

## Policy Meeting of Council - 2 April 2025 Attachments

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**MINUTES OF THE POLICY COMMITTEE MEETING  
OF BATHURST REGIONAL COUNCIL  
HELD ON 5 MARCH 2025**

**1. PUBLIC FORUM**

**MINUTE**

**Wayne Febrey** - South Bathurst Action Group: Busby Street Development - Spoke to the planning proposals for 34 and 50 Busby Street. Noted that he is opposed to the proposed planning changes to height and density requirements. Spoke to the history and heritage of the precinct. Noted that a petition is being collated as the proposal is not respectful of the existing planning principles and of the local residents. Spoke to the possible loss of park areas, housing values and the emotional impact to residents. Requested that the current LEP 9m height limit and current density levels be retained. Noted other requirements they had for the area including parks, maintaining the heritage of the area etc and referred to other concerns such as affordable housing and retaining of old world charm. Noted that he would like to have a meeting with Councillors and staff about the project and his concerns of covert influence.

**DEPBS** objects to comment of 'covert influence' and noted he has declined to meet with the group due to the possibility of aggression towards staff if the meeting was to occur.

**Stephanie Luke** - Busby Street Planning Proposal - Noted she is opposed to any development in Milltown. Concerns included issue of trees and the social contract of LEP being overturned. Feels the developers have been told to go and double the size of the development. Requests that Council listen to the community. This is the wrong project, in the wrong spot.

**DEPBS** noted that Council authorised a process to be followed and that peer reviews for traffic and noise are progressing.

**Ingrid Pearson** - BARN Project - Thanked Council for allowing the Nguring - BARN project to proceed. Spoke to the cost of sporting facilities and asked Council if they are triple the cost of cultural facilities? Raised issue of operational costs and leasing payments.

**DCSF** will take on notice the issue of cost and will get back to Mrs Pearson. Noted that long term leases are in place, with some recovery of maintenance costs occurring.

**Stuart Pearson** - Bathurst Airport Masterplan - Spoke to the airport masterplan and the issue of selling/leasing the land at the airport. Spoke to Deed (1992) entered into with the Commonwealth and restrictions on sale and where possible funds received would be paid to. Asked if any arrangements have been entered into since 1992 to alter the Deed.

**DCSF** advised that no new arrangements have been entered in to.

Mr Pearson then spoke to proposals made by lessees to attract more business revenue to move the airport from loss making to revenue making.

**Geoff Fry - Accountability and Disclosure** - Spoke to Council's financial statements and noted funds and assets held. Noted that Council is not going broke. Spoke to rates making up 57% of Council's revenue. Spoke to the operations of museums and events, and accounting standards. Noted the losses of the museums operated or owned by Council, including the collections facility. Thought funding was from State Government not Council. Requested financial data such as loans on cultural facilities.

**DCCS** provided detailed of finances and loans.

Mr Fry then spoke to events and costs, including Mount Panorama.

**Bob Triming - Chairperson for Bathurst Regional Access Committee** - Sought an update on the Library toilets.

**DCCS** noted no change since last update, awaiting Go Kart Track funding to be available.

Mr Triming then thanked the works staff for recent works on Bradwardine Rd and the Highway regarding access concerns. Then raised the Hector Park toilets rebuild and inquired about the progress in replacing the toilets. Noted the toilets are in much need of replacement and that the BRAC would not want it to be placed into the centre island.

**DES** noted the DA will be lodged shortly which will then allow tenders to be called. The engineering department is currently working on resolving the issue of the facilities location.

Mr Triming then spoke to the Busby Street development and noted that the developer of the St Catherine's site has spoken to the access committee. Asked if the other development has taken into account relevant access issues?

**DEPBS** noted that no specific discussions have been held with the 34 Busby Street developers on the issues raised by Mr Triming at this time.

**Annie Balcomb - Transparency** - Asks that Council reconsider not filming the public forum. Noted that filming of the public forum would assist transparency of Council operations. Noted that Orange City Council livestreams their public forum, as do a number of other Council's. Noted it would assist in making public forum less intimidating. Raised concerns with validity of YourSay system, and about getting information concerning grants. Advised that she has submitted a GIPA request about the BARN. Asks Councillors to remember their promise to increase transparency.

## 2. MEETING COMMENCES

### MINUTE

Meeting commenced at 6:33pm.

**Present:** Cr W Aubin, Cr B Fry, Cr T Gullifer, Cr N Packham, Cr R Taylor, Cr J Underwood, Cr E West

## 3. RECORDING OF MEETING

## 4. PRAYER AND ACKNOWLEDGEMENT OF COUNTRY

## 5. APOLOGIES

### MINUTE

**MOVED: Cr W Aubin SECONDED: Cr T Gullifer**

### RESOLVED:

That the apology of Cr S Wright be accepted and leave of absence granted.

That the apology of Cr N Cranston be accepted and leave of absence granted.

**6. MINUTES**

**6.1. Confirmation of Minutes**

**File No: 07.00064**

**MINUTE**

**RESOLUTION NUMBER: POL2025-1**

**MOVED: Cr N Packham SECONDED: Cr J Underwood**

**RESOLVED:**

That the Minutes of the Policy Meeting of Bathurst Regional Council held on 4 December 2024 be adopted.

