



22 December 2021

### **NOTICE OF EXTRAORDINARY COUNCIL MEETING**

Your attendance is respectfully requested at the Extraordinary Meeting of Cabonne Council convened for **Thursday 6 January, 2022** commencing at **2:00PM**, at the Cabonne Council Chambers, Bank Street, Molong to consider the undermentioned business.

Yours faithfully

A handwritten signature in black ink, appearing to read 'BJ Byrnes', is positioned below the 'Yours faithfully' text.

BJ Byrnes  
**GENERAL MANAGER**

### **ORDER OF BUSINESS**

- 1) Open Extrordinary Meeting
- 2) Consideration of General Manager's Report
  - a) Mayoral Elections Procedure 2022
  - b) Election Of Mayor
  - c) Election Of Deputy Mayor
  - d) Destruction Of Ballot Papers
  - e) Delegation To Mayor And Deputy Mayor (In Mayor's Absence)
  - f) Delegates To Other Organisations - For The Term Of Council
  - g) Fixing The Date And Time For Council And Other Meetings
  - h) Resolution To Fill Vacancies
  - i) Disclosures Reporting
  - j) 2022 Local Government Nsw Special Conference
  - k) Australia Day 2021 Timetable
  - l) Policy Register - Media And Social Media Protocols Policy
  - m) Building Better Regions Fund Round 6

Please be advised that this Council meeting is being recorded and live streamed. By speaking at this meeting, you agree to being recorded and live streamed. Please ensure that if and when you speak you are respectful to others and use appropriate language at all times. Cabonne Council accepts no liability for any defamatory or offensive remarks or gestures made during the course of this meeting. The recording of this meeting will be made publicly available on Council's website.



### **COUNCIL'S MISSION**

*“To be a progressive and innovative Council which maintains relevance through local governance to its community and diverse rural area by facilitating the provision of services to satisfy identified current and future needs.”*

### **COUNCIL'S VISION**

*Cabonne Council is committed to providing sustainable local government to our rural communities through consultation and sound financial management which will ensure equitable resource allocation.*

**TABLE OF CONTENTS**

ITEM 1	ACKNOWLEDGEMENT OF COUNTRY .....	2
ITEM 2	APPLICATIONS FOR LEAVE OF ABSENCE .....	3
ITEM 3	DECLARATIONS OF INTEREST .....	3
ITEM 4	DECLARATIONS FOR POLITICAL DONATIONS.....	4
ITEM 5	MAYORAL ELECTIONS PROCEDURE 2022.....	4
ITEM 6	ELECTION OF MAYOR.....	8
ITEM 7	ELECTION OF DEPUTY MAYOR .....	8
ITEM 8	DESTRUCTION OF BALLOT PAPERS .....	9
ITEM 9	DELEGATION TO MAYOR AND DEPUTY MAYOR (IN MAYOR'S ABSENCE).....	10
ITEM 10	DELEGATES TO OTHER ORGANISATIONS - FOR THE TERM OF COUNCIL .....	11
ITEM 11	FIXING THE DATE AND TIME FOR COUNCIL AND OTHER MEETINGS .....	13
ITEM 12	RESOLUTION TO FILL VACANCIES .....	14
ITEM 13	DISCLOSURES REPORTING .....	14
ITEM 14	2022 LOCAL GOVERNMENT NSW SPECIAL CONFERENCE .....	16
ITEM 15	AUSTRALIA DAY 2021 TIMETABLE .....	17
ITEM 16	POLICY REGISTER - MEDIA AND SOCIAL MEDIA PROTOCOLS POLICY .....	19
ITEM 17	BUILDING BETTER REGIONS FUND ROUND 6 .....	20

**ANNEXURE ITEMS**

ANNEXURE 13.1	DISCLOSING POLITICAL DONATIONS FACTSHEET .....	22
ANNEXURE 16.1	DRAFT - MEDIA AND SOCIAL MEDIA PROTOCOLS POLICY .....	27

**ITEM 1 - ACKNOWLEDGEMENT OF COUNTRY**

**REPORT IN BRIEF**

<b>Reason For Report</b>	To provide an opportunity for the mayor to recite an acknowledgement of country
<b>Policy Implications</b>	Nil
<b>Budget Implications</b>	Nil
<b>IPR Linkage</b>	4.5.1.f - Adhere to Council's Code of Conduct and Code of Meeting Practice
<b>Annexures</b>	Nil
<b>File Number</b>	\\OFFICIAL RECORDS LIBRARY\\COMMUNITY RELATIONS\\ISSUES MANAGEMENT\\ABORIGINAL INDIGENOUS AFFAIRS - 1337970

**RECOMMENDATION**

THAT an Acknowledgement of Country be recited in accordance with Council's Code of Meeting Practice policy.

**GENERAL MANAGER REPORT**

Council's adopted Code of Meeting Practice policy includes reciting of an Acknowledgement of Country on "... *special/formal occasions; at the September Council Meeting for the election of Mayor & Deputy Mayor; and at other occasions at the discretion of the Mayor...*".

An Acknowledgement of Country is where people acknowledge and show respect for the Aboriginal Traditional Custodians of the land upon which the event/meeting is taking place.

A Chair usually begins the meeting by acknowledging that the meeting is taking place in the country of the traditional owners. It reads as follows.

***"I would like to acknowledge that we are here today on the land of the Wiradjuri people who are the Traditional Custodians of this land. I would also like to acknowledge the present Aboriginal and Torres Strait Islander people who may reside within this area."***

**ITEM 2 - APPLICATIONS FOR LEAVE OF ABSENCE**

**REPORT IN BRIEF**

<b>Reason For Report</b>	To allow tendering of apologies for councillors not present.
<b>Policy Implications</b>	Nil
<b>Budget Implications</b>	Nil
<b>IPR Linkage</b>	4.5.1.g - Code of Meeting Practice adopted and implemented.
<b>Annexures</b>	Nil
<b>File Number</b>	\OFFICIAL RECORDS LIBRARY\GOVERNANCE\COUNCIL MEETINGS\COUNCIL - COUNCILLORS LEAVE OF ABSENCE - 1337971

**RECOMMENDATION**

THAT any apologies tendered be accepted and the necessary leave of absence be granted.

**GENERAL MANAGER REPORT**

A call for apologies is to be made.

**ITEM 3 - DECLARATIONS OF INTEREST**

**REPORT IN BRIEF**

<b>Reason For Report</b>	To allow an opportunity for councillors to declare an interest in any items to be determined at this meeting.
<b>Policy Implications</b>	Nil
<b>Budget Implications</b>	Nil
<b>IPR Linkage</b>	4.5.1.g - Code of Meeting Practice adopted and implemented.
<b>Annexures</b>	Nil
<b>File Number</b>	\OFFICIAL RECORDS LIBRARY\GOVERNANCE\COUNCIL MEETINGS\COUNCIL - COUNCILLORS AND STAFF DECLARATION OF INTEREST - 2021 - 1337972

**RECOMMENDATION**

THAT the Declarations of Interest be noted.

**GENERAL MANAGER REPORT**

A call for Declarations of Interest.

