

and

“All the things we do that connect us with a place” (Cultural Plan for Launceston).

Key concepts such as:

- *a sense of place,*
- *connectivity,*
- *importance of multiple communities – diversity of geography and identity, and*
- *recognition of other ethnic and indigenous groups*

are all important aspects of the broad concept of ‘culture’.

(MID-WESTERN REGIONAL COUNCIL, ADOPTED 2006)

The table below shows the priorities established in the Cultural Plan and provides an indication of the current state of play.

ISSUE*	SPECIFIC*	CURRENT STATE OF PLAY
Cultural Development Staff	<ul style="list-style-type: none"> ■ Submit a Budget Initiative for a Cultural Development Personnel in 2006/2007 Budget ■ Submit funding application to external funding source ■ to execute and implement the actions contained in the Cultural Action Plan 	<p>Council currently employs two part-time community development officers. Their work includes coordination and involvement in a variety of events and projects, mainly with youth and seniors. These Community Development Officers work to very specific funding agreements and are required to meet specific targets in terms of the work that they do facilitating different groups and individuals within our community working together. They look to build capacity by working on events, programs and projects with individuals, groups and communities throughout the region</p> <p>Occasionally an event, program or project is related to cultural and artistic endeavours such as poetry, writing, art and photography exhibitions. However, the focus of the funding program is more about social inclusion and community capacity building than cultural development</p> <p>In order to meet the expectations of previous and current rounds of consultation on cultural priorities, a cultural or arts officer would be needed to develop programs and work with others both inside and outside our LGA to create opportunities for cultural experiences for the community</p>
Cultural Spaces / Hubs	<ul style="list-style-type: none"> ■ List- Cultural register. Identify, develop, update known options ■ Identify/ assess/ existing hubs/spaces. Broad interpretation of ‘space’, public / private / indoor / outdoor, permanent / temporary, ■ Identify range of uses, profile local identities ■ Create awareness of our cultural diversity to our community, new residents and visitors ■ Focus on specific opportunities 	<p>The recent Mudgee Town Hall redevelopment has provided an improved venue for Theatre and cinema as well as exhibition space for visual art and other cultural options</p> <p>The Stables Gallery initiative has seen Mudgee Arts Inc coordinate the small gallery space available throughout the year for local and visiting exhibitions and programs. The use of the Stable Gallery is limited by size, climatic control and storage issues</p>
Cultural Heritage Trails	<ul style="list-style-type: none"> ■ Identify and link existing trails ■ Fund literature documentation ■ Identify and develop new trails 	
Networks	<ul style="list-style-type: none"> ■ Skills/resource audit list, locally & external - People/organisations ■ Explore opportunities and Information sharing. ■ Understand available resources: (public and private) events, skills, contact details, grant funding, in kind, partnerships, regional opportunities ■ Identify new opportunities, locally and state wide ■ Focus on existing information media 	<p>The Cultural Development Committee was formed in 2006 as a S.355 Committee of Council.</p> <p>MWRC sought to become a Council member and became a member of Arts OutWest in 2007.</p> <p>Since January 2010, Council has been a member of Orana Arts and has been involved in numerous activities, events and programs with Orana Arts over the past four years.</p>

ISSUE*	SPECIFIC*	CURRENT STATE OF PLAY
Regional Project, with external funding Economic development opportunities.	<ul style="list-style-type: none"> ■ Encourage cross regional attendance at functions / events / activities throughout the MWRC area and beyond ■ Project can be showcased across the MWRC region (ie festival / exhibition) ■ External operational / coordination funding application 	In 2009, the Cultural Development Committee embarked on the Reading the Rivers project. This incorporated all of the schools in the local region and explored relationships with water and nature. It culminated in a street parade and unveiling of a major art installation in Lawson Park that remained in place for three years.
	<ul style="list-style-type: none"> ■ Promotion of cultural aspects of the region to employers for inclusion in information packages to prospective applicants and markets 	

*FROM THE CULTURAL PLAN

The two main activities undertaken to develop this action plan were:

1. *Analysis of existing documentation and a desk audit of existing plans (as outlined in the Bibliography), and*
2. *A review of this combined information in consultation with the Cultural Plan Working Party (CPWP).*

1.3 Mudgee Recreation and Cultural Strategy

In 2003 Mid-Western Regional Council commissioned GHD to undertake the Recreation and Cultural Strategy for the region. The formulation of the Strategy included undertaking workshops and a survey. Whilst the results may be dated it provides an insight into the consistency of the community perception when compared to the survey undertaken as part of this investigation.

The Strategy stated the following:

The key issues raised by groups included the lack of arts and cultural spaces for exhibitions and workshops, poor maintenance and inconvenient location of existing facilities and the apparent low level of support for arts and cultural activities. Issues identified included:

- *Council is seeking to better co-ordinate its cultural facilities and activities;*
- *The issue of gallery space and support for local artists needs consideration;*
- *Need to explore the idea of a cultural precinct/ corridor and its links to natural open space;*
- *Existing library facilities is inadequate;*
- *A particular issue for the town of Gulgong is support for local ceramics artists;*
- *Need to consider both the recreational and cultural needs of youth;*
- *Need to balance sport and cultural needs/priorities.*
- *The economic benefit of cultural (and recreational/ sporting) activities and events to the Shire should be considered;*
- *Cultural planning needs should be integrated with the strategic planning work being undertaken by Council; and*

- *Need to consider the multi-use of facilities.*

A number of groups commented that there is a lack of facilities to cater for their needs and those available were inadequate for the following reasons:

- *Lack of permanent and temporary exhibition space;*
- *Limited facilities with tables and water for art workshops;*
- *Lack of facilities for ceramics (workshops and exhibitions);*
- *Lack of storage space;*
- *Restricted access times at some venues;*
- *Gulgong in particular is not well catered for. Lack of low cost or free venues. Venues are not conveniently located, unattractive and have inadequate facilities. Need to have a respectable venue for guest speakers;*
- *Need for transport to get to facilities; and*
- *Need to be a list of all venues in the main with details on their size, cost of hiring and those facilities available such as a stage, piano and kitchen.*

Since this study a number of the concerns identified have been addressed through the provision of The Stables Gallery as a small temporary gallery space and the refurbishment of the library. Council's web site also contains a full list of venues for hire.

2. Community Engagement

The purpose of this section of the report is to outline the community engagement process that has been undertaken to date and to present a summary of the feedback received.

2.1 Survey

2.1.1 Methodology

A survey was conducted via Council’s web site and through a number of “street stalls” held in the following locations:

- Mudgee Church Street – 15 February;
- Mayne Street Gulgong- 20 February; and
- Rylstone/ Kandos Show – 22 February.

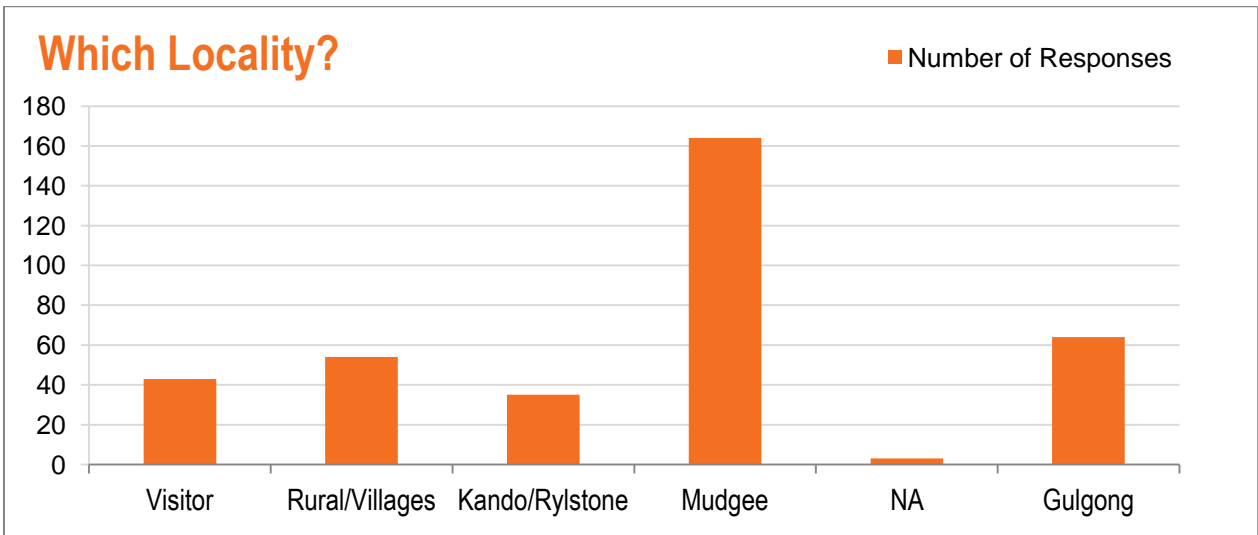
The street stalls assisted in reaching a greater diversity of respondents rather than relying on self-motivation to access Council’s web site. A total of 363 responses were received to the survey with 203 responses being generated via the “street stalls” and 160 through the electronic survey.

A copy of the survey is included in Appendix 1.

2.1.2 Survey Result

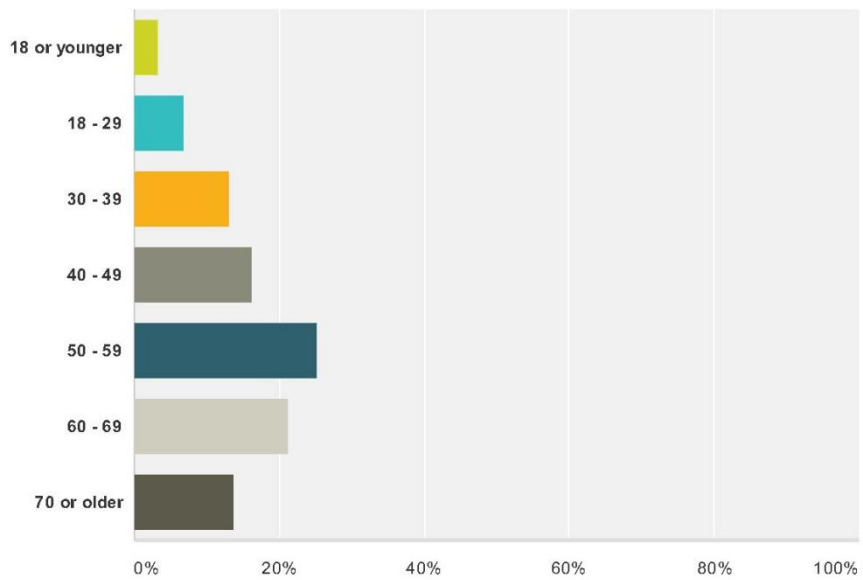
In which locality do you live?

LOCALITY	NUMBER OF RESPONSES
Gulgong	64
Rylstone/ Kandos	35
Mudgee	164
Rural Areas and Villages of Mid-Western	54
Visitors	43
N/A	3



Q2 How old are you?

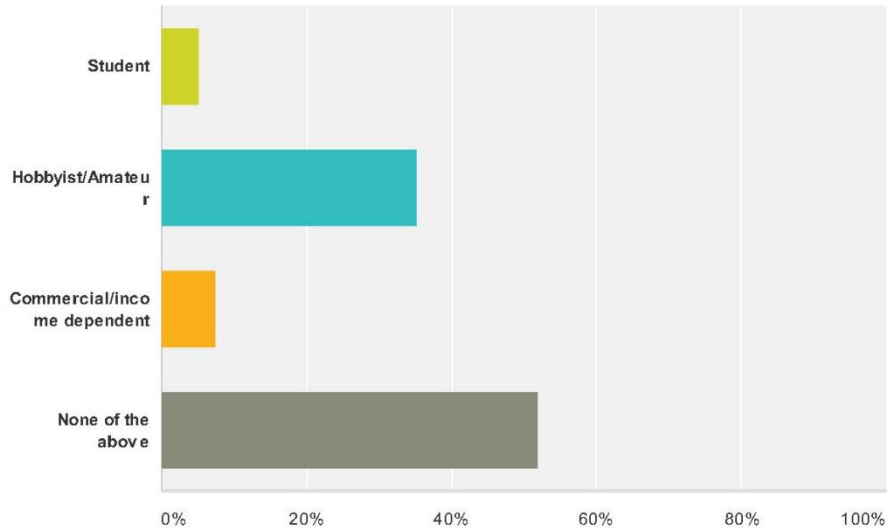
Answered: 363 Skipped: 0



Answer Choices	Responses	
18 or younger	3.31%	12
18 - 29	6.89%	25
30 - 39	13.22%	48
40 - 49	16.25%	59
50 - 59	25.34%	92
60 - 69	21.21%	77
70 or older	13.77%	50
Total		363

Q3 What is your level of participation in Arts and Culture in the Mid-Western Region?

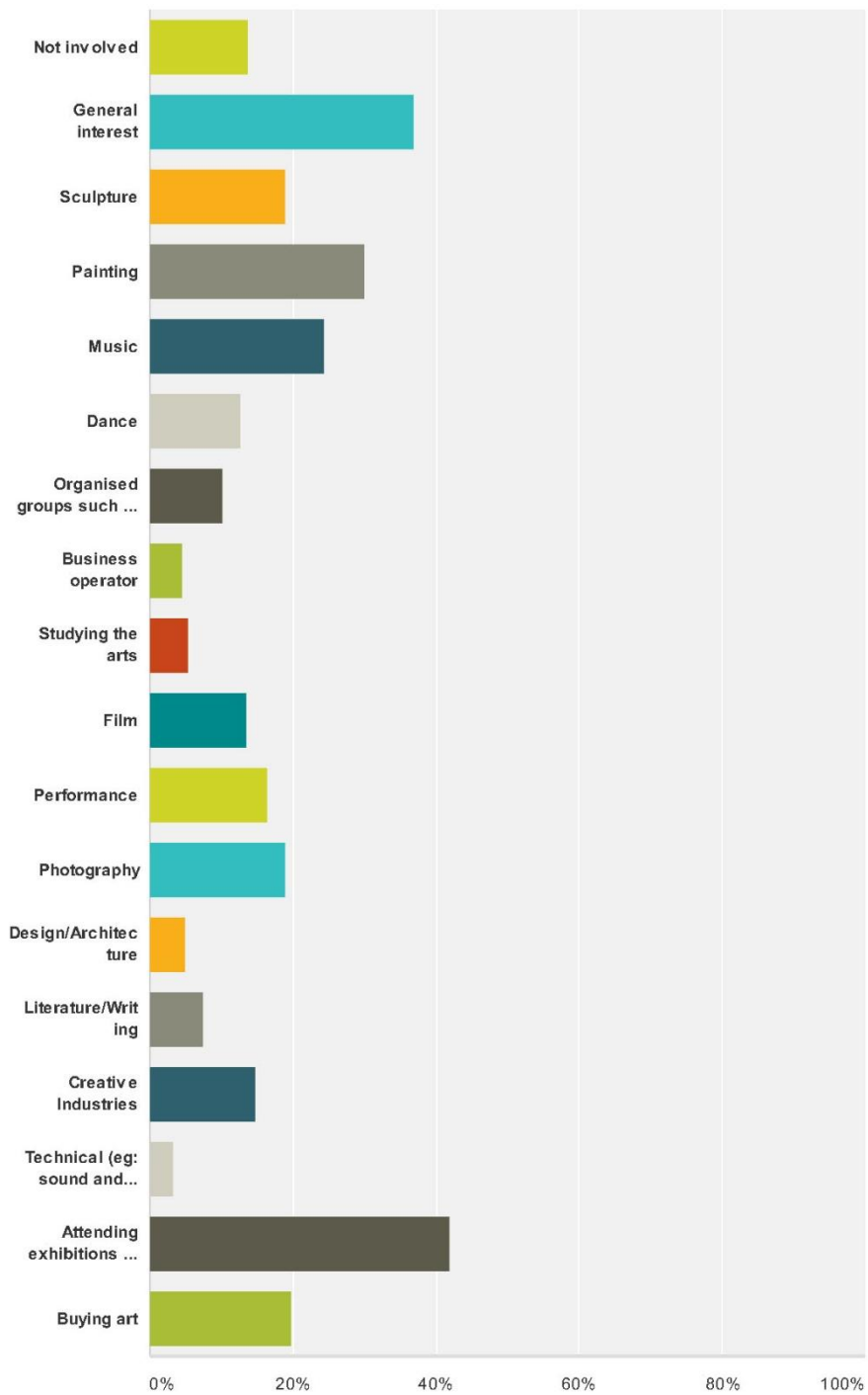
Answered: 363 Skipped: 0



Answer Choices	Responses
Student	5.23% 19
Hobbyist/Amateur	35.26% 128
Commercial/income dependent	7.44% 27
None of the above	52.07% 189
Total	363

Q4 Which aspects of Arts and Culture do you participate in, in the Mid-Western Region? Select as many as apply to you and leave a comment if you'd like to list additional aspects.

Answered: 363 Skipped: 0

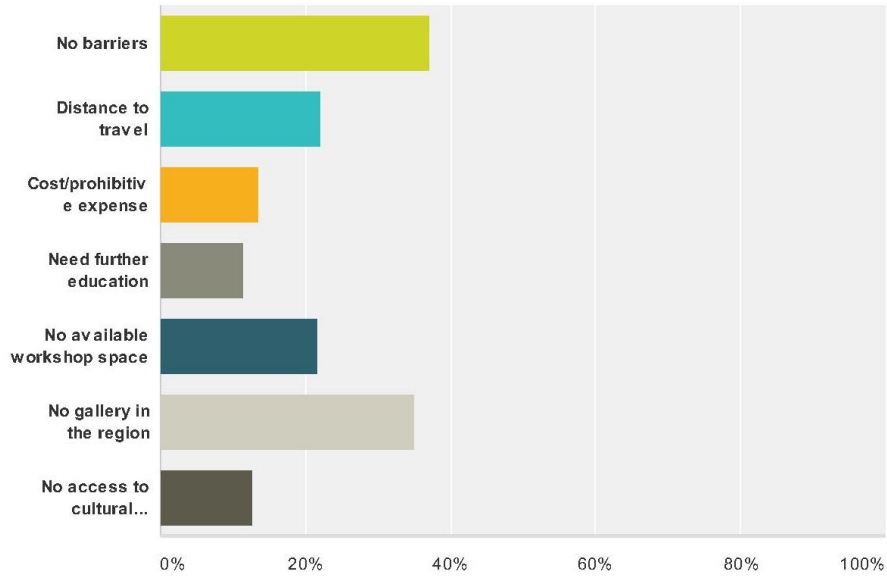


Answer Choices	Responses
Not involved	13.77% 50

General interest	36.91%	134
Sculpture	19.01%	69
Painting	30.03%	109
Music	24.52%	89
Dance	12.67%	46
Organised groups such as Cultural Development Committee	10.19%	37
Business operator	4.68%	17
Studying the arts	5.51%	20
Film	13.50%	49
Performance	16.53%	60
Photography	19.01%	69
Design/Architecture	4.96%	18
Literature/Writing	7.44%	27
Creative Industries	14.88%	54
Technical (eg: sound and lighting)	3.31%	12
Attending exhibitions and cultural events	41.87%	152
Buying art	19.83%	72
Total Respondents: 363		

Q5 What are the current barriers to you participating becoming further involved in arts and culture in the Mid-Western Region? Select as many as apply to you and leave a comment if you'd like to provide additional information.

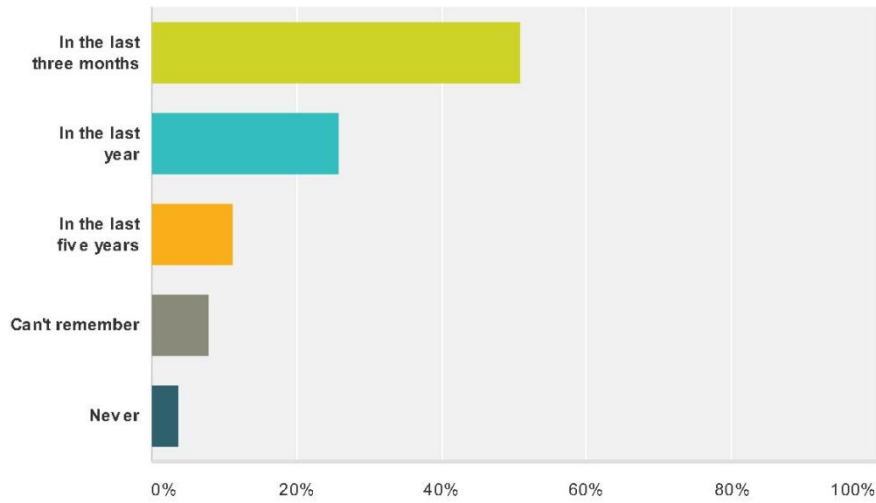
Answered: 363 Skipped: 0



Answer Choices	Responses
No barriers	37.19% 135
Distance to travel	22.04% 80
Cost/prohibitive expense	13.50% 49
Need further education	11.57% 42
No available workshop space	21.76% 79
No gallery in the region	34.99% 127
No access to cultural education	12.67% 46
Total Respondents: 363	

Q6 When did you last visit an art gallery?

Answered: 363 Skipped: 0



Answer Choices	Responses
In the last three months	50.96% 185
In the last year	25.90% 94
In the last five years	11.29% 41
Can't remember	7.99% 29
Never	3.86% 14
Total	363

Q7 What is your priority for the development of arts and culture in the Mid-Western Region? Rank your preferences.

Answered: 363 Skipped: 0

	1	2	3	4	5	6	7	Total	Average Ranking
Workshops and studio space	17.36% 63	38.84% 141	17.91% 65	12.40% 45	7.44% 27	5.51% 20	0.55% 2	363	5.28
Arts programs using existing facilities	13.50% 49	13.50% 49	27.55% 100	25.62% 93	13.50% 49	5.79% 21	0.55% 2	363	4.68
Art gallery	33.61% 122	16.80% 61	12.12% 44	15.43% 56	11.02% 40	9.37% 34	1.65% 6	363	5.12
Education	12.67% 46	11.02% 40	15.70% 57	21.21% 77	24.79% 90	13.50% 49	1.10% 4	363	4.21
An event	9.09% 33	8.26% 30	14.60% 53	13.22% 48	29.75% 108	24.24% 88	0.83% 3	363	3.78
Generate support of existing organisations/businesses/practitioners	10.47% 38	11.02% 40	11.57% 42	11.29% 41	12.12% 44	40.22% 146	3.31% 12	363	3.63
Other	3.31% 12	0.55% 2	0.55% 2	0.83% 3	1.38% 5	1.38% 5	92.01% 334	363	1.31

2.1.3 Comment

A total of 363 survey responds were received. Responses were received from across the region and from people visiting the region as indicated in the table below.

LOCALITY	NUMBER OF RESPONSES
Gulgong	64
Rylstone/ Kandos	35
Mudgee	164
Rural Areas and Villages of Mid-Western	54
Visitors	43
N/A	3

Whilst there appears to be a high response from Mudgee, when compared to the distribution of population across the local government area the highest response rate in proportion to the population is Gulgong.

In response to question 3, the majority of respondents indicated that they had no formal participation in arts and culture (52%) with amateurs and hobbyists representing 35% of respondents.

In terms of the ways or aspects that people participated in arts and culture the largest number of respondents attended exhibitions 42%, with 37% nominating that they had a general interest. This response rate is considered consistent with the informal participation levels indicated in the response to question 3. The next highest response rates were painting (30%) and music (25%). The high response to music would include attendance at concerts. Only 14% of respondents indicated that they were not involved which translate to 86% of the respondents currently participating in art and culture in the Mid-Western.

In terms of barriers to participation in arts and culture, 37% of respondents indicated that there were no barriers, whilst 35% indicated that no gallery in the region was a barrier. This response is reinforced by 51% of respondents indicating that they had visited a gallery within the last 3 months with an additional 26% indicating that they had visited a gallery in the last year. Combined this means that 77% of respondents had visited a gallery within the last 12 months. Only 15% stated that they had never visited (3.9%) or couldn't remember (8%) when they last visited a gallery.

Respondents were asked to rank their preferences for the development of arts and culture in the region. An art gallery attracted the highest number of first priorities at 34% with workshops and studio space gaining the second highest at 17%.

However, in terms of average ranking workshops and studio space outranked art gallery. The results indicate a clear preference for gallery and workshops over all other uses in the survey. The relationship between the provision of workshop space and the need for staff to co-ordinate an arts program is further investigated later in this report. It should be noted that a cultural/art development officer was not included as an option in the survey question.

2.2 Community Workshop

2.2.1 Methodology

A community workshop was held on the 17 February 2014 at “The Stables” Mudgee. A general invitation was issued by radio and The Guardian. Direct emails were also sent to know groups and individuals where an email address was known to Council.

At the workshop Alicia Leggett (Regional Arts Development Officer, Orana Arts) gave a presentation outlining her knowledge of a number of operating galleries and programs. A copy of the PowerPoint presentation is attached in Appendix 2. Catherine Van Laeren gave an overview of the proposed process for the investigation.

The participants were divided into groups to:

- Undertake a SWOT analysis for the development of Arts and Culture in the regions; and
- To identify their ideas for the development of Art and Culture including the identification of their top three priorities.

The groups then reformed to share their top priorities and a “straw poll” was conducted with each participant having three votes.

2.2.2 Workshop Results

A full copy of the workshop results is included in Appendix 3.

This table represents a summary of the SWOT Analysis undertaken by the workshop groups.

