

# Business Paper

## ORDINARY COUNCIL MEETING

**COUNCIL CHAMBERS, GUNDAGAI**

**6:00PM, TUESDAY 28<sup>TH</sup> JANUARY, 2020**

**Administration Centres: 1300 459 689**

The Mayor & Councillors  
Cootamundra-Gundagai Regional Council  
PO Box 420  
Cootamundra NSW 2590

#### NOTICE OF MEETING

An Ordinary Meeting of Council will be held in the Council Chambers, Gundagai on:

**Tuesday, 28th January, 2020 at 6:00pm**

The agenda for the meeting is enclosed.

Phillip McMurray  
General Manager

# AGENDA

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**1 ACKNOWLEDGEMENT OF COUNTRY**

Council acknowledges the Wiradjuri people, the Traditional Custodians of the Land at which the meeting is held and pays its respects to Elders, both past and present, of the Wiradjuri Nation and extends that respect to other Aboriginal people who are present.

**ADJOURN MEETING FOR OPEN FORUM****2 OPEN FORUM****RESUME OPEN MEETING****3 APOLOGIES****4 DISCLOSURES OF INTEREST**

## **5 CONFIRMATION OF MINUTES**

### **5.1 MINUTES OF THE ORDINARY MEETING OF COUNCIL HELD ON TUESDAY 10 DECEMBER 2019**

REPORTING OFFICER	Marianne McInerney, Personal Assistant to the General Manager
AUTHORISING OFFICER	Phil McMurray, General Manager
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.
ATTACHMENTS	1. Minutes of the Ordinary Meeting of Council held on Tuesday 10 December 2019

### **RECOMMENDATION**

**The Minutes of the Ordinary Meeting of Council held on Tuesday 10 December 2019 be confirmed as a true and correct record of the meeting.**



# Minutes

## ORDINARY COUNCIL MEETING

**ALBY SCHULTZ MEETING CENTRE, COOTAMUNDRA**

**6:00PM, TUESDAY 10<sup>TH</sup> DECEMBER, 2019**

**Administration Centres: 1300 459 689**

**MINUTES OF COOTAMUNDRA-GUNDAGAI REGIONAL COUNCIL  
ORDINARY COUNCIL MEETING  
HELD AT THE ALBY SCHULTZ MEETING CENTRE, COOTAMUNDRA  
ON TUESDAY, 10 DECEMBER 2019 AT 6:00PM**

**PRESENT:** Cr Abb McAlister (Mayor), Cr Dennis Palmer (Deputy Mayor), Cr Leigh Bowden, Cr David Graham, Cr Gil Kelly, Cr Penny Nicholson, Cr Doug Phillips, Cr Charlie Sheahan, Cr Craig Stewart

**IN ATTENDANCE:** Phil McMurray (Acting General Manager), Ganesh Ganeshamoorthy (Manager Assets), Susan Gheller (Manager of Business), Mark Ellis (Manager Civil Works), Miriam Crane (Manager of Community and Culture), Sharon Langman (Manager Development, Building and Compliance), Andrew Brock (Manager Facilities), Tim Swan (Manager Finance), Matt Stubbs (Manager Technical Services), Wayne Bennett (Manager Waste, Parks & Recreation Services)

**1 ACKNOWLEDGEMENT OF COUNTRY**

The Chairperson acknowledged the Wiradjuri people who are the Traditional Custodians of the Land at which the meeting was held and paid his respects to Elders, both past and present, of the Wiradjuri Nation and extended that respect to other Aboriginal people who were present.

**ADJOURN MEETING FOR OPEN FORUM**

**RESOLUTION 449/2019**

Moved: Cr Dennis Palmer

Seconded: Cr Leigh Bowden

**Council adjourn for Open Forum.**

**CARRIED**

**2 OPEN FORUM**

List of Speakers

1. Mr. Barry Cunich – Mr. Cunich addressed Council in relation to his sewer pipe. He also suggested renaming Bradman Oval to Steve Smith Oval.
2. Mr. Conrad Streher – Mr. Streher spoke in opposition the recommendation for item 8.4.3 Development Application 2019/103 – Fish Rendering Trial – 573 Stockinbingal Road, Cootamundra.
3. Mr. Dean Thompson – Mr. Thompson spoke in opposition to the recommendation for item 8.4.3 Development Application 2019/103 – Fish Rendering Trial – 573 Stockinbingal Road, Cootamundra.
4. Mr. David Hain – Mr. Hain addressed Council on climate change and Council's responsibility to adopt best practice principals in preparing for the future including weather patterns that will impact the Cootamundra-Gundagai region.
5. Mr. Chris Imrie – Mr. Imrie spoke in opposition to the recommendation on item 8.4.2 Development Application 2019/139 – 8 Chamen Street, Cootamundra – Use of Unauthorised Carport.

**RESUME OPEN MEETING****RESOLUTION 450/2019**

Moved: Cr Penny Nicholson

Seconded: Cr Leigh Bowden

**Council resume the Open Meeting.**

**CARRIED**

**3 APOLOGIES**

Nil

**4 DISCLOSURES OF INTEREST**

Mr McMurray (General Manager) disclosed a significant non-pecuniary interest in Confidential item 11.3 Mayoral Minute – General Managers Review as he is the general manager.

**5 CONFIRMATION OF MINUTES****5.1 MINUTES OF THE ORDINARY MEETING OF COUNCIL HELD ON TUESDAY 26 NOVEMBER 2019**

Note: the following amendments to the Minutes were noted:

Mayoral Minute:

29<sup>th</sup> October, 2019

Cr Bowden did not attend the meeting with the Minister for Local Government the Hon. Shelley Hancock, Member for Cootamundra, Steph Cooke MP, and other Office of Local Government Representatives.

In item 8.1.12 Annual Local Government New South Wales Conference – Warwick Farm 14<sup>th</sup> -16<sup>th</sup> October, 2019, the report submitted by Cr Bowden, contained a recommendation to extend an invitation to Mr Jim Main to address Council on the matter of climate change. Cr Bowden moved the recommendation as a motion. Cr Sheahan seconded the motion. On being put to the vote, the motion was lost.

**RESOLUTION 451/2019**

Moved: Cr Penny Nicholson

Seconded: Cr David Graham

**The Minutes of the Ordinary Meeting of Council held on Tuesday 26 November, 2019 as amended were confirmed as a true and correct record of the meeting.**

**CARRIED**

## **6 MAYORAL MINUTES**

### **6.1 MAYORAL MINUTE - COUNCILLOR ENGAGEMENT**

#### **RESOLUTION 452/2019**

Moved: Cr David Graham

Seconded: Cr Dennis Palmer

**The information in the Mayoral Minute be received and noted.**

**CARRIED**

## **7 REPORTS FROM COMMITTEES**

### **7.1 MINUTES OF THE ACCESS AND INCLUSION COMMITTEE MEETING HELD ON THURSDAY 28 NOVEMBER 2019**

#### **RESOLUTION 453/2019**

Moved: Cr Charlie Sheahan

Seconded: Cr David Graham

**The Minutes of the Access and Inclusion Committee Meeting held on Thursday 28 November, 2019, attached to the report, be received and noted.**

**CARRIED**

## **8 GENERAL MANAGER'S REPORT**

### **8.1 BUSINESS**

#### **8.1.1 TABLING OF PECUNIARY INTEREST RETURNS**

#### **RESOLUTION 454/2019**

Moved: Cr David Graham

Seconded: Cr Leigh Bowden

**The tabling of pecuniary interest return from new designated staff be noted.**

**CARRIED**

**8.1.2 GUNDAGAI TOURISM ACTION S.355 COMMITTEE MEETING MINUTES****RESOLUTION 455/2019**

Moved: Cr Penny Nicholson

Seconded: Cr David Graham

- 1. The Minutes of the Gundagai Tourism Action s.355 Committee meetings held on 13<sup>th</sup> November, 2019, attached to the report, be received and noted.**
- 2. The application of Mike Kingwill to become a member of the Gundagai Tourism Action s.355 Committee be endorsed.**

**CARRIED**

**8.1.3 COOTAMUNDRA SHOWGROUND USERS GROUP S.355 COMMITTEE MEETING MINUTES****RESOLUTION 456/2019**

Moved: Cr Charlie Sheahan

Seconded: Cr Dennis Palmer

**The Minutes of the Cootamundra Showground Users Group s.355 Committee Ordinary Meetings held on 18<sup>th</sup> September, 23<sup>rd</sup> October and 20<sup>th</sup> November 2019, attached to the report, be received and noted.**

**CARRIED**

**8.1.4 MUTTAMA CREEK REGENERATION GROUP S.355 COMMITTEE MEETING MINUTES****RESOLUTION 457/2019**

Moved: Cr Charlie Sheahan

Seconded: Cr Leigh Bowden

**The Minutes of the Muttama Creek Regeneration Group s.355 Committee meeting held on 14<sup>th</sup> October, 2019, attached to the report, be received and noted.**

**CARRIED**

**8.1.5 COOTAMUNDRA HERITAGE CENTRE MANAGEMENT S.355 COMMITTEE MINUTES AND MEMBERSHIP****RESOLUTION 458/2019**

Moved: Cr Craig Stewart

Seconded: Cr Charlie Sheahan

1. The Minutes of the Cootamundra Heritage Centre Management s.355 Committee ordinary meeting held on 4<sup>th</sup> November, 2019, attached to the report, be received and noted.
2. The Minutes of the Cootamundra Heritage Centre Management s.355 Committee Annual General Meeting held on 4<sup>th</sup> November, 2019, attached to the report, be received and noted.
3. The Cootamundra Heritage Centre December, 2019 Newsletter, attached to the report, be received and noted.
4. The office bearers of the Cootamundra Heritage Centre Management s.355 Committee as detailed in the report, be endorsed.

