



**GENERAL MANAGER'S REPORT  
TO  
COUNCIL**

**22 October 2012**

**1. Governance and Administration**

**GENERAL MANAGER'S REPORT**

**Governance and Administration**

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## GENERAL MANAGER'S REPORT TO COUNCIL

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Mayor and Councillors  
Uralla Shire Council

**SECTION:** Governance and Administration

**ITEM NUMBER:** Item 1

**SUBJECT:** Tape Recording of Meetings

**File Reference:** U07/70

**Reason:** The regular taping of Council meetings for the sole purpose of preparing minutes and resolving questions concerning the minutes has caused unforeseen consequences

**Objective:** To have the existing Clause 35 of the Uralla Shire Council Code of Meeting Practice rescinded and a new Clause 35 inserted allowing recording of Council meetings under specific circumstances.

**Budget Implication:** Nil

**Operational Plan:** Volume 4 Principal Activity 1.1 – Governance

**Information:**

Council's Code of Meeting Practice has the following Clause 35:

*Council permits staff to use a tape recorder to record the proceedings of a meeting, for the sole purpose of preparing minutes and resolving questions concerning the minutes. Following confirmation of the minutes of a meeting, those tapes are to be cleared unless Council, by resolution, agrees to specific tapes being kept for a set period.*

*The tapes of the Council meeting are to be securely stored in a locked cupboard. The tapes are neither to be taken out of the office nor to be made available for listening to by any person other than the General Manager and the minute secretary without written authority of the General Manager. If authorised people are allowed access to listen to the tapes, they must do so by making arrangements with the General Manager to use Council's equipment to listen to the tapes. The use of the tapes under these circumstances is to be appropriately supervised and will include the need to have an authorised staff member present during the whole of the listening process.*

*Appropriate staff are authorised to take the tapes to and from the meeting room.*

Council meetings are tape recorded, with the exception of the "Have Your Say session of the meeting, as a matter of practice. The tapes of Council's meetings are rarely referred to by staff in the preparation of the Council meeting minutes – the purpose for which Clause 35 was created. The tape recording has caused issues for the General Manager, when requests to listen to the tapes or for transcripts have been received from either Councillors or the general public.

In addition the NSW Privacy Commission produced a user manual in 2004 on the tape recording of council meetings. On page 6 of the user manual the following comments are made (a copy of the user manual in in the Attachments):

However, neither section 360 of the *Local Government Act* nor cl.47 of the Meetings Regulation places an obligation on councils to tape their meetings. On this basis we do not consider that the Act or the Regulations support a view that the taping of meetings by a council is justified as 'reasonably necessary' in terms of section 8(1)(b).

## GENERAL MANAGER'S REPORT TO COUNCIL

(continued)

If, however, a council considers that they can justify their decision to tape record meetings as 'reasonably necessary' and can therefore comply with IPP 1 (section 8), they must still take account of the other information protection principles.

The user manual concludes (page 13):

Councils must first decide why they are tape recording council meetings and then if this purpose complies with IPPs 1 and 4 in the PPIP Act.

Each council is ultimately responsible for making their own decisions about compliance with the PPIP Act. They must also be confident of, if necessary, defending those decisions in the Administrative Decisions Tribunal in a review under Part 5 of the PPIP Act.

We recommend that if a council decides to tape record meetings they make appropriate provision in their code of meeting practice (adopted under section 360 of the Local Government Act) to ensure that:

1. Tape recordings of meetings are only used for verifying the accuracy of minutes.
2. Tape recordings of meetings are not made available to the public or disclosed to any third party under section 12(6) of the *Local Government Act*, except as allowed under section 18(1)(c) or section 19(1) of the PPIP Act, or where council is compelled to do so by court order, warrant or subpoena (see eg section 23(5) of the PPIP Act) or by any other law (eg the FOI Act).
3. Tape recordings of meetings are destroyed as soon as their original purpose is served or three months after their creation (whichever is the later), except where retention for a longer period is otherwise required or recommended under the State Records Act 1998.
4. Appropriate signage is displayed in the public gallery or at the public entrance to council meetings, and verbal statements made at the start of each meeting, to notify the public of the matters required under IPP 3 (section 10(a)-(e) of the PPIP Act).

The current Clause 35 complies substantially with the recommendations of the NSW Privacy Commission; other than references to Sections 12(6) of the Local Government Act, Sections 18(1)(c), 19(1) and 23(5) of the PPIP Act or any other law; and the appropriate signage notifying the public of the taping of the meeting.

Since the Council minutes are action rather than verbatim minutes and the Have Your Say records only the speaker and the topic; the need for the tape recording has proven to be less and less required for the purpose stated in the Code.

Consequently, the General Manager recommends the replacement of the existing Clause 35 with a new Clause 35 as follows:

*The recording of the proceedings of a Council meeting by Councillors or staff using electronic media (tape, digital or similar) is not permitted without the expressed resolution of Council for the expressed purposes recorded in that resolution.*

*Such recording of part or whole of the Council meeting, being public documents, are to be transcribed to digital format and made available in that form to any authorised applicant.*

*The recording of the proceedings of a Council meeting by the general public attending the meeting using electronic media (tape, digital or similar) is not permitted. Should a member of the public wish a whole or section of the meeting to be so recorded, prior written permission must be requested, providing reasons for the recording, and permission granted by Council by resolution including the expressed purposes for the recording in that resolution.*



# GENERAL MANAGER'S REPORT TO COUNCIL

(continued)

Prepared By: General Manager

## Recommendation:

That Council:

1. deletes the Current Clause 35 of the Code of Meeting Practice stating:  
*Council permits staff to use a tape recorder to record the proceedings of a meeting, for the sole purpose of preparing minutes and resolving questions concerning the minutes. Following confirmation of the minutes of a meeting, those tapes are to be cleared unless Council, by resolution, agrees to specific tapes being kept for a set period.*

*The tapes of the Council meeting are to be securely stored in a locked cupboard. The tapes are neither to be taken out of the office nor to be made available for listening to by any person other than the General Manager and the minute secretary without written authority of the General Manager. If authorised people are allowed access to listen to the tapes, they must do so by making arrangements with the General Manager to use Council's equipment to listen to the tapes. The use of the tapes under these circumstances is to be appropriately supervised and will include the need to have an authorised staff member present during the whole of the listening process.*

*Appropriate staff are authorised to take the tapes to and from the meeting room.*

2. adopt a new Clause 35 for the Code of Meeting Practice stating:  
*The recording of the proceedings of a Council meeting by Councillors or staff using electronic media (tape, digital or similar) is not permitted without the expressed resolution of Council for the expressed purposes recorded in that resolution.*

*Such recording of part or whole of the Council meeting, being public documents, are to be transcribed to digital format and made available in that form to any authorised applicant.*

*The recording of the proceedings of a Council meeting by the general public attending the meeting using electronic media (tape, digital or similar) is not permitted. Should a member of the public wish a whole or section of the meeting to be so recorded, prior written permission must be requested, providing reasons for the recording, and permission granted by Council by resolution including the expressed purposes for the recording in that resolution.*

3. advertise the change to the Code of Meeting Practice for public comment and submission for the period Friday, 27 October 2012 to Friday, 23 November 2012.

## Attachments to the Item 1 Report

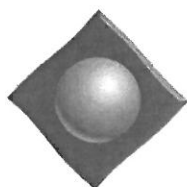
### INDEX OF ATTACHMENTS

The Following Documents are Included as Attachments to the Preceding Report:

Attachment Name	Pages
A: NSW Privacy Commission user manual "The tape recording of council meetings" May 2004.	14

# user manual

## The tape recording of council meetings



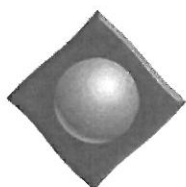
privacynsw

May 2004

Attachment: A

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## Introduction

Councils currently use information collected by tape recording the proceedings of council meetings for two main purposes. Firstly, to clarify what was recorded in the minutes if issues of accuracy are raised and secondly to allow members of the public to access the tapes for other purposes.

A number of councils have asked Privacy NSW for advice about whether tape recording the proceedings of council meetings may be in breach of the *Privacy and Personal Information Protection Act 1998* (the PPIP Act).

This user manual was prepared by Privacy NSW, with the assistance of the Department of Local Government and the State Records Authority of New South Wales, to help councils interpret the requirements of the PPIP Act. However it is not legal advice and should not be treated as determinative. Each council is ultimately responsible for making their own decisions about compliance with the PPIP Act.

### What personal information is at issue?

Personal information is defined in section 4(1) of the PPIP Act as:

information or an opinion (including information or an opinion forming part of a database and whether or not recorded in a material form) about an individual whose identity is apparent or can reasonably be ascertained from the information or opinion.

The types of personal information collected at council meetings could include:

- the identities of any speakers and personal opinions held by them that they express in the meeting - this includes councillors, staff and members of the public who address the meeting
- information or opinions about other people - this is where a speaker talks about a third party whose identity is apparent or is reasonably ascertainable.

The tape recording of meetings must therefore comply with the information protection principles (IPPs) in sections 8-19 of the PPIP Act.

### Which are the relevant IPPs?

The information protection principles that relate to the collection, use and disclosure of personal information are particularly relevant. These are IPPs 1, 2, 3, 4, 10, 11 and 12.

The information protection principle that relates to the retention and disposal of personal information are also relevant. This is IPP 5.

## **What are the issues councils need to consider?**

Some of the issues councils need to consider are:

- Is the personal information collected for a lawful purpose?
- Is the collection of the information reasonably necessary?
- Is the information about people other than the speaker?
- Is disclosure of the information in the public interest?
- Does the person know the information has been collected?
- How long will the tapes be kept?

## Collection of personal information

### IPP 1: Section 8 - Collection of personal information for lawful purposes

(1) A public sector agency must not collect personal information unless:

(a) the information is collected for a lawful purpose that is directly related to a function or activity of the agency, and

(b) the collection of the information is reasonably necessary for that purpose.

(2) A public sector agency must not collect personal information by any unlawful means.

### Is the information collected for a lawful purpose?

Information collected at a council meeting is mainly used to ensure the accuracy of minutes. Keeping accurate minutes is a requirement under the *Local Government Act 1993*, so no question can be raised as to the lawfulness of this purpose (section 8(1)(a) of the PPIP Act).

However a council would need to be satisfied that any other purposes that the information was used for were directly related to a function of the council. Section 10 of the *Local Government Act* provides that the public are entitled to attend council meetings and section 11 provides a mechanism by which the public may have access to correspondence and documents from past meetings. It could therefore possibly be argued that further facilitating public access to or involvement in the council's meetings is directly related to council's responsibilities under sections 10 and 11 of the *Local Government Act*.

### Is the collection of the information 'reasonably necessary'?

The test at section 8(1)(b) - that the collection is 'reasonably necessary' - is more difficult to achieve.