STRENGTHS	WEAKNESSES
<ul style="list-style-type: none"> ■ Large and Active Creative Industries ■ Diversity, energetic, motivated, passion ■ High Level of Tourist/ Cultural Visitation/ Proximity to Sydney ■ Continual Art Festivals – Mudfest, Huntington, Rylstone, Rosby, Cementa, Ceramics in Gulgong ■ Active Education in Arts – Mud factory, Rosbys ■ Town Hall Theatre – Movies, Performance ■ Commercial Gallery in town ■ Arts Board active in region ■ Artist run initiatives ■ A high number of professional and local artists ■ Arts and Crafts Mudgee – artist run co-op established 1987 ■ Indigenous, Chinese, Migrant history ■ Solid population base and growing ■ Culturally aware community ■ Point of difference of region – heritage, natural landscape, population decentralisation from Sydney ■ Cross-sector support in partnerships ■ Built/natural/indigenous – state research shows the region leads ■ Good collaborators ■ Wineries ■ Scenery 	<ul style="list-style-type: none"> ■ No dedicated exhibition / workshop space, public gallery ■ Geographic Distances in Area ■ Mudgee centric ■ TAFE closure, no classes ■ Small exhibition spaces and possible invasive ■ Decision as to location of the “hub” ■ Competing towns within the region / Lack of cohesion ■ No formal sharing ■ No forward planning of events ■ Wine, tourism, agriculture, art, food industries are segregated ■ Reach and inclusiveness of peak body ■ Difficulty to get executive level participation ■ Rylstone and Gulgong lost in the picture ■ Funding ■ Lack of political will to change, interest in art ■ Lack of needs analysis ■ Need for stronger unique collection to draw and underpin unique programming- philanthropy ■ Lack of public transport ■ Cultural strength hidden ■ Lack of music tuition ■ No cultural policy ■ The Stables not user friendly

OPPORTUNITIES

- Region is desirable destination
- Building Council's capacity to attract funding
- Strength in each area
 - Hub Focussed
 - Gulgong Ceramics
 - Rylstone/Kandos Contemporary Art
 - Mudgee Performance, education
- Balance the focus of the community – maturity of cultural direction
- Touring art/performance
- Regional Collaborations
- Abundance of possible venues
- Creation of "the heart" of Mid-Western Region – a festival feel to the Region
- Central art personnel for the region as a whole
- Art Calendar / Timetabling
- Cultural Development Committee could have a more coordinating role
- Linkages possible for arts to promote other features of the region
- Cement works in Kandos as multi art form centre including a range of museological collections
- Work spaces/ showcase the work across art forms
- If Kandos is where you are building on success then this is what we should be building on
- Old TAFE Buildings
- Regent Cinema
- Old Salvation Army Building
- Showcase local artists
- Build Collection
- Professional development
- Market development
- Workshops
- Developing Cultural Tourism

THREATS

- Lack of support for cultural development
- No funding available including grants
- Availability of spaces
- Sustainability
- Will we be competitive? (Bathurst, Dubbo etc)
- Remain fractured
- Other regions become stronger
- Realisation of this planning
- Working with other tiers of governments
- Transport infrastructure – intra/ inter – railway
- Need more strategic alliances
- Too much emphasis elsewhere (sport etc)

In addition there was a comment seeking indigenous acknowledgement.

Below is a complete list of the ideas for development for art and culture in the region identified by the groups at the workshop. The top 9 ideas as identified by the groups are highlighted in orange.

- Gallery/workshops/ studio space.
- Artists Collaborations – Local
- Street/ Public Art
- Community Art Project
- Collaborations with professional artists – National etc
- Traveling Exhibitions
- Arts Festival – Regional collaborative
- Regional Arts Website
- Full time Cultural Development officer for entire Region to manage direction, devise and creative. Tourism/ Economic Development/ Heritage/ Indigenous/Environmental – make linkages explicit.
- Artist in residence

- Multi Arts Hub which supports the development and appreciation of the Arts – subsidised.
- Arts Centre
 - Education focus
 - Regional focus
 - Diversity of art forms/ artists
 - Regional focus with balance of touring works
 - Increased networking
 - Increased opportunity for sustainability eg Salamanca
- Artist in Residence in Kandos – science and art research. Put the money tagged for demolition into resurrection, attract University partnerships. International tourist destination supporting creative industries and sustainability across economic areas (flow on in training and local business- accommodation etc) Precedent has been established with Gulgong Clay – building on successes, critical mass of activity, pre-existing hard infrastructure hard infrastructure and arts organisation.
- Infrastructure for three:
 - Gulgong clay/timber clapboard;
 - Kandos cement
 - Mudgee brick.
- Develop a mature community
- Pop up “shops” – Art Exhibitions
- Regent Theatre – further developed for performance, projection – broker “empty spaces” strategy as a short term strategy. \$500,000 – philanthropy performing arts society.
- Strategic Alliances – cultural centre with connections to Elders. SEFA (Social Enterprise Finance Australia LTD, State Land Councils.
- Multi Art Hub
 - Mudgee based
 - Multi-purpose
 - Artist in residence
 - Outreach to shop spaces Rylstone/ Kandos and Gulgong
 - Purchase existing building – Parkview
 - Subsidised
 - Supports artists
 - Develops appreciation of the arts
- Peak Body
 - Real influence
 - Broad reach
 - Strategic goals

- Information sharing, online presence
- Coordinated calendar.
- Workshops – scholarships for artists.
- Arts Directory, Orana Arts (including greater publicity)

In the “straw poll” where each participant was given three “votes” the following were identified as the top priorities:

CATEGORY	VOTES
Cultural Development Officer	44 votes
Multi Purpose Hub, regional, gallery, workshop and studio space	35 votes
Artist in Residence in Kandos	16 votes

The artist in residence in Kandos included a centre or hub to facilitate program similar that proposed in the more general idea of a multipurpose hub. If combined this would represent 51 of the “votes” for a hub concept.

3. Business Case Research

The purpose of this section of the report is to provide a summary of the background research that has been undertaken in building a business case to invest in additional arts and culture facilities and services in the Mid-Western Region.

3.1 Research Process

Development of arts and cultural facilities and services has been undertaken in many other local government areas across regional NSW. In investigating the possibilities for art and culture in the Mid-Western Region, it is considered important to research the activities undertaken and experience of others in some of these areas.

The primary research method was to arrange site visits to the neighbouring regions of Dubbo, Orange and Bathurst. This included visits to the Western Plains Culture Centre in Dubbo, the Orange Regional Gallery and the Bathurst Regional Art Gallery. These site visits provided the opportunity to inspect the facilities available and also to discuss the operational aspects of the facility which include staffing and the delivery of programs and services to the local community.

Following the site visits, some additional desktop research and phone interviews were undertaken where further information was required or where a contact was recommended during the site visits. Other facilities which were recommended for investigation for various reasons were Cowra Art Gallery, Maitland Art Gallery and Hazelhurst Regional Gallery and Arts Centre (although it should be noted that Hazelhurst is a much larger metropolitan facility).

A review of information and reports available in relation to the social and economic benefits of investing in arts and cultural facilities and services was also undertaken. This is important in considering the overall economic impact of an investment in new facilities and services.

The results of the research undertaken are presented below.

3.2 Case Studies

The table below provides a summary of the key features of each facility examined during the site visits.

TABLE X – KEY FEATURES OF FACILITIES

LOCATION	DUBBO	ORANGE	BATHURST
Ownership	Dubbo City Council	Orange City Council	Bathurst Regional Council
Operated By	As above	As above	As above
Volunteers/Friends Committee	Yes	Yes	Yes
Established	2006	1986	1990
Opening Hours	Wed - Mon (10am - 4pm)	Tue - Sun (10am - 5pm)	Tue - Sun (10am - 5pm)
FACILITIES			
Art Gallery	✓	✓	✓
Workshop Space	✓	✓	✓
Venue Hire	✓	✗	✓
Café	✓	✗	✗
Theatrette	✗	✓	✗
Shop	✗	✓	✓
Museum	✓	✗	✗
PROGRAMS			
Touring Exhibitions	✓	✓	✓
Public Programs	✓	✓	✓
Artists in Residence	✗	✗	✓
Art Prize			
FINANCIAL INDICATORS			
Capital Costs (\$m)	8.2	N/A	N/A
Visitors Per Year	75,000	25,000	32,000
No. of Staff	7	3.5	4.5
Annual Operating Costs (\$m)	\$2,200,000	\$800,000	\$800,000
Population Size	40,595	40,108	40,253
Annual Operating Costs \$ Per Capita	\$54	\$20	\$20

3.2.1 Western Plains Art and Cultural Centre

The Western Plains Art and Cultural Centre is the newest facility of those visited. It was established in 2006 with an \$8.2 million capital project by Dubbo City Council. The facilities available include an art gallery, museum, cafe and community cultural centre with workshop/studio spaces available. Approximately 75,000 visitors come to the Centre each year.

The Centre has 7 staff responsible for day to day operations which include managing the gallery and museum collections, hosting exhibitions, providing education and public programs, event hire, administration and promotion. In the last 12 months, 180 public programs were completed and 26 newly installed exhibitions held. It costs Council \$2.2 million per annum to operate the Centre.

The Centre offers a range of public programs which include school activities, adult workshops, talks to coincide with exhibitions and writers festivals etc. Programs typically involve close collaboration with local community organisations such as schools, the Western Plains Zoo, U3A, Orana Arts, senior citizens and heritage groups.

The Centre does not have an Artists in Residence program, but has explored this option as a way of encouraging more artists to utilise the spaces available. Prior to establishing the facility, there was an expectation that a lot of local artists would utilise the workshop spaces as personal studio space and for live demonstrations. This has not occurred in reality mainly because many artists already have their own dedicated spaces and it is inconvenient to pack things up and bring them to the Centre to work for short periods of time.

3.2.2 Orange Regional Gallery

The Orange Regional Gallery was established in 1986 and has a well established permanent collection. It has a reputation as one of the finest regional art galleries in NSW. The facilities available include an art gallery (with 3 separate galleries to accommodate a number of simultaneous exhibitions and smaller/larger spaces as required), a gallery shop, a small workshop space and a theatrette. Approximately 25,000 visitors go through the gallery each year.

The gallery has 3 full time and one part time staff member for day to day operations which include managing the gallery and museum collections, hosting exhibitions and administration. The gallery hosts an average of 30 exhibitions each year. It costs Council approximately \$800,000 per annum to operate the gallery.

The gallery has limited space available to accommodate art workshops and therefore, does not actively pursue the development of these programs in-house. It partners with local schools to undertake children's art activities and school holiday programs. It has also partnered with the Orange Health Service to establish a permanent exhibition program at the hospital.

Orange City Council recently announced the \$8 million development of the Orange Regional Museum alongside the Orange Regional Gallery. This will include development of 515 square metres of museum exhibition space, cafe and retail facilities and a loading dock.

3.2.3 Bathurst Regional Art Gallery

The Bathurst Regional Art Gallery was established at its current location in 1990. It has an extensive collection of artworks and a keen focus on fostering an appreciation for the visual arts for future generations.

The facilities available include an art gallery and a gallery shop. The design of the gallery allows for the programming of three to four exhibitions at one time, with an exhibition changeover every six weeks. There are eight exhibiting spaces totalling 395 square metres and 180 running metres. Approximately 32,000 visitors go through the gallery each year.

The gallery has 4 full time and one part time staff member for day to day operations which include managing the gallery and museum collections, hosting exhibitions

and administration. The gallery hosts an average of 30 exhibitions each year. It costs Council approximately \$800,000 per annum to operate the gallery.

Although there are no dedicated workshop spaces provided inside the gallery, it operates an active arts outreach program. Through its education and public programs it has developed strong links with smaller communities, schools and nursing homes to provide access to quality arts programs for local residents.

An Artists in Residence program is operated by the Bathurst Regional Art Gallery at Hill End. The program supports approximately 20 artists per year.

The gallery is also available for hire as a unique events venue.

3.2.4 Other Facilities

There are a large number of facilities that could be visited and researched all with unique characteristics and features. However, time constraints mean it is simply not possible.

During the site visits a number of other facilities were suggested for investigation for various reasons:

- Cowra Art Gallery – this facility provides a gallery capable of hosting visiting exhibitions (including the Archibald) but operates on a smaller scale than Dubbo, Orange and Bathurst which may be more comparable to the level of facility appropriate in this Region. The Cowra Art Gallery employs 1.5 staff and costs approximately \$220,000 per annum to operate;
- Maitland Art Gallery – this facility provides another good example of providing a regional gallery and associated public arts program; and
- Hazelhurst Regional Gallery and Arts Centre – this facility was recommended for its Artists in Residence Program. It offers a very strong program for supporting regional artists and furthering professional development.

3.3 Key Findings

As a result of the case study the following represents a summary of the key findings.

- **Staff:** all of the facilities require the employment of dedicated staff to manage the facility and conduct training and educational programs. Whilst volunteers and friends of the gallery groups play an important role in the promotion of arts and culture in the local community, a successful public arts program requires a dedicated resource. It was evident during site visits that the quality of staff has a direct impact on the arts and cultural outcomes achieved.
- **Funding:** whilst competitive grants may be available for capital works projects and visiting exhibitions and programs through the NSW Arts Fund, the ongoing operational costs of all of the regional facilities is the responsibility of the local council.
- **Climate control:** this is an important requirement if the intention of the gallery is to host visiting exhibitions. The gallery standards for climate control are very specific which means adequate heating and cooling systems are required for both gallery and storage space. It is often difficult to retrofit facilities to the standards required. The need for precise climate control is also a large expense in operating a gallery and a number of facilities recommended including solar energy in any new development.

- **Storage space:** all of the facilities visited noted insufficient storage space. The amount of storage space required is significant to be able to store art works on rotation, exhibition boxes and other art materials.
- **Transport access:** following on from the issue of storage space, all of the facilities visited emphasised the importance of ease of access for transport purposes. When hosting a visiting exhibition, each art piece comes in its own storage container and needs to be moved from the truck to the gallery storage space. Ideally, a loading dock with provisions for forklift access would be available.
- **Workshop space:** the ability to run workshops for education and professional development purposes relies upon a dedicated workshop space with access to supplies being available. Small workshop spaces are not conducive to multipurpose use or large groups, therefore, a large workshop space is preferable to several smaller ones. It is important to note that the provision of work spaces themselves does not facilitate use of the space. Each gallery visited indicated that it is essential that staff are provided to co-ordinate and run program to promote the use of studio space. The cost of hiring the workshop space would also contribute to the level of usage.
- **Support for local artists:** feedback suggests that when developing arts and culture initiatives it is important to be clear about the desired outcomes and budget constraints. The way in which each of the facilities supported local artists was different and largely dependent upon the features available at the facilities. Whilst it could be argued that an art gallery primarily focused on attracting visiting exhibitions (without a workshop space and/or dedicated space for exhibits by local artists) does not directly support local artists, it could also be argued that it does provide professional development for local artists by bringing new works to the area.
- **Cafe/Shop:** whilst it is a “nice to have”, during each site visit the benefits of having a cafe/shop as another way of enticing people into the facility was mentioned.
- **Evolution and Flexibility:** it has been evident during the visits that each gallery has change and evolved over time depending on the direction of the Gallery Director and/or Board, the needs of the community and the opportunity for travelling exhibitions. Ideally the design of any gallery and its program should be flexible to allow change to be embraced and respond to needs over time.

3.4 Social and Economic Impacts

There is a substantial amount of information available in relation to the social and economic assessment of arts and culture based projects. Two key themes are evident in the research. Firstly, that the impact of arts and culture projects are often undervalued. Secondly, that there are difficulties and complexities involved in attempting to measure and quantify these impacts individually.

The general consensus is that investment in public arts and culture facilities has significant long term benefits for the communities in which these facilities and services are located. The main social and economic impacts are summarised below.

3.4.1 Social Impacts

The key social impacts are:

- Encourages creative stimulation, learning and thinking

- Fosters social belonging through increased community cohesion and decreased social isolation
- Encourages a strong community identity and historical connection

3.4.2 Economic Impacts

The key economic impacts are:

- Encourages economic regeneration and growth
- Increases rates of tourism visitation and tourism expenditure values
- Enhances the liveability of a location which is linked to the attraction and retention of a skilled workforce
- Enhances the image of an area which builds investor confidence for new economic activity

3.4.3 Economic Contribution of Arts Sector

The economic contribution of the arts sector to total economic activity can be measured both as a \$ value and as a percentage of total Gross Domestic Product (GDP). The Australian Bureau of Statistics (ABS) provides this data for individual industry sectors at the national and state level which is further broken down to the local government level using key economic indicators such as employment.

The following table provides a snapshot of the Heritage, Creative and Performing Arts Sector for the Mid-Western Region and NSW.

TABLE X – SIZE OF SECTOR

LOCATION	TOTAL OUTPUT	% OF GDP
Mid-Western Region	\$3.8m	0.10%
NSW	\$2,326m	0.20%

The table shows that the Heritage, Creative and Performing Arts Sector contributes \$3.8 million annually in economic output for the local economy. This is equivalent to 0.10% of the total economic output of the Mid-Western Region.

The data can also be used to determine economic multipliers for each industry sector. An economic multiplier is the proportionate increase in GDP that occurs due to an increase in expenditure in the local economy.

The following table provides the economic multipliers for the Heritage, Creative and Performing Arts Sector for the Mid-Western Region and NSW.

TABLE X – ECONOMIC MULTIPLIERS

LOCATION	MULTIPLIER
Mid-Western Region	1.629
NSW	2.744

The table shows that the economic multiplier for the Heritage, Creative and Performing Arts Sector in the Mid-Western Region is 1.629. This means that for every \$1,000 spent on local arts and culture projects, local economic activity will increase by \$1,629 (when the initial and flow on effects are taken into account).

This data can be utilised by Council in undertaking a cost-benefit analysis for future investment in arts and culture facilities and services.

3.5 Demographics

Museums and Galleries NSW recently released a study called “Guess Who’s Going to the Gallery” to provide a snapshot of the demographics of the audience that attends galleries across NSW. The data was collected from 41 public galleries (including galleries located in Central NSW).

The snapshot of the report shows that “if you have ten people standing in front of an artwork in a gallery, it’s likely that”:

- At least **one** of them will speak a language other than English at home
- At least **two** of them will be a tourist
- **Two** of them will be under 34 and at least **three** of them aged between 35-54
- **Four** of them will be from a household earning less than \$40,000 per annum and only **two** of them from a household earning more than \$80,000 per annum
- At least **half** of them will live in the local government area of the gallery
- At least **five** of them will be working (full or part time) and **two** will be retired
- At least **two** of them will have finished their schooling at secondary level and another **two** will have a postgraduate degree
- **Half** of them will have been to that gallery more than four times in the last two years but for **three** of them it will be their first visit
- **Two** of them will have come with their partner, **three** by themselves, and the remaining **five** with family and/or friends
- And almost **all of them** will have rated their visit as “Good” or “Terrific”

This demographic snapshot is useful information in applying a business model for the usage of future facilities and services and target audiences.

4. Options for Consideration

From the survey, community workshop and case studies a number of options and combination of options have been identified to facilitate the development of art and culture in the region. As previously outlined, the purpose of this report is to investigate options for long term planning and to assist with grant applications. The options described below are not mutually exclusive and the best outcome may involve a combination of options.

At this stage this report does not include a detailed analysis of every option available but rather an overview to allow Council to identify the preferred direction. Depending on Council deliberations an in-depth analysis would be undertaken on those preferred options identified by Council as the investigation enters the “design” phase. This next phase of the investigation could result in the investigation of a number of potential locations for a regional art gallery, through to a detailed position description for a Cultural Development Officer and desired outcomes for that role. At this stage the study attempts to identify the work that would be undertaken in the “design” phase of the investigation for each option.

4.1 Option 1- Regional Art Gallery

4.1.1 Description

This option includes the development of a Regional Art Gallery capable of hosting travelling exhibitions, local / regional art exhibitions and would include workshop space from which a regional arts program could be conducted. In essence this option would include:

- Gallery capable of hosting travelling exhibitions
- Workshop space to accommodate training and education programs
- Dedicated studios for artists to hire/work in
- Dedicated staff to operate gallery and deliver education and public programs

The key finding from the case studies are particularly relevant to this option and include:

- **Staff** – For a regional gallery to operate successfully specialist staff is require to curate the gallery.
- **Design of the Gallery** – It is difficult and expensive to retrofit an existing building due to the design requirements for storage, access, climate control and vermin control. The guidelines for the development of Art Galleries (*National Standards for Australian Museum and Galleries*) capable of hosting traveling exhibitions are quite stringent with climate control being identified as a significant operating cost for all the galleries visited.
- **Funding**- whilst competitive grants may be available to contribute to capital works projects and visiting exhibitions and programs through the NSW Arts Fund, the ongoing operational costs of all of the regional facilities is the responsibility of the local council.

Throughout the consultation it has become evident that each town namely: Mudgee; Gulgong and Kandos would prefer that any Regional Gallery be located within their town. In locating any gallery the following represent factors that should be considered:

- What is the purpose of the gallery? As identified in the case studies and also in community consultation there are a broad range of views regarding the purpose of a regional gallery. One of the main areas of contention is the balance between hosting travelling exhibitions and the focus on local artists, the local art collection and a dedicated local artist space. This balance can change and respond to the needs of the community over time providing that the gallery is designed with flexibility in mind. A Regional Art Gallery would be able to host travelling exhibitions which provide an opportunity for greater exposure to a wider range of art for the local arts community and general community alike.
- An additional aspect of purpose is the identification of the audience or likely visitors to the gallery. Part of the economic benefit of the gallery is the potential added value to tourism. Therefore it is important that deliberations on the location of the gallery take into consideration current and future benefits that the gallery could provide to tourism in the region.
- What is the theme of gallery? During the community consultation it was highlighted that each town has a different focus in terms of art for example Gulgong with clay/ceramic and Kandos with contemporary art. The proposed theme or focus of the gallery could have an impact on the proposed location although a regional gallery should be able to encompass all aspects of art within the region.
- Hub and spoke concept. As outlined above it is proposed that any gallery include an education and public program. These should include an outreach program to ensure that the benefits of the gallery can be experienced throughout the region.

The educational and cultural development opportunities for the local community provided by being able to host travelling exhibitions are substantial. The community consultation process to date provides a firm foundation for the provision of a gallery in terms of current visitation levels to existing galleries and desirability by the community. Whilst a regional art gallery provides a focus broader than local art, it also provides support to local artists through education and exposure to a greater range of art than can be produced in the local area.

In addition, it is recommended that a Cultural Development officer be employed in the 6 month lead up to the commencement of construction. The employment of a cultural development officer would provide specialist knowledge and networks, build local and state support and provide the greatest opportunity to facilitate the best design, outcomes and leverage of funding opportunities.

A detailed cost estimate has not been undertaken; however the construction of a gallery will be a significant capital and operational cost. The capital cost would range in the vicinity of \$4m to \$6m with operating costs in the vicinity of \$300,000 to \$400,000/year. It should be noted that none of the galleries visited in the course of the investigation were self-sufficient with operating cost ranging from \$200,000 /year to \$2.2m/year.

4.1.2 Further Work in the “Design” Phase

As stated previously the next stage of the investigation would involve a more detailed assessment of the preferred options identified by Council. Should Council nominate the provision of a regional art gallery as a preferred option for further investigation than it would be proposed to undertake the following additional investigation work:

- Identification of possibly three preferred locations for the gallery at a Councillor workshop.
- Investigation of broad concepts for the development of a gallery on each site identified by Council including a site analysis, preliminary concept designs or in the case of an existing building any necessary upgrades to meet the minimum standards.
- Prepare a draft Business Plan for each option.

4.2 Option 2 – Local Art Gallery

4.2.1 Description

This option includes the development of a Local Art Gallery capable of local / regional art exhibitions and would include workshop space from which a regional art program could be conducted. In essence this option would include:

- Gallery to host exhibitions by local/regional artists
- Workshop space to accommodate training and education programs
- Dedicated staff to deliver education and public programs

This gallery would be on a smaller scale than the previous option and capital and operational costs would be reduced by the removal of strict climate control requirements for travelling exhibitions. In removing the requirement for compliance with the National Standard there is a greater opportunity in retrofitting an existing facility. However, should Council wish to upgrade the gallery to the National standard at a later stage than the same cost and difficulties in retrofitting would arise at that time.

Council currently provides a local gallery facility through “The Stables” at Mudgee although the local collection is not on permanent exhibition in this space but is currently hung in the Council administration centres and library when it is not being used for other exhibitions. Currently, local artists’ exhibit work for sale through a variety of outlets including privately operated galleries and cellar doors and other retail outlets. As the existing Council collection and the need for local exhibition can be met albeit in a very limited space the cost benefit of this upgrade would need to be considered as opposed to the substantial benefits of the first option or the benefits in the context of reduced costs for options 3 and 4.

As the variety of work that could be exhibited in a gallery of this standard is more limited than the Regional Art Galley option, the economic and tourist benefits could be expected to be less as would the broader educational value.

The advantage of a local gallery is the reduction in the initial capital works and operational costs whilst still providing some educational programs.

Again a detailed cost assessment has not been undertaken but it would be proposed that Council consider a budget of \$2m capital works with operational cost in the vicinity of \$100,000 to \$200,000 per year.

4.2.2 Further Work in the Design Stage

As stated previously the next stage of the investigation would involve a more detailed assessment of the preferred options identified by Council. Should Council nominate the provision of a local gallery as a preferred option for further investigation then it would be proposed to undertake the following additional investigation work:

- Identification of possibly three preferred locations for the gallery at a Councillor workshop.
- Investigation of broad concepts for the development of a gallery on each site identified by Council including a site analysis, preliminary concept designs or in the case of an existing building any necessary upgrades to meet the minimum standards.
- Prepare a draft Business Plan for each option.

4.3 Option 3 – Upgrade of the “The Stables” Local Art Space

4.3.1 Description

This option includes the development of a Local Art Space capable of small temporary local art exhibitions and would include workshop space from which a regional art program could be conducted. In essence this option would include:

- Gallery to host temporary exhibitions by local/regional artists (renovation if required of existing Stables Gallery space)
- Continuation of the hosting of the Council collection in the administration building and library.
- Workshop space to accommodate training and education programs (turn back meeting area into art workshop meaning that it would no longer in use as meeting facility)
- Dedicated staff to deliver education and public programs

This option does not meet the need for permanent exhibition space. This option would focus mostly on the delivery of programs to the community including outreach programs throughout the region. Council would need to consider the displacement of the array of current users of “The Stables” meeting facility which is heavily utilised, for example there have been 70 bookings since the start of 2014.

It is considered that this option would not meet the expressed wish of the community for a Regional Art Gallery but may meet the workshop spaces identified in the survey.

Again a detailed cost assessment has not been undertaken but it would be proposed that Council consider a budget of \$.05m capital works for the upgrade of “The Stables” with operational cost in the vicinity of \$100,000 to \$200,000 per year.

4.3.2 Further work in the Design Stage

As stated previously the next stage of the investigation would involve a more detailed assessment of the preferred options identified by Council. Should Council nominate the provision of a Local Art Space by upgrading “The Stables” as a preferred option for further investigation that it would be proposed to undertake the following additional investigation work:

- Investigation of broad concepts for the upgrade of “The Stables”.
- Identification and costing of the staff including identification of program outcomes and position description.
- Prepare a draft Business Plan.

4.4 Option 4- Arts Program using Existing Facilities.

4.4.1 Description

This option is similar to option 3 but involves no upgrade of facilities at this time but running programs from existing facilities.

- “The Stables” to host temporary exhibitions by local/regional artists (no renovation)
- No dedicated workshop
- Dedicated staff to deliver education and public programs

It is envisaged that the only difference between option 3 and 4 is that the ability to delivery programs may be hampered by the lack of purpose fitted workshop space.