**CARRIED**

**8.1.6 MUTTAMA HALL MANAGEMENT S.355 COMMITTEE MEETING MINUTES AND MEMBERSHIP****RESOLUTION 459/2019**

Moved: Cr Leigh Bowden

Seconded: Cr David Graham

1. The Minutes of the Muttama Hall Management s.355 Committee Annual General Meeting held on 20<sup>th</sup> November, 2019, attached to the report, be received and noted.
2. The office bearers and membership of the Muttama Hall Management s.355 Committee as detailed in the report, be endorsed.

**CARRIED**

**8.1.7 COOTAMUNDRA-GUNDAGAI REGIONAL COUNCIL CHRISTMAS AND NEW YEAR CLOSURE**

Note: The following amendment was noted at the meeting:

in the report the opening date for the Gundagai Visitors Information Centre was incorrectly noted as 27<sup>th</sup> January, 2020. The correct date is 27<sup>th</sup> December, 2019.

**RESOLUTION 460/2019**

Moved: Cr Doug Phillips

Seconded: Cr Craig Stewart

**The report on the Christmas and New Year closures for Council's facilities be received and noted.**

**CARRIED**

**8.1.8 STOCKINBINGAL ELLWOOD'S HALL S.355 COMMITTEE MEETING MINUTES****RESOLUTION 461/2019**

Moved: Cr Charlie Sheahan

Seconded: Cr David Graham

**The Minutes of the Stockinbingal Ellwood's Hall s.355 Committee Ordinary Meeting held on 28<sup>th</sup> November, 2019, and the Christmas Market Report, attached to the report, be received and noted.**

**CARRIED**

**8.1.9 CORRESPONDENCE FROM THE OFFICE LOCAL GOVERNMENT PROPOSAL PURSUANT TO SECTION 215 OF THE LOCAL GOVERNMENT ACT, 1993****RESOLUTION 462/2019**

Moved: Cr Charlie Sheahan

Seconded: Cr Leigh Bowden

**The proposal for the Local Government Boundaries Commission to re-create the former Cootamundra and Gundagai Shire Councils to the boundaries applicable as at 11<sup>th</sup> May, 2016 be received and noted.**

**CARRIED**

**8.1.10 SOUTHERN REGIONAL PLANNING PANEL - COMMUNITY REPRESENTATIVE PROPOSAL – LATE REPORT****RESOLUTION 463/2019**

Moved: Cr David Graham

Seconded: Cr Penny Nicholson

**The proposal for Mr Gordon Lindley to assume the position of sitting Member for Cootamundra-Gundagai Regional Council on the Southern Regional Planning Panel be endorsed.**

**CARRIED**

### **8.1.11 INTERNAL FINANCE COMMITTEE INTERIM UPDATE REPORT – LATE REPORT**

#### **RESOLUTION 464/2019**

Moved: Cr David Graham

Seconded: Cr Doug Phillips

**The Internal Finance Committee Interim Update Report be distributed at a later date, and be subject to a Councillor Workshop in January, 2020.**

**CARRIED**

## **8.2 FINANCE**

### **8.2.1 MONTHLY FINANCE REPORT FOR NOVEMBER 2019**

#### **RESOLUTION 465/2019**

Moved: Cr Doug Phillips

Seconded: Cr Dennis Palmer

**The Monthly Finance Report for November, 2019 be received and noted.**

**CARRIED**

### **8.2.2 INVESTMENT REPORT - NOVEMBER 2019**

#### **RESOLUTION 466/2019**

Moved: Cr Craig Stewart

Seconded: Cr Doug Phillips

**The Investment Report as at 30<sup>th</sup> November, 2019 be received and noted.**

**CARRIED**

## **8.3 COMMUNITY AND CULTURE**

Nil



**8.4 DEVELOPMENT, BUILDING AND COMPLIANCE****8.4.1 DEVELOPMENT APPLICATIONS APPROVED NOVEMBER, 2019****RESOLUTION 467/2019**

Moved: Cr David Graham

Seconded: Cr Craig Stewart

**The information on Development Applications approved in November, 2019 be noted.**

<b>VOTING RECORD</b>	
<b>FOR RESOLUTION</b>	<b>AGAINST RESOLUTION</b>
Cr Abb McAlister (Mayor) Cr Dennis Palmer Cr Leigh Bowden Cr David Graham Cr Gil Kelly Cr Penny Nicholson Cr Doug Phillips Cr Charlie Sheahan Cr Craig Stewart	Nil
<b>ABSENT</b>	<b>DECLARED INTEREST</b>
Nil	Nil

**CARRIED**

#### 8.4.2 DEVELOPMENT APPLICATION 2019/139 - 8 CHAMEN STREET, COOTAMUNDRA - USE OF UNAUTHORISED CARPORT

##### RESOLUTION 468/2019

Moved: Cr Charlie Sheahan

Seconded: Cr Craig Stewart

1. That Development Application 2019/139 for a detached metal carport ancillary to the existing dwelling at Lot 5 DP 10285, 8 Chamen Street, Cootamundra be approved subject to conditions to be issued by the Manager of Development, Building and Compliance.
2. The reasons for the approval of Development Application 2019/139 for a detached metal carport ancillary to the existing dwelling at Lot 5 DP10285, 8 Chamen Street, Cootamundra are as follows:
  - a. There have been no objections lodged by neighbouring residents.
  - b. It is considered that the carport will not have an adverse impact on the streetscape or dominate the streetscape appearance.
  - c. It is considered that the carport satisfies clause 1.2 (2)(a) of the Cootamundra Local Environmental Plan in that the location of the carport does not adversely impact on the locality by not maintaining local amenity.
  - d. It is considered that the carport complies with clause 2.1 of the Cootamundra Shire Council Development Control Plan, 2013 in that the scale component of the carport does not dominate the appearance of the dwelling and is compatible and sympathetic to the dwelling.

VOTING RECORD	
FOR RESOLUTION	AGAINST RESOLUTION
Cr Abb McAlister (Mayor) Cr Dennis Palmer Cr Leigh Bowden Cr David Graham Cr Gil Kelly Cr Penny Nicholson Cr Doug Phillips Cr Charlie Sheahan Cr Craig Stewart	Nil
ABSENT	DECLARED INTEREST
Nil	Nil

**CARRIED**

### 8.4.3 DEVELOPMENT APPLICATION 2019/103 - FISH RENDERING TRIAL- 572 STOCKINBINGAL ROAD, COOTAMUNDRA

#### RESOLUTION 469/2019

Moved: Cr Dennis Palmer

Seconded: Cr Doug Phillips

**The development application for the rendering of fish at Lot 1 DP611755, 572 Stockinbingal Road (DA2019/103) be approved subject to the following conditions:**

#### 1. GEN Condition – Compliance with Council

The Development being completed in accordance with plans and specifications stamped by Council listed in the table below and the Statement of Environmental Effects, except where varied by conditions of this consent.

Document Reference	Description	Author	Date
14/40	Statement of Environmental Effects and Planning Report (Revised)	Cowman Stoddart Pty Ltd	November 2019
	Fish Rendering: Odour Impact Assessment	GHD	November 2019
	Environmental Impact of Waste-Water Generated from Rendering Plant Processing Fish as Raw Material	ProAnd Associates	November 2019
MMC001	Manildra Group of Companies Safety Data Sheet – Mackerel Fish Meal	Manildra Group	15/08/2019
	Section – 3 Control Through HACCP Part 6 Rendering (Quality Assurance Manual)	Manildra Meat Company	12/11/2019

Reason: To confirm the details of the application as submitted by the applicant and as approved by Council

#### 2. GEN Condition – Compliance with Legislation

Regardless of consent the applicant is still responsible for adhering to the requirements of State Legislation including (but not limited to) the *Protection of the Environment Operations Act* and *Dangerous Goods (Road and Rail Transport) Act*.

Reason: This consent does not remove obligations imposed by State and Federal Legislation.

#### 3. GEN Condition – Time Limited Consent

The approval is for a three month period only to determine if the impacts of the proposal are able to ameliorated and managed. This consent shall cease to be operational three months after the date on which it is taken to have commenced.

Reason: This consent does not authorise the development on an ongoing basis.

#### **4. GEN Condition – Render Fish Only**

During the time that this consent is in operation, fish are to be the only feedstock for the rendering plant. The processing of other animal by-products and the operation of the abattoir is not to occur during the period of this consent.

Reason: To comply with odour limits and requirements of the NSW Environment Protection Authority

#### **5. GEN Condition – Operation of Facility**

This consent authorises the render of fish only, all other abattoirs operations are suspended while this consent is in operation. The operations of the abattoirs and the rendering of fish are **NOT** to occur concurrently.

Reason: The cumulative impact of the combined operations has not been assessed and the resultant impact on the environment cannot be predicted.

#### **6. GEN Condition – Hours of Operation**

During the time that this consent is in operation, plant operations are restricted to the hours of 12:00am Monday to Saturday 11:59pm. No operations to occur on Sundays and Public Holidays.

Reason: To protect the amenity of the neighbourhood.

#### **7. GEN Condition – Recommended Upgrades**

Prior to the commencement of this consent the applicant is to install, complete and commission, as recommended by the Statement of Environmental Effects and the GHD Odour Impact Assessment to improve operation and management of odour mitigation measures, the following:

- a) Establish a process to recycle the Oil and Grease (O&G) polisher waste-stream, which contains the highest O&G contamination level, back into the rendering cooking vessel.
- b) Design and install an in-duct spray humidification system that will condition the inlet process air prior to biofiltration,
- c) Install an upgraded weather station to enable long term logging of (at a minimum) wind speed, wind direction, temperature and relative humidity in 30 minute (or finer) increments.
- d) Replace the biofilter fan to ensure that fugitive emissions do not result from the rendering building during the receival process

Reason: To protect the amenity of the neighbourhood.

**8. GEN Condition – Odour Report**

The applicant shall submit an odour report for the biofilter operation following the biofilter fan upgrade and installation of the in-duct spray humidification system. The testing and sampling which form the basis of the report shall be conducted when process is at capacity.

