

#### **4 (c) Extra Traffic Coolac Road**

Coolac Road is considered the main road in the Coolac village. Coolac Road in it's entirety begins on the South side of Coolac at the Hume Highway Pettit exit and continues for a number of kms, travelling through Coolac village, across the Muttama Road intersection to which it turns into a no through road.

I am greatly concerned about extra traffic on Coolac Road. The traffic impact assessment claims it has taken into account how traffic will affect the area surrounding the development. As far as Coolac Road is concerned, the assessment has only looked at the section of Coolac Road directly in front of the proposed lot, which is less than a few hundred metres long. The impacts on Coolac Road through the village of Coolac have not been taken into account. The Pettit exit is frequently used by a lot of traffic as an alternative route to access the Muttama Road. I believe this situation could be further exacerbated and am greatly concerned about the safety and noise impacts of any increase in traffic, in particular heavy vehicles who may use this route if access is easier into the proposed site. As the provisions under the *Gundagai Local Environmental Plan 2011, Part 6 Clause 6.6*, have not been met, no further decisions can be made (Ref. 20).

#### **4 (d) Safety of the Coolac Rd and Muttama Rd Intersection**

The Coolac Road and Muttama Road intersection is a concern. Traffic leaving the Hume Highway on the Muttama Road interchange will be required to make a right hand turn at the interchange to access the development site. This intersection was remodelled when the Hume Highway was built. It has been built to safely accommodate current traffic levels. I am concerned that this intersection was not designed to accommodate a larger number of vehicles, in particular heavy vehicles turning. This intersection would also be extremely unsafe for any pedestrians wishing to cross the road, particularly as the western side of Muttama Road is on a bend. I am also concerned that the lighting of the intersection may not be able to safely withstand this development. A further issue is that as Muttama Rd has the right of way at that

intersection, to leave Coolac Rd with an increase in traffic would be time consuming and possibly unsafe.

As the development falls under the *State Environmental Planning Policy (Infrastructure) 2007 Part 2 Division 1 Clause 13, (b)*, which is likely to generate traffic to an extent that will strain the capacity of the road system in a local government area, I propose that Traffic Authority consultation is initiated before any further decisions are made (Ref. 21).

## 5 Biodiversity

Stop for a moment in the Coolac village and have a look around. Whether it's the old gum trees, Echidnas, Superb Parrots, Wallabies or the soaring Wedge Tail Eagles, the naturally living environment in Coolac needs to be seen to be appreciated. It is arguably one of the villages greatest treasures and should be treated with the respect it deserves.

I am concerned that a basic search of the The NSW Office of Environment and Heritage website lists 150 different Threatened Species found in the Inland Slopes IBRA sub-region, in which Coolac is situated (Ref. 22). To date, no mention of this is within the application. This is in direct opposition to the *Environment Protection and Biodiversity Conservation Act 1999 (EPBC Act)*, statement that *environment assessments are undertaken to enable environment and heritage protection and biodiversity conservation* (Ref. 23). Therefore I propose that an Environmental Impact Assessment is initiated by the proponent in relation to this proposal prior to any further decisions.

In addition, all objectives under the *Gundagai Local Environmental Plan 2011, Part 6 Clause 6.1* need to be met before any decisions can be made (Ref. 24).

## **6 Local Water Impacts**

Coolac is not connected to a reticulated water supply. The area is situated close to the Muttama Creek which is a part of the Murrumbidgee Catchment Area. The entire Coolac locality is reliant on either rainwater, water bores, or water from the creek.

Water protection is everybody's business. It is a precious resource that everybody is vitally dependant upon for survival. With such a vast roof surface area proposed, I can not understand why the development will only be using bore water to service most of it's functions. With an allowance of 30,000L per day to run the sewage treatment system alone, I have concerns about how much water will be used to run the entire facility. The effects of using such a huge amount of water will have a significant impact on the water table. As this impact will not meet the provisions under the *Gundagai Local Environmental Plan 2011, Part 6 Clause 6.6*, no further decisions can be made (Ref. 25).

## **7 Drains and Stormwater**

Coolac is no different to any other country area with roadside drains resembling ditches along the roadside. As you'd expect with heavy rains, water gravitates towards the areas alongside the road. The current drainage system in Coolac is adequate in suiting the villages current needs, although it does have the tendency for water to sit stagnant on the roadside for several days dependent on how much rain has fallen and the temperatures.

As this proposal involves significant earthworks and construction, concentrated overland flows may occur, for which the current drainage may not be suited or capable. My concerns are that this, combined with the sites sloped site, may lead to water inundation affecting my and surrounding properties. In addition, I have concerns for the potential of land instability arising from stormwater flowing from the site to the adjoining Muttama Road interchange road ramp.

Until the provisions under the *Gundagai Local Environmental Plan 2011, Part 6 Clause 6.6* have been met, no further decisions can be made (Ref. 26).

## 8 Land Contamination

I have many serious concerns about the impact that any potential land contamination upon the proposed land may have. Whilst the potential is certainly there to impact upon my land, my concerns extend far greater than that. The consequences of any possible land contamination can be catastrophic to everything in the environment - people, animals, water and soils.

As indicated in the application, the land is used for agricultural purposes, and has previously operated as a service station. Under *Table 1 Page 12, Managing Land Contamination, Planning Guidelines, Sepp 55-Remediation of Land*, agriculture and service stations are listed as an activity that may cause contamination (Ref. 27).

An investigation into the potential of contamination is further warranted as the current development proposal is for a service station and the adjacent land also once operated as a service station. As there is no indication of any investigation being carried out in the application that complies with the *Contaminated Land Management Act 1997*, I propose that a thorough investigation is initiated by the proponent prior to any further decisions (Ref. 28).

In addition, the objectives of the *Gundagai Local Environmental Plan 2011, 6.5 Earthworks*, would need to be met before any decisions can be made (Ref. 29).

## 9 Subdivision

Coolac Village - larger than a hamlet but smaller than a town. In any area, a higher concentration of properties are in the centre radiating out to the biggest of properties. We have zoning laws for a reason. They can be viewed as what's best for each locality. If changes appear to better for the community it can be done, as demonstrated recently with the change from an RU1 Primary Production zoning to a SP3 Tourist zoning within the village.

Progress and change are an essential part of all communities, but a balance must be found to retain the characteristics of each area. Zoning laws sometimes contain provisions to help

strike that balance. The *Gundagai Local Environmental Plan 2011, 4.6 Exceptions to development standards* contains provisions to help strike that balance.

The proposal is located on land zoned RU1 Primary Production. The minimum Lot size under that zone is 40Ha. The proposal is to create 2 separate Lots, one 41.12 ha in size and one 9.4 ha in size. This is inconsistent with the provisions under the *Gundagai Local Environmental Plan 2011, Part 4 Principal development standards, 4.6 Exceptions to development standards* which in part states: (6) *Development consent must not be granted under this clause for a subdivision of land in Zone RU1 Primary Production, Zone RU2 Rural Landscape, Zone RU3 Forestry, Zone RU4 Primary Production Small Lots, Zone RU6 Transition, Zone R5 Large Lot Residential, Zone E2 Environmental Conservation, Zone E3 Environmental Management or Zone E4 Environmental Living if:*

- (a) *the subdivision will result in 2 or more lots of less than the minimum area specified for such lots by a development standard, or*
- (b) *the subdivision will result in at least one lot that is less than 90% of the minimum area specified for such a lot by a development standard.*

As provisions are in place to accommodate appropriately for slightly smaller blocks, without fragmenting the local landscape, I am objecting to the subdivision proposal as put forward. (Ref. 30)

Additionally, one of the objectives of the *Gundagai Local Environmental Plan 2011, Land Use Table, Zone RU1 Primary Production*, is to *minimise conflict between land uses within this zone and land uses within adjoining zones (Ref. 31)*. I therefore propose that as the development adjoins a tourist zone that a zoning under the *Gundagai Local Environmental Plan 2011, Land Use Table, Zone SP3 Tourist*, would be more appropriate, given under (3) *Highway Service Centres are permitted with consent (Ref. 32)*.

## **10 Safety**

Country life is often considered more safe compared to city life, however, it too has its hazards. Isolation, water and fire are all concerns of country life.

The safety of its residents is paramount for councils; Cootamundra-Gundagai Regional Council have always been proactive with this issue, and I am confident that you will continue to do so. This proposed development has raised grave concerns for me relating to the safety of the public in regards to the amount of fuel to be stored, its location in the village of Coolac, its proximity to the Muttama Creek and the bushfire prone area.

#### **10 (a) Public and Employees**

Coolac does not have a Police Station. Given its village status, one is also not warranted. One of the best things about Coolac is its relatively safe neighbourhood. Coolac village falls under the Cootamundra Local Area Command, which is some distance away.

I am concerned for the safety of residents, patrons using the facilities and for employed staff. My concerns are heightened knowing that in an isolated location it may be viewed by criminal elements of society that this facility is an easy target. As the service centre may have as little as one person working on site, my concerns are escalated being that the proposal is a 24 hour facility. Compliance under the *Work Health and Safety Act 2011 No 10, Part 2, Division 2 Primary duty of care* would need to be demonstrated before proceeding with this proposal.

#### **10 (b) Dangerous Goods**

The development is expected to store in excess of 400,000 litres of flammable and dangerous goods on site. According to the NSW Government, petroleum is classified as dangerous goods and care should be taken in storing and decanting such goods (Ref. 33). In section 2.11 of the Statement of Environmental Impacts, the proponent states that minor spills will be managed by staff yet no mention is made of major spills (Ref. 34). A major spill of dangerous goods within a small isolated village would have a

devastating impact and must be considered and accounted for in the projected environmental impacts. The *Environmental Planning and Assessment Act 1979 No 203, Part 5 Division 2, Duty of determining authorities to consider environmental impact of activities*, must be complied with before any decisions can be made on this proposal (Ref 35).

#### **10 (c) Bushfire**

According to a basic search of the NSW Rural Fire Service online tool, conducted on 14 September 2017, all parts of the Lots 100, 101 and 102 were within a designated bushfire prone area (Ref. 36).

The risks to the public in approving any development of this scale are far too high without the proper investigations. As the heightened risk of bushfires has not been consideration within this application, it is imperative under the *Environmental Planning and Assessment Act 1979 No 203, Part 4 Division 2, 79BA Consultation and development consent—certain bush fire prone land*, that a comprehensive Environmental Protection Plan is required prior to considering this proposal. This is in the interests of not only the public's safety, but the safety of the wider community in general (Ref. 37).

#### **Conclusion**

Life in a small village has many benefits, and to be fair, it also comes with some challenges. When dealing with any local controversy, as the bonds that tie are strong, you also need to face those people in your community life. As many people have been perplexed by this proposal, I felt that there may not be an open voice for the residents of the community. With this in mind, one manner I found the true thoughts of what locals want from their community is within the *Cootamundra Gundagai Regional Council Villages Strategy Consultation Report, pages 13 and 14*. According to the anonymous survey, which for many of us allows our most honest beliefs, what residents truly want for Coolac include more tree plantings, markets in the village, less

roadside litter, town beautification and an upgrade to the community hall . I am yet to be convinced that this proposal fits in with these honest opinions.

While this is a comprehensive and lengthy objection, I do believe that it is warranted given the level and amount of my concerns in response to this development application. I extend an open invitation to the Planning Department of Cootamundra-Gundagai Regional Council to attend my property to discuss and allow me to illustrate my many objections.

In conclusion, I appreciate the dedication of Cootamundra-Gundagai Regional Council with their management of our communities and request that they take my objections into consideration prior to deciding on the fate of this application.

## References

1. The Gundagai Times, 1925. *Coolac News: Place Name*. Retrieved from:  
<http://trove.nla.gov.au/newspaper/article/121770375?searchTerm=coolac%20railway%20name&searchLimits=>
2. Cootamundra Gundagai Regional Council, 2017. *Villages Strategy Consultation Report*, Page 13. Retrieved from:  
<http://www.cgrc.nsw.gov.au/wp-content/uploads/2017/05/Community-Engagement-Report.pdf>
3. NSW Government, 2017. *Protection of the Environment Operations Act 1997 No 156, 29 Chapter 2 Part 2.7 Section 29*. Retrieved from:  
<https://www.legislation.nsw.gov.au/#/view/act/1997/156/chap2/part2.7>
4. NSW Government, 2012. *Environmental Planning and Assessment Act, 1979*. Retrieved from:  
<https://www.legislation.nsw.gov.au/inforce/bcf67089-22e3-e527-94e3-85b5d06e2ec2/1979-203.pdf>
5. Riverina Tourism, 2017. *About the Riverina: Destinations; Cootamundra and surrounds*. Retrieved from:  
<http://www.riverinatourism.com.au/about-the-riverina/destinations/cootamundra-and-surrounds.aspx>
6. Riverina Tourism, 2017. *About the Riverina: Destinations; Gundagai and surrounds*. Retrieved from:  
<http://www.riverinatourism.com.au/about-the-riverina/destinations/gundagai-and-surrounds.aspx>

7. Department of Environment and Conservation, 2006. *Technical Framework - Assessment and Management of Odour from Stationary Sources in NSW*. Retrieved from: <http://www.epa.nsw.gov.au/resources/air/20060440framework.pdf>
8. Environmental Protection Authority, 2013. *Noise Guide for Local Government*. Retrieved from: <http://www.epa.nsw.gov.au/resources/noise/20130127NGLG.pdf>
9. NSW Government, 2017. *Traffic Impact Assessment Report - Schedule C; Appendix C, p. 17*. Retrieved from: <http://www.cgrc.nsw.gov.au/wp-content/uploads/2017/09/Appendix-C-Traffic-Impact-Assessment-Report.pdf>
10. Environmental Protection Authority, 2013. *Noise Guide for Local Government*. Retrieved from: <http://www.epa.nsw.gov.au/resources/noise/20130127NGLG.pdf>
11. Council of Standards Australia, 1997. *Australian Standard Control of the obtrusive effects of outdoor lighting*. Retrieved from: <https://infostore.saiglobal.com/preview/as/as4000/4200/4282.pdf?sku=312880>
12. NSW Government Planning and Environment, 2010. *Critical State Significant Infrastructure Standard Secretary's Environmental Assessment Requirements (SEARs) December 2015*. Retrieved from: <http://www.planning.nsw.gov.au/Assess-and-Regulate/Development-Assessment/Systems/-/media/129372A5B29A4BCDA30CF1AADA8D7E1A.ashx>
13. Structure Consulting, 2017. *Attachment A Plans, Sheet 15 of 17, 'Service station main ID sign'*. Retrieved from: <http://www.cgrc.nsw.gov.au/wp-content/uploads/2017/09/SoEE-Attachment-A-Plans-13-18.pdf>
14. Gundagai Local Environmental Plan, 2011. *Land Use Table, Zone RU1 Primary Production*. Retrieved from: <https://legislation.nsw.gov.au/-/view/EPL/2011/507/historical/2016-01-27/ld43>

15. State of NSW and Department of Environment, Climate Change and Water NSW, 2010. *Aboriginal cultural heritage consultation requirements for proponents 2010*. Retrieved from:  
<http://www.environment.nsw.gov.au/resources/cultureheritage/commconsultation/09781ACHconsultreq.pdf>
16. State of NSW and Department of Environment, Climate Change and Water NSW, 2010. *Aboriginal cultural heritage consultation requirements for proponents 2010*. Retrieved from:  
<http://www.environment.nsw.gov.au/resources/cultureheritage/commconsultation/09781ACHconsultreq.pdf>
17. Department of Environment and Change, 2009. *Guide to determining and issuing Aboriginal Heritage Impact Permits*.  
<http://www.environment.nsw.gov.au/resources/cultureheritage/09121AHIPGuide.pdf>
18. Caldwell and Kent Consulting, 2017. Development Application DA267/2017: Appendix C. Retrieved from:  
<http://www.cgrc.nsw.gov.au/wp-content/uploads/2017/09/Appendix-C-Traffic-Impact-Assessment-Report.pdf>
19. Standards Australia, 2004. *Australian standards for parking facilities part 1: off-street car parking AS 2890.1:2004*. Retrieved from:  
[https://www.saiglobal.com/PDFTemp/Previews/OSH/as/as2000/2800/2890.1-2004\(+A1\).pdf](https://www.saiglobal.com/PDFTemp/Previews/OSH/as/as2000/2800/2890.1-2004(+A1).pdf)
20. Gundagai Shire Council, 2011. *Gundagai Local Environmental Plan 2011, Part 6, Clause 6.5*. Retrieved from:  
<https://www.legislation.nsw.gov.au/~/view/EPL/2011/507/part6/cl6.5>

21. NSW Government, 2007. *State Environmental Planning Policy (Infrastructure) 2007 Part 2 Division 1 Clause 13*. Retrieved from:  
<https://www.legislation.nsw.gov.au/#/view/EPI/2007/641/part2/div1/cl13>
22. Office of Environment and Heritage, 2017. *Threatened Species found in Inland Slopes IBRA sub-region*. Retrieved from:  
<http://www.environment.nsw.gov.au/threatenedspeciesapp/cmaSearchResults.aspx?SubCmaid=344>
23. Australian Government Department of Environment and Energy, 2006. *Environment Protection and Biodiversity Conservation Act 1999*. Retrieved from:  
<https://www.legislation.gov.au/Details/C2016C00777>
24. NSW Government: NSW Legislation, 2011. *Gundagai Local Environmental Plan 2011, Part 6 Clause 6.1*. Retrieved from:  
<https://www.legislation.nsw.gov.au/~/view/EPI/2011/507/part6?>
25. NSW Government: NSW Legislation, 2011. *Gundagai Local Environmental Plan 2011, Part 6 Clause 6.6*. Retrieved from:  
<https://www.legislation.nsw.gov.au/~/view/EPI/2011/507/part6?>
26. NSW Government: NSW Legislation, 2011. *Gundagai Local Environmental Plan 2011, Part 6 Clause 6.6*. Retrieved from:  
<https://www.legislation.nsw.gov.au/~/view/EPI/2011/507/part6?>
27. Department of Urban Affairs and Planning and Environment Protection Authority, 1998. *Managing Land Contamination, Planning Guidelines, Sepp 55-Remediation of Land*. Retrieved from: [http://www.epa.nsw.gov.au/resources/clm/qu\\_contam.pdf](http://www.epa.nsw.gov.au/resources/clm/qu_contam.pdf)
28. NSW Environmental Protection Authority, 1997. *Contaminated Land Management Act 1997*. Retrieved from:  
<http://www.epa.nsw.gov.au/legislation/Actssummaries.htm#contaminated>



**Please note:** References with live hyperlinks available at <https://docs.google.com/document/d/195nRUhzL-9gg6MdDLP3LrGsDp61nZdhAsmIr7TdEgg/edit?usp=sharing>

25 August 2017

28 AUG 2017

File No.....

Initials.....

[REDACTED]  
Your Ref: DA 2017/267

**Attention: The General Manager**

Cootamundra-Gundagai Regional Council  
PO BOX 420  
COOTAMUNDRA NSW 2590

**By email: mail@cgrc.nsw.gov.au**

Dear Sir,

**RE: OBJECTION - DEVELOPMENT REFERENCE DA 2017/267**

We act for [REDACTED] and refer to your letter to her dated 9 August 2017 regarding the above development application.

Our client is the owner of [REDACTED] which is located directly opposite the proposed DA site. She has closely reviewed the plans and wishes to object to the development application for the following reasons:

1. Coolac has an average population of 400 people. In 2007, our client purchased her property in order to live a peaceful life in a spacious rural township that provided a great culture and lifestyle.
2. In February 2016, our client moved to Cootamundra for medical reasons. She will shortly undergo eye surgery and she has every intention of returning to her Coolac home in the near future to resume her preferred lifestyle.
3. Our client is concerned that the location of the Service Station so close to her home will create noise, activity, waste, air pollution and land contamination.
4. In October 2008 the *Department of Environmental and Climate Change NSW* (DECC) reported key environmental issues connected to service stations which include; diesel and petrol spills, stormwater pollution, air pollution, soil and groundwater contamination, vapour recovery and greenhouse gas emissions from energy use. This together with the noise pollution generated from the service station premises as a result of operating machinery, motor vehicles and customers will undoubtedly be detrimental to our client's property and quality of life.
5. Our client's property is approximately 50 metres from the proposed development site. Research has indicated that gas fumes contaminate the air up to 100 metres away from a service station and further research has indicated that exclusion zones around service stations should be implemented internationally for the health and safety of residents living close to a service station. This is due to the presence of carcinogen benzene in the air. Benzene is understood to potentially increase the risk of cancer.
6. The location of the service station so close to our client's home will also significantly diminish the value of her property.
7. Whilst [REDACTED] is not opposed to a service station which will provide an opportunity for economic growth in Coolac, she opposes the location of the service station so close to her home.

For the above reasons [REDACTED] strongly opposes to the proposed development application and she trusts that Council will seriously consider her objections to any proposed consent to a DA which will ultimately destroy her home and her lifestyle.

Yours faithfully



Michaela Schmidt  
Director/Commercial Lawyer  
michaela.schmidt@jmalegal.com.au

**Reply to:**

46 Cooper St Cootamundra NSW 2590 | DX 5552 Cootamundra | T 02 6942 1655 | Toll Free 1800 618 869 | Fax 02 6942 3692

94845 Letter of objection to Council

[Redacted]

24 August 2017

The General Manager  
Cootamundra Gundagai Regional Council  
255 Sheridan St  
Gundagai NSW 2722

Dear Sir,

**DA267/2017 – Highway Service Centre Coolac**

I wish to lodge an objection to the above development application. My reasons for objecting are;

- There are two existing service centres in Gundagai. There is no economic reason for the proposed centre. This proposal will impact on existing Gundagai businesses that employ over 100 people. This will make all businesses unviable.
- Coolac is isolated and having staff travel up the Hume Highway will increase the potential of accidents and injury and loss of life.
- The "Dog on the Tuckerbox" precinct is a major factor in the identity of Gundagai and this development will take travellers away from this precinct.
- There is no water supply in Coolac and bore water will be a health hazard for people eating there.

[Redacted]

**Cootamundra Gundagai  
Regional Council  
Document Received**

**24 AUG 2017**

File No. ....

Initials \_\_\_\_\_

[REDACTED]

28<sup>TH</sup> August, 2017

The Consent Authority  
Cootamundra Gundagai Regional Council  
255 Sheridan Street  
GUNDAGAI NSW 2722

**Cootamundra Gundagai  
Regional Council**  
Document Received

29 AUG 2017

File No.....

Initials \_\_\_\_\_

Dear Sir/Madam,

**RE: SUBMISSION - DA 267/2017**  
**HIGHWAY CENTRE, COOLAC**

I am a small business owner in Sheridan Street, Gundagai and strongly object to the abovementioned development proposal.

The development would be devastating to the businesses in Gundagai. Our existence relies enormously on travellers coming into the township. The proposed development would encourage people to stop on the highway and then continue their journeys - completely bypassing our town.

Council has recently publicised plans to erect a Large Scale Adventure Playground in Gundagai at a cost of approx \$1,000,000 from the Stronger Country Communities Fund. A similar project at Coolac would negate the benefits of the Park at Gundagai - ie a facility to encourage tourists into the town.

Our businesses simply cannot survive with a reduction in tourism income.

Yours sincerely,

[REDACTED]  
[REDACTED]  
[REDACTED]

28 August 2017

Consent Authority  
Cootamundra-Gundagai Regional Council  
255 Sheridan Street  
GUNDAGAI 2722

Cootamundra Gundagai  
Regional Council  
Document Received

29 AUG 2017

File No.....

Initials \_\_\_\_\_

To Whom It May Concern:

**RE: OBJECTION TO DA267/2017 Highway Service Centre Coolac**

I am writing to object to the proposed development of a service centre at Coolac.

In May of this year, I met with Administrator Stephen Sykes, in my role as Secretary for the Gundagai Tourism Action Committee. In that meeting Stephen stated his support for developing Gundagai's tourism and marketing, and in turn put forth an idea for an adventure playground in Gundagai. Some months later, more than \$900,000 has been proposed for the development of an adventure playground and fitness park as part of the Stronger Communities Fund. This, I am of the understanding, is all in the name of tourism and encouraging travellers off the Highway into Gundagai.

Now, here we have a proposal for another highway service centre (we already have one at either end of our town...one of which sits beside our iconic Dog on the Tuckerbox), with a children's play area, picnic area, dog park, restaurants and seating for 252 people. How then, does Council foresee that anyone will drive off the Highway into Gundagai to spend time at our brand new adventure playground, eateries and local stores, should this proposal go ahead? Not to mention the impact this will have on the highway service centres already in operation so close to the proposed development?

Not only am I a member of the Tourism Action Committee, I am also a small business owner in the main street of Gundagai and have been part of a volunteer-led program called 'Revitalise Gundagai' which is designed to assist businesses and community groups, to enhance and communicate what is happening around our town. It is about growing Gundagai and attracting more people off the Highway.

This proposal to build a large multi-faceted service centre on the Highway so close to Gundagai and the two service precincts which already exist, lacks direction and consultation into what is really needed in our Shire – yes, I am all for growth and I welcome new business, however, let's look at what types of businesses are needed and what will bring real benefits to our community, particularly in terms of business growth and tourism. Perhaps a public meeting would be beneficial?

I object strongly to this proposal and I implore you, in reviewing this proposal, to consider the livelihoods of the communities you represent.

Yours sincerely

[Redacted signature]

29 August 2017

Cootamundra-Gundagai Regional Council  
255 Sheridan Street  
GUNDAGAI NSW 2722

Cootamundra Gundagai  
Regional Council  
Document Received

30 AUG 2017

File No.....

Initials \_\_\_\_\_

To Whom It May Concern,

**Re: Objection to DA267/2017 Highway Service Centre Coolac**

As a resident of Gundagai, I strongly object to the current proposal to develop a service centre at Coolac and the impact this will have on our town.

We are currently spending \$4 million on the upgrade of our main street, one of the aims of which is to attract more visitors to our town. Another \$900,000 was committed to beautification projects including a main street art program, of which I am part of. There is now another million dollar proposal in place for an Adventure Playground and Fitness Park, both with a similar aim of attracting more people to our town.

The current proposal for a service centre at Coolac will eliminate any need for the Highway traveller to stop in Gundagai. Looking at the plans, it has everything the travelling family would need, with a playground for the kids, a dog park, RV parking, restaurants etc.

Where was the community consultation on all of this? Did those series of community listening sessions you held a couple of months ago bring to light the need for this massive facility? I don't think so.

This proposal must go to the people of our community and the community must have more than a week to respond to such a massive proposal, which is going to have a major impact on our small businesses, tourism and economic development.

Please consider this proposal very carefully and the impact this will have on the people of Gundagai.

Yours sincerely  
[Redacted Signature]  
[Redacted Name]

[REDACTED]

To the Administrator,

Re **DA267/2017**

We wish to **strongly oppose** the above development application for several reasons

- A fully functioning Cootamundra/Gundagai Regional Council should make the decision as it impacts greatly on the local communities. Elections due 9<sup>th</sup> Sept so please wait.
- Currently there are two Highway service centres one located at the Smile (less than 5 minutes away) and another at Yass ( less than 1hour away) If this development was to go ahead one centre would end up closing similar to many graveyards close to big centres dotted along all highways. Also we have another service centre at South Gundagai.
- Your aim with council is to improve tourism for both Gundagai and Cootamundra regions this will leave both Towns seeing decline in numbers visiting which will have a huge economic impact.

Please listen to your local community and **not** Big businesses who are only doing this to meet their own needs and greed

[REDACTED]

**Grace Foulds**

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**From:** [REDACTED]  
**Sent:** Thursday, August 24, 2017 10:26 AM  
**To:** Grace Foulds  
**Cc:** Mail  
**Subject:** Submission on Proposed Service Centre at Coolac

Hi Grace,

I have some concerns with the traffic on the overpass at Coolac should the service station proceed. There have been a few times when I have been crossing the overpass to enter the highway travelling southbound that I have had a near miss with a vehicle entering the overpass travelling towards Cootamundra at high speed. This traffic does not realise that the overpass carries two way traffic. Another near miss is when merging onto the Hume Highway from the over pass on ramp south bound I have experienced problems with vehicles that have been over taking and then come back into the lane preventing me from entering. I didn't realise they were there as my view was obstructed by the vehicle they were overtaking, and they did not realise the on ramp was there so weren't on the lookout for merging traffic. This has happened on a couple of occasions. I believe that both of these issues can be overcome with modifications to traffic arrangements and/or additional signage in the area.

In addition an obvious concern is the visual amenity and additional noise in the area. As owners of nearby farmland we are intending to construct a residence in the area in the next 12 months. I am unsure whether additional measures such as sound barriers can be introduced to address the noise, although I did see that they are planning tree plantings around the site which will act as some screening and provide air quality improvement over the longer term.

From the point of view of the village of Coolac it is worth considering measures to ensure that the current situation where heavy vehicles do not travel through the main part of the village is maintained. It is preferable that this heavy traffic be limited to the highway and the Coolac Road area approaches to the service centre. This will maintain the attractiveness of the village lifestyle and safeguard tourism potential that exists in the area, particularly with future development of the Rail Trail.

I can also see that there will be benefits for the community in regard to employment and amenity so I am not opposed to the application being accepted, I just see that these factors ought to be adequately considered to ensure the safety of residents such as ourselves and protection of the environment/visual amenity of the area. There should also be benefits to businesses in the wider area during construction such as accommodation, local trades etc.