**ITEM 4 - DECLARATIONS FOR POLITICAL DONATIONS**

**REPORT IN BRIEF**

<b>Reason For Report</b>	To allow an opportunity for Councillors to declare any Political Donations received.
<b>Policy Implications</b>	Nil
<b>Budget Implications</b>	Nil
<b>IPR Linkage</b>	4.5.1.g - Code of Meeting Practice adopted and implemented.
<b>Annexures</b>	Nil
<b>File Number</b>	\OFFICIAL RECORDS LIBRARY\GOVERNANCE\COUNCIL MEETINGS\COUNCIL - COUNCILLORS DECLARATION OF POLITICAL DONATIONS - 1340825

**RECOMMENDATION**

THAT any political donations be noted.

**GENERAL MANAGER'S REPORT**

A call for declarations of any political donations.

**ITEM 5 - MAYORAL ELECTIONS PROCEDURE 2022**

**REPORT IN BRIEF**

<b>Reason For Report</b>	Outlining procedures for the conduct of Mayoral elections
<b>Policy Implications</b>	Consistent
<b>Budget Implications</b>	Nil
<b>IPR Linkage</b>	4.5.1.g. Code of Meeting Practice adhered to
<b>Annexures</b>	Nil
<b>File Number</b>	\OFFICIAL RECORDS LIBRARY\GOVERNANCE\ELECTIONS\MAYORAL - 1337985

## **RECOMMENDATION**

THAT Council:

1. Re-affirm its previous practice of conducting voting for the positions of Mayor and Deputy Mayor by preferential ballot where three or more nominations are received, otherwise by ordinary ballot.
2. Determine if it wishes details of the voting for the positions of Mayor and Deputy Mayor to be made public.
3. Note the Mayor elected will hold their office until the mid-term mayoral election in September 2023.
4. Confirm that the Deputy Mayor elected will hold their office until the September 2022 Ordinary Council meeting.

## **GENERAL MANAGER'S REPORT**

### **Nominations for Mayor and Deputy Mayor**

Councillors are advised that nominations for the position of Mayor and Deputy Mayor will close at 2.00pm sharp on Thursday 6 January 2022. Nominations must be in writing and signed by two councillors, one of whom may be the nominee. The consent for nomination must be signed by the Nominee. Should a councillor act as one nominee for oneself it is most important that they also sign the consent to nomination. Failure to do so renders the nomination invalid.

Nominations can be delivered to the General Manager or the Deputy General Manager Services at the Molong Office for placement in the ballot box. The General Manager will also be in attendance on meeting day from 9.00 am in the General Manager's Office at the Council Chambers in Molong to accept any nominations.

Council should also indicate if it wishes details of voting to be made public.

Should councillors have any queries in relation to any aspect of the Mayoral Elections, they are asked to contact the General Manager or the Deputy General Manager Services at their convenience.

### **Term of Mayor and Deputy Mayor**

Mayors elected by councilors normally hold their office for two years (unless a casual vacancy occurs). Because of the postponement of the ordinary council elections to 4 December 2021, mayors elected by councilors will have a shorter than usual two year term.

Councils that elect their Mayor are required under the Local Government Act to hold mid-term mayoral elections in the month of September. This means that the mid-term mayoral elections will need to be held in September 2023.

Deputy Mayors hold their office for the term specified in the council's resolution. It has been practice in the past that the Deputy Mayor is appointed for one-year. This would mean that the deputy mayoral elections would be held in September

2022 to align with the mid-term mayoral election to take place in September 2023.

### **Election Procedures**

The procedure for election for the positions of Mayor and Deputy Mayor is:

1. If only one councillor is nominated, that councillor is elected.
2. If more than one councillor is nominated, the Council is to proceed by preferential ballot, by ordinary ballot or by open voting.
3. The election is to be held at the council Meeting at which the Council resolved on the method of voting.
4. The following definitions apply:

“Ballot” has its normal meaning of secret ballot;

“Open Voting” means voting by a show of hands or similar means.

It has been the practice in the past for Council to conduct voting by ordinary ballot where there are two (2) nominations and preferential ballot where three or more nominations are received. Assuming Council continues with this practice the following procedure has been set down for Preferential Voting in Part 3 of Schedule 7, Election of mayor by councillors, in the Local Government (General) Regulation 2021.

### **Ordinary Voting**

The ballot papers are to contain the names of both candidates. councillors make their vote by placing “1” against the name of the candidate they wish to see elected. The candidate with an absolute majority of votes is deemed to be elected.

### **Preferential Voting - Ballot Papers and Voting**

1. The ballot papers are to contain the names of all the candidates. The councillors are to make their votes by placing the numbers “1”, “2” and so on against the various names so as to indicate the order of their preference for all the candidates. In accordance with Clause 9 of Schedule 7, councillors must show their preferences for **all** candidates for votes to be formal.
2. The formality of a ballot-paper under this Part is to be determined in accordance with Clause 345 in the Local Government (General) Regulation 2021.
3. An informal ballot paper must be rejected at the count.

### **Count**

1. If a candidate has an absolute majority of first preference votes, that candidate is elected.
2. If not, the candidate with the lowest number of first preference votes is excluded and the votes on the unexhausted ballot-papers counted to him or her are transferred to the candidates with second preferences on those ballot- papers.

3. A candidate who then has an absolute majority of votes is elected, but, if no candidate then has an absolute majority of votes, the process of excluding the candidate who has the lowest number of votes and counting each of his or her unexhausted ballot-papers to the candidates remaining in the election next in order of the voter's preferences is repeated until one candidate has received an absolute majority of votes. The latter is elected.
4. In this section "absolute majority" in relation to votes means a number which is more than one half of the number of unexhausted formal ballot-papers.

### **Tied Candidates**

1. If, on any count of votes, the numbers of votes cast for 2 candidates are equal and;
  - a) those candidates are the only candidates in the election - the candidate whose name is first chosen by lot is taken to have received an absolute majority of votes and is therefore taken to be elected; or
  - b) those candidates are the ones with the lowest number of votes on the count of the votes - the candidate whose name is first chosen by lot is taken to have the lowest number of votes and is therefore excluded.
2. If, on any count of votes, the numbers of votes cast for 3 or more candidates are equal and the lowest number of votes on the count of the votes - the candidate whose name is first chosen by lot is taken to have the lowest number of votes and is therefore excluded.

### **Choosing by Lot**

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

### **Result**

The result of the election (including the name of the candidate elected as mayor or deputy mayor) is:

- a) to be declared to the councillors at the council meeting at which the election is held by the Returning Officer, and
- b) to be delivered or sent to the Office of Local Government and to the Secretary of Local Government NSW.

For the purpose of this election the General Manager has appointed the Deputy General Manager Services as the Returning Officer.

**ITEM 6 - ELECTION OF MAYOR**

**REPORT IN BRIEF**

<b>Reason For Report</b>	To allow the election of the Mayor
<b>Policy Implications</b>	Nil
<b>Budget Implications</b>	Nil
<b>IPR Linkage</b>	4.5.1.g. Code of Meeting Practice adhered to
<b>Annexures</b>	Nil
<b>File Number</b>	\\OFFICIAL RECORDS LIBRARY\\GOVERNANCE\\ELECTIONS\\MAYORAL - 1337959

**RECOMMENDATION**

THAT the General Manager proceed with the requirements for the election of the Mayor for Cabonne Council as detailed in the item relating to the determination of requirements for the election process.