**7. DECLARATION OF INTEREST**

**Declaration of Interest**

**MINUTE**

NIL

**8.1.1. COUNCIL POLICY REVIEW - POLICIES REVIEWED WITH NO OR MINIMAL CHANGES IDENTIFIED**

**File No: 11.00006**

**MINUTE**

**RESOLUTION NUMBER: POL2025-2**

**MOVED: Cr W Aubin SECONDED: Cr E West**

**RESOLVED:**

That Council repeal the following policies:

- a) Section 355 Committee Guidelines – Reserves
- b) Land – Titles – Council Owned Land

**8.1.2. CCTV POLICY (CORPORATE)**

**File No: 11.00006**

**MINUTE**

**RESOLUTION NUMBER: POL2025-3**

**MOVED: Cr E West SECONDED: Cr B Fry**

**RESOLVED:**

That Council:

- a) place the draft Policy on public exhibition for a period of 28 days.
- b) if no submissions are received, adopt the draft CCTV Policy.
- c) if submissions are received, provide a further report for Council's consideration.

## 9. GENERAL BUSINESS

### MINUTE

**Cr B Fry** - Tony Lewis OAM: Companionship proposal - Spoke to correspondence received offering his time in a possible "companionship program". Would like to see Living Legends to help new residents when they arrive. Cr Fry asked if the Mayor and General Manager could follow this up.

- Marsden Lane Roundabout - Asked when this will be open?

**DES** advised the developer advises that they expect it to open end of March 2025.

- Infrastructure Projects: consultation - Spoke to the need for consultation for major projects such as extractive developments and energy projects. Noted that a good example of this has been the engagement process undertaken by ATCO. Spoke to a new project in the east of Bathurst Regional Council concerning renewable energy. Noted that the consultation for this project has not been as good and the community are raising concerns around biodiversity, visual pollution, viability, water pollution etc. Asked if these concerns could be communicated with the company concerned.

**DEPBS** noted company have been in the area and have recently held 3 public meetings. The proposal is at scoping stage. Noted that he will pass on concerns.

**Cr N Packham** - Wahluu/Mount Panorama Site Card - Raised concerns around the recent issue concerning AHIMS site card at Mount Panorama and is seeking clarification of the status.

**General Manager** advised of the current status noting that discussions on the AHIMS site card continue. Noted that the area is not currently listed as a site. There are no new Section 9 or Section 10 applications under ATSIHPA (Federal), nor any recent Aboriginal Place applications under the State legislation.

- Registration of Changing Places Facility and Signage - Requested updated on the registration and signage of the Changing Places Facility.

**DES** advised that registration is underway and that signage will be followed up with the Traffic committee.

**Cr W Aubin** - Non-Value of the Policy Meetings - Spoke to the non-value of the Policy meeting and the need to discuss the ceasing of these meetings.

- Scattering of ashes at Mount Panorama - Asked what the legality of scattering ashes at Mount Panorama?

**DES** advised that Council does not provide approval for scattering of ashes.

Cr Aubin asked that if people scatter ashes, does this create a sacred car race site?

- Wall at Mount Panorama for interment of ashes - Noted he has previously raised this matter for consideration.

**DES** advised this would require funding to occur and noted that the matter has been the subject of prior budget considerations.

## 10. MEETING CLOSE

**MINUTE**

The Meeting closed at 6:50pm.

**CHAIR:**

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<b>POLICY:</b>	MEDIA
<b>DATE ADOPTED:</b>	Director Corporate Services & Finance's Report #5 Council 15 September 2021 Resolution No. ORD2021- 330 Council 20 October 2021 Resolution No ORD2021-349
<b>ORIGINAL ADOPTION:</b>	Director Corporate Services Report #1 Policy 1 December 2004, Council 8 December 2004 Minute Book No. 9416 (former BCC Policy)
<b>FILE REFERENCE:</b>	04.00003
<b>OBJECTIVE:</b>	To develop and maintain an effective, professional level of communication with the media.

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## **Roles and responsibilities**

### The Mayor

- The Mayor plays an integral role in reporting back to ratepayers and residents, the decisions and considerations before Council. The Mayor is the main spokesperson on political issues but will delegate media duties in consultation with fellow Councillors who also have regular contact with the media on issues of specific interest.

### General Manager/Acting General Manager

- Gives the final approval on all media comment/releases relating to general Council business and is the spokesperson, unless choosing to delegate, on the main areas of Council business and strategic issues.
- Is responsible for maintaining an open communication policy with the Media & Communications Officer to provide adequate planning and lead time for preparation of media strategies.

### Department Heads/Acting Department Heads

- Will approve all media generated by their department unless delegated authority is given to other staff eg Library, Art Gallery.
- Are responsible for developing proactive media opportunities amongst staff.
- Are responsible for identifying potential issues that may develop within Council or in the wider community, in relation to Council business and should brief the Media & Communications Officer who in consultation, will assess and develop an appropriate media strategy.

### Media & Communications Officer

- Is the first point of contact for all media inquiries at Council.
- Is available at all times to respond to media inquiries and assess critical media issues.
- Is responsible for handling all media inquiries and preparing a response in consultation with Council staff and Councillors, where appropriate.
- Shall seek the final approval of the General Manager, Director of Corporate Services or appropriate Department Head before releasing any comment to the media.