Kind regards

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

**IMPORTANT NOTE**  
 This plan is prepared for Press Australia Pty Ltd from existing records for the purpose of a development application of the land and should not be used for any other purpose. Tree spreads are diagrammatic only and may not be symmetrical. The title boundaries shown hereon have not been marked.

Prior to any demolition, excavation or construction on the site, the relevant authority should be contacted for possible location of further underground services and detailed locations of all services. This note is an integral part of the plan. The boundaries shown here are depicted by remote sensing techniques eg. google, six maps.

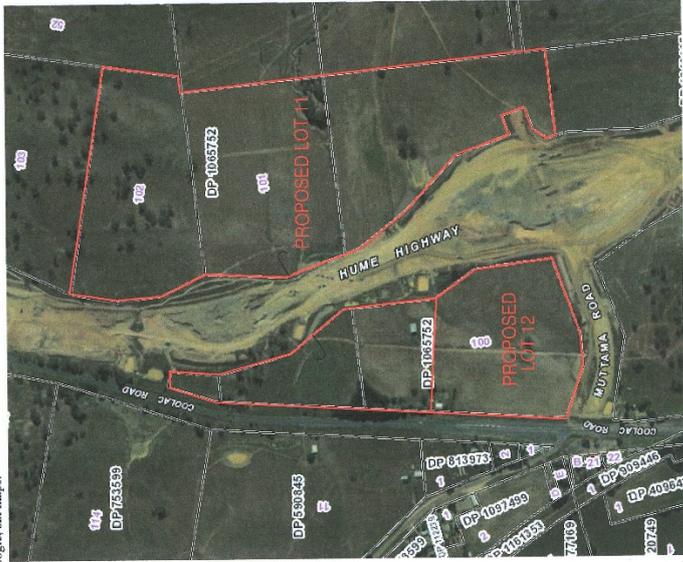
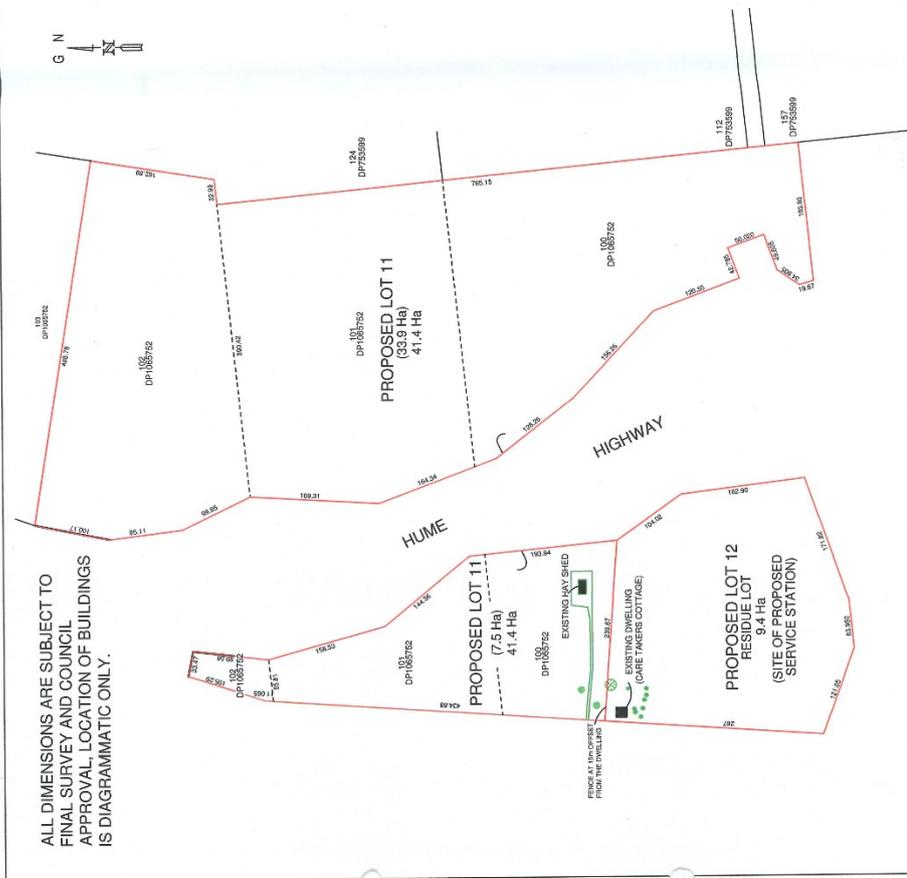
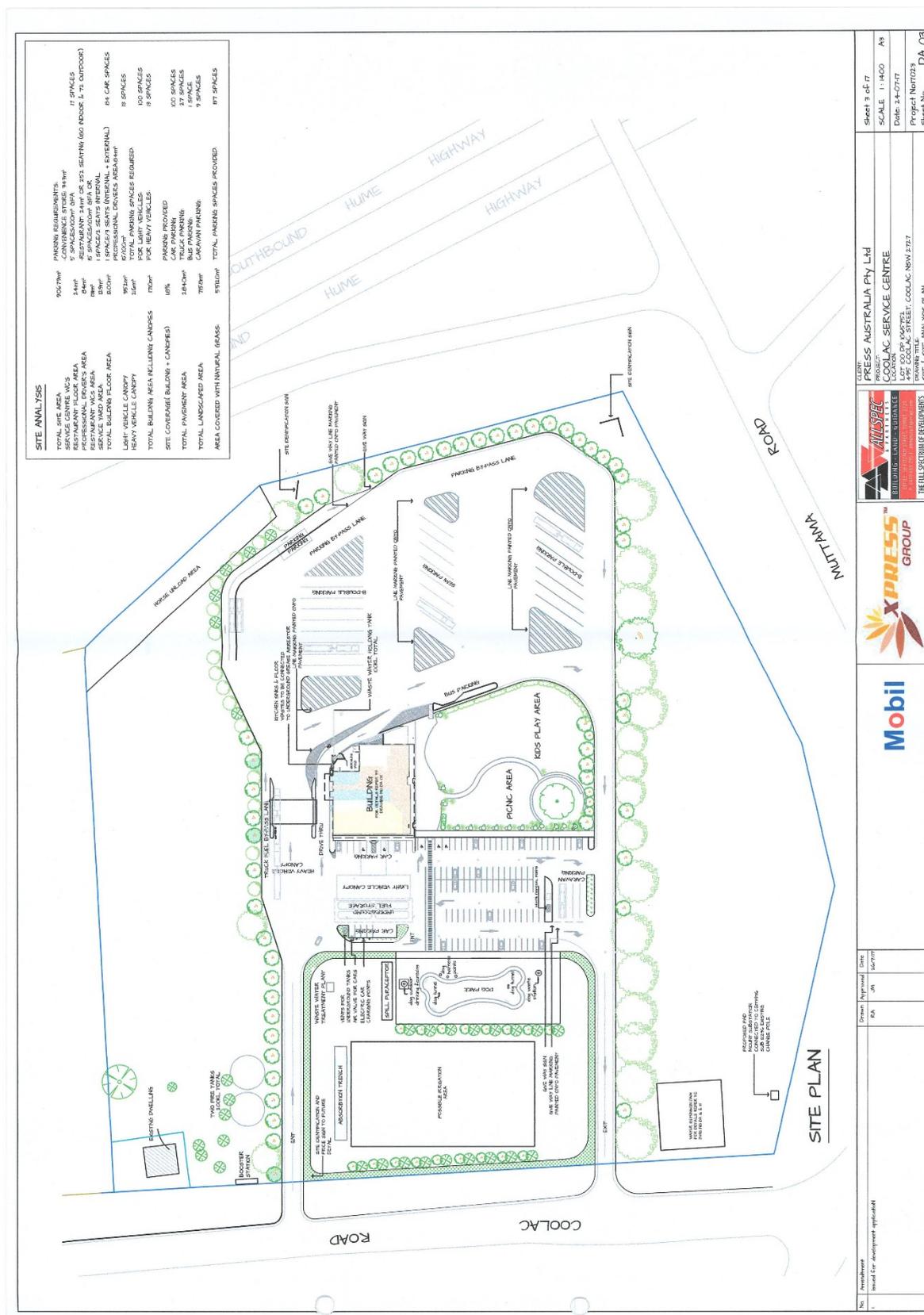


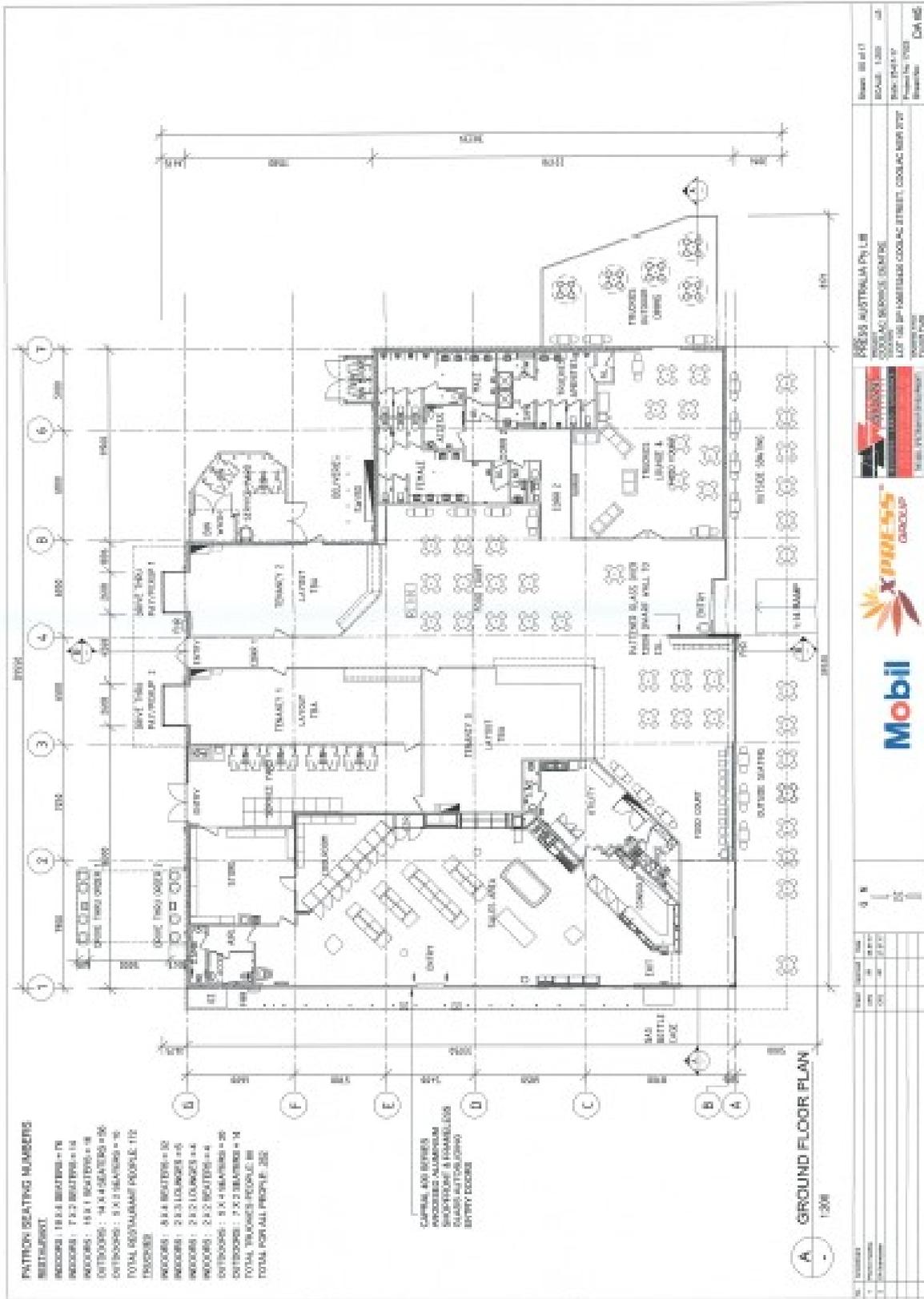
IMAGE SUPPLIED FROM SIX MAPS



ALL DIMENSIONS ARE SUBJECT TO FINAL SURVEY AND COUNCIL APPROVAL. LOCATION OF BUILDINGS IS DIAGRAMMATIC ONLY.

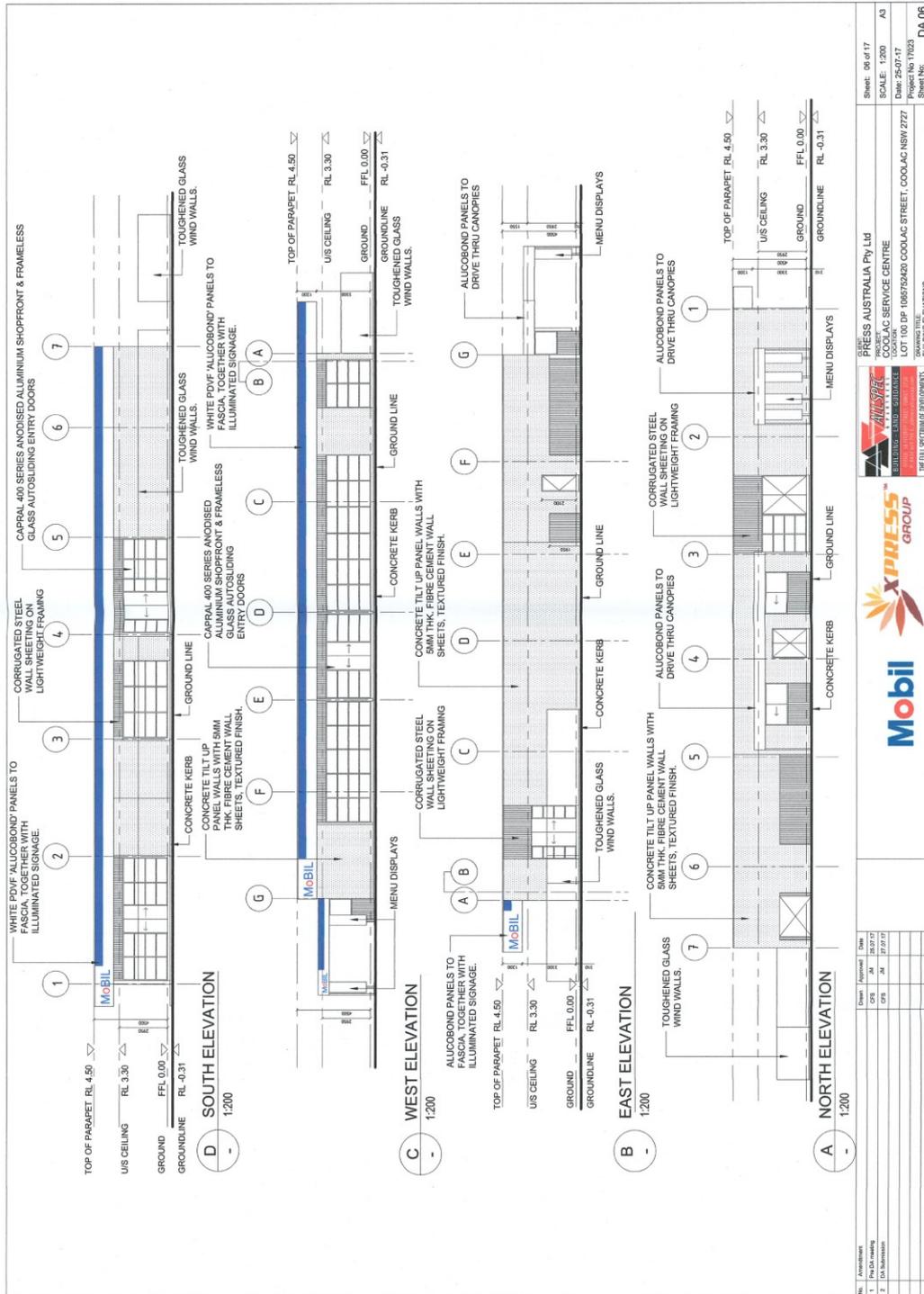
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DATUM: -DATUMS	PLAN No. 17/023.DA.png
REVISIONS & AMENDMENTS	
No.	Drawn / Approved / Date
CLIENT: PRESS AUSTRALIA PTY LTD	
PROJECT: DA SKETCH PROPOSED 2 LOT SUBDIVISION	
LOCATION: LOTS 100, 101 & 102 ON DP 1065752 495 COOLAC ROAD, COOLAC, NSW	
 BUILDING - LAND - GUIDANCE OFFICE: 84 FIDGOS STREET, TOWNHILL 2320 P: 0410 559 793 E: admin@wallspec.com THE FULL SPECTRUM OF DEVELOPMENTS	





NO.	REVISION	DATE	BY	CHKD.
1	PROVISIONAL			
2	FINAL			

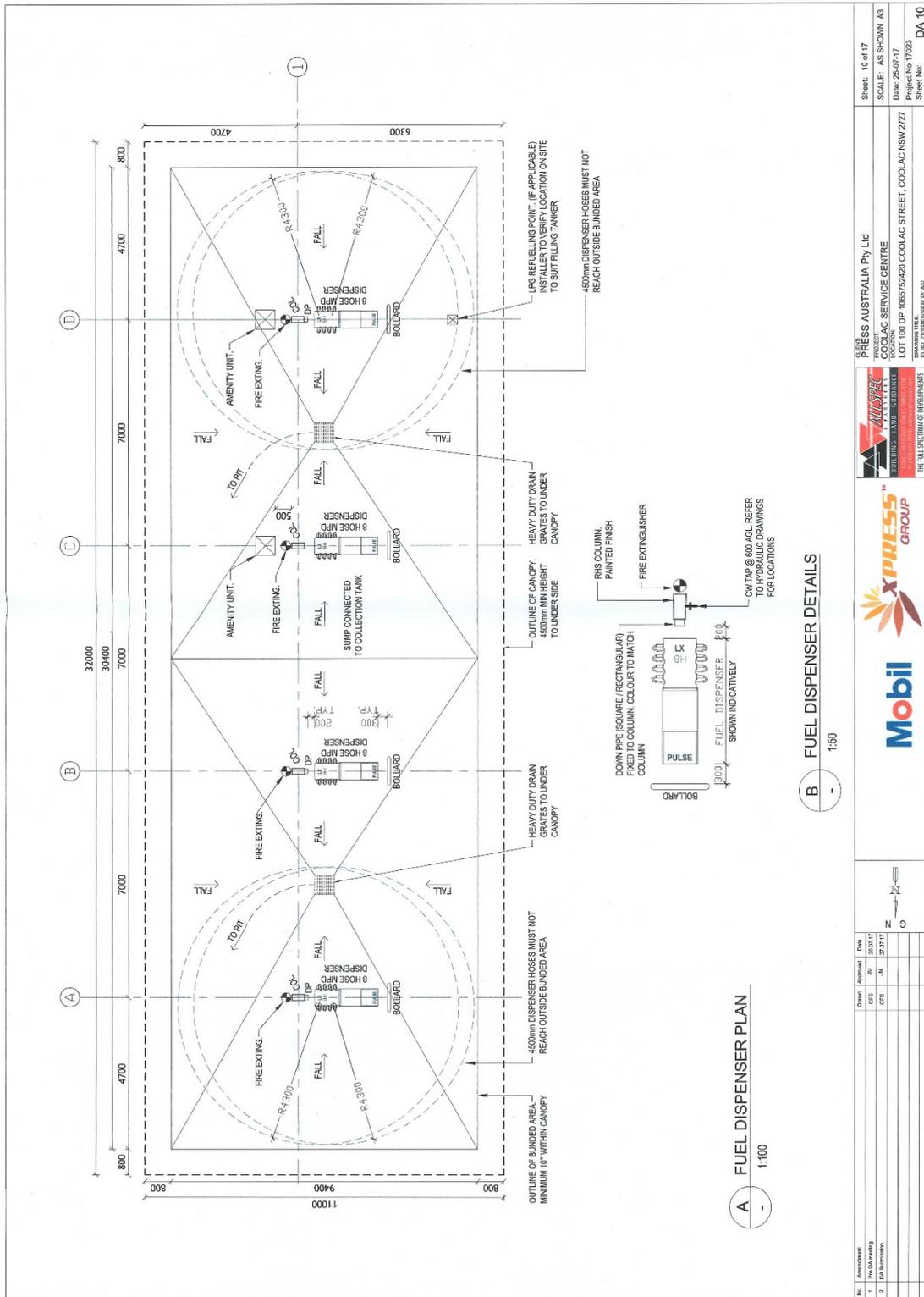
PREES AUSTRALIA Pty Ltd  
 PROJECT: COOTAMUNDRA REGIONAL COUNCIL  
 LOCATION: LOT 146 800 HARRIS ROAD COOTAMUNDRA STREET, COOTAMUNDRA NSW 2877  
 DRAWING NO: 17000  
 PROJECT NO: 17000  
 DATE: 17/11/2017



No.	Amendment	Drawn	Approved	Date
1	Final CA Issued	CPS	JM	26/07/17
2	DA Submission	CPS	JM	27/07/17

Client: PRESS AUSTRALIA Pty Ltd	Sheet: 06 of 17
Project: COOLAC SERVICE CENTRE	SCALE: 1:200 A3
Address: LOT 100 DP 1067/29420 COOLAC STREET, COOLAC NSW 2727	Date: 26-07-17
Project No: 17023	Project No: 17023
Sheet No: DA 06	Sheet No: DA 06

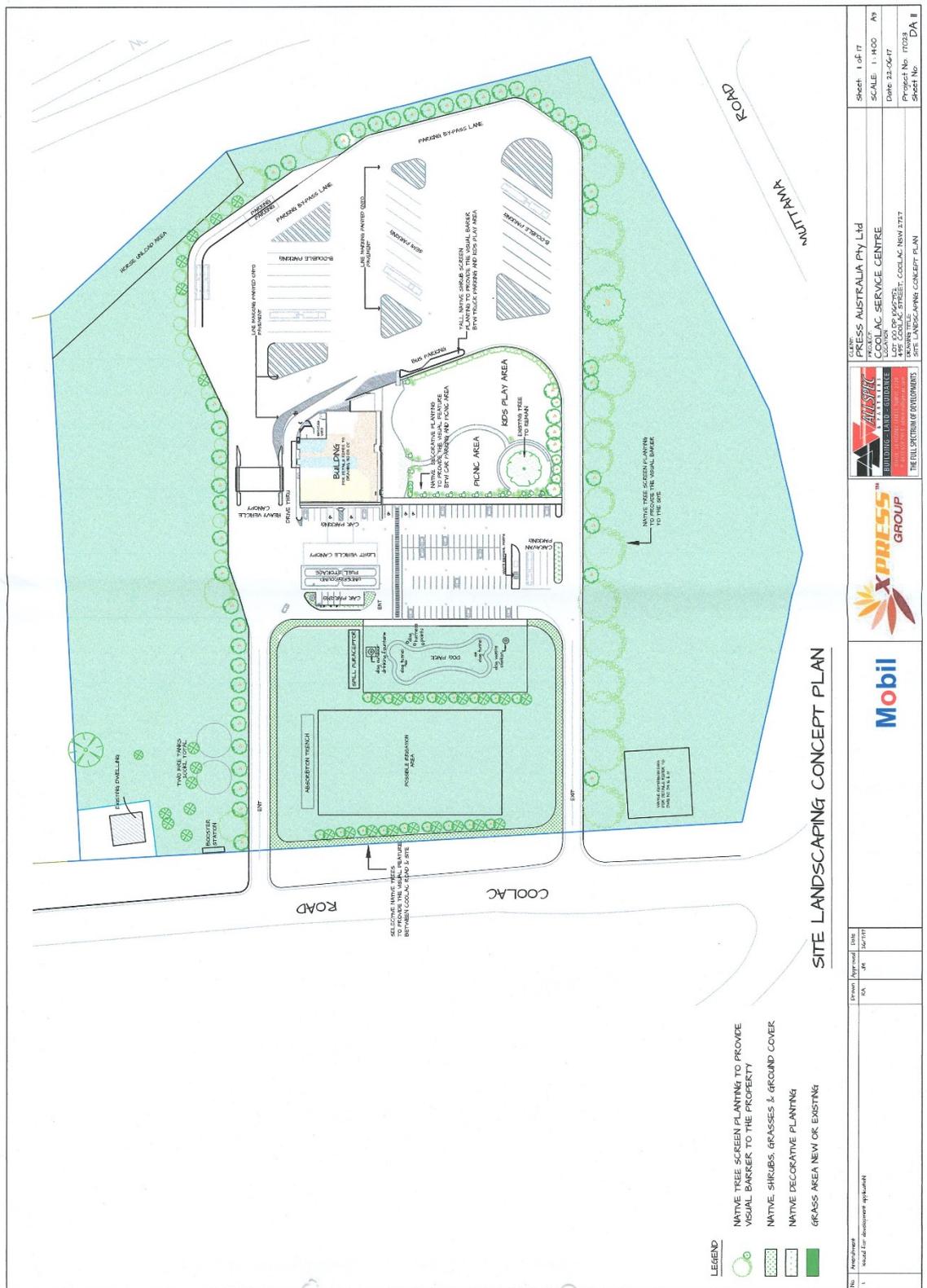


Sheet: 10 of 17  
 SCALE: AS SHOWN A3  
 Date: 24-07-17  
 Project No: T1023  
 Sheet No: DA 10

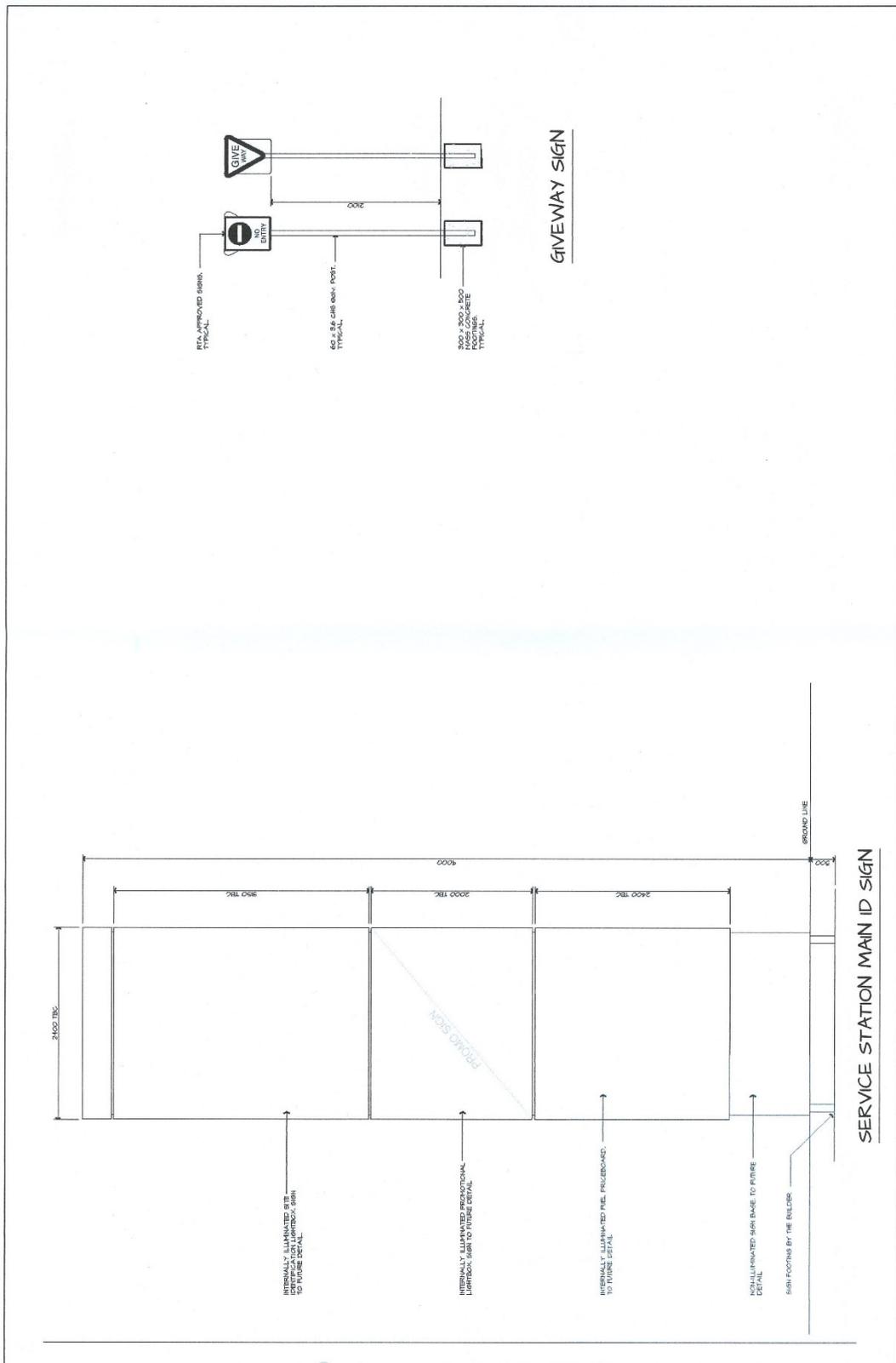


**XPRESS GROUP**  
**Mobil**

Client: PRESS AUSTRALIA Pty Ltd  
 COOLAC SERVICE CENTRE  
 1000000  
 Lot 10 DP 106752420 COOLAC STREET, COOLAC NSW 2777  
 THE FULL SYSTEM OF EQUIPMENT IS  
 FUEL DISPENSER PLAN



CLIENT: <b>PRESS AUSTRALIA Pty Ltd</b> <b>COOLAC SERVICE CENTRE</b>	SHEET: 1 of 17	SCALE: 1:1000	A9
LOCATION: 855 COOLAC STREET, COOLAC NSW 2717	DATE: 23/04/17	PROJECT NO: 17023	SHEET NO: DA II
THE FULL SPECTRUM OF PROGRAMS	SITE LANDSCAPING CONCEPT PLAN		



No.	As per drawing	Project No.	17023	Sheet No.	DA 15
1.	As per drawing	Project No.	17023	Sheet No.	DA 15
		Client	PRESS AUSTRALIA PTY LTD	Scale	NFS
		Project	COOTAMUNDRA SERVICE CENTRE	Date	22-Oct-17
		Location	LOT 100 DP 4/156 2727, COOLAC NSW 2737	Project No.	17023
		Drawing Title	PROPOSED SIGNAGE DETAILS	Sheet No.	DA 15



### **7.1.1.5 EXHIBITION OF DRAFT STOCKINBINGAL VILLAGE STRATEGY**

REPORTING OFFICER	Grace Foulds, Town Planner
ATTACHMENTS	Draft Stockinbingal Village Strategy (as a separate document)
RELEVANCE TO COMMUNITY STRATEGIC PLAN	To be included from July, 2018 following adoption of new CSP
FINANCIAL IMPLICATIONS	There are no financial implications associated with this report
LEGISLATIVE IMPLICATIONS	There are no Legislative implications associated with this report
POLICY IMPLICATIONS	There are no policy implications associated with this report

### **RECOMMENDATION**

**The Draft Stockinbingal Village Strategy be placed on exhibition for a period of not less than 28 days.**

#### Introduction

The draft Stockinbingal Villages Strategy is a strategic document which looks at the opportunities and constraints identified by Council and community feedback. It seeks to set out a roadmap for orderly and cost effective management and growth into the future.