This option may be considered as a stepping stone to Option 1 or 2 in that the Cultural Development Officer can co-ordinate the program from the existing facilities building momentum for the construction or fitting out of a gallery. As evidenced by the case studies, the provision of workshops alone does not necessarily facilitate use of the workshop space. Rather, the employment of staff to co-ordinate programs is a pivotal factor. In addition, in the development of any art gallery, specialist knowledge and networks would provide the greatest opportunity to facilitate the best design, outcomes and leverage of funding opportunities.

Again a detailed cost assessment has not been undertaken but it would be proposed that Council consider a budget of operational cost in the vicinity of \$100,000 per year.

4.4.2 Further work in the Design Stage

As stated previously the next stage of the investigation would involve a more detailed assessment of the preferred options identified by Council. Should Council nominate the provision of an Arts Program using the existing facilities as a preferred option for further investigation that it would be proposed to undertake the following additional investigation work:

- Identification and costing of the staff including identification of program outcomes and position description.

- Prepare a draft Business Plan.

4.5 Additional Programs to Support Arts

Smaller projects that were identified in the community consultation program that can be considered for implementation as part of an art program include:

■ **Mid-Western Art Prize**

Council could run an art competition to facilitate interest in local art and provide incentive for education and development of local artist. Estimated cost - \$10,000

■ **Regional Sculptures**

Council has witnessed the success of the first year in partnership with Rosby to facilitate the placement of sculpture in Lawson Park Mudgee. Both community groups in Gulgong and Rylstone have indicated an interest in extending the program to their town. Rylstone Sculptures Inc. has developed a Master Plan for the placement of Sculptures in Kandos and Rylstone. An increase in the budget allocation could see an expansion of the program to these areas.

■ **Arts Directory**

It has been identified that an art directory does not currently exist for the Mid-Western Region. The intention of the Directory would be to assist with communication within the arts community and increase access to art and cultural activities for existing and new residents.

■ **Artist in Residence**

As part of the community consultation the establishment of an artist in residence at Kandos was identified. This program would require a detailed program and staff co-ordination and would best be undertaken in conjunction with one of the other options outlined in the report. Opportunities are available in conjunction with current programs such as CEMENTA.

These projects do not represent the total list of projects and program that could be developed. Central to the introduction and sustainability of any project is the staff capacity to organise and run programmes which currently does not exist.

5. Recommendation

As outlined in the previously in the report the next phase of the investigation is the “Design Phase”. The previous section of the report outlined the necessary work depending on which projects are identified as the preferred option.

5.1 Preferred Option

The recommended option to Council at this stage of the investigation is a hybrid of Option 1 and Option 4:

- 1. Council consider as a submission (including a draft position description with outcomes), to the 2014/15 Delivery/Operational Plan the employment of a Cultural Development Officer on a 6 month contract commencing January 2015.**
- 2. That a Councillor workshop be held on the 16 April 2014 to nominate possible locations for a Regional Art Gallery.**
- 3. Council proceed to the design phase of the investigation once Council has determined the preferred sites.**

To realise the greatest benefit and to meet community demand, further investigation into a regional art gallery is supported. A regional art gallery will provide the greatest benefit in terms of:

- Social benefit by providing cultural development through exposure to a wide spectrum of art including both local, national and possibly international art by providing a gallery space that meets National Standards;
- Social benefit by increasing community pride and diversifying the range of entertainment options to the local community and visitors to the area;
- Education benefits to local artists and art enthusiasts through the provision of workshops and exhibition space.
- Economic benefit by facilitating economic return through tourism and visitation in response to the provision of a state of the art facility enabling hosting of traveling exhibitions.

The further investigation of the employment of a Cultural Development Officer to commence in January 2015 has been recommended to commence projects that will build momentum for the Regional Art Gallery should it proceed, and to provide specialist advice and form networks to promote the best design outcomes and leverage funding opportunities.

Appendix 1 – pARTicipate Survey



Council is embarking on an investigation into the development of arts and culture in the region. The investigation provides an ideal opportunity to collect ideas and opinions about the need for an art gallery or other ways to develop the arts.

This information will be useful in long term planning, grant applications and review of the Community Plan. Detailed written submissions must be received by Thursday 6 March.

Please spend a few minutes to help us shape the future of arts and culture in our region.

1. In which locality in the Mid-Western do you live?

2. How old are you?

- 18 or younger
- 18 - 29
- 30 - 39
- 40 - 49
- 50 - 59
- 60 - 69
- 70 or older
-

3. What is your level of participation in Arts and Culture in the Mid-Western Region?

- Student
- Hobbyist/Amateur
- Commercial/income dependent
- None of the above
- Other (please specify)

4. Which aspects of Arts and Culture do you participate in, in the Mid-Western Region? Select as many as apply to you and leave a comment if you'd like to list additional aspects.

- Not involved
- General interest
- Sculpture
- Painting
- Music
- Dance
- Organised groups
- Business operator
- Studying the arts
- Film
- Performance
- Photography
- Design/ Architecture
- Literature/Writing
- Creative Industries
- Technical (eg: light and sound)
- Attending exhibitions and cultural events
- Buying art
- Other aspects (specify)

Return completed surveys and detailed written submissions by Thursday 6 March to Mid-Western Regional Council, PO Box 156, Mudgee NSW 2850, or council@midwestern.nsw.gov.au, or any Council office or library.



5. What are the current barriers to you participating becoming further involved in arts and culture in the Mid-Western Region? Select as many as apply to you and leave a comment if you'd like to provide additional information.

- No barriers
- Distance to travel
- Need further education
- No available workshop space
- No gallery in the region
- Cost/prohibitive expense
- No access to cultural education
- Other (specify)

6. When did you last visit an art gallery?

- In the last 3 months
- In the last year
- In the last 5 years
- Can't remember
- Never

7. What is your priority for the development of arts and culture in the Mid-Western Region? Rank your preferences from 1 to 7, 1 being your highest priority.

- | | |
|--|---|
| <input type="checkbox"/> Workshops and studio space | <input type="checkbox"/> An event |
| <input type="checkbox"/> Arts programs using existing facilities | <input type="checkbox"/> support of existing organisations/businesses/practitioners |
| <input type="checkbox"/> Art gallery | <input type="checkbox"/> Other (specify) |
| <input type="checkbox"/> Education | |

8. If your priority for the development of arts and culture in the region wasn't listed above, please give details of what this priority is:

9. Please supply your name and contact details if you would like to be kept up to date with the results of the pARTicipate investigation into Arts and Culture in the Mid-Western Region:

Return completed surveys and detailed written submissions by Thursday 6 March to Mid-Western Regional Council, PO Box 156, Mudgee NSW 2850, or council@midwestern.nsw.gov.au, or any Council office or library.

Appendix 2 – PowerPoint presentation – Community Workshop 17 February 2014



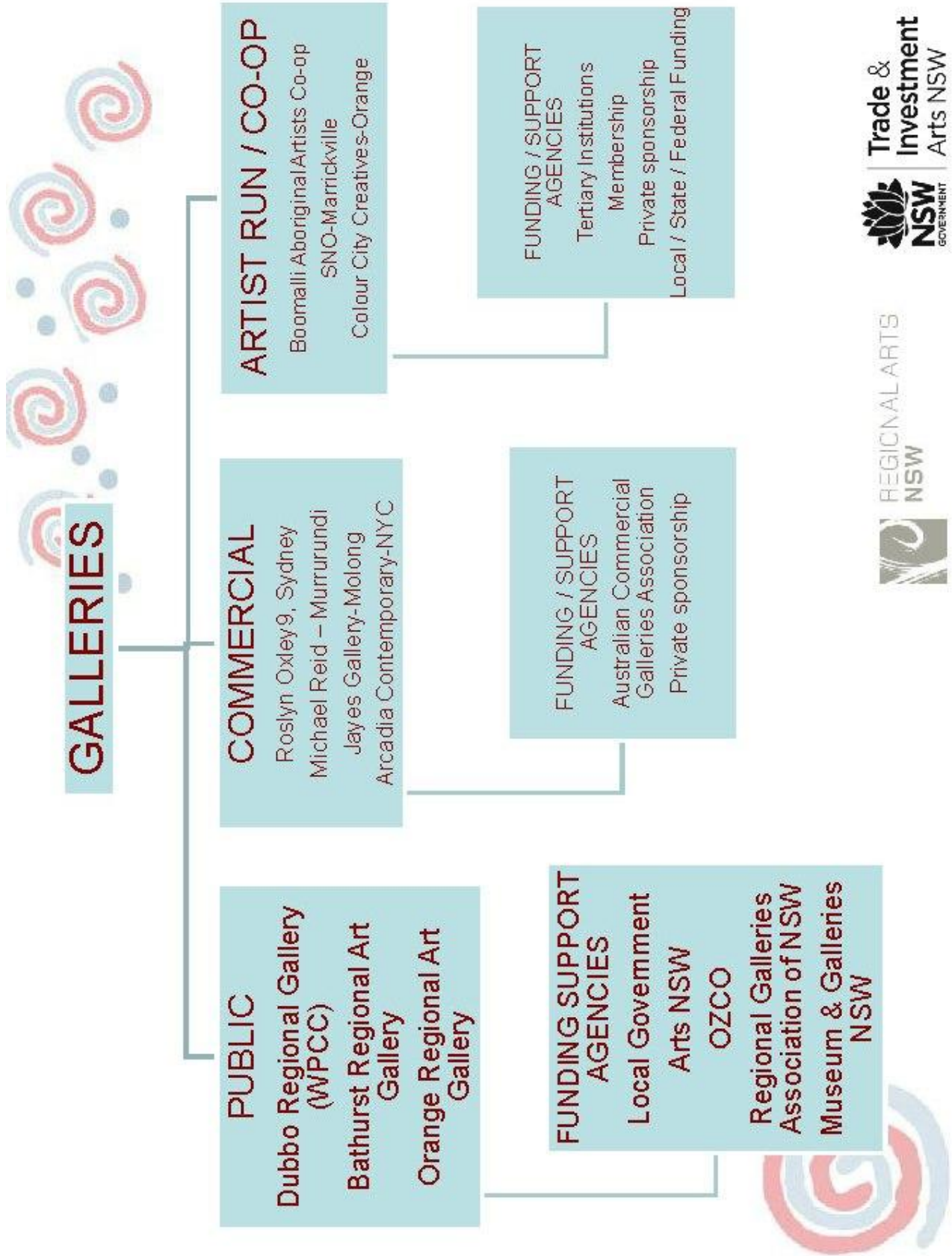
Orana Arts

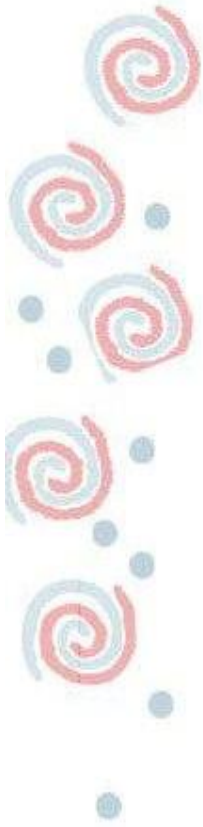
Mid-Western Regional Council

PARTICIPATE
An investigation into possibilities for art and culture.

17 February 2014







GALLERIES

COLLECTION BASED
MCA – Power Bequest
Pennith Gallery – Lewers Bequest

CONCEPT / MEDIUM BASED
Object Gallery – Design / Craft
Jam Factory – Ceramic / Craft
Australian Center of Photography

UNIVERSITY BASED
Ivan Daugherty – COFA, UNSW
Manash University Museum of art
Tin Sheds – University of Sydney





Western Plains Cultural Centre-Dubbo

est. 2006

DRG 1989

DRM 1957

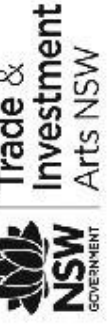




Bathurst Regional Art Gallery

est 1955-57

Current location 1989





Orange Regional Gallery

est 1986



SNO- Sydney Non Objective

- Housed in an 'Arts and Crafts' style building in Marrickville,
- located in one of Australia's most culturally diverse areas.



The SNO Program is supported:

- Marrickville Council
- Australian Government through its Visual Arts and Crafts Strategy
- NSW government through Arts NSW.

SNO coordinates activities held locally, nationally, and abroad.

Composed of:

- three gallery rooms
 - a Sound Project facility
 - an Artist Studio (available via application).
- (Artists are invited once a month to show work and may choose an individual or more collaborative engagement)



Casula Powerhouse Arts Centre



The centre boasts:

- 6 galleries with a year round exhibition program of changing exhibitions produced and presented by Casula Powerhouse
- 326 seat theatre with full seasons of touring productions from some of Australia's most renowned companies
- 2 artist studios including the Clayhouse Ceramics Studio
- A series of permanent public artworks
- Climate controlled storage facilities for the collection of over 30, 000 items



REGIONAL ARTS
NSW



Trade &
Investment
Arts NSW



Fire Station Arts Centre

- Studios for rent
- Hot desk for creative industries
- Gallery
- Espresso Bar
- Regional craft outlet
- Orana Art Satellite office
- Workshop space for hire



REGIONAL ARTS
NSW



Trade &
Investment
Arts NSW



Links

Galleries:

WPCC: <http://wpccdubbo.org.au/>

Orange Regional Gallery: <http://www.org.nsw.gov.au/>

Bathurst Regional Art Gallery: <http://www.bathurststart.com.au/>

Casula Powerhouse Arts Centre: <http://casulapowerhouse.com/>

Commercial Galleries:

Roslyn Oxley9: <http://www.roslynoxley9.com.au/>

Michael Reid Murrundi: <http://www.michaelreid.com.au/>

Jayes Gallery: <http://www.jayesgallery.blogspot.com.au/>

Arcadia Contemporary: <http://www.arcadiacontemporary.com/>

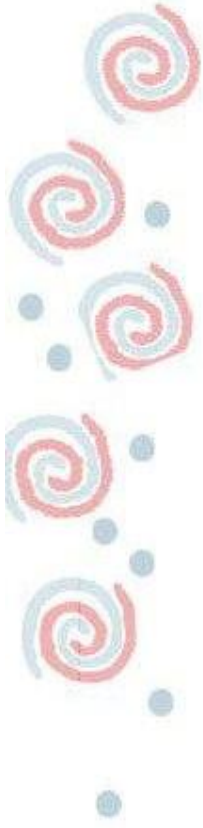
Artist Run/Co-op:

Boomalli: <http://www.boomalli.com.au>

SNO: <http://www.sno.org.au/>

Colour City Creatives: <http://cccartspace.blogspot.com.au/>





Funding & Support Agencies:

Arts NSW: <http://www.arts.nsw.gov.au>

Australia Council: <http://australiacouncil.gov.au>

Museums and galleries: <http://mg NSW.org.au>

Australian Commercial Galleries Association: <http://acga.com.au>
& Local Government

Orana Arts: <http://oranaarts.com/> & also on facebook,
twitter and instagram



Appendix 3 – Workshop Notes

Workshop Notes

SWOT Analysis

Strengths	Weaknesses
<ul style="list-style-type: none"> • Large and Active Creative Industries • Diversity • High Level of Tourist/ Cultural Visitation • Continual Art Festivals – Mudfest, Huntington, Rylstone. • Rosby Sculptures in the Garden • Active Education in Arts – Mud factory, Rosbys • Recognised history on ceramics – Bi-annual festival in Gulgong • Town Hall Theatre – Movies, Performance • Commercial Gallery in town • Arts Board active in region • Lots of exhibition space • Artist run initiatives • Professional and local contemporary artists • Proximity to Sydney and tourism drawcards. • Diverse Range, energetic • Has a peak body – Mudgee Arts • Arts and Crafts Mudgee – artist run co-op established 1987 • Indigenous, Chinese, Migrant history • Solid population base and growing • Culturally aware community • Passion of Local communities • Cementa – Kandos – cross over with tourism • Point of difference of region – heritage, natural landscape, population decentralisation from Sydney. • Cross-sector support in partnerships. • Built/natural/indigenous – state research shows the region leads • Good collaborators • Lots of artists • Ceramics – Clay, history • Motivated people • Variety of the region • Wineries • Scenery. • 	<ul style="list-style-type: none"> • No dedicated exhibition / workshop space. • Geographic Distances in Area • Communities working in isolation • Mudgee centric • TAFE closure • Small exhibition spaces and possible invasive • Decision as to location of the “hub” • Competing towns within the region. • Lack of cohesion • No formal sharing • No forward planning of events • Wine, tourism, agriculture, art, food industries are segregated. • Reach and inclusiveness of peak body • Difficulty to get executive level participation • Rylstone and Gulgong lost in the picture • Isolation • Funding Lack of political will to change. • Lack of needs analysis • Need for stronger unique collection to draw and underpin unique programming-philanthropy • Lack of public transport • Cultural strength hidden • No public gallery • No TAFE classes • Lack of music tuition • Few Councillors interested in art. • Different town not communicating probably • No cultural policy • The Stables not user friendly.

Opportunities	Threats
<ul style="list-style-type: none"> • Region is desirable destination • Building Council’s capacity to attract funding • Strength in each area <ul style="list-style-type: none"> ➤ Hub Focussed <ul style="list-style-type: none"> ○ Gulgong Ceramics ○ Rylstone/Kandos Contemporary Art ○ Mudgee Performance, education • Balance the focus of the community – maturity of cultural direction. • Touring art/performances • Regional Collaborations • Abundance of possible venues • Creation of “the heart” of Mid-Western Region – a festival feel to the Region • Central art personnel for the region as a whole. • Art Calender • Timetabling • CDC could have a more coordinating role • Linkages possible for arts to promote other features of the region • Cement works in Kandos as multi artform centre including a range of museological collections. • Work spaces/ showcase the work across artforms • If Kandos is where you are building on success then this is what we should be building on. • Old TAF Buildings • Regent Cinema • Old Salvation Army Building • Showcase local artists • Build Collection • Build creative hub • Professional development • Market development • Workshops • Developing Cultural Tourism. 	<ul style="list-style-type: none"> • Lack of support for cultural development • No funding available • Availability of spaces • Sustainability • Will we be competitive? (Bathurst, Dubbo etc) • Remain fractured • Other regions become stronger • Fractures story. • Realisation of this planning. • Lack of funding • Working with other tiers of governments • Transport infrastructure – intra/ inter – railway • Need more strategic alliances. • Lack of grant funds. • Too much emphasis elsewhere (sport etc) • Ongoing funds

In addition there was a comment seeking indigenous acknowledgement.

Below is a complete list of the ideas for development for art and culture in the region identified by the groups at the workshop. The top 9 ideas as identified by the groups are highlighted in red.

- Gallery/workshops/ studio space.
- Artists Collaborations – Local
- Street/ Public Art

- Community Art Project
- Collaborations with professional artists – National etc
- Traveling Exhibitions
- Arts Festival – Regional collaborative
- Regional Arts Website
- Full time Cultural Development officer for entire Region to manage direction, devise and creative. Tourism/ Economic Development/ Heritage/ Indigenous/Environmental – make linkages explicit.
- Artist in residence
- Hub which supports the development and appreciation of the Arts – subsidised.
- Arts Centre
 - Education focus
 - Regional focus
 - Diversity of art forms/ artists
 - Regional focus with balance of touring works
 - Increased networking
 - Increased opportunity for sustainability eg Salamanca
- Artist in Residence in Kandos – science and art research. Put the money tagged for demolition into resurrection, attract University partnerships. International tourist destination supporting creative industries and sustainability across economic areas (flow on in training and local business- accommodation etc) Precedent has been established with Gulgong Clay – building on successes, critical mass of activity, pre-existing hard infrastructure hard infrastructure and arts organisation.
- Infrastructure for three:
 - Gulgong clay/timber clapboard;
 - Kandos cement
 - Mudgee brick.
- Develop a mature community
- Pop up “shops” – Art Exhibitions
- Regent Theatre – further developed for performance, projection – broker “empty spaces” strategy as a short term strategy. \$500,000 – philanthropy performing arts society.
- Strategic Alliances – cultural centre with connections to Elders. SEFA (Social Enterprise Finance Australia LTD, State Land Councils.
- Multi Arts Hub
 - Mudgee based

- Multi-purpose
- Artist in residence
- Outreach to shop spaces Rylstone/ Kandos and Gulgong
- Purchase existing building – Parkview
- Subsidised
- Supports artists
- Develops appreciation of the arts
- **Peak Body**
 - Real influence
 - Broad reach
 - Strategic goals
 - Information sharing, online presence
 - Coordinated calendar.
- Workshops – scholarships for artists.
- **Arts Directory, Orana Arts (including greater publicity)**

In the “straw poll” where each participant were given three “votes” the following were identified as the top priorities:

Cultural Development Officer	44 votes
Multi Purpose Hub, regional, gallery, workshop and studio space	35 votes
Artist in Kandos	16 votes

Appendix 4 – Community workshop

PRESENTATION BY ALESHIA LEGGETT

WORKSHOP OUTCOMES

SWOT Analysis

STRENGTHS

- Large and Active Creative Industries
- Diversity
- High Level of Tourist/ Cultural Visitation
- Continual Art Festivals – Mudfest, Huntington, Rylstone.
- Rosby Sculptures in the Garden
- Active Education in Arts – Mud factory, Rosbys
- Recognised history on ceramics – Bi-annual festival in Gulgong
- Town Hall Theatre – Movies, Performance
- Commercial Gallery in town
- Arts Board active in region
- Lots of exhibition space
- Artist run initiatives
- Professional and local contemporary artists
- Proximity to Sydney and tourism drawcards.
- Diverse Range, energetic
- Has a peak body – Mudgee Arts
- Arts and Crafts Mudgee – artist run co-op established 1987
- Indigenous, Chinese, Migrant history
- Solid population base and growing
- Culturally aware community
- Passion of Local communities
- Cementa – Kandos – cross over with tourism
- Point of difference of region – heritage, natural landscape, population decentralisation from Sydney.
- Cross-sector support in partnerships.
- Built/natural/indigenous – state research shows the region leads
- Good collaborators
- Lots of artists
- Ceramics – Clay, history
- Motivated people
- Variety of the region
- Wineries
- Scenery

WEAKNESSES

- No dedicated exhibition / workshop space.
- Geographic Distances in Area
- Communities working in isolation
- Mudgee centric
- TAFE closure
- Small exhibition spaces and possible invasive
- Decision as to location of the “hub”
- Competing towns within the region.
- Lack of cohesion
- No formal sharing
- No forward planning of events
- Wine, tourism, agriculture, art, food industries are segregated.
- Reach and inclusiveness of peak body
- Difficulty to get executive level participation
- Rylstone and Gulgong lost in the picture
- Isolation
- Funding Lack of political will to change.
- Lack of needs analysis
- Need for stronger unique collection to draw and underpin unique programming- philanthropy
- Lack of public transport
- Cultural strength hidden
- No public gallery
- No TAFE classes
- Lack of music tuition
- Few Councillors interested in art.
- Different town not communicating probably
- No cultural policy
- The Stables not user friendly

OPPORTUNITIES

- Region is desirable destination
- Building Council's capacity to attract funding
- Strength in each area
 - Hub Focussed
 - Gulgong Ceramics
 - Rylstone/Kandos Contemporary Art
 - Mudgee Performance, education
- Balance the focus of the community – maturity of cultural direction.
- Touring art/performances
- Regional Collaborations
- Abundance of possible venues
- Creation of “the heart” of Mid-Western Region – a festival feel to the Region
- Central art personnel for the region as a whole.
- Art Calender
- Timetabling
- CDC could have a more coordinating role
- Linkages possible for arts to promote other features of the region
- Cement works in Kandos as multi artform centre including a range of museological collections.
- Work spaces/ showcase the work across artforms
- If Kandos is where you are building on success then this is what we should be building on.
- Old TAF Buildings
- Regent Cinema
- Old Salvation Army Building
- Showcase local artists
- Build Collection
- Build creative hub
- Professional development
- Market development
- Workshops
- Developing Cultural Tourism.

