

ATTACHMENTS



ORDINARY MEETING AGENDA

THURSDAY 24 AUGUST 2017

~ REFERENCE TO ATTACHMENTS ~

PART A – ACTION

Page Number

Clause 3A – Procedures for the Administration of the Cobar Shire Council Code of Conduct Policy.....	66-97
Clause 4A – National Local Roads and Transport Congress.....	98-99
Clause 9A – Public Exhibition – Cobar Hospital Planning Proposal	100-102

PART B – INFORMATION

Page Number

Clause 5B – Meeting Minutes	103-111
Clause 8B – Expenditure for Roads Network.....	112-119
Clause 11B – Traffic Counts on Shire Roads and Classified Roads	120-121
Clause 14B – Rates Reconciliation Report as at 31 July 2017	122-123

COBAR SHIRE COUNCIL



Procedures for the Administration of the Cobar Shire Council Code of Conduct Policy

FILE: P5-8

Responsible Officer: General Manager

TABLE OF CONTENTS

PART 1	INTRODUCTION	3
PART 2	DEFINITIONS	3
PART 3	ADMINISTRATIVE FRAMEWORK.....	4
PART 4	HOW MAY CODE OF CONDUCT COMPLAINTS BE MADE?	6
PART 5	HOW ARE CODE OF CONDUCT COMPLAINTS TO BE MANAGED?	8
PART 6	PRELIMINARY ASSESSMENT.....	14
PART 7	OPERATIONS OF CONDUCT REVIEW COMMITTEES	18
PART 8	INVESTIGATIONS	20
PART 9	RIGHTS OF REVIEW	28
PART 10	PROCEDURAL IRREGULARITIES	30
PART 11	PRACTICE DIRECTIONS	30
PART 12	REPORTING ON COMPLAINTS STATISTICS.....	31
PART 13	CONFIDENTIALITY.....	31

PART 1 INTRODUCTION

These procedures (“the Model Code Procedures”) are prescribed for the purposes of the administration of the Model Code of Conduct for Local Councils in NSW (“the Model Code”). The Model Code and Model Code Procedures are made under sections 440 and 440AA respectively of the *Local Government Act 1993* (“the Act”) and the *Local Government (General) Regulation 2005* (“the Regulation”).

Sections 440 and 440AA of the Act require every council to adopt a code of conduct and procedures for the administration of the code of conduct that incorporate the provisions of the Model Code and Model Code Procedures respectively.

In adopting procedures for the administration of their adopted codes of conduct, councils may supplement the Model Code Procedures. However provisions of a council’s adopted procedures that are not consistent with those prescribed under the Model Code Procedures will have no effect.

PART 2 DEFINITIONS

For the purposes of the procedures, the following definitions apply: “the Act” the *Local Government Act 1993* “administrator” an administrator of a council appointed under the Act other than an administrator appointed under section 66:

“code of conduct”	a code of conduct adopted under section 440 of the Act
“code of conduct complaint”	a complaint that alleges conduct on the part of a council official acting in their official capacity that on its face, if proven, would constitute a breach of the standards of conduct prescribed under the council’s code of conduct
“complainant”	a person who makes a code of conduct complaint
“complainant councillor”	a councillor who makes a code of conduct complaint
“complaints coordinator”	a person appointed by the general manager under these procedures as a complaints coordinator
“conduct reviewer”	a person appointed under these procedures to review allegations of breaches of the code of conduct by councillors or the general manager

“council committee”	a committee established by resolution of council
“council committee member”	a person other than a councillor or member of staff of a council who is a member of a council committee
“councillor”	a person elected or appointed to civic office and includes a Mayor
“council official”	includes councillors, members of staff of council, administrators, council committee members, conduct reviewers and delegates of council
“delegate of council”	a person (other than a councillor or member of staff of a council) or body and the individual members of that body to whom a function of the council is delegated
“the Office”	the Office of Local Government, Department of Premier and Cabinet
“investigator”	a conduct reviewer or conduct review committee
“the Regulation”	the <i>Local Government (General) Regulation 2005</i>
“subject person”	a person whose conduct is the subject of investigation by a conduct reviewer or conduct review committee under these procedures

PART 3 ADMINISTRATIVE FRAMEWORK

The establishment of a panel of conduct reviewers:

- 3.1 The council must by resolution establish a panel of conduct reviewers.
- 3.2 The council may by resolution enter into an arrangement with one or more other councils to share a panel of conduct reviewers.
- 3.3 The panel of conduct reviewers is to be established following a public expression of interest process.
- 3.4 An expression of interest for members of the council’s panel of conduct reviewers must, at a minimum, be advertised locally and in the Sydney metropolitan area.

-
- 3.5 To be eligible to be a member of a panel of conduct reviewers, a person must, at a minimum, meet the following requirements:
- a) an understanding of local government, and
 - b) knowledge of investigative processes including but not limited to procedural fairness requirements and the requirements of the *Public Interest Disclosures Act 1994*, and
 - c) knowledge and experience of one or more of the following:
 - i) investigations, or
 - ii) law, or
 - iii) public administration, or
 - iv) public sector ethics, or
 - v) alternative dispute resolution, and
 - d) meet the eligibility requirements for membership of a panel of conduct reviewers under clause 3.6.
- 3.6 A person is not be eligible to be a member of the panel of conduct reviewers if they are:
- a) a councillor, or
 - b) a nominee for election as a councillor, or c) an administrator, or
 - d) an employee of a council, or
 - e) a member of the Commonwealth Parliament or any State Parliament or Territory Assembly, or
 - f) a nominee for election as a member of the Commonwealth Parliament or any State Parliament or Territory Assembly, or
 - g) a person who has a conviction for an indictable offence that is not an expired conviction.
- 3.7 A person is not precluded from being a member of the council's panel of conduct reviewers if they are a member of another council's panel of conduct reviewers.
- 3.8 A panel of conduct reviewers established under this Part is to have a term of up to four years.
- 3.9 The council may terminate the panel of conduct reviewers at any time by resolution.
- 3.10 When the term of the conduct reviewers concludes or is terminated, the council must establish a new panel of conduct reviewers in accordance with the requirements of this Part.
- 3.11 A person who was a member of a previous panel of conduct reviewers established by the council may be a member of subsequent panels of conduct reviewers established by the council.

The appointment of complaints coordinators:

- 3.12 The general manager must appoint a member of staff of the council to act as a complaints coordinator. Where practicable, the complaints coordinator should be a senior and suitably qualified member of staff.
- 3.13 The general manager may appoint other members of staff to act as alternates to the complaints coordinator.
- 3.14 The general manager must not undertake the role of complaints coordinator.
- 3.15 The person appointed as complaints coordinator or alternate complaints coordinator must also be a nominated disclosures coordinator appointed for the purpose of receiving and managing reports of wrongdoing under the *Public Interest Disclosures Act 1994*.
- 3.16 The role of the complaints coordinator is to:
- a) coordinate the management of complaints made under the council's code of conduct,
 - b) liaise with and provide administrative support to a conduct reviewer or conduct review committee,
 - c) liaise with the Office of Local Government, and
 - d) arrange the annual reporting of code of conduct complaints statistics.

PART 4 HOW MAY CODE OF CONDUCT COMPLAINTS BE MADE?

What is a "code of conduct complaint"?

- 4.1 For the purpose of these procedures, a code of conduct complaint is a complaint that alleges conduct on the part of a council official acting in their official capacity that on its face, if proven, would constitute a breach of the standards of conduct prescribed under the council's code of conduct.
- 4.2 Only code of conduct complaints are to be dealt with under these procedures. Complaints that do not satisfy the definition of a "code of conduct complaint" are to be dealt with under council's routine complaints management processes.

When must a code of conduct complaint be made?

- 4.3 A code of conduct complaint must be made within three months of the alleged conduct occurring or within three months of the complainant becoming aware of the alleged conduct.
- 4.4 A complaint made after 3 months may only be accepted if the general manager, or, in the case of a complaint about the general manager, the Mayor, is satisfied that there are compelling grounds for the matter to be dealt with under the code of conduct.

How may a code of conduct complaint about a council official other than the General Manager be made?

- 4.5 All code of conduct complaints other than those relating to the general manager are to be made to the general manager in writing.
- 4.6 Where a code of conduct complaint about a council official other than the general manager cannot be made in writing, the complaint must be confirmed with the complainant in writing as soon as possible after the receipt of the complaint.
- 4.7 In making a code of conduct complaint about a council official other than the general manager, the complainant may nominate whether they want the complaint to be resolved by mediation or by other alternative means.
- 4.8 The general manager or, where the complaint is referred to a conduct reviewer, the conduct reviewer, must consider the complainant's preferences in deciding how to deal with the complaint.
- 4.9 Notwithstanding clauses 4.5 and 4.6, where the general manager becomes aware of a possible breach of the council's code of conduct, he or she may initiate the process for the consideration of the matter under these procedures without a written complaint.

How may a code of conduct complaint about the General Manager be made?

- 4.10 Code of conduct complaints about the general manager are to be made to the Mayor in writing.
- 4.11 Where a code of conduct complaint about the general manager cannot be made in writing, the complaint must be confirmed with the complainant in writing as soon as possible after the receipt of the complaint.
- 4.12 In making a code of conduct complaint about the general manager, the complainant may nominate whether they want the complaint to be resolved by mediation or by other alternative means.

-
- 4.13 The Mayor or, where the complaint is referred to a conduct reviewer, the conduct reviewer, must consider the complainant's preferences in deciding how to deal with the complaint.
- 4.14 Notwithstanding clauses 4.10 and 4.11, where the Mayor becomes aware of a possible breach of the council's code of conduct by the general manager, he or she may initiate the process for the consideration of the matter under these procedures without a written complaint.

PART 5 HOW ARE CODE OF CONDUCT COMPLAINTS TO BE MANAGED?

How are code of conduct complaints about staff (other than the general manager) to be dealt with?

- 5.1 The general manager is responsible for making enquiries or causing enquiries to be made into code of conduct complaints about members of staff of council and for determining the outcome of such complaints.
- 5.2 Where the general manager decides not to make enquiries into a code of conduct complaint about a member of staff, the general manager must give the complainant reasons in writing for their decision.
- 5.3 Without limiting clause 5.2, the general manager may decide not to enquire into the matter on grounds that the complaint is trivial, frivolous, vexatious or not made in good faith.
- 5.4 Enquiries made into staff conduct that might give rise to disciplinary action must occur in accordance with the relevant industrial instrument or employment contract and make provision for procedural fairness including the right of an employee to be represented by their union.
- 5.5 Sanctions for staff depend on the severity, scale and importance of the breach and must be determined in accordance with any relevant industrial instruments or contracts.