#### Discussion

In May-June 2017 Council undertook community consultation for the Villages Strategy. Originally envisioned as a single document encompassing all the villages, it was subsequently decided that each village was to be presented in a standalone strategy. The village of Stockinbingal was the largest single respondent in community consultation and while the village over keen to grow the village physically presents some infrastructure barriers to population growth and economic viability.

The Draft Stockinbingal Village seeks to plan for the long term growth of Stockinbingal while planning for significant infrastructure projects such as a sewer which will be vital to success.

Stockinbingal was identified as the best option out of the villages for population growth into the future, taking advantage of opportunities such as the Inland Rail and the existing village layout and services as an economic foundation. Stockinbingal has the potential to become the third town of Cootamundra-Gundagai Regional Council if certain actions and plans are put into place in the short term.

## 7.2 CORPORATE SERVICES DIVISON

### 7.2.1 FINANCIAL MANAGEMENT

#### 7.2.1.1 PRESENTATION OF THE AUDITED FINANCIAL STATEMENTS

REPORTING OFFICER	Kate Monaghan, Director Corporate Services
ATTACHMENTS	Nil
RELEVANCE TO COMMUNITY STRATEGIC PLAN	To be included from July, 2018 following adoption of new CSP
FINANCIAL IMPLICATIONS	The financial implications of these reports as presented, indicates that Council continues to remain in a satisfactory financial position with adequate reserves to meet current commitments.
LEGISLATIVE IMPLICATIONS	Sections 413 to 428 of the Local Government Act describe the legislative requirements for the preparation, adoption, auditing and public presentation of the annual financial statements
POLICY IMPLICATIONS	There are no policy implications associated with this report.

#### **RECOMMENDATION**

- 1. Mr Chris Clayton of the NSW Audit Office and Mr John O'Malley of Intentus Chartered Accountants, make a presentation to Council on the Audited Financial Statements for the year ended 30<sup>th</sup> June, 2017.**
- 2. The General Purpose Financial Statement, Special Purpose Financial Statements and Special Schedules for the year ended 30 June 2017, be adopted.**

#### Introduction

Council's general purpose financial statements and special purpose (water and sewerage) financial statements have now been audited by Mr Chris Clayton of the NSW Audit Office, and their contract agent, Mr John O'Malley, of Intentus Chartered Accountants.

The General Manager, under delegated authority, has issued the financial statements for release. Copies of the financial statements have been placed on Council's website, and hardcopies are on display in the Council office foyers. A copy of the financial statements has placed in the Councillor's portal.

A notice was placed in the Council Newsletter and on Council's website. The notice included:

- A statement that the business of today's meeting would include the presentation of the audited financial statements.
- A summary of the financial statements.
- A statement to the effect that any person may make a submission to Council with respect to the financial statements.

No submissions have been received.

Mr Clayton and Mr O'Malley will be in attendance to present a commentary on the financial result, and to answer any questions from the Council.

### Discussion

A summary of the financial statements is provided below:

	<b>2017</b> \$'000
<b>Income Statement</b>	
Total income from continuing operations	48,635
Total expenses from continuing operations	43,578
<b>Operating result from continuing operations</b>	<u>5,057</u>
<b>Net operating result for the period</b>	<b>5,057</b>
<b>Net result for the period</b> (after net assets transferred from former councils)	<b>405,345</b>
Net operating result before grants and contributions provided for capital purposes	<b>(4,882)</b>
<b>Statement of Financial Position</b>	
Total current assets	45,693
Total current liabilities	(5,810)
Total non-current assets	370,449
Total non-current liabilities	(3,320)
<b>Total equity</b>	<u><b>407,012</b></u>
<b>Other financial information</b>	
Unrestricted current ratio (times)	8.46x
Operating performance ratio (%)	4.71%
Debt service cover ratio (times)	19.62x
Rates and annual charges outstanding ratio (%)	4.04%
Infrastructure renewals ratio (%)	60.03%
Own source operating revenue ratio (%)	44.77%
Cash expense cover ratio (months)	16.35 mths

Council's operating result has been impacted by a series of one-off events. In addition to the significant one-off adjustments listed below, it should be noted that the first year of operations was not a "normal" operating year, with Council dealing with a major restructure across all areas, and Council's expenditure was higher than would be expected to continue in future years.

The following summary shows Council's operating result, adjusted for significant one-off events.

<b>Operating result for the year</b>	<b>5,058</b>
<b>Adjustments for one-off events:</b>	
Operating result for the additional 7 weeks included in this reporting period	1,286
Early payment of Financial Assistance Grant	(2,423)
Amalgamation Grants	(15,000)
Amalgamation Expenditure	1,302
Stronger Communities Grants paid out	1,080
Revaluation decrement recognised as an expense (water and sewer assets)	6,934
<b>Adjusted Operating result</b>	<b>(1,764)</b>

A further summary of the financial results and detailed audit observation is contained in the audit report which is being on page 71 of the general purpose financial statements.

### **7.2.1.2 FUTURE RATING OPTIONS**

REPORTING OFFICER	Kate Monaghan, Director Corporate Services
ATTACHMENTS	Draft Community Engagement Strategy
RELEVANCE TO COMMUNITY STRATEGIC PLAN	To be included from July, 2018 following adoption of new CSP.
FINANCIAL IMPLICATIONS	The value of the income that would otherwise be lost to Council is \$263,530 per annum, from 1 July 2018, and compounded annually by the rates peg.
LEGISLATIVE IMPLICATIONS	The Local Government Amendment (Rates-Merged Council Areas) Bill 2017 requires newly merged councils to maintain pre-merger rate paths for 4 years.
POLICY IMPLICATIONS	The special rate variation previously approved for the former Gundagai Shire Council would continue to apply to the ratepayers within the former Gundagai Shire area.

### **RECOMMENDATION**

- 1. Consultation be undertaken with the community with a view to consider an application to the Independent Pricing and Regulatory Tribunal for a Special Rate Variation commencing on 1 July 2018 to renew the existing special variation that applies to the ratepayers of the former Gundagai Shire Council area.**
- 2. The Community Engagement Strategy attached to the report be endorsed.**
- 3. Options 1 and 2 as outlined in the report form the basis of rating options on which the community will be consulted.**
- 4. A further report be presented to Council on the outcomes of the community consultation to determine if a Special Rate Variation to renew the existing special variation is submitted to the Independent Pricing and Regulatory Tribunal.**

### **Introduction**

The purpose of this report is to undertake consultation with the community with the view to renew the existing special rate variation that applies to the former Gundagai area ratepayers, and that expires on 30 June 2018.

The former Gundagai Shire Council had planned to apply for the continuation of the special variation as a permanent adjustment to the rates income, and this had been reflected in the former Council's long term financial plan.

### **Discussion**

The former Gundagai Shire Council was granted a special rate variation of 12.89% for a period of ten years from 2008-09. 2017-18 is the final year for the application of the special variation. The cost on average to ratepayers is as follows:

- \$204 cost in ordinary farmland rates
- \$35 cost in ordinary residential rates
- \$79 cost in ordinary business rates, and
- \$21 cost in the Town Improvement District special rate.

The special rate variation generated approximately \$263,530 in 2017/2018, which is equivalent to 8.29% of the rate levy in the former Gundagai Shire Council area. The special rates variation was to meet existing service levels to ratepayers and maintain existing assets for a period of 10 years.

Continuation of funding for infrastructure maintenance, renewal and upgrades is important to ensure the financial sustainability of the Council. The former Gundagai Shire Council had been relying on the continuation of the special variation as a permanent adjustment to its rates income, and this was reflected in the ten year planning period of its long term financial plan. Cootamundra-Gundagai Regional Council will also need to apply for the continuation of the otherwise expiring variation to avoid the income adjustment that will otherwise occur.

Councils that currently have a temporary (ie fixed term) special variation approaching its expiry may:

- Accept that the required income adjustment on expiry of the variation, usually reflecting that the council no longer needs the additional funds, or
- Apply for a new special variation to partially or fully continue the funding from the expiring variation, and, in effect, avoid the income adjustment that would otherwise occur.

### **Rating Options**

#### Government Policy to freeze the rate paths of merged Councils

The *Local Government Amendment (Rates – Merged Council Areas) Act 2017* enables the Government's commitment that rates paid by residents of newly amalgamated councils will not increase as a result of a merger for four years. This legislation has had an unintended consequence in our Council area, and currently prohibits IPART from considering any request for the renewal of the expiring special variation. In accordance with the resolution of the ordinary meeting on 31 July 2017, Council has written to the Minister for Local Government seeking Ministerial Approval that would allow Council to proceed with its application.

Our request is consistent with the spirit of the Government's rate path freeze policy. The rate variation would only be levied on ratepayers in the pre-merger council area that benefit from continuing the services funded from the original rate variation. As such, the rating path in each pre-merger council area would follow the same trajectory as if the merger had not occurred. This request is also consistent with the Government's policy that services should not be disrupted as a result of council mergers.

It would be reasonable for the Minister to allow Council to proceed with an application to IPART for a Special Rate Variation (SRV); to allow it to renew revenue currently generated through the expiring special rate variation.

Following are two options which have significantly different outcomes in terms of Council's financial sustainability and the level of service that is possible over the next ten years.

#### Option 1 (Base)

Maintain rates in accordance with the annual rate peg (estimated at 2.5% per annum), and cessation of the expiring SRV.

Under this option the long term financial plan will need to consider future reductions in service. This option would result in a 8.29% reduction in rates payable by ratepayers from the former Gundagai Council area.

#### Option 2

Continue to levy rates in accordance with the annual rate peg (estimated at 2.5% per annum), and make application to renew the expiring SRV.

Under this option the current long term financial plan would remain in place and rates payable by ratepayers would be comparable to those currently paid, representing the inclusion of the 10.79% SRV (being continuation of 8.29% + estimated rate peg of 2.5%).

#### **Special Rate Variation (SRV) Requirements**

If Council were to elect to proceed with Option 1, there would be no specific requirements beyond abiding by the rate peg announced by the State Government each year and proceeding with regular planning and budget timeframes. Forward planning and budgeting need to focus on further cost containment and potentially revisiting current service levels.

In order to proceed with Option 2, an application for an SRV will need to be made to the Independent Pricing and Regulatory Tribunal (IPART). All such applications must be made in accordance with the Guidelines issued by the NSW Office of Local Government, and Council is required to consult the community prior to lodging the application. Should Council agree to consult the community with a view to making an SRV application to IPART, a draft Community Engagement Strategy is included as an attachment to this report.

# Draft Community Engagement Strategy

Proposed renewal of the expiring Gundagai Shire Council Special Rate Variation from 2018-19

Approved by	Council resolution
Responsible Officer	Communications Officer
Council Service Unit	Finance Management

Engagement Tool	Timing	Purpose
Council meeting	Monday 31 <sup>st</sup> July 2017	Resolution to seek Ministerial approval to make application for the 2008-09 special rate variation of the former Gundagai Shire Council to be made permanent
Council meeting	Tuesday 28 <sup>th</sup> November 2017	Resolution to consult the community on possible SRV options. Exhibit relevant changes to the Long Term Financial Plan
Digital Community Panel survey invitation	Wednesday 29 <sup>th</sup> November 2017	Requesting feedback from digital community panel representatives Providing detailed information on the SRV and 2 options, including impact on ratepayers. Provision of a feedback form that can be used
Media releases	Wednesday 29 <sup>th</sup> November 2017 Tuesday 9 <sup>th</sup> January 2018	Raising general community awareness, advising of the public comment period and inviting written feedback

<b>Engagement Tool</b>	<b>Timing</b>	<b>Purpose</b>
Website and social media information (Cootamundra-Gundagai Regional Council website and Facebook sites) and online submissions	Wednesday 29 <sup>th</sup> November 2017 to Thursday 25 <sup>th</sup> January 2018  (i.e. full exhibition period of 8 weeks)	Providing detailed information on the SRV and 2 options, including impact on ratepayers.  Regular information feeds regarding the proposal and opportunities for community feedback.  Opportunity for lodgement of online comments and submissions on the proposed SRV and options.
Exhibition of documents at Customer Service and Libraries	Wednesday 29 <sup>th</sup> November 2017 to Thursday 25 <sup>th</sup> January 2018  (i.e. full exhibition period of 8 weeks)	Providing detailed information on the SRV and 2 options, including impact on ratepayers.  Provision of a feedback form that can be used.
Advertising – Gundagai Independent and Cootamundra Herald, ‘Snippets’	Thursday 30 <sup>th</sup> November 2017/Friday 1 <sup>st</sup> December 2017  Thursday 14 <sup>th</sup> December 2017/Friday 15 <sup>th</sup> December 2017  Thursday 18 <sup>th</sup> January 2018/Friday 19 <sup>th</sup> January 2018	Raising community awareness through key information points.
Radio Advertising – Sounds of the Mountains	Week of 18 <sup>th</sup> December 2017  Week of 15 <sup>th</sup> January 2018	Raising community awareness through key information points.
Council Newsletter	Week of 4 <sup>th</sup> December 2017  Week of 1 <sup>st</sup> January 2018  Week of 15 <sup>th</sup> January 2018	Providing a message regarding the proposed SRV and options; inviting community feedback.
Council Meeting	Tuesday 12 <sup>th</sup> December 2017	Resolution (dependent on consultation to date) to lodge notification for Special Variation application with IPART by the due date – 15 <sup>th</sup> December 2017.

Engagement Tool	Timing	Purpose
Notification of intention to lodge SRV to IPART (dependent on consultation outcome, and dependent on outcome of request for Ministerial Approval.)	14 <sup>th</sup> December 2017	
Councillor briefing session	January 2018	Update and dependent on consultation to proceed with SRV and exhibit make an SRV application to IPART
Council meeting	Tuesday 30 <sup>th</sup> January 2018	Resolution (dependent on consultation) endorsing SRV application to IPART
Lodgement of an SRV Application to IPART	9 <sup>th</sup> February 2018	

### **7.2.1.3 SEPTEMBER 2017 QUARTERLY BUDGET REVIEW**

REPORTING OFFICER	Kate Monaghan, Director Corporate Services
ATTACHMENTS	September 2017 Quarterly Budget Review
RELEVANCE TO COMMUNITY STRATEGIC PLAN	To be included from July, 2018 following adoption of new CSP.
FINANCIAL IMPLICATIONS	As reported in the attached September quarterly budget review, the revised net operating result for the year to 30 June 2018 is a deficit of \$1,703,000.  The budget adjustments recommended to Council for approval in this report result in a net change to the operating result of \$3,044,000.
LEGISLATIVE IMPLICATIONS	Clause 203(1) of the Local Government (General) Regulation requires that, not later than 2 months after the end of each quarter, excluding the June quarter, the responsible accounting officer must submit a budget review statement to Council.  The format of the review must be consistent with the minimum requirements contained in the Quarterly Budget Review Statement Guidelines provided by the Office of Local Government.
POLICY IMPLICATIONS	The quarterly budget review statement is a tool to monitor Council's progress against the operational plan and the ongoing management of Council's budget.

### **RECOMMENDATION**

**The September 2017 Quarterly Budget Review be accepted, and the recommended budget changes listed in the attached report be adopted.**

#### Introduction

The purpose of this report is to present a summary of Council's financial position at the end of the September 2017 quarter and to report on progress made against the original budget adopted by Council in its 2017-18 Operational Plan.

A detailed list of budget variances is included in the attached Quarterly Budget Review, and these are recommended for Council approval.

#### Discussion

This quarterly budget review has been produced from the two separate financial systems that currently exist at Cootamundra and Gundagai, and the accuracy of the information is dependent on the internal controls in place in those two systems.

The process for integrating the financial information from the two financial systems has been to reorganise both budgets in to one structure, grouping Council's functional areas based on the adopted organisational structure.

Council is currently in the process of implementing one, integrated financial system, to properly align budgets and expenditure.

Due to the differences in the way the two former council's organised their financial reporting structures, the budget line items do not always align well. There are differences in the levels that the two former councils reported to, and differences in the way they split their functional areas. Therefore, it is recognised that this budget review is limited, and will continue to develop and be improved upon. The budget will be further developed to simplify the level of reporting, reviewing budget line items and correcting any that may not have been translated correctly.

The next step in the process to prepare a single budget will be the continuation of the ongoing service review process. We are systematically reviewing each of Council's Service Units, looking for potential efficiency gains through cost savings or improved service delivery.

Staff have conducted a high level review of the integrated budget and have identified several items that should be adjusted to reflect current expectations. The budget variations detailed in this report have been recommended to Council.

The revised estimated net operating result for the year to 30 June 2018 is a deficit of \$1,703,000 (original budget was a deficit of \$4,747,000) and the revised estimated result before capital grants and contributions is a \$6,040,000 deficit (original \$5,462,000 deficit).

The budget adjustments recommended to Council for approval in this report result in a net change to the operating result of \$3,044,000.

The material variations from the original budget for the year to date are attributed to:

***Favourable variations***

- There was a timing difference in the receipt of National Stronger Regions Capital Grant funding, and an additional \$183,093 is expected to be received in the current financial year, more than budgeted. This grant funding relates to the Gundagai main street redevelopment.
- The Financial Assistance Grant has been announced, and Council's share has increased by 4.39% on the previous financial year, and \$55,377 more than budgeted.
- State Government funding of up to \$10m for the replacement of the sewerage treatment plant in Gundagai has been announced. Of the total, \$1 million has so far been allocated against expenditure that will be incurred in the current financial year.
- The Roads and Maritime Authority have approved capital funding of \$2,380,306 for flood damage repair work to be undertaken on local and regional roads.

***Unfavourable variations***

- Council had budgeted works in the previous financial year, and the budgets were not fully expended. The unexpended budget items were reported to the October Council meeting, and Council resolved to carry these budgets forward in accordance with the report. The additional budget expense in the current financial year is \$556,475.

- Council has resolved to donate \$30,000 towards the preparation of a business plan and interpretive plan for the Australian Road Transport Heritage Centre project.
- Council has been levied \$424,757 as its annual contribution to the State Government Emergency Services. The amount is \$45,985 more than was allowed in the current year budget.



**COOTAMUNDRA-  
GUNDAGAI REGIONAL  
COUNCIL**

# **Quarterly Budget Review**

**30 September 2017**

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## Commentary

The purpose of this budget review statement is to present a summary of Council's financial position at the end of the September 2017 quarter and to report on progress made against the original budget adopted by Council in its 2017-18 Operational Plan.

This quarterly budget review has been produced from the two separate financial systems that currently exist at Cootamundra and Gundagai, and the accuracy of the information is dependent on the internal controls in place in those two systems.

The process for integrating the financial information from the two financial systems has been to reorganise both budgets in to one structure, grouping Council's functional areas based on the adopted organisational structure.

Council is currently in the process of implementing one, integrated financial system, to properly align budgets and expenditure.

Due to the differences in the way the two former council's organised their financial reporting structures, the budget line items do not always align well. There are differences in the levels that the two former councils reported to, and differences in the way they split their functional areas. Therefore, it is recognised that this budget review is limited, and will continue to develop and be improved upon. The budget will be further developed to simplify the level of reporting, reviewing budget line items and correcting any that may not have been translated correctly.

The next step in the process to prepare a single budget will be the continuation of the ongoing service review process. We are systematically reviewing each of Council's Service Units, looking for potential efficiency gains through cost savings or improved service delivery.

Staff have conducted a high level review of the integrated budget and have identified several items that should be adjusted to reflect current expectations. The budget variations detailed in this report have been recommended to Council.

September 2017 Quarterly Budget Review

## Budget Position

The revised estimated net operating result for the year to 30 June 2018 is a deficit of \$1,703,000 (original budget was a deficit of \$4,747,000) and the revised estimated result before capital grants and contributions is a \$6,040,000 deficit (original \$5,462,000 deficit).

The deficit budget result in the 2017-18 Operational Plan is affected by significant timing differences which should be taken in to account when considering the budgeted financial results.

Net operating result excluding capital grants	(1,703)
<i>Adjusted for timing differences:</i>	
50% Financial Assistance Grant amount paid early	2,419
Merger implementation funds budgeted for expenditure	1,492
Adjusted net operating result excluding capital grants	2,209

## Budget Variations

The budget adjustments recommended to Council for approval in this report result in a net change to the operating result of \$3,044,000.

The material variations from the original budget for the year to date are attributed to:

### Favourable variations

- There was a timing difference in the receipt of National Stronger Regions Capital Grant funding, and an additional \$183,093 is expected to be received in the current financial year, more than budgeted. This grant funding relates to the Gundagai main street redevelopment.
- The Financial Assistance Grant has been announced, and Council's share has increased by 4.39% on the previous financial year, and \$55,377 more than budgeted.
- State Government funding of up to \$10m for the replacement of the sewerage treatment plant in Gundagai has been announced. Of the total, \$1 million has so far been allocated against expenditure that will

- be incurred in the current financial year.
- The Roads and Maritime Authority have approved capital funding of \$2,380,306 for flood damage repair work to be undertaken on local and regional roads.

#### Unfavourable variations

- Council had budgeted works in the previous financial year, and the budgets were not fully expended. The unexpended budget items were reported to the October Council meeting, and Council resolved to carry these budgets forward in accordance with the report. The additional budget expense in the current financial year is \$556,475.
- Council has resolved to donate \$30,000 towards the preparation of a business plan and interpretive plan for the Australian Road Transport Heritage Centre project.
- Council has been levied \$424,757 as its annual contribution to the State Government Emergency Services. The amount is \$45,985 more than was allowed in the current year budget.





for the quarter ended 30th September 2017

Income & Expenses Budget Review	Original Budget	Recommended changes for Council resolution	Projected Budget	Actual YTD
	2018 \$'000	\$'000	2018 \$'000	2018 \$'000
<b>Income from continuing operations</b>				
Rates and annual charges	12,332	-	12,332	9,833
User charges and fees	5,548	-	5,548	670
Interest and investment revenue	690	-	690	144
Other revenues	358	50 <sup>1</sup>	408	72
Operating grants and contributions	5,694	129 <sup>2</sup>	5,823	1,465
Capital grants and contributions	715	3,621 <sup>3</sup>	4,337	256
Net gain from the disposal of assets	50	-	50	-
<b>Total Income</b>	<b>25,388</b>	<b>3,801</b>	<b>29,188</b>	<b>12,440</b>
<b>Expenses from continuing operations</b>				
Employee benefits and on-costs	11,657	5 <sup>4</sup>	11,661	2,853
Borrowing costs	161	-	161	-
Materials and contracts	5,864	698 <sup>5</sup>	6,562	2,538
Depreciation and amortisation	8,104	-	8,104	2,648
Other expenses	4,348	54 <sup>6</sup>	4,402	849
Net loss from the disposal of assets	-	-	-	-
<b>Total Expenses</b>	<b>30,134</b>	<b>757</b>	<b>30,891</b>	<b>8,888</b>
<b>Net Operating Result</b>	<b>(4,747)</b>	<b>3,044</b>	<b>(1,703)</b>	<b>3,552</b>
<b>Net operating result before grants and contributions provided for capital purposes</b>	<b>(5,462)</b>	<b>(578)</b>	<b>(6,040)</b>	<b>3,296</b>

Cootamundra-Gundagai Regional Council Quarterly Budget Review Statement  
Executive for the quarter ended 30th September 2017

	Original Budget 2018 \$'000	Recommended changes for Council resolution \$'000	Projected Budget 2018 \$'000
<b>Budget Income Statement</b>			
<b>Income by function</b>			
Executive Office	-	-	-
Civic Leadership	1	-	1
Human Resources	74	-	74
Community Engagement	-	-	-
Project Management Office	-	-	-
<b>Total Income</b>	<b>74</b>	<b>-</b>	<b>74</b>
<b>Expenses by function</b>			
Executive Office	416	-	416
Civic Leadership	328	(21)	307
Human Resources	1,210	85	1,295
Community Engagement	99	-	99
Project Management Office	2,028	-	2,028
<b>Total Expenses</b>	<b>4,081</b>	<b>64</b>	<b>4,146</b>
<b>Net Operating Result</b>	<b>(4,007)</b>	<b>(64)</b>	<b>(4,071)</b>

Cootamundra-Gundagai Regional Council      Quarterly Budget Review Statement  
 Development and Community Services      for the quarter ended 30th September 2017

	Original Budget 2018 \$'000	Recommended changes for Council resolution \$'000	Projected Budget 2018 \$'000
<b>Budget Income Statement</b>			
<b>Income from continuing operations</b>			
Development and Building	306	-	306
Regulatory Services	267	-	267
Tourism and Economic Development	95	50	145
Community Services	4	-	4
Libraries	75	-	75
<b>Total Income</b>	<b>747</b>	<b>50</b>	<b>797</b>
<b>Expenses from continuing operations</b>			
Development and Building	567	-	567
Regulatory Services	855	29	884
Tourism and Economic Development	610	160	770
Community Services	32	4	36
Libraries	607	-	607
<b>Total Expenses</b>	<b>2,671</b>	<b>193</b>	<b>2,864</b>
<b>Net Operating Result</b>	<b>(1,923)</b>	<b>(143)</b>	<b>(2,067)</b>

Cootamundra-Gundagai Regional Council      Quarterly Budget Review Statement  
 Corporate Services      for the quarter ended 30th September 2017

	Original Budget 2018 \$'000	Recommended changes for Council resolution \$'000	Projected Budget 2018 \$'000
<b>Budget Income Statement</b>			
<b>Income from continuing operations</b>			
Governance and Business Systems	-	-	-
Information Technology	-	-	-
Customer Service	12	-	12
Finance	9,969	55	10,024
Internal Allocation of Overhead Costs	(108)	-	(108)
<b>Total Income</b>	<b>9,873</b>	<b>55</b>	<b>9,929</b>
<b>Expenses from continuing operations</b>			
Governance and Business Systems	557	-	557
Information Technology	591	-	591
Customer Service	273	-	273
Finance	758	-	758
Internal Allocation of Overhead Costs	(1,382)	-	(1,382)
<b>Total Expenses</b>	<b>797</b>	<b>-</b>	<b>797</b>
<b>Net Operating Result</b>	<b>9,077</b>	<b>55</b>	<b>9,132</b>

Cootamundra-Gundagai Regional Council      Quarterly Budget Review Statement  
 Operations      for the quarter ended 30th September 2017

	Original Budget 2018 \$'000	Recommended changes for Council resolution \$'000	Projected Budget 2018 \$'000
<b>Budget Income Statement</b>			
<b>Income from continuing operations</b>			
Infrastructure	4,237	2,380	6,617
Plant Management	333	-	333
Buildings and Property Management	455	-	455
Noxious Weeds	71	-	71
Recreation Facilities	183	58	241
Waste Management	2,237	-	2,237
<b>Total Income</b>	<b>7,517</b>	<b>2,438</b>	<b>9,955</b>
<b>Expenses from continuing operations</b>			
Infrastructure	9,672	-	9,672
Plant Management	197	-	197
Buildings and Property Management	1,634	28	1,662
Noxious Weeds	303	-	303
Recreation Facilities	1,847	41	1,888
Waste Management	2,014	85	2,099
<b>Total Expenses</b>	<b>15,667</b>	<b>154</b>	<b>15,821</b>
<b>Net Operating Result</b>	<b>(8,151)</b>	<b>2,285</b>	<b>(5,866)</b>