THREATS

- Lack of support for cultural development
 - No funding available
 - Availability of spaces
 - Sustainability
 - Will we be competitive? (Bathurst, Dubbo etc)
 - Remain fractured
 - Other regions become stronger
 - Fractures story.
 - Realisation of this planning.
 - Lack of funding
 - Working with other tiers of governments
 - Transport infrastructure – intra/ inter – railway
 - Need more strategic alliances.
 - Lack of grant funds.
 - Too much emphasis elsewhere (sport etc)
 - Ongoing funds
-



2 APRIL 2014

ATTACHMENT

6.2.8

Monthly Budget Review – February 2014



*Good
Government*

MONTHLY BUDGET REVIEW

OPERATIONAL PLAN/ DELIVERY
PROGRAM – 2013/14

FEBRUARY 2014

MID-WESTERN REGIONAL COUNCIL

FINANCE AND ADMINISTRATION

■ ■ ■ ■ ■ TOWARDS 2030



Budget Variations

Monthly Reporting: <i>Proposed Variations</i>		
COMMUNITY PLAN THEME	VARIATION	AMOUNT
GENERAL FUND		
Contra Variations		
Looking after our Community	Savings Mullamuddy Rural Fire Service station capital works	50,000 C
Looking after our Community	Grant funding for the Cudgegong Heritage Rural Fire Service building	100,000 C
Looking after our Community	Construction of Cudgegong Heritage Rural Fire Service building, located at Mudgee Airport	(150,000) C
Good Government	Transfer from reserves - Asset Replacement Reserve	17,000 C
Good Government	Repairs to the emulsion tank at Mudgee depot	(17,000) C
Good Government	Reduce transfer to VPA - Moolarben stage 2	1,500,000 C
Good Government	Defer Moolarben stage 2 VPA contributions to 2014/15	(1,500,000) C
Total Contra Variations		0
TOTAL GENERAL FUND		
		0
WATER FUND		
Contra Variations		
Protecting our Natural Environment	Reduce water mains - capital budget only	20,000 C
Protecting our Natural Environment	Bawden Road water mains replacement - due to frequent water main breaks, it is recommended this project be moved forward from the 2014/15 program, and undertaken immediately	(20,000) C
Protecting our Natural Environment	Transfer from unspent grants - Rylstone security of supply water monitoring	11,000 C
Protecting our Natural Environment	Rylstone security of supply water monitoring - construction of lids for the valve chamber that house control equipment funded by the grant originally (2010)	(11,000) C

Monthly Reporting: *Proposed Variations*

Total Contra Variations 0

TOTAL WATER FUND 0

COMMUNITY PLAN THEME	VARIATION	AMOUNT
SALEYARDS FUND		
<i>Contra Variations</i>		
Building a Strong Local Economy	Savings in electrical switch upgrade	3,000 C
Building a Strong Local Economy	Savings in post and rail replacement	2,000 C
Building a Strong Local Economy	Emergency replacement of potable water tank	(5,000) C
Total Contra Variations		

TOTAL SALEYARDS FUND (5,000)

Code: U = Unfavourable; F = Favourable; C = Contra

	ORIGINAL ANNUAL BUDGET	APPROVED VARIATIONS	REVISED ANNUAL BUDGET	% REVISED BUDGET	PROPOSED VARIATIONS	PROPOSED ANNUAL BUDGET	ACTUAL YTD	% PROPOSED ANNUAL BUDGET	COMMENT
Looking after our Community									
RURAL FIRE SERVICE - MULLAMUDDY FIRE STATION EXTENSIONS	0	73	73	2%	(50)	23	2	8%	Mullamuddy works have been completed and are now waiting on the approved RFS budget to allocate remaining funds to Cudgegong Heritage building
RURAL FIRE SERVICE - CUDGEGONG HERITAGE BUILDING	0	0	0	0%	150	150	0	0%	Budget allocated for Cudgegong Heritage Rural Fire Services building at Mudgee Airport
HM&M VEHICLE PURCHASE	27	0	27	0%	0	27	0	0%	Ongoing vehicle replacement program
COMM. TRANSPORT- VEHICLE PURCHASE	48	0	48	0%	0	48	0	0%	Ongoing vehicle replacement program
MUDGEES CEMETERY CAP IMPV	70	0	70	0%	0	70	0	0%	Extension of the lawn cemetery works at Mudgee commenced. To be completed by mid-April 2014. This will include a small extension at Gulgong Lawn cemetery as well.
CEMETERY LANDSCAPING - ROADSIDE	0	40	40	79%	0	40	32	79%	Planting of hedge in front of lawn and monumental cemetery completed.
PUBLIC TOILETS - CAPITAL UPGRADES	4	(3)	1	104%	0	1	1	104%	Painting works completed.
PUBLIC TOILETS - RYLSTONE DISABLED TOILETS	0	2	2	9%	0	2	0	9%	Construction of new toilets completed (majority of works completed prior year)
PUBLIC TOILETS - MUDGEES CEMETERY	50	(50)	0	0%	0	0	0	0%	This budget has been transferred to the Public Toilets at Percy Nott Park
PUBLIC TOILETS - PERCY NOTT PARK	100	25	125	7%	0	125	8	7%	Final quotations are being sought with a view to commence works in March
PUBLIC TOILETS - RYLSTONE SHOWGROUND	0	1	1	97%	0	1	1	97%	Construction of new toilets completed (majority of works completed prior year)
PUBLIC TOILETS - ROTARY PARK KANDOS	4	0	4	46%	0	4	2	46%	Painting and repairs completed
PUBLIC TOILETS - APEX PARK GULGONG	3	0	3	90%	0	3	3	90%	Painting and repairs completed
PUBLIC TOILETS - BILLY DUINN PARK GULGONG	2	0	2	101%	0	2	2	101%	Painting and repairs completed
PUBLIC TOILETS - VICTORIA PARK GULGONG	2	0	2	101%	0	2	2	101%	Painting and repairs completed

	ORIGINAL ANNUAL BUDGET	APPROVED VARIATIONS	REVISED ANNUAL BUDGET	% REVISED BUDGET	PROPOSED VARIATIONS	PROPOSED ANNUAL BUDGET	ACTUAL YTD	% PROPOSED ANNUAL BUDGET	COMMENT
PUBLIC TOILETS - WHITE CRES KANDOS	15	(4)	12	69%	0	12	8	69%	Tiling and painting are completed
LIBRARY BOOKS	80	0	80	67%	0	80	54	67%	Ongoing program of book purchasing continues throughout the financial year
MUDGE LIBRARY BUILDING IMPROVEMENTS	0	53	53	131%	0	53	70	131%	Complete. This project is over budget due to the cost of electrical work on the switchboard and cabling for the air conditioner. This work was faulty from the previous contract, and was not included in the initial costing. A claim was made to the liquidator. The budget will be amended in the March QBR.
LIBRARY EQUIPMENT	26	0	26	37%	0	26	10	37%	Vision impaired reading device purchased and e-book items have been ordered. Awaiting eBook technical set up
KANDOS MUSEUM - CAPITAL	20	96	116	14%	0	116	17	14%	Building works have begun, and transfer of title will take place when Incorporated Association status confirmed
CULTURAL CENTRE INVESTIGATION	20	0	20	3%	0	20	1	3%	Investigation has commenced, with survey underway. Next report is due the 2nd of April, will know if budget variation is required at this point.
CAPITAL UPGRADE - GULGONG MEMORIAL	0	45	45	61%	0	45	28	61%	Stage Hall curtains and audio equipment completed. No further works required the year.
CAPITAL UPGRADE - RYLSTONE HALL	0	12	12	78%	0	12	9	78%	Accessible path completed
CAPITAL UPGRADE - KANDOS HALL	4	(2)	3	96%	0	3	2	96%	Completed replacement of internal lights
CAP UPGRD-CLANDULLA FACILITIES	5	0	5	95%	0	5	5	95%	Painting, repairs and absorption trench completed
CAPITAL UPGRADE - HARGRAVES COURTHOUSE	0	5	5	0%	0	5	0	0%	Covering of breeze way between the two buildings to be completed by end of March
CAPITAL UPGRADE – BYLONG COMMUNITY HALL	0	2	2	0%	0	2	0	0%	Security doors to be completed by end of March.
CAP UPGRD-COMMUNITY BLD-BUDGET ONLY	9	(6)	3	0%	0	3	0	0%	Budget only
MUDGE POOL - WADING POOL HEATING	0	10	10	103%	0	10	10	103%	Completed
MUDGE POOL TRICLUB SHED	0	17	17	92%	0	17	16	92%	Completed

	ORIGINAL ANNUAL BUDGET	APPROVED VARIATIONS	REVISED ANNUAL BUDGET	% REVISED BUDGET	PROPOSED VARIATIONS	PROPOSED ANNUAL BUDGET	ACTUAL YTD	% PROPOSED ANNUAL BUDGET	COMMENT
MUDGEES SHOWGROUNDS - REDEVELOPMENT	0	38	38	65%	0	38	24	65%	Insurance claim works to be completed on the Showground Cottage and the remaining \$9K budget is insufficient to upgrade the pavilion electricity that has been quoted at \$18K
GLENWILLOW SPORTS GROUND UPGRADES	20	0	20	102%	0	20	20	102%	Safety screens to grandstand, flyscreens and car park works completed.
KANDOS WARATAH PARK - CAPITAL	45	11	56	82%	0	56	46	82%	Upgrade to Canteen completed.
BILLY DUNN OVAL UPGRADE	15	(15)	0	0%	0	0	0	0%	Budget transferred to Victoria Park Gulgong
RYLSTONE SHOWGROUND UPGRADE	280	0	280	4%	0	280	12	4%	It has been discovered that this land is subject to a land title claim. Council has written to the Aboriginal Land Council seeking permission for the works or to have the land claim withdrawn to allow on-going works to this site.
SAMMY'S FLAT SYNTHETIC CRICKET PITCH	6	2	8	106%	0	8	8	106%	New cricket pitch completed.
GLEN WILLOW SOCCER AMENITIES REBUILD	0	935	935	19%	0	935	178	19%	Project to replace Soccer / Touch amenities building at Glen Willow commenced.
GULGONG SHOWGROUND UPGRADE	50	0	50	101%	0	50	51	101%	Contribution to Gulgong Showground improvements, paid in November 2013.
MUDGEES SKATE PARK	0	55	55	86%	0	55	47	86%	Additional shade structure to be installed then completed.
MUDGEES SHOWGROUNDS - AMENITIES	20	(10)	10	102%	0	10	10	102%	Completed
VICTORIA PARK GULGONG STORAGE SHED	0	15	15	0%	0	15	0	0%	Quotes received, works to be completed in March 2014
VICTORIA PARK - TENNIS COURTS	0	40	40	0%	0	40	0	0%	Awaiting grant payment, once received will be paid to Mudgee Tennis Club
PASSIVE PARKS - LANDSCAPING IMPROVEMENTS	5	0	5	106%	0	5	5	106%	Tree plantings completed in various locations.
RED HILL RESERVE - TOURISM DEVELOPMENT INVESTIGATION	50	50	100	1%	0	100	1	1%	Committee has approved construction of the underground mine shaft
PLAYGROUND EQUIPMENT - SHADE SAILS	0	15	15	98%	0	15	15	98%	Shade sails at Bellevue Park completed.

	ORIGINAL ANNUAL BUDGET	APPROVED VARIATIONS	REVISED ANNUAL BUDGET	% REVISED BUDGET	PROPOSED VARIATIONS	PROPOSED ANNUAL BUDGET	ACTUAL YTD	% PROPOSED ANNUAL BUDGET	COMMENT
SCULPTURES ACROSS THE REGION	30	(25)	5	94%	0	5	5	94%	One sculpture has been installed, with installation of the other sculpture immanent.
AVISFORD RESERVE - CAPITAL	40	0	40	9%	0	40	3	9%	Mountain bike club car park to be constructed first. REF is completed with works to be carried out by the club.
PLAYGROUND EQUIPMENT - REDBANK PARK MUDGEE	30	0	30	97%	0	30	29	97%	New playground completed
PLAYGROUND EQUIPMENT - APEX PARK MUDGEE	20	0	20	95%	0	20	19	95%	New playground completed
PLAYGROUND EQUIPMENT - PEARL PARK GULGONG	20	4	24	100%	0	24	23	100%	New playground completed
PLAYGROUND EQUIPMENT - VICTORIA PARK MUDGEE	10	(4)	7	32%	0	7	2	32%	Old equipment removed. Replacement of current park near tennis courts being considered as part of the budget process for next year.
LAWSON PARK BBQ SHELTER - RE-BUILD	0	118	118	100%	0	118	118	100%	Completed during February 2014. final invoices to be paid.
BELLEVUE PLAYGROUND REPLACEMENT	0	40	40	99%	0	40	40	99%	Replacement of play equipment due to vandalism completed.
SAM BATEMAN RESERVE LANDSCAPING UPGRADE	0	10	10	110%	0	10	11	110%	New reserve completed
PASSIVE PARKS - LAND MATTERS	0	185	185	0%	0	185	0	0%	Fairydale Lane Railway Line buffer zone - acquisition. Survey completed - awaiting sign-off from Planning and then Sec 88B - purchase progressing as planned.
STREET SCAPE CAPITAL IMPROVEMENTS	15	(5)	10	88%	0	10	9	88%	Replacement of street trees and treatment of tree related pests to occur throughout the year
STREETSCAPE - BIN REPLACEMENT PROGRAM	13	0	13	79%	0	13	10	79%	Complete
STREETSCAPE - RECYCLING BIN PROGRAM	10	9	19	50%	0	19	10	50%	Bins have been installed in Mudgee and bins ordered for Kandos. Initial indication is the bins are being appropriately used.
Total	1,167	1,784	2,951	33%	100	3,051	978	32%	

	ORIGINAL ANNUAL BUDGET	APPROVED VARIATIONS	REVISED ANNUAL BUDGET	% REVISED BUDGET	PROPOSED VARIATIONS	PROPOSED ANNUAL BUDGET	ACTUAL YTD	% PROPOSED ANNUAL BUDGET	COMMENT
Protecting our Natural Environment									
RURAL WASTE DEPOT UPGRADES	53	(40)	13	0%	0	13	0	0%	Fencing works required at Wollar, Goolma and Lue. Works to commence March 2014
MUDGEES WASTE DEPOT UPGRADES	30	0	30	53%	0	30	16	53%	Bin lifter purchased, weather station ordered, litter fencing installed.
WASTE - LAND MATTERS	5	0	5	2%	0	5	0	2%	Acquisition matter of Queens Pinch Waste Transfer Facility Complete
WASTE SITES REHABILITATION	100	(100)	0	0%	0	0	0	0%	Budget only - reallocated below.
WTS - LUE UPGRADE	0	10	10	0%	0	10	0	0%	Update fencing work to segregate bulk tipping area from remainder of facility. Works to commence in April.
WTS - WOLLAR UPGRADE	0	20	20	0%	0	20	0	0%	Fencing upgrade, works to commence in April.
WASTE SITE REHAB - BIRRIWA	0	20	20	0%	0	20	0	0%	New fencing to enable site to be locked and available only for local use. Finalising community consultations, works to commence in April.
WTS - GOOLMA UPGRADES	0	10	10	3%	0	10	0	3%	Fencing repairs and additional fencing to rear of site to minimise illegal dumping
WASTE SITE REHAB - MUDGEES	0	60	60	19%	0	60	12	19%	Site survey works completed. Strategic waste plan forms part of this expenditure. Consultants for Hydrological studies have been assessed and will commence work 6th January 2014
WASTE SITE REHAB - GOOLMA	0	20	20	0%	0	20	0	0%	Capping of old landfill areas to be completed in February 2014
DRAINAGE CAPITAL IMPROVEMENTS	555	117	672	65%	0	672	438	65%	Works continue on two detention basins in Catchment A, works expected to be finalised by the end of March 2014.
CULVERT INSTALLATIONS	53	0	53	41%	0	53	22	41%	The installation of culverts as slowed down as resources are currently working on capital projects.

	ORIGINAL ANNUAL BUDGET	APPROVED VARIATIONS	REVISED ANNUAL BUDGET	% REVISED BUDGET	PROPOSED VARIATIONS	PROPOSED ANNUAL BUDGET	ACTUAL YTD	% PROPOSED ANNUAL BUDGET	COMMENT
CAUSEWAY IMPROVEMENTS	60	(60)	0	0%	0	0	0	0%	Budget only item - allocated below
CAUSEWAY IMPROVEMENT - IRON BARKS ROAD	0	20	20	100%	0	20	20	100%	Completed
CAUSEWAY IMPROVEMENT - NORLEMBAH ROAD	0	21	21	100%	0	21	21	100%	Completed
CULVERT GUARD RAIL - BOCOBLE ROAD	0	26	26	16%	0	26	4	16%	Guardrail is installed, waiting on signage and linemarking to complete the project.
CAUSEWAY IMPROVEMENT - UPPER TURON ROAD	0	10	10	51%	0	10	5	51%	Completed
DRAINAGE WORKS - LAND MATTERS	0	4	4	0%	0	4	0	0%	Preliminary negotiations for formalisation of Right of Carriageway over land in Short Street commenced
ENV - PUTTA BUCCA WETLANDS CAPITAL	15	0	15	0%	0	15	0	0%	Irrigation system to be installed and project completed. Final invoices to come.
WATER NEW CONNECTIONS	128	0	128	40%	0	128	51	40%	Provision of new connections to subdivisions and other new developments as required.
WATER AUGMENTATION - MUDGEES	3,510	(2,340)	1,170	0%	0	1,170	0	0%	Upgrades required for Mudgee WTP associated with Caerleon growth. The existing WTP designer will be undertaking assessment of current plant structure and process in February and March 2014 to advise how to achieve current design capacity. Works to increase capacity above the original design intent will be programmed after the February/March assessment. Budget removed in December QBR, to be rescheduled following Designer review.
WATER AUGMENTATION - RYLSTONE & KANDOS	0	5	5	134%	0	5	7	134%	Works complete
WATER REDBANK DAM UPGRADE	750	21	771	70%	0	771	538	70%	Dam works have been completed and landscaping of the site is progressing

	ORIGINAL ANNUAL BUDGET	APPROVED VARIATIONS	REVISED ANNUAL BUDGET	% REVISED BUDGET	PROPOSED VARIATIONS	PROPOSED ANNUAL BUDGET	ACTUAL YTD	% PROPOSED ANNUAL BUDGET	COMMENT
WATER SECURITY OF RYLSTONE SUPPLY	0	0	0	0%	11	11	3	23%	Remaining grant funding allocated to construction of lids for the valve chamber that house control equipment originally funded by the grant (2010). Works to be completed by April 2014.
WATER TELEMETRY - BUDGET ONLY	20	(20)	0	0%	0	0	0	0%	Budget only item has been reallocated as per below
WATER TELEMETRY - MUDGEE LINK	0	20	20	0%	0	20	0	0%	Upgrade of analogue telemetry system to digital in Mudgee. Planning for the works has commenced with expected installation of equipment in April 2014
WATER LOSS MANAGEMENT WORKS	26	0	26	0%	0	26	0	0%	Installation of flow meters and associated data logging equipment within the water distribution system. Review of required works currently being undertaken with construction works programmed to commence after the summer period
WATER MAINS - CAPITAL BUDGET ONLY	280	(256)	24	0%	(20)	4	0	0%	Budget only - current month reallocated \$20k to Bawden Rd water mains.
WATER MAINS - LAWSON STREET	0	40	40	0%	0	40	0	0%	Water main extension project replaced with higher priority works. Council advised of recommendation in February 2014
WATER MAINS - DECOMMISSION	0	18	18	29%	0	18	5	29%	Decommissioning of water mains that are no longer required in East Mudgee area. Multiple decommissions have been scheduled progressively throughout the year

	ORIGINAL ANNUAL BUDGET	APPROVED VARIATIONS	REVISED ANNUAL BUDGET	% REVISED BUDGET	PROPOSED VARIATIONS	PROPOSED ANNUAL BUDGET	ACTUAL YTD	% PROPOSED ANNUAL BUDGET	COMMENT
WATER MAINS - CHURCH ST	0	188	188	31%	0	188	58	31%	Water main replacement in conjunction with road works scheduled for January and February 2014. The scope of works for this project has increased post budgeting. The current budget to replace the two water mains between Gladstone and Denison Streets is \$188,000. It is proposed to supplement the existing \$70,000 budget with \$86,000 from water fund reserves and \$32,000 from Reservoirs budget not yet committed. Work commenced in January and is scheduled to be completed in early April 2014.
WATER MAINS - GLADSTONE ST	0	10	10	92%	0	10	9	92%	Works completed July 2013
WATER MAINS - LOVEJOY ST	0	26	26	100%	0	26	26	100%	Works completed November 2013
WATER MAINS - PERRY ST (GLADSTONE TO DENISON)	0	54	54	106%	0	54	57	106%	Works completed January 2014.
WATER MAINS - LOUEE ST	0	6	6	95%	0	6	5	95%	Water main replacement completed in November 2013
WATER MAINS - DABEE ST	0	6	6	102%	0	6	6	102%	Water main replacement completed in October 2013
WATER MAINS - HERBERT ST	0	22	22	87%	0	22	19	87%	New works proposed to coincide with asphaltting of Herbert St, old water mains to be replaced. Works scheduled for February-March 2014.
WATER MAINS - BAWDEN RD	0	0	0	0%	20	20	0	0%	Replacement of mains recommended due to frequent water main breaks along Bawden Rd (off Madeira). Brought forward from 2015 program.
WATER PUMP STATION - CAPITAL BUDGET ONLY	62	(45)	17	0%	0	17	0	0%	Budget only
WATER PUMP STATION - RYLSTONE CLEARWATER	0	35	35	77%	0	35	27	77%	Refurbishment of pump at Clear Water Pump Station, Rylstone Water Treatment Plant. Final installation delayed due to bushfires in Blue Mountains. Works completed in November 2013

	ORIGINAL ANNUAL BUDGET	APPROVED VARIATIONS	REVISED ANNUAL BUDGET	% REVISED BUDGET	PROPOSED VARIATIONS	PROPOSED ANNUAL BUDGET	ACTUAL YTD	% PROPOSED ANNUAL BUDGET	COMMENT
WATER RESERVOIR - FLIRTATION HILL MUDGE	70	(16)	54	0%	0	54	0	0%	Reservoir refurbishment planning underway. Diving works to assess condition of reservoirs have been undertaken in January 2014. Quotations have been requested for roof and access modification to mitigate contamination risks. Works scheduled to be undertaken April-May 2014
RESERVOIRS - PALERMO RD MUDGE	50	(16)	34	6%	0	34	2	6%	Reservoir refurbishment planning underway. Diving works to assess condition of reservoirs have been undertaken in January 2014. Quotations have been requested for roof and access modification to mitigate contamination risks. Works scheduled to be undertaken April - May 2014
WATER METERS - BULK	90	0	90	52%	0	90	46	52%	Program to replace water meters greater than 15 years old.
VALVE INSTALLATION - MEARES ST	0	5	5	69%	0	5	3	69%	Valve installation to secure Hospital water supply completed in November 2013
MAG FLOW METER INSTALLATION - MUDGE BORE	0	10	10	0%	0	10	0	0%	Works will be scheduled after the summer period during 2014
SEWER NEW CONNECTIONS	45	0	45	42%	0	45	19	42%	Provision of new connections associated with new development
SLUDGE DEWATERING MOBILE UNIT	350	(300)	50	2%	0	50	1	2%	Purchase of mobile sludge dewatering unit to process STP sludge. Currently negotiating with 3 tenderers. Delivery of the preferred unit will now not be taken until late 2014, requiring \$300,000 of the budget to be transferred to 2014/15 budget in December QBR.
SEWER AUGMENTATION - RYLSTONE & KANDOS	500	60	560	2%	0	560	10	2%	Power supply design and land matters are currently on-hold until further investigation of staging options are prepared for consideration by council in April 2014.

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SEWER AUGMENTATION - MUDGEE	1,950	394	2,344	90%	0	2,344	2,104	90%	STP and Pump Station have been successfully commissioned. The Pump Station contract was completed on 29 November 2013. The STP Contract was completed on 13 December 2013. Minor works are now being undertaken, including purchase of lab equipment and preparation of operation and maintenance manuals.
SEWER TELEMETRY	20	0	20	0%	0	20	0	0%	Upgrade of analogue telemetry system to digital in Mudgee. Quotation has been sought and it is expected that installation work can commence in April 2014
SEWER MAINS - CAPITAL BUDGET ONLY	350	(265)	85	0%	0	85	0	0%	Budget Only
SEWER MAINS - BURRUNDULLA AVE	0	25	25	61%	0	25	15	61%	Main realignment works completed in November 2013
SEWER MAINS RELINING	12	238	250	0%	0	250	1	0%	Sewer Main Relining 3 year Contract has been awarded to Interflow Pty Ltd. Scheduled works in East Mudgee for 2014 has commenced in March and will be completed in April.
SEWER MAINS - MUDGEE INDUSTRIAL AREA	0	42	42	96%	0	42	41	96%	Construction of new sewer gravity main and rising main to service South Mudgee area. 2013 remaining project budget revoted due to wet weather preventing project completion in June. Remaining work was delayed to allow industrial area property owners to clear easements to allow connections to proceed. Work completed in November 2013. Final invoice will be paid on submission of final work-as-executed plans.
SEWER MAINS - BELLEVUE TO RIFLE RANGE ROAD	0	47	47	2%	0	47	1	2%	Work is being completed by developer, with funding contribution by Council. Scheduling is not within Council's control

	ORIGINAL ANNUAL BUDGET	APPROVED VARIATIONS	REVISED ANNUAL BUDGET	% REVISED BUDGET	PROPOSED VARIATIONS	PROPOSED ANNUAL BUDGET	ACTUAL YTD	% PROPOSED ANNUAL BUDGET	COMMENT
SEWER MAINS - RISING MAIN CAERLEON	0	850	850	0%	0	850	0	0%	Construction of new rising main from Caerleon to new STP. Timing will be in association with approval timing of Caerleon Construction Certificate. Contract for design work has commenced and is expected to be completed in April. Construction works are scheduled to be completed at end August 2014.
SEWER MAINS - REALIGNMENT INDUSTRIAL AVE MUDGEE	0	15	15	99%	0	15	15	99%	Realignment of inaccessible sewer main. Work completed November 2013
SEWER MAINS - REPLACEMENT OF CHAMBER LIDS HERBERT ST	0	5	5	0%	0	5	0	0%	New works to coincide with asphaltting of Herbert St, replacement of sewer main chamber lids. Works are scheduled to be completed at end March 2014.
SEWER PUMP STATION - CAPITAL BUDGET ONLY	417	(415)	2	0%	0	2	0	0%	Budget only
SEWER PUMP STATION - INDUSTRIAL	0	52	52	55%	0	52	29	55%	Final connection of new pump station completed November 2013
SEWER PUMP STATION - FLOW METERING	50	0	50	0%	0	50	0	0%	Installations of flow meters at Mudgee sewer pump stations to better monitor and control sewerage system. Planning currently underway, with works programmed to commence in April 2014
SEWER PUMP STATION - CAERLEON	0	350	350	0%	0	350	0	0%	Construction of a new pump station within Caerleon. Timing will be in association with approval timing of Caerleon Construction Certificate. Contract for design work has commenced and is scheduled to be completed in April. Construction works are scheduled to be completed at end August 2014.
DECOMMISSION OLD MUDGEE INDUSTRIAL SPS	0	15	15	0%	0	15	0	0%	Electrical equipment has been removed and civil works will recommence in April 2014.
SEWER TREATMENT WORKS - MUDGEE	45	0	45	12%	0	45	5	12%	For emergency or major maintenance works across the course of the year.