How are code of conduct complaints about delegates of council and council committee members to be dealt with?

- 5.6 The general manager is responsible for making enquiries or causing enquiries to be made into code of conduct complaints about delegates of council and council committee members and for determining the outcome of such complaints.
- 5.7 Where the general manager decides not to make enquiries into a code of conduct complaint about a delegate of council or a council committee member, the general manager must give the complainant reasons in writing for their decision.

-
- 5.8 Without limiting clause 5.7, the general manager may decide not to enquire into the matter on grounds that the complaint is trivial, frivolous, vexatious or not made in good faith.
- 5.9 Sanctions for delegates of council and/or members of council committees depend on the severity, scale and importance of the breach and may include one or more of the following:
- a) censure,
 - b) requiring the person to apologise to any person or organisation adversely affected by the breach,
 - c) prosecution for any breach of the law,
 - d) removing or restricting the person's delegation, or
 - e) removing the person from membership of the relevant council committee.
- 5.10 Prior to imposing a sanction against a delegate of council or a council committee member under clause 5.9, the general manager or any person making enquiries on behalf of the general manager must comply with the requirements of procedural fairness. In particular:
- a) the substance of the allegation (including the relevant provision/s of council's code of conduct that the alleged conduct is in breach of) must be put to the person the subject of the allegation, and
 - b) the person must be given an opportunity to respond to the allegation, and
 - c) the general manager must consider the person's response in deciding whether to impose a sanction under clause 5.9.

How are code of conduct complaints about conduct reviewers to be dealt with?

- 5.11 The general manager must refer all code of conduct complaints about conduct reviewers to the OLG for its consideration.
- 5.12 The general manager must notify the complainant of the referral of their complaint in writing.
- 5.13 The general manager must implement any recommendation made by the OLG as a result of its consideration of a code of conduct complaint about a conduct reviewer.

How are code of conduct complaints about administrators to be dealt with?

- 5.14 The general manager must refer all code of conduct complaints about administrators to the OLG for its consideration.
- 5.15 The general manager must notify the complainant of the referral of their complaint in writing.

How are code of conduct complaints about councillors to be dealt with?

5.16 The general manager must refer the following code of conduct complaints about councillors to the OLG:

- a) complaints alleging a breach of the pecuniary interest provisions of the Act,
- b) complaints alleging a failure to comply with a requirement under the code of conduct to disclose and appropriately manage conflicts of interests arising from reportable political donations (see section 328B),
- c) complaints alleging a breach of Part 8 of the code of conduct relating to the maintenance of the integrity of the code, and
- d) complaints the subject of a special complaints management arrangement with the OLG under clause 5.40.

5.17 Where the general manager refers a complaint to the OLG under clause 5.16, the general manager must notify the complainant of the referral in writing.

5.18 Where the general manager considers it to be practicable and appropriate to do so, the general manager may seek to resolve code of conduct complaints about councillors, other than those requiring referral to the OLG under clause 5.16, by alternative means such as, but not limited to, explanation, counselling, training, mediation, informal discussion, negotiation or apology instead of referring them to the complaints coordinator under clause 5.20.

5.19 Where the general manager resolves a code of conduct complaint under clause 5.18 to the general manager's satisfaction, the general manager must notify the complainant in writing of the steps taken to resolve the complaint and this shall finalise the consideration of the matter under these procedures.

5.20 The general manager must refer all code of conduct complaints about councillors other than those referred to the OLG under clause 5.16 or resolved under clause 5.18 to the complaints coordinator.

How are code of conduct complaints about the general manager to be dealt with?

5.21 The Mayor must refer the following code of conduct complaints about the general manager to the OLG:

- a) complaints alleging a breach of the pecuniary interest provisions of the Act,
- b) complaints alleging a breach of Part 8 of the code of conduct relating to the maintenance of the integrity of the code, and
- c) complaints the subject of a special complaints management arrangement with the OLG under clause 5.40.

5.22 Where the Mayor refers a complaint to the OLG under clause 5.21, the Mayor must notify the complainant of the referral in writing.

-
- 5.23 Where the Mayor considers it to be practicable and appropriate to do so, he or she may seek to resolve code of conduct complaints about the general manager, other than those requiring referral to the OLG under clause 5.21, by alternative means such as, but not limited to, explanation, counselling, training, mediation, informal discussion, negotiation or apology instead of referring them to the complaints coordinator under clause 5.25.
- 5.24 Where the Mayor resolves a code of conduct complaint under clause 5.23 to the Mayor's satisfaction, the Mayor must notify the complainant in writing of the steps taken to resolve the complaint and this shall finalise the consideration of the matter under these procedures.
- 5.25 The Mayor must refer all code of conduct complaints about the general manager other than those referred to the OLG under clause 5.21 or resolved under clause 5.23 to the complaints coordinator.

Referral of code of conduct complaints to external agencies

- 5.26 The general manager, Mayor or a conduct reviewer or conduct review committee may, at any time, refer a code of conduct complaint to an external agency or body such as, but not limited to, the Office, the Independent Commission Against Corruption, the NSW Ombudsman or the Police for its consideration, where they consider such a referral is warranted.
- 5.27 Where the general manager, Mayor, conduct reviewer or conduct review committee refers a complaint to an external agency or body under clause 5.26, they must notify the complainant of the referral in writing where it is appropriate for them to do so.
- 5.28 Referral of a matter to an external agency or body shall finalise consideration of the matter under the code of conduct unless the council is subsequently advised otherwise by the referral agency or body.

Disclosure of the identity of complainants

- 5.29 In dealing with matters under these procedures, information that identifies or tends to identify complainants is not to be disclosed unless:
- a) the complainant consents in writing to the disclosure, or
 - b) it is generally known that the complainant has made the complaint as a result of the complainant having voluntarily identified themselves as the person who made the complaint, or
 - c) it is essential, having regard to procedural fairness requirements, that the identifying information be disclosed, or
 - d) a conduct reviewer or conduct review committee is of the opinion that disclosure of the information is necessary to investigate the matter effectively, or
 - e) it is otherwise in the public interest to do so.

-
- 5.30 Clause 5.29 does not apply to code of conduct complaints made by councillors about other councillors or the general manager.
- 5.31 Where a councillor makes a code of conduct complaint about another councillor or the general manager and the complainant councillor considers that compelling grounds exist that would warrant information that identifies or tends to identify them as the complainant not to be disclosed, they may request in writing that such information not be disclosed.
- 5.32 A request made by a complainant councillor under clause 5.31 must be made at the time they make a code of conduct complaint and must state the grounds upon which the request is made.
- 5.33 The general manager or Mayor or, where the matter is referred, a conduct reviewer or conduct review committee must consider a request made under clause 5.31 before disclosing information that identifies or tends to identify the complainant councillor but are not obliged to comply with the request.
- 5.34 Where a complainant councillor makes a request under clause 5.31, the general manager or Mayor or, where the matter is referred, a conduct reviewer or conduct review committee shall notify the councillor in writing of their intention to disclose information that identifies or tends to identify them prior to disclosing the information.

Code of conduct complaints made as public interest disclosures

- 5.35 Code of conduct complaints that are made as public interest disclosures under the *Public Interest Disclosures Act 1994* are to be managed in accordance with the requirements of that Act, the council's internal reporting policy and any guidelines issued by the NSW Ombudsman that relate to the management of public interest disclosures.
- 5.36 For a code of conduct complaint to be dealt with as a public interest disclosure, the complainant must state at the outset and in writing at the time of making the complaint that it is made as a public interest disclosure.
- 5.37 Where a councillor makes a code of conduct complaint about another councillor or the general manager as a public interest disclosure, before the matter may be dealt with under these procedures, the complainant councillor must consent in writing to the disclosure of their identity as the complainant.
- 5.38 Where a complainant councillor declines to consent to the disclosure of their identity as the complainant under clause 5.37, the general manager or the Mayor must refer the complaint to the OLG for consideration. Such a referral must be made under section 26 of the Public Interest Disclosures Act 1994.

Special complaints management arrangements

- 5.39 The general manager may request in writing that the OLG enter into a special complaints management arrangement with the council in relation to code of conduct complaints made by or about a person or persons.
- 5.40 Where the OLG receives a request under clause 5.39, it may agree to enter into a special complaints management arrangement where it is satisfied that the number or nature of code of conduct complaints made by or about a person or persons has:
- a) imposed an undue and disproportionate cost burden on the council's administration of its code of conduct, or
 - b) impeded or disrupted the effective administration by the council of its code of conduct, or
 - c) impeded or disrupted the effective functioning of the council.
- 5.41 A special complaints management arrangement must be in writing and must specify the following:
- a) the code of conduct complaints the arrangement relates to, and
 - b) the period that the arrangement will be in force.
- 5.42 The OLG may by notice in writing, amend or terminate a special complaints management arrangement at any time.
- 5.43 While a special complaints management arrangement is in force, an officer of the OLG (the assessing OLG officer) must undertake the preliminary assessment of the code of conduct complaints specified in the arrangement in accordance with the requirements of these procedures except as provided by clause 5.44 below.
- 5.44 Where, following a preliminary assessment, the assessing OLG officer determines that a code of conduct complaint warrants investigation by a conduct reviewer or a conduct review committee, the assessing OLG officer shall notify the complaints coordinator in writing of their determination and the reasons for their determination. The complaints coordinator must comply with the recommendation of the assessing OLG officer.
- 5.45 Prior to the expiry of a special complaints management arrangement, the OLG shall, in consultation with the general manager, review the arrangement to determine whether it should be renewed or amended.
- 5.46 A special complaints management arrangement shall expire on the date specified in the arrangement unless renewed under clause 5.45.