Cootamundra-Gundagai Regional Council Quarterly Budget Review Statement  
 Asset Management for the quarter ended 30th September 2017

	Original Budget 2018 \$'000	Recommended changes for Council resolution \$'000	Projected Budget 2018 \$'000
<b>Budget Income Statement</b>			
<b>Income from continuing operations</b>			
Asset Management	-	-	-
Land Development	50	-	50
Water and Sewer	6,230	1,000	7,230
Emergency Management	365	74	439
Major Projects	531	183	714
<b>Total Income</b>	<b>7,176</b>	<b>1,257</b>	<b>8,433</b>
<b>Expenses from continuing operations</b>			
Asset Management	700	-	700
Land Development	50	-	50
Water and Sewer	5,331	660	5,991
Road Safety	35	-	35
Emergency Management	710	141	852
Major Projects	93	(456)	(363)
<b>Total Expenses</b>	<b>6,918</b>	<b>346</b>	<b>7,264</b>
<b>Net Operating Result</b>	<b>258</b>	<b>911</b>	<b>1,169</b>

Cootamundra-Gundagai Regional Council

Quarterly Budget Review Statement

for the quarter ended 30th September 2017

Income & Expenses Budget Review

Budget variations being recommended include the following material items:

Notes Details

1	50,000	The former Gundagai Shire Council made a successful bid to host the Australian Local Government Womens Association (ALGWA) conference in 2018. It is estimated that the conference will generate enough income to cover the estimated expenses of \$50,000, however the risk is borne by Council.
2	74,007	Council has been granted \$93,399 to prepare a floodplain risk management study and plan for Gundagai. The project commenced last financial year, and will be concluded by May 2018. \$74,007 grant income is to be received in the current year.
	55,377	Council has received confirmation of the amount of the Financial Assistance Grant for the 2017-18 year. The Federal Government resumed indexation of the grants, after pausing it for three years. The total grant amount has increased by 4.39% on the previous financial year, exceeding the amount budgeted. This Federal funding is a critical source of revenue for Council, being approximately \$430 per person.
	<b>129,384</b>	
3	8,000	The former Cootamundra Shire Council agreed to assist the Cootamundra Beach Volleyball committee to purchase and erect a shed on the pool grounds. The Committee will reimburse Council for the cost of the shed.
	183,093	The remaining funding payments of \$640,843 from the National Stronger Regions Fund for the Sheridan Street redevelopment are expected to be received in the current financial year. This is a change of timing and exceeds the budget amount \$457,750 in the current year.
	50,000	The Manager of Social and Community has advised that the National Rugby League are holding \$50,000 in funding contributions for the upgrade of the Stan Crowe Oval amenities building.
	1,000,000	The Hon Katrina Hodgkinson, MP, announced funding of up to \$10 m from the NSW Government for the replacement of the sewerage treatment plant in Gundagai. Council had budgeted \$1million expenditure out of the Sewerage Reserve funds in the current financial year, that will now be funded through capital grants.
	2,380,306	As reported to the August Council meeting, the RMS have approved funding of \$2,380,306 for flood damage repair to local and regional roads.
	<b>3,621,399</b>	
4 & 5	95,387	Council has been granted \$93,399 toward the cost of preparing a floodplain risk management study and plan for Gundagai. Council's contribution to the project cost is an additional \$15,567. The project commenced last financial year, and will be completed by May 2018.
	3,255	Recommendation for unexpended budget to be rolled over from previous financial year - Wallendbeen hall major maintenance
	5,000	Recommendation for unexpended budget to be rolled over from previous financial year - Memorial Wall North Gundagai Cemetery
	4,000	Recommendation for unexpended budget to be rolled over from previous financial year - Gundagai Lawn Cemetery

September 2017 Quarterly Budget Review

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**Income & Expenses Budget Review****Budget variations being recommended include the following material items:**

Notes	Details
4 & 5	<p>40,755 Recommendation for unexpended budget to be rolled over from previous financial year - Carberry Park masterplan</p> <p>194,424 Recommendation for unexpended grant to be reinstated as a budget in the current financial year - Remediation of underground petroleum storage systems</p> <p>919 Recommendation for unexpended grant to be reinstated as a budget in the current financial year - NAIDOC week celebrations</p> <p>77,441 Recommendation for unexpended grant to be reinstated as a budget in the current financial year - Old Gundagai goal masterplan and moonlight display</p> <p>19,864 Recommendation for unexpended grant to be reinstated as a budget in the current financial year - Responsible pet ownership program</p> <p>2,381 Recommendation for unexpended grant to be reinstated as a budget in the current financial year - Back to business week grant</p> <p>84,931 Recommendation for unexpended grant to be reinstated as a budget in the current financial year - Organics waste collection grant</p> <p>4,008 Recommendation for unexpended grant to be reinstated as a budget in the current financial year - Gundagai Youth Project</p> <p>84,789 Recommendation for unexpended budget to be rolled over from previous financial year - Risk Management Improvements</p> <p>24,708 Recommendation for unexpended budget to be rolled over from previous financial year - Remediation of the ex AGL site</p> <p>10,000 Recommendation for unexpended budget to be rolled over from previous financial year - GIS equipment</p> <p>50,000 The former Gundagai Shire Council made a successful bid to host the Australian Local Government Womens Association (ALGWA) conference in 2018. It is estimated that the conference will generate enough income to cover the estimated expenses of \$50,000, however the risk is borne by Council.</p> <p>640 The Gundagai Regional Enhancement Group (GREG) have requested a Council contribution for the purchase of the Old Mill building in Sheridan Lane Gundagai. They would like to develop the site as part of an interpretation project focusing on the Old Town and the local indigenous history. A structural assessment of this building is a pre-cursor to the development of the site, and needs to be undertaken. Staff have recommended a Council contribution of \$640 to complete the structural assessment.</p>
	<b>702,502</b>
6	<p>1,500 The Mayor and Deputy Mayor have authorised a donation of \$1,500 to the GREG Christmas Decorations Committee.</p> <p>(23,077) The original budget allowed for 3 months of committee fees and expenses for the Implementation Advisory Group and the Local Representative Committees. As those committees were wound up in July 2017, there is a budget saving of \$23,077.</p>

## Income &amp; Expenses Budget Review

Budget variations being recommended include the following material items:

## Notes Details

6	45,985	Council has received notification of the Emergency Services Levy payable to the State Government to assist them with provision of the NSW Rural Fire Service, State Emergency Service and Fire and Rescue NSW. The total levy payable for the current year is \$424,757, and Council's original budget of \$378,772 will not be sufficient. The levy charged by the State Government to Local Governments has been increasing significantly over the past several years.
	30,000	At its July meeting, Council resolved to provide funding of \$30,000 for the preparation of a business plan and interpretive plan for the Australian Road Transport Heritage Centre project.
	<b>54,408</b>	

Cootamundra-Gundagai Regional Council

Quarterly Budget Review Statement

for the quarter ended 30th September 2017

	Actual 30-Jun-17 \$'000	Original budget movement \$'000	Original Budget 30-Jun-18 \$'000	Recommended changes for Council resolution \$'000	Projected Budget 30-Jun-18 \$'000
<b>Budget Balance Sheet</b>					
<b>Assets</b>					
Current Assets					
Cash and cash equivalents	41,382	(7,449)	33,932	(2,851)	31,081
Receivables	3,148	-	3,148	-	3,148
Inventories	1,163	-	1,163	-	1,163
Other	1	-	1	-	1
Total Current Assets	45,694	(7,449)	38,244	(2,851)	35,393
Non-Current Assets					
Receivables	-	-	-	-	-
Inventories	826	-	826	-	826
Infrastructure, property, plant and equipment	369,624	2,253	371,877	5,895	377,772
Total Non-Current Assets	370,450	2,253	372,703	5,895	378,598
<b>Total Assets</b>	416,144	(5,196)	410,947	3,044	413,991
<b>Liabilities</b>					
Current Liabilities					
Payables	2,375	-	2,375	-	2,375
Borrowings	410	-	410	-	410
Provisions	3,026	-	3,026	-	3,026
Total Current Liabilities	5,811	-	5,811	-	5,811
Non-Current Liabilities					
Borrowings	3,049	(450)	2,599	-	2,599
Provisions	271	-	271	-	271
Total Non-Current Liabilities	3,320	(450)	2,870	-	2,870
<b>Total Liabilities</b>	9,131	(450)	8,681	-	8,681
<b>Net Assets</b>	407,013	(4,747)	402,266	3,044	405,310
<b>Equity</b>					
Retained Earnings	405,346	(4,747)	400,599	3,044	403,643
Revaluation Reserves	1,667	-	1,667	-	1,667
<b>Total Equity</b>	407,013	(4,747)	402,266	3,044	405,310

September 2017 Quarterly Budget Review

Cootamundra-Gundagai Regional Council

Quarterly Budget Review Statement

for the quarter ended 30th September 2017

	Original Budget 2018	Recommended changes for Council resolution	Notes	Projected Budget 2018	Actual YTD 2018
<b>Capital Budget Review Statement</b>					
<b>Capital expenditure - by class</b>					
Plant and equipment	1,478,250	20,000	1	1,498,250	478,871
Office equipment	35,000	-		35,000	-
Buildings	85,000	620,099	2	705,099	6,627
Land improvements	25,000	-		25,000	-
Other structures	-	425,000	3	425,000	45
Roads, bridges and footpaths	3,261,685	4,221,210	4	7,482,895	496,089
Stormwater drainage	205,000	-		205,000	-
Water supply network	63,891	584,927	5	648,818	8,686
Sewerage network	1,836,278	-		1,836,278	11,576
Other assets	30,180	23,800	6	53,980	61,926
Stronger Communities Infrastructure Fund	4,000,000	-		4,000,000	-
<b>Total</b>	<b>11,020,284</b>	<b>5,895,036</b>		<b>16,915,320</b>	<b>1,063,820</b>
<b>Capital expenditure - by type</b>					
New	45,120	506,300		551,420	
Upgrade	1,619,381	2,306,701		3,926,082	
Renewal	9,355,783	3,082,035		12,437,818	
<b>Total</b>	<b>11,020,284</b>	<b>5,895,036</b>		<b>16,915,320</b>	
<b>Capital funding</b>					
Rates and other untied funding	1,533,803	46,755		1,580,558	
Capital grants and contributions	5,777,882	3,038,202		8,816,084	
Loans	-	1,398,831		1,398,831	
Externally restricted reserves	2,105,169	596,227		2,701,396	
Internally restricted reserves	1,603,430	815,021		2,418,451	
<b>Total</b>	<b>11,020,284</b>	<b>5,895,036</b>		<b>16,915,320</b>	

September 2017 Quarterly Budget Review

## Capital Budget Review

## Budget variations being recommended include the following material items:

## Notes Details

1	<b>20,000</b>	Recommendation for unexpended budget to be rolled over from previous financial year - Fisher and Nicholson Park irrigation
2	11,300	The former Cootamundra Shire Council agreed to assist the Cootamundra Beach Volleyball committee to purchase and erect a shed on the pool grounds. The Committee will reimburse the cost of the shed, and will be responsible for the installation and erection of the shed, with Council to pay for some site preparation and the relocation of existing fencing. Council's total contribution is estimated to be \$3,300
	<b>193,236</b>	Recommendation for unexpended grant to be reinstated as a budget in the current financial year - Gundagai library extension
	18,885	Recommendation for unexpended budget to be rolled over from previous financial year - Gundagai Council admin building renovations
	10,000	Recommendation for unexpended budget to be rolled over from previous financial year - Visitors Centre roof renewal
	<b>151,608</b>	Recommendation for unexpended grant to be reinstated as a budget in the current financial year - Old Primary School and Mens Shed building renewal
	15,000	Recommendation for unexpended budget to be rolled over from previous financial year - bathroom renovations at Gundagai depot
	18,870	Recommendation for unexpended grant to be reinstated as a budget in the current financial year - Multipurpose venue at the Cootamundra Showground
	71,200	Recommendation for unexpended grant to be reinstated as a budget in the current financial year - Stan Crowe Oval amenities
	50,000	The Manager of Social and Community has advised that the National Rugby League are holding \$50,000 in funding contributions for the upgrade of the Stan Crowe Oval amenities building
	80,000	At its August meeting, Council resolved to provide funding of \$80,000 for the construction of the new amenities building at Country Club Oval
	<b>620,099</b>	

Cootamundra-Gundagai Regional Council

Quarterly Budget Review Statement

for the quarter ended 30th September 2017

Capital Budget Review

Budget variations being recommended include the following material items:

Notes Details

3	120,000	The former Cootamundra Shire Council had planned for the construction of a recycling shelter and recycling drop off area. The amount is fully funded through the waste management reserve.
	35,000	The former Cootamundra Shire Council had planned for the installation of two gates at the entry points to the Cootamundra transfer station, and a boom gate at the weighbridge. The amount is fully funded through the waste management reserve.
	150,000	Recommendation for unexpended budget to be rolled over from previous financial year - Closure of the Wallendbeen and Stockinbingal Transfer Stations
	120,000	At its August meeting, Council resolved to purchase two containerised fuel tanks for both the Gundagai and Cootamundra Depots. The total cost was to be funded through the Council's plant reserves.
	<b>425,000</b>	
4	1,570,904	Recommendation for unexpended grant to be reinstated as a budget in the current financial year - Sheriden Street upgrade
	20,000	Recommendation for unexpended budget to be rolled over from previous financial year - Wallendbeen Street footpath adjacent to the Art Centre
	250,000	Recommendation for unexpended budget to be rolled over from previous financial year - Sheridan and West Street round-a-bout
	2,380,306	As reported to the August Council meeting, the RMS have approved funding of \$2,380,306 for flood damage repair to local and regional roads
	<b>4,221,210</b>	
5	569,927	Recommendation for unexpended budget to be rolled over from previous financial year - Cootamundra phased water mains renewal
	15,000	Recommendation for unexpended budget to be rolled over from previous financial year - Gundagai reservoir roof renewal
	<b>584,927</b>	
6	<b>23,800</b>	Recommendation for unexpended grant to be reinstated as a budget in the current financial year - Old Gundagai gsoil masterplan and moonlight display

Cootamundra-Gundagai Regional Council

Quarterly Budget Review Statement  
for the quarter ended 30th September 2017

	Original Budget 2018 \$'000	Recommended changes for Council resolution 2018 \$'000	Projected Budget 2018 \$'000
<b>Budget Cash-Flow Statement</b>			
<b>Cash flows from operating activities</b>			
Receipts:			
Rates and annual charges	12,332	-	12,332
User charges and fees	5,548	-	5,548
Investment and interest revenue received	690	-	690
Grants and contributions	6,409	3,751	10,160
Other	358	50	408
Payments:			
Employee benefits and on-costs	(11,657)	(5)	(11,661)
Materials and contracts	(5,864)	(698)	(6,562)
Borrowing costs	(161)	-	(161)
Other	(4,348)	(54)	(4,402)
<b>Net cash provided (or used in) operating activities</b>	<b>3,308</b>	<b>3,044</b>	<b>6,352</b>
<b>Cash flows from investing activities</b>			
Receipts:			
Sale of infrastructure, property, plant and equipment	713	-	713
Deferred debtors receipts	-	-	-
Payments:			
Purchase of property, plant and equipment	(11,020)	(5,895)	(16,915)
<b>Net cash provided (or used in) investing activities</b>	<b>(10,307)</b>	<b>(5,895)</b>	<b>(16,202)</b>
<b>Cash flows from financing activities</b>			
Receipts:			
New loans	-	-	-
Payments:			
Repayment of borrowings and advances	(450)	-	(450)
<b>Net cash provided (or used in) financing activities</b>	<b>(450)</b>	<b>-</b>	<b>(450)</b>
<b>Net increase / (decrease) in cash</b>	<b>(7,449)</b>	<b>(2,851)</b>	<b>(10,300)</b>
Cash at the beginning of the year	41,382		41,382
Cash at the end of the year	33,932		31,081

September 2017 Quarterly Budget Review

Cootamundra-Gundagai Regional Council

Quarterly Budget Review Statement

for the quarter ended 30th September 2017

	Actual 30-Jun-17	Original Budget Cashflows	Original Budget 30-Jun-18	Recommended changes for Council resolution	Notes	Projected year end result
<b>Cash &amp; Investments</b>						
<b>Externally restricted cash &amp; investments</b>						
Developers Contributions	-	60,000	60,000	-		60,000
Sheridan Street Upgrade Loan Funds	398,832	-	398,832	(398,832)	<sup>1</sup>	-
Specific Purpose Unexpended Grants & Contributions	1,584,993	-	1,584,993	(709,604)	<sup>2</sup>	875,389
Water network infrastructure	4,634,622	661,669	5,296,291	(894,927)	<sup>3</sup>	4,401,364
Sewer network infrastructure	4,422,549	(529,460)	3,893,089	650,000	<sup>4</sup>	4,543,089
Gundagai Town Improvement District	1,197,545	-	1,197,545	(40,755)	<sup>5</sup>	1,156,790
Domestic Waste Management	1,669,722	366,860	2,036,582	(305,000)	<sup>6</sup>	1,731,582
Stormwater infrastructure renewal	245,931	-	245,931	-		245,931
<b>Total externally restricted</b>	<b>14,154,194</b>	<b>559,069</b>	<b>14,713,263</b>	<b>(1,699,118)</b>		<b>13,014,145</b>
<b>Internally restricted cash &amp; investments</b>						
Merger Implementation Fund	3,698,317	(1,999,940)	1,698,377	-		1,698,377
Stronger Communities Fund	8,920,259	(4,000,000)	4,920,259	-		4,920,259
Aerodrome Bitumen Resurfacing	233,686	1,166	234,852	-		234,852
Bradman's Birthplace	22,814	11,330	34,144	-		34,144
Coolac bypass	103,810	(25,375)	78,435	-		78,435
Cootamundra Caravan Park	64,623	(48,685)	15,939	-		15,939
Council Election Reserve	-	-	-	-		-
Development	578,902	115,458	694,360	-		694,360
Employee Leave Entitlements	1,396,215	-	1,396,215	-		1,396,215
Financial Assistance Grant	2,422,943	(2,419,096)	3,847	(3,847)	<sup>7</sup>	-
Heritage Centre	6,395	2,000	8,395	-		8,395
Incomplete Works	1,057,938	93,333	1,151,271	(918,506)	<sup>8</sup>	232,765
Plant Replacement	2,465,593	147,809	2,613,402	(120,000)	<sup>9</sup>	2,493,402
Quarries & Pit Restoration	79,375	1,184	80,559	-		80,559
Saleyards	264,697	66,272	330,969	-		330,969
Special Projects	421,953	29,165	451,118	(15,000)	<sup>10</sup>	436,118

Cootamundra-Gundagai Regional Council

Quarterly Budget Review Statement

for the quarter ended 30th September 2017

	Actual 30-Jun-17	Original Budget Cashflows	Original Budget 30-Jun-18	Recommended changes for Council resolution	Notes	Projected year end result
<b>Cash &amp; Investments</b>						
Swimming Pool Pump & Equipment	6,288	3,000	9,288	-		9,288
<b>Total internally restricted</b>	<b>21,743,808</b>	<b>(8,022,379)</b>	<b>13,721,429</b>	<b>(1,057,353)</b>		<b>12,664,076</b>
<b>Unrestricted cash &amp; investments</b>	<b>5,483,547</b>	<b>14,147</b>	<b>5,497,694</b>	<b>(94,691)</b>	<sup>11</sup>	<b>5,403,003</b>
<b>Total cash &amp; investments</b>	<b>41,381,549</b>	<b>(7,449,163)</b>	<b>33,932,386</b>	<b>(2,851,162)</b>		<b>31,081,224</b>

**Cash and Investments Budget Review****Comment on cash and investments position**

The Cash and Investments position has been adjusted to reflect the budget adjustments detailed in this report.

**Investments**

Investments have been invested in accordance with the former Councils' investment policies.

**Cash**

The cash at bank amount is reconciled daily (work days) to Council's physical bank statements. The balance in the Council's General Bank Account was \$2,052,101 as at 30 September 2017.

**Reconciliation**

The YTD Cash & Investment figure, reconciled to the actual balances held, is made up of:

Investments on Hand	39,726,851
Cash at Bank	2,052,101
Reconciled cash at bank and investments	<u>41,778,952</u>

## Cash and Investments Budget Review

## Budget variations being recommended include the following material items:

## Notes Details

1	<b>(398,832)</b>	The remaining unexpended portion of loan funds borrowed for the Sheridan Street development will be fully utilised in the current financial year.
2	<b>(709,604)</b>	Council received grant funding in the previous financial year that was not fully expended. The unexpended budget items were reported to the October Council meeting, and Council resolved to carry these budgets forward in accordance with the report.
3	<b>(300,000)</b> <b>(594,927)</b> <b>(894,927)</b>	The budget for the Sheridan Street redevelopment includes \$300,000 contribution from the Water Fund. This amount will be recognised in the current financial year. At its October meeting, Council resolved to carry forward unexpended budgets from the previous financial year in to the current financial year.
4	<b>(350,000)</b> <b>1,000,000</b> <b>650,000</b>	The budget for the Sheridan Street redevelopment includes \$350,000 contribution from the Sewer Fund. This amount will be recognised in the current financial year. The Hon Katrina Hodgkinson, MP, announced funding of up to \$10 m from the NSW Government for the replacement of the sewerage treatment plant in Gundagai. Council had budgeted \$1million expenditure out of the Sewerage Reserve in the current financial year, that will now be funded through capital grants.
5	<b>(40,755)</b>	At its October meeting, Council resolved to carry forward the unexpended budget for the Carberry Park Masterplan from the previous financial year.
6	<b>(305,000)</b>	The former Cootamundra Shire Council has planned for extensive improvements at the Cootamundra landfill site, and the closure of the Village transfer stations at Stockinbingal and Wallendbeen. All the works were to be fully funded from the waste management reserve. Works at the Cootamundra landfill will involve the construction of a shelter over the recycling drop-off area, two gates at the entry points, and a boom gate at the weighbridge.
7	<b>(3,847)</b>	Council received an advance payment of the Financial Assistance Grant in June 2017, required for Council operations in the 2017-18 financial year. The amount of the advance payment was underestimated in the budget figures by \$3,847.

## Cash and Investments Budget Review

**Budget variations being recommended include the following material items:***Notes Details*

8	(918,506)	At its October meeting, Council resolved to carry forward unexpended budgets from the previous financial year.
9	(120,000)	At its August meeting, Council resolved to purchase two containerised fuel tanks for both the Gundagai and Cootamundra Depots. The total cost was to be funded through the Council's plant reserves.
10	(15,000)	At its April meeting, Council resolved to approve a loan of up to \$15,000 to the Cootamundra APH&I Association to enable the completion of the construction of a new multi-purpose building at the Cootamundra Showground. It was resolved that the loan be funded from the Special Projects Reserve and be repaid on an annual basis over a maximum six year term, with interest to be calculated based on Council's investment returns. The APH&I Association are now completing the project, and are expected to draw down the maximum loan amount of \$15,000 in the coming months.
11	(15,567)	Council has been granted \$93,399 toward the cost of preparing a floodplain risk management study and plan for Gundagai. Council's contribution to the project cost is an additional \$15,567. The project commenced last financial year, and will be completed by May 2018.
	(3,300)	The former Cootamundra Shire Council agreed to assist the Cootamundra Beach Volleyball committee to purchase and erect a shed on the pool grounds. The Committee will reimburse the cost of the shed, and will be responsible for the installation and erection of the shed, with Council to pay for some site preparation and the relocation of existing fencing. Council's total contribution is estimated to be \$3,300
	(1,500)	The Mayor and Deputy Mayor have authorised a donation of \$1,500 to the GREG Christmas Decorations Committee.
	59,224	Council has received confirmation of the amount of the Financial Assistance Grant for the 2017-18 year. The Federal Government resumed indexation of the grants, after pausing it for three years. The total grant amount has increased by 4.39% on the previous financial year, exceeding the amount budgeted. This Federal funding is a critical source of revenue for Council, and amounts to a contribution of approximately \$430 per person.
	23,077	The original budget allowed for 3 months of committee fees and expenses for the Implementation Advisory Group and the Local Representative Committees. As those committees were wound up in July 2017, there is a budget saving of \$23,077.
	(640)	The Gundagai Regional Enhancement Group (GREG) have requested a Council contribution for the purchase of the Old Mill building in Sheridan Lane Gundagai. They would like to develop the site as part of an interpretation project focusing on the Old Town and the local indigenous history. A structural assessment of this building is a pre-cursor to the development of the site, and needs to be undertaken. Staff have recommended a Council contribution of \$640 to complete the structural assessment.

## Cash and Investments Budget Review

Budget variations being recommended include the following material items:

## Notes Details

11.	(45,985)	Council has received notification of the Emergency Services Levy payable to the State Government to assist them with provision of the NSW Rural Fire Service, State Emergency Service and Fire and Rescue NSW. The total levy payable for the current year is \$424,757, and Council's original budget of \$378,772 will not be sufficient. The levy charged by the State Government to Local Governments has been increasing significantly over the past several years.
	(30,000)	At its July meeting, Council resolved to providing funding of \$30,000 for the preparation of a business plan and interpretive plan for the Australian Road Transport Heritage Centre project.
	(80,000)	At its August meeting, Council resolved to provide funding of \$80,000 for the construction of the new amenities building at Country Club Oval.
	<b>(94,691)</b>	



**COOTAMUNDRA-GUNDAGAI REGIONAL COUNCIL**

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#### **7.2.1.4 INVESTMENT REPORT**

REPORTING OFFICER	Kate Monaghan, Director Corporate Services
ATTACHMENTS	October Investment Report
RELEVANCE TO COMMUNITY STRATEGIC PLAN	To be included from July, 2018 following adoption of new CSP
FINANCIAL IMPLICATIONS	There are no financial implications associated with this report.
LEGISLATIVE IMPLICATIONS	Council investments comply with section 625 of the Local Government Act (NSW), 1993 and the Local Government (General) Regulation 2005, paragraph 212.
POLICY IMPLICATIONS	Funds are invested in accordance with Council's investment policy, which is due for review in August, 2018.

#### **RECOMMENDATION**

**The Investment Reports as at 31<sup>st</sup> October, 2017 be received and noted.**

##### Introduction

This is a monthly report detailing Council's investments, provided in accordance with Clause 212 of the Local Government (General) Regulation, 2005.

##### Discussion

A list of Council's investments as at the reporting date is detailed in the attached report.



**INVESTMENT REPORT 31 OCTOBER, 2017**

The Responsible Accounting Officer, Kate Monaghan reports :-  
 Details of Investments held by Council as at

31-Oct-17 are set out below

Date Invested	Interest Rate	Term Days	Investment Amount	Anticipated Interest	Date Matures	Held With	Investment Number
26 Apr 2017	2.58	209	\$1,076,451.37	\$15,902.58	21 Nov 2017	NAB	11
22 Nov 2016	2.80	364	\$911,962.14	\$25,464.99	21 Nov 2017	NAB	7
23 May 2017	2.70	182	\$2,000,000.00	\$26,926.04	21 Nov 2017	ING	5
3 Jan 2017	2.75	329	\$1,045,790.13	\$25,922.70	28 Nov 2017	NAB	22
29 Aug 2017	2.51	112	\$3,062,150.14	\$23,584.43	19 Dec 2017	NAB	2
21 Jul 2017	2.60	179	\$2,500,000.00	\$31,876.71	16 Jan 2018	ME	6
26 Apr 2017	2.75	272	\$600,000.00	\$12,295.89	23 Jan 2018	AMP	15
16 Feb 2017	2.65	364	\$250,000.00	\$6,606.85	15 Feb 2018	Bananacoast	5905045-10596700
21 Jul 2017	2.60	214	\$2,500,000.00	\$38,109.59	20 Feb 2018	ME	10
7 Mar 2017	2.71	364	\$1,500,000.00	\$40,538.63	6 Mar 2018	CBA	3
12 Sep 2017	2.55	182	\$1,061,217.20	\$13,493.45	13 Mar 2018	AMP	8
17 Oct 2017	2.60	182	\$2,066,947.12	\$26,796.70	17 Apr 2018	AMP	9
21 Jul 2017	2.60	270	\$2,500,000.00	\$48,082.19	17 Apr 2018	BOQ	13
25 Jul 2017	2.60	301	\$7,103,532.00	\$152,307.51	22 May 2018	ING	16
19 Oct 2017	2.60	182	\$6,000,000.00	\$77,786.30	19 Apr 2018	BOQ	14
26 Sep 2017	2.60	273	\$515,704.63	\$10,028.69	26 Jun 2018	AMP	12
11 Jul 2017	2.70	364	\$1,520,827.40	\$40,949.84	10 Jul 2018	NewPer	17
2 Jun 2009	0.70	BOS	\$545,593.42		At Call	CBA	1
		max	\$1,324,732.01		At Call	NAB	86-767-2563
25 Nov 2010	0.70	BOS	\$24,995.79		At Call	CBA	19 - Stock School
7 Mar 2011	0.70	BOS	\$23,990.51		At Call	CBA	20 - HCMS
			<b>\$38,133,893.86</b>	<b>\$616,673.09</b>			
<b>Internal Loans</b>				<b>Annual Interest</b>			
31 Dec 2009	3.69	365	\$73,752.04	\$1,360.73	30 Jun 2024	C.S.C	Aerodrome Refueller
1 Jul 2010	5.64	365	\$54,385.07	\$3,067.32	29 Jun 2022	C.S.C	Swimming Pool Design
			<b>\$128,137.11</b>	<b>\$4,428.05</b>			
<b>Deferred debtors</b>							
1 Sep 2011	Average Int	10 yrs	\$1,673.20		31 Aug 2021	C.S.C	Loan to C.C.A.C.C.
			<b>\$38,263,704.17</b>	<b>\$621,101.14</b>			

Interest on Investments YTD (from 01-07-17) \$449,515.11  
 Interest on above investments to be received at maturity \$616,673.09

Financial Institution Summary	Amount Held	of Total
NAB	\$7,421,085.79	19.39%
CBA	\$2,094,579.72	5.47%
Newcastle Perm	\$1,520,827.40	3.97%
AMP Bank	\$4,243,868.95	11.09%
Bank of Qld	\$8,500,000.00	22.21%
ING	\$9,103,532.00	23.79%
Bananacoast CU	\$250,000.00	0.65%
ME Bank	\$5,000,000.00	13.07%
Cootamundra Shire Council	\$128,137.11	0.33%
Deferred Debtors	\$1,673.20	0.00%
	<b>\$38,263,704.17</b>	<b>100%</b>

This report is produced in accordance with section 625 of the local Government Act 1993 and all Investments have been made in accordance with the Act & the Regulations.