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DECOMMISSION MUDGEES STP PUTTA BUCCA	150	0	150	0%	0	150	0	0%	Decommissioning works at old Mudgee Industrial STP will commence after commissioning of the new STP. Existing treatment ponds are currently drying out so that material can be removed with machines starting after summer 2014.
SEWER EASEMENT & LAND MATTERS	5	0	5	0%	0	5	0	0%	Sewer access for Mudgee Airport Sewer Pump Station. Scope of works currently being reviewed.
Total	9,750	(976)	8,774	42%	11	8,785	3,641	41%	

Building a Strong Local Economy

RIVERSIDE CARAVAN PARK - POWER POLES	0	10	10	0%	0	10	0	0%	Replacement of caravan park poles. An order has been placed for replacement poles, with negotiations to occur with lease prior to works commencing.
RYLSTONE CARAVAN PARK - CAPITAL	15	(4)	11	99%	0	11	11	99%	Works to upgrade showers with tiling and new partitions completed.
KANDOS TOURIST BAY - BWV	0	0	0	0%	0	0	2	0%	Completed 2012/13. Costs associated with additional signage requested by the Kandos Business Community
TECHNOLOGY PARK	5	0	5	0%	0	5	0	0%	Ongoing investigations into other Technology Park projects.
SALEYARDS - CAPITAL BUDGET ONLY	20	(20)	0	0%	0	0	0	0%	This budget transferred to electrical switchboard, posts and rails replacements.
SALEYARDS - WATER TANK	0	0	0	0%	5	5	5	104%	Emergency water tank replacement. Budget allocated from savings in electrical switch upgrade and post and rail replacement.
SALEYARDS - ELECTRICAL SWITCH UPGRADE	0	10	10	70%	(3)	7	7	99%	Completed

	ORIGINAL ANNUAL BUDGET	APPROVED VARIATIONS	REVISED ANNUAL BUDGET	% REVISED BUDGET	PROPOSED VARIATIONS	PROPOSED ANNUAL BUDGET	ACTUAL YTD	% PROPOSED ANNUAL BUDGET	COMMENT
SALEYARDS - POST AND RAIL REPLACEMENT	0	10	10	70%	(2)	8	7	87%	This project is well underway with many rusted posts reinforced and this work will continue over the next few months.
PROPERTY - MUDGEE AIRPORT SUBDIVISION	0	180	180	104%	0	180	188	104%	Settlement occurred 30/9/2013 - Purchase completed. Budget variation to be processed in the March QBR.
PROPERTY - KANDOS SURPLUS LAND BLOCKS	6	0	6	43%	0	6	3	43%	Sec 88B for sewer easement completed. Progressing with change of ownership from Rylstone Shire to MWRC in order sell land.
PROPERTY - EX SALEYARDS STAGE I	50	0	50	34%	0	50	17	34%	DA lodged.
Total	96	186	282	85%	0	282	239	85%	

Connecting our Region

URBAN RESEALS - BUDGET ONLY	366	(366)	0	0%	0	0	0	0%	Budget Only - reallocated below.
URBAN RESEALS - DENISON STREET	0	11	11	29%	0	11	3	29%	Shoulder works complete, reseal originally planned for February but rain disrupted sealing program. Reseal rescheduled for March.
URBAN RESEALS - CHURCH ST	0	115	115	2%	0	115	2	2%	Pavement investigation works completed, awaiting pavement design. Works planned to commence April 2014.
URBAN RESEALS - HENBURY AVE	0	10	10	0%	0	10	0	0%	Reseal originally planned for February but rain disrupted sealing program. Reseal rescheduled for March.
URBAN RESEALS - BURRUNDULLA AVENUE	0	46	46	2%	0	46	1	2%	Completed, awaiting final invoices.
URBAN RESEALS - GLADSTONE STREET	0	36	36	2%	0	36	1	2%	Completed, awaiting final invoices.
URBAN RESEALS - LITTLE BAYLY STREET	0	4	4	0%	0	4	0	0%	Completed, awaiting final invoices.
URBAN RESEALS - MADEIRA ROAD	0	42	42	1%	0	42	1	1%	Completed, awaiting final invoices.
URBAN RESEALS - MAYNE STREET	0	16	16	3%	0	16	0	3%	Completed, awaiting final invoices.
URBAN RESEALS - MULGOA WAY	0	4	4	43%	0	4	2	43%	Completed, awaiting final invoices.
URBAN RESEALS - ROBERTSON STREET	0	36	36	5%	0	36	2	5%	Completed, awaiting final invoices.

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URBAN RESEALS - HENRY BAILEY DRV	0	19	19	0%	0	19	0	0%	Reseal originally planned for February but rain disrupted sealing program. Reseal rescheduled for March.
URBAN RESEALS - PUTTA BUCCA	0	29	29	36%	0	29	11	36%	Completed, awaiting final invoices.
REHAB - PERRY ST MUDGEE (MORTIMER TO GLADSTONE)	350	0	350	67%	0	350	233	67%	Completed
REHAB - MORTIMER ST MUDGEE (CHURCH TO LEWIS)	550	0	550	87%	0	550	478	87%	Completed
REHAB - CHURCH ST MUDGEE (GLADSTONE TO DENISON)	750	11	761	30%	0	761	227	30%	The old gutter bridges have been removed and the new stormwater drainage pipework has been completed. The kerb and gutter and footpath works are underway. The watermains are being replaced on the eastern side and following this the roadworks will commence. Project completion is estimated in early May.
REHAB - HERBERT ST (ROBINSON TO QUEEN)	0	120	120	21%	0	120	26	21%	The watermains are currently being replaced prior to the roadworks starting in early March. Asphalt is scheduled for late March.
REHAB - DENGAR AVE (PARTIAL)	0	50	50	29%	0	50	14	29%	Works have commenced and will be completed by mid March.
RESHEETING - URBAN ROADS	13	0	13	52%	0	13	7	52%	Ongoing throughout the year.
URBAN ROADS LAND MATTERS CAPITAL	14	4	19	1%	0	19	0	1%	Library Lane matter almost complete - now awaiting Certificate of Title. Unformed part Richards Street - Application sent to Crown requesting closure.
RURAL SEALED ROADS RESEALS BUDGET	749	(749)	0	0%	0	0	0	0%	Budget Only - reallocated below.
RURAL RESEAL - HENRY LAWSON DR FROM DREWS LANE	0	65	65	64%	0	65	42	64%	Completed
RURAL RESEAL - CRUDINE ROAD	0	68	68	84%	0	68	56	84%	Completed
RURAL RESEALS - LUE ROAD (EX RYLSTONE)	0	64	64	99%	0	64	64	99%	Completed
RURAL RESEAL - KAINS FLAT RD	0	24	24	78%	0	24	18	78%	Completed
RURAL RESEAL - GLEN ALICE RD	0	71	71	91%	0	71	64	91%	Completed

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RURAL RESEAL - WINDEYER RD	0	63	63	86%	0	63	54	86%	Completed
RURAL RESEAL - QUEENS PINCH RD	0	53	53	73%	0	53	38	73%	Completed
RURAL RESEAL - PYRAMUL RD	0	66	66	99%	0	66	65	99%	Completed
RURAL RESEALS - BOCOBLE ROAD	0	96	96	82%	0	96	79	82%	Completed
RURAL RESEALS - COOPER DRIVE	0	42	42	100%	0	42	42	100%	Completed
RURAL RESEALS - HENBURY AVENUE	0	15	15	0%	0	15	0	0%	Completed
RURAL RESEALS - MCMURRAYS LANE	0	3	3	93%	0	3	2	93%	Completed
RURAL RESEALS - UPPER BYLONG ROAD	0	31	31	27%	0	31	8	27%	Completed
RURAL REHAB - LUE RD (OLIVE FARM)	254	39	293	100%	0	293	293	100%	Completed
LAHEYS CK INTERSECTION UPGRADE (COBBORA)	0	49	49	30%	0	49	15	30%	Council's involvement with the design of this project is completed. It is unlikely that this physical works will occur this year following the uncertainty of the mine project. Remaining budget transferred to urban sealed road maintenance.
REHAB - ROBERTSON RD	200	0	200	74%	0	200	148	74%	Completed
REHAB - BROGANS CREEK	200	(2)	198	100%	0	198	198	100%	Completed
HEAVY PATCHING BUDGET	150	0	150	21%	0	150	31	21%	Heavy patching works have commenced and will continue over the remainder of the year.
BLACKSPOT YARRAWONGA RD SHOULDER WIDENING	0	580	580	0%	0	580	0	0%	The bridge design has been delayed due to problems with the geotechnical investigations, however those issues are now resolved and construction of the bridge extension is due to commence and complete in April. The road widening will occur concurrently with the bridge.
RURAL SEALED ROAD LAND MATTERS	11	0	11	83%	0	11	9	83%	Lue Road (Havilah) documents lodged for legal registration. Cox's Crown Road - nearing finalisation.
RURAL SEALED REGIONAL ROAD RESEALS	623	(623)	0	0%	0	0	0	0%	Budget Only Item

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RURAL SEALED REGIONAL ROAD REPAIR PROGRAM	800	(800)	0	0%	0	0	1	0%	This funding was Council's 50% contribution to the rehab and widening project on Gollen Road. Unfortunately the project was not successful in the REPAIR application and will not go ahead this year. Budget has been reallocated to shoulder works on Gollen Road.
BLACKSPOT BYLONG VALLEY WAY - GROWEE GULPH	0	73	73	16%	0	73	11	16%	The reseal was completed in February and the linemarking will be completed in early March.
BLACKSPOT COPE RD SHOULDER WIDENING	550	0	550	86%	0	550	473	86%	Project is practically complete. The final seal is scheduled for March.
BLACKSPOT COPE RD SHOULDER WIDENING	430	400	830	44%	0	830	368	44%	Works are ongoing. The first km of road rehabilitation has been completed and now crews are upgrading the 2nd km. Works planned to be completed by late March.
BLACKSPOT YARRAWONGA RD SHOULDER WIDENING	580	(580)	0	0%	0	0	0	0%	Project moved to Rural Local Sealed function
BLACKSPOT ULAN RD - MUDHUT CREEK ROAD	880	(280)	600	51%	0	600	307	51%	The intersection works are complete. The widening works to the north of the intersection will be undertaken to coincide with the Ulan Road strategy upgrade works in February / March 2014.
BLACKSPOT ULAN RD - RIDGE ROAD INTERSECTION	0	220	220	73%	0	220	161	73%	Completed, awaiting final invoices.
REPAIR - ULAN RD MR214	0	644	644	60%	0	644	383	60%	The first km of the project has been completed, work at Lagoon intersection are due to commence in March.
ULAN & COPE ROAD UPGRADES	72	0	72	0%	0	72	0	0%	This budget to be used to increase the scope of works on the Ulan Road widening project north of Mudhut Creek Road (part of the Blackspot project)
REHAB - WOLLAR RD CUMBO CREEK	0	30	30	110%	0	30	33	110%	Project completed, budget variation to be requested at March QBR
REHAB - ROUSE STREET MR598	0	118	118	0%	0	118	0	0%	Proposed to upgrade the intersection with Rouse and Caladonion Streets. Project currently being scoped with construction due to commence in April.

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WOLLAR ROAD HEAVY PATCHING	0	152	152	67%	0	152	101	67%	Completed, awaiting final invoices.
REG RESEAL - WOLLAR RD MR208	0	32	32	107%	0	32	34	107%	Completed
REG RESEAL - HILL END RD	0	24	24	1%	0	24	0	1%	Completed, awaiting final invoices.
REG RESEAL - GOLLAN RD	0	167	167	65%	0	167	108	65%	Completed, awaiting final invoices.
REG RESEALS & HP - COX STREET- RYLSTONE	0	39	39	19%	0	39	7	19%	The heavy patching works are complete. Reseal originally planned for February but rain disrupted sealing program. Reseal rescheduled for March
REG RESEALS - BYLONG VALLEY WAY MR215	0	122	122	71%	0	122	87	71%	Completed
RURAL SEALED REGIONAL ROAD LAND MATTERS CAPITAL	4	0	4	0%	0	4	0	0%	Black Spot Program - Ulan Road; Budgee Budgee - progressing as planned.
SEAL EXTENSION - ULAN-WOLLAR RD	0	169	169	78%	0	169	132	78%	Currently on hold due to dry conditions.
SEAL EXTENSION - BERAGOO ROAD	16	0	16	116%	0	16	19	116%	Project completed, budget variation to be requested at March QBR
RESHEETING - BUDGET ONLY	921	431	1,352	53%	0	1,352	719	53%	Resheeting (and grading) works are currently on hold due to the dry conditions. Although there has been some rain over the past few weeks it was insufficient to consider restarting the grading and resheeting works.
UNSEALED ROADS LAND MATTERS CAPITAL	6	0	6	12%	0	6	1	12%	Whitehouse/Cope Road realignment - progressing as planned.
RURAL UNSEALED REGIONAL ROAD RESHEETING	50	0	50	0%	0	50	0	0%	Resheeting (and grading) works are currently on hold due to the dry conditions. Although there has been some rain over the past few weeks it was insufficient to consider restarting the grading and resheeting works.
SEAL EXTENSION - WOLLAR ROAD	220	26	246	31%	0	246	77	31%	Currently on hold.

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ULAN ROAD STRATEGY	0	300	300	41%	0	300	124	41%	The Expression of Interest for the geometrical design aspect of the project closes in early March from which 4 design consultants will be invited to tender for the project design works. Construction programs and cashflow forecasts have been developed and an assessment of additional plant and labour has been undertaken. Construction works are planned to commence in early April following on from the Ulan Road project undertaken this year.
FOOTWAYS - CAPITAL BUDGET ONLY	115	0	115	10%	0	115	12	10%	Works planned for April / May 2014.
PEDESTRIAN - KANDOS TO CLANDULLA	20	60	80	0%	0	80	0	0%	It is expected that approvals will be received soon.
PEDESTRIAN - CHARBON PEDESTRIAN BRIDGE	0	99	99	0%	0	99	0	0%	It is expected that approvals will be received soon.
CBD TAXI RANK SHELTER	0	21	21	100%	0	21	21	100%	Additional glass and new roof completed.
PEDESTRIAN - GLEN WILLOW WALKWAY	300	200	500	25%	0	500	126	25%	Complete
GULGONG WALKWAY	40	0	40	84%	0	40	34	84%	Complete
AIRPORT EXTEND TAXIWAY	0	0	0	0%	0	0	(17)	0%	This amount is Council's contribution to the apron for the new airport hanger development. The negative balance is an accrual from 2013, which will reverse once payment is made.
AIRPORT - APPROACH LIGHTS	10	0	10	43%	0	10	4	43%	The new LED lights have been received and we await the electrician to install
Total	9,244	1,806	11,050	50%	0	11,050	5,564	50%	

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Good Government									
RYLSTONE ADMINISTRATION BUILDING UPGRADE	0	6	6	101%	0	6	6	101%	Replacement air conditioner due to failure of old system completed.
KANDOS MUSEUM	0	8	8	37%	0	8	3	37%	Building works have begun, and transfer of title will take place when Incorporated Association status confirmed
CAPITAL UPGRADE - MWRC DEPOT	270	0	270	93%	0	270	251	93%	Operations building completed for this year. Stores works to commence in March 2014.
STABLES COMPLEX	15	0	15	98%	0	15	15	98%	Aquapol rising damp system installed and project completed.
MUDGEEO TOURISM OFFICE CAPITAL UPGRADE	0	7	7	100%	0	7	7	100%	Installation of automatic sliding door.
IT CORPORATE SOFTWARE	51	15	66	6%	0	66	4	6%	Initial set up of e-planning completed, project in testing and enhancement phase. Invoice is being forwarded to accounts payable.
IT RECORDS MANAGEMENT IMPLEMENTATION	0	70	70	99%	0	70	70	99%	Project completed
SMART PHONE APPLICATION	5	0	5	0%	0	5	0	0%	Recommended not to proceed with this project and funds to go to next year's website upgrade project to allow for mobile application responsive design for the website
PLANT PURCHASES	1,747	23	1,770	27%	0	1,770	482	27%	Tenders for heavy plant have closed and will be reported to Council in April with all major plant deliveries expected to be received by June.
WORKS DEPOT - OHS CAPITAL IMPROVEMENTS	0	7	7	116%	0	7	8	116%	Installation of oil monitoring equipment, completed July 2013.
DEPOT EMULSION TANK	0	0	0	0%	17	17	0	0%	Repairs to emulsion tank. Works due for completion in March 2014.
COMMUNICATIONS - MT MISERY HUT	5	0	5	-161%	0	5	(8)	-161%	Complete, awaiting final invoices. This negative balance is due to contributions from water and sewer fund received (total \$15k), \$7k expended so far.
Total	2,093	136	2,229	38%	17	2,246	838	37%	

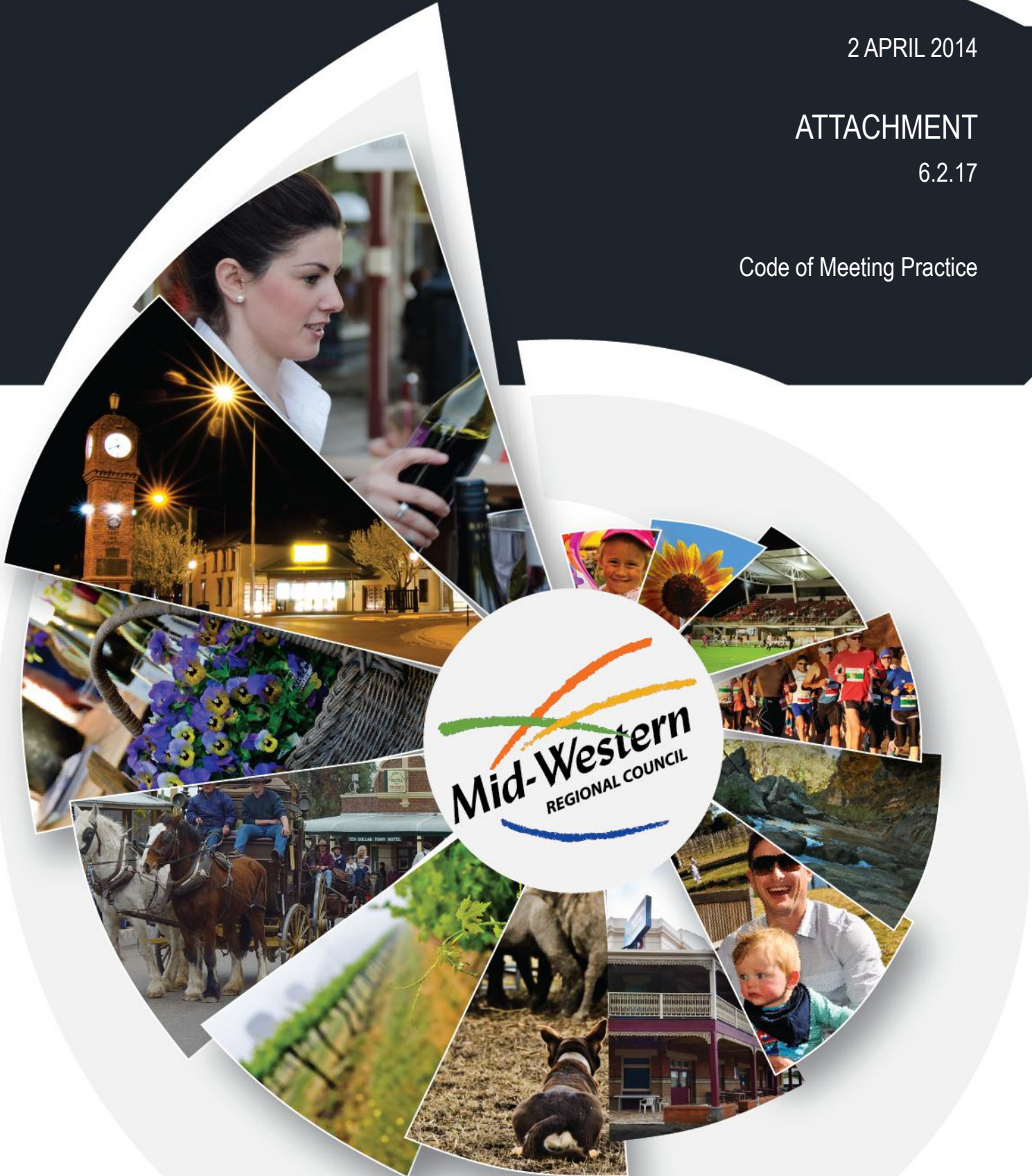


2 APRIL 2014

ATTACHMENT

6.2.17

Code of Meeting Practice



MID-WESTERN REGIONAL COUNCIL

CODE OF MEETING PRACTICE

As amended by Minute No. 209, C/M 9/8/99
As amended by Local Government (Meetings) Regulation, 1999 (Gov.Gaz. No. 98, 27/8/99)
As amended by Minute No. 384, C/M 13/12/99
As amended by Minute No. 166 E/M 19/6/00
As amended by Minute No. 394, C/M 11/12/00
As amended by Local Government (Meetings) Regulation, 1999 (Gov. Gaz. No. 60, 30/3/01)
As amended by Minute No. 208, C/M 12/6/01
As amended by Minute No. G.84/02, 1/7/02
As amended by Local Government (General) Regulation, 2005 (Gov. Gaz. No. 107, 26/8/05) and Minute 18/06 C/M 15/2/06
As amended by Minute No. 204/06 Council Meeting 17/10/06
As amended by Minute No. 217/08 Council Meeting 15/10/08
As amended by Minute No. 6/09 Council Meeting 18/2/09
As amended by Minute No. 88/10 Council Meeting 21/4/10
As amended by Minute No. 276/12 Council Meeting 20/6/12

MID-WESTERN REGIONAL COUNCIL – CODE OF MEETING PRACTICE

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PART 1 - PRELIMINARY

CITATION

1. This Code may be cited as the Mid-Western Regional Council Code of Meeting Practice.

DEFINITIONS

2. (1) In this Code:

amendment, in relation to an original motion, means a motion moving an amendment to that motion;

chairperson,

- (a) in relation to a meeting of the Council - means the person presiding at the meeting as provided by Clause 15 of this Code; and
- (b) in relation to a meeting of a committee - means the person presiding at the meeting as provided by Clause 51 of this Code;

committee means a committee appointed or elected by the Council in accordance with Clause 44(1) of this Code or the Council when it has resolved itself into a committee of the whole;

record means a document (including any written or printed material) or object (including a sound recording, coded storage device, magnetic tape or disc, microfilm, photograph, film, map, plan or model or a painting or other pictorial graphic work) that is or has been made or received in the course of official duties by a Councillor or an employee of the Council and, in particular, includes the minutes of meetings of the Council or of a committee of the Council;

relative, in relation to a person, means any of the following:

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

the Act means the Local Government Act, 1993;

the Code means the Mid-Western Regional Council Code of Meeting Practice; and

the Regulation means the Local Government (General) Regulation 2005.

- (2) Except as otherwise provided, expressions used in this Code which are defined in the dictionary at the end of the Act have the meanings set out in the dictionary.

ACT AND REGULATION

3. (1) This Code is made pursuant to Section 360(2) of the Act.
- (2) It incorporates relevant provisions of the Regulation and the Act.
- (3) In the event of any inconsistency between the Code and the Act or the Regulation, the Act or the Regulation (as the case may be) prevails to the extent of the inconsistency.

NOTES TO TEXT

4. (1) Notes in the text of this Code are explanatory notes and do not form part of this code. They are provided to assist understanding.
- (2) Italic comments contained within the Clauses in the Code references the Section of the Act or the Clause of the Regulation to which that Clause or Sub-Clause of the Code relies. Those Clauses or Sub-clauses of the Code with no reference to either the Act or Regulation comprise either Council policies or procedures or have been included to amplify the provisions of the Code.

PART 2 - CONVENING OF COUNCIL MEETINGS

WHEN DOES THE COUNCIL MEET?

Ordinary Meetings

5. (1) The Council is required to meet at least 10 times each year, each time in a different month. *(see Section 365 LGA)*
- (2) The Council has resolved that meetings will generally be held on the 1st and 3rd Wednesdays of each month, with only one meeting during July on the 3rd Wednesday and no meetings during January.
- (3) Meetings will generally commence at the conclusion of Open Day.
- (4) Meetings will conclude at 11.00pm but may continue upon a resolution of Council which shall include a time limit for this extension provided that:
 - (a) there shall be no debate on any motion to adjourn a meeting of the Council;
 - (b) if a motion for adjournment is negated, the business of the meeting shall proceed and it shall be in order for any Councillor to again move for a motion of adjournment within half an hour of the previous motion for adjournment being negated.
 - (c) a motion for adjournment may specify the time, date and place of the adjourned meeting, however, if a motion for adjournment is carried but does not specify the time, date and place of the adjourned meeting, the Chairperson shall make a determination with respect to whichever of these has not been specified.

Extraordinary Meetings

- (5) Extraordinary meetings of the Council may be convened at other times to deal with matters which cannot wait for the scheduled ordinary meeting or which need to be dealt with urgently.
- (6) Extraordinary meetings may be convened either:
 - (a) by the Council, by resolution; or
 - (b) by the Mayor; or
 - (c) at the request of at least 2 Councillors. In this case, if the Mayor receives a request in writing signed by at least two (2) Councillors, the Mayor must call an extraordinary meeting of the Council to be held as soon as practicable but in any event within 14 days after the receipt of the request. *(see Section 366 LGA)*

NOTICE OF MEETINGS TO COUNCILLORS

Ordinary Meetings

6. (1) The General Manager of the Council must send to each Councillor, at least three (3) days before each meeting of the Council, a notice specifying the time and place at which and the date on which the meeting is to be held and the business proposed to be transacted at the meeting. *(see Section 367(1) LGA)*

Extraordinary Meetings

- (2) Notice of less than three (3) days may be given of an extraordinary meeting called in an emergency (*see Section 367(2) LGA*), however, notice shall be provided at least on the day prior to the date the meeting is scheduled.

General

- (3) Notice of meetings, and the agenda and business papers relating to those meetings may be given to a Councillor in electronic form but only if all Councillors have facilities to access the notice, agenda and business papers in that form. (*see Section 367(3) LGA*)

NOTE: Notice of meetings and the agenda and business papers for those meetings will generally be delivered to the address nominated by Councillors. In certain circumstances this material may be conveyed by facsimile transmission.

PUBLIC NOTICE OF MEETINGS

7. (1) The Council must give notice to the press and public of the times, dates and places of its meetings and meetings of those of its Committees of which all the members are Councillors. (*see Section 9(1) LGA*)

NOTE: Notice is given by placing an advertisement in the local media during the week prior to the meeting.

- (2) The Council and each such Committee must have available for the press and public at its offices and at each meeting copies (for inspection and taking away by persons) of the agenda and associated business papers (such as correspondence and reports) for the meeting. (*see Section 9(2) LGA*)
- (3) In the case of a meeting whose agenda includes the receipt of information or discussion of other matters that, in the opinion of the General Manager, is likely to take place when the meeting is closed to the public:
 - (a) the agenda for the meeting must indicate that the relevant item of business is of such a nature (but must not give details of that item), and
 - (b) the requirements of subclause (2) with respect to the availability of business papers do not apply to the business papers for that item of business. (*see Section 9(2A) LGA*)
- (4) The copies are to be available to the press and public as nearly as possible to the time they are available to Councillors. (*see Section 9(3) LGA*)
- (5) The copies are to be available free of charge. (*see Section 9(4) LGA*)
- (6) A notice given under this Clause or a copy of an agenda or of a business paper made available under this Clause may in addition be given or made available in electronic form. (*see Section 9(5) LGA*)
- (7) A notice of a meeting of the Council or of a Committee must be published in a newspaper circulating in the area before the meeting takes place. (*see Clause 232(2) LGGR*)
- (8) The notice must specify the time and place of the meeting. (*see Clause 232(3) LGGR*)

- (9) Notice of more than one meeting may be given in the same notice. *(see Clause 232(4) LGGR)*
- (10) This clause does not apply to an extraordinary meeting of the Council or Committee. *(see Clause 232(5) LGGR)*

DRAFT

PART 3 – QUORUMS AND ATTENDANCE OF COUNCILLORS AND STAFF

WHO IS ENTITLED TO ATTEND MEETINGS?