- Is responsible for generating proactive news items to media, identifying potential to promote Council's services and developing appropriate strategies.

### Corporate Communications team members

- Will support the Media & Communications Officer with media release writing and media liaison when required.
- In preparing information for radio ads, on hold messages and other items, shall inform the Media & Communications Officer of all possible news items.

### All staff

- Are responsible for alerting the Media & Communications Officer of any media inquiry to Council as soon as they are aware of media contact.

### Approaching the media

- After consultation with the General Manager, Mayor or Department Head the Media & Communications Officer will generally initiate all contact with the media and talk to journalists about potential stories, photo opportunities and events involving Council unless an alternative strategy is developed.
- Council staff should advise the Media & Communications Officer of all potential media events, launches, press conferences etc...no later than two weeks prior to the event so an appropriate strategy can be developed.

### Responding to a media inquiry

- All media inquiries that come via phone, email or fax to Council are to be directed to the Media & Communications Officer or in the absence of that position, to the Manager Corporate Communications or Digital Communications Officer.
- If the Corporate Communications staff are unavailable, details of the caller and the nature of the inquiry are to be forwarded to the Department Head with a copy of details to be sent to the Media & Communications Officer
- It is the responsibility of the Media & Communications Officer to provide appropriate media liaison, source the relevant spokesperson/informant and complete the inquiry.
- All comment on Council business or information will come from the Mayor, General Manager, Department Head or delegated staff.
- The Media & Communications Officer will be responsible for media liaison with the Mayor and Councillors where appropriate.
- A copy of all media releases issued by Council will be forwarded to all Councillors, Council staff and posted to the News Centre on YourSay Bathurst
- All Council staff are entitled to a personal opinion but must not express their personal views in a public forum or to any member of the media, on behalf of Bathurst Regional Council.

### Writing a media release

- Staff from all departments should be encouraged to identify media opportunities and where appropriate draft media releases.
- Once a release is drafted or media concept approved by the General Manager or Department Head it should be sent to the Media & Communications Officer for release to the media.
- As long as they are able to meet the appropriate Council criteria for media liaison, an exception for Media & Communications Officer approval will be given for Council services such as the Library, Art Gallery, Visitor Information Centre, and child care facilities. In these cases, all media releases should be forwarded to Media & Communications Officer for information as they are released to the media.

### Confidentiality

- Council staff and elected representatives are bound by the Privacy Act, not to reveal the name or details of any member of the public who has dealings with Council to the media, unless the individual's permission is granted. The exception will be if the release of such information has already been made public through publication of Council's business papers.
- In accordance with Council's Code of Conduct, employees or Councillors shall not disclose otherwise than to the Council, a councillor or member of staff entitled to know, information concerning any matter relating to Council business.

### Further information

#### The Media

- The media are responsible for the reporting of accurate, honest and fair stories with a fair opportunity for reply.
- They must attribute information to appropriate sources.
- They must distinguish between fact and opinion.

# MODEL MEDIA POLICY

2022



### MODEL MEDIA POLICY

2022

#### ACCESS TO SERVICES

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## Introduction

### Media – opportunities and challenges

The Model Media Policy has been developed to provide a framework to assist councils when dealing with the media and to ensure that media engagement by councillors and staff is consistent, accurate and professional and enhances the council's reputation.

Effective media engagement can assist councils to keep their community informed, explain decisions and to promote community confidence in the council and its decisions.

The term "media" used in this policy means print, broadcast and online media used for communicating information to the public, including, but not limited to, newspapers, magazines, internet publishers, radio, and television broadcasters.

The advancement of technology and the development of non-traditional media means that the media now has unprecedented reach and accessibility. Anyone with a computer or hand-held device can access media platforms and actively engage in content which has the potential to be viewed and shared by hundreds of millions of people worldwide.

How a council is portrayed in the media impacts greatly on how the organisation is perceived. Media can be an effective tool to promote council programs, events, and initiatives. In addition, media can be invaluable in times of crisis or emergency when information needs to be communicated to the public.

Despite its obvious benefits, media also presents a variety of challenges and risks. These include:

- maintaining the accuracy, reliability, and integrity of information
- ensuring confidential information is managed appropriately, and
- the increased exposure and risk to reputation where information is not managed appropriately

### The development and intent of this policy

The Model Media Policy has been developed by the Office of Local Government (OLG) in consultation with councils. It is applicable to councils, county councils and joint organisations.

The Model Media Policy sets out an exemplar approach by incorporating examples of best practice from the media policies of a diverse range of NSW councils, as well as from Commonwealth and State Government agencies.

The Model Media Policy provides councils, county councils and joint organisations with a robust framework for the administration and management of their interactions with the media. It also sets standards of conduct for all council officials who are required to interact with media in their official capacity.

The Model Media Policy recognises that councils interact with media differently depending on factors such as a council's size and resources and the demographics of a local government area. For these reasons, the Model Media Policy ensures a degree of flexibility by including optional and adjustable provisions which enables each council to tailor the policy to suit its own unique circumstances.

### Content of the Model Media Policy

At the heart of the Model Media Policy are the four 'principles' of media engagement. These are:

- Openness
- Consistency
- Accuracy
- Timeliness.

These principles, which are expanded upon in Part 1, should underpin every aspect of a council's media engagement and all councils and council officials should commit to upholding them.