Signed

Responsible Accounting Officer

Kate Monaghan

Average interest 2.64

Check 2.64

<b>BENCHMARK</b> (for term investments)
BBSW ave. 90-day rate for OCT 1.6988 + 1% 2.70%

## 7.2.2 GOVERNANCE AND BUSINESS SYSTEMS

### 7.2.2.1 SWIMMING POOL AUTHORITIES SEAL APPROVAL REPORT

REPORTING OFFICER	Evan Hutchings – Executive Project Manager
ATTACHMENTS	Nil
RELEVANCE TO COMMUNITY STRATEGIC PLAN	To be included from July, 2018 following adoption of new CSP
FINANCIAL IMPLICATIONS	There are no financial implications associated with this report.
LEGISLATIVE IMPLICATIONS	Clause 400 of the Local Government (General) Regulation, 2005 specifies that a Council resolution, specifically referring to the document, is required to affix the Council Seal. Section 27 of the Swimming Pools Act requires Council to issue a certificate of identification to each authorised officer exercising powers under the Swimming Pools Act. The Swimming Pool Regulation 2008 prescribes the form of the certificate and the requirement for it to include the Seal of Council.
POLICY IMPLICATIONS	There are no Policy implications associated with this report

#### RECOMMENDATION

**The seal of Council be affixed to the certificates of identification issued, under the Swimming Pools Act 1992, to staff with the delegated authority to exercise Council’s powers under that Act.**

#### Introduction

The Council seal is required to be affixed to certificates of identification issued under the Swimming Pools Act, 1992. A Council resolution is required in order to affix the Council seal to a document.

#### Discussion

Section 27(2) of the Swimming Pools Act, 1992 requires that Council must issue a certificate of identification to each authorised officer appointed to exercise powers under that Act.

Clause 20 and Schedule 1 of the Swimming Pools Regulation 2008 prescribe the form of a certificate of identification. The certificate of identification must include, amongst other things, the seal of the Council.

Council has numerous staff authorised as officers under the Swimming Pools Act. To satisfy the requirements of a properly issued certificate of identification Council’s Seal must be affixed.

Clause 400 of the Local Government (General) Regulation 2005 states that ‘the seal of Council must not be affixed to a document unless the document relates to the business of the Council and the Council has resolved (by resolution specifically referring to the document) that the seal be so affixed’.

It is therefore recommended that Council resolve to affix the Council Seal to certificates of identification issued to staff with the delegated authority to exercise Council’s powers under the Swimming Pools Act, 1992.

### **7.2.2.2 CODE OF MEETING PRACTICE**

REPORTING OFFICER	Allen Dwyer, General Manager
ATTACHMENTS	Draft Code of Meeting Practice
RELEVANCE TO COMMUNITY STRATEGIC PLAN	To be included from July, 2018 following adoption of new CSP
FINANCIAL IMPLICATIONS	There are no financial implications associated with this report
LEGISLATIVE IMPLICATIONS	Adoption of the Code associated with this report will ensure compliance with the Local Government Act, 1993 and the Local Government (General) Regulation, 2005
POLICY IMPLICATIONS	Adoption of the Code associated with this report will provide Council with the required Policy.

### **RECOMMENDATION**

**The draft Code of Meeting Practice attached to the report be adopted with 'Questions With Notice' being included in the Order of Business as detailed in the report.**

#### Introduction

At its meeting of 21<sup>st</sup> September, 2017 Council considered a draft Code of Meeting Practice and resolved:

1. The draft Code of Meeting Practice attached to the report be notified and exhibited in accordance with s361 of the Local Government Act, 1993.
2. The draft Code and any submissions received in response to the exhibition be considered at a future Council Meeting.
3. In the absence of any applicable Code of Meeting Practice, the draft Code attached to the report be applied to Council Meetings until such time as a new Code is formally adopted.

#### Discussion

In accordance with that resolution, exhibition of the draft Code of Meeting Practice notified as follows:

- Cootamundra Herald on 27<sup>th</sup> September and 18<sup>th</sup> October, 2017.
- Gundagai Independent on 28<sup>th</sup> September and 16<sup>th</sup> October, 2017.

Copies of the draft Code (copy attached) were available for review on Council's website and at both the Gundagai and Cootamundra offices. Submissions were invited and could be made up until Friday 10 November 2017.

In response to the Public Exhibition, one submission was received from the Deputy Mayor, Councillor Dennis Palmer. Councillor Palmer proposes that, in part 1 of section 3.3, the words “...and with the exception of the Chairperson, or any Councillor prevented by physical infirmity, shall stand when speaking.”, be deleted.

The relevant section is reproduced below with the words proposed to be deleted highlighted in yellow:

### 3.3 Mode of Address

1. *Councillors shall, at all times, address other Councillors by their official designation, as Mayor or Councillor, as the case may be; and with the exception of the Chairperson, or any Councillor prevented by physical infirmity, shall stand when speaking.*

In summary, Councillor Palmer’s proposed amendment seeks to remove the obligation for Councillors to stand when speaking at a Council Meeting. The “Mode of Address” clause appears in this form in many Codes of Meeting Practice in NSW councils, but is not included in any legislation, nor does it appear in the related Office of Local Government Practice Notes. Therefore, its removal would not be contrary to any legislation or best practice guidelines. It is recommended that Council give consideration to this proposed amendment.

In addition, during the exhibition period it was noted that the ‘Order of Business’ in Section 2.5 did not include ‘Questions With Notice’. This was an oversight and it is recommended that adoption of the draft Code of Meeting Practice Questions With Notice be included in the Order of Business as item ‘X’ with Consideration of Business in Closed Session (Confidential Matters) as item XI.

The draft Code is now submitted to Council for formal adoption.



**COOTAMUNDRA-  
GUNDAGAI REGIONAL  
COUNCIL**

# Draft Code of Meeting Practice



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## COOTAMUNDRA-GUNDAGAI REGIONAL COUNCIL CODE OF MEETING PRACTICE

### PART 1 – PRELIMINARY

#### 1.1 Citation

This Code has been developed in accordance with the Local Government Act, 1993 and the Local Government (General) Regulation 2005 and may be cited as the Code of Meeting Practice. Where there is any inconsistency between the Code and the Regulation or Act, the Regulation or Act prevails.

This Code governs the conduct of meetings of Council and its Committees.

#### 1.2 Definitions

In this Code:

**Administrator:** means an administrator of a Council appointed under the Local Government Act 1993 other than an administrator appointed under section 66

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

**Note:** An amendment is an endeavour to change a motion by a Councillor who is not content to vote for or against it in the form in which it was originally moved. It must be relevant to the motion. The amendment may propose that some words be omitted from the original motion or that some words be added but it must not contradict the original motion. It would be unacceptable that the word "not" be inserted or omitted.

**Chairperson:**

- (a) in relation to a meeting of a Council — means the person presiding at the meeting as provided by section 369 of the Act or the Administrator; and
- (b) in relation to a meeting of a Committee of a Council — means the person presiding at the meeting as provided by clause 267 of the Regulation;

**Committee:** in relation to a Council, means a Committee established under clause 260 of the Regulation or the Council when it has resolved itself into a Committee of the Whole;

**Council:** means Cootamundra-Gundagai Regional Council and where there is an Administrator, the Administrator;

**Councillor:** means a person elected to civic office and includes the Mayor.

**Deputy Mayor:** means the Deputy Mayor of Cootamundra-Gundagai Regional Council.

Note: Under section 231 (3) of the Act the Deputy Mayor may exercise any function of the Mayor at the request of the Mayor or if the Mayor is prevented by illness, absence or otherwise from exercising the function or if there is a casual vacancy in the office of Mayor.

**Employee:** means an employee of Cootamundra-Gundagai Regional Council.

**General Manager:** means the General Manager of Cootamundra-Gundagai Regional Council or, in the absence of that person, the employee designated to act for the General Manager of Cootamundra-Gundagai Regional Council.

**Mayor:** means the Mayor of Cootamundra-Gundagai Regional Council

**Motion:** means a proposed resolution before it is adopted (ie passed or carried) by voting of the meeting.

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

**Resolution:** means a formal determination of a motion at a meeting. A resolution is made by a decision of Council.

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

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

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

**Tabled:** means a document or material physically presented to a meeting for it to be added to the records of the Council and for it to be accessible to the Councillors, press and public.

**The Act:** means the Local Government Act 1993.

**“The Code” or “This Code”** means the Code of Meeting Practice of Cootamundra-Gundagai Regional Council.

### 1.3 Notes in the Text

Notes in the text of the Code of Meeting Practice are explanatory notes and do not form part of the Code. They are provided to assist understanding.

## PART 2 – BEFORE THE MEETING

### 2.1 Frequency of Meetings of the Council

1. The Council is required to meet at least 10 times each year, each time in a different month. [S.365]
2. The Council shall, generally, meet at 6.00pm on the last Tuesday of each month, alternating between Cootamundra and Gundagai with the exception of the December meeting which will be held on the 2<sup>nd</sup> Tuesday of that month.
3. If the Mayor receives a request in writing signed by at least 2 Councillors, the Mayor must call an Extraordinary Meeting of the Council to be held as soon as practicable but in any event within 14 days after receipt of the request. [S.366]
4. The Mayor may also call an Extraordinary Meeting on his/her own determination in an emergency.
5. The General Manager may call an Extraordinary Meeting for any specific purpose.

### 2.2 Notice of Meetings

#### Notice to Councillors

1. The General Manager of the Council must send to each Councillor, at least 3 days before each meeting of the Council, a notice specifying the time and place at which and the date on which the meeting is to be held and the business proposed to be transacted at the meeting.
2. Notice of less than 3 days may be given of an Extraordinary Meeting called in an emergency.
3. A notice under this section and the agenda for, and the business papers relating to, the meeting may be given to a Councillor in electronic form but only if all Councillors have facilities to access the notice, agenda and the business paper in that form. [S.367]

#### Notice to the Public

4. A Council must give notice to the public of the times and places of its meetings and meetings of those of its Committees of which all the members are Councillors.
  - (a) A notice of a meeting of a Council or of a Committee must be published in a newspaper circulating in the area before the meeting takes place.
  - (b) The notice must specify the time and place of the meeting.
  - (c) Notice of more than one meeting may be given in the same notice.
  - (d) This clause does not apply to an Extraordinary Meeting of the Council or Committee.
  - (e) Public notice must be given of the time and place of Extraordinary Council and Committee meetings, but this does not have to be by publication in a local newspaper [S.9, Clause 232]. Public notice of an Extraordinary Meeting is to be given on Council's website

### 2.3 Agendas and Business Papers for Council Meetings

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

- (b) if the Mayor (or the Deputy Mayor if acting for the Mayor) is the Chairperson — any matter or topic that the Chairperson proposes, at the time when the business paper is prepared, to put to the meeting; and
  - (c) subject to Subclause (2), any other business of which due notice has been given.
2. The General Manager must not include in the agenda for a meeting of the Council any business of which due notice has been given if, in the opinion of the General Manager, the business is (or the implementation of the business would be) unlawful. The General Manager must report (without giving details of the item of business) any such exclusion to the next meeting of the Council.
  3. The General Manager must cause the agenda for a meeting of the Council or a Committee of the Council to be prepared as soon as practicable before the meeting.
  4. The General Manager must ensure that the details of any item of business to which Section 9 (2A) of the Act applies (matters likely to be considered in closed session) are included in a business paper for the meeting concerned.
  5. Nothing in this clause limits the powers of the Chairperson under Clause 243 of the Regulation (Clause 3.9 of this Code) [Clause 240].

#### **2.4 Agenda and Business Paper for Extraordinary Meeting**

1. The General Manager must ensure that the business paper for an Extraordinary Meeting of the Council deals only with the matters stated in the notice of the meeting.
2. Despite subclause (1), business may be transacted at an Extraordinary Meeting of a Council even though due notice of the business has not been given to the Councillors. However, this can happen only if:
  - (a) a motion is passed to have the business transacted at the meeting; and
  - (b) the business proposed to be brought forward is ruled by the Chairperson to be of great urgency.

Such a motion can be moved without notice but only after the business notified in the business paper for the meeting has been completed.

3. Despite clause 250 of the Regulation (Clause 3.10 of this Code), only the mover of a motion referred to in subclause (2) can speak to the motion before it is put. [Clause 242]

#### **2.5 Order of Business**

1. At a meeting of Council (other than an Extraordinary Meeting), the general order of business is (except as provided by the Regulation) as fixed by this Code of Meeting Practice.
2. The order of business fixed under subclause (1) may be altered if a motion to that effect is carried. Such a motion can be moved without notice.
3. Despite clause 250 of the Regulation [Clause 3.10 of this Code], only the mover of a motion referred to in subclause (2) may speak to the motion before it is put. [Clause 239]
4. The Order of Business for meetings of the Council shall be:
  - i. Acknowledgement of Country
  - ii. Apologies

- iii. Disclosures of Interest
- iv. Adjourn for Open Forum (refer Clause 3.8 for Open Forum Guidelines)
- v. Confirmation of Minutes of Previous Meeting(s)
- vi. Mayoral Minute
- vii. Reports from Committees
- viii. General Manager's Report
- ix. Motions of which Notice has been Given
- x. Consideration of Business in Closed Session (Confidential Matters)

## **2.6 Notices of Motion**

1. Any Councillor may give notice of any motion for consideration by the Council by providing the proposed motion in writing to the General Manager by 3pm on the Wednesday immediately preceding the meeting.
2. When a Councillor gives notice that they intend to move a motion, they may ask that a short precis of their argument be included for publication in the business paper to give Councillors and the public some background to the argument prior to the debate occurring.

## **2.7 Public Access to Agendas and Business Papers**

1. Council and each Committee of which all members are Councillors must have available for the public at its offices and at each meeting copies (for inspection or taking away by any person) of the agenda and the associated business papers (such as correspondence and reports) for the meeting.
2. In the case of a meeting whose agenda includes the receipt of information or discussion of other matters that, in the opinion of the General Manager, is likely to take place when the meeting is closed to the public:
  - (a) the agenda for the meeting must indicate that the relevant item of business is of such a nature (but must not give details of that item), and
  - (b) the requirements of clause (1) with respect to the availability of business papers do not apply to the business papers for that item of business.
3. The copies are to be available to the public as nearly as possible to the time they are available to Councillors.
4. The copies are to be available free of charge.
5. A notice given under this section or a copy of an agenda or of a business paper made available under this section may in addition be given or made available in electronic form. [S.9]

### PART 3 – AT THE MEETING

#### 3.1 Who is Entitled to Attend Meetings?

1. Except as provided by this Part (Chapter 4, Part 1 of the Act):
  - (a) everyone is entitled to attend a meeting of the Council and those of its Committees of which all the members are Councillors, and
  - (b) Council must ensure that all meetings of the Council and of such Committees are open to the public.
2. However, a person (whether a Councillor or another person) is not entitled to be present at a meeting of the Council or of such Committee if expelled from the meeting. [S.10]

#### 3.2 Attendance of General Manager at Meetings

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

#### 3.3 Mode of Address

1. Councillors shall, at all times, address other Councillors by their official designation, as Mayor or Councillor, as the case may be; and with the exception of the Chairperson, or any Councillor prevented by physical infirmity, shall stand when speaking.
2. A Councillor shall address all remarks or questions, either through or to the Chairperson.

#### 3.4 Chairperson of Council Meetings

1. The Mayor or, at the request of or in the absence of the Mayor, the Deputy Mayor (if any) presides at meetings of the Council.
2. If the Mayor and the Deputy Mayor are absent, a Councillor elected to chair the meeting by the Councillors present presides at a meeting of the Council.
3. If no Chairperson is present at a meeting of a Council at the time designated for the holding of the meeting, the first business of the meeting must be the election of a Chairperson to preside at the meeting. [S.369]
4. The election must be conducted:
  - (a) by the General Manager or, in his or her absence, an employee of the Council designated by the General Manager to conduct the election; or
  - (b) if neither of them is present at the meeting or there is no General Manager or designated employee — by the person who called the meeting or a person acting on his or her behalf.

5. If, at an election of a Chairperson, 2 or more candidates receive the same number of votes and no other candidate receives a greater number of votes, the Chairperson is to be the candidate whose name is chosen by lot.
6. For the purposes of subclause (5), the person conducting the election must:
  - (a) arrange for the names of the candidates who have equal numbers of votes to be written on similar slips; and
  - (b) then fold the slips so as to prevent the names from being seen, mix the slips and draw one of the slips at random.
7. The candidate whose name is on the drawn slip is the candidate who is to be the Chairperson. [Clause 236]

### **3.5 Chairperson to Have Precedence**

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

### **3.6 Chairperson's Duty with Respect to Motions**

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

### **3.7 Giving Notice of Business**

1. The Council must not transact business at a meeting of the Council:
  - 5.1 unless a Councillor has given notice of the business in writing within such time before the meeting as is fixed by the Council's Code of Meeting Practice; and
  - 5.2 unless notice of the business has been sent to the Councillors in accordance with section 367 of the Act. In the event of an Extraordinary Meeting, notice of less than 3 days may be given. [S367, Clause 241]
2. Subclause (1) does not apply to the consideration of business at a meeting if the business:
  - (a) is already before, or directly relates to a matter that is already before, the Council; or
  - (b) is the election of a Chairperson to preside at the meeting as provided by clause 236(1) of the Regulation (Clause 3.4 of this Code); or
  - (c) is a matter or topic put to the meeting by the Chairperson in accordance with clause 243 of the Regulation (Clause 3.9 of this Code); or
  - (d) is a motion for the adoption of recommendations of a Committee of the Council.

3. Despite subclause (1), business may be transacted at a meeting of a Council even though due notice of the business has not been given to the Councillors. However, this can happen only if:
  - (a) a motion is passed to have the business transacted at the meeting; and
  - (b) the business proposed to be brought forward is ruled by the Chairperson to be of great urgency. Such a motion can be moved without notice.
4. Despite Clause 250 of the Regulation (Clause 3.10 of this Code), only the mover of a motion referred to in subclause (3) can speak to the motion before it is put. [Clause 241]

### **3.8 Open Forum**

1. Open forums shall be held under the following guidelines:
  - i. Open Forums shall be held at each ordinary Council meeting.
  - ii. Members of the public are invited to address Council on any local government issue.
  - iii. Persons interested in addressing Council are to be in the meeting room 15 minutes prior to the commencement of the meeting and must convey to the General Manager their wish to address Council, and on what particular issue.
  - iv. Addresses are to be a maximum of 3 minutes in length with the total time allowed for the open forum session being 30 minutes.
  - v. Should there be more than 1 person wishing to address Council on an issue, then those persons are to nominate 1 person to represent the group.
  - vi. The Chairperson may ask staff to comment on an issue, or if investigation is required, a report to a subsequent meeting may be required.
  - vii. No motions or resolutions are to be moved during open forum time.
  - viii. The Chairperson only shall respond, however staff may be requested by the Chairperson to respond on his/her behalf.
  - ix. No written material is to be submitted during the open forum session.

### **3.9 Mayoral Reports**

1. If the Mayor is the Chairperson at a meeting of the Council, the Chairperson is, by minute signed by the Chairperson, entitled to put to the meeting without notice any matter or topic that is within the jurisdiction of the Council or of which the Council has official knowledge.
2. Such a minute, when put to the meeting, takes precedence over all business on the Council's business paper for the meeting. The Chairperson (but only if the Chairperson is the Mayor) may move the adoption of the minute without the motion being seconded.
3. A recommendation made in a minute of the Chairperson (being the Mayor) or in a report made by a Council employee is, so far as adopted by the Council, a resolution of the Council. [Clause 243]
4. Mayoral minutes should not be used to introduce, without notice, matters that are routine, not urgent, or need research or a lot of consideration by the councillors before coming to a decision. [OLG Meetings Practice Note 2.7.1]

### **3.10 Limitation as to Number of Speeches**

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

### **3.11 Questions may be put to Councillors and Council Employees**

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

### **3.12 Voting at Council Meetings**

1. Each Councillor is entitled to one vote.

2. However, the Chairperson presiding at a meeting of the Council has, in the event of an equality of votes, a second or casting vote. [S.370]
3. A Councillor who is present at a meeting of a Council but who fails to vote on a motion put to the meeting is taken to have voted against the motion.
4. If a Councillor who has voted against a motion put at a Council meeting so requests, the General Manager must ensure that the Councillor's dissenting vote is recorded in the Council's minutes.
5. The decision of the Chairperson as to the result of a vote is final, unless:
  - (a) in the case where a vote has been declared on the voices, a Councillor immediately requests a show of hands; or
  - (b) the decision is immediately challenged and not fewer than 2 Councillors rise and demand a division.
6. When a division on a motion is demanded, the Chairperson must ensure that the division takes place immediately. The General Manager must ensure that the names of those who vote for the motion and those who vote against it are respectively recorded in the Council's minutes.
7. When a planning decision is determined by Council, the Chairperson must ensure that the Planning Decision Voting Record Division takes place immediately. The General Manager must ensure that the names of those who vote for the motion and those who vote against it are respectively recorded in the Council's minutes and the Planning Decision Voting Record Register.
8. Voting at a Council meeting, including voting in an election at such a meeting, is to be by open means (such as on the voices or by show of hands). However, the Council may resolve that the voting in any election by Councillors for Mayor or Deputy Mayor is to be by secret ballot. [Clause 251]

### **3.13 Recommittal for Discussion**

1. If one or more Councillors wish to re-consider a resolution passed earlier in the meeting, the Chairperson may recommit the matter for further discussion for a fixed period.
2. If, after discussion, the original resolution is no longer supported then a Notice of Motion must be put to either rescind, replace or alter it.

### **3.14 Length of Meeting**

1. Meetings of the Council, or a Committee of the Council, shall not continue beyond 11:00 p.m. without the approval of the majority of Councillors present. A new time limit must be established before taking a vote to extend the meeting.

### **3.15 Webcasting of Meetings**

1. The proceedings, including all debate, of all ordinary and extraordinary meetings held in the council chamber excluding those parts of the meeting which are held in confidential session or those parts of the meeting closed to the public as provided by section 10(A) of the Local Government Act 1993, shall be recorded and webcast. Council is not responsible for defamatory statements made by members of the public at a Council or Committee meeting, whether published by the Council or not.
2. Reproductions of these proceedings shall be available via Council's website up until confirmation of the minutes at a subsequent meeting.

3. Written transcriptions of such proceedings shall not be made available.

**3.16 Recording of Meeting of the Council Prohibited without Permission**

1. A person may use a tape recorder to record the proceedings of a meeting of a Council or a Committee of a Council only with the authority of the Council or Committee.
2. A person may, as provided by section 10 (2) (a) or (b) of the Act, be expelled from a meeting of a Council or a Committee of a Council for using or having used a tape recorder in contravention of this clause.
3. If any such person, after being notified of a resolution or direction expelling him or her from the meeting, fails to leave the place where the meeting is being held, a police officer, or any person authorised for the purpose by the Council or person presiding, may, by using only such force as is necessary, remove the first-mentioned person from that place and, if necessary, restrain that person from re-entering that place.
4. In this clause, tape recorder includes a video camera and any electronic device\* capable of recording speech, whether a magnetic tape is used to record or not.[Clause 273]

\* Note. The phrase "electronic device" in this Clause also includes audio, video and still camera equipment or mobile phone.

**3.17 Petitions and Correspondence may be Presented to the Council**

1. A Councillor may present a petition and/or correspondence to a Council or Committee Meeting.
2. The Chairperson must not permit discussion on the petition or correspondence, unless it relates to an item on the business paper.
3. Any correspondence or other documentation proposed to be tabled by a member of the public must be presented to the Chairperson who is to be responsible for deciding whether the material is to be distributed at the meeting.

**3.18 Report of a Departmental Representative to be Tabled at Council Meeting**

1. When a report of a Departmental representative has been presented to a meeting of the Council in accordance with section 433 of the Act, the Council must ensure that the report:
  - (a) is tabled at that meeting; and
  - (b) is subsequently available for the information of Councillors and members of the public at all reasonable times. [Clause 244]

## PART 4 - CONFLICTS OF INTEREST

### 4.1 Pecuniary Interest

1. For the purposes of this Part (Chapter 14 of the Act), a pecuniary interest is an interest that a person has in a matter because of a reasonable likelihood or expectation of appreciable financial gain or loss to the person.
2. A person does not have a pecuniary interest in a matter if the interest is so remote or insignificant that it could not reasonably be regarded as likely to influence any decision the person might make in relation to the matter or if the interest is of a kind specified in section 448. [S.442]

### 4.2 Non-Pecuniary Interest

1. Non-pecuniary interests are private or personal interests a Councillor has that do not amount to a pecuniary interest as defined in the Act. These commonly arise out of family or personal relationships or involvement in sporting, social or other cultural groups and associations and may include an interest of a financial nature.
2. Non-pecuniary conflicts of interests must be disclosed and managed in accordance with the relevant provisions of this Code.
3. Where a non-pecuniary interest has been declared by a Councillor in a matter at a Council or Committee Meeting and that non-pecuniary conflict of interest is considered by the Councillor to be:
  - (a) significant, the Councillor must leave the meeting, be out of sight of the meeting and not participate in discussions or voting on the matter.
  - (b) less than significant and not requiring further action, the Councillor should provide an explanation of why he/ she believes the conflict requires no further action in the circumstances. The Councillor is therefore not required to leave the meeting and may participate in discussions and voting on the item.

### 4.3 Political Donations

1. If a Councillor or a Councillor's official agent has received political contributions or donations within the meaning of the Election Funding Act (1981) which directly benefit their campaign from a political or campaign donor or related entity in the previous four years and where the political or campaign donor or related entity has a matter before Council; must disclose the interest accordingly (refer Clauses 4.20 – 4.24 of the Code of Conduct and Election Funding Act 1981 s86).

### 4.4 Persons Who Have a Pecuniary Interest

1. For the purposes of this Part (Chapter 14 of the Act), a person has a pecuniary interest in a matter if the pecuniary interest is the interest of:
  - (a) the person; or
  - (b) the person's spouse or de facto partner or a relative of the person, or a partner or employer of the person, or
  - (c) a company or other body which the person, or a nominee, partner or employer of the person, is a member.
2. However, a person is not taken to have a pecuniary interest in a matter as referred to in subsection (1)(b) or (c):

- (a) if the person is unaware of the relevant pecuniary interest of the spouse, de facto partner, relative, partner, employer or company or other body; or
  - (b) just because the person is a member of, or is employed by, a Council or a statutory body or is employed by the Crown; or
  - (c) just because the person is a member of, or a delegate of a Council to, a company or other body that has a pecuniary interest in the matter, so long as the person has no beneficial interest in any shares of the company or body. [S.443]
3. It is the responsibility of each individual to determine whether or not he or she has a pecuniary interest and if necessary to obtain legal advice. It is not the role of the Chairperson or the General Manager to rule on any question of pecuniary interest.