PART 6 PRELIMINARY ASSESSMENT

Referral of code of conduct complaints to conduct reviewers

- 6.1 The complaints coordinator must refer all code of conduct complaints about councillors or the general manager submitted to the complaints coordinator within 21 days of receipt of a complaint by the general manager or the Mayor.
- 6.2 For the purposes of clause 6.1, the complaints coordinator will refer a complaint to a conduct reviewer selected from:
- a) a panel of conduct reviewers established by the council, or
 - b) a panel of conduct reviewers established by an organisation approved by the Chief Executive of the OLG.
- 6.3 In selecting a suitable conduct reviewer, the complaints coordinator may have regard to the qualifications and experience of members of the panel of conduct reviewers.
- 6.4 A conduct reviewer must not accept the referral of a code of conduct complaint where:
- a) they have a conflict of interests in relation to the matter referred to them, or
 - b) a reasonable apprehension of bias arises in relation to their consideration of the matter, or
 - c) they or their employer has entered into one or more contracts with the council in the 2 years preceding the referral and they or their employer have received or expect to receive payments under the contract or contracts of a cumulative value that exceeds \$100K, or
 - d) at the time of the referral, they or their employer are the council's legal service providers or are a member of a panel of legal service providers appointed by the council.
- 6.5 For the purposes of clause 6.4(a), a conduct reviewer will have a conflict of interests in a matter where a reasonable and informed person would perceive that they could be influenced by a private interest when carrying out their public duty (see clause 4.1 of the Model Code of Conduct).
- 6.6 For the purposes of clause 6.4(b), a reasonable apprehension of bias arises where a fair-minded observer might reasonably apprehend that the conduct reviewer might not bring an impartial and unprejudiced mind to the matter referred to the conduct reviewer.
- 6.7 Where the complaints coordinator refers a matter to a conduct reviewer, they will provide the conduct reviewer with a copy of the code of conduct complaint and any other information relevant to the matter held by the council.

-
- 6.8 The complaints coordinator must notify the complainant in writing that the matter has been referred to a conduct reviewer and advise which conduct reviewer the matter has been referred to.

Preliminary assessment by a conduct reviewer

- 6.9 The conduct reviewer is to undertake a preliminary assessment of a complaint referred to them by the complaints coordinator for the purposes of determining how the complaint is to be managed.
- 6.10 The conduct reviewer may determine to do one or more of the following in relation to a complaint referred to them by the complaints coordinator:
- a) to take no action, or
 - b) to resolve the complaint by alternative and appropriate strategies such as, but not limited to, explanation, counselling, training, mediation, informal discussion, negotiation or apology, or
 - c) to refer the matter back to the general manager or, in the case of a complaint about the general manager, the Mayor, for resolution by alternative and appropriate strategies such as, but not limited to, explanation, counselling, training, mediation, informal discussion, negotiation, or apology, or
 - d) to refer the matter to another agency or body such as, but not limited to, the ICAC, the NSW Ombudsman, the Office of Local Government or the Police, or
 - e) to investigate the matter, or
 - f) to recommend that the complaints coordinator convene a conduct review committee to investigate the matter.
- 6.11 In determining how to deal with a matter under clause 6.10, the conduct reviewer must have regard to the complaint assessment criteria prescribed under clause 6.27.
- 6.12 The conduct reviewer may make such enquiries the conduct reviewer considers to be reasonably necessary to determine what option to exercise under clause 6.10.
- 6.13 The conduct reviewer may request the complaints coordinator to provide such additional information the conduct reviewer considers to be reasonably necessary to determine what option to exercise in relation to the matter under clause 6.10. The complaints coordinator will, as far as is reasonably practicable, supply any information requested by the conduct reviewer.
- 6.14 The conduct reviewer must refer to the OLG any complaints referred to him or her that should have been referred to the OLG under clauses 5.16 and 5.21.
- 6.15 The conduct reviewer must determine to take no action on a complaint that is not a code of conduct complaint for the purposes of these procedures.

-
- 6.16 Where the conduct reviewer completes their preliminary assessment of a complaint by determining to exercise an option under clause 6.10, paragraphs (a), (b) or (c), they must provide the complainant with written notice of their determination and provide reasons for it and this will finalise consideration of the matter under these procedures.
- 6.17 Where the conduct reviewer refers a complaint to another agency or body, they must notify the complainant of the referral in writing where it is appropriate for them to do so.
- 6.18 The conduct reviewer may only determine to investigate a matter or to recommend that a conduct review committee be convened to investigate a matter where they are satisfied as to the following:
- a) that the complaint is a “code of conduct complaint” for the purposes of these procedures, and
 - b) that the alleged conduct, on its face, is sufficiently serious to warrant investigation, and
 - c) that the matter is one that could not or should not be resolved by alternative means.
- 6.19 The conduct reviewer may only determine to recommend that a conduct review committee be convened to investigate a matter after consulting with the complaints coordinator and where they are satisfied that it would not be practicable or appropriate for the matter to be investigated by a sole conduct reviewer.
- 6.20 The conduct reviewer must complete their preliminary assessment of the complaint within 28 days of referral of the matter to them by the complaints coordinator.
- 6.21 The conduct reviewer is not obliged to give prior notice to or to consult with any person before making a determination in relation to their preliminary assessment of a complaint except as may be specifically required under these procedures.

Referral back to the general manager or Mayor for resolution

- 6.22 Where the conduct reviewer determines to refer a matter back to the general manager or to the Mayor to be resolved by alternative and appropriate means, they must write to the general manager or, in the case of a complaint about the general manager, to the Mayor, recommending the means by which the complaint may be resolved.
- 6.23 The conduct reviewer must consult with the general manager or Mayor prior to referring a matter back to them under clause 6.22.

-
- 6.24 The general manager or Mayor may decline to accept the conduct reviewer's recommendation. Where the general manager or Mayor declines to do so, the conduct reviewer may determine to deal with the complaint by other means under clause 6.10.
- 6.25 Where the conduct reviewer refers a matter back to the general manager or Mayor under clause 6.22, the general manager or, in the case of a complaint about the general manager, the Mayor, is responsible for implementing or overseeing the implementation of the conduct reviewer's recommendation.
- 6.26 Where the conduct reviewer refers a matter back to the general manager or Mayor under clause 6.22, the general manager, or, in the case of a complaint about the general manager, the Mayor, must advise the complainant in writing of the steps taken to implement the conduct reviewer's recommendation once these steps have been completed.

Complaints assessment criteria

- 6.27 In undertaking the preliminary assessment of a complaint, the conduct reviewer may have regard to the following considerations:
- a) whether the complaint is a "code of conduct complaint",
 - b) whether the complaint is trivial, frivolous, vexatious or not made in good faith,
 - c) whether the complaint discloses prima facie evidence of a breach of the code,
 - d) whether the complaint raises issues that would be more appropriately dealt with by another agency or body,
 - e) whether there is or was an alternative and satisfactory means of redress available to the complainant in relation to the conduct complained of,
 - f) whether the complaint is one that can be resolved by alternative and appropriate strategies such as, but not limited to, explanation, counselling, training, informal discussion, negotiation or apology,
 - g) whether the issue/s giving rise to the complaint have previously been addressed or resolved,
 - h) whether the conduct complained of forms part of a pattern of conduct,
 - i) whether there were mitigating circumstances giving rise to the conduct complained of,
 - j) the seriousness of the alleged conduct,
 - k) the significance of the conduct or the impact of the conduct for the council,
 - l) how much time has passed since the alleged conduct occurred, or
 - m) such other considerations that the conduct reviewer considers may be relevant to the assessment of the complaint.

PART 7 OPERATIONS OF CONDUCT REVIEW COMMITTEES

- 7.1 Where a conduct reviewer recommends that the complaints coordinator convene a conduct review committee to investigate a matter, the conduct reviewer must notify the complaints coordinator of their recommendation and the reasons for their recommendation in writing.
- 7.2 The complaints coordinator must convene a conduct review committee comprising three conduct reviewers selected from:
- a) a panel of conduct reviewers established by the council, or
 - b) a panel of conduct reviewers established by an organisation approved by the Chief Executive of the Office of Local Government.
- 7.3 In selecting suitable conduct reviewers for membership of a conduct review committee convened under clause 7.2, the complaints coordinator may have regard to the following:
- a) the qualifications and experience of members of the panel of conduct reviewers, and
 - b) any recommendation made by the conduct reviewer about the membership of the committee.
- 7.4 The conduct reviewer who made the preliminary assessment of the complaint must not be a member of a conduct review committee convened under clause 7.2.
- 7.5 A member of a panel of conduct reviewers may not be appointed to a conduct review committee where they would otherwise be precluded from accepting a referral of the matter to be considered by the committee under clause 6.4.
- 7.6 Where the complaints coordinator convenes a conduct review committee, they will advise the complainant in writing that the committee has been convened and the membership of the committee.
- 7.7 Where, after a conduct review committee has been convened, a member of the committee becomes unavailable to participate in further consideration of the matter, the complaints coordinator may appoint another person from a panel of conduct reviewers to replace them.
- 7.8 Meetings of a conduct review committee may be conducted in person or by teleconference.
- 7.9 The members of the conduct review committee must elect a chairperson of the committee.

-
- 7.10 A quorum for a meeting of the conduct review committee is two members.
- 7.11 Business is not to be conducted at any meeting of the conduct review committee unless a quorum is present.
- 7.12 If a quorum is not present at a meeting of the conduct review committee, it must be adjourned to a time and date that is specified.
- 7.13 Each member of the conduct review committee is entitled to one vote in relation to a matter. In the event of an equality of votes being cast, the chairperson will have a casting vote.
- 7.14 If the vote on a matter is not unanimous, then this should be noted in the report of the conduct review committee in which it makes its determination in relation to the matter.
- 7.15 The chairperson may make a ruling on questions of procedure and the chairperson's ruling is to be final.
- 7.16 The conduct review committee may only conduct business in the absence of the public.
- 7.17 The conduct review committee must maintain proper records of its proceedings.
- 7.18 The complaints coordinator shall undertake the following functions in support of a conduct review committee:
- a) provide procedural advice where required,
 - b) ensure adequate resources are provided including secretarial support,
 - c) attend meetings of the conduct review committee in an advisory capacity, and
 - d) provide advice about council's processes where requested.
- 7.19 The complaints coordinator must not be present at, or in sight of a meeting of, the conduct review committee where it makes its final determination in relation to the matter.
- 7.20 The conduct review committee may adopt procedures governing the conduct of its meetings that supplement these procedures. However any procedures adopted by the committee must not be inconsistent with these procedures.

PART 8 INVESTIGATIONS

What matters may a conduct reviewer or conduct review committee investigate?

- 8.1 A conduct reviewer or conduct review committee (hereafter referred to as an “investigator”) may investigate a code of conduct complaint that has been referred to them by the complaints coordinator and any matters related to or arising from that complaint.
- 8.2 Where an investigator identifies further separate possible breaches of the code of conduct that are not related to or arise from the code of conduct complaint that has been referred to them, they are to report the matters separately in writing to the general manager, or, in the case of alleged conduct on the part of the general manager, to the Mayor.
- 8.3 The general manager or the Mayor is to deal with a matter reported to them by an investigator under clause 8.2 as if it were a new code of conduct complaint in accordance with these procedures.

How are investigations to be commenced?