**GENERAL MANAGER'S REPORT**

Following the determination by Council of the item relating to the determination of requirements for the election process, a resolution for the General Manager to proceed with the election of the Mayor is required.

**ITEM 7 - ELECTION OF DEPUTY MAYOR**

**REPORT IN BRIEF**

<b>Reason For Report</b>	To allow elections for Deputy Mayor
<b>Policy Implications</b>	Nil
<b>Budget Implications</b>	Nil
<b>IPR Linkage</b>	4.5.1.g. Code of Meeting Practice adhered to
<b>Annexures</b>	Nil
<b>File Number</b>	\\OFFICIAL RECORDS LIBRARY\\GOVERNANCE\\ELECTIONS\\MAYORAL - 1337960

**RECOMMENDATION**

THAT the General Manager proceed with the requirements for the election of the Deputy Mayor for Cabonne Council as detailed in the item relating to the determination of requirements for the election process.

**GENERAL MANAGER'S REPORT**

Following the determination by Council of the item relating to the determination of requirements for the election process, a resolution for the General Manager to proceed with the election of the Deputy Mayor is required.

**ITEM 8 - DESTRUCTION OF BALLOT PAPERS**

**REPORT IN BRIEF**

<b>Reason For Report</b>	For Council to determine whether ballot papers need to be destroyed
<b>Policy Implications</b>	Nil
<b>Budget Implications</b>	Nil
<b>IPR Linkage</b>	4.5.1.f - Adhere to Council's Code of Conduct and Code of Meeting Practice
<b>Annexures</b>	Nil
<b>File Number</b>	\\OFFICIAL RECORDS LIBRARY\\GOVERNANCE\\COUNCIL MEETINGS\\PROCEDURES - 1337961

**RECOMMENDATION**

THAT the ballot papers for the positions of Mayor and Deputy Mayor be destroyed upon the completion of formalities associated with the respective ballots.

**GENERAL MANAGER'S REPORT**

Following the election of Mayor and Deputy Mayor a resolution is required as to disposal of the ballot papers.

Traditionally Cabonne Council has destroyed the ballot papers upon the completion of formalities associated with the respective ballots.

**ITEM 9 - DELEGATION TO MAYOR AND DEPUTY MAYOR (IN MAYOR'S ABSENCE)**

**REPORT IN BRIEF**

<b>Reason For Report</b>	To reaffirm the delegation to the successful candidates elected as Mayor and Deputy Mayor
<b>Policy Implications</b>	Nil
<b>Budget Implications</b>	Nil
<b>IPR Linkage</b>	4.5.5.h - Provide, maintain and develop financial services and systems to accepted standards - satisfying regulatory and customer requirements
<b>Annexures</b>	Nil
<b>File Number</b>	\\OFFICIAL RECORDS LIBRARY\\CORPORATE MANAGEMENT\\AUTHORISATIONS\\DELEGATIONS - 1337962

**RECOMMENDATION**

THAT subject to not receiving direction from the Council as to the consideration of any particular matter by the Council itself and subject to the requirements of the Local Government Act 1993 and Regulations thereunder and any express policy of the Council or regulations of any public authority other than the Council and pursuant to the powers conferred on Council by s377 of the *Local Government Act 1993*, the Mayor (*name in full to be inserted*) and, where allowed, in his/her absence the Deputy Mayor (*name in full to be inserted*) be authorised to exercise or perform on behalf of the Council the powers, authorities, duties and functions as follows:

1. To incur expenditure up to the sum of \$3,000 for incidental expenses, within approved votes of Council.
2. To receive a public interest disclosure in circumstances assigned to the position of Mayor in Council's Public Interest Disclosure (Internal Reporting) Policy.

**GENERAL MANAGER'S REPORT**

Following the elections for Mayor and Deputy Mayor, it is necessary for Council to re-affirm the delegation to the successful candidates. This is in addition to such other powers as are conferred under the Local Government Act 1993.

**ITEM 10 - DELEGATES TO OTHER ORGANISATIONS - FOR THE TERM OF COUNCIL**

**REPORT IN BRIEF**

<b>Reason For Report</b>	For Council to elect two delegates to Central Tablelands Water for the term of Council
<b>Policy Implications</b>	Consistent with Council's Code of meeting practice
<b>Budget Implications</b>	Nil
<b>IPR Linkage</b>	4.5.1.b - Maintain strong relationships and liaise effectively with all levels of Government
<b>Annexures</b>	Nil
<b>File Number</b>	\\OFFICIAL RECORDS LIBRARY\\GOVERNANCE\\COUNCIL MEETINGS\\PROCEDURES - 1337965

**RECOMMENDATION**

THAT:

1. Council accept the nomination(s) for position of delegate to Central Tablelands Water County Council; and
2. If more than two nominations are received an election be held in accordance with the Regulations.

**GENERAL MANAGER'S REPORT**

**Background**

Central Tablelands Water (CTW) is the trading name adopted by Central Tablelands County Council, a regional water authority constituted under NSW Local Government Legislation. CTW was first proclaimed in 1944 and now provides potable water supply to those connected properties within Blayney Shire Council, Weddin Shire Council and Cabonne Council.

The governing body is responsible for managing the affairs of the County Council and for CTW includes two councillors from each of the constituent councils; Blayney Shire, Weddin Shire and Cabonne.

Councillors who serve as delegates are required to undertake the same responsibilities for the Council they represent and the particular County Council policies. Delegates receive councillor remuneration and reimbursement of costs as established by the NSW Local Government Remuneration Tribunal; and determined in the County Council payment of expenses and provision of facilities policy.

Council meetings are usually held on the second Wednesday of alternate months, commencing in February each year. The meetings are generally alternated between the towns of Grenfell, Blayney and Canowindra.

### **Legislation**

The Local Government Act (1993) details who comprise the governing body of a County Council (Chapter 12, Part 5, s390 clause 3).

It is those councillors from a constituent council who are eligible to be elected as members of the governing body of the County Council, in accordance with the Regulations.

Part 11, Division 12 of the Local Government (General) Regulation (2021) refers to Schedule 9 (s396, Part 2) to conduct the election of members of County Councils by the respective constituent council.

In summary the key points from Schedule 9 include:

- The General Manager is the Returning Officer
- Nominations must be in writing delivered to the returning officer and is not valid unless the nominee has indicated consent to the nomination
- The names of the nominees will be announced at the Council meeting
- If the number of candidates nominated is not more than the number to be elected, those candidates are to be declared elected
- If there are more candidates than the number to be elected, an election is to be held, determined by preferential ballot, conducted in the presence of Council
- The votes are counted in accordance with Schedule 4 of the Regulation.

Schedule 4 (Clause 3-6) of the Regulation, prescribes the counting of an election for only one candidate:

- The candidate elected is the one who receives an absolute majority of first preferences
- If no candidate receives an absolute majority, the candidate with the lowest number of first preferences is eliminated and their second preference is counted as a first preference vote for that candidate
- The process of elimination continues if necessary until a candidate receives an absolute majority.