Minutes only need to record the decisions made by the council and any other matters that are relevant. Collecting personal information by tape recording all conversations may aid this purpose by enabling the council to check the accuracy of the minutes.

However, the collection by tape recording potentially gathers far more information than is necessary to achieve the purpose. If some or many councils don't tape record their meetings, it could be argued that if they don't find this practice necessary to achieve accurate minutes, why should other councils? On this basis, the collection of personal information by tape recording meetings could potentially breach section 8(1)(b) of the PPIP Act.

It could also be argued that facilitating public access to or involvement in the council's meetings can be achieved by the council simply complying with sections 10 and 11 of the *Local Government Act* and therefore it is not 'reasonably necessary' for council to go beyond its existing obligations.

Privacy NSW understands that tape recordings of meetings can be made if they satisfy cl.47 of the *Local Government (Meetings) Regulation 1999*. This states that:



A person may use a tape recorder to record the proceedings of a meeting of a council or a committee of a council only with the authority of the council or the committee.

The intention of this provision was primarily to allow residents, the media and other interested parties to record some or all of a meeting, subject to the council's permission. Rather than cl. 47 of the *Local Government (Meetings) Regulation*, the appropriate authority for allowing a council to tape record its own meeting should be seen as section 360 in the *Local Government Act*. This provides that councils may adopt a code of meeting practice as long as the provisions of the code are not inconsistent with the Meetings Regulation. It is therefore each council's responsibility to make clear in their code whether they will tape meetings and, if so, for what purpose.

However, neither section 360 of the *Local Government Act* nor cl.47 of the Meetings Regulation places an obligation on councils to tape their meetings. On this basis we do not consider that the Act or the Regulations support a view that the taping of meetings by a council is justified as 'reasonably necessary' in terms of section 8(1)(b).

If, however, a council considers that they can justify their decision to tape record meetings as 'reasonably necessary' and can therefore comply with IPP 1 (section 8), they must still take account of the other information protection principles.

#### **IPP 2: Section 9 - Collection of personal information directly from individual**

A public sector agency must, in collecting personal information, collect the information directly from the individual to whom the information relates unless:

- (a) the individual has authorised collection of the information from someone else, or
- (b) in the case of information relating to a person who is under the age of 16 years--- the information has been provided by a parent or guardian of the person.

#### **What if the information is about people other than the speaker?**

IPP 2 would only permit a council to record personal information relating to the speaker, but not personal information about people identified by the speaker. However, there are exemptions under section 25 of the PPIP Act.

#### **Section 25 Exemptions where non-compliance is lawfully authorised or required**

A public sector agency is not required to comply with section 9, 10, 13, 14, 15, 17, 18 or 19 if:

- (a) the agency is lawfully authorised or required not to comply with the principle concerned, or
- (b) non-compliance is otherwise permitted (or is necessarily implied or reasonably contemplated) under an Act or any other law (including the State Records Act 1998).

If a council concluded that collecting personal information by tape recordings under section 8 was permitted, then it appears that cl.47 of the *Local Government (Meetings) Regulation*



and/or section 360 of the *Local Government Act* would permit non-compliance with IPP 2 (section 9) through the application of section 25 of the PPIP Act. On this basis, tape recording of personal information about all people identified by speakers at a council meeting may be permitted.

However the collection of personal information by tape recording may still present a possible breach of section 11 of the PPIP Act.

**IPP 4: Section 11 - Other requirements relating to collection of personal information**

If a public sector agency collects personal information from an individual, the agency must take such steps as are reasonable in the circumstances (having regard to the purposes for which the information is collected) to ensure that:

(a) the information collected is relevant to that purpose, is not excessive, and is accurate, up to date and complete, and

(b) the collection of the information does not intrude to an unreasonable extent on the personal affairs of the individual to whom the information relates.

The recording of a speech or a debate about a particular individual or individuals may mean that a council is found to have breached this provision.

## Use of personal information

### **IPP 10: Section 17 - Limits on use of personal information**

A public sector agency that holds personal information must not use the information for a purpose other than that for which it was collected unless:

(a) the individual to whom the information relates has consented to the use of the information for that other purpose, or

(b) the other purpose for which the information is used is directly related to the purpose for which the information was collected, or

(c) the use of the information for that other purpose is necessary to prevent or lessen a serious and imminent threat to the life or health of the individual to whom the information relates or of another person.

### **Why was the information collected?**

The application of IPP 10 relies primarily on a decision as to what the purpose of collection was under section 8 of the PPIP Act. If this results in a decision that a council can collect personal information through taping meetings, then subsequent use of the information should generally be limited to the same purpose. So if a decision is made that collection is justified as an aid to producing accurate minutes, then use must be confined to this purpose except as otherwise allowed under section 17.

## Disclosure of personal information

If a council makes a tape recording of a meeting it is considered to be a 'document' under section 21(1) of the *Interpretation Act 1985* (NSW). Section 12 of the *Local Government Act* provides a process by which documents held by a council can be inspected and copied. As a tape of a council meeting is not listed in section 12(1) of the *Local Government Act*, then access is only permitted under section 12(6). This requires that inspection is permitted unless, on balance, it would be contrary to the public interest. The same test is applied to the copying of a document.

### Is disclosure in the public interest?

When determining what is meant by the term 'contrary to the public interest', it is appropriate to take into account any surrounding legislation that might otherwise impose or imply restrictions on disclosure. Such legislation expresses Parliament's intentions about the circumstances in which disclosure should not be made. In particular, it is necessary to consider the public interest in the protection of privacy rights.

This means that councils need to consider the specific limitations imposed on disclosure of personal information by IPPs 11 and 12.

#### **IPP 11: Section 18 - Limits on disclosure of personal information**

(1) A public sector agency that holds personal information must not disclose the information to a person (other than the individual to whom the information relates) or other body, whether or not such other person or body is a public sector agency, unless:

(a) the disclosure is directly related to the purpose for which the information was collected, and the agency disclosing the information has no reason to believe that the individual concerned would object to the disclosure, or

(b) the individual concerned is reasonably likely to have been aware, or has been made aware in accordance with section 10, that information of that kind is usually disclosed to that other person or body, or

(c) the agency believes on reasonable grounds that the disclosure is necessary to prevent or lessen a serious and imminent threat to the life or health of the individual concerned or another person.

(2) If personal information is disclosed in accordance with subsection (1) to a person or body that is a public sector agency, that agency must not use or disclose the information for a purpose other than the purpose for which the information was given to it.

#### **IPP 12: Section 19(1) - Special restrictions on disclosure of personal information**

(1) A public sector agency must not disclose personal information relating to an individual's ethnic or racial origin, political opinions, religious or philosophical beliefs, trade union membership, health or sexual activities unless the disclosure is necessary to prevent a serious or imminent threat to the life or health of the individual concerned or another person.

Under section 25 of the PPIP Act, councils may disclose personal information if such a disclosure is otherwise authorised, necessarily implied or reasonably contemplated under any Act or regulation. There has not to date been any judicial interpretation as to whether the public interest test under section 12(6) of the *Local Government Act* overrides or is restricted by section 18 or section 19(1) of the PPIP Act.

The question is whether section 12(6) of the *Local Government Act* 'necessarily implies' or 'reasonably contemplates' that the privacy protection afforded by section 18 and section 19(1) of the PPIP Act ought to be ignored. We suggest that, in coming to a view of what is meant by the 'public interest' under section 12(6), a council must take account of the specific provisions of IPP 11 (section 18) and IPP 12 (section 19(1)) in the PPIP Act and balance the public interest in privacy protection against the public interest in ensuring openness and accountability of government decision-making.

We consider therefore that section 12(6) of the *Local Government Act* ought to be read as an additional qualification on the restrictions already imposed under section 18 and section 19(1) in the PPIP Act.

That is, personal information (other than that sourced from public registers or documents listed in section 12(1) of the *Local Government Act*) must be disclosed under section 12(6) of the *Local Government Act* if:

- (a) disclosure would not contravene section 18 or section 19(1) in the PPIP Act, and
- (b) disclosure would not otherwise be contrary to the public interest.

However it should be noted that personal information can in any case only be disclosed under section 12(6) if a person has made a request for such information. Section 12(6) should not be read as authorisation to publish information at large.

Each council must therefore look at whether making available a tape recording would involve a disclosure that would not comply with section 18 or section 19(1) of the PPIP Act.

If the tape recording included personal information about any person's 'ethnic or racial origin, political opinions, religious or philosophical beliefs, trade union membership, health or sexual activities', it is clear that disclosure can only be on the basis that such disclosure is 'necessary to prevent a serious or imminent threat to the life or health' of any person (section 19(1)) or is made with the express consent of the person (section 26(2)).

### **Does the person know the information has been collected and may be disclosed?**

Section 18(1)(b) in particular relates to whether or not the person (who is the subject of the personal information) has been made aware of the collection of information about him or herself under section 10 of the PPIP Act.

### **IPP 3: Section 10 - Requirements when collecting personal information**

If a public sector agency collects personal information from an individual, the agency must take such steps as are reasonable in the circumstances to ensure that, before the information is collected or as soon as practicable after collection, the individual to whom the information relates is made aware of the following:

- (a) the fact that the information is being collected,
- (b) the purposes for which the information is being collected,
- (c) the intended recipients of the information,
- (d) whether the supply of the information by the individual is required by law or is voluntary, and any consequences for the individual if the information (or any part of it) is not provided,
- (e) the existence of any right of access to, and correction of, the information,
- (f) the name and address of the agency that is collecting the information and the agency that is to hold the information.

For people attending a public meeting, section 18(1)(b) could possibly be satisfied at least in terms of any speakers - including councillors, staff and members of the public who address the meeting - and any opinions they express in the meeting about themselves or others present at the meeting. Compliance with section 18(1)(b) might, for example, require a statement being made at the start of the meeting, a clear sign being displayed at the public entrance or in the public gallery, and perhaps information included within the public notice given in advance of each meeting. The statement or sign would need to identify that the meeting is being tape-recorded, the purposes for which the tapes will be used, and whether the tape may subsequently be made available to the public or to third parties. There would also need to be some provisions for those who may arrive later to the meeting.

However if the tape recorded personal information about people who were not present, then disclosure of that information could only be subject to consideration under section 18(1)(a) or (c). These tests would probably be very difficult for a council to meet.

Section 18(1)(a) again turns on adequate justification for the collection in the first place, and whether or not the subject is likely to object to the disclosure.

To make each decision about disclosure, councils would need to:

1. Find out whether each person, whose personal information was mentioned in the meeting, was present at the meeting and therefore informed that their information may be disclosed. This poses difficulties as lists of members of the public who were present at a council meeting are not normally obtained and any move to do so may cause anger or concern and itself probably breach the IPPs.
2. If a person was not present, assess whether or not they would be likely to object to their information being further disclosed by council.