- 8.4 The investigator must at the outset of their investigation provide a written notice of investigation to the subject person. The notice of investigation must:
 - a) disclose the substance of the allegations against the subject person, and
 - b) advise of the relevant provisions of the code of conduct that apply to the alleged conduct, and
 - c) advise of the process to be followed in investigating the matter, and
 - d) invite the subject person to make a written submission in relation to the matter within 28 days or such other reasonable period specified by the investigator in the notice, and
 - e) provide the subject person the opportunity to address the investigator on the matter within such reasonable time specified in the notice.
- 8.5 The subject person may within 14 days of receipt of the notice of investigation, request in writing that the investigator provide them with such further information they consider necessary to assist them to identify the substance of the allegation against them. An investigator will only be obliged to provide such information that the investigator considers reasonably necessary for the subject person to identify the substance of the allegation against them.
- 8.6 An investigator may at any time prior to issuing a draft report, issue an amended notice of investigation to the subject person in relation to the matter referred to them.

-
- 8.7 Where an investigator issues an amended notice of investigation, they will provide the subject person with a further opportunity to make a written submission in response to the amended notice of investigation within 28 days or such other reasonable period specified by the investigator in the amended notice.
- 8.8 The investigator must also, at the outset of their investigation, provide written notice of the investigation to the complainant, the complaints coordinator and the general manager, or in the case of a complaint about the general manager, to the Mayor. The notice must:
- a) advise them of the matter the investigator is investigating, and
 - b) in the case of the notice to the complainant, invite them to make a written submission in relation to the matter within 28 days or such other reasonable period specified by the investigator in the notice.

Written and oral submissions

- 8.9 Where the subject person or the complainant fails to make a written submission in relation to the matter within the period specified by the investigator in their notice of investigation or amended notice of investigation, the investigator may proceed to prepare their draft report without receiving such submissions.
- 8.10 The investigator may accept written submissions received outside the period specified in the notice of investigation or amended notice of investigation.
- 8.11 Prior to preparing a draft report, the investigator must give the subject person an opportunity to address the investigator on the matter being investigated. The subject person may do so in person or by telephone.
- 8.12 Where the subject person fails to accept the opportunity to address the investigator within the period specified by the investigator in the notice of investigation, the investigator may proceed to prepare a draft report without hearing from the subject person.
- 8.13 Where the subject person accepts the opportunity to address the investigator in person, they may have a support person or legal advisor in attendance. The support person or legal advisor will act in an advisory or support role to the subject person only. They must not speak on behalf of the subject person or otherwise interfere with or disrupt proceedings.
- 8.14 The investigator must consider all written and oral submissions made to them in relation to the matter.

How are investigations to be conducted?

- 8.15 Investigations are to be undertaken without undue delay.
- 8.16 Investigations are to be undertaken in the absence of the public and in confidence.
- 8.17 Investigators must make any such enquiries that may be reasonably necessary to establish the facts of the matter.
- 8.18 Investigators may seek such advice or expert guidance that may be reasonably necessary to assist them with their investigation or the conduct of their investigation.
- 8.19 An investigator may request that the complaints coordinator provide such further information that the investigator considers may be reasonably necessary for them to establish the facts of the matter. The complaints coordinator will, as far as is reasonably practicable, provide the information requested by the investigator.

Referral or resolution of a matter after the commencement of an investigation

- 8.20 At any time after an investigator has issued a notice of investigation and before they have issued a draft report, an investigator may determine to:
- a) resolve the matter by alternative and appropriate strategies such as, but not limited to, explanation, counselling, training, mediation, informal discussion, negotiation or apology, or
 - b) refer the matter to the general manager, or, in the case of a complaint about the general manager, to the Mayor, for resolution by alternative and appropriate strategies such as, but not limited to, explanation, counselling, training, mediation, informal discussion, negotiation or apology, or
 - c) refer the matter to another agency or body such as, but not limited to ICAC, the NSW Ombudsman, the OLG or the Police.
- 8.21 Where an investigator determines to exercise any of the options under clause 8.20 after the commencement of an investigation, they must do so in accordance with the requirements of Part 6 of these procedures relating to the exercise of these options at the preliminary assessment stage.
- 8.22 Where an investigator determines to exercise any of the options under clause 8.20 after the commencement of an investigation, they may by written notice to the subject person, the complainant, the complaints coordinator and the general manager, or in the case of a complaint about the general manager, the Mayor, discontinue their investigation of the matter.
- 8.23 Where the investigator discontinues their investigation of a matter under clause 8.22, this shall finalise the consideration of the matter under these procedures.

-
- 8.24 An investigator is not obliged to give prior notice to or to consult with any person before making a determination to exercise any of the options under clause 8.20 or to discontinue their investigation except as may be specifically required under these procedures.

Draft investigation reports

- 8.25 When an investigator has completed their enquiries and considered any written or oral submissions made to them in relation to a matter, they must prepare a draft of their proposed report.
- 8.26 The investigator must provide their draft report to the subject person and invite them to make a written submission in relation to it within 28 days or such other reasonable period specified by the investigator.
- 8.27 Where the investigator proposes to make adverse comment about any other person (an affected person) in their report, they must also provide the affected person with relevant extracts of their draft report containing such comment and invite the affected person to make a written submission in relation to it within 28 days or such other reasonable period specified by the investigator.
- 8.28 The investigator must consider written submissions received in relation to the draft report prior to finalising their report in relation to the matter.
- 8.29 The investigator may, after consideration of all written submissions received in relation to their draft report, make further enquiries into the matter. Where as a result of making further enquiries, the investigator makes any material change to their proposed report that makes new adverse comment about the subject person or an affected person, they must provide the subject person or affected person as the case may be with a further opportunity to make a written submission in relation to the new adverse comment.
- 8.30 Where the subject person or an affected person fails to make a written submission in relation to the draft report within the period specified by the investigator, the investigator may proceed to prepare and issue their final report without receiving such submissions.
- 8.31 The investigator may accept written submissions in relation to the draft report received outside the period specified by the investigator at any time prior to issuing their final report.

Final investigation reports

- 8.32 Where an investigator issues a notice of investigation they must prepare a final report in relation to the matter unless the investigation is discontinued under clause 8.22.
- 8.33 An investigator must not prepare a final report in relation to the matter at any time before they have finalised their consideration of the matter in accordance with the requirements of these procedures.
- 8.34 The investigator's final report must:
- a) make findings of fact in relation to the matter investigated, and,
 - b) make a determination that the conduct investigated either,
 - i. constitutes a breach of the code of conduct, or
 - ii. does not constitute a breach of the code of conduct, and
 - c) provide reasons for the determination.
- 8.35 Where the investigator determines that the conduct investigated constitutes a breach of the code of conduct, the investigator may make one or more of the following recommendations:
- a) that the council revise any of its policies or procedures,
 - b) that the subject person undertake any training or other education relevant to the conduct giving rise to the breach,
 - c) that the subject person be counselled for their conduct,
 - d) that the subject person apologise to any person or organisation affected by the breach in such a time and form specified by the recommendation,
 - e) that findings of inappropriate conduct be made public,
 - f) in the case of a breach by the general manager, that action be taken under the general manager's contract for the breach,
 - g) in the case of a breach by a councillor, that the councillor be formally censured for the breach under section 440G of the Act,
 - h) in the case of a breach by a councillor, that the council resolves as follows:
 - i. that the councillor be formally censured for the breach under section 440G of the Act, and
 - ii. that the matter be referred to the Office for further action under the misconduct provisions of the Act.
- 8.36 Where the investigator determines that the conduct investigated does not constitute a breach of the code of conduct, the investigator may make one or more of the following recommendations:
- a) that the council revise any of its policies or procedures,
 - b) that a person or persons undertake any training or other education.
- 8.37 In making a recommendation under clause 8.35, the investigator may have regard to the following:

-
- a) the seriousness of the breach,
 - b) whether the breach can be easily remedied or rectified,
 - c) whether the subject person has remedied or rectified their conduct,
 - d) whether the subject person has expressed contrition,
 - e) whether there were any mitigating circumstances,
 - f) the age, physical or mental health or special infirmity of the subject person,
 - g) whether the breach is technical or trivial only,
 - h) any previous breaches,
 - i) whether the breach forms part of a pattern of conduct,
 - j) the degree of reckless intention or negligence of the subject person,
 - k) the extent to which the breach has affected other parties or the council as a whole,
 - l) the harm or potential harm to the reputation of the council or local government arising from the conduct,
 - m) whether the findings and recommendations can be justified in terms of the public interest and would withstand public scrutiny,
 - n) whether an educative approach would be more appropriate than a punitive one,
 - o) the relative costs and benefits of taking formal enforcement action as opposed to taking no action or taking informal action,
 - p) what action or remedy would be in the public interest.

8.38 At a minimum, the investigator's final report must contain the following information:

- a) a description of the allegations against the subject person,
- b) the relevant provisions of the code of conduct that apply to the alleged conduct investigated,
- c) a statement of reasons as to why the conduct reviewer considered that the matter warranted investigation,
- d) a statement of reasons as to why the conduct reviewer considered that the matter was one that could not or should not be resolved by alternative means,
- e) where the matter is investigated by a conduct review committee, a statement as to why the matter was one that warranted investigation by a conduct review committee instead of a sole conduct reviewer,
- f) a description of any attempts made to resolve the matter by use of alternative means,
- g) the steps taken to investigate the matter,
- h) the facts of the matter,
- i) the investigator's findings in relation to the facts of the matter and the reasons for those findings,
- j) the investigator's determination and the reasons for that determination,
- k) any recommendations.

8.39 The investigator must provide a copy of their report to the complaints coordinator, the subject person and the complainant.

-
- 8.40 Where the investigator has determined that there has not been a breach of the code of conduct, the complaints coordinator must provide a copy of the investigator's report to the general manager or, where the report relates to the general manager's conduct, to the Mayor and this will finalise consideration of the matter under these procedures.
- 8.41 Where the investigator has determined that there has been a breach of the code of conduct and makes a recommendation or recommendations under clause 8.35, paragraph (a), the complaints coordinator must provide a copy of the investigator's report to the general manager. Where the general manager agrees with the recommendation/s, the general manager is responsible for implementing the recommendation/s.
- 8.42 Where the investigator has determined that there has been a breach of the code of conduct and makes a recommendation or recommendations under clause 8.35, paragraphs (b) or (c), the complaints coordinator must provide a copy of the investigator's report to the general manager or, where the report relates to the general manager's conduct, to the Mayor. The general manager is responsible for arranging the implementation of the recommendation/s where the report relates to a councillor's conduct. The Mayor is responsible for arranging the implementation of the recommendation/s where the report relates to the general manager's conduct.
- 8.43 Where the investigator has determined that there has been a breach of the code of conduct and makes a recommendation or recommendations under clause 8.35, paragraphs (d) to (h), the complaints coordinator must, where practicable, arrange for the investigator's report to be reported to the next ordinary council meeting for the council's consideration unless the meeting is to be held within the 4 weeks prior to an ordinary local government election, in which case the report must be reported to the first ordinary council meeting following the election.