Therefore, in accordance with Schedule 4 of the Regulation, the election of the two Cabonne Council members for Central Tablelands Water County Council will be conducted separately, one member at a time.

For the purpose of this election the General Manager has appointed the Deputy General Manager Services as the Returning Officer.

Councillors have been provided with a blank nomination form for completion.

### **Policy**

Central Tablelands Water has requested that the two councillors appointed as Cabonne Council's delegates be consumers of Central Tablelands Water as

per Council's *Delegates to Central Tablelands Water Policy* that states:

*Council shall elect two (2) constituent delegates to Central Tablelands Water for a four (4) year term from amongst its councillors who are consumers of Central Tablelands Water.*

**ITEM 11 - FIXING THE DATE AND TIME FOR COUNCIL AND OTHER MEETINGS**

**REPORT IN BRIEF**

<b>Reason For Report</b>	To determine the time and date of regular meetings of Council and other meetings
<b>Policy Implications</b>	Could impact on the Code of Meeting practice
<b>Budget Implications</b>	Nil
<b>IPR Linkage</b>	4.5.1.f - Adhere to Council's Code of Conduct and Code of Meeting Practice
<b>Annexures</b>	Nil
<b>File Number</b>	\\OFFICIAL RECORDS LIBRARY\\GOVERNANCE\\COUNCIL MEETINGS\\PROCEDURES - 1337969

**RECOMMENDATION**

THAT Council determine the date and time of regular meetings of Council and other meetings.

**GENERAL MANAGER'S REPORT**

The following procedure is to conduct Council and other meetings as follows:

a) Ordinary Council Meeting

The Ordinary Council meeting is held at Council's Molong Office on the fourth Tuesday of each month, commencing at 2.00pm.

b) Other Meetings

Meetings for other strategic directions and business improvement purposes are held on the second Tuesday of the month as required.

**ITEM 12 - RESOLUTION TO FILL VACANCIES**

**REPORT IN BRIEF**

<b>Reason For Report</b>	Council requires a resolution to fill any vacancies within 18 months of an election.
<b>Policy Implications</b>	Nil
<b>Budget Implications</b>	Nil
<b>IPR Linkage</b>	4.5.1.a - Provide quality administrative support and governance to councillors and residents
<b>Annexures</b>	Nil
<b>File Number</b>	\\OFFICIAL RECORDS LIBRARY\\GOVERNANCE\\ELECTIONS\\LOCAL GOVERNMENT ELECTIONS 2021 - 1338831

**RECOMMENDATION**

THAT Council declare that casual vacancies occurring in the office of a councillor within 18 months of the election held on 4 December 2021 are filled by a countback of votes cast at the election held on 4 December 2021.

**GENERAL MANAGER'S REPORT**

Section 291A of the Local Government Act provides for a countback of votes from the last election to be held instead of a by-election should a casual vacancy occur in the office of a councillor if:

- a) the casual vacancy occurs within 18 months after the date of the last ordinary election of the councillors for the area, and
- b) the council has at its first meeting following that ordinary election of councillors, by resolution, declared that any such casual vacancy is to be filled by a countback of votes cast at the last election for that office.

**ITEM 13 - DISCLOSURES REPORTING**

**REPORT IN BRIEF**

<b>Reason For Report</b>	To ensure councillors understand their obligation to disclose political donations and electoral expenditure to the NSW Electoral Commission
<b>Policy Implications</b>	Nil
<b>Budget Implications</b>	Nil
<b>IPR Linkage</b>	4.5.1.a - Provide quality administrative support and governance to councillors and residents
<b>Annexures</b>	1. Disclosing political donations factsheet <a href="#">↓</a>
<b>File Number</b>	\\OFFICIAL RECORDS LIBRARY\\GOVERNANCE\\COUNCIL MEETINGS\\PROCEDURES - 1340820

## **RECOMMENDATION**

THAT councillors note the requirement to submit political donations and electoral expenditure to the NSW Electoral Commission.

## **DEPARTMENT LEADER - GOVERNANCE & CORPORATE PERFORMANCE'S REPORT**

Councillors elected at the local government elections on 4 December 2021 must submit political donations and electoral expenditure disclosures to the NSW Electoral Commission periodically for their term of office.

The first disclosure must be submitted by **25 February 2022** (factsheet annexed).

There are three (3) types of disclosures to submit each year: two (2) half-yearly disclosures of political donations made and received and an annual disclosure of electoral expenditure incurred.

In relation to the 2021/22 financial year, an elected member must also submit disclosures as their capacity as a candidate. These being two half-yearly disclosures of political donations made and received and an annual disclosure of electoral expenditure incurred.

The relevant periods each disclosure covers, and the lodgement periods for disclosures for 2021/2022 are:

<b>Disclosure type</b>	<b>Disclosure period</b>	<b>Disclosure lodgement period</b>	<b>Disclosure due</b>
1 <sup>st</sup> half-yearly political donations disclosure	1 July 2021 to 31 December 2021	1 January 2022 to 25 February 2022	<b>25 February 2022</b>
2 <sup>nd</sup> half-yearly political donations disclosure	1 January 2022 to 30 June 2022	1 July 2022 to 28 July 2022	<b>28 July 2022</b>
Annual electoral expenditure disclosure	1 July 2021 to 30 June 2022	1 July 2022 to 22 September 2022	<b>22 September 2022</b>

Detailed information about disclosures is available on the NSW Electoral Commission [website](#).

**ITEM 14 - 2022 LOCAL GOVERNMENT NSW SPECIAL CONFERENCE**

**REPORT IN BRIEF**

<b>Reason For Report</b>	Seeking nomination of delegates for the 2022 Local Government NSW Special Conference and development of motions to be submitted.
<b>Policy Implications</b>	Nil
<b>Budget Implications</b>	Nil
<b>IPR Linkage</b>	4.5.1.b. Maintain strong relationships and liaise effectively with all relevant government agencies and other councils
<b>Annexures</b>	Nil
<b>File Number</b>	\\OFFICIAL RECORDS LIBRARY\GOVERNMENT RELATIONS\CONFERENCES\LGNSW CONFERENCE - 1338784

**RECOMMENDATION**

THAT Council:

1. Be represented at the 2022 Local Government NSW Special Conference by the Mayor or his delegate, observers nominated by Council, and the General Manager or his delegate in an advisory capacity; and
2. Identify issues and/or motions to be submitted to the conference.

**GENERAL MANAGER'S REPORT**

Each year, member councils across NSW attend an Annual Conference conducted by Local Government NSW (LGNSW). The LGNSW State Conference provides delegates an opportunity to share ideas, seek inspiration, and help determine the sector's policy directions for the coming year.

Due to last year's COVID restrictions and postponement of the Local Government Elections a special conference of Local Government NSW will be held from Monday 28 February to Wednesday 2 March 2022 at the Hyatt Regency, Sydney.