Reason: To protect the receiving environmental and monitor the effectiveness of odour mitigation measures

**9. GEN Condition – Temperature Control of Feedstock**

Fish stock is to be maintained under temperature control until processing, and any actions taken to maintain temperature are to be recorded.

A record of temperature of raw material deliveries is required to be kept for each truckload that delivers to the site upon delivery and at unloading.

Reason: To protect the amenity of the neighbourhood.

**10. GEN Condition – Waste Disposal**

Prior to the commencement of this consent the applicant is to provide to Council a waste management plan that includes contingencies in the event that fish on site cannot be processed for whatever reason.

Reason: To ensure that waste control and disposal measures are adequate for the development.

Note: Council's Cootamundra landfill facility does not have capacity to accept mass disposal of fish into the animal pit.

**11. GEN Condition – Truck Washing**

All trucks used for the transport of feedstock are to be washed out on site. The truck wash area onsite shall be bunded and washwater directed to the effluent system, away from the stormwater system.

Reason: To ensure that stormwater is not contaminated.

**12. GEN Condition – Bunding of Processing Material**

Processed material shall be stored in covered bunded areas sized to contain a spill of 150% of the material in the bunded areas.

Reason: To ensure that pollution does not occur in the event of a spill on site.

**13. GEN Condition – Complaints Management System**

Upon commencement of this consent the applicant shall implement a complaints management system, which shall be published on their website. Contact details for complaints will be provided on the website and on the gate to the premises.

Reason: To ensure that complaints are followed through, rectification measures implemented and the community informed of rectification actions.

**14. GEN Condition – Records**

A record shall be kept during the fish rendering consent period of any complaints received from the general public including:

- a) the date and time of the complaint;
- b) the method by which the complaint was made;
- c) any personal details of the complainant which were provided by the complainant or, if no such details were provided, a note to that effect;
- d) the nature of the complaint;
- e) the action taken in relation to the complaint, including any follow-up contact with the complainant; and
- f) if no action was taken the reasons why no action was taken.

Records of will be made available to Council Officers and the NSW Environment Protection Authority on request

Reason: To ensure the amenity of the neighbourhood is protected

**15. GEN Condition – Irrigation areas**

The applicant is to map and record the regime of irrigating effluent to land to ensure that soil capability, capacity and stability is not impacted and to ensure that areas of terrestrial biodiversity are avoided.

Reason: To ensure the amenity of the receiving environment is maintained and the activity is managed in a sustainable manner.

**16. GEN Condition – Monitoring**

Regular oil and grease analysis is be conducted on wastewater samples taken at the EPA designated monitoring points and at the discharges from the anaerobic and aerated ponds, as part of the normal sampling program.

Reason: To ensure that the receiving environment is not subject to pollution

**17. GEN Condition – Monitoring and Reporting**

An Environmental Audit Report will be prepared and submitted to Council and the EPA at the completion of the fish rendering trial period which will:

- a) Detail the results of temperature monitoring of raw material delivered to the site, and if there are occurrences where fish temperatures rise above 15oC actions taken by the company to remedy these occurrences.
- b) Detail the results of monitoring of effluent quality as required by the sites EPL and including oil and grease analysis as recommended by ProAnd.
- c) Detail compliance with any development consent conditions issued by Council.
- d) Detail compliance with the requirements of the EPL during the fish rendering trail period.
- e) Detail any complaints received in relation to the site operations and actions taken to remedy complaints.

Reason: To ensure the environmental impacts of the activity are monitored and mitigated

<b>VOTING RECORD</b>	
<b>FOR RESOLUTION</b>	<b>AGAINST RESOLUTION</b>
Cr Abb McAlister (Mayor) Cr Dennis Palmer Cr David Graham Cr Gil Kelly Cr Penny Nicholson Cr Doug Phillips Cr Craig Stewart	Cr Leigh Bowden Cr Charlie Sheahan
<b>ABSENT</b>	<b>DECLARED INTEREST</b>
Nil	Nil

**CARRIED**

## **8.5 REGULATORY SERVICES**

Nil

## **8.6 ASSETS**

Nil

## **8.7 CIVIL WORKS**

### **8.7.1 CIVIL WORKS AND TECHNICAL SERVICES REPORT - DECEMBER 2019**

#### **RESOLUTION 470/2019**

Moved: Cr Craig Stewart

Seconded: Cr Dennis Palmer

**The Civil works and Technical Services Report for the month of December, 2019 be received.**

**CARRIED**

**8.7.2 FIXING LOCAL ROADS FUNDING PROGRAM.****RESOLUTION 471/2019**

Moved: Cr Gil Kelly

Seconded: Cr David Graham

- 1. Council endorse the application under Fixing Local Roads for the roads listed in the table included in the report.**
- 2. Council commit to a 25% contribution to all projects submitted under the program.**

**CARRIED**

**8.7.3 PLANT REPLACEMENT - HINO HEAVY RIGID TIPPER TRUCK PLANT NO. 3407****RESOLUTION 472/2019**

Moved: Cr David Graham

Seconded: Cr Charlie Sheahan

**Consideration of the report for the procurement of a Hino Heavy Rigid Tipper Truck be deferred to the Ordinary Meeting to be held Tuesday, 28<sup>th</sup> January, 2020**

**CARRIED**

**8.7.4 PLANT REPLACEMENT - HINO PRIME MOVER PLANT NO 3606****RESOLUTION 473/2019**

Moved: Cr David Graham

Seconded: Cr Charlie Sheahan

**Consideration of the report for the procurement of a Hino Prime Mover be deferred to the Ordinary Meeting to be held Tuesday, 28<sup>th</sup> January, 2020**

**CARRIED**



## **8.8 TECHNICAL SERVICES**

### **8.8.1 NATIONAL LOCAL ROADS & TRANSPORT CONGRESS 2019**

#### **RESOLUTION 474/2019**

Moved: Cr Dennis Palmer

Seconded: Cr David Graham

**That the report on the annual ALGA National Local Roads & Transport Congress, 2019, submitted by Cr Sheahan and Matt Stubbs (Manager Technical Services) be received and noted.**

**CARRIED**

### **8.8.2 REPLACEMENT OF 20 TONNE EXCAVATOR**

#### **RESOLUTION 475/2019**

Moved: Cr David Graham

Seconded: Cr Charlie Sheahan

**Consideration of the report on the procurement of a Hitachi Excavator be deferred to the Ordinary Meeting to be held Tuesday, 28<sup>th</sup> January, 2020**

**CARRIED**

### **8.8.3 PURCHASE OF NEW WATER CART**

#### **RESOLUTION 476/2019**

Moved: Cr David Graham

Seconded: Cr Charlie Sheahan

**Consideration of the report on the procurement of a Hino Water Cart be deferred to the Ordinary Meeting to be held Tuesday, 28<sup>th</sup> January, 2020.**

**CARRIED**

## **8.9 FACILITIES**

Nil

**8.10 WASTE, PARKS AND RECREATION****8.10.1 COOTAMUNDRA AQUATIC CENTRE OPERATIONS PLAN****RESOLUTION 477/2019**

Moved: Cr Charlie Sheahan

Seconded: Cr Craig Stewart

- 1. The report on the revised 2019/2020 Cootamundra Aquatic Centre Operation Plan be received and noted.**
- 2. The 2019/2020 Cootamundra Aquatic Centre Operations Plan as presented be adopted.**

**CARRIED**

**8.10.2 COOTAMUNDRA AQUATIC CENTRE OPERATING HOURS TRIAL REVIEW****RESOLUTION 478/2019**

Moved: Cr Gil Kelly

Seconded: Cr Charlie Sheahan

- 1. The report detailing the information collated from the Cootamundra Aquatic Centre Operating Hours Trial be received and noted.**
- 2. The Cootamundra Aquatic Centre operating hours be set in accordance with the 2019/2020 Cootamundra Aquatic Centre Operations Plan.**

**CARRIED**

**9 MOTION OF WHICH NOTICE HAS BEEN GIVEN****9.1 NOTICE OF MOTION - COUNCIL UNDERTAKE ANOTHER VOLUNTEER INDUCTION FOR DRIVERS OF THE COUNCIL COMMUNITY HIACE MINI BUS IN FEBRUARY, 2020****RESOLUTION 479/2019**

Moved: Cr Penny Nicholson

Seconded: Cr Leigh Bowden

**That a group volunteer induction day be advertised in January, 2020 so members of local community groups be eligible to drive the Community Hiace Mini bus so as to optimise its use.**

**CARRIED**

- 9.2 NOTICE OF MOTION - UNDERTAKE RESEARCH INTO THE CREDIBILITY OF CLIMATE CHANGE, PARTICULARLY AS IT IMPACTS ON THE RIVERINA AND THE LGA AND, IF WARRANTED, DEVELOP A CLIMATE CHANGE POLICY, WHICH MAY INCLUDE STRATEGIES THAT EXAMINE EFFICIENT BUILDINGS, REDUCE WASTE REGENERATION, INCORPORATE CLIMATE RESILIENCE IN DEVELOPMENT APPLICATIONS AND PLANNING POLICIES AND A CLIMATE CHANGE RISK ASSESSMENT**

**RESOLUTION 480/2019**

Moved: Cr Leigh Bowden

Seconded: Cr Charlie Sheahan

**That Cootamundra-Gundagai Regional Council:**

- 1. Undertake research into the credibility of climate change, particularly as it impacts on the Riverina and our LGA and, if warranted,**
- 2. Develop a Climate Change Policy, which may include strategies that examine efficient buildings, reduce waste regeneration, and incorporate climate resilience in development applications and planning policies and a Climate Change Risk Assessment.**

**CARRIED**

- 9.3 NOTICE OF MOTION - THAT COOTAMUNDRA-GUNDAGAI REGIONAL COUNCIL FORMALLY ACKNOWLEDGES THE INVALUABLE WORK DONE BY ALL OUR S355 COMMITTEES AND FORWARDS A LETTER TO EACH COMMITTEE THANKING THEM FOR THEIR CONTRIBUTION TO THE WORK OF COUNCIL.**