Consideration of the final investigation report by council

- 8.44 The role of the council in relation to a final investigation report is to impose a sanction where an investigator determines that there has been a breach of the code of conduct and makes a recommendation in their final report under clause 8.35, paragraphs (d) to (h).
- 8.45 The council is to close its meeting to the public to consider the final investigation report where it is permitted to do so under section 10A of the Act.
- 8.46 Where the complainant is a councillor, they must absent themselves from the meeting and take no part in any discussion or voting on the matter. The complainant councillor may absent themselves without making any disclosure of interests in relation to the matter unless otherwise required to do so under the Act or the Model Code.

-
- 8.47 Prior to imposing a sanction, the council must provide the subject person with an opportunity to make an oral submission to the council. The subject person is to confine their submission to addressing the investigator's recommendation/s.
- 8.48 Once the subject person has completed their oral submission they must absent themselves from the meeting and, where they are a councillor, take no part in any discussion or voting on the matter.
- 8.49 The council must not invite oral submissions from other persons for the purpose of seeking to rehear evidence previously considered by the investigator.
- 8.50 Prior to imposing a sanction, the council may by resolution:
- a) request that the investigator make additional enquiries and/or provide additional information to it in a supplementary report, or
 - b) seek an opinion by the OLG in relation to the report.
- 8.51 The council may, by resolution, defer further consideration of the matter pending the receipt of a supplementary report from the investigator or an opinion from the OLG.
- 8.52 The investigator may make additional enquiries for the purpose of preparing a supplementary report.
- 8.53 Where the investigator prepares a supplementary report, they must provide copies to the complaints coordinator who shall provide a copy each to the council, the subject person and the complainant.
- 8.54 The investigator is not obliged to notify or consult with any person prior to submitting the supplementary report to the complaints coordinator.
- 8.55 The council is only required to provide the subject person a further opportunity to address it on a supplementary report where the supplementary report contains new information that is adverse to them.
- 8.56 A council may by resolution impose one or more of the following sanctions on a subject person:
- a) that the subject person apologise to any person or organisation affected by the breach in such a time and form specified by the resolution,
 - b) that findings of inappropriate conduct be made public,
 - c) in the case of a breach by the general manager, that action be taken under the general manager's contract for the breach,
 - d) in the case of a breach by a councillor, that the councillor be formally censured for the breach under section 440G of the Act,
 - e) in the case of a breach by a councillor:
 - i. that the councillor be formally censured for the breach under section 440G of the Act, and

-
- ii. that the matter be referred to the OLG for further action under the misconduct provisions of the Act.
- 8.57 The council is not obliged to adopt the investigator's recommendation/s. Where the council does not adopt the investigator's recommendation/s, the council must resolve not to adopt the recommendation and state in its resolution the reasons for its decision.
- 8.58 The council may, by resolution, impose a sanction on the subject person under clause 8.56 different to the sanction recommended by the investigator in their final report.
- 8.59 Where the council resolves not to adopt the investigator's recommendation/s, the complaints coordinator must notify the OLG of the council's decision and the reasons for it.

PART 9 RIGHTS OF REVIEW

Failure to comply with a requirement under these procedures

- 9.1 Where any person believes that a person has failed to comply with a requirement prescribed under these procedures, they may, at any time prior to the council's consideration of an investigator's final report, raise their concerns in writing with the OLG.

Practice rulings

- 9.2 Where a subject person and an investigator are in dispute over a requirement under these procedures, either person may make a request in writing to the OLG to make a ruling on a question of procedure (a practice ruling).
- 9.3 Where the OLG receives a request in writing for a practice ruling, the OLG may provide notice in writing of its ruling and the reasons for it to the person who requested it and to the investigator, where that person is different.
- 9.4 Where the OLG makes a practice ruling, all parties are to comply with it.
- 9.5 The OLG may decline to make a practice ruling. Where the OLG declines to make a practice ruling, it will provide notice in writing of its decision and the reasons for it to the person who requested it and to the investigator, where that person is different.

Requests for review

- 9.6 A person the subject of a sanction imposed under Part 8 of these procedures other than one imposed under clause 8.56, paragraph (e), may, within 28 days of the sanction being imposed, seek a review of the investigator's determination and recommendation by the OLG.

9.7 A review under clause 9.6 may be sought on the following grounds:

- a) that the investigator has failed to comply with a requirement under these procedures, or
- b) that the investigator has misinterpreted or misapplied the standards of conduct prescribed under the code of conduct, or
- c) that the council has failed to comply with a requirement under these procedures in imposing a sanction.

9.8 A request for a review made under clause 9.6 must be made in writing and must specify the grounds upon which the person believes the investigator or the council has erred.

9.9 The OLG may decline to conduct a review, where the grounds upon which the review is sought are not sufficiently specified.

9.10 The OLG may undertake a review of a matter without receiving a request under clause 9.6.

9.11 The OLG will undertake a review of the matter on the papers.

However, the OLG may request that the complaints coordinator provide such further information that the OLG considers reasonably necessary for it to review the matter. The complaints coordinator must, as far as is reasonably practicable, provide the information requested by the OLG.

9.12 Where a person requests a review under clause 9.6, the OLG may direct the council to defer any action to implement a sanction. The council must comply with a direction to defer action by the OLG.

9.13 The OLG must notify the person who requested the review and the complaints coordinator of the outcome of the OLG's review in writing and the reasons for its decision. In doing so, the OLG may comment on any other matters the OLG considers to be relevant.

9.14 Where the OLG considers that the investigator or the council has erred, the OLG may recommend that a decision to impose a sanction under these procedures be reviewed.

9.15 In the case of a sanction implemented by the general manager or Mayor under clause 8.42, where the OLG recommends that the decision to impose a sanction be reviewed:

- a) the complaints coordinator must provide a copy of the OLG's determination in relation to the matter to the general manager or the Mayor, and
- b) the general manager or Mayor must review any action taken by them to implement the sanction, and
- c) the general manager or Mayor must consider the OLG's recommendation in doing so.

9.16 In the case of a sanction imposed by the council by resolution under clause 8.56, where the OLG recommends that the decision to impose a sanction be reviewed:

- a) the complaints coordinator must , where practicable, arrange for the OLG's determination to be tabled at the next ordinary council meeting unless the meeting is to be held within the 4 weeks prior to an ordinary local government election, in which case it must be tabled at the first ordinary council meeting following the election, and
- b) the council must:
 - i. review its decision to impose the sanction, and
 - ii. consider the OLG's recommendation in doing so, and
 - iii. resolve to either rescind or reaffirm its previous resolution in relation to the matter.

9.17 Where having reviewed its previous decision in relation to a matter under clause 9.16 the council resolves to reaffirm its previous decision, the council must state in its resolution its reasons for doing so.

PART 10 PROCEDURAL IRREGULARITIES

10.1 A failure to comply with these procedures does not, on its own, constitute a breach of the code of conduct except as may be otherwise specifically provided under the code of conduct.

10.2 A failure to comply with these procedures will not render a decision made in relation to a matter invalid where:

- a) the non-compliance is isolated and/or minor in nature, or
- b) reasonable steps are taken to correct the non-compliance, or
- c) reasonable steps are taken to address the consequences of the non-compliance.

PART 11 PRACTICE DIRECTIONS

11.1 The OLG may at any time issue a practice direction in relation to the application of these procedures.

11.2 The OLG will issue practice directions in writing, by circular to all councils.

11.3 All persons performing a function prescribed under these procedures must consider the OLG's practice directions when performing the function.

PART 12 REPORTING ON COMPLAINTS STATISTICS

12.1 The complaints coordinator must arrange for the following statistics to be reported to the council within 3 months of the end of September of each year:

- a) the total number of code of conduct complaints made about councillors and the general manager under the code of conduct in the year to September,
- b) the number of code of conduct complaints referred to a conduct reviewer,
- c) the number of code of conduct complaints finalised by a conduct reviewer at the preliminary assessment stage and the outcome of those complaints,
- d) the number of code of conduct complaints investigated by a conduct reviewer,
- e) the number of code of conduct complaints investigated by a conduct review committee,
- f) without identifying particular matters, the outcome of code of conduct complaints investigated by a conduct reviewer or conduct review committee under these procedures,
- g) the number of matter reviewed by the OLG and, without identifying particular matters, the outcome of the reviews, and
- h) The total cost of dealing with code of conduct complaints made about councillors and the general manager in the year to September, including staff costs.

12.2 The council is to provide the OLG with a report containing the statistics referred to in clause 12.1 within 3 months of the end of September of each year.

PART 13 CONFIDENTIALITY

13.1 Information about code of conduct complaints and the management and investigation of code of conduct complaints is to be treated as confidential and is not to be publicly disclosed except as may be otherwise specifically required or permitted under these procedures.

Amendment List

[illegible]

National Local Roads & Transport Congress 2017



Shaping
Transport's
Future

NOT AN OPTION – IT'S IMPERATIVE!

One of the essential roles of government is the provision of social and physical infrastructure that supports the way of life and living standards of its citizens. Australia is one of the largest countries in the world. As such, our citizens and economy depend heavily on transport systems to move people and freight domestically and internationally.

As the primary provider of local and regional transport infrastructure, local government plays a critical role in Australia's transport system. In the bush, a number of councils also provide airports.

Australia's transport, and transport globally, is changing: electric and automated cars; higher productivity vehicles; mega ships and giant aircraft. Infrastructure providers, including local governments, must adapt. Greater efficiencies and reduced reliance on fossil fuels over time will also impact on government revenues such as fuel excise and registration fees. Automation of car fleets, particularly in urban areas may significantly reduce the need for inner city parking and potentially decrease council parking fee revenues.

Falling government revenues and competing priorities will make it harder and harder for transport to get its fair share of funding. And harder and harder for local government to get its fair share of whatever funding is available.

Transport funding reform is not an option, it is an imperative. New revenue streams must be secured, not only to maintain our roads and transport systems, but to invest in essential new infrastructure to drive economic growth and support living standards. This is why the Council of Australian Government

(COAG) and the Transport and Infrastructure Council are working on market reforms, including a system of road user charging.