This policy applies to engagement between council officials and the media. It does not

apply to social media use. OLG has developed a separate model policy for social media use.

The Model Media Policy is structured as follows:

- Part 1** Sets out the principles of media engagement for councils
- Part 2** Contains two administrative models that councils can adopt in relation to the management of media enquiries and dealing with the media
- Part 3** Details the council's authorised spokespersons when engaging with the media
- Part 4** Prescribes the standards of conduct expected of council officials when engaging with the media in an official capacity or in connection with their role as a council official
- Part 5** Prescribes who will be the spokesperson to the media during emergencies
- Part 6** Prescribes how councillors should engage with the media in the lead up to an election
- Part 7** Contains information about records management requirements relating to media
- Part 8** Definitions

### Adoption

While not mandatory, the Model Media Policy reflects best practice and all councils, county councils and joint organisations are encouraged to adopt it. In doing so, they are free to adapt the policy to suit their local circumstances and operating environments or to supplement it with their own provisions.

Optional and adjustable provisions are marked in red.

**Note:** In adopting the Model Media Policy, joint organisations should adapt it to substitute the terms "board" for "council", "chairperson" for "mayor", "voting representative" for "councillor" and "executive officer" for "general manager".

**Note:** In adopting the Model Media Policy, county councils should adapt it to substitute the term "chairperson" for "mayor" and "member" for "councillor".

### Enforcement

Clause 3.1(b) of the *Model Code of Conduct for Local Councils in NSW* provides that council officials must not conduct themselves in a manner that is contrary to a council's policies. If adopted by a council, a breach of the policy will be a breach of the council's code of conduct.

Concerns or complaints about the administration of a council's engagement with media should be made to the council official responsible for media management in the first instance.

### Acknowledgements

The Office of Local Government wishes to thank the councils involved in drafting this Policy for their invaluable assistance.

## Model Media Policy

### Part 1 – Principles

1.1 We, the councillors, staff, and other officials of (insert name of Council), are committed to upholding and promoting the following principles of media engagement:

<b>Openness</b>	We will ensure that we promote an open exchange of information between our council and the media.
<b>Consistency</b>	We will ensure consistency by all councillors and staff when communicating with the media.
<b>Accuracy</b>	The information we share with the media will be a source of truth for our council and community and we will prioritise the need to correct inaccuracies when they occur.
<b>Timeliness</b>	We will ensure that we respond to media enquiries in a timely manner.

### Part 2 – Administrative framework for engagement with the media

**Note: this Part contains two different models for media engagement. These models are:**

- **Option 1 – the General Manager led model**
- **Option 2 – the Media Coordinator led model**

#### Option 1 – The General Manager led model

#### The role of the General Manager

- 1.2 The role of the General Manager is to
- a) be the lead point of contact for all media enquiries, requests for interviews, requests to film or photograph council staff, facilities or events for news and current affairs purposes
  - b) be responsible for preparing all media statements prior to their release
  - c) delegate to staff members to respond to media enquiries where appropriate
  - d) maintain a register of delegated staff
  - e) maintain effective oversight of delegated staff
  - f) revoke a staff member's status as a delegated staff member when required
  - g) ensure that media statements are approved by the Mayor prior to their release where appropriate

- h) develop and/or approve media training and/or induction to be provided to delegated staff and/or councillors
- i) maintain a record of all media enquiries and responses
- j) ensure that media organisations and their representatives are treated professionally, equally and without bias
- k) ensure that media enquiries are dealt with promptly
- l) provide guidance to councillors approached by the media for comment to avoid communication of misinformation, and
- m) ensure that all media releases are published on the Council's website.
- d) ensure that media statements are approved by the Mayor and/or General Manager prior to their release
- e) develop and/or approve media training and/or induction to be provided to relevant staff and/or councillors
- f) maintain a record of all media enquiries and responses
- g) ensure that media organisations and their representatives are treated professionally, equally and without bias
- h) ensure that media enquiries are dealt with promptly
- i) provide guidance to councillors approached by the media for comment to avoid communication of misinformation, and
- j) ensure that all media releases are published on the Council's website.

### **Option 2 – The Media Coordinator led model**

#### **Appointment and role of the Media Coordinator**

- 1.3 The General Manager will appoint a member of council staff to be the Council's Media Coordinator. The Media Coordinator should be a suitably qualified member of staff.
- 1.4 The General Manager may appoint more than one Media Coordinator.
- 1.5 The Media Coordinator's role is to:
  - a) be the lead point of contact for all media enquiries, requests for interviews, requests to film or photograph council staff, facilities or events for news and current affairs purposes
  - b) be responsible for preparing all media statements prior to their release
  - c) liaise with relevant staff members within the organisation where appropriate.

## Part 3 – Who can engage with the media

### The General Manager

- 1.6 The General Manager is the official spokesperson for the Council on operational and administrative matters.
- 1.7 The General Manager may delegate to other council staff to speak on their behalf where appropriate, (for example, where the delegated staff member has professional expertise regarding the subject matter, or the general manager is unavailable).