**RESOLUTION 481/2019**

Moved: Cr Leigh Bowden

Seconded: Cr Gil Kelly

**That Cootamundra-Gundagai Regional Council formally acknowledges the invaluable work done by all our s355 committees and forwards a letter to each committee thanking them for their contribution to the work of Council.**

**CARRIED**

**9.4 NOTICE OF MOTION - THE COST OF AN IRRIGATION SYSTEM FOR THE OFF LEASH DOG PARK IN HURLEY STREET BE INCLUDED IN THE 2020/21 BUDGET.**

**RESOLUTION 482/2019**

Moved: Cr Gil Kelly

Seconded: Cr Dennis Palmer

**That an amount of up to \$30,000 be considered within the 2020/21 Budget for an irrigation system to be installed at the Off Leash Dog Park in Hurley Street, Cootamundra.**

**CARRIED**

**10 QUESTIONS WITH NOTICE**

**10.1 QUESTIONS WITH NOTICE**

**RESOLUTION 483/2019**

Moved: Cr Penny Nicholson

Seconded: Cr David Graham

**The Questions with Notice from Councillors and related responses from Council officers be noted.**

**CARRIED**

**11 CONFIDENTIAL ITEMS****11.1 CONFIDENTIAL ITEMS****11.1 PROPOSED ACQUISITION LAND AFFECTING LOTS 35, 71 AND 88 DP751415 AND LOT 2 DP1100263 RENO ROAD, GUNDAGAI****RESOLUTION 484/2019**

Moved: Cr Dennis Palmer

Seconded: Cr Doug Phillips

1. Items 11.2, 11.3 and 11.4 be considered in closed Council at which the press and public are excluded in accordance with the applicable provisions of the Local Government Act, 1993 and related public interest reasons detailed.
2. In accordance with section 11 (2) and (3) of the Local Government Act, 1993, the reports, correspondence and other documentation relating to Items 11.2, 11.3 and 11.4 be withheld from the press and public.

**11.2 PROPOSED COMPULSORY ACQUISITION LAND AFFECTING LOTS 35, 71 AND 88 DP751415 AND LOT 2 DP1100263 RENO ROAD, GUNDAGAI**Provisions for Confidentiality

Section 10A (2) (c) – The Confidential Report contains information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.

Public Interest

It is considered that discussions of this matter in open Council would, on balance, be contrary to the public interest as it would prejudice Council's ability to secure the optimum outcome for the community.

**11.3 MAYORAL MINUTE - GENERAL MANAGERS REVIEW**Provisions for Confidentiality

Section 10A (2) (a) – The Confidential Report contains information regarding personnel matters concerning particular individuals other than Councillors.

Public Interest

Not applicable.

**11.4 PROPOSED ACQUISITION BY COOTAMUNDRA-GUNDAGAI REGIONAL COUNCIL FOR BANGUS QUARRY REMEDIATION PROJECT - LATE REPORT**

Provisions for Confidentiality

Section 10A (2) (d(ii)) – The Confidential Report contains information that would, if disclosed, confer a commercial advantage on a competitor of the council.

Public Interest

It is considered that discussions of this matter in open Council would, on balance, be contrary to the public interest as publication of all tendered amounts would discourage potential tenderers from submitting commercial information in the future and therefore prejudice Council's ability to secure the optimum outcome for the community.

**CARRIED**

Note: The following amendment was made at the meeting:

It was noted at the meeting that the word 'Compulsory' should have been in the title of the report and has been amended, as shown, in the resolution below. Further, it has been amended in the Confidential Items Heading on page twenty one (21) of these Minutes.

**RESOLUTION 485/2019**

Moved: Cr Doug Phillips

Seconded: Cr Charlie Sheahan

**11.2 PROPOSED COMPULSORY ACQUISITION LAND AFFECTING LOTS 35, 71 AND 88  
DP751415 AND LOT 2 DP1100263 RENO ROAD, GUNDAGAI**

**RECOMMENDATION**

- 1. Council make application to acquire land affecting lots 35, 71 & 88 DP 751451 and lot 2 DP1100263 under the Land Acquisition (Just Terms Compensation) Act, 1991.**
- 2. The General Manager be authorised to sign any relevant documentation in relation to the proposed acquisition referred to in 1 above.**
- 3. Authority be granted to affix the common seal of Council to the necessary documents.**

**CARRIED**

**11.3 MAYORAL MINUTE - GENERAL MANAGERS REVIEW**

Note: Having disclosed an interest in this item Phillip McMurray (General Manager) left the meeting.

**RESOLUTION 486/2019**

Moved: Cr Penny Nicholson

Seconded: Cr David Graham

- 1. Confirmation be obtained that the contract for Local Government NSW Management Solutions to recruit the position of General Manager included the requirement to provide a performance appraisal for the three (3) month performance review of the General Manager.**
- 2. That Blackadder be requested to provide a proposal to facilitate the three (3) month performance review of the General Manager and report back to the Ordinary Meeting to be held 28<sup>th</sup> January, 2020.**
- 3. That a report be prepared on the outcomes of 1 and 2 above and be submitted to the January, 2020 Ordinary Meeting.**

**CARRIED**

**11.4 PROPOSED ACQUISITION BY COOTAMUNDRA-GUNDAGAI REGIONAL COUNCIL FOR BANGUS QUARRY REMEDIATION PROJECT - LATE REPORT**

Note: The following amendment was made at the meeting:

It was noted at the meeting that the proposed acquisition of Crown Land Lot 7003 and Lot 7004 DP1028797 was incorrectly referred to as a 'compulsory acquisition', however, it is not being compulsory acquired. As such the word 'compulsory' has been removed from the item title above and from the Confidential Items Heading on page twenty one (21) of these Minutes.

**RESOLUTION 487/2019**

Moved: Cr David Graham

Seconded: Cr Craig Stewart

- 1. Council approve the acquisition of Crown land Lot 7300 DP1149008 and Lot 7004 DP1028797 for the Bangus Quarry Remediation Project.**
- 2. The General Manager be authorised to sign any relevant documentation in relation to the proposed acquisition referred to in 1 above.**
- 3. Authority be granted to affix the common seal of Council to the necessary documents.**
- 4. Upon acquisition by Council the land be classified as operational.**

**CARRIED**

## **11.5 RESUMPTION OF OPEN COUNCIL MEETING**

### **RESOLUTION 488/2019**

Moved: Cr Craig Stewart

Seconded: Cr Charlie Sheahan

**The Open Council meeting resume.**

**CARRIED**

## **11.6 ANNOUNCEMENT OF CLOSED COUNCIL RESOLUTIONS**

Note: The Chairperson announced the resolutions made in Closed Council.

**The Meeting closed at 8:45 pm.**

**The minutes of this meeting were confirmed at the Ordinary Council Meeting held on 28 January 2020.**

.....

**CHAIRPERSON**

.....

**GENERAL MANAGER**



## 6 MAYORAL MINUTES

### 6.1 MAYORAL MINUTE - COUNCILLOR ENGAGEMENT

DOCUMENT NUMBER	320991
AUTHORISING OFFICER	Phil McMurray, General Manager
REPORTING OFFICER	Marianne McInerney, Personal Assistant to the General Manager
ATTACHMENTS	Nil

So as to keep Councillors and the community aware of my engagements on behalf of Council I intend to provide regular updates through my Mayoral Minutes. These Minutes will also include copies of relevant correspondence received by me.

#### RECOMMENDATION

**The information in the Mayoral Minute be received and noted.**

#### 4<sup>th</sup> December, 2019

Cr Nicholson and I attended a meeting with Selina Win Pe of the Will of Courage Foundation who visited Gundagai as part of her Christmas gift giving journey.

Cr Sheahan attended the Plan B Road Safety Campaign launch at the Albion Hotel in Cootamundra.

Cr Sheahan attended the Bradman Birthplace and Cootamundra Heritage Centre Volunteers Christmas Luncheon.

#### 6<sup>th</sup> December, 2019

I attended the Plan B Road Safety Campaign launch at the Criterion Hotel Gundagai.

#### 10<sup>th</sup> December, 2019

Cr Palmer (Deputy Mayor) and I attended the Cootamundra Public School presentation day.

Cr Palmer (Deputy Mayor), Cr's Bowden, Graham, Nicholson, Sheahan and I attended a Councillor Workshop.

#### 11<sup>th</sup> December, 2019

I attended the Cadet Graduation at Gundagai High School.

Cr Nicholson and I attended a Gundagai Tourism Action Committee meeting.

#### 12<sup>th</sup> December, 2019

I attended a State Water Strategy Presentation and Workshop, a Riverina Joint Organisation Board meeting, and a Riverina Eastern Organisation of Councils (REROC) Board meeting in Wagga Wagga. Assistant Trade and Investment Minister, Minister for Regional Services, Decentralisation and Local Government the Hon. Mark Coulton addressed the REROC board.

Cr Palmer (Deputy Mayor) and Cr's Bowden, Nicholson and attended the Elouera School

13th December, 2019

Cr Palmer (Deputy Mayor) and I attended the Cootamundra TAFE awards.  
Cr Nicholson and I attended the Gundagai High School presentation awards.  
Cr Palmer (Deputy Mayor) attended the EA Southee presentation awards.  
I attended a meeting with MHE in Gundagai.

14th December, 2019

Cr Sheahan attended a State Planning Workshop.

16th December, 2019

I attended the Stockinbingal Public School presentation day.  
Cr Nicholson attended the Gundagai Primary school presentation day.  
Cr Palmer (Deputy Mayor) attended the Cootamundra High School presentation evening.  
Cr Sheahan attended a Cootamundra Nursing Home Board Meeting.

17th December, 2019

I attended the South Gundagai Primary School presentation ceremony.

13th January, 2020

Phillip McMurray and I met with Representatives from MHE in Gundagai.  
Cr Nicholson attended a Climate Change presentation by Mr. Jim Main.