These reforms are complex. They involve a detailed understanding of transport assets (through asset registers), their condition, life-cycle cost management, and new investment priorities. These are just some of the pre-requisites for reform. They will help determine revenues and potentially subsidies for low traffic volume roads in the form of Community Service Obligations.

Local government must:

- Understand this and other transport reforms;
- Actively participate in and improve all aspects of asset management;
- Document asset life-cycle cost bases; and
- Be proactive, positive and anticipate change.

Most of all, local government must stand up and be heard to ensure that it gets a fair share of funding for local communities.

If you only attend one conference this year, make sure it is the Congress. It will ensure you and your council understand and are equipped to grapple with these challenges and achieve your objectives, thereby helping ALGA make the strongest case for local government roads and transport funding.

SUPPORT YOUR LOCAL GOVERNMENT FREIGHT STRATEGY PROPOSAL FOR \$200 MILLION PER ANNUM FOR FIVE YEARS

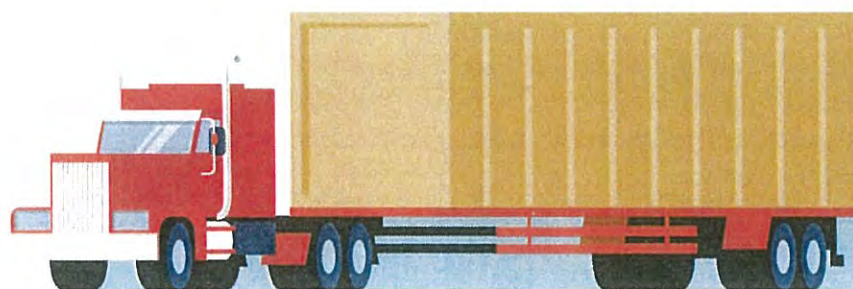
Increased freight productivity will not occur without additional effort. Realising the critical importance of first and last mile issues, and local government owned and managed roads across the nation's supply chains, ALGA launched the Local Government Freight Strategy at last year's National Local Roads and Transport Congress.

Our Plan needs essential new Government investment to address:

- **System gaps:** Nationally our total road network is not appropriately linked and access consent is difficult to coordinate. Our solution is to support councils to work with the NHVR to understand state and national freight routes and how they interface with regional council road networks.
- **Planning gaps:** Nationally the current system of regional planning, which includes freight route identification and robust investment priorities that meet industry needs, is ad hoc. Our solution is to incentivise councils to undertake regional transport plans including demand forecasting on key freight routes.
- **Knowledge gaps:** Nationally the system for consenting to access on local roads requires councils to make decisions on the capacity of roads and other key assets to undertake the task, such as bridges. While councils know their assets, many councils do not have the resources to undertake the necessary technical assessments of some of the critical assets on all routes. Our solution is to fund councils to undertake appropriate engineering assessments on key council assets on key freight routes.

National Local Roads & Transport Congress 2017

ALBANY • WA



6-8

NOVEMBER
2017

PROVISIONAL PROGRAM

MONDAY 6 NOVEMBER	
11.00 am	Albany showcase and tour
5.00 pm	Welcome Reception, National Anzac Centre

TUESDAY 7 NOVEMBER	
9.00 am	OPENING ADDRESS Mayor David O'Loughlin , ALGA President
9.20 am	GOVERNMENT ADDRESS The Hon Darren Chester MP (invited), Minister for Infrastructure and Transport
10.00 am	National Freight and Supply Chain Strategy Inquiry
10.30 am	MORNING TEA
11.00 am	PANEL DISCUSSION Heavy Vehicle road reform and road user charging
12.30 pm	LUNCH
1.30 pm	CONCURRENT SESSIONS <ul style="list-style-type: none"> Regional Airports Regional Productivity
3.00 pm	AFTERNOON TEA
3.30 pm	Innovative Transport Financing in Metropolitan Areas
4.00 pm	PANEL/WORKSHOP National Freight and Supply Chain Strategy
5.00 pm	Close
7.00 pm	Congress Dinner

WEDNESDAY 8 NOVEMBER	
9.00 am	OPPOSITION ADDRESS The Hon Anthony Albanese MP (invited), Shadow Minister for Infrastructure, Transport, Cities and Regional Development
9.30 am	National Road Safety Initiatives
10.00 am	Road Safety for your Community
10.30 am	MORNING TEA
11.00 am	Key National Policy Updates
12.30 pm	LUNCH
1.30 pm	Australian Road Research Board
2.00 pm	WORKSHOP Regional Road Solutions
3.00 pm	Close

REGISTER NOW
www.alga.asn.au



Planning & Environment

17 JUL 2017

Mr Peter Vlatko
General Manager
Cobar Shire Council
PO Box 223
Cobar NSW 2835

17/09387

Attention: Garry Ryman, Director Planning & Environmental Services

Dear Mr Vlatko,

Planning proposal (PP_2017_COBAR_001_00) to amend Cobar Local Environmental Plan 2012 to permit health service facilities with consent in zone R2 low density residential

I am writing in response to your Council's letter dated 4 July 2017 requesting a Gateway determination under section 56 of the *Environmental Planning and Assessment Act, 1979* in respect of the planning proposal to amend the zone R2 low density residential to permit a health services facility.

As delegate of the Minister for Planning, I have now determined the planning proposal should proceed subject to the conditions in the attached Gateway determination. **(Attachment 1).**

I am satisfied that the planning proposal is consistent with applicable section 117 Directions. No further approval is required in relation to the Directions.

The Minister delegated plan making powers to Councils in October 2012. It is noted that Council has requested not to be issued with delegation for this planning proposal. I have considered Council's request and agree in this instance not to issue Council authorisation to exercise delegation to make this plan.

The amending Local Environmental Plan (LEP) is to be finalised within 6 months of the week following the date of the Gateway determination. Council should aim to commence the exhibition of the planning proposal as soon as possible. Council's request for the Department of Planning and Environment to draft and finalise the LEP should be made 10 weeks prior to the projected publication date. Council's request to draft and finalise the LEP should be made to the Department of Planning and Environment (westernregion@planning.nsw.gov.au).

Re: 104820
104759

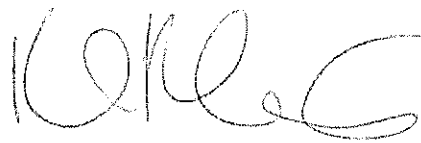
- copy TS-2 done

M6-5 105151
DPES

All related files for LEP Amendment, including Planning Proposal documents, must be submitted to the Department via the Planning Portal Website at <https://www.planningportal.nsw.gov.au/planning-tools/online-submission-planning-data>. To submit the data, Council is required to create an account and log in using these details.

The State Government is committed to reducing the time taken to complete LEPs by tailoring the steps in the process to the complexity of the proposal, and by providing clear and publicly available justification for each plan at an early stage. In order to meet these commitments, the Minister may take action under section 54(2)(d) of the *Environmental Planning & Assessment Act, 1979* if the time frames outlined in this determination are not met.

Should you have any queries in regard to this matter, I have arranged for Tim Collins of the Departments Western Region office to assist you. Mr Collins can be contacted on 02 6841 2180.



Katrine O'Flaherty
Director Regions, Western
Planning Services

11/7/2017

Encl:
Attachment 1 – Gateway determination



Gateway Determination

Planning proposal (Department Ref: PP_2017_COBAR_001_00) to permit health services facility with consent in zone R2 low density residential.

I, the Director Regions, Western at the Department of Planning and Environment as delegate of the Minister for Planning, have determined under section 56(2) of the *Environmental Planning and Assessment Act, 1979* that an amendment to the Cobar Local Environmental Plan (LEP) 2012 to permit health services facility with consent in zone R2 low density residential should proceed subject to the following conditions:

1. Community consultation is required under sections 56(2)(c) and 57 of the Environmental Planning and Assessment Act 1979 as follows:
 - (a) the planning proposal must be made publicly available for a minimum of 14 days;
 - (b) notice requirements for public exhibition of planning proposals and the specifications for material that must be made publicly available along with planning proposals as identified in section 5.5.2 of *A Guide to Preparing LEPs (Department of Planning & Environment 2016)*.

No consultation with agencies is required.
2. A public hearing is not required to be held into the matter by any person or body under section 56(2)(e) of the EP&A Act. This does not discharge Council from any obligation it may otherwise have to conduct a public hearing (for example, in response to a submission or if reclassifying land).
3. The timeframe for completing the LEP is to be 6 months from the week following the date of the Gateway determination.

Dated 11th day of July 2017.

Katrine O'Flaherty
Director Regions, Western
Planning Services
Department of Planning and
Environment

Delegate of the Minister for
Planning

**MINUTES OF THE LIQUOR ACCORD COMMITTEE MEETING
HELD IN THE COBAR SHIRE COUNCIL CHAMBERS ON
TUESDAY 8 AUGUST 2017 COMMENCING AT 2:02PM**

1. WELCOME & APOLOGIES

Present:

Ms Demi Smith	Secretary/ Manager	Cobar Bowling & Golf Club
Mrs Linda Carter	Manager	Cobar Memorial Services
Ms Janette Booth		Cobar Shire Council
Mr Peter Vlatko	General Manager	Cobar Shire Council
Ms Stephanie Stone	Manager	Grand Hotel
Mrs Cindy Bryan	Owner	Empire Hotel
Ms Stephanie Collins	Manager	Empire Hotel
Rachel Warren	Manager	Great Western Hotel
Dave Warren	Manager	
Boz Simeonovic	Manager	Town & Country
Ivanka Durdev	Manager	Town & Country
Constable Ryan Schillingworth		Local Area Command

Apologies:

Ms Colleen Harvey	Manager	IGA
Mr Jarrod Marsden	President	Cobar Miners Race Club
Mrs Lilliane Brady OAM	Mayor	Cobar Shire Council

Resolved:

That the apologies received from Colleen Harvey, Jarrod Marsden and Lilliane Brady OAM be accepted.

Demi Smith/ Rachel Warren

CARRIED

2. ADOPTION OF PREVIOUS MINUTES

Resolved:

That the minutes of the previous meeting held on Tuesday, 13 June 2017 be confirmed as a true and correct record of the proceedings of that meeting.

Stephanie Collins/ Demi Smith

CARRIED

3. BUSINESS ARISING FROM THE MINUTES

Nil.

4. CORRESPONDENCE

Nil.