### The Mayor

- 1.8 The Mayor is the principal member and spokesperson of the governing body of the Council, including representing the views of the Council as to its local priorities (section 226(c) of the *Local Government Act 1993*).
- 1.9 If the Mayor is unavailable, the Deputy Mayor may act as the Council's spokesperson.
- 1.10 The Mayor may delegate their role as spokesperson to other councillors where appropriate, (for example, where another councillor is best placed to comment, because the issue is of particular interest to them, or it is within their particular area of expertise).

### Councillors

- 3.1 As a member of the governing body and as a representative of the community, councillors are free to express their personal views to the media.
- 3.2 When engaging with the media councillors:
- must not purport to speak for the Council unless authorised to do so.

- must clarify when speaking to the media that they are expressing their personal views as an individual councillor and that they are not speaking for the Council (unless authorised to do so)
- must uphold and accurately represent the policies and decisions of the Council
- must not disclose council information unless authorised to do so, and
- must seek information and guidance from the **General Manager/ Media Coordinator** where appropriate before providing comment to the media to ensure they have the most up-to-date and relevant information and have considered reputational or other risks.

3.3 In the interests of promoting a positive, safe and harmonious organisational culture, councillors should endeavour to resolve personal differences privately and must not prosecute them publicly through the media.

3.4 Where councillors (including the Mayor) become aware of potential issues that could result in media interest, they should provide this information to the **General Manager/ Media Coordinator**.

### Council Staff

- 3.5 Council staff must not speak to the media about matters relating to the Council unless authorised by the **General Manager/Media Coordinator** to do so.
- 3.6 If Council staff receive a media enquiry or they are invited to comment to the media on a matter relating to the Council, they must refer the enquiry to the **General Manager/Media Coordinator**.
- 3.7 Council staff are free to express their personal views to the media on matters that do not relate to the Council, but in

doing so, must not make comments that reflect badly on the Council or that bring it into disrepute.

- 3.8 If authorised to speak to the media, Council staff:
- must uphold and accurately represent the policies and decisions of the Council
  - must not disclose Council information unless authorised to do so by the **General Manager/Media Coordinator**, and
  - must seek information and guidance from the **General Manager/ Media Coordinator** where appropriate before providing comment to the media to ensure they have the most up-to-date and relevant information and have considered reputational or other risks
- 3.9 Where Council staff become aware of potential issues that could result in media interest, they should provide this information to the **General Manager/Media Coordinator**.

### Tone

- 3.10 All media engagement by council officials must be conducted in a professional, timely and respectful manner.

### Induction and training

- 3.11 The Council must provide training to Council officials who engage or are authorised to engage with the media.
- 3.12 Media engagement training will be provided to councillors as part of their induction or refresher training or as part of their ongoing professional development program.

### Councillors' questions about media engagement

- 3.13 Councillors must direct any questions about their obligations under this policy to the **General Manager/ Media Coordinator**.

## Part 4 – Standards of conduct when engaging with the media

4.1 Council officials must comply with the Council's code of conduct when engaging with the media in an official capacity or in connection with their role as a council official.

4.2 Council officials must not share information or make comments to the media through either direct or indirect mechanisms that:

- a) are defamatory, offensive, humiliating, threatening, or intimidating to other council officials or members of the public
- b) contains profane language or is sexual in nature
- c) constitutes harassment and/or bullying within the meaning of the *Model Code of Conduct for Local Councils in NSW*, or is unlawfully discriminatory
- d) is contrary to their duties under the *Work Health and Safety Act 2011* and their responsibilities under any policies or procedures adopted by the Council to ensure workplace health and safety
- e) contains content about the Council, council officials or members of the public that is misleading or deceptive
- f) divulges confidential Council information
- g) breaches the privacy of other council officials or members of the public
- h) contains allegations of suspected breaches of the 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*

- i) could be perceived to be an official comment on behalf of the Council where they have not been authorised to make such comment
- j) commits the Council to any action
- k) violates an order made by a court
- l) breaches copyright
- m) advertises, endorses, or solicits commercial products or business.

## Part 5 – Use of media during emergencies

- 5.1 During emergencies, such as natural disasters or public health incidents, (Council to specify the applicable staff member/team) will be responsible for coordinating media releases and statements on behalf of the Council.
- 5.2 Councillors, Council staff and other Council officials must not provide comment or information to the media that is inconsistent with official advice issued by the Council and any other agency coordinating the emergency response.
- 5.3 Training on media engagement during emergencies will be provided to councillors and relevant staff and other Council officials.

## Part 6 – Media engagement in the lead up to elections

- 6.1 This policy does not prevent the mayor or councillors who are candidates at a council or any other election from providing comment to the media in their capacity as candidates at the election.
- 6.2 Any media comment provided by the mayor or councillors who are candidates at a council or another election must not be provided in an advertisement, newspaper column, or a radio or television broadcast paid for by the council or produced by the council or with council resources.

## Part 7 – Records management requirements

7.1 Media content created and received by council officials (including councillors) acting in their official capacity is a council record and may be subject to information access applications made under the *Government Information (Public Access) Act 2009*. These records must also be managed in accordance with the requirements of the *State Records Act 1998* and the Council's approved records management policies and practices.