14th January, 2020

Cr Palmer (Deputy Mayor), Cr's Bowden, Graham, Kelly, Nicholson, Phillips and Sheahan, Phillip McMurray (General Manager) and I attended a Rural Lands Strategy Workshop with Lilian Parker from Department of Planning Industry and Environment (Agriculture) and Ann Martin and Graham Towers from Department of Planning Industry and Environment (Planning) and Council Staff.

19th January, 2020

Cr Nicholson and Graham and Phillip McMurray (General Manager) and I attended a meeting with Dr Joseph Drew from University of Technology Sydney.

21st January, 2020

Cr Bowden attended a meeting with Dr Joseph Drew from University of Technology Sydney.

22nd January, 2020

Cr Palmer (Deputy Mayor) and I Cootamundra Country Club and met with Relieving Minister for Sport, Minister for Skills and Tertiary Education, the Hon. Geoffrey Lee, MP and the club's board of directors. We then attended the Cootamundra TAFE for a light lunch.

**7        REPORTS FROM COMMITTEES**

Nil

**8        GENERAL MANAGER'S REPORT**

## 8.1 BUSINESS

### 8.1.1 PROPOSAL TO CREATE A NEW LOCAL GOVERNMENT AREA AFFECTING THE AREA OF COOTAMUNDRA-GUNDAGAI REGIONAL COUNCIL

DOCUMENT NUMBER	321180
REPORTING OFFICER	Phil McMurray, General Manager
AUTHORISING OFFICER	Phil McMurray, General Manager
RELEVANCE TO COMMUNITY STRATEGIC PLAN	<b>4. Good governance: an actively engaged community and strong leadership team</b>  4.2 Active participation and engagement in local decision-making
FINANCIAL IMPLICATIONS	Financial costs will be included in the March quarterly budget review (noting that a commercial in confidence proposal from UTS was supplied in confidence to Councillors)
LEGISLATIVE IMPLICATIONS	Section 216, 217 of the Local Government Act 1993.
POLICY IMPLICATIONS	There are no Policy implications associated with this report.
ATTACHMENTS	Nil

## RECOMMENDATION

**A submission be lodged to the Minister of Local Government, the Hon. Shelley Hancock by Friday, 31<sup>st</sup> January, 2020 in support of the proposal proceeding to the Boundaries Commission as detailed in the report.**

### Introduction

The Minister for Local Government, the Hon. Shelley Hancock (the Minister), received a proposal to effectively re-establish the former Gundagai Shire Council local government area which would reduce the Cootamundra-Gundagai Regional Council (CGRC) local government area to that of the former Cootamundra Shire Council and establish a new local government area with the same boundaries as the former Gundagai Shire Council.

The Minister has determined that the proposal progress to the next stage required under the Local Government Act, 1993 and has written to CGRC about this matter and the Office of Local Government (OLG) issued a public notice. This stage is to seek representations from Council and consult with the public as to whether the Minister should then refer the proposal to the Boundaries Commission. Correspondence from the Minister and the proposal was provided to the December, 2019 Ordinary Meeting.

This report seeks Councils direction on lodgement of a CGRC submission and any content to this submission. The Minister must consider all representations made. At this stage there is a lack of detailed data available around the proposal to validate anything other than a quite simplistic response.

### Discussion

Following discussions held with the OLG, it is understood that the matter is highly likely to be referred to the Boundaries Commission. Representation made by the community at a political level for an independent review of the merger will be fulfilled by this process proceeding.

Should the matter be referred to the Boundaries Commission (the Commission) for review the Council will be obligated to participate in the process and provide information for consideration by the Commission.

The following factors are legislated to be considered by the Commission if the matter is referred:

- financial advantages and disadvantages;
- the community of interest and geographic cohesion;
- the existing historical and traditional values in the existing areas and the impact of change on them;
- the attitude of residents and ratepayers;
- any requirements of the area concerned in relation to elected representation for residents and ratepayers at the local level;
- any impact on Council operations and staff,
- any impact on rural communities in the areas concerned; and;
- such other factors as it considers relevant to the provision of efficient and effective local government in the existing and proposed new areas.

Council will be aware that undertaking the extent and detail of the above matters will be an extensive task that will require specialist advisory resourcing in order to respond to the Commission and the community. Council's previous commitment to accept a proposal from University of Technology Sydney (UTS) Centre for Local Government, will assist Council in a range of areas pertaining to financial sustainability and related strategies.

It is recommended that an appropriate submission may be:

"Reference is made to the Proposal to create a new Local Government area affecting the area of Cootamundra-Gundagai Regional Council.

At its Ordinary meeting held 28<sup>th</sup> January, 2020, Cootamundra –Gundagai Regional Council resolved that a submission be lodged to the Minister of Local Government by Friday, 31<sup>st</sup> January, 2020 in support of the proposal proceeding to the Boundaries Commission.

Council strongly supports the implementation of a formal Boundaries Commission inquiry. There is a pervasive feeling in the community that a formal inquiry under the Act will allow people to have closure on this matter. More importantly, a formal inquiry will end any uncertainty for Council and its staff and allow it to better push forward with various important projects that the community needs.

It is appropriate for Council to make a formal and detailed submission to the Boundaries Commission. In this regard, Council has already engaged the services of Professor Joseph Drew who is a world recognised scholar in this field (evidenced by his adjunct Professorships in Japan and Portugal). However, it will take time to produce a rigorous report and conduct the community consultation as suggested by the Act. We would therefore prefer for the formal inquiry to occur towards the end of March, 2020, and for Council to be given this time to produce a comprehensive report, which is clearly an expectation of the community"

**8.1.2 RIVERINA EASTERN REGION ORGANISATION OF COUNCILS ELECTRICITY TENDER**

DOCUMENT NUMBER	317018
REPORTING OFFICER	Phil McMurray, General Manager
AUTHORISING OFFICER	Phil McMurray, General Manager
RELEVANCE TO COMMUNITY STRATEGIC PLAN	<b>4. Good governance: an actively engaged community and strong leadership team</b>  4.2 Active participation and engagement in local decision-making
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.
ATTACHMENTS	1. Letter of Acceptance - Electricity Sale Contract - Confidential 2. Energy Australia Pty Ltd Retail Energy Contract - Confidential

**RECOMMENDATION**

The report on the Riverina Eastern Region Organisation of Councils Electricity Tender, and attachments under confident be received and noted.

Introduction

At the Ordinary Meeting of Council held 24<sup>th</sup> September, 2019 item 8.9.1 Electricity Procurement Council resolved (Resolution 340/2019) to enter into an agreement with Riverina Eastern Region Organisation of Councils (REROC) to undergo a tender process for the procurement of electricity for a period of three years at competitive rates

Discussion

As a result of the tender process the attached confidential contracts circulated under separate cover detail the energy prices that Council will now pay for its energy use.

**8.1.3 CITY OF SYDNEY PARTNERSHIP**

DOCUMENT NUMBER	321009
REPORTING OFFICER	Phil McMurray, General Manager
AUTHORISING OFFICER	Phil McMurray, General Manager
RELEVANCE TO COMMUNITY STRATEGIC PLAN	<b>4. Good governance: an actively engaged community and strong leadership team</b>  4.3 Cootamundra-Gundagai Regional Council is a premier local government Council
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.
ATTACHMENTS	Nil

**RECOMMENDATION**

**Council accept the invitation from the City of Sydney Council to discuss this valuable partnership opportunity as one of the initiatives to address this critical issue for Cootamundra-Gundagai Regional Council.**

Introduction

Skills shortages in rural and regional New South Wales across almost all sectors of the economy, including the local government sector, is a major issue having significant economic and social impacts for all communities.

Discussion

Regional businesses including local councils are developing strategies to overcome the impact of skills shortage, including developing sponsorship and traineeship arrangements to attract staff, together with retraining and upskilling for existing workers.

Partnerships are also a common initiative to enhance the potential of recruiting, sharing and retaining required skills including the benefits of staff support and mentoring opportunities. The solution to this critical issue has been discussed and debated at length over many years, in particular recently as a key objective of the local government reform agenda.

To this end, in recent weeks, discussions have been undertaken with the City of Sydney Council regarding the critical issue of skill shortages in regional New South Wales and the potential of an arrangement providing professional support, mentoring and short term staff resourcing for Cootamundra-Gundagai Regional Council (CGRC). The arrangement will be based on the 'Engineers Without Borders' model, which has provided successful support outcomes in many communities around the world. An invitation to further discuss the details of the program has been extended to CGRC to meet with relevant Directors and Managers from the City of Sydney early in the New Year.

In addition, discussions have also been undertaken with Local Government New South Wales (LGNSW) regarding the CGRC partnership opportunity with the City of Sydney Council and they have also offered support in progressing and developing the program, if required. LGNSW, who have always had a focus on managing the skills shortage faced by local government in rural and regional NSW were enthusiastic about potential outcomes of the initiative. The current and projected demand for positions in NSW local government includes Engineers, Planners, Information Technology, Health and Building and Senior Managers in all Council professions.



**CLIMATE CHANGE STUDIES****8.1.4 STATEWIDE MUTUAL REPORT - CLIMATE CHANGE**

DOCUMENT NUMBER	319395
REPORTING OFFICER	Marianne McInerney, Personal Assistant to the General Manager
AUTHORISING OFFICER	Phil McMurray, General Manager
RELEVANCE TO COMMUNITY STRATEGIC PLAN	<b>3. Sustainable natural and built environments: we connect with the places and spaces around us</b>  3.1 The natural environment is valued and protected
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.
ATTACHMENTS	<ol style="list-style-type: none"> <li>1. StateWide Climate change Assessment (under separate cover)</li> <li>2. StateWide Climate Change Risk Assessment (under separate cover)</li> <li>3. Gundagai Climate Change Report Final (under separate cover)</li> <li>4. Jardine Lloyd Thompson Climate Change reports 2019 (under separate cover)</li> </ol>

**RECOMMENDATION**

**The information on Statewide Mutual Report on Climate Change, circulated under separate cover, be received and noted.**

Introduction

At the Ordinary Meeting held 10<sup>th</sup> December, 2019 Cr Bowden submitted a Notice of Motion 9.2 that Council undertake research into the credibility of climate change, particularly as it impacts on the Riverina and the LGS and, if Warranted, develop a climate change policy which may include strategies that examine efficient buildings, reduce waste regeneration, incorporate climate resilience in development applications and planning policies and a climate change risk assessment.