8. Except as provided by this Code:
- (a) everyone is entitled to attend a meeting of the council and those of its committees of which all the members are councillors, and
 - (b) a council must ensure that all meetings of the council and of such committees are open to the public. *(see Section 10(1) LGA)*

WHAT IS A QUORUM FOR A MEETING?

9. The quorum for a meeting of the Council is a majority of the Councillors of the Council who hold office for the time being and are not suspended from office. *(see Section 368 LGA)*

WHAT HAPPENS WHEN A QUORUM IS NOT PRESENT?

10. (1) A meeting of the Council must be adjourned if a quorum is not present:
- (a) within half an hour after the time designated for the holding of the meeting; or
 - (b) at any time during the meeting. *(see Clause 233(1) LGGR)*
- (2) In either case, the meeting must be adjourned to a time, date and place fixed:
- (a) by the Chairperson; or
 - (b) in his or her absence - by the majority of the Councillors present; or
 - (c) failing that, by the General Manager. *(see Clause 233(2) LGGR)*
- (3) The General Manager must record in the Council's minutes the circumstances relating to the absence of a quorum (including the reasons for the absence of a quorum) at or arising during a meeting of the Council, together with the names of the Councillors present. *(see Clause 233(3) LGGR)*

MINISTER TO CONVENE MEETINGS IN CERTAIN CASES

11. (1) Whenever an area is constituted or reconstituted, the Minister is required:
- (a) to convene the first meeting of the Council of the area; and
 - (b) to nominate the business to be transacted at the meeting; and
 - (c) to give the Councillors notice of the meeting. *(see Clause 234(1) LGGR)*
- (2) If there is no quorum at that meeting, the Minister may convene meetings in the same manner until a quorum is present. *(see Clause 234(2) LGGR)*

- (3) The Council must transact the business nominated by the Minister for a meeting convened under this clause. *(see Clause 234(3) LGGR)*

CAN A COUNCILLOR PARTICIPATE IN A MEETING WHILE NOT IN ATTENDANCE?

12. A Councillor cannot participate in a meeting of the Council unless personally present at the meeting. *(see Clause 235 LGGR)*

CONTINUED ABSENCE OF COUNCILLOR FROM MEETINGS

13. In the case of a Councillor who is absent from 3 consecutive meetings of the Council (unless the Councillor is absent because he or she has been suspended from civic office under Section 482 or 482A) without:
- (a) prior leave of the Council; or
 - (b) leave granted by Council at any of the meetings concerned;
- the civic office of that Councillor is automatically vacant. *(see Section 234 (1) LGA).*

LEAVE OF ABSENCE

14. (1) For the purposes of Clause 13, a Councillor applying for a leave of absence from a meeting of a Council does not need to make the application in person and the Council may grant such leave in the absence of that Councillor. *(see Section 234 (2) LGA).*
- (2) If the holder of a civic office attends a Council meeting (whether or not an ordinary meeting) despite having been granted leave of absence, the leave of absence is taken to have been rescinded as regards any future Council meeting. *(see Section 234 (3) LGA).*
- (3) Subsection (2) does not prevent the Council from granting further leave of absence in respect of any future Council meeting. *(see Section 234 (4) LGA).*
- (4) A Councillor's application for leave of absence from Council meetings should, if practicable, identify (by date) the meetings from which the Councillor intends to be absent. *(see Clause 235A (1) LGGR).*
- (5) A Councillor who intends to attend a Council meeting despite having been granted leave of absence should, if practicable, give the General Manager at least 2 days' notice of his or her intention to attend. *(see Clause 235A (2) LGGR).*

CAN A PERSON BE EXPELLED FROM A MEETING?

15. (1) A person (whether a Councillor or another person) is not entitled to be present at a meeting of the Council or such a committee if expelled from the meeting:
- (a) by a resolution of the meeting; or
 - (b) by the person presiding at the meeting, if the Council has, by resolution, authorised the person presiding to exercise the power of expulsion. *(see Section 10(2) LGA)*
- (2) A person may be expelled from a meeting only on the grounds specified in, or in the circumstances prescribed by, the regulations. *(see Section 10(3) LGA)*

ATTENDANCE OF GENERAL MANAGER AT MEETINGS

16. (1) The General Manager is entitled to attend, but not to vote at a meeting of the Council or a meeting of a Committee of the Council of which all the members are Councillors. *(see Section 376(1) LGA)*
- (2) The General Manager is entitled to attend a meeting of any other Committee of the Council and may, if a member of the Committee, exercise a vote. *(see Section 376(2) LGA)*
- (3) However, the General Manager may be excluded from a meeting of the Council or a Committee while the Council or Committee deals with a matter relating to the standard of performance of the General Manager or the terms of the employment of the General Manager. *(see Section 376(3) LGA)*

WHICH COUNCIL STAFF ATTEND MEETINGS?

17. The General Manager shall determine which Council staff shall attend meetings in an official capacity.

DRAFT

PART 4 - PROCEDURE FOR THE CONDUCT OF COUNCIL MEETINGS

WHO PRESIDES AT MEETINGS OF THE COUNCIL?

18. (1) The Mayor, or at the request of or in the absence of the Mayor, the Deputy Mayor, presides at meetings of the Council. *(see Section 369(1) LGA)*
- (2) If the Mayor and the Deputy Mayor are absent, a Councillor elected to chair the meeting by the Councillors present presides at a meeting of Council. *(see Section 369(2) LGA)*

COUNCILLOR TO PRESIDE AT CERTAIN MEETINGS

19. (1) If no Chairperson is present at a meeting of the Council at the time designated for the holding of the meeting, the first business of the meeting must be the election of a Chairperson to preside at the meeting. *(see Clause 236(1) LGGR)*
- (2) The election must be conducted:
 - (a) by the General Manager or, in his absence, an employee of the Council designated by the General Manager to conduct the election; or
 - (b) if neither of them is present at the meeting or there is no General Manager or designated employee - by the person who called the meeting or a person acting on his or her behalf. *(see Clause 236(2) LGGR)*
- (3) If, at an election of a chairperson, 2 or more candidates receive the same number of votes and no other candidate receives a greater number of votes, the chairperson is to be the candidate whose name is chosen by lot. *(see Clause 236(3) LGGR)*
- (4) For the purposes of subclause (3), the person conducting the election must:
 - (a) arrange for the names of the candidates who have equal numbers of votes to be written on similar slips; and
 - (b) then fold the slips so as to prevent the names from being seen, mix the slips and draw one of the slips at random. *(see Clause 236(4) LGGR)*
- (5) The candidate whose name is on the drawn slip is the candidate who is to be the chairperson. *(see Clause 236(5) LGGR)*

CHAIRPERSON TO HAVE PRECEDENCE

20. When the Chairperson rises or speaks during a meeting of Council;
 - (a) any Councillor then speaking or seeking to speak must, if standing, immediately resume his or her seat; and
 - (b) every Councillor present must be silent to enable the Chairperson to be heard without interruption. *(see Clause 237 LGGR)*

CHAIRPERSON'S DUTY WITH RESPECT TO MOTIONS

21. (1) It is the duty of the Chairperson at a meeting of the Council to receive and put to the meeting any lawful motion that is brought before the meeting. *(see Clause 238(1) LGGR)*
- (2) The Chairperson must rule out of order any motion that is unlawful or the implementation of which would be unlawful. *(see Clause 238(2) LGGR)*
- (3) Any motion, amendment or other matter that the Chairperson has ruled out of order is taken to have been rejected. *(see Clause 238(3) LGGR)*

ORDER OF BUSINESS

22. (1) At a meeting of the Council (other than an extraordinary meeting), the general order of business shall be:

1. Apologies
2. Disclosure of Interest
3. Confirmation of Minutes
4. Matters in Progress
5. Mayoral Minutes
6. General Business
 - a) Notices of Motion
 - b) Reports to Council
7. Urgent Business Without Notice
8. Confidential Session
 - a) Mayoral Minutes
 - c) General Business
 - i) Notices of Motion
 - ii) Reports to Council
 - iii) Urgent Business Without Notice
9. Open Council

unless varied by Council from time to time. *(see Clause 239(1) LGGR)*

- (2) The Mayor may bring forward an item of business from the business paper where it is established that a member of the public with an interest in that item is present in the public gallery, but only as provided by Subclause (3) below.
- (3) The order of business fixed under subclause (1) may be altered if a motion to that effect is carried. Such a motion can be moved without notice. *(see Clause 239(2) LGGR)*
- (4) Despite Clause 36 of this Code, only the mover of a motion referred to in subclause (3) may speak to the motion before it is put. *(see Clause 239(3) LGGR)*

AGENDA AND BUSINESS PAPERS FOR COUNCIL MEETINGS

23. (1) The General Manager must ensure the agenda for a meeting of the Council states:
 - (a) all matters to be dealt with arising out of the proceedings of former meetings of the Council; and

- (b) if the Mayor is the Chairperson - any matter or topic that the chairperson proposes, at the time when the business paper is prepared, to put to the meeting or the Deputy Mayor if acting for the Mayor; and
 - (c) subject to Subclause (3), any business of which due notice has been given. *(see Clause 240(1) LGGR)*
- (2) (a) The General Manager must not include in the agenda for a meeting of the Council any business of which due notice has been given if, in the opinion of the General Manager, the business is (or the implementation of the business would be) unlawful. The General Manager must report (without giving details of the item of business) any such exclusion to the next meeting of the Council. *(see Clause 240(2) LGGR)*
- (b) (i) If a notice of motion (and/or accompanying background) is presented that prima facie would, if stated in the meeting, be an act of disorder under Clause 256 (1) of the Local Government (General) Regulation, the General Manager will bring this to the attention of the Mayor or the (Deputy Mayor if it concerns or originates from the Mayor);
 - (ii) Should, if after further consideration, they feel that this notice of motion (and/or accompanying background) would, if read at the meeting, breach Clause 256 (1) of the Local Government (General) Regulation it will be referred to Council's solicitor for advice;
 - (iii) Should Council's solicitor concur that the notice of motion (and/or accompanying background) would, if read at the meeting, breach Clause 256 (1) of the Local Government (General) Regulation, the notice of motion would not be included in the business paper.
 - (iv) If this occurs, the General Manager shall inform the Councillor from whom the notice of motion originated, providing the reasons for this decision.
 - (v) The General Manager must report (without giving details of the items of business) any such exclusion. The report would include the name of the Councillor proposing the motion and the reason for its exclusion.
- (3) The General Manager must cause the agenda for a meeting of the Council to be prepared as soon as practicable before the meeting. *(see Clause 240(3) LGGR)*

For Council Meetings, the business paper is ordinarily delivered to Councillors one week prior to the meeting. The business papers are available to the public the day after the papers are delivered to Councillors.

- (4) The General Manager must ensure that, in respect of matters, which will be considered in the absence of the press and public, the agenda for the meeting must indicate that the relevant item of business is of such a nature (but must not give details of those items). *(see Section 9(2A) LGA & Clause 240(4) LGGR)*
- (5) Nothing in this clause limits the powers of the chairperson under Clause 27 of this Code. *(see Clause 240(5) LGGR)*

AGENDA FOR EXTRAORDINARY MEETING

24. (1) The General Manager must ensure that the agenda for an extraordinary meeting of the Council deals only with the matters stated in the notice of the meeting. *(see Clause 242(1) LGGR)*
- (2) Despite subclause (1), business may be transacted at an Extraordinary Meeting of Council even though due notice of the business has not been given to the Councillors. However, this can happen only if:
- (a) a motion is passed to have the business transacted at the meeting; and
 - (b) the business proposed to be brought forward is ruled by the chairperson to be of great urgency.
- Such a motion can be moved without notice but only after the business notified in the agenda for the meeting has been disposed of. *(see Clause 242(2) LGGR)*
- (3) Despite Clause 33 of this Code, only the mover of a motion referred to in subclause (2) can speak to the motion before it is put. *(see Clause 242(3) LGGR)*

NOTE: Some guidelines as to what constitutes "great urgency" are:

1. The business is such that a Council decision is required before Council next meets; or
2. The business is of such importance that it requires the immediate attention of Council.

GIVING NOTICE OF BUSINESS

25. (1) The Council must not transact business at a meeting of the Council:
- (a) unless a Councillor, by way of a Notice of Motion, has given notice of the business in writing at least two (2) working days prior to the day on which the agenda and business paper is prepared and delivered to Councillors; and

NOTE: 1. For Council Meetings, this is ordinarily 10.00 am two working days prior to the day the business papers are delivered to Councillors.

2. Councillors should give such notice, in writing on the form attached as Annexure 1.

- (b) unless notice of the business has been sent to the Councillors in accordance with Clause 6 of this Code. *(see Section 367 LGA & Clause 241(1) LGGR)*
- (2) Subclause (1) does not apply to the consideration of business at a meeting if the business:
- (a) is already before, or directly relates to a matter that is already before the Council *(see Clause 241(2)(a) LGGR)*; or
 - (b) is the election of a chairperson to preside at the meeting as provided by Clause 19(1) *(see Clause 241(2)(b) LGGR)*; or
 - (c) is a matter or topic put to the meeting by the chairperson in accordance with Clause 27 *(see Clause 241(2)(c) LGGR)*; or
 - (d) is a motion for the adoption of recommendations of a committee of the Council; *(see Clause 241(2)(d) LGGR)*; or
 - (e) relates to reports from officers, which in the opinion of the Chairperson or the General Manager are urgent;

- (f) relates to reports from officers placed on the business paper pursuant to a decision of a committee that additional information be provided to the Council in relation to a matter before the Committee; and
- (g) relates to urgent administrative or procedural matters that are raised by the Mayor or General Manager.

BUSINESS WITHOUT NOTICE

26. (1) Despite Clause 25 of this Code, business may be transacted at a meeting of the Council even though due notice of the business has not been given to the Councillors. However, this can happen only if:
- (a) a motion is passed to have the business transacted at the meeting; and
 - (b) the business proposed to be brought forward is ruled by the Chairperson to be of great urgency.
- Such a motion can be moved without notice. *(see Clause 241(3) LGGR)*
- (2) Despite Clause 36 of this Code, only the mover of a motion referred to in subclause (1) can speak to the motion before it is put. *(see Clause 241(4) LGGR)*

<p>NOTE: Some guidelines as to what constitutes "great urgency" are:</p> <ol style="list-style-type: none">1. The business is such that a Council decision is required before Council next meets; or2. The business is of such importance that it requires the immediate attention of Council.

MAYORAL MINUTES

27. (1) If the Mayor (or the Deputy Mayor, if acting for the Mayor) is the Chairperson at a meeting of the Council, the Chairperson is, by minute signed by the Chairperson, entitled to put to the meeting without notice any matter or topic that is within the jurisdiction of the Council or of which the Council has official knowledge. *(see Clause 243(1) LGGR)*
- (2) Such a minute, when put to the meeting, takes precedence over all business on the Council's agenda for the meeting. The Chairperson (but only if the Chairperson is the Mayor, or the Deputy Mayor, if acting for the Mayor) may move the adoption of the minute without the motion being seconded. *(see Clause 243(2) LGGR)*
- (3) A recommendation made in a minute of the Chairperson (being the Mayor, or Deputy Mayor, if acting for the Mayor) or in a report made by a Council employee is, so far as adopted by the Council, a resolution of the Council. *(see Clause 243(3) LGGR)*

REPORT OF A DEPARTMENT OF LOCAL GOVERNMENT REPRESENTATIVE TO BE TABLED AT COUNCIL MEETING

28. When a report of a Departmental representative has been presented to a meeting of a Council in accordance with Section 433 of the Act, the Council must ensure that the report:
- (a) is laid on the table at that meeting; and
 - (b) is subsequently available for the information of Councillors and members of the public at all reasonable times. *(see Clause 244 LGGR)*

NOTICE OF MOTION – ABSENCE OF MOVER

29. In the absence of a Councillor who has placed a Notice of Motion on the agenda for a meeting of the Council:
- (a) any other Councillor may move the motion at the meeting; or
 - (b) the Chairperson may defer the motion until the next meeting of the Council at which the motion can be considered. *(see Clause 245 LGGR)*

MOTIONS AND AMENDMENTS TO BE SECONDED

30. (1) A motion or an amendment cannot be debated unless or until it has been seconded. This clause is subject to clauses 27(2) and 36(5) of this Code. *(see Clause 246 LGGR)*
- (2) The seconder of a motion or of an amendment may reserve the right to speak later in the debate.
- (3) An amendment must not be a direct negative of a motion.

HOW SUBSEQUENT AMENDMENTS MAY BE MOVED

31. (1) If an amendment has been accepted or rejected, a further amendment can be moved to the motion in its original or amended form (as the case may be), and so on, but not more than one motion and one proposed amendment can be before the Council at any one time. *(see Clause 247 LGGR)*
- (2) It is permissible to debate the motion and an amendment concurrently.
- (3) It is permissible during the debate on an amendment for a further amendment to be foreshadowed. However, any such foreshadowed amendment shall not be moved and debated until the amendment before the Chair is dealt with.

MOTIONS OF DISSENT

32. (1) A Councillor can, without notice, move to dissent from the ruling of the Chairperson on a point of order. If that happens, the Chairperson must suspend the business before the meeting until a decision is made on the motion of dissent. *(see Clause 248(1) LGGR)*
- (2) If a motion of dissent is passed, the Chairperson must proceed with the suspended business as though the ruling dissented from had not been given. If, as a result of the ruling, any motion or business has been discharged as out of order, the Chairperson must restore the motion or business to the agenda and proceed with it in due course. *(see Clause 248(2) LGGR)*
- (3) Despite Clause 36 of this Code, only the mover of a motion of dissent and the Chairperson can speak to the motion before it is put. The mover of the motion does not have a right of general reply. *(see Clause 248(3) LGGR)*

PETITIONS MAY BE PRESENTED TO THE COUNCIL

33. (1) A Councillor or a member of the public may present a petition to the Council.

- (2) The Chairperson must not permit discussion on the petition, unless it relates to an item on the agenda. Petitions shall be referred to the General Manager for report, reply or other appropriate action.

QUESTIONS MAY BE PUT TO COUNCILLORS AND COUNCIL EMPLOYEES

34. (1) A Councillor:
 - (a) may, through the Chairperson, put a question to another Councillor; and
 - (b) may, through the Chairperson and the General Manager, put a question to a Council employee. *(see Clause 249(1) LGGR)*
- (2) However, a Councillor or Council employee to whom a question is put is entitled to be given reasonable notice of the question and, in particular, sufficient notice to enable reference to be made to other persons or to documents. *(see Clause 249(2) LGGR)*
- (3) Any such question must be put directly, succinctly and without argument. *(see Clause 249(3) LGGR)*
- (4) The Chairperson must not permit discussion on any reply or refusal to reply to a question put to a Councillor or Council employee under this clause. *(see Clause 249(4) LGGR)*

MODE OF ADDRESS

35. ~~Councillors shall at all times address other Councillors by their official designation, as Mayor or Councillor, as the case may be.~~
 - (1) All Councillors and staff, other than the Chairperson, who are invited to speak at a Council meeting must stand to address Council, unless prevented from doing so by disability or injury;
 - (2) When Councillors wish to address the Council, they shall indicate by raising their hand and await the invitation by the Chairperson to speak;
 - (3) A Councillor will not be required to stand when moving or seconding a motion only;
 - (4) When the Chairperson stands any Councillor and/or staff who are speaking shall cease speaking and resume their seats immediately;
 - (5) Where the Chairperson, a Councillor or staff member is speaking, all others present in the Chamber shall remain silent unless raising a point of order;
 - (6) In addressing the Council, Councillors, staff and other persons addressing the Council shall at all times address other Councillors by their official designation, as Mayor or Councillor, as the case may be;
 - (7) Councillors shall at all times conduct themselves in accordance with the general conduct obligations contained in the Council's Code of Conduct and shall respect the right of their fellow Councillors to speak without interruption.

LIMITATION AS TO NUMBER OF SPEECHES

36. (1) A Councillor who, during debate at a meeting of the Council, moves an original motion, has the right of general reply to all observations that are made by another Councillor during the debate in relation to the motion and to any amendment to it, as well as the right to speak on any such amendment. *(see Clause 250(1) LGGR)*
- (2) A Councillor, other than the mover of an original motion, has the right to speak once on the motion and once on each amendment to it. *(see Clause 250(2) LGGR)*

- (3) A Councillor must not, without the consent of the Council, speak more than once on a motion or an amendment, or for longer than five (5) minutes at any one time. However, the Chairperson may permit a Councillor who claims to have been misrepresented or misunderstood to speak more than once on a motion or an amendment, and for longer than five (5) minutes on that motion or amendment to enable the Councillor to make a statement limited to explaining the misrepresentation or misunderstanding. *(see Clause 250(3) LGGR)*
- (4) Despite subclauses (1) and (2), a Councillor may move that a motion or an amendment be now put:
 - (a) if the mover of the motion or amendment has spoken in favour of it and no Councillor expresses an intention to speak against it; or
 - (b) if at least 2 councillors have spoken in favour of the motion or amendment and at least 2 councillors have spoken against it. *(see Clause 250(4) LGGR)*
- (5) The Chairperson must immediately put to the vote, without debate, a motion moved under subclause (4). A seconder is not required for such a motion. *(see Clause 250(5) LGGR)*
- (6) If a motion that the original motion or an amendment be now put is passed, the Chairperson must, without further debate, put the original motion or amendment to the vote immediately after the mover of the original motion has exercised his or her right of reply under subclause (1). *(see Clause 250(6) LGGR)*
- (7) If a motion that the original motion or an amendment be now put is rejected, the Chairperson must allow the debate on the original motion or the amendment to be resumed. *(see Clause 250(7) LGGR)*

CAN MOTIONS BE PUT WITHOUT DEBATE?

37. Provided there is no objection from any Councillor present, any motion or recommendation before the Council may be put to the vote without discussion or debate.

VOTING AT COUNCIL MEETINGS

38.
 - (1) Each Councillor is entitled to one vote. *(see Section 370(1) LGA)*
 - (2) The Chairperson has, in the event of an equality of votes, a second or casting vote and that vote shall be used at the absolute discretion of the Chairperson. *(see Section 370(2) LGA)*
 - (3) A Councillor who is present at a meeting of the Council but who fails to vote on a motion or an amendment put to the meeting is taken to have voted against the motion or amendment, as the case may be. *(see Clause 251(1) LGGR)*

NOTE: Vote is usually by show of hands except as provided by Clause 39(2)(d).

- (4) If a Councillor who has voted against a motion put at a Council Meeting so requests, the General Manager must ensure that the Councillor's dissenting vote is recorded in the minutes. *(see Clause 251(2) LGGR)*

- (5) The decision of the Chairperson as to the result of a vote is final, unless the decision is immediately challenged and not less than two (2) Councillors rise and demand a division. (see Clause 251(3) LGGR)
- (6) When a division on a motion is demanded, the Chairperson must ensure that the division takes place immediately. The General Manager must ensure that the names of those who vote for the motion and those who vote against it are respectively recorded in the minutes. (see Clause 251(4) LGGR)

NOTE: Divisions cannot be taken on amendments.

To give effect to this requirement for a division, the Chairperson shall require those voting in favour of the motion (the "Ayes") to stand and move to one side of the Chamber, while those opposed (the "Nays") to stand and move to the other side of the Chamber.

- (7) Voting at a council meeting, including voting in an election at such a meeting, is to be by open means (such as voice or by show of hands). However, the council may resolve that the voting in any election by councillors for mayor or deputy mayor is to be by secret ballot. (see Clause 251(5) LGGR)
- (8) Where a tie in voting occurs and the Chairperson chooses not to use his/her casting vote, the matter is referred to the next Council meeting.

MINUTES AND RECORD OF VOTING ON PLANNING MATTERS

39. (1) The Council must ensure that full and accurate minutes are kept of proceedings of the Council. (see Section 375(1) LGA)
- (2) The General Manager must ensure that the following matters are recorded in the Council's minutes:
- (a) details of each motion moved at a Council meeting and of any amendments moved to it,
 - (b) the names of the mover and seconder of the motion or amendment,
 - (c) whether the motion or amendment is passed or lost and the way in which Councillors voted. (see Clause 254 LGGR)
 - (d)
 - (i) In this clause, a planning decision means a decision made in the exercise of a function of a council under the Environmental Planning and Assessment Act 1979:
 - (A) including a decision relating to a development application, an environmental planning instrument, a development control plan or a development contribution plan under that Act, but
 - (B) not including the making of an order under Division 2A of Part 6 of that Act.
 - (ii) The General Manager is required to keep a register containing, for each planning decision made at a meeting of the council or a council committee, the names of the councillors who supported the decision and the names of any councillors who opposed (or are taken to have opposed) the decision.
 - (iii) for the purpose of maintaining the register, a division is required to be called whenever a motion for a planning decision is put at a meeting of the council or a council committee.

NOTE: For the purposes of Clause 39(2)(d)(iii) the requirement for a division to be called shall be satisfied when the Chairperson of the meeting calls for the vote, those Councillors, in turn, who vote for the motion and those opposed to the motion shall stand

in their respective places to permit their names to be recorded. In this manner, the requirement for a division shall be differentiated from that requirement under Clause 38 (5) and (6).

- (iv) Each division recorded in the register is to be described in the register or identified in a manner that enables the description to be obtained from another publicly available document, and is to include the information required by the regulations.
 - (v) This clause extends to a meeting that is closed to the public. (see *Section 375A LGA*)
- (3) The correctness of the minutes of every proceeding meeting, including extraordinary meetings and resolutions of committees, not previously confirmed must be dealt with at every meeting of the Council, in order that such minutes may be confirmed.
 - (4) A motion or discussion with respect to such minutes shall only relate to their accuracy as a true record of the proceedings.
 - (5) Minutes may be confirmed at an extraordinary meeting of the Council.
 - (6) The minutes must, when they have been confirmed at a subsequent meeting of the Council, be signed at that subsequent meeting by the person presiding at the meeting. (see *Section 375(2) LGA*)

WHAT CONSTITUTES A DECISION OF THE COUNCIL?

- 40. (1) A decision supported by a majority of the votes at a meeting of the Council at which a quorum is present is a decision of the Council. (see *Section 371 LGA*)
- (2) Once a decision on a matter is made at a meeting of Council it will not be recommitted. The appropriate way for the decision to be revisited is by way of a motion as provided by Clause 41 of this Code.

HOW MAY DECISIONS BE RESCINDED OR ALTERED?