## Part 8 - Definitions

In this Model Media Policy, the following terms have the following meanings:

<b>council official</b>	<p>in the case of a council – means councillors, members of staff and delegates of the council (including members of committees that are delegates of the council);</p> <p>in the case of a county council – means members, members of staff and delegates of the council (including members of committees that are delegates of the council);</p> <p>in the case of a joint organisation – means voting representatives, members of staff and delegates of the joint organisation (including members of committees that are delegates of the joint organisation)</p>
<b>Media Coordinator</b>	means a person appointed under clause 1.3 of this policy
<b>media</b>	means print, broadcast and online media used for communicating information to the public, including, but not limited to, newspapers, magazines, internet publishers, radio, and television broadcasters
<b>personal information</b>	means 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
<b>social media</b>	means online platforms and applications, such as but not limited to social networking sites, wikis, blogs, microblogs, video and audio sharing sites, and message boards, that allow people to easily publish, share and discuss content. Examples of social media platforms include, but are not limited to Facebook, Twitter, Snapchat, LinkedIn, Yammer, YouTube, Instagram, Flickr and Wikipedia



**POLICY:** MEDIA

**DATE ADOPTED:**

**ORIGINAL ADOPTION:** Director Corporate Services Report #1 Policy 1  
December 2004, Council 8 December 2004 Minute  
Book No. 9416 (former BCC Policy)

**FILE REFERENCE:** 11.00035

**POLICY OBJECTIVE:** To ensure Council provides coordinated, accurate, consistent, timely and reliable information to the media, and through it, to the community about Council activities and other matters relating to the operation of the Council

To develop and maintain an effective, professional level of communication with the media

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## **Part 1: Principles**

1.1 We, the Councillors, staff, and other officials of Bathurst Regional Council are committed to upholding and promoting the following principles of media engagement:

Openness	We will ensure that we promote an open exchange of information between our council and the media.
Consistency	We will ensure consistency by all Councillors and staff when communicating with the media.
Accuracy	The information we share with the media will be a source of truth for our council and community and we will prioritise the need to correct inaccuracies when they occur.
Timeliness	We will ensure that we respond to media enquiries in a timely manner.

## **Part 2: Administrative framework for engagement with the media**

Appointment and role of the Media Coordinator:

1. The General Manager will appoint a member of council staff to be the Council's Media Coordinator. The Media Coordinator should be a suitably qualified member of staff.
2. The Media and Communications Officer will fulfil the role of Media Coordinator for the purposes of this policy. In the absence of the Media and Communications Officer, the Manager Corporate Communications will fill the role.
3. The Media Coordinator's role is to:
  - 3.1. be the lead point of contact for all media enquiries, requests for interviews, requests to film or photograph council staff, facilities or events for news and current affairs purposes.
  - 3.2. be responsible for preparing all media statements prior to their release.
  - 3.3. liaise with relevant staff members within the organisation where appropriate.
  - 3.4. ensure that media statements are approved by the Mayor and/or General Manager prior to their release.
  - 3.5. develop and/or approve media training and/or induction to be provided to relevant staff and/or Councillors.
  - 3.6. maintain a record of all media enquiries and responses.
  - 3.7. ensure that media organisations and their representatives are treated professionally, equally and without bias.
  - 3.8. ensure that media enquiries are dealt with promptly
  - 3.9. ensure that all media releases are published on the Council's website.
  - 3.10. To maintain an up-to-date media delegations list

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## **Part 3: Who can engage with the media**

### The General Manager

1. The General Manager is the official spokesperson for the Council on operational and administrative matters.
2. The General Manager may delegate to other council staff to speak on their behalf where appropriate, (for example, where the delegated staff member has professional expertise regarding the subject matter, or the general manager is unavailable).

### The Mayor

1. The Mayor is the principal member and spokesperson of the governing body of the Council, including representing the views of the Council as to its local priorities (section 226(c) of the *Local Government Act 1993*).
2. If the Mayor is unavailable, the Deputy Mayor may act as the Council's spokesperson.
3. The Mayor may delegate their role as spokesperson to other Councillors where appropriate, (for example, where another Councillor is best placed to comment, because the issue is of particular interest to them, or it is within their particular area of expertise).

### Councillors

1. As a member of the governing body and as a representative of the community, Councillors are free to express their personal views to the media.
2. When engaging with the media, Councillors:
  - 2.1. must not purport to speak for the Council unless authorised to do so.
  - 2.2. must clarify when speaking to the media that they are expressing their personal views as an individual councillor and that they are not speaking for the Council (unless authorised to do so)
  - 2.3. must uphold and accurately represent the policies and decisions of the Council
  - 2.4. must not disclose council information unless authorised to do so, and
  - 2.5. must seek information and guidance from the General Manager where appropriate before providing comment to the media to ensure they have the most up-to-date and relevant information and have considered reputational or other risks.
3. In the interests of promoting a positive, safe and harmonious organisational culture, Councillors should endeavour to resolve personal differences privately and must not prosecute them publicly through the media.
4. Where Councillors (including the Mayor) become aware of potential issues that could result in media interest, they should provide this information to the General Manager

### Council Staff (subject matter experts)

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1. Council staff must not speak to the media about matters relating to the Council unless authorised by the Media Coordinator to do so.
2. If Council staff receive a media enquiry or they are invited to comment to the media on a matter relating to the Council, they must refer the enquiry to the Media Coordinator.
3. Council staff are free to express their personal views to the media on matters that do not relate to the Council, but in doing so, must not make comments that reflect badly on the Council or that bring it into disrepute.
4. If authorised to speak to the media, Council staff:
  - 4.1. must uphold and accurately represent the policies and decisions of the Council
  - 4.2. must not disclose Council information unless authorised to do so by the Media Coordinator, and
  - 4.3. must seek information and guidance from the Media Coordinator where appropriate before providing comment to the media to ensure they have the most up-to-date and relevant information and have considered reputational or other risks
5. Where Council staff become aware of potential issues that could result in media interest, they should provide this information to the Media Coordinator.
6. Requests to film or photograph Council staff, properties, events or Council meetings for news reporting purposes should be referred to the Corporate Communications team

### Volunteers/ Contractors or service providers

1. Volunteers, contractors or service providers employed by Council must refer all media enquiries relating to Council to the relevant Director or the Corporate Communications team.