5. ITEMS OF BUSINESS

5.1 UPDATE ON OUTSTANDING LIQUOR ACCORD TERMS OF AGREEMENT

All in attendance advised of the outstanding Liquor Accord Terms of Agreement:

- Empire Hotel;
- Town & Country Motor Inn.

5.2 OUTSTANDING 2016/2017 LIQUOR ACCORD ANNUAL FEES (\$50)

All in attendance advised of the outstanding Annual 2016/2017 Fees. Which are:

- Grand Hotel;
- Town & Country Motor Inn.

5.3 2017/2018 LIQUOR ACCORD ANNUAL FEES (\$50)

All in attendance advised that the 2017/2018 Liquor Accord Annual Fees are now due.

5.4 BARRED PATRONS

Barred Patrons from Licensed Premises have been discussed.

5.5 LICENCED PREMISES REPORT

Discussions have been held on what has been happening with the Licensees and the establishments in attendance.

6. POLICING MATTERS

6.1 GENERAL POLICING MATTERS

- Few PCA's.

7. COUNCIL MATTERS

7.1 GENERAL MANAGER'S REPORT

Nil.

8. GENERAL BUSINESS

- Golfie are having a breath testing machine installed;
 - Golfie are running Armed Robbery Training if anyone is interested in joining;
 - RSL Joker Draw is going well;
 - Internet RSA's.
-

9. NEXT MEETING

Tuesday, 10 October 2017 at 2:00pm in the Council Chambers.

THERE BEING NO FURTHER BUSINESS THE MEETING CLOSED AT 2:45PM

**MINUTES OF THE RURAL ROADS ADVISORY COMMITTEE
MEETING HELD AT TILPA ON
2 AUGUST 2017 COMMENCING AT 11:12AM**

PRESENT

Deputy Mayor Peter Abbott (Cobar Shire Council), Kym Miller (Cobar Shire Council), Stephen Taylor (Cobar Shire Council), Clr Greg Martin (Cobar Shire Council), Clr Julie Payne (Cobar Shire Council), Maurice Bell (Cobar Shire Council), Adrienne Pierini (Cobar Shire Council), John Gally (Mulya Station), Clr Bob Sinclair (Cobar Shire Council), Andrew Farnsworth (Innesowen), Ian Maidens (Bonnie Doon), Justin McClure (Kalara), Julie McClure (11:15am) (Kalara), Brytt Moore (Cobar Shire Council) and Sandra Davey (Cobar Shire Council).

RECOMMENDATION: That the apologies received from Mayor Lilliane Brady OAM (Cobar Shire Council), Clr Chris Lehmann (Cobar Shire Council) and Clr Peter Maxwell (Cobar Shire Council).

Bob Sinclair/Ian Maidens

CARRIED

ITEM 1 - CONFIRMATION OF MINUTES

FILE: R5-36

Author: *Director of Engineering Services, Stephen Taylor*

RECOMMENDATION: That the Committee adopt the Minutes of the Rural Roads Advisory Committee Meeting held on Wednesday 3 May 2017 as a true and accurate reflection of the proceedings of that Meeting.

Bob Sinclair/Ian Maidens

CARRIED

MATTERS ARISING FROM THE MINUTES

- Nil.

ITEM 2 – RURAL ROADS ADVISORY COMMITTEE – STATUS REPORT

FILE: R5-36

AUTHOR: *Director of Engineering Services, Stephen Taylor*

- **Item 75** – Julie McClure to provide Angela Shepherd - Director of Corporate and Economic Development with written plan and community ideas for upgrading of Tilpa Weir. Tilpa Weir sign needs to be replaced -Work order created in Councils system. Tilpa Community Group to consult with Council regarding invoicing on an annual basis for the caretaking of Tilpa Weir.
- **Item 83** – Stephen Taylor contacted Carrathool Shire regarding their funding for grid maintenance and it is funded out of their allocation for road works.

MOTION: Council, in conjunction with landholders, seal the approaches of grids on regional roads on a program basis.

Greg Martin/Bob Sinclair

CARRIED

THIS IS PAGE 1 OF THE MINUTES OF THE RURAL ROADS ADVISORY COMMITTEE MEETING -
2 AUGUST 2017 HELD AT TILPA

MOTION: Council write to our Minister and the Minister for Roads seeking their assistance on rectifying the anomaly in funding for regional roads.

Greg Martin/Julie Payne

CARRIED

RECOMMENDATION: That the Committee receive and note the information contained in the Status Report and the following items removed: 51, 80, 81 and 83.

Bob Sinclair/Greg Martin

CARRIED

ITEM 3 - EXPENDITURE REPORT

FILE: R5-36

Author: *Director of Engineering Services, Stephen Taylor*

RECOMMENDATION: That the information contained in the Expenditure Report be received and noted.

Bob Sinclair/Julie Payne

CARRIED

GENERAL BUSINESS

1. Rural Addressing:

- 90% of round 1 has been completed. The commencement of round 2 will start shortly with letters going out to landholders.

2. Andrew Farnsworth/Greg Martin/Justin McClure:

- Road Condition complaints/queries :
 - Andrew - Question whether on grading of certain parts of the Wooltrack was necessary. Report of section of Seventy Eight Mile road near Manara that needs grading;
 - Greg – Anne-Marie Murphy from Nekarbo has reported the grids on Shire Road 10 are dangerous;
 - Justin - Brick Kill Creek causeway – Has been sealed and level across causeway – Maurice/Adrienne/Stephen to inspect after meeting.

MOTION: Council to immediately investigate sealed causeway at Brick Kill Creek.

Peter Abbott/Greg Martin

CARRIED

- **Stephen Taylor advised in future to report this information directly to Council and not at Rural Roads meetings.**

3. Bob Sinclair:

- Congratulations to Peter Attwater for work on the Wooltrack.

4. Julie McClure:

- Raised a question as to the length of time it took for signage to be erected after accident on RR7518;
- Provided information regarding Australian Flood Plain Association;

-
- Questioned if Council submitted to the Murray Darling Basin Review and Barwon Darling Plan – Council did not.

MOTION: Cobar Shire Council considers group membership to the Australian Flood Plain Association.

Julie McClure/Andrew Farnsworth

CARRIED

5. Justin McClure:

- Thanked Cobar Shire Council for their continued support to Tilpa Community.

6. November Rural Roads Meeting:

MOTION: Council consider holding the next Rural Roads Advisory Committee Meeting at Mulya Station.

Justin McClure/Andrew Farnsworth

CARRIED

7. Access to Water:

MOTION: Council to look into acquiring Public Stock Watering Points as a method of guaranteeing access to water.

Justin McClure/Bob Sinclair

CARRIED

FUTURE MEETING

The next Rural Roads Advisory Committee Meeting will be confirmed.

THERE BEING NO FURTHER BUSINESS THE MEETING CLOSED AT 1.08PM

ITEM 2 – RURAL ROADS ADVISORY COMMITTEE – STATUS REPORT

FILE: R5-36

AUTHOR: Director of Engineering Services, Stephen Taylor

COMMITTEE RESOLUTIONS 5 AUGUST 2015		
73	Re-investigate the approach on bridges and additional danger areas on MR68 and SR3, and complete repairs.	<p>DES/RDM</p> <p>SR3 Bridge: Stephen advised repairs not completed yet due to wet weather. No date for completion can be given at present due to ongoing wet weather conditions but will be confirmed as soon as known.</p> <p>MR68 Bridges: will be programmed for 16/17. No funding allocated for these at this stage but advice will be given when available. Ongoing</p>
COMMITTEE RESOLUTIONS 5 AUGUST 2015		
75	Julie McClure has requested that Council investigate any funding opportunities for the upgrade of the Tilpa Weir campgrounds.	<p>GM/SPO</p> <p>Julie McClure to provide Angela Shepherd - Director of Corporate and Economic Development with written plan and community ideas for upgrading of Tilpa Weir. Ongoing.</p>
COMMITTEE RESOLUTIONS 26 NOVEMBER 2015		

78	Councillor Bob Sinclair has requested that Council approach the State Government to obtain funding for the upgrade or removal of grids due to dangerous conditions that they cause road users.	GM/DES	GM to discuss with landowners and Engineering Department the Cobar Shire Council Grid Policy and problems with issues of responsibility and maintenance. Landowners to provide a priority list of grids to be cleared. Ongoing
COMMITTEE RESOLUTIONS 14 FEBRUARY 2017			
82	Council seek support of the Western Division of Councils for alternate funding of grids/public gates on rural roads.	GM	Motion to be submitted to Western Division of Council's AGM.
COMMITTEE RESOLUTIONS 2 AUGUST 2017			
84	Council, in conjunction with landholders, seal the approaches of grids on regional roads on a program basis.	DES	Recommendation made to Council.
85	Council write to our Minister and the Minister for Roads seeking their assistance on rectifying the anomaly in funding for regional roads.	DES/GM	
86	Council to immediately investigate sealed causeway at Brick Kill Creek.	DES	
87	Cobar Shire Council considers group membership to the Australian Flood Plain Association.	DES	Recommendation made to Council.
88	Council consider holding the next Rural Roads Advisory Committee Meeting at Mulya Station.	DES	Recommendation made to Council.