Section 18(1)(c) requires that the disclosure be reasonably necessary 'to prevent or lessen a serious and imminent threat to the life or health' of any person. This is highly unlikely to be the case in relation to the routine public availability of tapes.



## Retention and destruction of personal information

### IPP 5: Section 12- Retention and security of personal information

A public sector agency that holds personal information must ensure:

(a) that the information is kept for no longer than is necessary for the purposes for which the information may lawfully be used, and

(b) that the information is disposed of securely and in accordance with any requirements for the retention and disposal of personal information, and

(c) that the information is protected, by taking such security safeguards as are reasonable in the circumstances, against loss, unauthorised access, use, modification or disclosure, and against all other misuse, and

(d) that, if it is necessary for the information to be given to a person in connection with the provision of a service to the agency, everything reasonably within the power of the agency is done to prevent unauthorised use or disclosure of the information.

### How long will the tapes be kept?

The test at section 12(a) and (b) can be met by following the appropriate disposal authority and guidelines under the State Records Act.

Under the *General Disposal Authority - Local Government Records* (GDA 10) entry 13.6.3, voice and video recordings used to prepare for meetings and produce council and committee minutes are permitted (but not required) to be destroyed three months after action was completed or after the last action. GDA 10 is available online at:

<http://www.records.nsw.gov.au/publicsector/disposal/gda10-locgov/gda10-functions.htm>

A further State Records Authority publication *Destruction of Records - A Practical Guide* (July 2000) states:

'Records that have been identified as being authorised for destruction may only be destroyed once a public office has ensured that all requirements for retaining the records have been met. Reasons for longer retention of a record can include legal requirements, administrative need, and government directives. These requirements may also affect methods of destruction. For example, financially accountable records must be kept until all audit requirements have been fulfilled. A public office must not dispose of any records required for current or pending legal action or where the records may be required as evidence in a court case. A public office should not destroy records that are the subject of a current or pending Freedom of Information (FOI) request or any other statutory access request.'

This guideline is available online at:

<http://www.records.nsw.gov.au/publicsector/disposal/guideline3-dest/guideline3.htm>

For further advice on the disposal or destruction of council records, please contact the State Records Authority of New South Wales.

## Conclusion

Councils must first decide why they are tape recording council meetings and then if this purpose complies with IPPs 1 and 4 in the PPIP Act.

Each council is ultimately responsible for making their own decisions about compliance with the PPIP Act. They must also be confident of, if necessary, defending those decisions in the Administrative Decisions Tribunal in a review under Part 5 of the PPIP Act.

We recommend that if a council decides to tape record meetings they make appropriate provision in their code of meeting practice (adopted under section 360 of the Local Government Act) to ensure that:

1. Tape recordings of meetings are only used for verifying the accuracy of minutes.
2. Tape recordings of meetings are not made available to the public or disclosed to any third party under section 12(6) of the *Local Government Act*, except as allowed under section 18(1)(c) or section 19(1) of the PPIP Act, or where council is compelled to do so by court order, warrant or subpoena (see eg section 23(5) of the PPIP Act) or by any other law (eg the FOI Act).
3. Tape recordings of meetings are destroyed as soon as their original purpose is served or three months after their creation (whichever is the later), except where retention for a longer period is otherwise required or recommended under the State Records Act 1998.
4. Appropriate signage is displayed in the public gallery or at the public entrance to council meetings, and verbal statements made at the start of each meeting, to notify the public of the matters required under IPP 3 (section 10(a)-(e) of the PPIP Act).



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Reference: AD09-2004-01

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# GENERAL MANAGER'S REPORT TO COUNCIL

(continued)

<b>SECTION:</b>	<b>Governance and Administration</b>
<b>ITEM NUMBER:</b>	<b>Item 2</b>
<b>SUBJECT:</b>	<b>Uralla Shire Council Operating Policies</b>
<b>File Reference:</b>	U07/70
<b>Reason:</b>	All of Council's Operating Policies are being systematically reviewed and developed to provide up to date and relevant policies for the operation of council.
<b>Objective:</b>	To have Council adopt the Governance Operating Policy – Banners on Council Banner Poles Policy.
<b>Budget Implication:</b>	Nil
<b>Operational Plan:</b>	Volume 4 Principal Activity 1.1 – Governance

**Information:**

Council has erected 20 banner poles on four entrances to Uralla.

A draft policy was developed to ensure the utilisation of the banner poles, whilst regulating their use for an equitable outcome. The period for submissions on the Draft Banners on Council Banner Poles Policy 1.2.17 was from Friday, 24 September 2012 to Friday, 21 October 2012.

The draft policy was amended by the Council meeting of Monday, 21 September by changing the word "erection" to "installation" in the first line of Clause 1 and the third line of Clause 5 as well as including the omitted word "seen" in the first line of Clause 5.

A review of the periods between the first preference Seasons and Events indicates that the maximum period of 45 days may be too short therefore a maximum period of 60 days is recommended.

In addition a Clause 8 is also recommended as follows:

*Community organisations that do not have a specific event but wish to have banner space during the year may have their approved banners erected at various times during the year for a total of 30 days. Approved banners with a commercial theme may be erected at various times during the year for a total of 30 days.*

At the date of writing this report no written submissions had been received. Should any submissions be received prior to the Council meeting a supplementary report will be prepared.

Within the attachments is the Banners on Council Banner Poles Policy 1.2.17.

**Prepared By:** General Manager

**Recommendation:**

That Council

1. adopt the Banners on Council Banner Poles Policy 1.2.17 as amended, and
2. place the policy into Council's Register of Codes, Policies and Plans and publish the policy on Council's website.

# GENERAL MANAGER'S REPORT TO COUNCIL

(continued)

## Attachments to the Item 2 Report

### INDEX OF ATTACHMENTS

The Following Documents are Included as Attachments to the Preceding Report:

<b>Attachment Name</b>	<b>Pages</b>
<b>A:</b> Governance Policy 1.2.17 – Banners on Council's Banner Poles	2

**Section:** GOVERNANCE (1.2.17)

**Subject** BANNERS ON COUNCIL'S BANNER POLES

**Description:** This document describes Council's policy concerning the use of Council provided banner poles by Council, Community Groups and Commercial interests.

**Objective:** To ensure that the utilisation of the banner poles is maximised, while regulating their use for an equitable outcome.

The facilitate the advertising of events and activities and provide a welcoming entrance to the township of Uralla.

### PART 1 - POLICY

The Uralla Shire Council will grant permission for banners to be erected by Council, Community Groups and Commercial interests on banner poles provided, subject to the following:

1. the cost of the banners and of the installation of the banners by Council will be met by the applicant. The standard erection cost will be advertised annually in Council's Revenue Policy.
2. the Season banners will have precedence over Event banners, which will have precedence over Community banners, which will have precedence over banners with a Commercial theme.
3. Council calling for bookings for half year in advance, in September (January to June) and March (July to December).
4. reservation of combinations of 3, 6, 10 and 20 banners will be received.
5. the message on the banners should be easily seen by motorists so as not to create a safety hazard and that wording and design of the banners being approved by the General Manager prior to their installation.
6. the maximum period an individual set of banners may remain erected is 60 days.
7. Council will provide and maintain banners for seasons and national events (Christmas, Australia Day) and a generic "Welcome to Uralla" for use when no event or national day is being promoted.
8. Community organisations that do not have a specific event but wish to have banner space during the year may have their approved banners erected at various times during the year for a total of 30 days. Approved banners with a commercial theme may be erected at various times during the year for a total of 30 days.

**Section: GOVERNANCE (1.2.17) BANNERS ON COUNCIL'S BANNER POLES**

**PART 2 – EXEMPTIONS**

Nil

**PART 3 – RELATED DOCUMENTS OR POLICIES**

Council's Revenue Policy, included as Part 4 of the Annual Operational Plan

**PART 4 – OTHER MATTERS**

**Review:** This policy is to be reviewed as necessary or every four (4) years in accordance with Section 165, Local Government Act, 1993.

**Resolution No:** (388/12) Adopted for advertising for submissions,

## GENERAL MANAGER'S REPORT TO COUNCIL

(continued)

<b>SECTION:</b>	<b>Governance and Administration</b>
<b>ITEM NUMBER:</b>	<b>Item 3</b>
<b>SUBJECT:</b>	<b>Namoi Councils</b>
<b>File Reference:</b>	U11/6797
<b>Reason:</b>	A Preliminary Draft Agenda and Business Paper for the Namoi Councils Meeting of the meeting of Thursday, 1 November 2012 has been received.
<b>Objective:</b>	To advise Council of the first meeting of the Namoi Council to be attended by Uralla Shire Council following its acceptance into membership of this Regional Organisation of Councils.
<b>Budget Implication:</b>	Membership of the Namoi Councils and involvement in the Water and Sewer binding alliance cost of \$4,077 has been provided in the Subscriptions budget allocation of Governance and the Water and Sewer funds.
<b>Operational Plan:</b>	Part 3, Principal Activities 1.1 - Governance, 1.2 - Administration, 6.1 - Water and 7.1 - Sewer.

### **Information:**

The Uralla Shire Council resolved at its meeting of 26 September 2011 (Resolution 347/11) to request membership of the Namoi Councils Regional Organisation of Councils. The Board meeting of Namoi Councils met on Thursday, 2 August 2012 and approved Council's application for membership and also the suggestion that because of size that the membership fee should be 75% of the current full membership.

The first meeting of the Namoi Councils Board, which the Uralla Shire Council will attend, will be held on Thursday, 1 November 2012. a preliminary draft agenda has been prepared and is attached with the Minutes of the previous meeting held on Thursday, 2 August 2012. The meeting will be held at the Tamworth Regional Council and will be attended by the Mayor and General Manager.

The General Manager has provided two items for consideration at this meeting on behalf of Council. These are (1) the requirement of Section 713 (2) (b) to only have valuations from the Valuer General for vacant land being sold for non-payment of rates, and (2) consideration of a regional examination and mapping of B-double routes on local roads. These are item 14.1 and 14.2 of the agenda.

Item number 10.1 of the Agenda – Namoi Water Utilities Binding Alliance is further discussed in the Director Engineering Services Report Item #3.

The meeting will commence with presentations from Taryn Quarmby of Industry Capability Networks NSW (ICN), representatives of URS Australia Pty Ltd and John Holland Pty Ltd and Phil Laird of Maules Creek Community Group.

Other interesting items are a discussion paper on the potential for a New England North West ROC and the utilisation of the services of NSW Procurement to access a range of purchasing and procurement services, including prequalified specialist consultants, state contracts and tendering assistance.

The membership of a Regional Organisation of Councils, such as Namoi Councils, will have continuing benefits for the Uralla Shire Council.

# GENERAL MANAGER'S REPORT TO COUNCIL

(continued)

**Prepared By:** General Manager

**Recommendation:**

That Council note the preliminary agenda for the Namoi Councils Board Meeting to be held on Thursday, 1 November 2012.