### Tone

1. All media engagement by council officials must be conducted in a professional, timely and respectful manner.

### Approval

1. All Council media statements are to be approved prior to their release by the Mayor, General Manger, relevant Director or delegate following preparation in conjunction with the Corporate Communications team.
2. Media releases issued by facilities with media delegation should be copied to the Media Coordinator.

### Induction and training

1. The Council must provide training to Council officials who engage or are authorised to engage with the media.

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2. Media engagement training will be provided to Councillors as part of their induction or refresher training or as part of their ongoing professional development program

### Councillors' questions about media engagement

1. Councillors must direct any questions about their obligations under this policy to the General Manager.

### **Part 4: Standards of conduct when engaging with the media**

1. Council officials must comply with the Council's code of conduct when engaging with the media in an official capacity or in connection with their role as a council official.
2. Council officials must not share information or make comments to the media through either direct or indirect mechanisms that:
  1. are defamatory, offensive, humiliating, threatening, or intimidating to other council officials or members of the public.
  2. contains profane language or is sexual in nature.
  3. constitutes harassment and/or bullying within the meaning of the *Model Code of Conduct for Local Councils in NSW*, or is unlawfully discriminatory.
  4. is contrary to their duties under the *Work Health and Safety Act 2011* and their responsibilities under any policies or procedures adopted by the Council to ensure workplace health and safety.
  5. contains content about the Council, council officials or members of the public that is misleading or deceptive.
  6. divulges confidential Council information.
  7. breaches the privacy of other council officials or members of the public.
  8. contains allegations of suspected breaches of the 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*.
  9. could be perceived to be an official comment on behalf of the Council where they have not been authorised to make such comment.
  10. commits the Council to any action.
  11. violates an order made by a court.
  12. breaches copyright.
  13. advertises, endorses, or solicits commercial products or business

### **Part 5 – Use of media during emergencies**

1. During emergencies, such as natural disasters or public health incidents, the Media Coordinator will be responsible for coordinating media releases and statements on behalf of the Council.
2. Councillors, Council staff and other Council officials must not provide comment or information to the media that is inconsistent with official advice issued by the Council and any other agency coordinating the emergency response.
3. Training on media engagement during emergencies will be provided to Councillors and relevant staff and other Council officials.
4. In the event of an emergency situation within the Bathurst Regional Council Local Government Area the Mayor (Deputy Mayor if the Mayor is not available) and the General Manager (Directors if the General Manager is not available) are authorised to make media comments or media statements on behalf of Council.
5. If an emergency situation has escalated and the Local Area Management Committee is in the action, the media functions of Council (as they relate to the emergency) operate under the direction of the Local Emergency Operations Controller.

### **Part 6 – Media engagement in the lead up to elections**

1. This policy does not prevent the mayor or Councillors who are candidates at a council or any other election from providing comment to the media in their capacity as candidates at the election.
2. Any media comment provided by the mayor or Councillors who are candidates at a Council or another election must not be provided in an advertisement, newspaper column, or a radio or television broadcast paid for by the council or produced by the council or with council resources.

### **Part 7 – Records management requirements**

1. Media content created and received by council officials (including Councillors) acting in their official capacity is a council record and may be subject to information access applications made under the *Government Information (Public Access) Act 2009*. These records must also be managed in accordance with the requirements of the *State Records Act 1998* and the Council's approved records management policies and practices.

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**Part 8 – Definitions**

In this Model Media Policy, the following terms have the following meanings:

Council official	means Councillors, members of staff and delegates of the council (including members of committees that are delegates of the council)
Media Coordinator	means a person appointed under clause 1.3 of this policy
media	means print, broadcast and online media used for communicating information to the public, including, but not limited to, newspapers, magazines, internet publishers, radio, and television broadcasters
Personal information	means 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
Social media	means online platforms and applications, such as but not limited to social networking sites, wikis, blogs, microblogs, video and audio sharing sites, and message boards, that allow people to easily publish, share and discuss content. Examples of social media platforms include, but are not limited to Facebook, Twitter, Snapchat, LinkedIn, Yammer, YouTube, Instagram, Flickr and Wikipedia
Subject matter experts	Staff who have delegated authority to provide media comment on operational issues only that require specific subject matter expertise and are not related to any business currently before Council. These matters must be considered routine and not political, topical or high profile (eg programs/events run by Council, or at Council facilities such as the Library, Art Gallery, Entertainment Centre or Museums).