Discussion

The attached documentation provide details on climate change studies undertaken by Statewide Mutual. In 2009 the Board of Statewide Mutual Commissioned a Climate Change Adaptation Project to address the potential climate change impacts challenging Councils. Thirty two (32) Councils participated in the project.

The Climate Change Risk Assessment Report for Gundagai Shire Council, circulated under separate cover specifically targeted and identified climate proposed climate change impacts for the former Council area.

The attached reports and assessments will be taken into account when updating Council policies and when future strategic planning is undertaken.

**8.1.5 ANNUAL REPORT**

DOCUMENT NUMBER	320638
REPORTING OFFICER	Teresa Breslin, Governance Officer
AUTHORISING OFFICER	Phil McMurray, General Manager
RELEVANCE TO COMMUNITY STRATEGIC PLAN	<b>4. Good governance: an actively engaged community and strong leadership team</b>  4.3 Cootamundra-Gundagai Regional Council is a premier local government Council
FINANCIAL IMPLICATIONS	There are no Financial implications associated with this report.
LEGISLATIVE IMPLICATIONS	To comply with Section 428 of the <i>Local Government Act, 1993</i> (the Act), the <i>Local Government (General) Regulations, 2005</i> .
POLICY IMPLICATIONS	There are no Policy implications associated with this report.
ATTACHMENTS	Nil

**RECOMMENDATION**

1. The draft Annual Report for the year ended 30 June, 2019, be reviewed by Councillor's with any feedback provided to staff.
2. The Annual Report for the year ended 30 June, 2019, including any amendments resulting from 1 above, be endorsed, prior to publication on Council's website and submission to the Office of Local Government in conjunction with the release of the financial statements.

Introduction

Under *Section 428 of the Local Government Act 1993 (the Act)*, the *Local Government (General) Regulation 2005*, councils must prepare an annual report within five months after the end of the year. Council must upload a copy of the annual report (including financial statements) to its website and provide a copy to the Minister for Local Government (the Minister) and such other persons and bodies as regulations apply.

The Annual Report is the key reporting document for Council to keep the community informed as to what was achieved in the financial year, in addition to reporting against a number of statutory reporting requirements.

Discussion

The submission of the Annual Report meets Council's legislative requirements under the Local Government Act (1993) and Local Government (General) Regulation (2005).

The Annual Report includes information that is prescribed by the Regulation. These requirements have been included in the Regulation because the Government believes that it is important for community members to know about it; to help their understanding of how their council has been performing both as a service provider and a community leader. The Annual Report also includes the Financial Statements, showing key income and expenditure areas for the past financial year.

**8.1.6 UPDATED PROCUREMENT POLICY**

DOCUMENT NUMBER	320976
REPORTING OFFICER	Catherine Smith, Procurement Officer
AUTHORISING OFFICER	Phil McMurray, General Manager
RELEVANCE TO COMMUNITY STRATEGIC PLAN	<b>2. A prosperous and resilient economy: we are innovative and 'open for business'</b>  4.1 Decision-making is based on collaborative, transparent and accountable leadership
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.
ATTACHMENTS	1. Amended Procurement Policy 2. OLG Circular No 19-14 10 July 2019 A652389

**RECOMMENDATION**

- 1. The amended Procurement Policy be endorsed.**
- 2. Council note that an updated Procurement Guidelines document will be provided for information purposes at a future meeting.**
- 3. Council note that a Local Purchasing Policy will be investigated with findings presented to a future meeting.**
- 4. Council note that the Procurement Officer will provide updates to Council on the development of an online platform to seek quotations from local suppliers.**

Introduction

Amendments to the Local Government Act, 1993 were communicated under an Office of Local Government (OLG) Circular No 19-14 / 10 July 2019 / A652389, attached to the report. In part, the tendering threshold, below which councils do not have to undertake a competitive tendering process, has been increased to \$250,000. However, the threshold for contracts involving services provided by council employees at the time of entering the contract remains at \$150,000.

Discussion

Council is required to update its Procurement Policy to reflect these changes. Amendments will be made to Council's Procurement Guidelines and a report will be prepared and submitted for the information of Council at a future meeting.

Resolution 396/2019 moved by Cr Gil Kelly and seconded by Cr Penny Nicholson stated *"Council develop a Local Services Preference Policy detailing that, where opportunity exists, service providers, based within town boundaries are given preference should they be available, they are able*

*to meet essential criteria and specifications and their quote or tender amount is comparative with other submissions received by Council.”*

Proposed amendments to Council’s procurement Guidelines include a particular focus on local suppliers with stringent thresholds to be adhered to by staff, based on the value of purchase to ensure that value for money is obtained in all council expenditure.

In addition to procedural amendments, Council’s procurement officer is currently undertaking discussions with VendorPanel who offer an upgrade that provides a platform in which quotations can be sought from pre-qualified local suppliers. Workshops are planned for staff and suppliers in both Cootamundra and Gundagai to ensure the changes to Councils current processes are understood. Further detail will be provided to Council as it becomes available.

# Procurement Policy

## 1. PURPOSE

The purpose of this Policy is to:

- Provide guidelines for Cootamundra-Gundagai Regional Council to facilitate consistency and control over its procurement activities;
- Demonstrate transparency and accountability to the community as well as existing, prospective and potential suppliers;
- Provide guidance to procurement decision-makers on the standards of ethical behaviour expected of them;
- Focus on the application of best practice in procurement; and
- Increase the likelihood of achieving the optimal outcome for the community when purchasing goods, materials and services by obtaining the best Value for Money.

## 2. SCOPE

This Policy applies to all Cootamundra-Gundagai Regional Council officers involved in procurement activities as well as consultants, contractors and others engaged by Council.

## 3. RELATED COOTAMUNDRA-GUNDAGAI REGIONAL COUNCIL POLICIES AND PROCEDURES

- Assets and Materials Disposal Policy
- Code of Conduct
- Delegations Register
- Fraud and Corruption Prevention Policy
- Fraud and Corruption Control Strategy (to be developed)
- Procurement Procedures and Guidelines for Officers
- Risk Management Policy (to be developed)
- Risk Management Plan (to be developed)
- Statement of Business Ethics

#### **4. APPLICABLE LAW, POLICIES, GUIDELINES AND REFERENCE DOCUMENTS**

This policy has been drafted with due consideration of the provisions of the:

- The Local Government Act 1993 (NSW);
- The Local Government (General) Regulation 2005;
- Tendering Guidelines for NSW Local Government 2009;
- DLG Circular 12-02 Procurement from Disability Employment Organisations;
- DLG Circular 11-37 Council Procurement and Contract Management Practices;
- NSW Procurement Policy Framework for NSW Government Agencies 2015;
- Buyers Guide to Contracts, Standing Offer Agreements and Pre-Qualification Council Schemes;
- Corruption Risks in NSW Public Sector Procurement – Consultation Paper (ICAC) 2010;
- Report on corrupt manipulation of contract procurement procedures (ICAC) 2007;
- Commonwealth Procurement Rules 2014;
- Guide to National Competition Policy;
- Work Health and Safety Act 2011 (NSW);
- Waste Avoidance and Resource Recovery Act 2001 (NSW);
- State Records Act 1988 (NSW)

#### **5. POLICY STATEMENT**

Cootamundra-Gundagai Regional Council seeks to procure the best quality goods, materials and services at the best possible price (Value for Money) through a fair, transparent and ethical procurement system comprising consistent and documented processes.

#### **6. AMENDMENT**

This Policy will be subject to amendment in accordance with a change to legislative requirements and referred to Cootamundra-Gundagai Regional Council for endorsement at the earliest practicable time. The Policy may also be submitted for Council reconsideration in keeping with best practice requirements.

#### **7. WHAT IS PROCUREMENT?**

The whole process of purchasing goods and/or materials and/or services and typically consists of the following steps:

- i. Define the need and specification.
- ii. Determine the procurement method.
- iii. Identify reputable suppliers or approved contractors relevant to the purchase.
- iv. Invite quotations or use direct purchasing (pursuant to the prescribed category).
- v. Evaluate responses and make a recommendation.
- vi. Obtain approval for the decision or act under delegated authority.

- vii. Monitor the performance of the supplier or provider.
- viii. Check that what was delivered is what was ordered and is fit for purpose.

## **8. PROCUREMENT PRINCIPLES:**

All procurement by Cootamundra-Gundagai Regional Council is undertaken in accordance with the following principles:

### **Value for Money**

Goods or services being procured should represent the best return and performance for the money spent from a “total costs of ownership” or “whole-of-life costs” perspective. This means that the cheapest good, material or service does not necessarily provide the best Value for Money.

### **Open and Effective Competition**

The purpose of this principle is to:

1. Instil confidence in the public about the cost-effectiveness of Local Government Procurements.
2. Maximise the prospect of obtaining the most cost-effective outcome from invitations to suppliers.
3. Ensure suppliers are given a reasonable opportunity to do business with local government.

### **Probity and Ethical Behaviour**

All Cootamundra-Gundagai Regional Council officers involved in procurement activities must comply with the highest standards of probity and ethical behaviour. Specifically, officers will:

- Conduct all procurement activity fairly, impartially, consistently and professionally with all suppliers;
- Declare any real or perceived conflict of interests to their manager immediately after becoming aware of the conflict;
- Maintain the confidentiality of all aspects of offers and information received in response to an Expression of Interest, Request for Quotation or a Request for Tender;
- Maintain adequate and appropriate documentation throughout the procurement activity;
- Ensure their knowledge and understanding of the market is as thorough and up-to-date as practicable prior to commencing a procurement activity.