- 41. (1) A resolution passed by the Council may not be altered or rescinded except by a motion to that effect of which notice has been duly given in accordance with Clause 25 of this Code. (see *Section 372(1) LGA*)
- (2) If it is proposed to move a further motion in the event that a rescission motion is carried, the required notice must also be given of the proposed further motion.
- (3) If a Notice of Motion to rescind or alter a resolution is given:
 - (a) at the meeting at which the resolution is carried, the resolution must not be carried into effect until the Motion of Rescission or alteration has been dealt with (see *Section 372(2) LGA*); or
 - (b) at any time after the meeting at which the resolution is carried, no further action to carry the resolution into effect may be taken after the receipt of the Notice of Motion until the Motion of Rescission or alteration has been dealt with, unless at the time of lodgement of the Notice of Motion to Rescind or alter, suspension of further action is impracticable or action to implement the resolution to which the notice of motion relates has progressed to the point where suspension of further action is not possible.
- (4) In the case of a motion or alteration, subclause (3) applies only to the extent that the resolution of Council would be affected by the motion or alteration, if it were carried.

- (5) If a motion has been negated by the Council, a motion having the same effect must not be considered unless notice of it has duly been given in accordance with Clause 25 of this Code. *(see Section 372(3) LGA)*
- (6) A Notice of Motion to alter or rescind a resolution and a Notice of Motion which has the same effect as a motion which has been negated by the Council, must be signed by at least three (3) Councillors if less than three (3) months has elapsed since the resolution was passed, or the motion was negated, as the case may be. *(see Section 372(4) LGA)*
- (7) If a motion to alter or rescind a resolution has been negated, or if a motion which has the same effect as a previously negated motion, is negated, no similar motion may be brought forward within three (3) months. This subclause may not be evaded by substituting a motion differently worded, but in principle the same. *(see Section 372(5) LGA)*
- (8) A motion to which this clause applies may be moved on the report of a Committee of the Council and any such report must be recorded in the minutes. *(see Section 372(6) LGA)*
- (9) The provisions of this clause concerning negated motions do not apply to motions of adjournment. *(see Section 372(7) LGA)*

NOTE:

1. A rescission motion is only valid if and when it has been signed by three (3) Councillors. Verbal advice or an unsigned written notice is insufficient to bring a halt to the decision that it proposes to rescind.
2. Rescission motions should be in the form of Annexure 2. This incorporates provision for notice of any proposed motion in the event that the Rescission Motion is carried.
3. Where a notice of motion to rescind or alter a resolution is given at the meeting at which the resolution is carried, action to implement the resolution shall not be carried into effect and the matter should be listed for consideration at the next meeting, unless it is decided that an Extraordinary Meeting be called to consider the notice of motion to rescind or alter.
4. Where a notice of motion to rescind or alter a resolution is lodged after the meeting at which the resolution is carried and:
 - where the decision has been carried into effect it cannot be rescinded. In such circumstances, the General Manager should report this to the next meeting of the Council; or
 - where action on the decision has not been commenced, action to do so shall cease immediately. In such circumstances, the matter should be listed for consideration at the next meeting unless it is decided that an Extraordinary Meeting should be called to consider the rescission motion, or
 - where the decision is in the process of being carried into effect and the General Manager determines that it is possible to cease action or work without disruption or cost then this should occur immediately. In such circumstances, the matter should be listed for consideration at the next meeting unless it is decided that an Extraordinary Meeting should be called to consider the rescission motion, or
 - where the decision is in the process of being carried into effect and the General Manager determines that the matter has reached a point where cessation of action or work cannot be accomplished without significant disruption to Council services or significant cost, the General Manager should immediately inform the Council that the decision cannot be rescinded.

NOTE: The general procedure for debate is as follows:-

Where a motion is moved and seconded without an amendment being raised, it may be debated and upon conclusion of that debate is voted upon.

Where, following the moving (and seconding) of a motion, an amendment is moved and seconded, debate may ensue with speakers for and against both the motion and amendment. Following debate, a vote is taken on the amendment.

If the amendment is carried, it becomes the motion and a further vote is taken on this, as the motion. (The original motion no longer applying).

If the amendment is lost and there are no further amendments brought before the chair, a vote is taken on the motion.

If a further amendment is moved and seconded, it may then be debated and upon conclusion of that debate it is voted upon in the same manner as above. This process continues until there are no amendments before the chair and only a motion remains.

Following the vote on the final motion before the chair, if the vote is in the affirmative, then this becomes a resolution of Council. If the vote is in the negative or the vote is tied, the motion is lost.

If at any time a Councillor moves that "The Question Be Put" the Chairperson must suspend debate and put to the vote that the question be put. If the question is in relation to a motion and if it is passed, the Chairperson must give the mover of the motion the right of reply and immediately thereafter, put the matter to the vote.

If the question is in relation to an amendment and if the question is passed, the mover of the motion has no right of reply and the Chairperson must immediately put the matter for the vote.

DETERMINATION OF ISSUES BY COUNCIL

- 42 (1). Except as provided below, Council will not determine an issue at a meeting immediately following an address by an involved or interested party;
- (a) Where the address concerns a new issue not before the meeting, if this issue is deemed urgent and not requiring further advice, then a determination may be made at that meeting, otherwise the matter will be referred for a staff report as necessary; or
 - (b) Where the address concerns a matter which is the subject of a staff report that is before the meeting:
 - if the issues raised are considered by staff to be of a minor nature then a determination of the staff report may be made at that meeting; otherwise
 - if the issues raised are considered by staff to be material then consideration of the matter be deferred for a further report.A public presentation which is contrary to a staff recommendation is not necessarily material.
- (2) Where a person wishes to circulate material to a meeting of the Council or its Committees, this material is be provided to the General Manager in the first instance for determination as to whether or not the material may be circulated.

PART 5 – KEEPING ORDER AT MEETINGS

QUESTIONS OF ORDER

43. (1) The Chairperson, without the intervention of any other Councillor, may call any Councillor or member of the public in attendance to order whenever, in the opinion of the Chairperson, it is necessary to do so. *(see Clause 255(1) LGGR)*
- (2) A Councillor who claims that another Councillor or member of the public in attendance has committed an act of disorder, or is out of order, may call the attention of the Chairperson to the matter. *(see Clause 255(2) LGGR)*
- (3) The Chairperson must rule on a question of order immediately after it is raised but, before doing so, may invite the opinion of the Council. *(see Clause 255(3) LGGR)*
- (4) The Chairperson's ruling must be obeyed unless a motion dissenting from the ruling is passed. *(see Clause 255(4) LGGR)*

ACT OF DISORDER

44. (1) A Councillor commits an act of disorder if the Councillor, at a meeting of the Council or a Committee of the Council:
- (a) contravenes the Act, any regulation in force under the Act or this Code *(see Clause 256(1)(a) LGGR)*; or
 - (b) assaults or threatens to assault another Councillor or person present at the meeting *(see Clause 256(1)(b) LGGR)*; or
 - (c) moves or attempts to move a motion or an amendment that has an unlawful purpose or that deals with a matter that is outside the jurisdiction of the Council or Committee, or addresses or attempts to address the Council or Committee on such a motion, amendment or matter *(see Clause 255(1)(c) LGGR)*; or
 - (d) insults or makes personal reflections on or imputes improper motives to any other Councillor, or staff member *(see Clause 255(1)(d) LGGR)*; or
 - (e) says or does anything that is inconsistent with maintaining order at the meeting such as continually interjecting and denying a fellow Councillor, who has been given the call, the right to be heard or is likely to bring the Council or Committee into contempt; *(see Clause 255(1)(e) LGGR)*; or
 - (f) reads at length from any correspondence, report or other document without the leave of the Council.
- (2) A member of the public commits an act of disorder if that member of the public disrupts or attempts to disrupt the meeting of the Council.

HOW DISORDER AT A MEETING MAY BE DEALT WITH

45. (1) If disorder occurs at a meeting of the Council or Committee of the Council, the Chairperson may adjourn the meeting for a period of not more than 15 minutes and leave the Chair. The Council or the committee, on reassembling, must, on a question put from the chair, decide without debate whether the business is to be proceeded with or not. This subclause applies to disorder arising from the conduct of members of the public as well as disorder arising from the conduct of Councillors. *(see Clause 257(1) LGGR)*

Councillors:

- (2) The Chairperson may require a Councillor:
- (a) to apologise without reservation for an act of disorder referred to in Clause 44(1)(a) or (b) of this Code (*see Clause 256(2)(a) LGGR*); or
 - (b) to withdraw a motion or an amendment referred to in Clause 41(1)(a) or (c) of this Code and, where appropriate, to apologise without reservation (*see Clause 256(2)(b) LGGR*);
 - (c) to retract and apologise without reservation for an act of disorder referred to in Clause 44(1)(d) or (e) of this Code. (*see Clause 256(2)(c) LGGR*)
 - (d) to refrain from any further reading and apologise for the act of disorder in Clause 44(1)(f) of this Code.
- (3) A Councillor may, as provided by Clause 15(1) of this Code, be expelled from a meeting of the Council for having failed to comply with a requirement under subclause (2). The expulsion of a Councillor from the meeting for that reason does not prevent any other action from being taken against the Councillor for the act of disorder concerned. (*see Clause 256(3) LGGR*)

Members of the Public:

- (4) A member of the public may, as provided by Clause 15(1) of this Code, be expelled from a meeting of the Council for engaging in or having engaged in disorderly conduct at the meeting. (*see Clause 257(2) LGGR*)

POWER TO REMOVE PERSONS FROM MEETING AFTER EXPULSION RESOLUTION

46. If a Councillor or a member of the public fails to leave the place where a meeting of the Council is being held:
- (a) immediately after the Council has passed a resolution expelling the Councillor or member of the public from the meeting; or
 - (b) where the Council has authorised the person presiding at the meeting to exercise the power of expulsion, immediately after being directed by the person presiding to leave the meeting,

a police officer, or any person authorised for the purpose by the Council or person presiding, may, by using only such force as is necessary, remove the Councillor or member from that place and, if necessary, restrain the Councillor or member from re-entering that place. (*see Clause 258 LGGR*)

NOTE: The Council, at an Extraordinary Meeting on 19 June 2000 (Minute No. 166), has resolved as follows:
"That the person presiding at a meeting of the Council or a Committee of the Council, where that person is the Mayor, or the Deputy Mayor when acting in the position of Mayor, may expel a Councillor from that meeting where that Councillor is guilty of an act of disorder as prescribed in (the) Regulation ... and has failed to comply with a requirement under ... the Regulation or may expel a member of the public for engaging in or having engaged in disorderly conduct as prescribed in ... the Regulation."

PROCESS FOR DEALING WITH DISORDER

Councillors

1. The chairperson becomes aware (either in the opinion of the chairperson or having been so informed by another councillor) that a councillor has committed an act of disorder (as prescribed in ... the Council's Code of Meeting Practice).
2. If the chairperson,
 - is not the Mayor (or the Deputy Mayor, when acting in the position of the Mayor), the chairperson shall immediately call upon the Mayor (or the Deputy Mayor as the case may be) to assume the chair, following which the Mayor (or the Deputy Mayor as the case may be) shall rule on the question of order (but before doing so may invite the opinion of the meeting); or
 - is the Mayor (or the Deputy Mayor when acting in the position of Mayor), the chairperson shall rule on the question of order (but before doing so may invite the opinion of the meeting).
3. If the chairperson (being the Mayor or Deputy Mayor as the case may be) rules that a councillor has committed an act of disorder, the chairperson shall so advise the councillor and shall adjourn the meeting for a period of not more than 15 minutes.
4. When the meeting reassembles, the chairperson (being the Mayor or the Deputy Mayor as the case may be) shall put a question from the chair as to whether to proceed with business or not.
5. Upon resumption of the meeting, the chairperson (being the Mayor or Deputy Mayor, as the case may be), shall call upon the councillor who has committed the act of disorder to apologise without reservation, withdraw, retract and apologise without reservation or refrain from further reading and apologise for the act of disorder in accordance with ... the Council's Code of Meeting Practice.
6. If the councillor refuses to apologise without reservation, withdraw, retract and apologise without reservation or refrain from further reading and apologise for the act of disorder, the chairperson (being the Mayor or Deputy Mayor as the case may be) shall warn the councillor that he or she will be subject to expulsion from the meeting if the apology, withdrawal, retraction, etc is not immediately forthcoming.
7. The chairperson (being the Mayor or Deputy Mayor as the case may be) shall again ask the councillor to apologise without reservation, withdraw, retract and apologise without reservation or refrain from further reading and apologise for the act of disorder.
8. If the councillor still refuses to apologise without reservation, withdraw, retract and apologise without reservation or refrain from further reading and apologise for the act of disorder, the chairperson shall inform the councillor that he or she is expelled from the meeting.
9. At the following Council/Committee Meeting, the Mayor (or Deputy Mayor in their absence) will again ask the Councillor to apologise. Should the Councillor decline this will be recorded in the minutes of the meeting. The Mayor (or Deputy Mayor in their absence) will then warn the Councillor that they risk action under Council's Code of Conduct.

Members of the Public

1. The chairperson becomes aware (either in the opinion of the chairperson or having been so informed by another councillor) that a member of the public has committed an act of disorder (as prescribed in ... the Council's Code of Meeting Practice).
2. If the chairperson,
 - is not the Mayor (or the Deputy Mayor, when acting in the position of the Mayor), the chairperson shall immediately call upon the Mayor (or the Deputy Mayor as the case may be) to assume the chair, following which the Mayor (or the Deputy Mayor as the case may be) shall rule on the question of order (but before doing so may invite the opinion of the meeting); or
 - is the Mayor (or the Deputy Mayor when acting in the position of Mayor), the chairperson shall rule on the question of order (but before doing so may invite the opinion of the meeting).
3. If the chairperson (being the Mayor or Deputy Mayor as the case may be) rules that a member of the public has committed an act of disorder, the chairperson shall so advise the member of the public and shall adjourn the meeting for a period of not more than 15 minutes.
4. When the meeting reassembles, the chairperson (being the Mayor or the Deputy Mayor as the case may be) shall put a question from the chair as to whether to proceed with business or .
5. If necessary, the chairperson (being the Mayor or Deputy Mayor as the case may be) may expel the member of the public from the meeting.

In all cases where the issue of an act of disorder arises, the ruling of the chairperson (being the Mayor or Deputy Mayor as the case may be) must be obeyed, unless a motion of dissenting from that ruling is passed. In all cases, if it becomes necessary to physically remove either a councillor or a member of the public who has been expelled from a meeting, the police will be called to undertake this task.

PART 6 - COUNCIL COMMITTEES

COMMITTEES (Generally)

47. (1) The Council may resolve itself into a Committee to consider any matter before the Council. *(see Section 373 LGA)*
- (2) All the provisions of this Code relating to meetings of the Council, so far as they are applicable, extend to and govern the proceedings of a Committee, except the provisions:
- (a) limiting the number and duration of speeches *(see Clause 259(1) LGGR)*;
 - (b) requiring Councillors to stand when speaking and
 - (c) providing for the Chairperson to have a casting vote.
- (3) The General Manager or, in the absence of the General Manager, an employee of the Council designated by the General Manager, is responsible for reporting to the Council proceedings in a Committee. It is not necessary to report the proceedings in full but any recommendations of the Committee must be reported. *(see Clause 259(2) LGGR)*
- (4) The Council must ensure that a report of the proceedings (including any recommendations of the Committee) is recorded in the Council's minutes. However, the Council is not taken to have adopted the report until a motion for adoption has been made and passed. *(see Clause 259(3) LGGR)*

COUNCIL MAY ESTABLISH COMMITTEES

48. (1) The Council may, by resolution, establish such Committees as it considers necessary. *(see Clause 260(1) LGGR)*
- (2) Such a Committee is to consist of the Mayor and such other Councillors of the Council as the Council decides. *(see Clause 260(2) LGGR)*
- (3) The quorum for a meeting of such a Committee is to be:
- (a) such number of members as the Council decides; or
 - (b) if the Council has not decided a number - a majority of the members of the Committee. *(see Clause 260(3) LGGR)*

FUNCTIONS OF COMMITTEES

49. The Council must specify the functions and delegations of each of its Committees when the Committee is established, but may from time to time amend those functions and delegations. *(see Clause 261 LGGR)*

NOTICE OF COMMITTEE MEETINGS

50. (1) The General Manager of the Council must send to each Councillor, at least three (3) days before each meeting of the Committee, a notice specifying:

- (a) the time and place at which and the date on which the meeting is to be held; and
 - (b) the business proposed to be transacted at the meeting. *(see Clause 262(1) LGGR)*
- (2) However, notice of less than three (3) days may be given of a Committee meeting called in an emergency. *(see Clause 262(2) LGGR)*
- (3) Notice of meetings, and the agenda and business papers relating to those meetings may be given to a Councillor in electronic form but only if all Councillors have facilities to access the notice, agenda and business papers in that form. *(see Section 367(3) LGA)*

NOTE: Notice of Meetings will generally be delivered by courier.

- (4) The provisions of Clause 23 (2)-(5) of this Code apply to the agendas of Committee meetings in the same manner as they apply to the agendas of Meetings of the Council.

NON-MEMBERS ENTITLED TO ATTEND COMMITTEE MEETINGS

51. (1) A Councillor who is not a member of a Committee of the Council is entitled to attend, and to speak at, a meeting of the Committee. *(see Clause 263(1) LGGR)*
- (2) However, the Councillor is not entitled:
- (a) to give notice of business for inclusion in the agenda for the meeting; or
 - (b) to move or second a motion at the meeting; or
 - (c) to vote at the meeting. *(see Clause 263(2) LGGR)*

PROCEDURE IN COMMITTEES

52. (1) Subject to Subclause (3), each Committee of the Council may regulate its own procedure. *(see Clause 265 LGGR)*
- (2) Without limiting subclause (1), a Committee of the Council may decide that, whenever the voting on a motion put to a meeting of the Committee is equal, the Chairperson of the Committee is to have a casting vote as well as an original vote. *(see Clause 265(2) LGGR)*

NOTE: The Council has specifically resolved that the Chairpersons of Committees will NOT have a casting vote.

- (3) Voting at a committee meeting is to be by open means (such as on the voices or by show of hands). *(see Clause 265(3) LGGR)*

COMMITTEES TO KEEP MINUTES

53. (1) Each Committee of the Council must ensure that full and accurate minutes of the proceedings of its meeting are kept. In particular, a Committee must ensure that the following matters are recorded in the Committee's minutes:

- (a) details of each motion moved at the meeting and of any amendments moved to it,
- (b) the names of the mover and seconder of the motion or amendment,
- (c) whether the motion or amendment is passed or lost. (*see Clause 266(1) LGGR*)
- (d) (i) In this clause, a planning decision means a decision made in the exercise of a function of a council under the Environmental Planning and Assessment Act 1979:
 - (A) including a decision relating to a development application, an environmental planning instrument, a development control plan or a development contribution plan under that Act, but
 - (B) not including the making of an order under Division 2A of Part 6 of that Act.
- (ii) The General Manager is required to keep a register containing, for each planning decision made at a meeting of the council or a council committee, the names of the councillors who supported the decision and the names of any councillors who opposed (or are taken to have opposed) the decision.
- (iii) for the purpose of maintaining the register, a division is required to be called whenever a motion for a planning decision is put at a meeting of the council or a council committee.

NOTE: For the purposes of Clause 53(1)(d)(iii) the requirement for a division to be called shall be satisfied when the Chairperson of the meeting calls for the vote, those Councillors, in turn, who vote for the motion and those opposed to the motion shall stand in their respective places to permit their names to be recorded. In this manner, the requirement for a division shall be differentiated from that requirement under Clause 38 (5) and (6).

- (iv) Each division recorded in the register is to be described in the register or identified in a manner that enables the description to be obtained from another publicly available document, and is to include the information required by the regulations.
 - (v) This clause extends to a meeting that is closed to the public. (*see Section 375A LGA*)
- (2) As soon as the minutes of a meeting of a Committee of the Council have been confirmed at a later meeting of the Council, the person presiding at the later meeting must sign the minutes of the earlier meeting. (*see Clause 266(2) LGGR*)

CHAIRPERSON AND DEPUTY CHAIRPERSON OF COMMITTEE

54. (1) The Chairperson of each Committee of the Council, must be:
- (a) the Mayor; or
 - (b) if the Mayor does not wish to be the chairperson of a committee - a member of the Committee elected by the Council; or
 - (c) if the Council does not elect such a member - a member of the committee elected by the committee. (*see Clause 267(1) LGGR*)
- (2) The Council may elect a member of the Committee of the Council as Deputy Chairperson of the Committee. In the event that the Council does not do so, the Committee may elect a Deputy Chairperson. (*see Clause 267(2) LGGR*)

- (3) If neither the Chairperson nor the Deputy Chairperson of a Committee of the Council is able or willing to preside at a meeting of the Committee, the Committee must elect a member of the Committee to be acting Chairperson of the Committee. *(see Clause 267(3) LGGR)*
- (4) The Chairperson is to preside at a meeting of a Committee of the Council. If the Chairperson is unable or unwilling to preside, the Deputy Chairperson (if any) is to preside at the meeting, but if neither the Chairperson nor the Deputy Chairperson is able or willing to preside, the Acting Chairperson is to preside at the meeting. *(see Clause 267(4) LGGR)*

ABSENCE FROM COMMITTEE MEETINGS

55. (1) A member ceases to be a member of a Committee if the member (other than the Mayor):
- (a) has been absent from three (3) consecutive meetings of the Committee without having given reasons acceptable to the Committee for the member's absences; or
 - (b) has been absent from at least half of the meetings of the Committee held during the immediately preceding year without having given to the Committee acceptable reasons for the member's absences. *(see Clause 268(1) LGGR)*
- (2) Subclause (1) does not apply if all of the members of the Council are members of the Committee. *(see Clause 268(2) LGGR)*

NOTE: "The expression "year" means the period beginning 1 July and ending the following 30 June. See the dictionary to the Act.

REPORTS OF COMMITTEES

56. (1) If in a report of a Committee of the Council distinct recommendations are made, the decision of the Council may be made separately on each recommendation. *(see Clause 269(1) LGGR)*
- (2) The recommendations of a Committee of the Council are, so far as adopted by the Council, resolutions of the Council. *(see Clause 269(2) LGGR)*
- (3) If a Committee of the Council passes a resolution, or makes a recommendation, during a meeting, or part of a meeting, that is closed to the public, the Chairperson must:
- (a) make the resolution or recommendation public as soon as practicable after the meeting or part of the meeting has ended; and
 - (b) report the resolution or recommendation to the next meeting of the Council. *(see Clause 269(3) LGGR)*

DISORDER IN COMMITTEE MEETINGS

57. The provisions of the Act, the Regulation and this Code relating to the maintenance of order in Council meetings apply to meetings of Committees of the Council in the same way as they apply to meetings of the Council. *(see Clause 270 LGGR)*

COMMITTEE MAY EXPEL CERTAIN PERSONS FROM ITS MEETINGS

58. (1) If a meeting or part of a meeting of a Committee of the Council is closed to the

public in accordance with Clause 77(1) of this Code, any person who is not a Councillor may be expelled from the meeting as provided by Clause 15(3) of this Code. *(see Clause 271(1) LGGR)*

- (2) If any such person, after being notified of a resolution or direction expelling him or her from the meeting, fails to leave the place where the meeting is being held, a police officer, or any person authorised for the purpose by the Council, Committee or person presiding, may, by using only such force as is necessary, remove the first-mentioned person from that place and, if necessary, restrain that person from re-entering that place. *(see Clause 271(2) LGGR)*

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PART 7 - TASK GROUPS AND SPECIAL COMMITTEES

TASK GROUPS

59. (1) The Council may appoint a group of Councillors and staff members to investigate a specific proposal and to report to the Council or appropriate Committee.
- (2) The Council shall determine the terms of reference for the Task Group, such to clearly state:
- the specific issues to be addressed
 - the time available to the Task Group to complete its investigation.
- (3) The Task Group shall have the power to regulate its own procedures and need only report to the Council or Committee when a decision on policy or resources is required.
- (4) Notwithstanding (3) above, the minutes of Task Group Meetings shall be reported to the appropriate Committee or Council notation.
- (5) The Task Group shall be disbanded after the terms of reference have been completed.

NOTE: The General Manager appoints staff member representatives on Task Groups.

COMMUNITY COMMITTEES

60. (1) The Council may appoint a group of Councillors, staff and community representatives to undertake a particular administrative responsibility.
- (2) Where possible, community representatives on these Committees shall be nominated by community organisations.
- (3) The Council shall determine the terms of reference for a Community Committee.
- (4) The Community Committee shall have power to regulate its own procedures, subject to:
- a) the Chairperson of the Committee being a Councillor of the Council.
 - b) minutes of meetings being submitted to the Council or appropriate Council Committee for adoption prior to any actions being taken which seek to bind Council.
- (5) The Community Committee's term of office shall not be time limited but the Council can disband the Committee or alter its terms of reference and membership composition at any time.

PART 8 – WORKSHOPS AND BRIEFING SESSIONS

PURPOSE

61. (1) Council may hold workshops & briefing sessions to provide background information to Councillors on issues that arise from time to time.
- (2) Workshops & briefing sessions is to facilitate the free and frank exchange of ideas and opinions and to ensure that Councillors are provided with all the information they require to make an informed decision when the issue is discussed at a Council or Committee Meeting.

ATTENDANCE

62. Workshops & briefing sessions may involve councillors, staff and invited participants but will not be open to the public.

PROCEDURE

63. (1) Workshops & briefing sessions do not have any decision making authority and will not be used for detailed or advanced discussions where agreement is reached and/or a (de-facto) decision is made. Any documents produced as a consequence will contain no recommended action. While providing an opportunity for the particular issue to be fully canvassed any decisions will occur at a Council or Committee Meeting.
- (2) The provisions of the Code of Meeting Practice will not apply during workshops and briefing sessions, however all participants will be required to comply with the Code of Conduct and should conduct themselves with an air of decorum at all times allowing all present to participate equally.
- (3) Discussion at workshops and briefing sessions will not necessarily be led by the Mayor but will generally be facilitated by a member of the senior staff of the Council.

PART 9 - HONESTY & DISCLOSURE OF INTERESTS

CONDUCT OF COUNCILLORS, STAFF & DELEGATES

64. (1) Every Councillor, member of staff of a Council and delegate of a Council must act honestly and exercise a reasonable degree of care and diligence in carrying out his or her functions under the Act or any other Act. *(see Section 439(1) LGA)*
- (2) Although this Clause places certain duties on Councillors, members of staff of a Council and delegates of a Council, nothing in this Clause gives rise to, or can be taken into account in, any civil cause of action. *(see Section 439(2) LGA)*

NOTE: Conflicts of Interest may be either of a pecuniary or non-pecuniary nature. Apart from the requirements outlined in this Code, the provisions of Council's Conflicts of Interest Policy also apply.