References and related documents

- Code of Conduct
- Social Media Policy Councillors
- Social Media Policy Staff
- Statement of Business Ethics

Review timeframe

Within 12 months of a council election

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<b>POLICY:</b>	COUNCIL DEVELOPMENTS CONFLICT OF INTEREST POLICY
<b>DATE ADOPTED:</b>	Director Corporate Services & Finance's Report #1 Policy xx April 2025 Council Minute Book No.
<b>ORIGINAL ADOPTION:</b>	Director Corporate Services & Finance Report #8.3.6 Ordinary Meeting of Council 19 April 2023 Resolution Number: ORD2023-93
<b>FILE REFERENCE:</b>	02.00018
<b>OBJECTIVE:</b>	This policy aims to manage potential conflicts of interest and increase transparency at all stages of the development process for council-related development.

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## 1. INTRODUCTION

This policy is the Council Developments Conflict of Interest Policy which relates to conflicts of interest for Council-related development throughout the development process.

## 2. DEFINITIONS

In this policy:

**application** means an application for consent under Part 4 of the Act to carry out development and includes an application for a complying development certificate and an application to modify a development consent

**conflict of interest** means a conflict between the public duty and personal interests of an employee that improperly influences the employee in the performance of his or her duties and/or where it appears that an employee's personal interests could improperly influence the performance of his or her duties.

**controversial development** means a development that is likely to attract disagreement from a significant number of residents.

**council** means Bathurst Regional Council (ABN 42 173 522 302)

**council-related development** means development for which the council is the applicant developer (whether lodged by or on behalf of council), landowner, or has a commercial interest in the land the subject of the application, where it will also be the regulator or consent authority. For clarification, this Policy does not include private applications lodged by Councillors or staff.

**development process** means application, assessment, determination, and enforcement

**the Act** means the Environmental Planning and Assessment Act 1979.

A word or expression used in this policy has the same meaning as it has in the Act, and any instruments made under the Act, unless it is otherwise defined in this policy.

Notes included in this policy do not form part of the policy.

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### 3. CONTEXT

Councils are development regulators. But they also can be the developer, landowner or hold a commercial interest in the land they regulate. Where councils have this dual role, an inherent conflict can arise between their interests in the development and their duty as regulator.

This policy sets out Council's approach to identifying and managing any conflicts of interest deriving from council-related development.

### 4. PROCESS FOR IDENTIFYING AND MANAGING POTENTIAL CONFLICTS OF INTEREST

- a) Identifying whether a potential conflict of interest exists, assessment of level of risk and determination of appropriate management controls
- i. Development applications lodged with Council that are council-related development are to be referred to the General Manager, or their delegate, for a conflict-of-interest risk assessment.
  - ii. The General Manager, or their delegate, is to:
    - a. assess whether the application is one in which a potential conflict of interest exists,
    - b. identify the phase(s) of the development process at which the identified conflict of interest arises,
    - c. assess the level of risk involved at each phase of the development process,
    - d. determine what (if any) management controls should be implemented to address the identified conflict of interest (in each phase of the development process if necessary) having regard to any controls and strategies implemented by the Council such as those listed under 'Management controls and strategies' below, and the outcome of the general manager's assessment of the level of risk involved as set out clause 6(2)(c) of the policy,  
Note: The General Manager could determine that no management controls are necessary in the circumstances.
    - e. document the proposed management approach for the proposal in a statement that is published on the NSW Planning Portal.
- b) Management controls and strategies
- i. The following management controls may be applied to different stages of development approval for council-related development, based on an assessment of risk by the General Manager. The risk assessment could for example include consideration of the type of development (non-controversial small-scale development, development of a certain value with/without a commercial interest, controversial development), or the capital investment value of the proposed development.
    - a. the assessment and determination of an application for council-related development:
      - 1. assessment and/or determination of an application could be undertaken by council staff under delegation – this might be appropriate if the proposal is considered to be a low-level risk or non- controversial. For more controversial projects, this might only be possible if strict role separation controls are imposed.

2. The application could also be referred for external assessment with a recommendation of a determination for Council's consideration to either:

- An independent consultant.
- Peer review by a neighbouring council and/or entering into a shared services arrangement with a neighbouring council

It should be noted that the Determination of the application would need to be undertaken by Council at an Ordinary Council Meeting.

The involvement of an external third party might be appropriate for development where council has a commercial interest in the land, or the development is seen to be a political priority for the council.

b. the regulation and enforcement of approved council-related development may include:

1. Engagement of a private certifier
2. Publication of certificates issued under Part 6 of the Act on the NSW Planning Portal
3. Peer review by a neighbouring council and/or entering into a shared services arrangement with a neighbouring council
4. Reporting of key milestones to the full council.

Note: For example, Council will enter into a shared services arrangement with a neighbouring council.

c) Development Not Requiring Management Controls to be Applied:

- a. Exempt developments
- b. Commercial fit outs and minor changes to commercial buildings
- c. Internal alterations or additions to buildings that are not a heritage item
- d. Advertising signage
- e. Minor building structures projecting from a building facade over public land (such as awnings, verandas, bay windows, flagpoles, pipes, and services)
- f. Development where the council might receive a fee for the use of their land.
- g. Community groups on Council land
- h. Subdivisions comprising boundary adjustments, provision for public facilities and/or assets, road widenings and the like and community land used for a public purpose.
- i. Temporary structures and/or the use of land for community events.