## Attachments to the Item 3 Report

### INDEX OF ATTACHMENTS

The Following Documents are Included as Attachments to the Preceding Report:

Attachment Name	Pages
A: Draft agenda for the Namoi Councils Board meeting to be held on Thursday, 1 November 2012.	6
B: Minutes of the Board meeting of the Namoi Councils held on Thursday, 2 August 2012	14



Tom O'Connor  
General Manager





Attachment : A

Members ~ Namoi Catchment Management Authority  
Gunnedah Shire Council  
Liverpool Plains Shire Council  
Narrabri Shire Council  
Tamworth Regional Council  
Uralla Shire Council  
Walcha Council

## BUSINESS PAPER

### ORDINARY MEETING

Tamworth Regional Council Chambers

10.30 AM Thursday - 1 November 2012

### ORDER OF BUSINESS

- 1 Apologies
- 2 Confirmation of Minutes of Previous Meeting – 2 August 2012  
(Enclosed)
- 3 Business Arising From Previous Minutes
- 4 Presentations
  - 4.1 Presentation by **Taryn Quarmby representing Industry Capability Network NSW (ICN)** in relation to an online system for Local Government Authorities called *Regional Gateway*. ICN is a business network that introduces Australian and New Zealand companies to Councils as suppliers of services and products. The role of ICN is to find the suppliers and service providers who are best equipped to meet the requirements of hundreds of projects of varying size and scope.  
  
Regional Gateway is a free, comprehensive online system provided by ICN to Local Government Authorities that helps identify and build business partnerships. Regional Gateway allows Local Government Authorities and Councils to showcase

upcoming projects through an online opportunities showcase, making it easier to connect with the right locally-based suppliers.

Regional Gateway gives you access to an online system you can control:

- Full access and control over the tenders and contracts
- Ability to restrict project registrations to the local area
- Automatic communication with tender updates sent to all local suppliers
- Easily generated comprehensive reports – saving you time

The presentation will be broken down into three main sections:

1. What is ICN?
2. What is ICN Gateway and how can it work for LGAs and Councils?
3. How to access ICN Gateway – I will provide details on how to access this system and how to add projects.

*Duration of presentation – 20 minutes*

- 4.2 Presentation by **URS Australia Pty Ltd** who has opened an office in Gunnedah specialising in providing engineering and environmental expertise to businesses and communities within Australia and around the globe. URS staff are dedicated to delivering technically excellent, cost effective, innovative and sustainable solutions tailored to specific project and client needs.

URS comprises scientists, engineers, economists, planners, project managers and risk management specialists who form a strong multi-disciplinary team operating within a global network of more than 50,000 personnel in 34 countries. URS has 10 offices located in: Adelaide, Brisbane, Broken Hill, Canberra, Darwin, Melbourne, Newcastle, Perth, Sydney and Tatura with more than 850 employed professionals.

This diversity of skills and geographic spread enables URS to provide solutions for our clients that meet the environmental, social and economic needs.

*Duration of presentation – 15 minutes*

- 4.3 Presentation by **John Holland Rail Pty Ltd (JHR)** who is the Rail Infrastructure Manager for the Country Regional Network, having assumed responsibility for this from Australian Rail and Track Corporation (ARTC) in January 2012. JHR is required by legislation to seek to enter into Road-Rail Interface Agreements with public road authorities for all road-rail interfaces.

JHR has identified the need to address ROC groups to provide the opportunity for collective Council groups to discuss and resolve issues affecting the execution of Interface Agreements.

*Duration of presentation – 10 minutes*

- 4.4 Presentation by **Phil Laird representing the Maules Creek Community Group** in relation to the proposed development and operation of the Maules Creek Coal Project and the significant health implications for the residents of the local area and surrounding region. A gap analysis has shown that health impacts have not been captured in the Environmental Impact Assessment commissioned by Aston Resources. The Maules Creek Community Group propose that a Health Impact Assessment would be a useful way to meet the demands of increasing community pressure for health studies of mining projects in New South Wales.

Enclosed with the Business Paper for the information of Board Members are copies of relevant documents supplied by Mr Laird.



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A\_background\_26..



Maules\_Creek\_HI  
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Maules Ck Coal -  
MCCC HIA Section.pc

*Duration of presentation – 30 minutes*

## **5 Meeting with Alison McGaffin**

**Issues for Discussion: Regional Actions Plans (RAPs)**

## **6 Outstanding Action List – Previous Meetings**

## **7 Financial Report – Enclosed**

## **8 Outward Correspondence**

**8.1 Tony Windsor MHR – Federal Member for New England**

**8.2 Uralla Shire Council**

**8.3 Division of Local Government**

**8.4 Local Government and Shires Associations**

**8.5 Minister for Local Government**

**8.6 Kevin Anderson MP – Member for Tamworth**

**8.7 Director, New England Institute of TAFE**

**9 Inward Correspondence**

**9.1 Minister for Local Government**

**9.2 Kevin Anderson MP, State Member for Tamworth**

**9.3 New England Institute of TAFE**

**9.4 Tony Windsor MHR, Federal Member for New England**

**9.5 George Souris MP, State Member for Upper Hunter**

**9.6**

**9.7**

**9.8**

**9.9**

**10 Reports from Executive Officer**

**10.1 Namoi Water Utilities Binding Alliance**

**10.2 Discussion Paper – New England North West ROC**

**10.3 NSW Purchasing and Procurement**

**11 Namoi Councils Project Reports**

**11.1 Strengthening Community Basins – Bruce Brown**

**11.2 Namoi – Towards a Sustainable Future – Executive Officer**

**12 Namoi Councils Committee Reports**

**12.1 Minerals & Energy Working Group – Minutes**

**Note: A Meeting of the Minerals & Energy Working Group held since the last Board Meeting of Namoi Councils held on 2 August 2012.**

**12.2 Namoi Water Working Group**

**Note: A Meeting of the Minerals & Energy Working Group held since the last Board Meeting of Namoi Councils held on 2 August 2012.**

**13 Submissions for Board Endorsement**

**13.1 NSW New Planning System Green Paper**

**13.2**

**13.3**

**14 Matters submitted by Members for consideration**

**14.1 Uralla Shire Council - Sale of Land to recover overdue rates & charges)**

Section 713 states of the Local Government Act 1993 states, in part:

713 Sale of land for unpaid rates and charges

- (1) For the purposes of this Division, a rate or charge is overdue if:
  - (a) in the case of vacant land, it has remained unpaid for more than one year, or
  - (b) in the case of any other land, it has remained unpaid for more than 5 years, from the date on which it became payable.
- (2) A council may, in accordance with this Division:
  - (a) sell any land (including vacant land) on which any rate or charge has remained unpaid for more than 5 years from the date on which it became payable, and
  - (b) sell any vacant land on which any rate or charge has remained unpaid for more than one year but not more than 5 years from the date on which it became payable, but only if:
    - (i) the council obtains a valuation of the land from the Valuer-General, and
    - (ii) the total amount of unpaid rates or charges on the land exceeds the valuation, and
    - (iii) the council sells the land within 6 months after the date when the council received the valuation.

Section 713 (2) (b) (i) requires Council to obtain a valuation from the Valuer-General (but only if). In this day and age the Valuer-General is finding it difficult to satisfy its regular valuations (some of these are contracted out) and is not readily able to meet special one off valuations.

There is a need to have valuations for vacant land, with outstanding rates less than 5 years, to prove that the rates are above the value. However even 713 (2) (b) (ii) could be modified to be say 75% of the value so that Council would not have to wait until there is a potential loss by waiting until the rates exceed a valuation.

The Uralla Shire Council is going through the process of selling land, including some vacant land, for unpaid rates and charges and has experienced difficulty in obtaining valuations.

**14.2 B-Double Routes**

Could a working party of member council staff, working with transport companies and major transport users, be formed to develop a co-ordinated B-double and Restricted Access Vehicle plan for the region.

**15 Namoi Councils Media Releases**

Enclosed are copies of Namoi Council Media Releases, previously circulated to all members, issued since the last Board Meeting:

**15.1 Uralla Shire Council Membership**

**15.2**

**16 Namoi Councils - Regional Media Issues**

Members are requested to identify Regional Issues for preparation and distribution of Media Releases.

**RECOMMENDATION**

*That the Namoi Councils Chairperson be authorised to issue a Media Release in relation to the major achievements and strategic direction of Namoi Councils to date.*

**17 General Business**

**17 Date and Venue for Next Meeting**

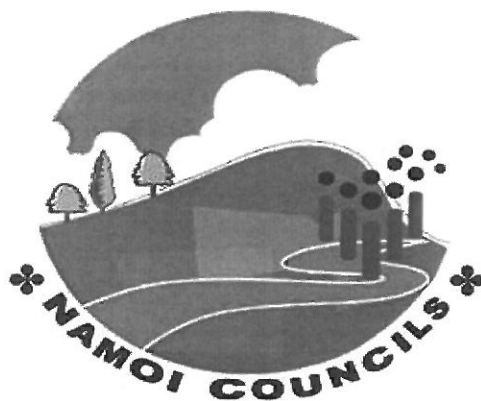
Thursday 8 February 2012 @ Walcha



Stephen Bartlett  
**Executive Officer**  
**NAMOI COUNCILS**

22 October 2012

Attachment: B



# MEETING

# MINUTES

held at

**GUNNEDAH SHIRE COUNCIL CHAMBERS**

**THURSDAY 2 AUGUST 2012 commencing at 10.30am**

**PRESENT:**

**Tamworth Regional Council**

Cr Col Murray, Chairperson

**Narrabri Shire Council**

Cr Robyn Faber, Mayor and Mr Patrick White, General Manager

**Gunnedah Shire Council**

Mr Michael Silver, Acting General Manager

**Liverpool Plains Shire Council**

Cr Ian Lobsey, Mayor and Mr Robert Hunt, General Manager

**Walcha Shire Council**

Cr Bill Heazlett, Mayor

**Namoi Catchment Management Authority**

Mr Bruce Brown, General Manager

The State Member for New England, Mr Kevin Anderson MP, was also in attendance for discussion of Item 4 on the Business Paper.

Alison McGaffin, Regional Coordinator Western NSW, Department of Premier and Cabinet was also in attendance for the duration of the Meeting.



## **1 APOLOGIES**

Apologies were announced as having been received from Cr Adam Marshall, Mayor, Gunnedah Shire Council, Robert Campbell, General Manager, Gunnedah Shire Council, Paul Bennett, General Manager, Tamworth Regional Council, Brian Tomalin, Acting Chairperson, Namoi Catchment Management Authority and Jack O'Hara, General Manager, Walcha Council who were unable to attend the Meeting due to Council business commitments.

### **MOTION**

**Moved Cr Bill Heazlett, Walcha seconded Cr Ian Lobsey, Liverpool Plains**

39/12 **RESOLVED**

That the apologies be accepted and leave of absence be granted from the Meeting.