#### 4.5 Interests that Do Not Have to be Disclosed

1. The following interests do not have to be disclosed for the purposes of this Part (Chapter 14 of the Act):
- (a) an interest as an elector,
  - (b) an interest as a ratepayer or a person liable to pay a charge,
  - (c) an interest in any matter relating to the terms on which the provision of a service or the supply of goods or commodities is offered to the public generally, or to a section of the public that includes persons who are not subject to this Part,
  - (d) an interest in any matter relating to the terms on which the provision of a service or the supply of goods or commodities is offered to a relative of the person by the Council in the same manner and subject to the same conditions as apply to persons who are not subject to this Part,
  - (e) an interest as a member of a club or other organisation or association, unless the interest is as the holder of an office in the club or organisation (whether remunerated or not)
  - (f) an interest of a member of a Council Committee as a person chosen to represent the community or as a member of a non-profit organisation or other community or special interest group if the Committee member has been appointed to represent the organisation or group on the Committee
  - (g) an interest in a proposal relating to the making, amending, altering or repeal of an environmental planning instrument other than an instrument that effects a change of the permissible uses of:
    - i. land in which the person or a person, company or body referred to in Section 443(1)(b) or (c) with whom the person is associated has a proprietary interest (which, for the purposes of this paragraph, includes any entitlement to the land at law or in equity and any other interest or potential interest in the land arising out of any mortgage, lease, trust, option, or contract, or otherwise), or
    - ii. land adjoining, adjacent to, or in proximity to land referred to in subparagraph (i), if the person or the persons company or body referred to in Section 443(1)(b) or (c) would by reason of the proprietary interest have a pecuniary interest in the proposal,
  - (h) an interest relating to a contract, proposed contract or other matter if the interest arises only because of a beneficial interest in shares in a company that does not exceed 10 per cent of the voting rights in the company,
  - (i) an interest of a person arising from the proposed making by the Council of an agreement between the Council and a corporation, association or partnership, being a corporation, association or partnership that has more than 25 members, if the interest arises because a relative of the person is a shareholder (but not a director) of the corporation or is a member (but not a member of the Committee) of the association or is a partner of the partnership,
  - (j) an interest of a person arising from the making by the Council of a contract or agreement

with a relative of the person for or in relation to any of the following, but only if the proposed contract or agreement is similar in terms and conditions to such contracts and agreements as have been made, or as are proposed to be made, by the Council in respect of similar matters with other residents of the area:

- i) the performance by the Council at the expense of the relative of any work or service in connection with roads or sanitation,
  - ii) security for damage to footpaths or roads,
  - iii) any other service to be rendered, or act to be done, by the Council by or under any Act conferring functions on the Council or by or under any contract,
- (k) an interest relating to the payment of fees to Councillors (including the Mayor and Deputy Mayor),
  - (l) an interest relating to the payment of expenses and the provision of facilities to Councillors (including the Mayor and Deputy Mayor) in accordance with a policy under section 252,
  - (m) an interest relating to an election to the office of Mayor arising from the fact that a fee for the following 12 months has been determined for the office of Mayor,
  - (n) an interest of a person arising from the passing for payment of a regular account for wages or salary of an employee who is a relative of the person,
  - (o) an interest arising from being covered by, or a proposal to be covered by, indemnity insurance as a Councillor or member of a Council Committee,
  - (p) an interest arising from appointment of a Councillor to a body as representative or delegate of the Council, whether or not a fee or other recompense is payable to the representative or delegate. (S.448)

#### **4.6 Disclosure and Presence in Meetings**

1. A Councillor or a member of a Council Committee who has a pecuniary interest in any matter with which the Council is concerned and who is present at a meeting of the Council or Committee at which the matter is being considered must disclose the nature of the interest to the meeting as soon as practicable.
2. The Councillor or member must not be present at, or in the sight of, the meeting of the Council or Committee:
  - (a) at any time during which the matter is being considered or discussed by the Council or Committee, or
  - (b) at any time during which the Council or Committee is voting on any question in relation to the matter.
3. For the removal of doubt, a Councillor or a member of a Council Committee is not prevented by this section from being present at and taking part in a meeting at which a matter is being considered, or from voting on the matter, merely because the Councillor or member has an interest in the matter of a kind referred to in section 448.
4. Subsections (1) and (2) do not apply to a Councillor who has a pecuniary interest in a matter that is being considered at a meeting, if:
  - (a) the matter is a proposal relating to:
    - i. the making of a principal environmental planning instrument applying to the whole or a significant part of the Council's area, or
    - ii. the amendment, alteration or repeal of an environmental planning instrument where the amendment, alteration or repeal applies to the whole or a significant part of the Council's area, and
  - (b) the pecuniary interest arises only because of an interest of the Councillor in the Councillor's

principal place of residence or an interest of another person (whose interests are relevant under section 443) in that person's principal place of residence, and

- (c) the Councillor made a special disclosure under this section in relation to the interest before the commencement of the meeting.
5. The special disclosure of the pecuniary interest must, as soon as practicable after the disclosure is made, be laid on the table at a meeting of the Council and must:
- (a) be in the form prescribed by the regulations, and
  - (b) contain the information required by the regulations. [S.451]
6. A person does not breach this clause if the person did not know and could not reasonably be expected to have known that the matter under consideration at the meeting was a matter in which he or she had a pecuniary interest.[S.457]
7. Section 458 of the Act provides that the Minister may, in certain circumstances allow a Councillor or a member of a Council Committee who has a pecuniary interest to take part in the consideration or discussion of a matter or vote on a matter.
8. Disclosures made at the meeting should be stated and acted upon as follows:

Disclosure	What to say	Action to take
<b>Pecuniary Interest</b>	<b>I declare a pecuniary interest in Item XX, due to</b> (detail reason of the conflict)	<i>Councillor must leave the meeting, be out of sight of the meeting and not participate in discussions or voting on the matter (section 451)</i> <b>Code of Meeting Practice Cl 3.5(2)</b>
<b>Significant, non-pecuniary interest</b>	<b>I declare a significant, non-pecuniary interest in Item XX, due to</b> (detail reason of the conflict)	<i>Councillor must leave the meeting, be out of sight of the meeting and not participate in discussions or voting on the matter</i> <b>Code of Meeting Practice Cl 3.2(3)(a)</b>
<b>Less than significant non-pecuniary interest</b>	<b>I declare a less than significant, non-pecuniary interest in Item XX due to</b> (detail reason of the conflict and explanation of why the conflict requires no further action)	<i>No action needed, Councillor can remain at the meeting, partake in discussions and vote on the matter.</i> <b>Code of Meeting Practice Cl 3.2(3)(b)</b>

#### 4.7 Disclosures to be Recorded

- 1. A disclosure made at a meeting of a Council or Council Committee must be recorded in the minutes of the meeting. [S.453]

#### 4.8 General Disclosures

- 1. A General notice given to the General Manager in writing by a Councillor or a member of a Council Committee to the effect that the Councillor or member, or the Councillor's or member's spouse, de facto partner or relative, is:
  - (a) a member, or in the employment, of a specified company or other body; or
  - (b) a partner, or in the employment, of a specified person,

is, unless, and until the notice is withdrawn, sufficient disclosure of the Councillor's or member's interest in a matter relating to the specified company, body or person that may be the subject of consideration by the Council or Council Committee after the date of the notice.[S454]

**4.9 Disclosure by Adviser**

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

## PART 5 – QUORUM AND ATTENDANCE

### 5.3 Presence at Council Meetings

1. A Councillor cannot participate in a meeting of a Council unless personally present at the meeting. [Clause 235]

### 5.4 Quorum

1. The quorum for a meeting of the Council is a majority of the Councillors of the Council who hold office for the time being and are not suspended from office. [S.368]
2. Where apologies have been received for a majority of Councillors, the meeting will immediately be adjourned to a date and time to be specified by the Chairperson.
3. A meeting of the Council must be adjourned if a quorum is not present:
  - (a) within half an hour after the time designated for the holding of the meeting; or
  - (b) at any time during the meeting.
4. In either case, the meeting must be adjourned to a time, date and place fixed:
  - (a) by the Chairperson; or
  - (b) in his or her absence — by the majority of the Councillors present; or
  - (c) failing that, by the General Manager.
5. The General Manager must record in the Council's minutes the circumstances relating to the absence of a quorum (including the reasons for the absence of a quorum) at or arising during a meeting of the Council, together with the names of the Councillors present. [Clause 233]

## PART 6 – MOTIONS AND AMENDMENTS

### 6.1 Notice of Motion - Absence of Mover

1. In the absence of a Councillor who has placed a Notice of Motion on the business paper for a meeting of a Council:
  - (a) any other Councillor may move the motion at the meeting; or
  - (b) the Chairperson may defer the motion until the next meeting of the Council at which the motion can be considered. [Clause 245]

### 6.2 Motions to be Seconded

1. A motion or an amendment cannot be debated unless or until it has been seconded. This clause is subject to clauses 243(2) and 250(5) of the Regulation (Clauses 3.9 and 3.10 of this Code respectively) [Clause 246]
2. Providing there is no objection from any Councillor present, any motion may be put to the vote without discussion or debate.

### 6.3 How Subsequent Amendments may be Moved

1. If an amendment has been rejected, a further amendment can be moved to the motion to which the rejected amendment was moved, and so on, but no more than one motion and one proposed amendment can be before the Council at any one time. [Clause 247]
2. If, during discussion, one motion and one amendment are already before the Council, any further amendments can only be foreshadowed and cannot be considered by the Council until the amendment before the Council has been determined.
3. When the vote on the amendment has been taken, debate is resumed on the motion either in the original form (if the amendment was rejected) or in the amended form (if the amendment was carried).

### 6.4 Procedural Motions

1. A procedural motion is a motion that refers to the conduct of a meeting and has precedence over substantive motions.
2. In general, a procedural motion requires a seconder and there is no debate on the item, unless specified in this Code.
3. Examples of procedural motions under the Act and Regulation are shown on the following table:-

Motion	Moved without Notice	Requires Secunder	Speakers/ Debate Permitted	Right of Reply
(i) Change the Order of Business	Yes	Yes	Mover of motion only	No
(ii) Business without Notice (matter of urgency)	Yes	Yes	Mover of motion only	No
(iii) Dissent from Chairperson's ruling on Point of Order	Yes	Yes	Mover & Chairperson only may speak.	No

(iv) Adjournment of Meeting	Yes	Yes	No debate permitted	No
(v) Limitation to number of speakers (questions be now put)	Yes – after at least 2 speakers have spoken in favour of motion or amendment and at least 2 against motion or amendment.	No	No debate permitted. Question must be put immediately	No
(vi) Deferment of a Matter	Yes	Yes	Yes	Yes

#### 6.5 Motions of Adjournment

1. Debate shall not be permitted on any motion of adjournment of a meeting of the Council.
2. If a motion for adjournment is lost, the business of the meeting shall proceed, and it shall not be in order for any Councillor to again move a motion for adjournment within half an hour of the previous motion for adjournment being lost.
3. A motion for adjournment may specify the time, date and place of the adjourned meeting; however, if a motion for adjournment is carried but does not specify the time, date and place of the adjourned meeting, the Chairperson shall make a determination with respect to whichever of these has not been specified.
4. If the meeting is adjourned to another day any decisions of Council prior to the adjournment of the meeting are to be acted upon by Council officers. The outstanding matters are to be resubmitted to the adjourned meeting for determination. Any new business brought to an adjourned meeting is not to be considered until the matters from the adjourned meeting are dealt with.

## PART 7 – RESCISSION MOTIONS

### 7.1 Rescinding or Altering Resolutions

1. A resolution passed by a Council may not be altered or rescinded except by a motion to that effect of which notice has been duly given in accordance with regulations made under section 360 of the Act and this Code.
2. If it is proposed to move a further motion in the event that a rescission motion is carried the required notice also should be given of the proposed further motion.
3. If Notice of Motion to rescind a resolution is given:
  - (a) at the meeting at which the resolution is carried, the resolution must not be carried into effect until the motion of rescission has been dealt with; or
  - (b) at any time after the close of the meeting at which the resolution is carried, no further action to carry the resolution into effect is to be taken after receipt of the notice of motion to rescind until that motion of rescission has been dealt with.
4. If the resolution has already been put into effect, the Rescission Motion must be rejected by the General Manager, unless it is a resolution capable of rescission. Where a notice of rescission is rejected by the General Manager, this will be reported to the next Council meeting.
5. If a motion has been negatived by a Council, a motion having the same effect must not be considered unless notice of it has been duly given in accordance with this Code.
6. A Notice of Motion to alter or rescind a resolution, and a Notice of Motion which has the same effect as a motion which has been negatived by the Council, must be signed by 3 Councillors if less than 3 months has elapsed since the resolution was passed, or the motion was negatived, as the case may be.
7. If a motion to alter or rescind a resolution has been negatived, or if a motion which has the same effect as a previously negatived motion, is negatived, no similar motion may be brought forward within 3 months. This subsection may not be evaded by substituting a motion differently worded, but in principle the same.
8. A motion to which this section applies may be moved on the report of a Committee of the Council and any such report must be recorded in the minutes of the Council. [S.372]
9. The provisions of this section concerning negatived motions do not apply to motions of adjournment.
10. A Notice of Motion to alter or rescind a resolution can be dealt with at the meeting at which it was received but only in accordance with clause 3.7 of this Code.

**Note:**

The existing resolution should first be formally rescinded. If, however, due to the passage of time or other reason, an inconsistent resolution is passed, the original resolution becomes void to the extent of the inconsistency. This is called rescission by implication or rescission by inference.

Section 372 of the Local Government Act contains two time restrictions on the lodging of rescission motions. The first, in Section 372(1), requires notice of a rescission motion to be duly given in accordance with the Council's Code of Meeting Practice. The Second restriction, in Section 372(5), prohibits a similar motion being brought forward within three months after a rescission motion has been negated.

In regard to the rescission of building and development approvals, there are provisions in both the Local Government Act and the Environmental Planning and Assessment Act to indicate that approvals have effect from the date of the written notification. It would be possible for a Council to rescind a resolution giving an approval if the applicant for the approval has not been formally advised of the approval. Once the applicant has been formally advised, the appropriate action (instead of rescission) would be to consider revocation or modification of the approval. If this occurs, there may be an entitlement to compensation from the Council.

A motion to recommit an agenda item previously considered during a Council or Committee meeting will not require a rescission motion.

## PART 8 – CLOSED MEETINGS

### 8.1 Which Parts of a Meeting can be Closed to the Public?

1. A Council, or a Committee of the Council of which all the members are Councillors, may close to the public so much of its meeting as comprises:
  - (a) the discussion of any of the matters listed in subclause (2), or
  - (b) the receipt or discussion of any of the information so listed.
2. The matters and information are the following:
  - (a) personnel matters concerning particular individuals (other than Councillors);
  - (b) the personal hardship of any resident or ratepayer;
  - (c) information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business,
  - (d) commercial information of a confidential nature that would, if disclosed:
    - (i) prejudice the commercial position of the person who supplied it, or
    - (ii) confer a commercial advantage on a competitor of the Council, or
    - (iii) reveal a trade secret,
  - (e) information that would, if disclosed, prejudice the maintenance of law,
  - (f) matters affecting the security of the Council, Councillors, Council staff or Council property,
  - (g) advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege,
  - (h) information concerning the nature and location of a place or an item of Aboriginal significance on community land.
  - (i) Alleged contraventions of any code of conduct requirements applicable under section 440.
3. A Council, or a Committee of the Council of which all the members are Councillors, may also close to the public so much of its meeting as comprises a motion to close another part of the meeting to the public.
4. A Council, or a Committee of a Council, may allow members of the public to make representations to or at a meeting, before any part of the meeting is closed to the public, as to whether that part of the meeting should be closed. [S.10A]

### 8.2 Further Limitations to Closure of Parts of Meetings

1. A meeting is not to remain closed during the discussion of anything referred to in section 10A(2) of the Act:
  - (a) except for so much of the discussion as is necessary to preserve the relevant confidentiality, privilege or security, and
  - (b) if the matter concerned is a matter other than a personnel matter concerning particular individuals, the personal hardship of a resident or ratepayer or a trade secret - unless the Council or Committee concerned is satisfied that discussion of the matter in an open meeting would, on balance, be contrary to the public interest.
2. A meeting is not to be closed during the receipt and consideration of information or advice referred to in section 10A(2)(g) of the Act unless the advice concerns legal matters that:

- (a) are substantial issues relating to a matter in which the Council or Committee is involved, and
  - (b) are clearly identified in the advice, and
  - (c) are fully discussed in that advice.
3. If a meeting is closed during the discussion of a motion to close another part of the meeting to the public (as referred to in section 10A(3) of the Act), the consideration of the motion must not include any consideration of the matter or information to be discussed in that other part of the meeting (other than consideration of whether the matter concerned is a matter referred to in section 10A(2) of the Act).
4. For the purpose of determining whether the discussion of a matter in an open meeting would be contrary to the public interest, it is irrelevant that:
- (a) a person may misinterpret or misunderstand the discussion, or
  - (b) the discussion of the matter may:
    - (i) cause embarrassment to the Council or Committee concerned, or to Councillors or to employees of the Council, or
    - (ii) cause a loss of confidence in the Council or Committee
5. In deciding whether part of a meeting is to be closed to the public, the Council or Committee concerned must have regard to any relevant guidelines issued by the Director-General. [S.10B]

**Note:** The provisions of sections 10A and 10B of the Act are summarised as follows.

<b>Matter - Section 10A</b>	<b>Restrictions - Section 10B</b>
(2)(a) personnel matters concerning particular individuals	
(2)(b) personal hardship of any resident or ratepayer	
(2)(c) information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business	(1)(b) must be satisfied that discussion in open meeting would, on balance, be contrary to the public interest
(2)(d) commercial information of a confidential nature that would, if disclosed: <ul style="list-style-type: none"> <li>(i) prejudice the commercial position of the person who supplied it, or</li> <li>(ii) confer a commercial advantage on a competitor of Council, or</li> <li>(iii) reveal a trade secret</li> </ul>	(1)(b) must be satisfied that discussion in open meeting would, on balance, be contrary to the public interest (except for trade secrets)
(2)(e) information that would, if disclosed, prejudice the maintenance of law	(1)(b) must be satisfied that discussion in open meeting would, on balance, be contrary to the public interest
(2)(f) matters affecting the security of the Council, Councillors, Council staff or Council property	(1)(b) must be satisfied that discussion in open meeting would, on balance, be contrary to the public interest
(2)(g) advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege	(1)(b) must be satisfied that discussion in open meeting would, on balance, be contrary to the public interest (2) advice must concern legal matters that: <ul style="list-style-type: none"> <li>(a) are substantial issues relating to a matter in which the Council is involved</li> </ul>

Matter - Section 10A	Restrictions - Section 10B
	(b) are clearly identified in the advice, and (c) are fully discussed in that advice
(2)(h) information concerning the nature and location of a place or an item of Aboriginal significance on community land	(1)(b) must be satisfied that discussion in open meeting would, on balance, be contrary to the public interest
(3) so much of its meeting as comprises a motion to close another part of the meeting	(3) must not include any consideration of the matter or information to be discussed

### 8.3 Grounds for Closing Part of a Meeting to be Specified

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

### 8.4 Notice of Likelihood of Closure Not Required in Urgent Cases

1. Part of a meeting of a Council, or of a Committee of the Council of which all the members are Councillors, may be closed to the public while the Council or Committee considers a matter that has not been identified in the agenda for the meeting as a matter that is likely to be considered when the meeting is closed, but only if:
  - (a) it becomes apparent during the discussion of a particular matter that the matter is a matter referred to in section 10A(2) of the Act, and
  - (b) the Council or Committee, after considering any representations made under section 10A(4) of the Act, resolves that further discussion of the matter:
    - (i) should not be deferred (because of the urgency of the matter), and
    - (ii) should take place in a part of the meeting that is closed to the public. [S.10C]

### 8.5 Representations by Members of the Public – Closure of Part of Meeting

1. A representation at a Committee meeting by a member of the public as to whether a part of the meeting should be closed to the public can only be made for a fixed period immediately after the motion to close the part of the meeting is moved and seconded. [Clause 252]
2. The fixed period shall be the period between when the “closure motion” is moved and seconded and when the Chairperson declares the result of the voting on the motion.

**8.6 Resolutions Passed at Closed Meetings to be Made Public**

1. If a Council passes a resolution during a meeting, or a part of a meeting, that is closed to the public, the Chairperson must make the resolution public as soon as practicable after the meeting or part of the meeting has ended. [Clause 253]

## PART 9 – ORDER AT MEETINGS

### 9.1 Acts of Disorder

1. A Councillor or member of the public commits an act of disorder if, at a meeting of a Council or a Committee of a Council, he or she:
  - (a) contravenes the Act or any regulation in force under the Act, or
  - (b) assaults or threatens to assault another person present at the meeting, or
  - (c) moves or attempts to move a motion or an amendment that has an unlawful purpose or that deals with a matter that is outside the jurisdiction of the Council or Committee, or addresses or attempts to address the Council or Committee on such a motion, amendment or matter, or
  - (d) insults or makes personal reflections on or imputes improper motives to any other person, or
  - (e) says or does anything that is inconsistent with maintaining order at the meeting or is likely to bring the Council or Committee into contempt.
2. The Chairperson may require a person:
  - (a) to apologise without reservation for an act of disorder referred to in subclause (1) (a) or (b), or
  - (b) to withdraw a motion or an amendment referred to in subclause (1) (c) and, where appropriate, to apologise without reservation, or
  - (c) to retract and apologise without reservation for an act of disorder referred to in subclause (1) (d) or (e).
3. A Councillor may, as provided by section 10 (2) (a) or (b) of the Act, be expelled from a meeting of a Council for having failed to comply with a requirement under subclause (2). The expulsion of a Councillor from the meeting for that reason does not prevent any other action from being taken against the Councillor for the act of disorder concerned. [Clause 256]
4. A Councillor expelled from a meeting in accordance with Clause 256(3) of the Regulation shall leave the Chamber for the duration of the meeting.
5. The expulsion of a Councillor shall be recorded in the minutes of the meeting.

Note. The Chairperson may issue warnings to Councillors and the Public for Acts of Disorder. The Chairperson may warn any Councillor who:

- (a) interrupts a speaker except upon a point of order;
- (b) interrupts the Chairperson except on a point of dissent;
- (c) refuses to accept a ruling from the Chairperson.

These warnings will be recorded in the Minutes of the meeting. Any Councillor who is warned by the Chairperson three times in one meeting for disorder and fails to apologise for the disorder if requested to by the Chairperson may be expelled from the meeting for the evening by resolution of Council in accordance with clauses 255 and 256 of the Regulation.

### 9.2 Questions of Order

1. The Chairperson, without the intervention of any other Councillor, may call any Councillor to order whenever, in the opinion of the Chairperson, it is necessary to do so.

2. A Councillor who claims that another Councillor has committed an act of disorder, or is out of order, may call the attention of the Chairperson to the matter, by raising a 'point of order'.
3. The Chairperson must rule on a question of order immediately after it is raised but before doing so, may invite the opinion of the Council.
4. The Chairperson's ruling must be obeyed unless a motion dissenting from the ruling is passed. [Clause 255]
5. Any ruling of the Chairperson on a point of order will be recorded in the minutes of the meeting.

#### **9.3 How Disorder at a Meeting may be Dealt With**

1. If disorder occurs at a meeting of a Council, the Chairperson may adjourn the meeting for a period of not more than 15 minutes and leave the chair. The Council, on reassembling, must, on a question put from the chair, decide without debate whether the business is to be proceeded with or not. This subclause applies to disorder arising from the conduct of members of the public as well as disorder arising from the conduct of Councillors.
2. A member of the public may, as provided by section 10(2)(a) or (b) of the Act, be expelled from a meeting of a Council for engaging in or having engaged in disorderly conduct at the meeting. [Clause 257]

#### **9.4 Power to Remove Persons from Meeting After Expulsion Resolution**

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

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

#### **9.5 Motions of Dissent**

1. A Councillor can, without notice, move to dissent from the ruling of the Chairperson on a point of order. If that happens, the Chairperson must suspend the business before the meeting until a decision is made on the motion of dissent.
2. If a motion of dissent is carried, the Chairperson must proceed with the suspended business as though the ruling dissented from had not been given. If, as a result of the ruling, any motion or business has been discharged as out of order, the Chairperson must restore the motion or business to the business paper and proceed with it in due course.
3. Despite Clause 250, (Clause 3.10 of this Code) only the mover of a motion of dissent and the Chairperson can speak to the motion before it is put. The mover of the motion does not have a right of general reply. [Clause 248]

## PART 10 – COUNCIL COMMITTEES

### 10.1 Committee of the Whole

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

### 10.2 Council May Establish Committees

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

### 10.3 Functions of Committees

1. The Council must specify the functions of each of its Committees when the Committee is established, but may from time to time amend those functions. [Clause 261]

### 10.4 Notice of Committee Meetings to be Given

1. The General Manager of the Council must send to each Councillor, at least 3 days before each meeting of the Committee, a notice specifying:
  - (a) the time and place at which and the date on which the meeting is to be held; and
  - (b) the business proposed to be transacted at the meeting.
2. However, notice of less than 3 days may be given of a Committee meeting called in an emergency. [Clause 262]

#### **10.5 Non-Members Entitled to Attend Committee Meetings**

1. A Councillor who is not a member of a Committee of a Council is entitled to attend, and to speak at, a meeting of the Committee.
2. However, the Councillor is not entitled:
  - (a) to give notice of business for inclusion in the business paper for the meeting, or
  - (b) to move or second a motion at the meeting, or
  - (c) to vote at the meeting. [Clause 263]
  - (d) to take points of Order

#### **10.6 Committee Members other than Councillors**

Reference to 'Councillors' in this part is deemed to include members of a Committee who are not Councillors.

#### **10.7 Representations by Members of the Public – Closure of Part of Committee Meeting**

1. A representation at a Committee meeting by a member of the public as to whether a part of the meeting should be closed to the public can only be made for a fixed period immediately after the motion to close the part of the meeting is moved and seconded. [Clause 252]
2. The fixed period shall be the period between when the "closure motion" is moved and seconded and when the Chairperson declares the result of the voting on the motion

#### **10.8 Procedure in Committees**

1. Subject to subclause (3), each Committee of a Council may regulate its own procedure.
2. Without limiting subclause (1), a Committee of a Council may decide that, whenever the voting on a motion put to a meeting of the Committee is equal, the Chairperson of the Committee is to have a casting vote as well as an original vote.
3. Voting at a Committee is to be by open means (such as on the voices or by show of hands). [Clause 265]
4. In the absence of specific procedures for any Committee being adopted, the general provisions of this Code apply to meetings of the Committee.

#### **10.9 Committee Interviews**

1. Any person with an interest in a matter before a Committee will be given the opportunity to make a presentation to the Committee.
2. All requests should be referred to the Committee Secretary who will liaise with the Chairperson and the applicant and make the necessary arrangements prior to the meeting.
3. The Chairperson will allow opposing views on the same issue to be put to the Committee without interruption.
4. As far as possible individuals with the same view should be encouraged to appoint a spokesperson to speak on their behalf.
5. All presenters are expected to answer questions put to them by Committee Members and the

Chairperson will not permit parties with opposing views to question each other.

#### **10.10 Committees to Keep Minutes**

1. Each Committee of a Council must ensure that full and accurate minutes of the proceedings of its meetings are kept. In particular, a Committee must ensure that the following matters are recorded in the Committee's minutes.
  - (a) details of each motion moved at a meeting and of any amendments moved to it,
  - (b) the names of the mover and seconder of the motion or amendment,
  - (c) whether the motion or amendment is passed or lost
2. Where a motion has been carried on the casting vote of the Chairperson, the Minutes will indicate accordingly.
3. As soon as the minutes of an earlier meeting of a Committee of the Council have been confirmed at a later meeting of the Committee, the person presiding at the later meeting must sign the minutes of the earlier meeting. [Clause 266]

#### **10.11 Chairperson and Deputy Chairperson of Committees**

1. The Chairperson of each Committee of the Council, must be:
  - (a) the Mayor; or
  - (b) if the Mayor does not wish to be the Chairperson of a Committee — a member of the Committee elected by the Council; or
  - (c) if the Council does not elect such a member — a member of the Committee elected by the Committee.
2. A Council may elect a member of a Committee of the Council as deputy Chairperson of the Committee. If the Council does not elect a deputy Chairperson of such a Committee, the Committee may elect a deputy Chairperson.
3. If neither the Chairperson nor the deputy Chairperson of a Committee of a Council is able or willing to preside at a meeting of the Committee, the Committee must elect a member of the Committee to be acting Chairperson of the Committee.
4. The Chairperson is to preside at a meeting of a Committee of a Council. If the Chairperson is unable or unwilling to preside, the deputy Chairperson (if any) is to preside at the meeting, but if neither the Chairperson nor the deputy Chairperson is able or willing to preside, the acting Chairperson is to preside at the meeting. [Clause 267]

#### **10.12 Absence from Committee Meetings**

1. A member (other than the Mayor) ceases to be a member of a Committee if the member:
  - (a) has been absent from 3 consecutive meetings of the Committee without having given reasons acceptable to the Committee for the member's absences; or
  - (b) has been absent from at least half of the meetings of the Committee held during the immediately preceding year without having given to the Committee acceptable reasons for the member's absences.

2. Subclause (1) does not apply if all of the members of the Council are members of the Committee. [Clause 268]

**Note:** The expression **year** means the period beginning 1 July and ending the following 30 June.

#### **10.13 Reports of Committees**

1. Reports are to be kept and presented to Council for all meetings of Committees. Divisions are not recorded (in Committee reports other than for items relating to development matters and Committees of the Whole) but Councillors may request that their names be recorded as opposing the motion. See also clause 3.12 for recording of other divisions.
2. If in a report of a Committee of the Council distinct recommendations are made, the decision of the Council may be made separately on each recommendation.
3. The recommendations of a Committee of the Council are, so far as adopted by the Council, resolutions of the Council.
4. If a Committee of a Council passes a resolution, or makes a recommendation, during a meeting, or a part of a meeting, that is closed to the public, the Chairperson must:
  - (a) make the resolution or recommendation public as soon as practicable after the meeting or part of the meeting has ended; and
  - (b) report the resolution or recommendation to the next meeting of the Council. [Clause 269]

#### **10.14 Disorder in Committee Meetings**

1. The provisions of the Act and of the Regulation relating to the maintenance of order in Council meetings apply to meetings of Committees of the Council in the same way as they apply to meetings of the Council. [Clause 270]

#### **10.15 Certain Persons May Be Expelled from Council Committee Meetings**

1. If a meeting or part of a meeting of a Committee of a Council is closed to the public in accordance with section 10(A) of the Act, any person who is not a Councillor may be expelled from the meeting as provided by section 10(2)(a) or (b) of the Act.
2. If any such person, after being notified of a resolution or direction expelling him or her from the meeting, fails to leave the place where the meeting is being held, a police officer, or any person authorised for the purpose by the Council, Committee or person presiding, may, by using only such force as is necessary, remove the first-mentioned person from that place and, if necessary, restrain that person from re-entering that place. [Clause 271]

## PART 11 – AFTER THE MEETING

### 11.1 Decisions of the Council

1. A decision supported by a majority of the votes at a meeting of the Council at which a quorum is present is a decision of the Council.