### **Sound Financial Management**

Cootamundra-Gundagai Regional Council officers apply the principles of good financial management at all times throughout every procurement activity they are involved in.

## **9. OTHER CONSIDERATIONS**



The following are also considered and applied in all procurement by Cootamundra-Gundagai Regional Council:

- Goods, materials and services procured must meet all relevant **Australian Standards** and be fit for the purposes described in the specification.
- Where appropriate and where possible, positive consideration is given to suppliers who demonstrate goods, materials and services are **environmentally sustainable**.
- Business will not be conducted with suppliers that are **dishonest, unethical or unsafe**. Where Council becomes aware of a supplier engaging in any such behaviour, Council will discontinue conducting business with the supplier.
- Contracts will not be entered into with suppliers where Council becomes aware that such suppliers have had a **judicial decision** made against them (not including decisions under appeal) relating to employee entitlements that have not been paid.
- Where appropriate and to the extent permissible by law, preference is given to **Australian owned suppliers** and/or suppliers who **manufacture in Australia**.
- Where all other factors are equal, Council endeavours to give **preference to local suppliers** of goods, materials and services.

#### **10. FINANCIAL DELEGATIONS FOR PROCUREMENT**

Financial delegations define the financial limitations within which specified staff may approve a purchase, quotation and contractual processes. All procurement must be undertaken within these delegations.

#### **11. PROCUREMENT METHOD APPLICABLE TO PROCUREMENT VALUE**

The procurement method to be used in accordance with the value of the purchase. Details are specified in the "Procurement Procedures and Guidelines for Officers' document.

#### **12. TENDERS AND CONTRACTS**

For purchases of \$250,000.00 or more, Section 55 of the Local Government Act 1993 and Clause 163 of the Local Government (General) Regulation 2005 specify that such procurement be undertaken by way of tender. The Act and Regulation also facilitate the procurement of goods, materials and services of a value up to and exceeding \$250,000.00 by way of third party contracts.

#### **Schedule of Rates and Pre-Qualification of Contractors**

Expressions of Interest (EOI) will be publicly advertised calling for fixed rates from contractors for

work, plant hire and projects (under the threshold as prescribed by the Local Government (General) Regulation) 2005.

Contractors are to be pre-qualified and appear in council's Approved Contractors Register prior to being engaged for work on a Council worksite. For qualification contractors will supply council copies of all relevant insurances, required licences and other documents as deemed necessary.

### **Procurement of Goods, Materials and Services through Third Party (Panel) Contracts**

Certain alternatives are available through the Local Government Act and Regulation for the procurement of goods, materials and services through third party (Panel) contracts. Such contracts are established following a competitive process undertaken by third parties, thereby ensuring competitive pricing. They also offer Council the potential to save significant costs and time associated with analysing the supply market, developing Specification and Request for Tender documentation, evaluating offers and negotiating contract terms and conditions. Such contracts may be accessed from 'Prescribed Organisations' and entered into collaboratively with ROC's via a Tender Process.

### **Prescribed Organisations**

Section 55(3) of the Local Government Act 1993 permits the procurement of goods, materials and services through contracts that are established and managed by third parties referred to as 'Prescribed Organisations'. These contracts can be for any value, including those exceeding \$250,000 that would otherwise be subject to a tender process. Clause 163 of the Local Government (General) Regulation 2005 specifies two 'Prescribed Organisations' as follows:

- Local Government Procurement Partnership
- Procurement Australia

Section 55(3)(g) of the Local Government Act 1993 also specifies the NSW Procurement Board (ProcurePoint) as a body that establishes and manages contracts through which Council can procure goods, materials and services. It should be noted however that this **does not** extend to the Board's 'pre-qualification' schemes. Utilisation of such schemes require Council to comply with usual procurement procedures including tendering, as applicable.

### **REROC**

REROC is an association of several councils located in the eastern part of the Riverina area of New South Wales. REROC identifies and facilitates group purchasing activities on behalf of its member councils and is another third party through which Council can partner (via a Tender Process) to achieve contractual arrangements to procure goods, materials and services.

## **13. PROCUREMENT PROCEDURES AND GUIDELINES**

Procurement Procedures and Guidelines for Officers have been developed to support this policy. The procedures guidelines and manual should be considered in unison with this policy.

#### **14. RECORD KEEPING**

Cootamundra-Gundagai Regional Council keeps records of procurement activities in accordance with the State Records Act 1998. The level of detail recorded for each procurement activity is dependent on the complexity and the dollar value of the procurement activity.

#### **15. SANCTION AND BREACHES OF POLICY**

Cootamundra-Gundagai Regional Council officers who breach the Policy will be subject to the disciplinary procedures provided under the Local Government (State) Award. Disciplinary action may include termination of employment for serious breaches of this Policy.

#### **16. RESPONSIBLE DIVISION**

Business Section

#### **17. TRAINING AND DEVELOPMENT**

Appropriate training will be provided to all staff involved in Cootamundra-Gundagai Regional Council procurement activities to ensure awareness of the requirements and their responsibilities under this Policy.

#### **18. POLICY TERM**

This Policy is effective from January 2020. Cootamundra-Gundagai Regional Council intends to review the Policy at 12 monthly intervals, however reserves the right to review this Policy at an earlier date.

Office of  
Local Government

## Circular to Councils

<b>Circular Details</b>	Circular No 19-14 / 10 July 2019 / A652389
<b>Previous Circular</b>	19-12 – <i>Consultation by IPART on recommended reforms to local government election costs and extension of the deadline for councils to make a decision on the administration of their elections</i>
<b>Who should read this</b>	Councillors / General Managers
<b>Contact</b>	Policy/Governance Teams / 02 4428 4100 / <a href="mailto:olq@olq.nsw.gov.au">olq@olq.nsw.gov.au</a>
<b>Action required</b>	Council to Implement

**Recent amendments to the *Local Government Act 1993*****What's new or changing**

- The *Local Government Amendment Act 2019* was assented to on 24 June 2019 and a number of provisions came into effect on 25 June 2019.
- This has amended the *Local Government Act 1993*, including:
  - enabling the Minister to extend the rates path freeze for an additional 12 months for those councils formed in 2016 that need more time to consult with communities about rating harmonisation; and
  - extending the 'cut-off date' for councils to make a decision on the administration of elections in 2020, and to require councils that do not enter into an arrangement with the Electoral Commissioner to engage an electoral services provider to administer elections (See *Circular 19-12*).
- Further changes have also come into effect, or will come into effect in future by proclamation, as indicated below.

**What this will mean for your council**

- Councils have until 1 October 2019 to resolve to enter into arrangements with the Electoral Commissioner, or an electoral services provider, to administer the 2020 ordinary council elections, and have until 1 January 2020 to enter into these arrangements (**commenced**).
- Councils formed in 2016 will be have their rate path freeze extended until 1 July 2021, unless they resolve to apply to the Minister to vary the existing rates path freeze determination and the determination is varied (**commenced**).
- The tendering threshold, below which councils do not have to undertake a competitive tendering process, has been increased to \$250,000. However, the threshold for contracts involving services provided by council employees at the time of entering the contract remains at \$150,000 (**commenced**).
- The *Public Interest Disclosures Act 1994* has been amended with the intention of allowing councils to report on their obligations under that Act in their own annual reports under the *Local Government Act 1993*, rather than by the current requirement to table a special report in Parliament (**commenced**). Councils should also note that further changes to relevant legislation and regulations will be made to facilitate this.
- Councils can procure the services of pre-qualified disability employment organisations approved under the *Public Works and Procurement Act 1912*, without having to go to tender (**commenced**).

- Councils should also note that the Minister intends to enable, by a future regulation, councils to access the *National Prequalification System for Civil Construction (Roads and Bridges) Contracts* after further consultation.
- Councils are able to delegate regulatory functions to another council, and to joint organisations of which they are not a member, with approval of that council or joint organisation. Further, joint organisations will be able to sub-delegate regulatory functions to their committees, in addition to their Executive Officer (**commences by proclamation**).
- Regulations are able to be made to exempt councils from the need to publicly notify fees relating to certain defined commercial activities and from the need to determine those fees based on an adopted pricing methodology. This will ensure councils are not placed at unfair disadvantage during commercial negotiations (**commences by proclamation**).
- Regulations are able to be made to prescribe a scheme for mutual recognition of council approvals for regulatory activities issued under section 68 of the Act (**commences by proclamation**).

#### Key points

- The Office of Local Government (OLG) has provided a separate Circular to Councils about the new provisions in relation to elections (See *Circular 19-12*).
- New councils that need it will be able to seek more time to consult with local communities about rating harmonisation. OLG will write to all new councils shortly about what this means for them and next steps.
- OLG will consult further with local government before preparing regulations to support amendments that commence by proclamation. This includes potential regulations about sharing regulatory services, mutual recognition of approvals and exemptions from regulatory requirements for certain commercial activities.

#### Where to go for further information

- Further information can be found on OLG's website [www.olg.nsw.gov.au](http://www.olg.nsw.gov.au).
- A copy of the amendment Act may be found on the NSW Legislation website [www.legislation.nsw.gov.au](http://www.legislation.nsw.gov.au).
- For further information, contact OLG's Governance Team (elections and procurement) and Policy Team (all other matters) on 02 4428 4100.