## **2 CONFIRMATION OF MINUTES OF PREVIOUS MEETING**

### **MOTION**

**Moved Cr Bill Heazlett, Walcha seconded Cr Ian Lobsey, Liverpool Plains**

40/12 **RESOLVED**

That the Minutes of the Meeting of Namoi Councils held on 3 May 2012, copies of which were circulated to all members, be taken as read and confirmed as a correct record of the proceedings of the Meeting.

## **3 BUSINESS ARISING FROM THE MINUTES**

Nil

## **4 MEETING WITH STATE MEMBER FOR TAMWORTH, KEVIN ANDERSON MP**

The following is a summary of the issues discussed with the Member for Tamworth, Kevin Anderson MP:

### **A New Planning System for NSW – Green Paper – July 2012**

- The Closing date for submissions on the Green Paper have been extended from the previously advised 14 September to 5 October 2012.

### **Resources for Regions**

- Kevin Anderson, together with a number of other State Members of Parliament, has completed an on-site inspection of the "Royalties for Regions" Program operating in Western Australia.
- Board members requested the Member for Tamworth to ensure that economic assessments under the "Resources for Regions" Program be made on the basis of merit and priority including a review of the methodology used to ensure payments to regions under the program were

separate to, and in addition to, the standard allocation of funds per resident for State Government services and facilities.

### **Regional Mining Sector Training Facility**

- The Board was advised that a TAFE Regional Mining Trade Training Centre had been announced for development at the Gunnedah Campus of TAFE.

### **Regional Police Resources**

- The “*Parsons Report*” into NSW Police Resources and Deployment had not yet been publicly released but that it will be most favourable for regional NSW.
- The Mayor of Liverpool Plains Shire Council, Cr Ian Lobsey, expressed his Council’s appreciation to the Member for Tamworth for resolution of residential accommodation for police officers allocated to the town of Quirindi.

### **Rail Crossing Infrastructure – Gunnedah and Quirindi**

- An allocation of \$600,000 had been made in the State Budget for a Study into the optimum location of a Railway Overpass within the town of Gunnedah.
- An inspection of proposed sites for the Gunnedah Railway Overpass had been held in conjunction with the Minister for Roads.
- The State Member advised that no such announcement of funding and the commencement of planning studies for additional railway crossings had occurred for the towns of Werris Creek and Quirindi.
- The State Member agreed to investigate and advise Liverpool Plains Shire Council of impending State Government action to address the requirement for additional railway crossings in the towns of Werris Creek and Quirindi given the significant increase occurring and proposed for coal rail transport.

### **Local Government Rate Pegging**

- There are no current State Government proposals in relation to changes to NSW Local Government Rate Pegging System.

### **Livestock Health and Pest Authority (LHPA) Reform**

- Reforms proposals for the Livestock Health and Pest Authority are still under review.

### **NSW Local Government Review Panel**

- The NSW Local Government Review Panel is scheduled to meet with Council Groups throughout the State and the Panel will be meeting with Namoi Councils members in Tamworth on 9 August 2012.

### **Emergency Services Levy**

- Review of the NSW Emergency Services Levy is currently underway and submissions close on 8 October 2012.

## MOTION

**Moved Cr Bill Heazlett, Walcha seconded Cr Ian Lobsey, Liverpool Plains**

### 41/12 RESOLVED

That the Executive Officer be requested to make representations to the Member for Tamworth, Kevin Anderson MP, to:

- (i) ensure that economic assessments under the *"Royalties for Regions"* Program be made on the basis of merit and priority including a review of the methodology used to ensure payments to regions under the program were separate to, and in addition to, the standard allocation of funds per resident for State Government services and facilities; and
- (ii) investigate and advise Liverpool Plains Shire Council of impending State Government action to address the requirement for additional railway crossings in the towns of Werris Creek and Quirindi given the significant increase occurring and proposed for coal transport.

## 5 MEETING WITH ALISON MCGAFFIN, REGIONAL COORDINATOR WESTERN NSW, NSW DEPARTMENT OF PREMIER AND CABINET

The following is a summary of the issues discussed with the Regional Coordinator Western NSW, Department of Premier and Cabinet:

- In 2011 the NSW Government commissioned a review of DPC's role in regional coordination. Factors influencing the need for this review included the greater emphasis by the Government on regional issues, the challenging economic environment and the significant changes made to the structure of the NSW Government and its agencies.
- The outcome of the DPC review is as follows:
  - ✓ DPC to have a small regional presence, with minimal but senior staff, reporting to a higher level within DPC.
  - ✓ Regional activity to be aligned to the strategic priorities of Government for each region (ie. Regional Action Plans).
  - ✓ Focus on formal and informal coordination within the NSW public sector and with the other tiers of government.
  - ✓ Exercise the referred authority of the Premier to identify, escalate and facilitate resolution of critical issues, especially where cross-agency.
  - ✓ Provide non-political support for Regional Ministers.
  - ✓ Western NSW Region of DPC has been created to align with the Regional Minister's area of responsibility.
  - ✓ Minister for Western NSW is the Hon Kevin Humphries MP.

- ✓ Western NSW serviced from 3 regional offices in Wagga Wagga, Dubbo and Tamworth (relocated from Armidale), with an officer to be temporarily based in Bourke
- ✓ 10 DPC officers working as a single team across Western NSW
- The NSW Government has placed significant emphasis on delivery of NSW 2021, including 2 year Regional Action Plans, and has a goal of increasing local participation in decision-making and tailoring of services to match local expectations
- Western Region encompasses nearly 70 Local Government Areas, which means that the Regional Organisations of Councils are an effective point of engagement between the Regional Coordination Team and local government
- Need to ensure alignment between NSW 2021, the Regional Action Plans and the Community Strategic Plans
- Community Strategic Plans can provide the basis for agreeing service need and service response in each LGA
- Regional Action Plans are being developed to identify the immediate actions the NSW Government can take over the coming two years to deliver on community priorities, increase opportunities and improve the quality of life for people living in specific Regions.
- The Regional Action Plans will be aligned to NSW 2021, guiding policy and budget decision-making.
- Regional Action Plans will complement longer term strategies that may already be underway in the regions by identifying actions that can be delivered in a shorter timeframe.
- There will be six separate Regional Action Plans across Western NSW:
  - New England North West
  - Central West
  - Far West
  - Orana
  - Riverina
  - Murray/Lower Darling
- The priorities for the New England North West Regions are as follows:
  - Support sustainable economic growth and diversification of the region.
  - Build a skilled workforce and improve education pathways for young people.
  - Deliver quality integrated health services at a regional and local level.
  - Invest in regional and local infrastructure.
  - Deliver integrated and coordinated human services.
  - Support strong safe communities.

**MOTION**

**Moved Cr Bill Heazlett, Walcha seconded Cr Ian Lobsey, Liverpool Plains**

**42/12 RESOLVED**

That the presentation from the NSW Department of Premier and Cabinet Regional Coordinator Western NSW be received and noted.

**6 OUTSTANDING ACTION LIST**

**MOTION**

**Moved Cr Bill Heazlett, Walcha seconded Cr Ian Lobsey, Liverpool Plains**

**43/12 RESOLVED**

That the Namoi Councils Outstanding Action List be received and noted.

**7 FINANCIAL REPORT**

**MOTION**

**Moved Cr Bill Heazlett, Walcha seconded Cr Ian Lobsey, Liverpool Plains**

**44/12 RESOLVED**

The Namoi Councils Financial Report as at That the Namoi Councils Finance Report as at 23 July 2012 stating a credit balance of \$161,941.28 be received and noted.

**8 INWARD CORRESPONDENCE**

**ITEM 8.1 NSW PARLIAMENT LEGISLATIVE COUNCIL GENERAL PURPOSE  
STANDING COMMITTEE NO 5 COAL SEAM GAS REPORT (TABLED  
AT THE MEETING**

**MOTION**

**Moved Cr Bill Heazlett, Walcha seconded Cr Ian Lobsey, Liverpool Plains**

**44/12 RESOLVED**

That the NSW Parliament Legislative Council Coal Seam Gas Report be received and noted.

**ITEM 8.2 NSW MINISTER FOR LOCAL GOVERNMENT**

**MOTION**

**Moved Cr Bill Heazlett, Walcha seconded Cr Ian Lobsey, Liverpool Plains**

**45/12 RESOLVED**

That the letter from the Minister for Local Government, the Hon Don Page MP, in relation to Local Government Election Costs and revenue from failure to vote penalty notices be received and noted.

**ITEM 8.3 NSW PARLIAMENT LEGISLATIVE ASSEMBLY STATE & REGIONAL DEVELOPMENT COMMITTEE**

**MOTION**

**Moved Cr Bill Heazlett, Walcha seconded Cr Ian Lobsey, Liverpool Plains**

**46/12 RESOLVED**

That the letter dated 16 May 2012 acknowledging receipt of Namoi Councils' submission to the Inquiry into Inter-Regional Public Transport be received and noted.

**ITEM 8.4 NSW DEPUTY PREMIER, ANDREW STONER MP**

**MOTION**

**Moved Cr Bill Heazlett, Walcha seconded Cr Ian Lobsey, Liverpool Plains**

**47/12 RESOLVED**

That the letter dated 29 May 2012 from the Deputy Premier, Andrew Stoner MP, in response to Namoi Councils' representations concerning resources for regions impacted by mining activity be received and noted.

**ITEM 8.5 MINISTER FOR LOCAL GOVERNMENT**

**MOTION**

**Moved Cr Bill Heazlett, Walcha seconded Cr Ian Lobsey, Liverpool Plains**

**48/12 RESOLVED**

That the letter dated 24 June 2012 from the Minister for Local Government, the Hon Don Page MP, acknowledging the inclusion of Destination 2036 Strategies and Actions in the Namoi Councils Strategic Plan be received and noted.



## **9 OUTWARD CORRESPONDENCE**

### **MOTION**

Moved Cr Robyn Faber, Narrabri seconded Cr Bill Heazlett, Walcha

### **49/12 RESOLVED**

That Namoi Councils Outward Correspondence Items 9.1 to 9.9 be received and endorsed.

## **10 REPORTS FROM EXECUTIVE OFFICER**

### **ITEM 10.1 DESTINATION 2036 ACTION PLAN**

#### **MOTION**

Moved Cr Robyn Faber, Narrabri seconded Cr Bill Heazlett, Walcha

### **50/12 RESOLVED**

That the Report from the Executive Officer in relation to progress of the Destination 2036 Action Plan be received and noted.

### **ITEM 10.2 NAMOI WATER WORKING GROUP – WATER IMPACT MODELLING**

#### **MOTION**

Moved Cr Bill Heazlett, Walcha seconded Cr Ian Lobsey, Liverpool Plains

### **51/12 RESOLVED**

That the Report from the Executive Officer in relation to the completion of the Namoi Water Working Group Water Impact Modelling Project be received and noted.