Councils are encouraged to submit motions for consideration at the conference. Proposed motions should be strategic, affect members state-wide and introduce new or emerging policy issues and actions. Cabonne has in previous recent years submitted motions relating to rate exemptions of state-owned corporations, food security and sustainability including introduction of legislation to protect the 'right to farm', regional road funding and water security. Motions are to be submitted on 30 January 2022,

Council's policy for the attendance of delegates and representatives at the LGNSW Conference is that the Mayor attends, if available, as Council's official delegate, with the General Manager attending in an advisory capacity. Council has also previously provided for other councillors being able to attend as observers.

## **ITEM 15 - AUSTRALIA DAY 2021 TIMETABLE**

### **REPORT IN BRIEF**

<b>Reason For Report</b>	To authorise and nominate councillors to attend Australia Day events throughout Cabonne.
<b>Policy Implications</b>	Nil
<b>Budget Implications</b>	Nil
<b>IPR Linkage</b>	4.4.1.d - Facilitate Australia Day events annually
<b>Annexures</b>	Nil
<b>File Number</b>	\\OFFICIAL RECORDS LIBRARY\\RECREATION AND CULTURAL SERVICES\\EVENTS MANAGEMENT\\AUSTRALIA DAY 2022 - 1340826

### **RECOMMENDATION**

THAT Council nominate and authorise Councillors to represent Council at Australia Day events throughout Cabonne.

### **DEPARTMENT LEADER - GOVERNANCE & CORPORATE PERFORMANCE'S REPORT**

Arrangements for each of the ten (10) locations, as advised by the local organising committees are detailed in the table below.

An invitation, providing details of events, will be sent to the State and Federal Members for Parliament inviting them to attend any of the celebrations in Cabonne on Australia Day.

The events for each individual village will be promoted on the Australia Day in NSW website [www.australiaday.com.au](http://www.australiaday.com.au) and will be promoted on Council's Website and Facebook Page.

<b>Village</b>	<b>Location</b>	<b>Attending from Council</b>	<b>Time</b>	<b>Details</b>
Cumnock	Cumnock Bowling Club	OFFICIAL PARTY	8am to 9.30am	Breakfast and presentation of awards.

Molong	Molong Recreation Ground	OFFICIAL PARTY	8am to 4pm	Citizenship Ceremony at 10.30am and presentation of Australia Day awards at 11am.
Eugowra	Eugowra Community Bowls & Recreation Club	OFFICIAL PARTY	2pm	Presentation of Australia Day awards.
Canowindra	Community Hall at Ex-Services & Citizens Club	TBC	1.30pm to 3pm	Presentation of Australia Day awards & cutting of the Australia Day cake.
Cargo	Cargo Village Green	TBC	10am to 11am	Presentation of awards and morning tea.
Cudal	Corden Store	TBC	TBC	TBC
Manildra	Manildra Swimming Pool	TBC	4pm to 9pm	Presentation of Australia Day awards and flag raising. Followed by pool party, Lions Club BBQ and novelty events.
Mullion Creek	Mullion Creek Hall	TBC	8am to 11am	Presentation of Australia Day awards and BBQ breakfast
Nashdale	Nashdale Public School	TBC	10am to 1pm	Presentation of Australia Day awards
Yeoval	Yeoval Central School Hall	TBC	8.30am to 10.30am	Breakfast, guest speaker and presentation of Australia Day Awards

**ITEM 16 - POLICY REGISTER - MEDIA AND SOCIAL MEDIA PROTOCOLS POLICY**

**REPORT IN BRIEF**

<b>Reason For Report</b>	For Council to endorse the new policy and place on public exhibition.
<b>Policy Implications</b>	Yes - Policy will become policy of Council
<b>Budget Implications</b>	Nil
<b>IPR Linkage</b>	4.5.1.a - Provide quality administrative support and governance to councillors and residents
<b>Annexures</b>	1. DRAFT - Media and Social Media Protocols Policy <a href="#">↓</a>
<b>File Number</b>	\\OFFICIAL RECORDS LIBRARY\\CORPORATE MANAGEMENT\\POLICY\\POLICY CORRESPONDENCE - 1341542

**RECOMMENDATION**

THAT Council endorse the draft Media and Social Media Protocols Policy and place the draft policy on public exhibition.

**DEPARTMENT LEADER - GOVERNANCE & CORPORATE PERFORMANCE'S REPORT**

**Policy Objective**

The purpose of Cabonne Council's Media and Social Media Protocols Policy is to ensure the interface between council and media/social media is managed appropriately to maximise the benefits for council, and to minimise the risk of adverse publicity and misunderstanding due to inaccurate information or inappropriate sharing of information.

Cabonne Council has a clear corporate brand that is recognisable and presents Council as a professional and credible organisation. This Policy aims to protect the image and reputation of the organisation by clearly defining how media and social media should be engaged with and establishes the framework which governs activities that ensure the organisation is professionally presented in a unified, responsive, consistent, lawful and positive manner within media, digital, community, and social environments.

**Governance**

The draft policy has been developed in line with the model policies issued from the Office of Local Government.

**ITEM 17 - BUILDING BETTER REGIONS FUND ROUND 6**

**REPORT IN BRIEF**

<b>Reason For Report</b>	To inform Council of projects suitable to submit for funding under Round 6 of the Federal Government's Building Better Regions Fund
<b>Policy Implications</b>	Nil
<b>Budget Implications</b>	Potentially up to \$2,200,000 from Capital Reserves or through borrowings
<b>IPR Linkage</b>	3.3.3.a - Maintain pools to safe operational standards
<b>Annexures</b>	Nil
<b>File Number</b>	\\OFFICIAL RECORDS LIBRARY\ECONOMIC DEVELOPMENT\REPORTING\COUNCIL REPORTS - 1341882

**RECOMMENDATION**

THAT Council:

1. Prepares to submit the following projects for funding under Round 6 of the Building Better Regions Fund:
  - i. Swimming Pools Masterplan projects valued at approximately \$3.2m
2. Provides \$2.2m towards the cost of the project, should the application be successful, and that the contribution be funded by Council's 2022 Resources for Regions allocation (if successful), Council's capital reserve as a secondary option, or through borrowings.

**LEADER - COMMUNITY AND ECONOMY REPORT**

Council staff have recently been made aware that the Round 6 of the Federal Government's Building Better Regions Fund is currently open, and due to close on 10 February 2022. To be in a position of readiness to submit an application within the required time frame, and to align to the Council meeting calendar, the Swimming Pool Master Plan project is to be confirmed as a priority.

**About the Opportunity**

Funding under the Infrastructure Projects Stream provides grants from \$20,000 to \$10 million on a dollar-for-dollar basis, with the applicant to provide 50 per cent or more of the project costs. To be eligible, projects must:

- be aimed at the construction, upgrade or extension of infrastructure that provides economic and social benefits to regional and remote areas
- comprise one of the following activities:

- the construction of new infrastructure
- the upgrade to existing infrastructure
- the extension of existing infrastructure
- the replacement of infrastructure where there is a significant increase in benefit
- not have started construction but be ready to commence within 12 weeks of execution of a funding deed (if successful)

### **Suitable Projects**

Projects that are in a position of readiness to progress is the Cabonne Swimming Pools Master Plan that Council has recently been briefed on

These projects are considered ready to be progressed toward submission because:

- significant community consultation has been undertaken through the enquiry-by-design process
- Projects have been publicly displayed and open to community feedback several times
- Preliminary costs have been estimated
- Public support has been established

As Council may recall, the estimated cost of all works proposed is approximately \$3.2m.