--	--	--	--

- * *GM = General Manager*
- * *DES = Director of Engineering Services*
- * *RDM = Roads Development Manager*
- * *RWM = Roads Works Manager*
- * *RMS = Roads and Maritime Service*
- **DC&ED = Director Corporate & Economic Development*

Cost Code	Shire Local Roads Maintenance	Length (km)	Description of Works	Expenditure			
				2016/2017	2017/2018	July/August	Commitments
66001	Asset Inspections						
66010, 11	SR1A - Buckanbe Road/Budda Road	24.70		1,585		-	
66020/21	SR2 - Seventy Eight Mile Road	58.00		23,849		-	
			Stores Issue	135,541	54	54	
66031	SR3 - Nelyambo Bridge Road	59.20					
				13,541		-	
66041	SR4 - Gidgee Road	29.00					
				4,034		-	
66061	SR6 - Pulpulla Road	38.00					
				4,391		-	
66070, 71	SR7 - Mount Gap Road	47.00					
				71,800		-	
66081	SR8 - Coomeratta Road	28.00					
				6,857		-	
66091	SR9 - Neckarbo Road	66.30					

66190-91	SR19 - Burthong Road	52.00							
				Maintenance Grading	37,064	30,921	30,921		
66201	SR20 - Grain Road	89.20							
				Maintenance Grading	111,097	13,128	13,128	13,128	2,306
66211	SR21 - Tallebung Road	43.00							
				Maintenance Grading	82,639	14,227	14,227	14,227	
66221	SR22 - Round Hill Road	34.80							
				Inspections	12,757	681	681	681	
66231	SR23 - Booberoi Road	19.10							
				Minor Repairs	56,848	1,404	1,404	1,404	
66240/241	SR24 - Mount Grace Road	33.10							
				Minor Repairs	85,938	1,359	1,359	1,359	
66250/251	SR25 - Wilgaroon Road	43.00							
				Maintenance Grading	12,470	24,812	24,812	24,812	
66261	SR26 - Wilga Downs Road	41.00							
					1,112	2,662	-	-	
66270-71	SR27 - Cooneybar Road	47.00							
					249,387	-	-	-	
66281	SR28 - Yimkin Road	17.00							
					327	-	-	-	
66291	SR29 - Booroomugga Road	40.00							

66301	SR30 - Canbelego Road	2.90		7,312		-	
				609		-	
66311	SR31 - Moolah Road	66.00					
				8,840		-	
66321	SR32 - Developmental Road	57.00					
				31,970		-	
66331	SR33 - Nymagee Station Road	16.50					
				115		-	
66341	SR34 - Wallacevale Road	11.00					
				-		-	
66351	SR35 - Osterly Downs Road	16.00					
				-		-	
66361	SR36 - Palesthan Road	31.00					
			Inspections	52,918	307	307	
66371	SR37 - Bimbella Road	2.70					
				3,952		-	
66381	SR38 - CSA Access Road	4.40					
				965		-	
66391	SR39 - Coombie Road	7.20					
				-		-	

Cost Code	Regional Roads Maintenance	Length (km)	Description of Works	Expenditure			
				2016/2017	2017/2018	July/August	Commitments
	MR228 Whitbarrow Way						
72282	Sealed Pavement	11.15	Vegetation Control	3,953	1,334	1,833	
	TOTAL MR228	11.15					
	MR407 Mulya Road						
74070,71,73	Sealed Pavement	57.44	Guide Posts	38,778	1,916	4,586	
74072,74	Unsealed Pavement	45.06	Maintenance Grading	97,209	19,629	84,827	2,363
	TOTAL MR407	102.50					
	MR411 Tipping Way						
74111, 74114	Sealed Pavement	68.88	Guide Posts	67,637	2,556	2,556	
	TOTAL MR411	68.88					
	MR416 The Wool Track						
74160, 61	Sealed Pavement	48.15	Inspections	34,967	449	449	976
74162,64	Unsealed Pavement	44.00		205,807		-	
	TOTAL MR416	92.15					
	MR419 Glenwood Road						
74190	Sealed Pavement	0.39		1,330		-	
74194	Unsealed Pavement	46.59		141,035		-	

	TOTAL MR419	46.98							
	MR423 Lachlan Valley Way								
74230,31	Sealed Pavement	15.19	Vegetation Control	15,375	919	919			
	TOTAL MR423	15.19							
	RR7518 Fifty Two Mile Road								
75180,81,85	Sealed Pavement	37.40	Inspections	38,211	749	749			
75182,84	Unsealed Pavement	58.40	Inspections	206,217	187	187			
	TOTAL RR7518	95.80							
	RR7521 Kiacatoo Road								
75210,11,12,14	Sealed Pavement	32.83	Stores Issue	59,234	706	706			407
	TOTAL RR7521	32.83							
	RR7522 The Wool Track								
75220,24	Unsealed Pavement	64.45	Funding Application	160,959	16,303	16,303			24,385
	TOTAL RR7522	64.45							
	MR461 Priory Tank/Balowra Road								
74611	Sealed Pavement	31.81	Vegetation Control	1,004	1,528	1,528			
74614 76100 101	Unsealed Pavement	27.34	Guide Posts	286,296	1,479	1,479			488
	TOTAL MR461	59.15							
	MR68 Curranyalpa Road								
76800	Sealed Pavement	0.42		-	-	-			
76804	Unsealed Pavement	30.59	Inspections*	54,683	487	487			

	TOTAL MR68	31.01							
	MR7524 Frederick Street								
79000	Sealed Pavement	0.49		9,092					
	TOTAL MR68	0.49							
	TOTAL	620.58		\$ 1,421,787	\$ 48,240	\$ 116,609	\$ 28,619		
		Allocation 2017/2018						1,310,418	
		BALANCE TO SPEND (EX GST)						1,262,178	
		BALANCE TO SPEND (inc Commitments)						1,233,559	

Cobar Shire Council

Report of the Construction Supervisor to the Works Committee Meeting to be held in the Council Chambers

ITEM 1 Traffic Information

(FILE: R5-35)

<u>Traffic Classifier Report</u>		Bathurst Street	
Location		Bathurst Street near Tom Knight oval	
Period of Operation	20 days	26/05/2017	to 15/06/2017
Total Count both Directions		17720	
AADT (Vehicles Per Day)		886	
Percent of Commercial Vehicles		3.3 %	
Maximum Vehicle Movements Per Day		1703	
Minimum Vehicle Movements Per Day		191	
Vehicle Type	Class	Number	%
Light	1-2	17131	96.7
Non Articulated	3-5	562	3.2
Articulated	6-10	27	0.1
B-Double/Road Train	11-12	0	0
Total		17720	100
The 85 th percentile speed of drivers was 56.2 km/h			

Rd No.	Road Name	Location of Counter	Date	AADT	% Commercial Vehicles
	Bathurst Street	Near Tom Knight oval	26/05/2017 – 15/06/2017	886	3.3 %

Cobar Shire Council

Report of the Construction Supervisor to the Works Committee Meeting to be held in the Council Chambers

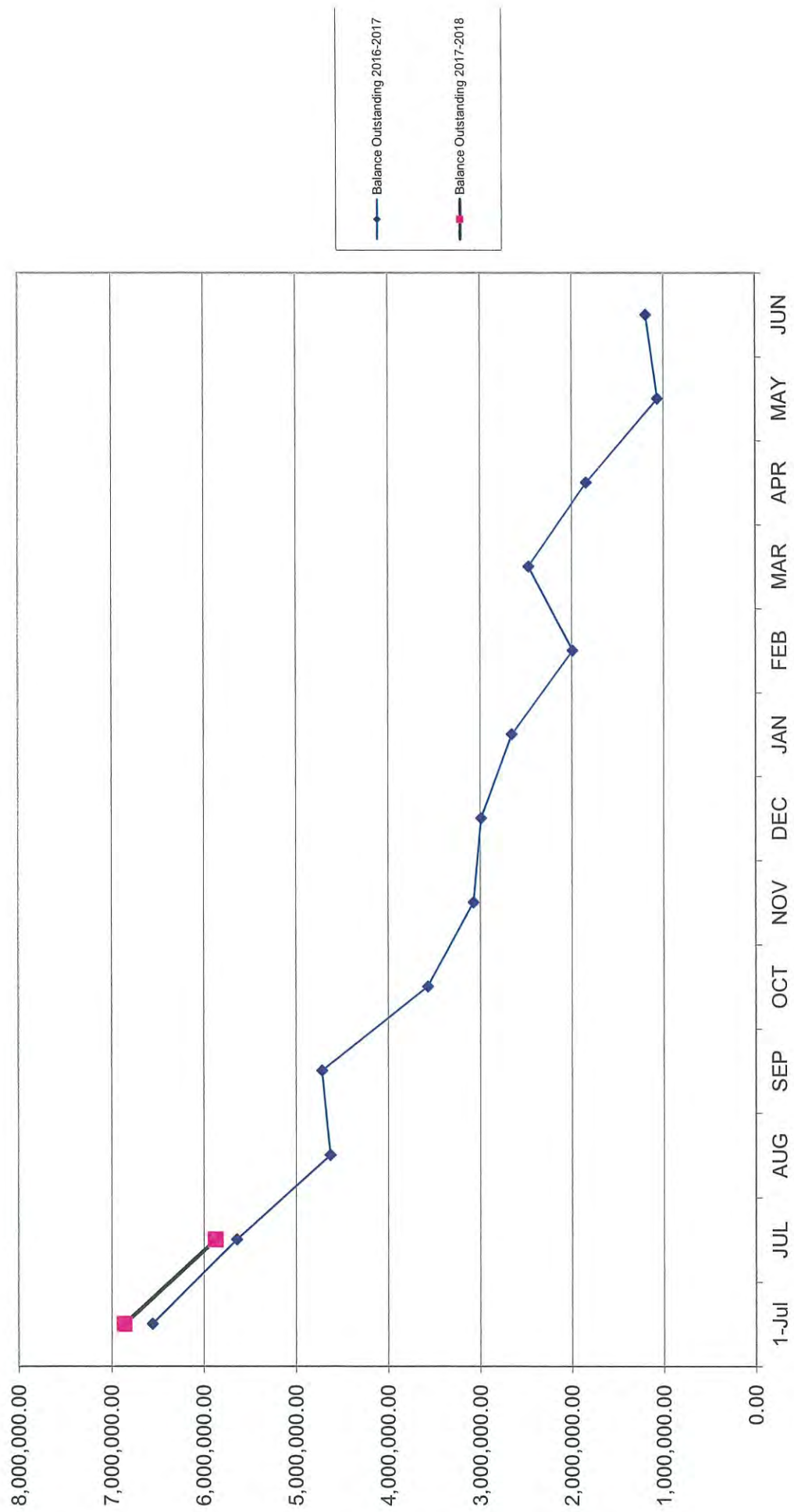
ITEM 1 Traffic Information

(FILE: R5-35)

Traffic Classifier Report		Fredrick Street	
Location		Fredrick Street - Between Bradley and Green street	
Period of Operation	20 days	26/05/2017	to 15/06/2017
Total Count both Directions		14425	
AADT (Vehicles Per Day)		721	
Percent of Commercial Vehicles		19.2 %	
Maximum Vehicle Movements Per Day		1285	
Minimum Vehicle Movements Per Day		182	
Vehicle Type	Class	Number	%
Light	1-2	11659	80.8
Non Articulated	3-5	1825	12.6
Articulated	6-10	284	2.0
B-Double/Road Train	11-12	657	4.6
Total		14425	100
The 85 th percentile speed of drivers was 50.8 km/h			

Rd No.	Road Name	Location of Counter	Date	AADT	% Commercial Vehicles
	Fredrick street	Between Bradley and Green street	26/05/2017 – 15/06/2017	721	19.2 %

Total Rates Outstanding **General Rates, Water Access, Sewer Access, Domestic Waste, Legal Costs, Interest**



Rate Arrears 2017-2018
General Rates, Water Access, Sewer, Domestic Waste, Interest & Legal Costs