### **ITEM 10.3A NEW ENGLAND NORTH WEST ROC DISCUSSION PAPER**

#### **MOTION**

Moved Cr Robyn Faber, Narrabri seconded Cr Ian Lobsey, Liverpool Plains

### **52/12 RESOLVED**

That the New England North West ROC Discussion Paper “*lay on the table*” and be referred for consideration in more detail to the next Board Meeting of Namoi Councils having regard to the current Local Government Reform and Modernisation Agenda proposed by the Minister for Local Government, the Hon Don Page MP.



## **ITEM 10.3B URALLA SHIRE COUNCIL – NAMOI COUNCILS MEMBERSHIP**

### **MOTION**

**Moved Cr Robyn Faber, Narrabri seconded Cr Ian Lobsey, Liverpool Plains**

**53/12 RESOLVED**

That the application by Uralla Shire Council for membership of Namoi Councils be approved and that the membership fee for Uralla Shire Council be fixed 75% of current financial year membership and as may be varied from time to time in subsequent years.

## **ITEM 10.3 A NEW PLANNING SYSTEM FOR NSW GREEN PAPER**

### **MOTION**

**Moved Cr Robyn Faber, Narrabri seconded Cr Ian Lobsey, Liverpool Plains**

**54/12 RESOLVED**

That Namoi Councils make a submission to the Minister for Planning and Infrastructure, the Hon Brad Hazzard MP, in relation to A New Planning System for NSW Green Paper raising the following matters:

- (i) in view of the upcoming September 2012 Local Government Elections, the extension date for lodgement of Green Paper submission should be extended to at least the end of October 2012;
- (ii) opposing the removal of elected councillors from the process for determination of development applications; and
- (iii) pointing out the dearth of suitably experienced and qualified planning professionals to support the new Planning System.

## **ITEM 10.4 NAMOI WATER UTILITIES BINDING ALLIANCE DEED OF AGREEMENT**

### **MOTION**

**Moved Cr Robyn Faber, Narrabri seconded Cr Bill Heazlett, Walcha**

**55/12 RESOLVED**

That the Deed of Agreement tabled at the Board Meeting for the establishment of a Namoi Water Utilities Binding Alliance be adopted and the Alliance commence as from 1 July, 2012.

## **11 NAMOI COUNCILS PROJECT REPORTS**

### **11.1 STRENGTHENING COMMUNITY BASINS**

#### **MOTION**

**Moved Cr Robyn Faber, Narrabri seconded Cr Bill Heazlett, Walcha**

#### **56/12 RESOLVED**

That the verbal report from Bruce Brown, General Manager of the Namoi Catchment Management Authority, in relation to the Strengthening Community Basins Project be received and it be noted.

### **11.2 NAMOI – TOWARDS A SUSTAINABLE FUTURE PROJECT**

#### **MOTION**

**Moved Cr Robyn Faber, Narrabri seconded Cr Bill Heazlett, Walcha**

#### **57/12 RESOLVED**

That the verbal report from the Namoi Councils Executive Officer in relation to the *Namoi – Towards a Sustainable Future* Project be received and noted.

## **12 NAMOI COUNCILS COMMITTEE REPORTS**

### **ITEM 12.1 MINERALS & ENERGY WORKING GROUP MEETING MINUTES**

#### **MOTION**

**Moved Cr Robyn Faber, Narrabri seconded Cr Bill Heazlett, Walcha**

#### **58/12 RESOLVED**

- (i) That the Minutes of the Meeting of the Minerals & Energy Working Group Meeting held on 14 June 2012 be received and noted; and
- (ii) That the Executive Officer be requested to express the concern of Namoi Councils to the New England Institute of TAFE at the lack of consultation and communication with Narrabri Shire Council in relation to recent media announcements that a TAFE Trade Training Centre is proposed for the Gunnedah TAFE Campus despite advice from the Institute that no decision had been made as to where the facility would be located and that the location for the Centre would be determined by a *Value Management Study* which would occur later in the planning process and after the funding application had been approved.

**ITEM 12.2 WATER WORKING GROUP**

**MOTION**

**Moved Cr Robyn Faber, Narrabri seconded Cr Bill Heazlett, Walcha**

**59/12 RESOLVED**

That the letter dated 17 July 2012 from the Namoi Water Working Group in relation to the NSW Aquifer Interference Policy be received and noted.

**12.3 NAMOI COUNCILS GENERAL MANAGERS ADVISORY COMMITTEE  
REPORT OF MEETING HELD ON 24 MAY 2012 ROC MEMBERSHIP**

**MOTION**

**Moved Cr Robyn Faber, Narrabri seconded Cr Ian Lobsey, Liverpool Plains**

**60/12 RESOLVED**

That in relation to the General Managers Advisory Committee Meeting held on 24 May 2012, Namoi Councils adopt the recommendations contained in the report as follows:

**1 ROC DISCUSSION PAPER**

The Executive Officer be requested to prepare a ROC Discussion Paper reviewing the options for establishment of a regional organisation of councils encompassing councils within the Regional Development Australian Northern Inland Region for consideration at the Namoi Councils Board Meeting to be held on 2 August 2012.

**2 NAMOI COUNCILS PLANT AND EQUIPMENT RESOURCE SHARING**

2.1 Namoi Councils establish a Plant and Equipment Resource Sharing Working Group to exercise the function of pooling and sharing professional and technical expertise in the management and operation of member Council's plant and equipment including joint fuel purchasing, quarry resource sharing arrangements and road line marking; and

2.2 Following the expiration of 6 months from the establishment of the Working Group, the Executive Officer be requested to submit a report in relation to whether there is agreement among Working Group members as to the merit of extending the functions of the Working Group to include the functions of hire of plant and equipment to and among member Councils and the invitation of joint tenders for the purchase of plant and equipment.

2.3 The Executive Officer be requested to review and report on the opportunities available for Namoi Councils' securing member joint energy contracts with energy suppliers.

**3 MODERNISING AGENDA FOR NAMOI COUNCILS**

The Executive Officer be requested to include options in the Namoi Councils ROC Discussion Paper for direct and active participation of Namoi Councils in the Destination 2036 Local Government Reform Agenda.

**4 NAMOI COUNCILS WATER UTILITIES BINDING ALLIANCE**

It be noted a Namoi Councils Water Utilities Binding Alliance Deed of Agreement is currently being drafted and will be forwarded within the next 2 weeks to member Councils for approval.

**5 NAMOI COUNCILS EDUCATION AND INFORMATION SESSIONS FOR COUNCILLORS**

GMAC in conjunction with the Executive Officer plan and deliver Councillor Education and Information Sessions following the September 2012 Local Government Elections and that GMAC members be requested to advise the Executive Officer of specific education and information to be delivered to councillors.

**6 NAMOI COUNCILS INDUSTRY/BUSINESS FORUM**

GMAC and the Executive Officer be requested to consider and present a proposal to the Board of Namoi Councils for staging a major annual business or industry forum or event in the Region in conjunction with the Northern Inland RDA which will focus business and government sectors on national and international business development opportunities, investment possibilities and emerging markets for the region.

**13 SUBMISSIONS FOR BOARD ENDORSEMENT**

**ITEM 13.1 SUBMISSION IN RELATION TO THE NEW ENGLAND NORTH WEST REGIONAL DRAFT STRATEGIC LAND USE PLAN**

**MOTION**

Moved Cr Ian Lobsey, Liverpool Plains seconded Cr Bill Heazlett, Walcha

**61/12 RESOLVED**

That the Namoi Councils' submission to the NSW Department of Planning and Infrastructure in relation to the New England North West Regional Draft Strategic Land Use Plan be endorsed.

**ITEM 13.2 SUBMISSION IN RELATION TO THE NSW PARLIAMENT LEGISLATIVE ASSEMBLY STATE AND REGIONAL DEVELOPMENT COMMITTEE INQUIRY INTO INTER-REGIONAL PUBLIC TRANSPORT**

**MOTION**

Moved Cr Ian Lobsey, Liverpool Plains seconded Cr Bill Heazlett, Walcha

**62/12 RESOLVED**

That the Namoi Councils' submission to the NSW Parliament Legislative Assembly State and Regional Development Committee Inquiry into Inter-Regional Public Transport be endorsed.

**ITEM 13.3 SUBMISSION FROM THE NAMOI WATER WORKING GROUP TO THE MURRAY DARLING BASIN AUTHORITY PROPOSED BASIN PLAN**

**MOTION**

**Moved Cr Ian Lobsey, Liverpool Plains seconded Cr Bill Heazlett, Walcha**

**63/12 RESOLVED**

That the Namoi Water Working Group submission to the Murray Darling Basin Authority proposed Basin Plan be endorsed.

**14 NAMOI COUNCILS MEDIA RELEASES**

**MOTION**

**Moved Cr Ian Lobsey, Liverpool Plains seconded Cr Bill Heazlett, Walcha**

**64/12 RESOLVED**

That Namoi Councils Media Releases issued in relation to Regional CountryLink Services and Special Economic Zones be received and noted.

**15 REGIONAL MEDIA ISSUES**

**MOTION**

**Moved Cr Ian Lobsey, Liverpool Plains seconded Cr Bill Heazlett, Walcha**

**65/12 RESOLVED**

That Namoi Councils Chairperson be requested to issue Media Releases in relation to the attendance of the Member for Tamworth, Mr Kevin Anderson MP at August 2012 Namoi Councils Board Meeting and other decisions made at the Board Meeting.

**16 GENERAL BUSINESS**

**ITEM 16.1 FREQUENCY OF BOARD MEETINGS.**

**MOTION**

**Moved Cr Col Murray, Tamworth seconded Cr Ian Lobsey, Liverpool Plains**

**66/12 RESOLVED**

That Namoi Councils Board Meetings be held on a two monthly basis commencing February 2012 and that the Regional Coordinator Western NSW, Department of Premier, Alison McGaffin, be invited to attend each Board Meeting.

**ITEM 16.2 FREQUENCY OF BOARD MEETINGS.**

**MOTION**

**Moved Cr Col Murray, Tamworth seconded Cr Ian Lobsey, Liverpool Plains**

**67/12 RESOLVED**

That Namoi Councils Board Meetings be held on a two monthly basis commencing February 2012 and that the Regional Coordinator Western NSW, Department of Premier, Alison McGaffin, be invited to attend each Board Meeting.