### **Council Contribution**

The total cost of the project is approximately \$3.2m. It is proposed the apply for approximately \$950,000 of funding through the Building Better Regions Fund, as grant requests over \$1 million require a cost-benefit analysis.

The remaining funding for the project, including the 50 per cent contribution of \$950,000 (as required under the Building Better Regions Fund) may either come from capital reserves, be provided by leveraging other funding opportunities, or through borrowings.

One such opportunity may be the NSW Government Resources for Regions fund, should Cabonne continue to be eligible in future rounds of funding. This would still be subject to a full application process, including a business case. Should the project not meet with the funding body's approval, use of capital reserve funds may be required.

A further report will be provided to Council upon receiving the outcome of the funding submissions, to confirm acceptance (if successful), and confirm the source of financial contribution.

## Fact sheet

# Disclosing political donations

(Half-yearly period 1 July to 31 December 2021)

The following information applies to political parties, elected members, candidates, groups, third-party campaigners, associated entities, party agents and official agents. Information in this fact sheet is based on the provisions of the *Electoral Funding Act 2018*. Refer to the legislation for the full requirements and/or be guided by independent legal advice.

### What is a half-yearly political donations disclosure?

Political parties and other electoral participants in New South Wales must disclose political donations every six months. A half-yearly political donation disclosure form includes political donations made and received.

### When must a half-yearly political donations disclosure be lodged?

The due date for submitting a disclosure of political donations made and received in the half-yearly period 1 July 2021 to 31 December 2021 is **Friday, 25 February 2022**.

### Who must lodge a half-yearly political donations disclosure?

All political parties and electoral participants are required to lodge a half-yearly political donations disclosure form:

- All candidates, as well as the lead candidates of groups, must disclose all political donations made and received in the half-yearly period, or lodge a "nil" disclosure form if no political donations were made or received.
- All elected members, political parties and associated entities must disclose all political donations made and received in the half-yearly period, or lodge a "nil" disclosure form if no political donations were made or received.
- Third-party campaigners must disclose all reportable political donations received during the half-yearly period that were or are intended to be used to incur electoral expenditure in the capped expenditure period for an election, or lodge a "nil" disclosure form if no reportable political donations were received.

### What are political donations?

Political donations are defined on the NSW Electoral Commission's [website](#).

Political donations include:

- monetary and non-monetary gifts
- free or discounted goods or services
- an amount paid by a person to attend or participate in a fundraising venture or function
- an annual or other subscription paid to a party by a party member or affiliate
- a disposition of property from the federal branch (or a State or Territory branch) of a party to the NSW branch of the party or a disposition of property from one NSW party to another NSW party

- uncharged or insufficient interest charged on a loan
- a contribution made by a candidate to the group of which they are a member.

## What must be disclosed?

Political donations must be disclosed as follows:

- small political donations made and received (does not apply to third-party campaigners)
- reportable political donations made\* and received
- details of fundraising ventures and functions including the net or gross proceeds
- reportable loans received
- the total amount of annual or other subscriptions paid to a party, each subscription rate and the number of party members that paid at each rate (applies to parties only)
- political donations made to a Legislative Assembly election candidate before the candidate was selected or endorsed by a party (applies to parties only)
- payments other than political donations paid into the campaign account (applies to campaign accounts of candidates, groups and elected members only).

\* If a third-party campaigner has made reportable political donations in the half-yearly period the political donations can be disclosed in a half-yearly disclosure form, otherwise they must be disclosed in an annual major political donor disclosure form following 30 June 2022.

## Who is responsible for making the disclosure?

Half-yearly political donation disclosure forms must be completed, signed and submitted by the person responsible for the disclosure as set out in the table below, unless otherwise notified in writing by the NSW Electoral Commission:

Disclosure form type	Person responsible
<b>Political Party</b>	the party agent
<b>Councillor or mayor</b>	the councillor or mayor
<b>Local government election candidate</b>	the candidate (includes a candidate who is a member of a group)
<b>Local government election group of candidates</b>	the lead candidate of the local government group
<b>Third-party campaigner or associated entity</b>	the official agent of the third-party campaigner or associated entity
<b>Member of Parliament (MP)</b>	the party agent, if the MP is a member of a party that is registered for State elections or the MP, in all other cases
<b>State election candidate</b>	the party agent, if the candidate is a member of a party that is registered for State elections or the candidate, in all other cases
<b>State election group of candidates</b>	the party agent of the group's lead candidate, if group members are members of one or more parties registered for State elections or the lead candidate, in all other cases

## How to submit a political donation disclosure form

Disclosure forms can be submitted online using [Funding and Disclosure Online](#):

1. [Log in](#) to Funding and Disclosure Online using your username and password, or [Request access](#) (if you don't already have access)
2. Your dashboard shows the disclosure(s) you need to submit for the half-yearly period
3. Follow these [instructions](#) to create and submit the disclosure, or these [instructions](#) to submit a 'Nil' disclosure.

When submitting a disclosure using Funding and Disclosure Online, supporting documents (e.g. copies of receipts issued to donors) can be uploaded before the disclosure is submitted electronically.

For those unable to use Funding and Disclosure Online, disclosure forms are available for download on the NSW Electoral Commission's [website](#). A disclosure form or "nil" disclosure form (if no donations were made or received) must be validly lodged with the NSW Electoral Commission by **Friday, 25 February 2022**.

A disclosure form is validly lodged if it is lodged by the due date and:

- the correct form has been used (there are separate forms for political parties and each type of electoral participant),
- it contains all pages (even if some or all pages contain no disclosures), and
- it is completed, signed and dated by the person who is responsible for making the disclosure. Note that digital signatures are no longer accepted on disclosure forms downloaded from the website. If you would like to sign with a digital signature, please use Funding and Disclosure Online to submit your disclosure.
- The disclosure form must be lodged with copies of the receipts issued to donors who made a reportable political donation.

If you are submitting a disclosure form downloaded from the website, the form and supporting documents can be lodged in paper or electronic form by email or fax but not through your own file hosting service (e.g. Dropbox). If submitting files that are too large to send by email (over 20MB), contact us at [fdc@elections.nsw.gov.au](mailto:fdc@elections.nsw.gov.au) to request a unique link for large file upload. These requests need to be made before 18 February 2022 and will only be attended to in business hours.

## Were you a member of a group of candidates in the half-yearly period?

### Disclosure forms to submit if you were a member of a group

- The person responsible for the group, usually the lead candidate, must submit **two** disclosures: the group disclosure form **and** their own individual candidate disclosure form.
- Each group member **must** submit their own individual candidate disclosure form.

**Candidate disclosure forms:** must include any political donations made to or for the benefit of the candidate and any political donations made by the candidate including political donations made by a candidate to the group of which they are a member, membership fees, levies, or other payments made to the political party of which the candidate is a member.