### 11.2 Public Access to Correspondence and Reports

1. A Council and a Committee of which all the members are Councillors must, during or at the close of a meeting, or during the business day following the meeting, give reasonable access to any person to inspect correspondence and reports tabled at, or submitted to, the meeting.
2. This section does not apply if the correspondence or reports:
  - (a) relate to a matter that was received or discussed; or
  - (b) were tabled at, or submitted to, the meeting,when the meeting was closed to the public.
3. This section does not apply if the Council or Committee resolves at the meeting, when open to the public, that the correspondence or reports, because they relate to a matter specified in section 10A(2) of the Act are to be treated as confidential. [S.11]

### 11.3 Certain Circumstances Do Not Invalidate Council Decisions

1. Proceedings at a meeting of a Council or a Council Committee are not invalidated because of:
  - (a) a vacancy in a civic office; or
  - (b) a failure to give notice of the meeting to any Councillor or Committee Member; or
  - (c) any defect in the election or appointment of a Councillor or Committee Member; or
  - (d) a failure of a Councillor or a Committee Member to disclose a pecuniary interest, or to refrain from the consideration or discussion of, or vote on, the relevant matter at a Council or Committee meeting in accordance with Section 451; or
  - (e) a failure to comply with the Code of Meeting Practice. [S.374]

## PART 12 – MINUTES

### 12.1 Minutes of the Meeting

1. The Council must ensure that full and accurate minutes are kept of the proceedings of a meeting of the Council and its Committees.
2. The minutes must, when they have been confirmed at a subsequent meeting of the Council or Committees of Council, be signed by the person presiding at the subsequent meeting. [S.375]
3. Recording full and accurate minutes of the proceedings of Council includes recording the mover and seconder of motions.

### 12.2 Confirmation of Minutes

1. The minutes of a meeting are “unconfirmed” until they are submitted for confirmation at a subsequent meeting. The minutes can be amended in terms of their accuracy by Council resolution at the meeting prior to their confirmation.

### 12.3 Inspection of the Minutes of a Council or Committee

1. An inspection of the minutes of a Council or Committee of a Council is to be carried out under the supervision of the General Manager or an employee of the Council designated by the General Manager to supervisor inspections of those minutes.
2. The General Manager must ensure that the minutes of the Council and any minutes of a Committee of the Council are kept secure and in safe custody and that no unauthorised person is allowed to interfere with them. [Clause 272]

**Note: Government Information (Public Access) legislation and regulations** confers a right (restricted in the case of closed parts of meetings) to inspect the minutes of a Council or Committee of a Council.

**PART 13 – CODE OF MEETING PRACTICE**

**13.1 Amendment of this Code**

1. This Code may be amended only in accordance with the provisions of Chapter 12 Part 2 Division 1 of the Act.
2. Changes that are made to Act and Regulation will automatically be incorporated into this Code and such changes will not be advertised or reported to Council unless they are significant. Revised copies will be distributed to Councillors and placed on the website whenever changes are made.



## COOTAMUNDRA-GUNDAGAI REGIONAL COUNCIL

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Draft CGRC Code of Meeting Practice September 2017

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### **7.2.2.3 SUMMARY OF COUNCILLOR AND STAFF WORKSHOP HELD 2<sup>ND</sup> NOVEMBER, 2017**

REPORTING OFFICER	Allen Dwyer, General Manager
ATTACHMENTS	A summary of the workshop follows this report
RELEVANCE TO COMMUNITY STRATEGIC PLAN	To be included from July, 2018 following adoption of new CSP
FINANCIAL IMPLICATIONS	There are no financial implications in relation to this report
LEGISLATIVE IMPLICATIONS	There are no Legislative implications in relation to this report
POLICY IMPLICATIONS	There are no policy implications in relation to this report

### **RECOMMENDATION**

**The summary report on the Councillor and Staff Workshop held on 2<sup>nd</sup> November, 2017 be received and noted.**

#### Introduction

A workshop comprising Councillors, General Manager, Directors and other senior staff was conducted on Thursday, 2<sup>nd</sup> November, 2017 at the Council Chambers in Gundagai.

The purpose of the workshop was for the Directors and senior staff of Council to be formally introduced to the Councillors and for those staff to provide an overview of their roles and responsibilities and the status of key projects

#### Discussion

A summary of the proceedings and matters discussed is attached.

**SUMMARY OF WORKSHOP  
COUNCIL CHAMBERS GUNDAGAI  
9:00am THURSDAY, 2<sup>nd</sup> NOVEMBER, 2017**

The following Councillors and staff attended the workshop.

**Attendance**

Cr Leigh Bowden, Cr David Graham, Cr Gil Kelly, Cr Penny Nicholson, Cr Charlie Sheahan, Cr Stewie Stewart, Allen Dwyer (General Manager), Phil McMurray (Director Assets), Kate Monaghan (Director Corporate Services), Chris Imrie (Director Development & Community), Ray Graham (Director Operations), Mark Ellis (Manager Civil Works), Greg Ewings (Manager Facilities), Susan Pardy (Manager Governance & Business Systems), Wayne Noakes (Human Resources Officer), Paul Woods (Executive Director - PMO), Miriam Crane (Manager Social and Community) Michael Murphy (Manager Technical Services), Cindy Smith (Gundagai Library Manager), Steve Lowe (Supervisor Parks and Gardens), Susan Gheller (Project Officer), Kevin Britt (Works Overseer), Simon Hanlon (Works Overseer), Shelley Lier ( EA Operations), Madlin Snell (Risk HSE Officer), Steve Woodland (Workplace Health & Safety), Linda Wiles (Public Relations Officer) and Marianne McInerney (PA to GM).

**Apologies**

Cr Abb McAlister (Mayor), Cr Dennis Palmer (Deputy Mayor), Cr Doug Phillips, Penny Howse (Manager Cootamundra Library) and Grace Foulds (Town Planner).

Introduction

Glen Inglis from The Inglis Group facilitated the workshop. In his introduction he highlighted the difficulties that Councillors and staff are encountering in this unique and difficult period in Local Government. He emphasised the importance of team work as a critical culture in the establishment of the new Council. Glen also encouraged all involved to take time to celebrate and be proud of the achievements of the former Councils and to focus on the many challenges to be confronted in establishing the new Council.

Allen Dwyer addressed Councillors and staff. He spoke in relation to and emphasised the importance of the staff of the two former Councils coming together and working as one team. Funding provided by the State Government in support of the amalgamation, in addition to the securing of a range of other grants, has resulted in a significant increase in Council's works program which will be at unprecedented levels over the next 18 months – 2 years. This will require the engagement of some contractors on selected projects so as to provide the necessary resources to complete the extent of the work within the specified time frames.

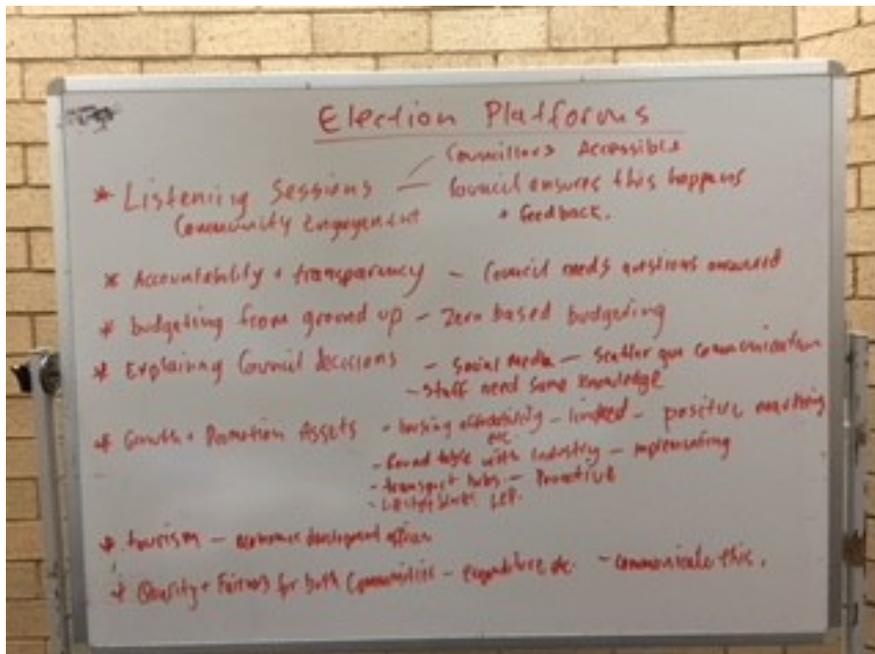
Allen highlighted his commitment to the training and development of staff so as to increase productivity levels, and enhance the quality of work whilst providing benefits to staff in improvements to skill levels.

He also emphasised the importance of success being achieved through ensuring the fundamentals of the organisation's operations are robust and provide the basis for continually improving the provision of facilities and services to the community.

The following is a summary of the key points provided by the respective staff in their presentations to the workshop and associated discussion.

Phil McMurray, Director Assets

- Council’s Director Assets, Phil McMurray reflected on the 2013 Council elections in Gundagai and the goals the newly elected Councillors had at that time. He asked the current Councillors to reflect on their election platforms and the diagram below was drawn with their responses:

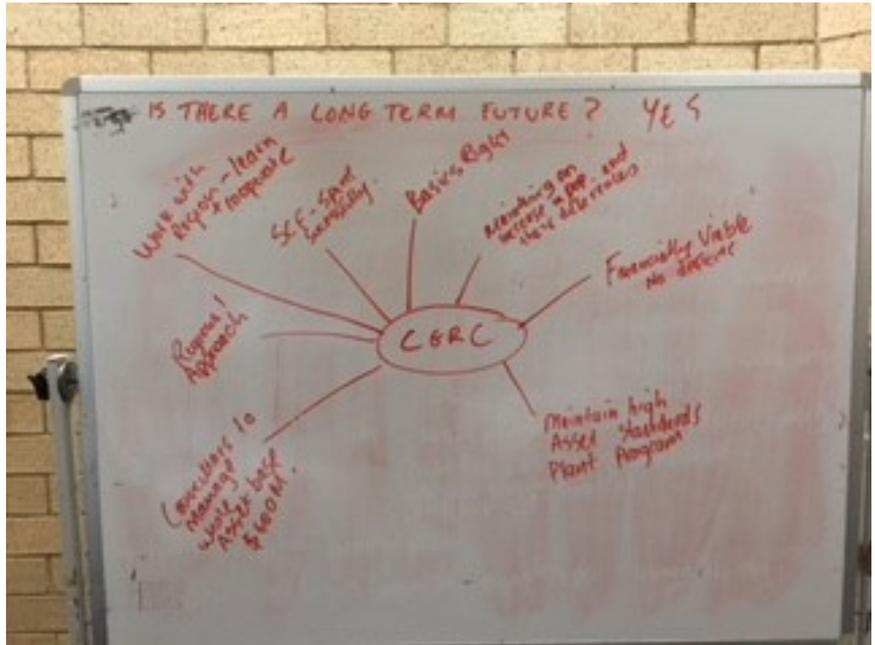


Listening, accountability and transparency featured strongly.

- Tourism and growth were also seen as important area Councillors wished to be prioritised.
- Budgeting from the ground up.
  - Communicating with the community.
- Tourism.
- Quality and fairness for all communities.

The next question put to the Councillor’s was in seeking their thoughts on goals for their elected term of office. The diagram details the responses below:

- Working with the region for a team approach, and learn and cooperate
- Making it happen
- Maintaining Asset standards and plant program
- A regional approach
- Getting the basics right
- Councillors to manage whole asset base of \$6M
- Maintain and increase population and encourage diversity
- Town water for Nangus



- A strong emphasis on growth, development and tourism was evident in discussions among all Councillors.
- It was agreed that there is a need for opportunities for further workshops with the new Councillors to discuss, in particular, roads and bridges, in addition to a range of matters spanning all departments.
- It was also agreed that the community engagements are to be completed prior to the further workshops so as to ensure the community's goals are aligned with the Councillors.

An overview of the Assets profile of Council was provided, with an indication of the associated backlog and challenges that Council is required to manage moving forward. Of particular note was the water and sewer programs for Cootamundra. The Major Project program was highlighted, as well as Road Safety and Emergency Management.

Director McMurray detailed the \$13.5M Sewage Treatment Plant (STP) construction concept. Stephen Sykes, the former Administrator of Cootamundra-Gundagai Regional Council, successfully negotiated with the State Government who guaranteed up to \$10M specifically for the STP through the Building Better Regions Fund (BBRF) and the Water Security for Regions Program. Director McMurray was also successful in securing another \$3.5M, also funded through BBRF. Public Works are currently undertaking the design in unison with an Integrated Water Management Cycle Program.

It should be noted this guaranteed funding of up to \$13.5M for the STP is in addition to other Major Projects funding received through BBRF which has been provided by the State Government in support of amalgamation.

Town water for Nangus also featured in discussions with anticipated costs for the project currently over \$1.3M. Discussions have been undertaken with Goldenfields Water County Council (GWCC) in relation to funding the project. There is an expectation the State Government will need to fund the balance above Council's contribution.

Joint Organisation of Councils (JO's) was briefly discussed in light of the introduction of new State Government Legislation which will allow Council's to voluntarily create new JO's with seed funding available to those councils who choose to participate.

#### Ray Graham, Director Operations

Council's Operations department is the delivery arm relating to infrastructure and assets with the exception of Water and Sewer, which is coordinated under Council's Assets department. The department has 90 fulltime staff and a number of casual staff who service the many areas of Civil Works and Technical Services and Facilities.

Mark Ellis (Manager Civil Works), Greg Ewings (Manager Facilities) and Michael Murphy (Manager Technical Service) were introduced with information on the key responsibilities of their service areas provided.

Each Operation's division is undertaking projects that have been funded by the State Government in conjunction with the amalgamation. Significant major projects directly associated with Building Better Region Funds (BBRF) and Stronger Community Funds (SCF) which are currently being undertaken by the Operations division were outlined in detail along with other programs funded through the Fixing Country Roads, Roads to Recovery (R2R) and Road Maintenance Council Contract (RMCC) funding. Consequently, Council's Operation's divisions are busy with a schedule of work previously not experienced by the two former Councils.

The Operations Department works closely with the other departments of Council, in particular the Assets Department which manages the design process and develop Council's Asset Management Systems and Policies which inform the works programs and priorities.

#### Kate Monaghan, Director Corporate Services

An overview of the Corporate Services Department was outlined by Council's Director Corporate Services who provided introductions of staff of the Governance and Finance departments which are incorporated within Corporate Services. Corporate Services is currently undertaking:

- Financial Statements which were adopted at the October Council Meeting and reportable quarterly;
- Strategic plans for Integrated Planning and Reporting (IP&R) to be adopted in June, 2018;
- Community Strategic Plan (CSP) - a ten (10) year planning tool, introduced by the State Government, by which local governments plan for their future;
- The Delivery Program which is a four (4) year service delivery plan directly supporting the Community Strategic Plan;
- The Operational Plan which documents goals for Council and are adopted and reviewed annually;
- Wifi connectivity is an essential provision for Council to investigate for use by Council staff in the field in addition to supporting tourism and growth;

Susan Pardy, Manager of Governance and Business Systems detailed current projects she is undertaking and provided material for the Councillors. Those being:

- iPads, for use by Councillors and staff, were purchased and built to connect Council to the modern technical aspects of regional centres;
- Digital Community Panel;
- 11 Community and 1 staff workshops in conjunction with preparation of the CSP;
- Logo and business brand development; and
- Community Listening Sessions and surveys.

Susan Gheller, Project Officer Finance explained her role in the merging of the two former Council's software systems into one. Susan explained:

- Both Council's used the same finance software though with subtle differences;
- General ledger numbers were being reviewed and aligned;
- Liaison with Directors, Managers and Team Leaders is progressing well;
- Rates systems and Payroll were proving to be the most complicated; and
- A 'go live date' was required and being worked towards but not determined as yet.

#### Chris Imrie, Director Development and Community

The Development and Community Directorate was introduced to the Councillors with an overview provided on the five service units that make up the Directorate. Key staff of the Directorate were introduced with the service units they work in explained. Overall, the Directorate comprises 15 fulltime staff.

Information was provided on Council's Strategic Land Use planning direction which summarised current land use strategies and proposed new strategies for inclusion in the new Local Environmental Plan (LEP) which is currently being developed by Council. Part of the new LEP identifies the need to include new zoning for lifestyle blocks and smaller rural lots for the rise in viticulture and horticultural production.

Discussions have been held with staff to determine the vision for the various service units, and how they contribute to Council and the community, their goals and how they intend to achieve them.

With a strong focus on development and growth across the new Local Government area, the Building and Development service unit is seeking to identifying ways to promote and market Council so as to encourage new investment, with a particular focus on diversity of land use options.

The Social and Community unit provide services and support to the community through a variety of facilities and programs. Through the two libraries Council provides a myriad of events, activities and support, in addition to information services, for the enhancement of the social fabric and wellbeing of the region's communities.

## 7.3 OPERATIONS DIVISION

### 7.3.1 OPERATIONS

#### 7.3.1.1 NATIONAL LOCAL ROADS AND TRANSPORT CONGRESS 2017

REPORTING OFFICER	Ray Graham, Director Operations
ATTACHMENTS	2017 Local Roads and Transport Congress Communiqué
RELEVANCE TO COMMUNITY STRATEGIC PLAN	To be included from July, 2018 following adoption of new CSP
FINANCIAL IMPLICATIONS	There are no financial implications associated with this report.
LEGISLATIVE IMPLICATIONS	There are no legislative implications associated with this report
POLICY IMPLICATIONS	There are no policy implications associated with this report

#### **RECOMMENDATION**

**The information on the National Local Roads and Transport Congress 2017 be received and noted.**

#### Introduction

The Deputy Mayor, Mr Dennis Palmer, and the Director of Operations, Mr Ray Graham attended the Australian Local Government Association National Local Roads and Transport Congress in Albany Western Australia between November 7 and November 8, 2017.

#### Discussion

This is the eighteenth Congress that has the intention of informing both State and Federal Governments of the challenges that Local Government faces in the provision of infrastructure in support of the road transport needs. In particular those on the local road network.

The congress itself was instrumental in successfully lobbying the Federal Government which resulted in the creation of the Roads to Recovery Program.

The conference was opened by Mayor, David O'Loughlin, ALGA President, with the first major speaker being the Federal Minister for Infrastructure and Transport the Hon Darren Chester, MP. The Minister announced the opening of round 2 of the Building Better Regions Funding Program which closes on 19<sup>th</sup> December, 2017. The program is for grants up to the amount of \$10 million which provide economic and social benefits to regional and remote areas.

The Minister also reminded the delegates of the reinstatement of indexation for the Federal Assistance Grants (FAGS) in the 2017 Federal Budget, along with the inclusion of an additional

\$50 million for the Roads to Recovery Program (R2R) on an ongoing basis from 2019/20 to bring the annual allocation to \$400 million across all council's in Australia.

Other presentations included:

- Shaping Australia's Transport Future through Road Reform, a key to this topic was the use of mobile phone GPS tracking data, to enable a better understanding of road use characteristics.
- An update on the National Freight and Supply Chain Strategy was given. This strategy is aimed at improving the productivity and efficiency of Australia's supply chain. The draft report is currently in development with the final report aimed to be provided to Government in May, 2018.
- The National Road Toll was discussed as part of the National Road Safety Strategy from 2010 to 2020. This strategy sets a goal of a 30% reduction in the road toll over this period, however this target is not being met. International trends are showing that from 2015 there is a worsening of Road Toll figures. Austroads are working with this project to investigate options to meet the intended targets.
- The safety of workers at worksites was a session topic, as part of a review of the Australian Standard for Traffic Control at Worksites. A study of worksites has shown that 85% of motorists ignore Roadworks Speed limits.

At the conclusion of the Congress a Communique is drafted to the State and Federal Governments outlining the outcomes of the Congress. A copy of the Communique from the 2017 Congress is attached to this report for Council's information.



### 2017 National Local Roads and Transport Congress Communique

Over 200 delegates from councils across Australia met in Albany, Western Australia on 6-8 November 2017 at the eighteenth National Local Roads and Transport Congress.

The Congress focused on transport challenges and opportunities of today and tomorrow including the expected growth in freight transport, urban congestion, the adoption of new technologies, further efforts in road safety and the need for significant transport funding reform.

Delegates called on states, territories and the Commonwealth to recognize that local government is responsible for more than 73 percent of Australia's road network estimated to be worth more than \$180 billion, and that local roads and bridges are critical to the mobility of all Australian communities. These roads provide access to property, homes, local business, schools, hospitals and provide essential links between local communities, regional and state roads and major national freight routes and must be fit for purpose, delivering an appropriate level of service, if they are to adequately support the social, economic and environmental outcomes of every community across Australia.

The Congress noted however, that local government collects just over 3.6 percent of national taxation and spends more than \$7 billion annually, or more than 20 percent in every dollar of local government revenue raised, on maintaining and renewing local roads and transport. Research shows that around 60 percent of local governments roads and transport assets are generally in good condition, but despite local government efforts, it is estimated that more than 11 percent of local road and transport assets are in poor to very poor condition. Without additional funding this situation will continue to deteriorate.

Delegates welcomed the Commonwealth Minister for Transport the Hon Darren Chester who acknowledged the important role that local government plays in managing local roads across the country. Minister Chester also stressed the importance of working together on improving the productive capacity of our nations freight transport, the importance of addressing urban transport challenges and improving safety on our roads. He also announced the opening of Round 2 of the Building Better Regions Fund.

The Congress noted Minister Chester's desire to redouble efforts to improve road safety outcomes, particularly on regional, rural and remote roads and his request that safety be given greater priority in road projects. The Congress shares the Minister's concerns about reducing the trauma of road crashes which have such a significant impact on local communities.

The Congress welcomed the Government's continued commitment to the Roads to Recovery Program which is set at around \$350 million per annum and is expected to increase to \$400m in 2019–20. The Congress also applauded the Government's commitment to the Bridges Renewal Program and Road Safety Black Spots funding and called for the Black Spot funding to be doubled and made permanent. However, recognising the extent of the backlog in infrastructure spending, delegates urged the Australian Local Government Association (ALGA) to advocate for an increase in R2R program funding to \$800 million per annum, indexed to maintain its real value.

The Congress welcomed a presentation on the Government's Inquiry to develop a National Freight and Supply Chain Strategy noting that the national freight task is expected to grow by 50 percent over the next two decades as our nation's population increases. Delegates also discussed the work on road user charging and noted the importance of ALGA work in the area.

The Congress noted the critical importance of improving the nation's road freight routes and the excellent work done by CSIRO and many regional groups of councils in the development of detailed Regional Transport Plans. The Congress urged the ALGA to continue to advocate for a Local Government Freight Strategy starting at \$200 million per annum over 5 years to invest in reducing bottlenecks and capacity constraints and other first and last-mile solutions that will improve heavy vehicle access on local roads.

Delegates welcome a presentation on intelligent transport infrastructure and its role in transforming mobility in the future. Delegates asked ALGA to more fully explore the implications of technology and intelligent transport on local governments and communities and supported council participation in national trials.

Delegates discussed the challenges facing regional airports and airstrips, many of which are owned by councils. The Congress acknowledges the importance of regional airports as essential infrastructure assets that help keep communities connected and facilitate the delivery of essential services and drive economic growth. The Congress supported continued work by ALGA with the Australian Airports Association on strategies to secure the future of important regional airports.

The Congress noted that the 2018–19 Federal Budget was an opportunity for the Government to focus on addressing some of the long term structural challenges facing local communities, particularly in managing community assets such as buildings, sport and recreation facilities, stormwater and waste water assets. Delegates expressed their support for continued ALGA advocacy for a Community Infrastructure program of \$300 million per annum.

Delegates expressed support for ALGA in its ongoing advocacy on behalf of the sector and welcomed the ALGA President's outline of the Association's Federal Budget Submission and priorities in the lead-up to the next Federal election.

### **7.3.1.2 COUNCIL ADMINISTRATION CENTRE SIGNAGE DESIGNS**

REPORTING OFFICER	Ray Graham, Director of Operations
ATTACHMENTS	Signage Layouts
RELEVANCE TO COMMUNITY STRATEGIC PLAN	To be included from July, 2018 following adoption of new CSP
FINANCIAL IMPLICATIONS	There are no financial implications associated with this report.
LEGISLATIVE IMPLICATIONS	There are no legislative implications associated with to this report.
POLICY IMPLICATIONS	There are no policy implications associated with this report.

### **RECOMMENDATION**

**The information on the signage designs for the Council Administration Centres be received and noted.**

#### Introduction

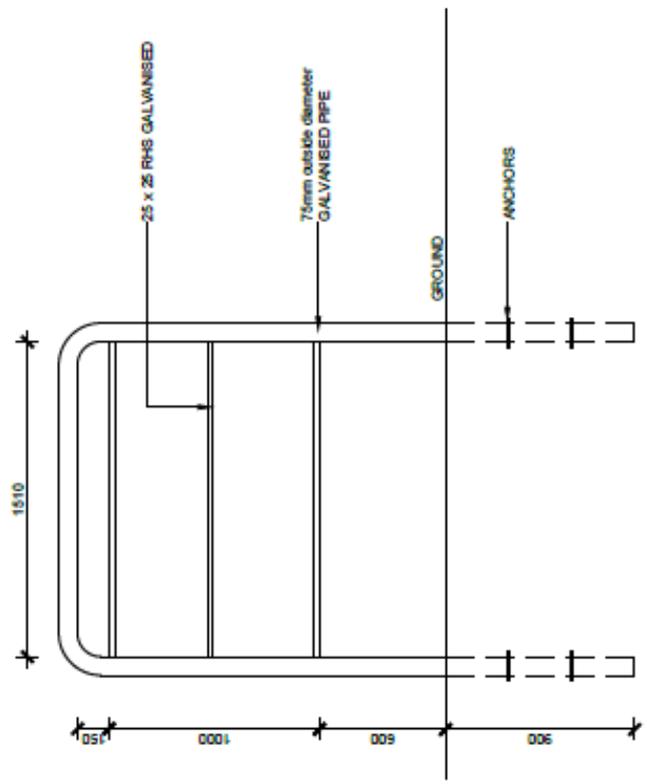
Council, at its meeting of 31<sup>st</sup> October, 2017 requested that a design for both Council Administration buildings be prepared and submitted to Council for approval.

#### Discussion

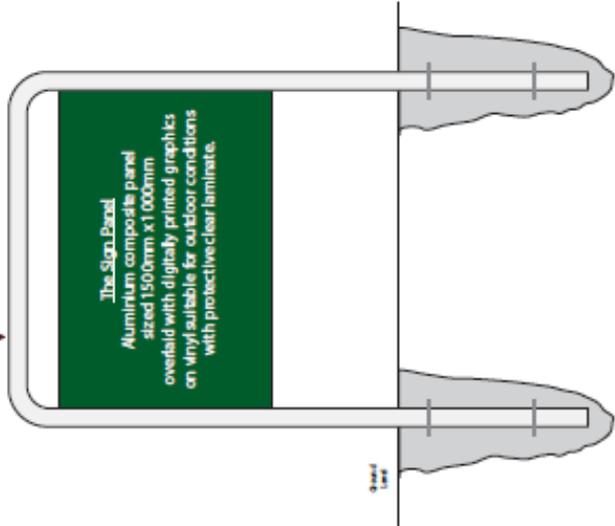
Council has engaged a Graphic Designer as part of the rebranding project to develop a signage layout for the Parks, buildings and other assets. As part of this project standalone signs were developed for each of the Administration Centres. The layout is included as an attachment to this report.



**Title:** Park Sign Dimensions  
**Prepared by:** Linda Wilks, CGIRC  
**Copyright:** 2017.  
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 document in a format or location other than intended.



Frame to be powder coated  
 Surf/Mist colour.



## Typical Park Sign



**COOTAMUNDRA-  
GUNDAGAI** REGIONAL  
COUNCIL

# COOTAMUNDRA ADMINISTRATION CENTRE



**COOTAMUNDRA-  
GUNDAGAI** REGIONAL  
COUNCIL

# GUNDAGAI ADMINISTRATION CENTRE

### **7.3.1.3 NOVEMBER OPERATIONS REPORT**

REPORTING OFFICER	Ray Graham, Director Operations
ATTACHMENTS	There are no attachments included for this report
RELEVANCE TO COMMUNITY STRATEGIC PLAN	To be included from July, 2018 following adoption of new CSP
FINANCIAL IMPLICATIONS	There are no financial implications associated with this report.
LEGISLATIVE IMPLICATIONS	There are no legislative implications associated with this report.
POLICY IMPLICATIONS	There are no policy implications associated with this report.