**17 DATE AND VENUE FOR NEXT BOARD MEETING**

Thursday 1 November 2012 at the Tamworth Regional Council offices commencing at 10.30am

**Closure: There being no further business the Namoi Councils Meeting concluded at 12.45pm.**

Cr Col Murray, Namoi Councils, Chairperson  
2 August 2012

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# MEETING

# MINUTES

held at

**GUNNEDAH SHIRE COUNCIL CHAMBERS**

**THURSDAY 2 AUGUST 2012 commencing at 10.30am**

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**PRESENT:**

**Tamworth Regional Council**

Cr Col Murray, Chairperson

**Narrabri Shire Council**

Cr Robyn Faber, Mayor and Mr Patrick White, General Manager

**Gunnedah Shire Council**

Mr Michael Silver, Acting General Manager

**Liverpool Plains Shire Council**

Cr Ian Lobsey, Mayor and Mr Robert Hunt, General Manager

**Walcha Shire Council**

Cr Bill Heazlett, Mayor

**Namoi Catchment Management Authority**

Mr Bruce Brown, General Manager

The State Member for New England, Mr Kevin Anderson MP, was also in attendance for discussion of Item 4 on the Business Paper.

Alison McGaffin, Regional Coordinator Western NSW, Department of Premier and Cabinet was also in attendance for the duration of the Meeting.

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## **1 APOLOGIES**

Apologies were announced as having been received from Cr Adam Marshall, Mayor, Gunnedah Shire Council, Robert Campbell, General Manager, Gunnedah Shire Council, Paul Bennett, General Manager, Tamworth Regional Council, Brian Tomalin, Acting Chairperson, Namoi Catchment Management Authority and Jack O'Hara, General Manager, Walcha Council who were unable to attend the Meeting due to Council business commitments.

### **MOTION**

**Moved Cr Bill Heazlett, Walcha seconded Cr Ian Lobsey, Liverpool Plains**

39/12 **RESOLVED**

That the apologies be accepted and leave of absence be granted from the Meeting.

## **2 CONFIRMATION OF MINUTES OF PREVIOUS MEETING**

### **MOTION**

**Moved Cr Bill Heazlett, Walcha seconded Cr Ian Lobsey, Liverpool Plains**

40/12 **RESOLVED**

That the Minutes of the Meeting of Namoi Councils held on 3 May 2012, copies of which were circulated to all members, be taken as read and confirmed as a correct record of the proceedings of the Meeting.

## **3 BUSINESS ARISING FROM THE MINUTES**

Nil

## **4 MEETING WITH STATE MEMBER FOR TAMWORTH, KEVIN ANDERSON MP**

The following is a summary of the issues discussed with the Member for Tamworth, Kevin Anderson MP:

### **A New Planning System for NSW – Green Paper – July 2012**

- The Closing date for submissions on the Green Paper have been extended from the previously advised 14 September to 5 October 2012.

### **Resources for Regions**

- Kevin Anderson, together with a number of other State Members of Parliament, has completed an on-site inspection of the "Royalties for Regions" Program operating in Western Australia.
- Board members requested the Member for Tamworth to ensure that economic assessments under the "Resources for Regions" Program be made on the basis of merit and priority including a review of the methodology used to ensure payments to regions under the program were

separate to, and in addition to, the standard allocation of funds per resident for State Government services and facilities.

### **Regional Mining Sector Training Facility**

- The Board was advised that a TAFE Regional Mining Trade Training Centre had been announced for development at the Gunnedah Campus of TAFE.

### **Regional Police Resources**

- The “*Parsons Report*” into NSW Police Resources and Deployment had not yet been publicly released but that it will be most favourable for regional NSW.
- The Mayor of Liverpool Plains Shire Council, Cr Ian Lobsey, expressed his Council’s appreciation to the Member for Tamworth for resolution of residential accommodation for police officers allocated to the town of Quirindi.

### **Rail Crossing Infrastructure – Gunnedah and Quirindi**

- An allocation of \$600,000 had been made in the State Budget for a Study into the optimum location of a Railway Overpass within the town of Gunnedah.
- An inspection of proposed sites for the Gunnedah Railway Overpass had been held in conjunction with the Minister for Roads.
- The State Member advised that no such announcement of funding and the commencement of planning studies for additional railway crossings had occurred for the towns of Werris Creek and Quirindi.
- The State Member agreed to investigate and advise Liverpool Plains Shire Council of impending State Government action to address the requirement for additional railway crossings in the towns of Werris Creek and Quirindi given the significant increase occurring and proposed for coal rail transport.

### **Local Government Rate Pegging**

- There are no current State Government proposals in relation to changes to NSW Local Government Rate Pegging System.

### **Livestock Health and Pest Authority (LHPA) Reform**

- Reforms proposals for the Livestock Health and Pest Authority are still under review.

### **NSW Local Government Review Panel**

- The NSW Local Government Review Panel is scheduled to meet with Council Groups throughout the State and the Panel will be meeting with Namoi Councils members in Tamworth on 9 August 2012.

### **Emergency Services Levy**

- Review of the NSW Emergency Services Levy is currently underway and submissions close on 8 October 2012.

## MOTION

**Moved Cr Bill Heazlett, Walcha seconded Cr Ian Lobsey, Liverpool Plains**

### 41/12 RESOLVED

That the Executive Officer be requested to make representations to the Member for Tamworth, Kevin Anderson MP, to:

- (i) ensure that economic assessments under the "Royalties for Regions" Program be made on the basis of merit and priority including a review of the methodology used to ensure payments to regions under the program were separate to, and in addition to, the standard allocation of funds per resident for State Government services and facilities; and
- (ii) investigate and advise Liverpool Plains Shire Council of impending State Government action to address the requirement for additional railway crossings in the towns of Werris Creek and Quirindi given the significant increase occurring and proposed for coal transport.

## 5 MEETING WITH ALISON MCGAFFIN, REGIONAL COORDINATOR WESTERN NSW, NSW DEPARTMENT OF PREMIER AND CABINET

The following is a summary of the issues discussed with the Regional Coordinator Western NSW, Department of Premier and Cabinet:

- In 2011 the NSW Government commissioned a review of DPC's role in regional coordination. Factors influencing the need for this review included the greater emphasis by the Government on regional issues, the challenging economic environment and the significant changes made to the structure of the NSW Government and its agencies.
- The outcome of the DPC review is as follows:
  - ✓ DPC to have a small regional presence, with minimal but senior staff, reporting to a higher level within DPC.
  - ✓ Regional activity to be aligned to the strategic priorities of Government for each region (ie. Regional Action Plans).
  - ✓ Focus on formal and informal coordination within the NSW public sector and with the other tiers of government.
  - ✓ Exercise the referred authority of the Premier to identify, escalate and facilitate resolution of critical issues, especially where cross-agency.
  - ✓ Provide non-political support for Regional Ministers.
  - ✓ Western NSW Region of DPC has been created to align with the Regional Minister's area of responsibility.
  - ✓ Minister for Western NSW is the Hon Kevin Humphries MP.

- ✓ Western NSW serviced from 3 regional offices in Wagga Wagga, Dubbo and Tamworth (relocated from Armidale), with an officer to be temporarily based in Bourke
- ✓ 10 DPC officers working as a single team across Western NSW
- The NSW Government has placed significant emphasis on delivery of NSW 2021, including 2 year Regional Action Plans, and has a goal of increasing local participation in decision-making and tailoring of services to match local expectations
- Western Region encompasses nearly 70 Local Government Areas, which means that the Regional Organisations of Councils are an effective point of engagement between the Regional Coordination Team and local government
- Need to ensure alignment between NSW 2021, the Regional Action Plans and the Community Strategic Plans
- Community Strategic Plans can provide the basis for agreeing service need and service response in each LGA
- Regional Action Plans are being developed to identify the immediate actions the NSW Government can take over the coming two years to deliver on community priorities, increase opportunities and improve the quality of life for people living in specific Regions.
- The Regional Action Plans will be aligned to NSW 2021, guiding policy and budget decision-making.
- Regional Action Plans will complement longer term strategies that may already be underway in the regions by identifying actions that can be delivered in a shorter timeframe.
- There will be six separate Regional Action Plans across Western NSW:
  - New England North West
  - Central West
  - Far West
  - Orana
  - Riverina
  - Murray/Lower Darling
- The priorities for the New England North West Regions are as follows:
  - Support sustainable economic growth and diversification of the region.
  - Build a skilled workforce and improve education pathways for young people.
  - Deliver quality integrated health services at a regional and local level.
  - Invest in regional and local infrastructure.
  - Deliver integrated and coordinated human services.
  - Support strong safe communities.

**MOTION**

**Moved Cr Bill Heazlett, Walcha seconded Cr Ian Lobsey, Liverpool Plains**

**42/12 RESOLVED**

That the presentation from the NSW Department of Premier and Cabinet Regional Coordinator Western NSW be received and noted.

**6 OUTSTANDING ACTION LIST**

**MOTION**

**Moved Cr Bill Heazlett, Walcha seconded Cr Ian Lobsey, Liverpool Plains**

**43/12 RESOLVED**

That the Namoi Councils Outstanding Action List be received and noted.

**7 FINANCIAL REPORT**

**MOTION**

**Moved Cr Bill Heazlett, Walcha seconded Cr Ian Lobsey, Liverpool Plains**

**44/12 RESOLVED**

The Namoi Councils Financial Report as at That the Namoi Councils Finance Report as at 23 July 2012 stating a credit balance of \$161,941.28 be received and noted.

**8 INWARD CORRESPONDENCE**

**ITEM 8.1 NSW PARLIAMENT LEGISLATIVE COUNCIL GENERAL PURPOSE  
STANDING COMMITTEE NO 5 COAL SEAM GAS REPORT (TABLED  
AT THE MEETING**

**MOTION**

**Moved Cr Bill Heazlett, Walcha seconded Cr Ian Lobsey, Liverpool Plains**

**44/12 RESOLVED**

That the NSW Parliament Legislative Council Coal Seam Gas Report be received and noted.

**ITEM 8.2 NSW MINISTER FOR LOCAL GOVERNMENT**

**MOTION**

**Moved Cr Bill Heazlett, Walcha seconded Cr Ian Lobsey, Liverpool Plains**

**45/12 RESOLVED**

That the letter from the Minister for Local Government, the Hon Don Page MP, in relation to Local Government Election Costs and revenue from failure to vote penalty notices be received and noted.

**ITEM 8.3 NSW PARLIAMENT LEGISLATIVE ASSEMBLY STATE & REGIONAL DEVELOPMENT COMMITTEE**

**MOTION**

**Moved Cr Bill Heazlett, Walcha seconded Cr Ian Lobsey, Liverpool Plains**

**46/12 RESOLVED**

That the letter dated 16 May 2012 acknowledging receipt of Namoi Councils' submission to the Inquiry into Inter-Regional Public Transport be received and noted.

**ITEM 8.4 NSW DEPUTY PREMIER, ANDREW STONER MP**

**MOTION**

**Moved Cr Bill Heazlett, Walcha seconded Cr Ian Lobsey, Liverpool Plains**

**47/12 RESOLVED**

That the letter dated 29 May 2012 from the Deputy Premier, Andrew Stoner MP, in response to Namoi Councils' representations concerning resources for regions impacted by mining activity be received and noted.