WHO ARE DESIGNATED PERSONS?

65. Designated persons are
- the General Manager
 - other senior staff of the Council
 - a person (other than a member of the senior staff of the Council) who is a member of staff of the Council or a delegate of the Council and who holds a position identified by the Council as the position of a designated person because it involves the exercise of functions under the Act, or any other Act (such as regulatory functions or contractual functions) that, in their exercise, could give rise to a conflict between the person's duty as a member of staff or delegate and the person's private interest.
 - a person (other than a member of the senior staff of the Council) who is a member of a committee of the Council identified by the Council as a committee whose members are designated persons because the functions of the committee involve the exercise of the Council's functions under this or any other Act (such as regulatory functions or contractual functions) that, in their exercise, could give rise to a conflict between the member's duty as a member of the committee and the member's private interests. *(see Section 441 LGA)*

WHAT IS A CONFLICT OF INTERESTS?

66. A conflict of interests exists where a reasonable and informed person would perceive that a Council official could be influenced by a private interest when carrying out their public duty.

NOTE: A Council official is defined in the Code of Conduct as including Councillors, members of staff of Council, Administrators appointed under Section 256 of the Act, members of Council committees, conduct reviewers and delegates of Council.

WHAT IS A PECUNIARY CONFLICT OF INTEREST?

67. (1) For the purposes of this Code, a pecuniary interest is an interest that a person has in a matter because of a reasonable likelihood or expectation of appreciable financial gain or loss to the person. *(see Section 442(1) LGA)*

- (2) A person does not have a pecuniary interest in a matter if the interest is so remote or insignificant that it could not reasonably be regarded as likely to influence any decision the person might make in relation to a matter or if the interest is of a kind specified in Clause 70 of this Code. *(see Section 442(2) LGA)*

WHO HAS A PECUNIARY CONFLICT OF INTEREST?

68. (1) For the purposes of this Code, a person has a pecuniary interest in a matter if the pecuniary interest is the interest of:
- (a) the person, or
 - (b) the person's spouse or de facto partner or a relative of the person, or a partner or employer of the person, or
 - (c) a company or other body of which the person, or a nominee, partner or employer of the person, is a member. *(see Section 443(1) LGA)*
- (2) However, a person is not taken to have a pecuniary interest in a matter as referred to in subclause (1) (b) or (c):
- (a) if the person is unaware of the relevant pecuniary interest of the spouse, de facto partner, relative, partner, employer or company or other body; or
 - (b) just because the person is a member of, or is employed by, a Council or statutory body or is employed by the Crown; or
 - (c) just because the person is a member of, or a delegate of a Council to, a company or other body that has a pecuniary interest in the matter, so long as the person has no beneficial interest in any shares of the company or body. *(see Section 443(3) LGA)*

WHAT IS A NON-PECUNIARY CONFLICT OF INTERESTS?

69. (1) Non-pecuniary conflicts of interests are private or personal interests the Council official has that do not amount to a pecuniary interest as defined in the LGA. They commonly arise out of family, or personal relationships, or involvement in sporting, social or other cultural groups and associations and may include an interest of a financial nature. *(see Clause 7.10 Code of Conduct)*
- (2) The matter of a report to Council from the conduct review committee/reviewer relates to the public duty of a councillor or the General Manager. Therefore there is no requirement for Councillors or the General Manager to disclose a conflict of interest in such a matter. *(see Clause 7.11 Code of Conduct)*
- (3) The political views of a Councillor do not constitute a private interest. *(see Clause 7.12 Code of Conduct)*
- (4) Where a non-pecuniary conflict of interests exists, which conflicts with a Council official's public duty, the official must disclose the interest fully and in writing, even if the interest is not significant. This must be completed as soon as practicable. *(see Clause 7.13 Code of Conduct)*
- (5) If a disclosure is made at a Council or Committee meeting, both the disclosure and the nature of the interest must be recorded in the minutes. This disclosure constitutes disclosure in writing for the purposes of Clause 7.13 of the Code of Conduct. *(see Clause 7.14 Code of Conduct)*
- (6) Non-pecuniary conflicts of interests will be either significant or less than significant.

- (7) As a general rule, a non-pecuniary conflict of interests will be significant where a matter does not raise a pecuniary interest but it involves
- (a) A relationship between a Council official and another person that is particularly close, for example, parent, grandparent, brother, sister, uncle, aunt, nephew, niece, lineal descendant or adopted child of the person or the person's spouse, current or former spouse or partner, de facto or other person living in the same household
 - (b) Other relationships that are particularly close, such as friendships and business relationships. Closeness is defined by the nature of the friendship or business relationship, the frequency of the contact and the duration of the friendship or relationship
 - (c) An affiliation between the council official and an organisation, sporting body, club, corporation or association that is particularly strong. (*see Clause 7.16 Code of Conduct*)
- (8) A less than significant non-pecuniary conflict of interests is any other conflict of interests which is neither a pecuniary conflict of interest or a significant non-pecuniary conflicts of interests. Generally this would be one which the person has determined that the conflict would be of such a minor nature that it would not require further action. (*see Clause 7.18 Code of Conduct*).

WHAT INTERESTS DO NOT HAVE TO BE DECLARED?

70. The following interests do not need to be disclosed for the purposes of this Part:-

- (a) an interest as an elector,
- (b) an interest as a ratepayer or person liable to pay a charge,
- (c) an interest in any matter relating to the terms on which the provision of a service or the supply of goods or commodities is offered to the public generally, or to a section of the public that includes persons who are not subject to this Part
- (d) an interest in any matter relating to the terms on which the provision of a service or the supply of goods or commodities is offered to a relative of the person by the council in the same manner and subject to the same conditions as apply to persons who are not subject to this Part
- (e) an interest as a member of a club or organisation or association, unless the interest is as the holder of an office in the club organisation (whether remunerated or not)
- (f) an interest of a member of a council committee as a person chosen to represent the community or as a member of a non-profit organisation or other community or special interest group if the committee member has been appointed to represent the organisation or group on the committee,
- (g) an interest in a proposal relating to the making, amending, altering or repeal of an environmental planning instrument other than an instrument that effects a change of the permissible uses of:
 - (i) land in which the person or a person, company or body referred to in section 443 (1) (b) or (c) has a proprietary interest (which, for the purposes of this paragraph, includes any entitlement to the land at law or in equity and any other interest or potential interest in the land arising out of any mortgage, lease, trust, option or contract, or otherwise), or
 - (ii) land adjoining, adjacent to or in proximity to land referred to in subparagraph (i), if the person or the person, company or body referred to in section 443 (1) (b) or

- (c) would by reason of the proprietary interest have a pecuniary interest in the proposal,
- (h) an interest relating to a contract, proposed contract or other matter if the interest arises only because of a beneficial interest in shares in a company that does not exceed 10 per cent of the voting rights in the company,
- (i) an interest of a person arising from the proposed making by the council of an agreement between the council and a corporation, association or partnership, being a corporation, association or partnership that has more than 25 members, if the interest arises because a relative of the person is a shareholder (but not a director) of the corporation or is a member (but not a member of the committee) of the association or is a partner of the partnership,
- (j) an interest of a person arising from the making by the council of a contract or agreement with a relative of the person for or in relation to any of the following, but only if the proposed contract or agreement is similar in terms and conditions to such contracts and agreements as have been made, or as are proposed to be made, by the council in respect of similar matters with other residents of the area:
- (i) the performance by the council at the expense of the relative of any work or service in connection with roads or sanitation,
 - (ii) security for damage to footpaths or roads,
 - (iii) any other service to be rendered, or act to be done, by the council by or under any Act conferring functions on the council or by or under any contract,
- (k) an interest relating to the payment of fees to Councillors (including the Mayor and Deputy Mayor),
- (l) an interest relating to the payment of expenses and the provision of facilities to Councillors (including the Mayor and Deputy Mayor) in accordance with a policy under Section 252,
- (m) an interest relating to an election to the office of Mayor arising from the fact that a fee for the following 12 months has been determined for the office of Mayor,
- (n) an interest of a person arising from the passing for payment of a regular account for wages or salary of an employee who is a relative of the person,
- (o) an interest arising from being covered by, or a proposal to be covered by, indemnity insurance as a Councillor or member of a council committee,
- (p) an interest arising from appointment of a Councillor to a body as representative or delegate of the council, whether or not a fee or other recompense is payable to the representative or delegate. *(see Section 448 LGA)*

IF I HAVE A CONFLICT OF INTERESTS AT A MEETING HOW DO I DISCLOSE IT?

71. (1) A Councillor or a member of a Council Committee who has either a:
- Pecuniary conflict of interest;
 - Significant Non-Pecuniary conflict of interests; or
 - Less than significant Non-Pecuniary conflicts of interests

in any matter with which the Council is concerned and who is present at a meeting of the Council or Committee at which the matter is being considered must disclose the interest to the meeting as soon as practicable. *(see Section 451(1) LGA)*

- (2) An item is included in the Agenda for the meeting at which Councillors and members of Council Committees can make such disclosures
- (3) In making the disclosure the Councillor or member of the Council Committee must clearly explain:
 - (i) Whether he or she is making a disclosure of a
 - Pecuniary conflict of interests;
 - Significant non-pecuniary conflict of interests; or
 - Less than significant non-pecuniary conflict of interests; and
 - (ii) The nature of that interest.
- (4) In the case of a:
 - Pecuniary conflict of interest or a significant non-pecuniary conflict of interests, the Councillor or member of Council Committee must, when the Chairperson calls for discussion on the particular item in which the Councillor or member of the Council Committee has an interest, immediately declare the interest and leave the Council Chamber;
 - Less than significant non-pecuniary conflict of interest, the Councillor or member of the Council Committee must, when the Chairperson calls for discussion on the particular item in which the Councillor or member of the Council Committee has an interest, immediately declare the interest and where that interest does not require further action and provide an explanation of why it is considered that the conflict does not require further action in the circumstances.
- (5) Once the Councillor or member has declared an interest and left the Council Chamber, he or she must not be present at, or in sight of, the meeting of the Council or Committee:
 - (a) at any time during which the matter is being considered or discussed by the Council or Committee, or
 - (b) at any time during which the Council or Committee is voting on any question in relation to the matter. *(see Section 451(2) LGA)*
- (6) Upon disclosing an interest, the Councillor shall retire to the Committee Room while the matter, the subject of the disclosure, is discussed. During this time, the doors between the Council Chamber and the Committee Room shall remain closed.
- (7) For the removal of doubt, a Councillor or a member of a Council Committee is not prevented by this Clause from being present at and taking part in a meeting at which a matter is being considered, or from voting on the matter, merely because the Councillor or member has an interest in the matter of a kind referred to in Clause 70. *(see Section 451(3) LGA)*

DISCLOSURE BY ADVISOR

72. (1) A person who, at the request or with the consent of the Council or a Council Committee, gives advice on any matter at any meeting of the Council or Committee must disclose any pecuniary interest the person has in the matter to the meeting at the time the advice is given. *(see Section 456(1) LGA)*
- (2) The person is not required to disclose the person's interest as an advisor. *(see Section 456(2) LGA)*

CIRCUMSTANCES IN WHICH SECTIONS 451 AND 456 ARE NOT BREACHED

73. A person does not breach Sections 451 and 456 of the LGA if the person did not know and could not reasonably be expected to have known that the matter under consideration at the meeting was a matter in which he or she had a pecuniary interest and. (see Section 457 LGA)

DISCLOSURES TO BE RECORDED

74. A disclosure made at a meeting of the Council or Council Committees must be recorded in the minutes of the meeting. (see Section 453 LGA)

NOTE: A Register of declared interests is held by the Council's Public Officer.

POWERS OF THE MINISTER IN RELATION TO MEETINGS

75. The Minister may, conditionally or unconditionally, allow a Councillor or a members of a Council Committee who has a pecuniary interest in a matter with which the Council is concerned and who is present at a meeting of the Council or Committee to take part in the consideration or discussion of the matter and to vote on the matter if the Minister is of the opinion:
- (a) that the number of Councillors prevented from voting would be so great a proportion of the whole as to impede the transaction of business; or
 - (b) that it is in the interests of the electors for the area to do so. (see Section 458 LGA)

PART 10 - PUBLIC ATTENDANCE AT MEETINGS

CAN THE PUBLIC ATTEND MEETINGS OF THE COUNCIL?

76. The press and public are entitled to attend a meeting of the Council and those of its Committees of which all its members are Councillors, except as provided by this Part. (see Section 10(1) LGA)

WHICH PARTS OF A MEETING CAN BE CLOSED TO THE PUBLIC?

77. (1) The Council or a Committee of the Council of which all of its members are Councillors may close to the press and public only so much of its meeting as comprises discussion or receipt of information related to any of the following:
- (a) personnel matters concerning particular individuals (other than Councillors);
 - (b) the personal hardship of any resident or ratepayer;
 - (c) information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business;
 - (d) commercial information of a confidential nature that would, if disclosed:
 - (i) prejudice the commercial position of the person who supplied it; or
 - (ii) confer a commercial advantage on a competitor of the Council; or
 - (iii) reveal a trade secret,
 - (e) information that would, if disclosed, prejudice the maintenance of the law;
 - (f) matters affecting the security of the Council, Councillors, Council staff or Council property;
 - (g) advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege.
 - (h) Information concerning the nature and location of a place or an item of Aboriginal significance on community land. (see Section 10A(2) LGA)
 - (i) Alleged contraventions of the council's code of conduct.
- (2) A Council, or a Committee of the Council of which all the members are Councillors, may also close to the public so much of its meeting as comprises a motion to close another part of the meeting to the public. (see Section 10A(3) LGA)
- (3) Nothing in this Clause prevents any limitation being placed on the number of members of the public admitted to a meeting of the Council or a Committee of the Council, provided such limitation is for reason of safety or security.

CAN A MEMBER OF THE PUBLIC MAKE REPRESENTATIONS ABOUT THE CLOSURE OF PART OF MEETING?

78. (1) A Council or a Committee of the Council may allow members of the public to make representations to or at a meeting (either in writing or verbally), before any part of the meeting is closed to the public, as to whether that part of the meeting should be closed. (see Section 10A(4) LGA)
- (2) A representation by a member of the public as to whether a part of a meeting should be closed may only be made immediately after a motion to close such meeting is moved and seconded, following which the Council or the Committee shall decide

whether or not that part of the meeting shall be closed. (see Clauses 252 & 264 LGGR)

FURTHER LIMITATIONS RELATING TO CLOSURE OF PARTS OF MEETINGS TO THE PUBLIC

79. (1) A meeting is not to remain closed during discussion of anything referred to in Clause 77(1) of this Code:
- (a) except for so much of the discussion as is necessary to preserve the relevant confidentiality, privilege or security; and
 - (b) if the matter concerned is a matter other than a personnel matter concerning particular individuals, the personal hardship of a resident or ratepayer or a trade secret – unless the Council or Committee concerned is satisfied that discussion of the matter in an open meeting would, on balance, be contrary to the public interest. (see Section 10B(1) LGA)
- (2) A meeting is not to be closed during receipt and consideration of information or advice referred to in Clause 77(1)(g) of this Code unless the advice concerns legal matters that:
- (a) are substantial issues relating to a matter in which the Council or Committee is involved; and
 - (b) are clearly identified in the legal advice; and
 - (c) are fully discussed in that advice. (see Section 10B(2) LGA)
- (3) If a meeting is closed during discussion of a motion to close another part of the meeting to the public (as referred to in Clause 77(2) of this Code, the consideration of the motion must not include any consideration of the matter or information to be discussed in that other part of the meeting (other than consideration of whether the matter concerned is a matter referred to in Clause 77(1) of this Code. (see Section 10B(3) LGA)
- (4) For the purpose of determining whether the discussion of a matter in an open meeting would be contrary to the public interest, it is irrelevant that:
- (a) a person may misinterpret or misunderstand the discussion; or
 - (b) the discussion of the matter may:
 - (i) cause embarrassment to the Council or Committee concerned, or to Councillors or to employees of the Council; or
 - (ii) cause a loss of confidence in the Council or Committee. (see Section 10B(4) LGA)
- (5) In deciding whether part of a meeting is to be closed to the public, the Council or Committee concerned must have regard to any relevant guidelines issued by the Director General. (see Section 10(B)(5) LGA)

NOTICE OF LIKELIHOOD OF CLOSURE NOT REQUIRED IN URGENT CASES

80. Part of a meeting of the Council, or of a Committee of the Council of which all the members are Councillors, may be closed to the press and public while the Council or Committee considers a matter that has not been identified in the agenda for the meeting as a matter that is likely to be considered when the meeting is closed, but only if:
- (a) it becomes apparent during the discussion of a particular matter that the matter is a matter referred to in Clause 77(1) of this Code; and
 - (b) the Council or Committee, after considering any representations made under Clause 78 of this Code, resolves that further discussion of the matter:
 - (i) should not be deferred (because of the urgency of the matter); and

- (ii) should take place in a part of the meeting that is closed to the press and public. (see Clause 10C LGA)

GROUNDS FOR CLOSING PART OF MEETING TO BE SPECIFIED

81. (1) The grounds on which part of a meeting is closed must be stated in the decision to close part of the meeting and must be recorded in the minutes of the meeting. (see Section 10D(1) LGA)
- (2) The grounds must specify the following:
- (a) the relevant provision of the Act under which the meeting is closed;
 - (b) the matter that is to be discussed during the closed part of the meeting;
 - (c) the reasons why part of the meeting is being closed, including (if the matter concerned is a matter other than a personnel matter concerning particular individuals, the personal hardship of a resident or ratepayer or a trade secret) an explanation of the way in which discussion of the matter in an open meeting would be, on balance, contrary to the public interest. (see Section 10D(2) LGA)

RESOLUTIONS PASSED AT CLOSED MEETINGS TO BE MADE PUBLIC

82. If the Council passes a resolution during a meeting, or a part of a meeting, that is closed to the public, the Chairperson must make the resolution public as soon as practicable after the meeting or part of the meeting has ended. (see Clause 253 LGGR)

OPEN DAY MEETINGS

83. (1) The Council shall make provision for members of the public to address the Council on matters that are within its jurisdiction.

NOTE: Open Days are held at Council Meetings.

Council has resolved (Minute no. 6/09 C/M 18/2/09) that Open Days will not be recorded.

- (2) Applications to address the Council.
- (a) may be made either:-
 - (i) prior to 3.00 pm on the day of the meeting by contacting the Executive Assistant; or
 - (ii) immediately prior to the commencement of the meeting by contacting the Manager Governance.
 - (b) must state the name of the applicant and general details of the nature of the address.
- (3) The Council may decide to give consideration to allowing opposing points of view to be presented.
- (4) The Open Day shall be limited to a total period of ½ hour, unless extended by decision of the Council. Groups are encouraged to nominate a representative to make the presentation to the Council on behalf of the Group.
- (5) When making a presentation:-
- (a) Each presentation shall be generally limited to five (5) minutes; and

- (b) Speakers shall conduct themselves with due respect to the Council and observe the rules of order and meeting procedure as contained in the Code of Meeting Practice.
- (6) Where possible, the Mayor shall provide a reply to the speaker(s) at the Meeting. Alternatively, Council may resolve to refer the matter to the General Manager for appropriate action.

OPEN FORUM MEETINGS

- 84. (1) The Council shall periodically hold informal meetings at towns and villages to allow residents to raise matters of particular interest with Councillors and Senior Staff.
- (2) These meetings will be in the form of question and answer sessions.
- (3) The meetings dates and times will be set by Council each year.

PUBLIC ACCESS TO CORRESPONDENCE AND REPORTS

- 85. (1) The Council and a Committee of which all the members are Councillors must, during or at the close of a meeting, or during the business day following the meeting, give reasonable access to any person to inspect correspondence and reports laid on the table at, or submitted to, the meeting. *(see Section 11(1) LGA)*
- (2) This Clause does not apply if the correspondence or reports:
 - (a) relate to a matter that was received or discussed; or
 - (b) were laid on the table at, or submitted to, the meeting when the meeting was closed to the public. *(see Section 11(2) LGA)*
- (3) This Clause does not apply if the Council or Committee resolves at the meeting, when open to the public, that the correspondence or reports, because they relate to a matter specified in Clause 77(1) of this Code, are to be treated as confidential. *(see Section 11(3) LGA)*

PART 11 - MISCELLANEOUS

DISCLOSURE AND MISUSE OF INFORMATION

86. (1) A person must not disclose any information obtained in connection with the administration or execution of the Act unless that disclosure was made:
- (a) with the consent of the person from whom the information was obtained; or
 - (b) in connection with the administration or execution of the Act; or
 - (c) for the purpose of any legal proceedings arising out of the Act or of any report of any such proceedings; or
 - (d) in accordance with a requirement imposed under the Ombudsman Act 1974 or the Government Information (Public Access) Act 2009; or
 - (e) with other lawful excuse. *(see Section 664(1) LGA)*
- (2) In particular, if a meeting or part of a meeting of the Council or a Committee of the Council is closed to the public in accordance with Clause 77(1) of this Code, a person must not, without the authority of the Council or the Committee, disclose (otherwise than to the Council or a Councillor of the Council) information with respect to the discussion at, or the business of, the meeting. *(see Section 664 (1A) LGA)*
- (3) Subsection (2) does not apply to:-
- (a) the report of a Committee of the Council after it has been presented to the Council; or
 - (b) disclosure made in any of the circumstances referred to in subsection (1) (a) - (e); or
 - (c) disclosure made in circumstances prescribed by the regulations; or
 - (d) any agenda, resolution or recommendation of a meeting that a person is entitled to inspect in accordance with the Government Information (Public Access) Act 2009. *(see Section 664(1B) LGA)*
- (4) A person acting in the administration or execution of the Act must not use, either directly or indirectly, information acquired by the person in that capacity, being information that is not generally known but if generally known might reasonably be expected to affect materially the market value or price of any land, for the purpose of gaining either directly or indirectly an advantage for the person, the person's spouse or de facto partner or a relative of the person. *(see Section 664(2) LGA)*
- (5) A person acting in the administration or execution of this Act, and being in a position to do so, must not, for the purpose of gaining either directly or indirectly an advantage for the person, the person's spouse or de facto partner or a relative of the person influence:
- (a) the determination of an application for an approval; or
 - (b) the giving of an order.
- (see Section 664(3) LGA)*

NOTE: The maximum penalty for breaches of this Clause is 50 penalty units.

DISCLOSURE AND MISUSE OF INFORMATION - PRESCRIBED CIRCUMSTANCES

87. For the purposes of Clause 86(3)(c) of this Code, any disclosure made with the intention of enabling the Minister or the Director-General to properly exercise the functions conferred or imposed on them by or under the Act is a prescribed circumstance. *(see Clause 412 LGGR)*

INSPECTION OF THE MINUTES OF THE COUNCIL OR A COMMITTEE

88. (1) An inspection of the Minutes of the Council or a Committee of the Council is to be carried out under the supervision of the General Manager or an employee of the Council designated by the General Manager to supervise inspections of those Minutes. *(see Clause 272(1) LGGR)*

NOTE: The person so designated is the Manager Governance.

- (2) The General Manager must ensure that the Minutes of the Council and any minutes of a Committee of the Council are kept secure and in safe custody and that no unauthorised person is allowed to interfere with them. *(see Clause 272(2) LGGR)*

ACCESS TO RECORDS

89. Councillors may gain access to Council records under the Code of Conduct and Government Information (Public Access) Act 2009.

TAPE RECORDING OF A MEETING OF THE COUNCIL OR A COMMITTEE PROHIBITED WITHOUT PERMISSION

90. (1) A person may use a tape recorder to record the proceedings of a Meeting of the Council or a Committee of the Council only with the authority of the Council or Committee. *(see Clause 273(1) LGGR)*
- (2) A person may, as provided by Clause 15(3) of this Code, be expelled from a meeting of the Council or a Committee of the Council for using or having used a tape recorder in contravention of this Clause. *(see Clause 273(2) LGGR)*
- (3) If any such person, after being notified of such a resolution, fails to leave the place where the meeting is being held, a police officer, or any person authorised by the Council for the purposes, may remove the person from, and if necessary, restrain the person from re-entering that place. *(see Clause 273(3) LGGR)*
- (4) In this Clause, tape recorder includes a video camera and any electronic device capable of recording speech, whether a magnetic tape is used to record or not. *(see Clause 273(4) LGGR)*

CERTAIN CIRCUMSTANCES DO NOT INVALIDATE COUNCIL DECISIONS

91. Proceedings at a Meeting of the Council or a Council Committee are not invalidated because of:-
- a vacancy in a civic office; or
 - a failure to give notice of the Meeting to any Councillor or a Committee member; or
 - any defect in the election or appointment of a Councillor or a Committee member; or

- (d) a failure of a Councillor or a Committee member to disclose a pecuniary interest, or to refrain from the consideration or discussion of, or vote on, the relevant matter at a Council or a Committee meeting; or
- (e) a failure to comply with this Code. (see Section 374 LGA)

COUNCIL SEAL

92. (1) The Seal of the Council must be kept by the Mayor or the General Manager, as the Council determines. (see Clause 400(1) LGGR)

NOTE: The Council Seal is kept by the General Manager.

- (2) The Seal of the Council may be affixed to a document only in the presence of:-
 - (a) the Mayor and the General Manager; or
 - (b) at least 1 Councillor (other than the Mayor) and the General Manager; or
 - (c) the Mayor and at least 1 other Councillor; or
 - (d) at least 2 Councillors other than the Mayor. (see Clause 400(2) LGGR)
- (3) The affixing of the Council Seal to a document has no effect unless the persons who were present when the Seal was affixed (being persons referred to in subclause (2)) attest by their signature that the Seal was affixed in their presence. (see Clause 400(3) LGGR)
- (4) The Seal of the Council must not be affixed to a document unless the document relates to the business of the Council and the Council has resolved (by resolution specifically referring to the document) that the Seal be so affixed. (see Clause 400(4) LGGR)
- (5) For the purposes of subclause (4), a document in the nature of a reference or certificate of service for an employee of the Council does not relate to the business of the Council. (see Clause 400(5) LGGR)

AMENDMENT OF CODE

93. Subject to the provisions contained in Sections 361, 362 & 363 of the Act, this Code may be amended by the following means:-
- (a) by resolution of Council, in cases where the amendments to the Code are the result of amendments to either the Act or the Regulation; or
 - (b) in accordance with the provisions of Division 1 of Part 2 of Chapter 12 of the Act, in cases where the amendments to the Code are the result of amendments or changes in Council policies.