**Group disclosure forms:** must include any political donations made to or for the benefit of the group and any political donations made by the group. Political donations received by the group include donations made by the group's members to the group.

If a group member donates to their group, the candidate who donated to their group must disclose making the donation to the group. The lead candidate of the group must disclose, in the group's disclosure form, receiving the donation from the candidate.

## Were you a councillor or mayor in the half-yearly period?

Any person who was a councillor or mayor between 1 July 2021 and 31 December 2021 must submit an elected member disclosure form. This includes:

- those who were declared “elected” at the 2021 local government elections,
- elected members who contested the 2021 local government election but were not re-elected, and
- elected members who did not recontest the 2021 local government elections.

### Disclosure forms to submit if you were a councillor or mayor

- If you were elected at the 2021 local government elections, you **must** submit:
  - an elected member disclosure form,
  - a candidate disclosure form, and
  - a group disclosure form (if you were the lead candidate of a group)
- If you were an elected member prior to the 2021 local government elections and you were a candidate but were not re-elected, you **must** submit:
  - an elected member disclosure form,
  - a candidate disclosure form, and
  - a group disclosure form (if you were the lead candidate of a group)
- If you were an elected member prior to the 2021 local government elections and you were not a candidate, you **must** submit:
  - an elected member disclosure form

An elected member disclosure form is to include political donations made to or for the benefit of the person as an elected member and political donations made by the elected member during the half yearly period. Political donations made by an elected member include membership fees, levies and other payments made by the elected member to the political party of which they are a member.

Political donations disclosed by a person in their elected member disclosure form do not also need to be disclosed in the person’s candidate disclosure form, and vice versa.

## Were you a candidate for a councillor election and a mayoral election?

If you were a candidate for both a councillor election and a mayoral election in the same local government area the person responsible for the candidate can submit a single candidate disclosure form.

## Can a disclosure form be amended?

Yes, a disclosure form previously submitted to the NSW Electoral Commission can be amended by the person responsible for the original disclosure or their successor. “Amended disclosure” forms can be submitted using [Funding and Disclosure Online](#), or are available on request.

## What happens after a disclosure is made?

Disclosure forms are kept by the NSW Electoral Commission for at least six years and are published on the NSW Electoral Commission’s [website](#).

Disclosure forms may be subject to a compliance audit by the NSW Electoral Commission. You are required to retain complete and accurate records in relation to a disclosure for at least three years.

## **What happens if a disclosure form is not lodged, is lodged late or is incorrect or incomplete?**

Breaching the legislative requirements for disclosures may constitute a criminal offence. The NSW Electoral Commission may issue warnings, penalties or prosecute offences including:

- failure to validly lodge a disclosure form by the due date
- lodging an incomplete disclosure without a reasonable excuse
- providing or withholding information knowing it will result in a false or misleading declaration by the person responsible for the disclosure
- making a false statement in a declaration on a disclosure form.

A disclosure form is taken to be invalidly lodged if:

- the incorrect form is used or pages are missing from the form
- the form has not been signed by the person who is responsible for signing the form
- the declaration section of the form has not been properly completed including the date the declaration was signed.

## **More information**

The *Electoral Funding Act 2018* is available in full at [legislation.nsw.gov.au](https://legislation.nsw.gov.au).

For further information, contact us on 1300 022 011 or at [fdc@elections.nsw.gov.au](mailto:fdc@elections.nsw.gov.au).

# **DRAFT MEDIA AND SOCIAL MEDIA PROTOCOLS POLICY**

## **STRATEGIC POLICY**

**Responsible Department:** Office of the General Manager  
**Responsible Section:** Community and Economy  
**Responsible Officer:** Leader – Community and Economy

### **Objective**

The purpose of Cabonne Council's Media and Social Media Protocols Policy is to ensure the interface between Council and media/social media is managed appropriately to maximise the benefits for Council, and to minimise the risk of adverse publicity and misunderstanding due to inaccurate information or inappropriate sharing of information.

Cabonne Council has a clear corporate brand that is recognisable and presents Council as a professional and credible organisation. This Policy aims to protect the image and reputation of the organisation by clearly defining how media and social media should be engaged with, and establishes the framework which governs activities that ensure the organisation is professionally presented in a unified, responsive, consistent, lawful, and positive manner within media, digital, community, and social environments.

### **Introduction**

#### **Scope**

This Policy applies to the Mayor, all Councillors, and Council staff when representing Council in the media/social media.

This Policy applies to verbal and written comments in the media, public speaking engagements, media releases and the use of social media.

### **Policy**

#### **Media – interviews, media releases, media statements**

Any comment made to a journalist or member of a media organisation is to be consistent with Council's *Code of Conduct* and accurately reflect the decisions and values of Council. Cabonne Council's Community and Economy team (Leader – Community and Economy and/or Communications and Marketing Coordinator) must be notified of any media queries made to elected officials or staff.

The Mayor and General Manager are Council's official spokespersons. In the event that the Mayor is unavailable, the Deputy Mayor will generally fulfil the official spokesperson role.

Other Council staff and representatives may be authorised as a spokesperson to comment in the media on behalf of Cabonne Council on matters relevant to their accountability within Council. Only authorised Council spokespersons may be interviewed by the media or provide approved responses ensuring the community receives the most accurate information.

Approval as an authorised spokesperson will be made on a case-by-case basis, according to the subject matter of the enquiry. Approval may be granted by the Mayor or the General Manager.

Council recognises the important role the media plays in informing the public about the work of the Organisation and its facilities and businesses. Subject to operational and legal constraints, Council provides the media with as much information as is practical and possible about this work, as long as it is clearly in the public interest for such matters to be known.

Council employees may communicate with the media as private individuals provided:

- They do not comment on Council business or policy;
- They are not identified as Council employees;
- Their comments are not perceived as representing Council's official position or policy.

Council staff shall not engage in media activity which may be to the personal advantage or detriment of a Councillor.

During Local Government election campaigns, Councillors must ensure that their media comments are made as a candidate and are clearly distinguished from their role as a Councillor.

Council will not, for operational and legal reasons, comment on any matter that is the subject of an ongoing investigation or consideration, under consideration by the Land and Environment Court, a development matter being considered by Council, or where it is not in the public interest for the matter (or the details of the matter) to become publicly known. In some cases, an issue may be subjected to the public interest test (GIPA Act) to determine what information should/can be released, or information may be withheld to avoid potential defamation/privacy breaches.

The integrity and security of confidential documents, confidential matters in Council business papers, or information in an authorised media spokesperson's possession, or for which the spokesperson is responsible, must be maintained and managed in line with Council's *Code of Conduct*.

Council staff and elected officials should be aware of defamation laws when commenting in the media/social media.

As a guide, under Defamation Act 2005, published material that identifies a person (not necessarily by name) and meets any of the below criteria may be considered defamatory:

- Exposes a person to ridicule, or
- Lowers the person's reputation in the eyes of members of the community, or
- Causes people to shun or avoid the person, or
- Injures the person's professional reputation.