**ITEM 8.5 MINISTER FOR LOCAL GOVERNMENT**

**MOTION**

**Moved Cr Bill Heazlett, Walcha seconded Cr Ian Lobsey, Liverpool Plains**

**48/12 RESOLVED**

That the letter dated 24 June 2012 from the Minister for Local Government, the Hon Don Page MP, acknowledging the inclusion of Destination 2036 Strategies and Actions in the Namoi Councils Strategic Plan be received and noted.



## **9 OUTWARD CORRESPONDENCE**

### **MOTION**

**Moved Cr Robyn Faber, Narrabri seconded Cr Bill Heazlett, Walcha**

### **49/12 RESOLVED**

That Namoi Councils Outward Correspondence Items 9.1 to 9.9 be received and endorsed.

## **10 REPORTS FROM EXECUTIVE OFFICER**

### **ITEM 10.1 DESTINATION 2036 ACTION PLAN**

#### **MOTION**

**Moved Cr Robyn Faber, Narrabri seconded Cr Bill Heazlett, Walcha**

### **50/12 RESOLVED**

That the Report from the Executive Officer in relation to progress of the Destination 2036 Action Plan be received and noted.

### **ITEM 10.2 NAMOI WATER WORKING GROUP – WATER IMPACT MODELLING**

#### **MOTION**

**Moved Cr Bill Heazlett, Walcha seconded Cr Ian Lobsey, Liverpool Plains**

### **51/12 RESOLVED**

That the Report from the Executive Officer in relation to the completion of the Namoi Water Working Group Water Impact Modelling Project be received and noted.

### **ITEM 10.3A NEW ENGLAND NORTH WEST ROC DISCUSSION PAPER**

#### **MOTION**

**Moved Cr Robyn Faber, Narrabri seconded Cr Ian Lobsey, Liverpool Plains**

### **52/12 RESOLVED**

That the New England North West ROC Discussion Paper "*lay on the table*" and be referred for consideration in more detail to the next Board Meeting of Namoi Councils having regard to the current Local Government Reform and Modernisation Agenda proposed by the Minister for Local Government, the Hon Don Page MP.



## **ITEM 10.3B URALLA SHIRE COUNCIL – NAMOI COUNCILS MEMBERSHIP**

### **MOTION**

**Moved Cr Robyn Faber, Narrabri seconded Cr Ian Lobsey, Liverpool Plains**

**53/12 RESOLVED**

That the application by Uralla Shire Council for membership of Namoi Councils be approved and that the membership fee for Uralla Shire Council be fixed 75% of current financial year membership and as may be varied from time to time in subsequent years.

## **ITEM 10.3 A NEW PLANNING SYSTEM FOR NSW GREEN PAPER**

### **MOTION**

**Moved Cr Robyn Faber, Narrabri seconded Cr Ian Lobsey, Liverpool Plains**

**54/12 RESOLVED**

That Namoi Councils make a submission to the Minister for Planning and Infrastructure, the Hon Brad Hazzard MP, in relation to A New Planning System for NSW Green Paper raising the following matters:

- (i) in view of the upcoming September 2012 Local Government Elections, the extension date for lodgement of Green Paper submission should be extended to at least the end of October 2012;
- (ii) opposing the removal of elected councillors from the process for determination of development applications; and
- (iii) pointing out the dearth of suitably experienced and qualified planning professionals to support the new Planning System.

## **ITEM 10.4 NAMOI WATER UTILITIES BINDING ALLIANCE DEED OF AGREEMENT**

### **MOTION**

**Moved Cr Robyn Faber, Narrabri seconded Cr Bill Heazlett, Walcha**

**55/12 RESOLVED**

That the Deed of Agreement tabled at the Board Meeting for the establishment of a Namoi Water Utilities Binding Alliance be adopted and the Alliance commence as from 1 July, 2012.

## **11 NAMOI COUNCILS PROJECT REPORTS**

### **11.1 STRENGTHENING COMMUNITY BASINS**

#### **MOTION**

Moved Cr Robyn Faber, Narrabri seconded Cr Bill Heazlett, Walcha

#### **56/12 RESOLVED**

That the verbal report from Bruce Brown, General Manager of the Namoi Catchment Management Authority, in relation to the Strengthening Community Basins Project be received and it be noted.

### **11.2 NAMOI – TOWARDS A SUSTAINABLE FUTURE PROJECT**

#### **MOTION**

Moved Cr Robyn Faber, Narrabri seconded Cr Bill Heazlett, Walcha

#### **57/12 RESOLVED**

That the verbal report from the Namoi Councils Executive Officer in relation to the *Namoi – Towards a Sustainable Future* Project be received and noted.

## **12 NAMOI COUNCILS COMMITTEE REPORTS**

### **ITEM 12.1 MINERALS & ENERGY WORKING GROUP MEETING MINUTES**

#### **MOTION**

Moved Cr Robyn Faber, Narrabri seconded Cr Bill Heazlett, Walcha

#### **58/12 RESOLVED**

- (i) That the Minutes of the Meeting of the Minerals & Energy Working Group Meeting held on 14 June 2012 be received and noted; and
- (ii) That the Executive Officer be requested to express the concern of Namoi Councils to the New England Institute of TAFE at the lack of consultation and communication with Narrabri Shire Council in relation to recent media announcements that a TAFE Trade Training Centre is proposed for the Gunnedah TAFE Campus despite advice from the Institute that no decision had been made as to where the facility would be located and that the location for the Centre would be determined by a *Value Management Study* which would occur later in the planning process and after the funding application had been approved.

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**ITEM 12.2 WATER WORKING GROUP**

**MOTION**

**Moved Cr Robyn Faber, Narrabri seconded Cr Bill Heazlett, Walcha**

**59/12 RESOLVED**

That the letter dated 17 July 2012 from the Namoi Water Working Group in relation to the NSW Aquifer Interference Policy be received and noted.

**12.3 NAMOI COUNCILS GENERAL MANAGERS ADVISORY COMMITTEE  
REPORT OF MEETING HELD ON 24 MAY 2012 ROC MEMBERSHIP**

**MOTION**

**Moved Cr Robyn Faber, Narrabri seconded Cr Ian Lobsey, Liverpool Plains**

**60/12 RESOLVED**

That in relation to the General Managers Advisory Committee Meeting held on 24 May 2012, Namoi Councils adopt the recommendations contained in the report as follows:

**1 ROC DISCUSSION PAPER**

The Executive Officer be requested to prepare a ROC Discussion Paper reviewing the options for establishment of a regional organisation of councils encompassing councils within the Regional Development Australian Northern Inland Region for consideration at the Namoi Councils Board Meeting to be held on 2 August 2012.

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2.1 Namoi Councils establish a Plant and Equipment Resource Sharing Working Group to exercise the function of pooling and sharing professional and technical expertise in the management and operation of member Council's plant and equipment including joint fuel purchasing, quarry resource sharing arrangements and road line marking; and

2.2 Following the expiration of 6 months from the establishment of the Working Group, the Executive Officer be requested to submit a report in relation to whether there is agreement among Working Group members as to the merit of extending the functions of the Working Group to include the functions of hire of plant and equipment to and among member Councils and the invitation of joint tenders for the purchase of plant and equipment.

2.3 The Executive Officer be requested to review and report on the opportunities available for Namoi Councils' securing member joint energy contracts with energy suppliers.

**3 MODERNISING AGENDA FOR NAMOI COUNCILS**

The Executive Officer be requested to include options in the Namoi Councils ROC Discussion Paper for direct and active participation of Namoi Councils in the Destination 2036 Local Government Reform Agenda.

**4 NAMOI COUNCILS WATER UTILITIES BINDING ALLIANCE**

It be noted a Namoi Councils Water Utilities Binding Alliance Deed of Agreement is currently being drafted and will be forwarded within the next 2 weeks to member Councils for approval.

**5 NAMOI COUNCILS EDUCATION AND INFORMATION SESSIONS FOR COUNCILLORS**

GMAC in conjunction with the Executive Officer plan and deliver Councillor Education and Information Sessions following the September 2012 Local Government Elections and that GMAC members be requested to advise the Executive Officer of specific education and information to be delivered to councillors.

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GMAC and the Executive Officer be requested to consider and present a proposal to the Board of Namoi Councils for staging a major annual business or industry forum or event in the Region in conjunction with the Northern Inland RDA which will focus business and government sectors on national and international business development opportunities, investment possibilities and emerging markets for the region.

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**ITEM 13.1 SUBMISSION IN RELATION TO THE NEW ENGLAND NORTH WEST REGIONAL DRAFT STRATEGIC LAND USE PLAN**

**MOTION**

**Moved Cr Ian Lobsey, Liverpool Plains seconded Cr Bill Heazlett, Walcha**

**61/12 RESOLVED**

That the Namoi Councils' submission to the NSW Department of Planning and Infrastructure in relation to the New England North West Regional Draft Strategic Land Use Plan be endorsed.

**ITEM 13.2 SUBMISSION IN RELATION TO THE NSW PARLIAMENT LEGISLATIVE ASSEMBLY STATE AND REGIONAL DEVELOPMENT COMMITTEE INQUIRY INTO INTER-REGIONAL PUBLIC TRANSPORT**

**MOTION**

**Moved Cr Ian Lobsey, Liverpool Plains seconded Cr Bill Heazlett, Walcha**

**62/12 RESOLVED**

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**ITEM 13.3 SUBMISSION FROM THE NAMOI WATER WORKING GROUP TO THE MURRAY DARLING BASIN AUTHORITY PROPOSED BASIN PLAN**

**MOTION**

**Moved Cr Ian Lobsey, Liverpool Plains seconded Cr Bill Heazlett, Walcha**

**63/12 RESOLVED**

That the Namoi Water Working Group submission to the Murray Darling Basin Authority proposed Basin Plan be endorsed.

**14 NAMOI COUNCILS MEDIA RELEASES**

**MOTION**

**Moved Cr Ian Lobsey, Liverpool Plains seconded Cr Bill Heazlett, Walcha**

**64/12 RESOLVED**

That Namoi Councils Media Releases issued in relation to Regional CountryLink Services and Special Economic Zones be received and noted.

**15 REGIONAL MEDIA ISSUES**

**MOTION**

**Moved Cr Ian Lobsey, Liverpool Plains seconded Cr Bill Heazlett, Walcha**

**65/12 RESOLVED**

That Namoi Councils Chairperson be requested to issue Media Releases in relation to the attendance of the Member for Tamworth, Mr Kevin Anderson MP at August 2012 Namoi Councils Board Meeting and other decisions made at the Board Meeting.

**16 GENERAL BUSINESS**

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**MOTION**

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**17 DATE AND VENUE FOR NEXT BOARD MEETING**

Thursday 1 November 2012 at the Tamworth Regional Council offices commencing at 10.30am

**Closure: There being no further business the Namoi Councils Meeting concluded at 12.45pm.**

Cr Col Murray, Namoi Councils, Chairperson  
2 August 2012

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