### **RECOMMENDATION**

**The November Operations report be received and noted.**

#### Introduction

Please find an update of the Operations Department works progress for the month of November, 2017

#### Discussion

##### **Civil Works Section**

##### Major Projects

- Work on Cowcumbra Street now involves the backfilling and placement of road pavement to bring the levels up to the new causeway height. Earthworks on the widening of the Gundagai Road pavement to facilitate turning lanes for traffic into Cowcumbra Street has commenced. This work is being partially funded by the NSW Government under the Restart NSW funding and Council from the Roads to Recovery Program.
- One works crew will continue with patches on Gobarralong/Adjungbilly Road to repair failed sections of pavement. Patches have now been sealed. Maintenance grading will continue on Finlay's Road, with other crews undertaking shoulder grading on Berthong and North Berthong Roads.
- Interflow are still progressing on various sections of the Cootamundra Sewer mains with the lining crew, relining prioritised mains and a second crew excavating and repairing damaged sections of main which can't easily be relined. All these works will continue for the next few weeks.

- Temora Street Rehabilitation - Stage 2 of the Temora Street rehabilitation works between Murray Street and Parker Street is scheduled to be recommenced in January, 2018.

Initial works to replace the water main have already been completed. A contractor has now been engaged to undertake replacement of the kerb and gutter along this section, which will be during January with the pavement reconstruction expected to be undertaken in February. This project is being funded from the Federal Government under the Roads to Recovery program.

## Technical Services Section

### Major Projects

- Tender being advertised for survey, design of Adjungbilly Road upgrade. The environmental assessment is underway.
- Bridge over Camp Creek on Threeways Road – designs have been completed and are currently out to tender for the reconstruction of the bridge.
- Plant Replacement
  - Order placed – Footpath Street Sweeper
  - Order Placed – Garbage Truck replacement
  - Order Placed – 20 Tonne Excavator
  - Order Placed - Grader Replacement
- Quotes being sought for the roundabout design in Sheridan St / West St

## Facilities Section

### Major Projects

- Swimming Pools
  - Cootamundra Outdoor pool opened on Saturday, 18<sup>th</sup> November 2017.
  - Audit being undertaken for extended opening hours and unmanned access
- Recreation

Staff completed the usual daily jobs involving CBD Street sweeping, litter removal, mowing, whipper snipping, edging, hand weeding, cleaning barbecues, tree maintenance and actioning on customer requests. Additional works completed included:

- New park signs were installed in Cootamundra and Wallendbeen. Work has commenced at the old hospital grounds in Cootamundra including the mowing and whipper snipping of the grounds
- A water leak was fixed at Stockinbingal tip and at the Cootamundra Pool grounds.
- The airport runway and surrounds were mowed.
- A tree was hit by a truck on Gundagai road, staff were called to the scene to remove the damaged tree limbs
- Garden Beds at Cootamundra Admin Centre are being removed and replaced with neater plantings

- Waste
  - Container Deposit Scheme – staff have been working with REROC.
  
- Building Renovations
  - Cootamundra – Chambers – Demolition commences 22 November
  - Cootamundra – Meeting Space – Structural Beam installation underway, Electrical works commence this week
  - Gundagai – Chambers – Complete next this week
  - Mens Shed – Retaining Wall commenced
  - Mirrabooka – Concrete footings placed this week for Retaining Walls with erection of retaining Walls to commence next week. Roller Doors will be installed after Christmas
  - Stan Crowe Oval Block Work will be complete by end of this week, roof will commence next week

## 7.3.2 FACILITIES

### 7.3.2.1 WASTE MANAGEMENT REPORT

REPORTING OFFICER	Greg Ewings, Manager of Facilities
ATTACHMENTS	Current Waste Policy
RELEVANCE TO COMMUNITY STRATEGIC PLAN	To be included from July, 2018 following adoption of new CSP
FINANCIAL IMPLICATIONS	Estimated Engagement costs for consultant being \$70,000 funded from Waste reserves
LEGISLATIVE IMPLICATIONS	Local Government Act 1993, POEO Act,
POLICY IMPLICATIONS	Will enable development of a Waste Strategy for the Local Government Area

### **RECOMMENDATION**

**Proposals be invited from suitably experienced and qualified wastes consultants to undertake a full Council waste service review and produce a waste strategy.**

#### Introduction

In March 2017 a report on the waste services provided by Council to its residents was presented with the view of combining the best aspects of the current Gundagai waste service and the Cootamundra waste service. The outcome a review of the existing services is intended to provide residents of Cootamundra-Gundagai Regional Council with consistent and more equitable access to the waste services provided by Council.

#### Discussion

To enable the delivery of a more equitable and efficient waste service for all residents and property owners of the Cootamundra- Gundagai Regional Council, the differences, both positive and negative between the waste services provided to the residents of previous Gundagai Council and the previous Cootamundra Council need to be identified.

#### **Current Waste Collection Services:**

The current Cootamundra service enables all council residents and property owners to access the Cootamundra, Wallendbeen and Stockinbingal landfill sites to deposit waste at annually set fees and charges. The management of the three landfill sites has been contracted out to Elouera Industries for the last 11 years under an agreement with Council. Under the agreement Elouera are responsible for supervision and management the waste sites during opening hours and the operation the Cootamundra Landfill Site recycling facility with Elouera having the rights to all recyclable products they collect from the site. The cost of this agreement to Council is expected to be \$227,500.00 in the current financial year.

The provision of a kerbside waste collection services available to all town and village residential lots, town and village outskirt properties along existing truck routes and commercial services were applicable as per the 2014 Waste Management policy.

The current cost of the Domestic Waste Charge in the Cootamundra, Stockinbingal and Wallendbeen service area is \$379.00 which includes the Red domestic waste, yellow recycling and green waste bins.

The current Gundagai service enables all Council residents and property owners to access the Gundagai Landfill site to deposit waste at annually set fees and charges. The Gundagai Landfill/transfer station is currently managed by Council staff who provide the customer service on the site during its public opening hours.

Coolac, Muttama, Nangus and Tumblong residents are provided with transfer station sites for each of the villages. Residents are able to access the transfer stations by paying Council a deposit fee for a key to the sites from Council. The transfer stations are managed by Council staff however the provision of bulk waste containers and the removal of waste from the containers at the four sites is contracted out to regional waste companies.

The provision of a three bin kerbside collection service to the Gundagai township and immediate surrounds consist of a 120ltr Red lidded general waste bin collected weekly, a 240ltr yellow lidded recycling bin and a 240ltr green lidded food and organics bin both being collected fortnightly.

The current cost of the Domestic Waste Charge in Gundagai Town is \$403.00 plus an additional \$54.00 for the green waste collection which is applied to all residents in the Gundagai town zone.

In future it would be ideal to have the cost of the three bin kerbside service be set the same for the 2018/2019 financial year for all Council Domestic Waste Services.

#### **Rural Service Delivery:**

Rural residents in the former Cootamundra Council area that do not receive a kerbside service have the ability to deposit their waste at the Cootamundra landfill, Stockinbingal tip or the Wallendbeen tip at the set fees and charges rates.

The village transfer station system was implemented in the Gundagai Council area to supply a waste service to rural and village ratepayers and residents following the closure of small landfill sites in each of the villages. The villages of Coolac, Muttama, Nangus and Tumbalong currently have transfer stations

Under this system Council is currently paying contractors approximately \$88,872.00 annually for the supply and collection of bulk bins for the removal of general waste, plus an additional \$12,727.00 on the supply and collection of bulk bins for the removal of recyclable waste from the four transfer stations. These contractors were initially engaged on a twelve month agreement which has expired and are now running on a month by month basis.

The transfer station system is funded by the waste levy charge of \$58.00 which is applied to all rural and village rateable land assessments in the former Gundagai Council area. In the 2017/2018 financial year the fee was applied to 1,343 rural waste levy properties, which resulted in \$77,894.00 income.

The rural waste levy charge to all rural and village rateable land portions has been questioned by numerous property owners since its inception many stating it is unfair to property owners in the rural areas that have multiple rate assessments.

Under this charge a land owner with 100 hectares of farm land without a dwelling in 10 separate portions/assessments is charged \$580.00 annually while a land owner with 100 hectares in 1 portion/assessment with a dwelling is charged \$58.00.

It would seem more appropriate that waste charges should be applied to properties and enterprises that produce waste and for this reason it would seem more logical that the rural waste charge be applied to rural dwellings, as that is predominantly where the waste is generated.

The charge is also seen to be unfair to those property holders that reside or have property in areas that are further away from any of the existing village transfer stations. Many residents in the Adjungbilly area are more than 30 kilometres from the nearest transfer station located at Coolac meaning a trip to the waste site is in excess of 60 kilometres in total.

The request by residents for the provision of a transfer station in the Adjungbilly area has previously been considered with it being determined that it was not feasible to provide the service in the area.

Looking through the differences in the waste service provision it is clear that some aspects of the existing services and the associated fees will need to be planned and budgeted so that a more equitable and consistent range of services could be provided to all residents in the future. Since the introduction of transfer stations there has been some significant changes in the waste industry. There are now more waste companies in the region and the extra competition may lead to better pricing for the servicing of the current transfer stations.

There may be potential cost savings to the current system by getting quotations from waste companies for the supply and servicing of the bins at the current transfer stations. Any savings made may be able to be reinvested into the system to improve existing or add additional services. Quotations would also be sought for the provision of a service in the Adjungbilly area so that the cost of a service to the area can be determined and a reassessment of the feasibility of a service to the area can be undertaken.

In making an allowance for the future waste system as a whole it is clear that a new waste strategy that takes in all aspects of waste and waste service delivery for the entire Cootamundra-Gundagai Regional Council area should be produced. Due to the community concerns and the need to deliver a more consistent service across the entire council the most effective and expedient way to get a strategy produced is to call for proposals from suitably experienced and qualified wastes consultants to undertake a full council waste service review and produce a waste strategy. The cost involved in engaging a consultant to undertake the review and prepare the strategy is estimated to be \$70,000.00.

17/2/17

## 1) WASTE MANAGEMENT POLICY

### Purpose:

To establish guidelines for the provision of waste management services to property owners.

### Policy Provisions:

1. This policy shall apply to all Council property owners and/or rated assessments.

#### **A. DOMESTIC WASTE MANAGEMENT SERVICE**

Under the Local Government Act, Council must make and levy an annual charge for the provision of domestic waste management services for each lot within a strata plan and each dwelling for which the service is available. The Domestic Waste Management service is available to properties in the following rating categories:

- Residential Cootamundra Township (Map A)
- Residential Village – Stockinbingal (Map C)
- Residential Village – Wallendbeen (Map D)

Cootamundra Shire Council's domestic waste service is comprised of the following:

- One 140 litre red-lidded bin for domestic waste, collected weekly
- One 240 litre yellow-lidded bin for recyclable waste, collected fortnightly
- One 240 litre green-lidded bin for domestic garden waste, collected fortnightly

Whilst Council are required to make and levy an annual charge for each parcel of rateable land, a separate charge will be made and levied on "vacant" land.

#### **B. WASTE MANAGEMENT OUTSKIRTS SERVICE**

Council will provide the waste management outskirts service to each residential dwelling outside of the rating sub-categories of Residential Cootamundra Township and Residential Villages where the service is available (ie. the garbage truck is physically able to safely collect bins from property), and where it is required (ie. the property owner has made such request).

Cootamundra Shire Council's waste management outskirts service is comprised of the following:

- One 140 litre red-lidded bin for domestic waste, collected weekly
- One 240 litre yellow-lidded bin for recyclable waste, collected fortnightly
- One 240 litre green-lidded bin for domestic garden waste, collected fortnightly

(look at Green bin as an optional service when reviewing policy March 2017 per Greg)

### C. NON-RESIDENTIAL WASTE MANAGEMENT SERVICE

The non-residential waste service is optional and shall be serviced where such service is available and requested. The non-residential waste service may be supplied to properties within the following rating categories:

- Cootamundra Central Business District (Map E)
- Cootamundra Non-Central Business District (Map F)
- Cootamundra Industrial areas, being Aerodrome, Industrial East, Industrial South and Barnes Street (Maps G, H, I, J and K)
- Wallendbeen or Stockinbingal Villages, as defined by village boundaries

#### (a) Cootamundra Central Business District (CBD)

Cootamundra Shire Council's waste management service for non-residential properties in the Cootamundra Central Business District area (as defined on Map E) is comprised of the following:

- One 240 litre red-lidded bin for general waste (multiple general waste bins and collection dates are able to be requested. The collection days are Monday, Wednesday and Friday and each owner is able to select how many bins are to be collected, and how many times during the week each bin is to be collected, although multiple charges will apply for multiple bins and multiple weekly collections)
- One 240 litre yellow-lidded bin for recyclable waste, collected fortnightly

#### Green Waste (240-litre Green-lidded bin):

The green waste service for non-residential properties is optional. This service will be charged based on an annual usage charge and will be charged per bin requested. The green-lidded bin is collected fortnightly (on alternate fortnights to the recycling bin).

#### (b) Cootamundra Non-Central Business District, Cootamundra Industrial Areas and Villages

Cootamundra Shire Council's waste management service is available for non-residential properties in the Cootamundra Non-Central Business District (as defined on Map F), the Industrial areas (as defined on Maps G, H, I, J and K) and Village areas (as defined by village boundaries). The service is comprised of the following:

- One 240 litre red-lidded bin for general waste (multiple general waste bins are able to be requested, with each bin being collected once per week, although multiple charges will apply for multiple bins)
- One 240 litre yellow-lidded bin for recyclable waste, collected fortnightly

#### Green Waste (240-litre Green-lidded bin):

The green waste service for non-residential properties is optional. This service will be charged based on an annual usage charge and will be charged per bin requested. The green-lidded bin is collected fortnightly (on alternate fortnights to the recycling bin).

#### **D. NON-COLLECTION OR MISSED PICKUPS**

In circumstances where the garbage truck driver has identified that the bin is too heavy for collection, has contaminated or the bin is inaccessible, Council will provide the owner/occupier with a docket identifying the reason(s) for non-collection. In such circumstances, the owner/occupier may contact Council to discuss whether a recollection may be attempted, however the provision of a recollection is at the discretion of Council.

Where an owner/occupier has 'missed' the scheduled waste collection (for example, the bin was not put out for collection), Council will be unable to provide a recollection and the service will continue with the next scheduled pickup.

#### **E. MISSING, LOST, DAMAGED OR STOLEN BINS**

##### Missing, Lost or Stolen Bin(s):

Where an owner or occupier of a property contacts Council to advise that their bin is missing, stolen or lost, Council will provide the customer with the bin serial number recorded on Council's systems. The customer can then complete their own investigation in their area to attempt to locate their bin. If the bin is unable to be recovered, the customer is responsible for purchasing a replacement bin (as per the amount identified in the annual fees and charges, per bin). Once Council have received the fee for the replacement bin, a bin shall be provided.

##### Damaged Bin(s):

Where an owner or occupier of a property contacts Council to advise that their bin is damaged, Council will inspect the bin to identify probable causes for damage. Where the damage is due to wear and tear or damage caused by the collection of waste, Council will arrange for repair of the bin at no cost. Where the damage is found to be malicious or deliberate, Council will require payment of the repair prior to fixing the bin (as per the amounts identified in the annual fees and charges).

#### **F. CHARITABLE ORGANISATIONS SUBSIDY**

Council will provide the Salvation Army and St Vincent de Paul organisations with a subsidy to alleviate the cost of waste charges at the Cootamundra waste depot.

In order to receive the reimbursement, the charitable organisation must utilise one non-residential waste service at the premises from which they are operating.

The amount of reimbursed waste charges will be half of each monthly charge, limited to a maximum of \$200.00 per month.

### 7.3.3 WATER AND SEWER

#### **7.3.3.1 COOTAMUNDRA WATERMAIN REPLACEMENT PROGRAM**

REPORTING OFFICER	Phil McMurray, Deputy General Manager
ATTACHMENTS	Not applicable
RELEVANCE TO COMMUNITY STRATEGIC PLAN	To be included from July, 2018 following adoption of new CSP
FINANCIAL IMPLICATIONS	Project is funded within Council's adopted budget.
LEGISLATIVE IMPLICATIONS	There are no legislative implications associated with this report
POLICY IMPLICATIONS	There are no policy implications associated with this report

#### **RECOMMENDATION**

**The Cootamundra Water Mains Replacement Program report be received and noted.**

#### Introduction

Council has approximately 20km of old cast iron pipes in its reticulation system which is the root cause of the dirty water problem experienced within the township. Tuberculation and graphitisation has impacted remaining life and replacement is recommended. Programmed renewal works on the water mains is an appropriate response in the management of this asset.

Over the next two years CGRC will be investing \$2 million of monies from the Stronger Communities Fund to expedite the mains replacement required. A draft contractual document has been prepared, including development of priorities, but that will be refined based on the outcomes of some trial projects currently underway.

#### Discussion

##### **Parker Lane Project:**

In preparation for the delivery of Cootamundra-Gundagai Regional Council's \$2 million water main replacement program, CGRC has commenced a trial of new water busting technology. The aim is to assess the merits of this technology which is expected to minimize disruption to traffic flow and inconvenience to local residents around the work sites.

Cootamundra-Gundagai Regional Council has engaged Interflow Pty Ltd to conduct the pipe bursting technology to rehabilitate the water mains in Parker Lane.

Pipe bursting is an eco-friendly, trenchless method of replacing buried pipelines (such as sewer, water, or natural gas pipes) without the need for a traditional construction trench. Pipe bursting requires the excavation of a launch pit and a receiving pit. The hydraulic pipe pulling unit is positioned within the receiving pit and a steel cable is fed from the unit through the existing pipeline. The cable is then connected to a conical pipe bursting head at the launch pit. The pipe

bursting head is attached to the new pipe and the head is winched from the launch pit towards the receiving pit.

The hydraulic winch draws the bursting head through the existing pipe. As the bursting head progresses, the replacement pipe is advancing and displacing the old pipe. The process is complete once the bursting head and the attached new pipe reach the receiving pit.

On many occasions pipe bursting is a good alternative to large scale excavation works. Pipe bursting can save contractors and pipeline owners a considerable time and money when it comes to replacing water, particularly in commercial areas.

Council will replace one block of water main pipe a new 150mm poly pipe in Parker Lane using this technique. There will be less movement of heavy machinery, road closures and disruption to traffic movements. If the trial is successful and timely, then an extension to include a second block could be undertaken whilst the crew is established.

Temporary water mains have been put in place in Parker Lane to service shops and residents, in readiness for the work to begin week commencing 20<sup>th</sup> November 2017. This specific project work has been communicated direct to the business owners and operators, and advertised more broadly in advance.



#### **Hurley Street Project:**

Cootamundra-Gundagai Regional Council has engaged Golden Fields Water to undertake the replacement of water mains in four residential blocks of Hurley Street. This is being undertaken using traditional construction trenching, and utilizing available funds within the existing Cootamundra Water Fund as part of programmed on-going water main renewal. Works are expected to be undertaken in the coming months.

## 7.3.4 MAJOR PROJECTS

### 7.3.4.1 GUNDAGAI MAIN STREET PROJECT UPDATE

REPORTING OFFICER	Phil McMurray, Deputy General Manager
ATTACHMENTS	Not applicable
RELEVANCE TO COMMUNITY STRATEGIC PLAN	To be included from July, 2018 following adoption of new CSP
FINANCIAL IMPLICATIONS	Project is funded within Council's adopted budget.
LEGISLATIVE IMPLICATIONS	There are no legislative implications associated with this report
POLICY IMPLICATIONS	There are no policy implications associated with this report

### **RECOMMENDATION**

**The November, 2017 Gundagai Main Street Project update report be received and noted.**

#### Introduction

This monthly report provides Council with a snapshot of progress for this major project. A Cost summary is provided below:



#### Discussion

##### **Block 2 - Byron to Homer Streets**

###### **Road Pavement:**

It will be necessary for sections of Sheridan Street to be temporarily closed to traffic to allow for reconstruction of the central road pavement from week commencing 20<sup>th</sup> November 2017.

In an attempt to minimise business disruption, only sections of the street will be totally closed. Light traffic will be permitted in the other sections and heavy vehicle, caravans etc. will need to be temporarily detoured.

This has been communicated with the Main Street Liaison Committee, direct to the business operators, and advertised more broadly.

This activity follows significant lead up investigation and planning. All activity to the shoulders and footpath areas were expedited to optimise parking and disruption for the Snake Gully Cup business activities. Now as Christmas trade approaches, a bitumen seal expected to be placed in week commencing 27<sup>th</sup> November 2017, which will see the finalisation of roadwork activity in this area.



**Street Furniture:**

Street Furniture has now been delivered and the new Garbage bins have been installed. Seating and other furniture will be added in the next few weeks.



**Street Lighting:**

It is anticipated that the street should now be operational in block 2.

**Footpath and Paving Construction:**

The concrete structural work for all the northern footpath is now complete.

The paving contractors are well advanced and have 70 percent of the northern side completed.

Stainless steel handrail provision will eventually be installed in the split-level footpath section.

Auxiliary brick lighting will also be installed at steps and ramps.

**Proposed Landscaping and Garden Areas:**

Landscaping of the garden refuge areas will commence shortly.

## **8 MOTIONS OF WHICH NOTICE HAVE BEEN GIVEN (NOTICES OF MOTIONS)**

### **8.1 CITIZENSHIP CERMONIES**

The following Notice of Motion signed by Councillor Charlie Sheahan was submitted on 7<sup>th</sup> November, 2017,

I hereby give notice of my intention to move the following motion at the Council meeting of Tuesday, 28<sup>th</sup> November, 2017:

1. *As a matter of Policy, Council's Citizenship Ceremonies be conducted:*
  - a. *where possible, as a separate special event;*
  - b. *at a suitable venue provided by Council;*
  - c. *at a mutually agreed time with the recipient and Mayor;*
2. *Family and friends of the recipient be welcomed to the Citizenship Ceremony, in addition to any attending Councillors; and*
3. *Morning or afternoon tea be provided to celebrate the significance of such an occasion welcoming the new citizen.*

### **8.2 ACKNOWLEDGEMENT AND OBSERVATION OF DAYS AND WEEKS OF NATIONAL AND INTERNATIONAL SIGNIFICANCE**

The following Notice of Motion signed by Councillor Leigh Bowden was submitted on 17<sup>th</sup> November, 2017.

I hereby give notice of my intention to move the following motion at the Council meeting of Tuesday, 28 November, 2017:

*That the Community be requested to advise Council on the days and weeks of national and international significance which Council could acknowledge and observe in a suitable manner.*

#### **Note from Councillor**

Council currently acknowledges and observes Australia Day, ANZAC Day, NAIDOC Week and Remembrance Day. There are many other designated national and international days and weeks that are of importance to members of the Community. For example, International Women's Day (IWD) is celebrated by different groups in Cootamundra and Gundagai. Refugee Week is observed in Cootamundra.

To engage with and represent all members of the Community, Council could add to its yearly calendar those national and international days or weeks that Community members consider to be important and that are already observed by various sectors.

## 9 QUESTIONS WITH NOTICE

### RECOMMENDATION

**The questions with notice and responses from officers be noted.**

The following questions have been received from Councillors with the responses from Council officers provided respectively:

#### 1. Cr Kelly

- Who made the new Shire Town, Village and park signage?
- What was the costs associated with these signs?
- How many quotes were sought in the purchase of these signs?
- Were local companies given the opportunity to quote for these signs?
- When are all the signs anticipated to be installed in ALL towns and villages in the Shire as there is still quite a few missing?

#### Officer's Response

Council's signage was manufactured by Gundagai based sign writer, Goanna Graphics. The total cost for the manufacture and delivery of the 76 signs was \$71,782. The signage installation is progressing and is anticipated to be completed in the near future.

#### 2. Cr Kelly

- Who made the new vehicle signage?
- What was the costs associated with these signs?
- How many quotes were sought in the purchase of these signs?
- Were local companies given the opportunity to quote for these signs?

#### Officer's Response

Council purchased 1000 stickers to cover various signage, including application to Council vehicles. The total cost was \$1,700 and, in this instance, an online printing service was used. The cost of vehicle signage is estimated at approximately \$450.

#### 3. Cr Kelly - The draft Village strategy has an estimated cost of \$80 000 for four signs for both Wallenbeen and Coolac.

- What will we be getting for \$160 000?
- Where did this figure come from?

- Are costs expected to be the same also for the Villages of Nangus, Muttama, Stockingbingal, Tumblong and Adjunbilly?

Officer's Response

The village strategy has not yet been costed, and implementation of strategies that require funding will be either incorporated into current major projects that are funded through the \$5M merger implementation funds, or reported to Council for allocation budget

4. **Cr Kelly**

- When will the Hovell Street depot be closing and when will the existing workshop be relocated to the former Goldenfields water site in Bradman Street?
- What are the plans for the current workshop site?

Officer's Response

Currently works are being scoped and priced to modify the Workshop building at the old Goldenfields water depot to enable access for Heavy Plant to the workshop. When this work is completed, the relocation will commence. Aiming for 2<sup>nd</sup> quarter next year. The plans for the current workshop site known as Depot 1 are that it will be cleaned up and sold to recoup costs of the purchase of the Goldenfields site. Depot 2 will remain operational.

5. **Cr Kelly** - With the need for transparency in Council, I was approached by a resident asking about a conference in Albany, Western Australia and enquiring who from Council went and what was the need for someone to have to go. I was quiet embarrassed to have to tell them that I had no knowledge of any interstate conference and was unaware anybody from Council went so I have the following questions:

- What was the purpose of the conference?
- Which staff/ Councillors from Council attended?
- Did any partners or guests of attendees attend?
- If so did Council pay these costs?
- What were the benefits to our ratepayers?
- Who authorised the delegate's attendance?
- What Councillors knew in advance of this trip, how long have they known and why weren't all Councillors informed of this conference?
- Will a report be provided to Council from those in attendance? If so when will this be presented?
- What was the total cost to ratepayers and what is the breakdown of costs associated with delegate/delegates attendance at the conference?
- How many people were at the conference?

- How many from NSW were in attendance?
- Which local Government areas from this area were also represented at this conference?

#### Officer's Response

Refer to Council report Item 7.3.1.1 from Ray Graham, Director Operations

Conference expenditure that has been collated at this stage for Cr Palmer and Director Operations to attend the conference is:

- Flights - \$3,944.36
- Conference registration \$1,618
- Accommodation - \$2,042
- Sundry travel expenses -\$667

Cr Palmer's wife accompanied him to Albany and all the associated costs for her attendance was met by Cr Palmer.

It has long been recognised the political pressure brought about by the number of attendees at this conference has been instrumental in Council retaining the Roads 2 Recovery (R2R) funding, which in this Council's case amounts to over \$1M per year.

#### 6. **Cr Kelly**

- Is there any provisions in the Local Government Act to compel business owners to keep vacant premises neat and tidy or can Council do this and charge the business owner?

There is several locations in and around the Main Street of Cootamundra that need action including the former Mitre 10, the vacant lot across from Repco and the building next to wrapped. We have a very tidy Main Street and these locations are not a good look.

#### Officer's Response

Council has limited ability to compel landowners to tidy their business. However a cooperative approach can have some influence on occasions.

7. **Cr Kelly** - Unfortunately the hazard reduction burn off was unable to be completed along Muttama Creek in town recently. Around the John Rees Bridge in Wallendoon Street there is quite a mess with rubbish and overgrown trees not native to the creek habitat. Besides affecting water flow this is quite unsightly.

- What is the process involved to get this area cleaned up?

#### Officer's Response

Council is currently investigating chemical control methods for management of the creek area.

8. **Cr Nicholson** – Seeking clarification in relation to Council’s arrangements for Australia Day Celebrations. Will there be one or two Ceremonies?

Officer’s Response

Council is arranging an Australia Day celebration in each town. Advertisements for nominations has been arranged for the local papers, Council’s webpage and Facebook page with nominations forms available at both administration centres and Expressions of Interest are being sought for working committees for both Cootamundra and Gundagai towns. Each community will have Citizen of the Year and associated awards.

9. **Cr Bowden** – The Captains’ Walk in Jubilee Park, Cootamundra, is one of the main tourist attractions of the town. Currently the last complete “captain”, with bust and statistics, is Ricky Ponting (2003 – 2011). There is a bust, presumably of Michael Clarke (2011 – 2015), with no name or statistics.

Could you please advise of the plans in place to bring the Captains’ Walk up to date?

Officer’s Response

Council must provide an allowance in the budget to commission work for the outstanding Captain’s busts of Steve Smith and the matter will be considered in the budgetary process for 2018/19 financial year.

10. **Cr Bowden** - Does Cootamundra-Gundagai Regional Council have an Arts and Cultural Development Policy? If so, where can one access it? If not, could you please describe the processes that are in place to develop one and advise of the progress?

Officer’s Response

Council does not have an Arts and Cultural Development Policy. Council staff have undertaken preliminary work, including attendance at relevant training sessions, in preparation for the development of such a policy. The policy is currently on a program of policies that are to be prepared and submitted to Council for consideration in the future.