### **Statement of procedures for information being sent to the media**

Cabonne Council media releases:

- Are to be prepared and co-ordinated based on information provided by the responsible Council officer.
- Should quote authorised Council spokespersons only.
- Must be approved by the Executive Leadership Team.
- Provide contact of the communications team to manage enquiries
- Must be distributed via e-mail to Councillors, Executive Staff, and key staff as required, and all local media and, when appropriate, targeted external media.

- Must be uploaded to the Cabonne Council website at the time of release.
- Filed in line with Council's Records Management Policy.
- Council spokespersons are to be available for interview to provide additional information, audio, footage, and photographs following the distribution of media releases (if required).

### **Media statements**

A media statement is a written response provided to any media specifically prepared to address an enquiry.

- All media statements are to be co-ordinated by the Community and Economy team, with information to be provided by the responsible Council officer in a timely manner
- Should quote an authorised Council spokesperson
- Must be distributed via e-mail to the respective media outlet making the enquiry and the relevant Department Leader, and Executive Leadership Team notified.
- Filed in line with Council's Records Management Policy.

### **Media Interviews**

A media interview is any conversation with a journalist - either by phone, or in person – that may be reported on by that journalist. The following protocols apply to Cabonne Council's authorised media spokespersons:

- Do not provide personal comment on, or speculate about, Council decisions, policy or issues
- At all times, adhere to the interview topic and the facts; avoid speculation
- The Community and Economy Team must be notified of any inaccurate quotations relating to the interview so that an appropriate response can be determined
- Ensure adequate preparation for the interview
- Be open, honest and co-operative
- Avoid saying 'no comment' if you are unsure how to answer a question; instead let the journalist know you will endeavour to get back to them with a response where possible
- Avoid providing comment (as opposed to factual information) - whether 'on' or 'off' the record – to the media
- In line with privacy legislation, do not provide client contact details (for example, details relating to volunteers, community members etc) or confidential information about a client to the media without prior permission from the client
- Where possible, all enquiries must be responded to on the day of the enquiry, unless otherwise negotiated through the Community and Economy Team and the respective journalist
- Intentionally providing misleading, or inaccurate information to the media, is considered a breach of this Policy and may be a breach of Cabonne Council's *Code of Conduct* Policy
- Be aware of defamation laws. Media interviews may be conducted in association with a planned media event, to provide additional information on approved media releases or as a response to a specific enquiry.

## Social Media

Social media provides the platforms for creation and sharing of information and ideas via 'virtual communities' and online networks. Social media encourages and invites communication, collaboration, discussion, and debate. It also enables the development of social and professional networks, groups, followers, and contacts for users.

This policy relates and applies to social media platforms currently maintained by Council, which include:

- Facebook
- Instagram
- LinkedIn
- Youtube

Council's official social media platforms are administered by Council's Community and Economy Team to ensure consistency of content, brand compliance, accuracy, tone, and style.

Elected Officials and Cabonne Council staff should be aware that any social media activity or interaction, either official or personal, is public, permanently available, traceable, and able to be reproduced elsewhere.

Content, comments, and digital activity may also form part of an evidentiary brief in *Code of Conduct* matters, or in more serious matters, tendered as evidence, such as civil claims or investigations by the Independent Commission Against Corruption (ICAC) or police.

Elected Officials and Cabonne Council staff should also be aware that, whether they intend it or not, what they post online in a private capacity may reflect on Cabonne Council. They should therefore behave in a way that upholds the values and reputation of Council, consistent with the *Code of Conduct* and other policies.

Elected Officials and Cabonne Council staff are reminded that 'shares', 'likes' or 'retweets' may be viewed as an endorsement of the original post.

Elected Officials and Cabonne Council staff can make personal comments on their social media platforms but must make clear that any views are their own opinions as an individual and not those of Cabonne Council.

An Elected Official's personal social media platform must include a disclaimer to the following effect:

*"The views expressed, and comments made on this social media platform are my own and not that of the Council".*

Elected Officials must also ensure that their use of social media, and Council's IT resources or other mobile/telephone devices, is consistent with Council's *Code of Conduct*.

Council media releases and other content that has been authorised according to this Policy may be uploaded onto an Elected Official's social media platform. Elected Officials and Cabonne Council staff may, in consultation with the Community and Economy team, upload publicly available Council information onto their social media platforms.

## Emergencies

Only authorised and accurate public information should be posted in relation to emergencies. Information should not be posted that contradicts advice and public information issued by the agency coordinating the emergency response.

In the event of an emergency, publishing information on Council owned and operated social media sites is the responsibility of the Community and Economy team, with approval from the General Manager or their delegate.

### **Breaches of this Policy**

Breaches of this policy by Elected Officials may result in an investigation of the alleged breach in line with Council's complaint handling policy, the Local Government *Guidelines on Investigations*, and the *Code of Conduct*.

Complaints should be referred to Cabonne Council's General Manager in the first instance, in accordance with the NSW Office of Local Government's *Procedures for the Administration of the Model Code of Conduct for Local Councils in NSW*.

Breaches of this policy by Council staff may result in the staff member being subject to the *Safe and Respectful Behaviours* procedure, and may be considered a breach of Council's *Code of Conduct*.

### **Standards of Conduct**

For the purposes of Cabonne Council's standards of conduct, third parties engaging on social media platforms must not post or share comments, photos, videos, electronic recordings, or other information that:

- Is defamatory, offensive, humiliating, threatening, or intimidating to Council officials or members of the public.
- Contains profane language or is sexual in nature.
- Constitutes harassment and/or bullying as prescribed in Cabonne Council's *Code of Conduct*, or is unlawfully discriminatory.
- Contains content about the Council, Council officials or members of the public that is misleading or deceptive.
- Breaches the privacy of Council officials or members of the public.
- Contains allegations of suspected breaches of Cabonne Council's *Code of Conduct*, or information about the consideration of a matter under the Procedures for the Administration of the *Model Code of Conduct* for Local Councils in NSW.
- Violates an order made by a court.
- Breaches copyright.
- Advertises, endorses or solicits commercial products or business.
- Constitutes spam.
- Would be in breach of the rules of the social media platform.

### **Removal of Content**

Where a person uploads content onto a social media platform that is of a kind specified under our *Standards of Conduct*, the moderator may remove that content.

Prior to removal, the moderator must make a record of the content (for example, a screenshot). If the moderator removes content, they must, where practicable, notify the person who uploaded the content that it has been removed and the reason(s) for its removal.

If a person uploads content that contravenes this policy, that person may be blocked or banned from Council's social media platforms.

### References

- Cabonne Council Brand, Style and Writing Guidelines
- Community Engagement Policy
- Social Media Acceptable Use Protocols

### History

Minute No.	Summary of Changes	New Version Date
06/11/08	Media Policy	7 November 2006
10/10/16	Adopted by Council at October 2010 meeting	18 October 2010
13/09/30	Readopted as per s165(4)	17 September 2013
18/07/14	Social Media included. Section about Chairpersons talking to media on behalf of Council deleted. Section on wards deleted. Section on economic development taking precedence on Council website deleted. Job titles updated	24 July 2018
DRAFT	Complete edit of policy, including clauses from Model Social Media Policy. Update of terms, job titles, and positions within the organisational structure.	