**Tim Hurst**  
**Deputy Secretary**  
**Local Government, Planning and Policy**

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**8.1.7 TENDER - TOWN ENTRY SIGNS, COOTAMUNDRA AND GUNDAGAI**

DOCUMENT NUMBER	320980
REPORTING OFFICER	Catherine Smith, Procurement Officer
AUTHORISING OFFICER	Phil McMurray, General Manager
RELEVANCE TO COMMUNITY STRATEGIC PLAN	<b>4. Good governance: an actively engaged community and strong leadership team</b>  4.1 Decision-making is based on collaborative, transparent and accountable leadership
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.
ATTACHMENTS	Nil

**RECOMMENDATION**

1. Pursuant to Clause 178 of the Local Government (General) Regulation, 2005 it be noted that no conforming tenders for Town Entry Signs at Cootamundra and Gundagai were received, and accordingly, no tenders be accepted.
2. It be noted that the tendering threshold recently increased to \$250,000 and the estimate for the proposed work is less than that amount.
3. In view of (1) and (2) above, and in accordance with Clause 178(3)(a) of the Local Government (General) Regulation, 2005, Council postpone the proposal for the contract and invite competitive quotations for the work in accordance with the Procurement Policy, with a view to entering into the contract referred to in (1) above in the future.
4. That the Tenderer, Gundagai Constructions be advised of the above.

Introduction

Tenders were called on 17<sup>th</sup> December, 2019 for the construction of six (6) stone and rendered town entry signs: two (2) at Cootamundra and four (4) at Gundagai. Tenders closed 15<sup>th</sup> January, 2020 with one (1) tender received.

Discussion

As is standard practice with all tenders, an initial check was undertaken to ensure the tender submitted complied with the requirements of the tender.

There were no complying tenders.

In view of the recent changes to the tendering threshold and corresponding amendments to the Procurement Policy to increase the tendering threshold to \$250,000, it is recommended that in accordance with Clause 178(3)(a) of the Local Government (General) Regulation 2005, the proposal for the contract be postponed and competitive quotations for the work be invited from suitably qualified providers to enable a contract to be entered into in the future.

### 8.1.8 THE RESPONSE TO THE NEW RISK MANAGEMENT AND INTERNAL AUDIT FRAMEWORK FOR LOCAL COUNCILS IN NEW SOUTH WALES

DOCUMENT NUMBER	321116
REPORTING OFFICER	Susan Gheller, Manager Business
AUTHORISING OFFICER	Phil McMurray, General Manager
RELEVANCE TO COMMUNITY STRATEGIC PLAN	<p><b>4. Good governance: an actively engaged community and strong leadership team</b></p> <p>4.3 Cootamundra-Gundagai Regional Council is a premier local government Council</p>
FINANCIAL IMPLICATIONS	There are no Financial implications associated with this report.
LEGISLATIVE IMPLICATIONS	To comply with the Office of Local Government's guidelines on an Audit Committee
POLICY IMPLICATIONS	There are no Policy implications associated with this report.
ATTACHMENTS	<ol style="list-style-type: none"> <li>1. Riverina Joint Organisation Response to the Discussion Paper (under separate cover)</li> <li>2. A New Risk Management and Internal Audit Framework for Local Councils in New South Wales (under separate cover)</li> </ol>

## RECOMMENDATION

**The Response to the New Risk Management and Internal Audit Framework for Local Councils in New South Wales, and attached reports, be received and noted.**

### Introduction

Formal risk management and internal audit are fundamental elements of the New South Wales (NSW) Government's plan to ensure councils adhere to their strategic objectives in the most efficient, effective and economical manner. In 2016, amendments were made to the Local Government Act, 1993 requiring every council in NSW to have an Audit Risk and Improvement Committee (ARIC), a Risk Management Framework and an Internal Audit Function to ensure an enterprise risk management approach to governance and internal controls. These requirements are proposed to take effect from March, 2021 with full compliance to be in place by 2026.

### Discussion

#### **CGRC ARIC Committee and Model**

Prior to September 2019, details regarding the requirements of the ARIC and Framework were unavailable. In order to prepare for the new legislation and to reduce costs by sharing resources, several Riverina councils formed an Internal Audit Alliance which was joined by Cootamundra in late 2018. The Alliance is comprised of Coolamon (Administrative lead), Bland, Junee, Lockhart, Temora and Cootamundra Gundagai Regional Councils and has employed an Internal Auditor whose services are shared across the member councils.

The Alliance ensures that in each two year period, a Risk Management Analysis of each council is undertaken and the combined results determine the Internal Audit Plan for the next two years. Each Alliance council has developed an ARIC and have the option of utilising the services of a General Manager (GM) and Director/Manager Corporate Services from one of the member councils to serve on the Committee.

The Cootamundra Gundagai Regional Council (CGRC) ARIC is comprised of the following personnel:

Chair        Tony Donoghue, GM Coolamon Shire Council  
 Members: Courtney Armstrong, Executive Manager Corporate and Community  
                  Services Coolamon Shire Council  
                  Councillor David Graham  
                  Councillor Doug Phillips  
 Auditor     Ian Roberts

Staff in regular attendance include: Phil McMurray (General Manager), Susan Gheller (Manager Business) and Tim Swan (Manager Finance and Customer Service)

The CGRC ARIC meets every 4 months and the cost for the 2019 calendar year was approximately \$30,000. This amount is higher than the projected annual cost of \$15,000 due to extra “catch up” visits by the Internal Auditor to bring CGRC in line with other Alliance members.

To date, the Independent Auditor has reviewed the following topics and provided reports with recommendations for improvement:

#### **CGRC AUDIT RISK AND IMPROVEMENT COMMITTEE PROGRAM 2019**

<b>Audit Topic</b>	<b>Adopted Recommendations</b>	<b>Completed/In Progress</b>
Legislative Compliance	Three	Two in progress
Policy Management	Five	Two complete, three in progress
Fraud Control	Seventeen	Seven complete, four in progress
Delegations	Two	One complete, one in progress
Payroll/HR	Five	Three in progress
Purchasing/Procurement	Four	One complete, two in progress
Contract Management	Three	Two in progress
S355 Committees	At information gathering stage	

Recommendations arising from the ARIC Committee reviews have resulted in a number of improvements to CGRC governance and internal controls including:

- Development and adoption of 6 new policies and plans,
- Formal training in Code of Conduct and procurement,



- Commencement of an enterprise risk analysis plan,
- Implementation of procurement and contract management software
- Development and regular review of system generated audit reports.

Benefits of the current Alliance model include:

- Suitability for smaller rural councils as costs are kept to a minimum and shared across the Alliance.
- The identification and approach to the development of a risk management framework is structured to accommodate and address issues faced by small Councils.
- While each council within the Alliance is independently evaluated, the opportunity to actively network and share information with councils of a similar size and risk profile is valuable.

### **Proposed Risk Management and Internal Audit Framework**

On the 19<sup>th</sup> of September 2019, a discussion paper was issued by the NSW Government providing details of the regulatory requirements for the legislated Risk Management and Internal Audit Framework.

Every NSW Joint Organisation, council and country council will be required to comply with the following 9 core requirements:

#### **1. Appoint an ARIC.**

- ARIC must be comprised of at least 3 members, one of which is the Chairperson.
- Appointments to the ARIC are made by the governing body of the council.
- All members must be drawn from the States pre-qualified panel for Chairs and Members and are not required to live in the LGA. There are numerous conditions for exclusion from panel membership, some of which are listed below:
  - Councillors,
  - anyone having a close personal or business relationship with a Councillor or a person who has a senior role in council,
  - Employees (current or in the last 3 years) of any council in Australia,
  - Provider of material goods or services (including substantial shareholder or owner or employee) currently or in the last 3 years to council in an area which directly affects ARICs work.
- The ARIC has the power to request to meet with Councillors or Officers of Council and individuals must comply with the request.
- The ARIC has direct and unrestricted access to the GM, senior management and staff and contractors of council.
- The ARIC has direct and unrestricted access to council resources and information that it needs to perform its role

#### **2. Establish a Risk Management Framework**

The GM is to appoint a Risk Management Coordinator who will be responsible for the day to day activities required to implement the council's risk management framework and provide specialist risk management skills and knowledge.

### **3. Establish an Internal Audit function and an Internal Audit Charter**

#### **4. Appoint Internal Audit personnel**

- GM is to appoint a Chief Audit Executive (CAE) to oversee Council's internal audit activities in consultation with the ARIC.
  - The CAE must be a Council employee and cannot be outsourced but it is possible for this role to participate in a shared arrangement with another council or through a joint or regional organisation of councils.
  - Small councils may have the option to combine the CAE role with the stand along Risk Management Coordinator.
- CAE reports functionally to the ARIC and administratively to GM.
- GM is to ensure that, if required, the council has adequate audit personnel to support the CAE.

#### **5. Develop an Internal Audit Work Program**

A four year strategic plan is required in consultation with senior staff and approved by the ARIC.

#### **6. Ensure Internal Audits are performed in accordance with required standards**

The CAE is to ensure that Council's internal audits are performed in accordance with the International Standards for the Professional Practice of Internal Auditing.

#### **7. Undertake on-going monitoring and reporting**

ARIC must meet a minimum of 4 times a year, however, can meet more often with permission from Council.

#### **8. Establish a Quality Assurance and Improvement Program**

The CAE will establish a quality assurance and improvement program which is monitored regularly and review annually.

#### **9. Council can establish Shared Internal Audit arrangements**

A council can share all or part of its Internal Audit Function with another council(s) by either establishing an independent shared arrangement with another council(s) of its choosing, or utilising an internal audit function established by a joint or regional organisation of councils that is shared by member councils.

#### **Riverina Joint Organisation Response to Proposed Framework**

Councils and Joint Organisations across New South Wales were invited to provide feedback and respond to a list of questions regarding the proposed framework and requirements by the 31<sup>st</sup> December, 2019. The Riverina Joint Organisation has coordinated a response on behalf of its members with CGRC providing a submission that was incorporated into the formal response (Attached). The response addresses the major concerns expressed by member councils and provides alternative models for the New Risk Management and Internal Audit Framework.

Key challenges identified by CGRC and the Riverina Joint Organisation include:

1. The cost of delivery of the Framework will be particularly difficult for small councils. Direct costs include set fees for ARIC member as well as the requirement for additional staff such as the Chief Audit Executive, Risk Management Coordinator and in some situations additional administrative support. Even with small councils taking advantage of the opportunity to share resources, the annual cost is estimated to be \$171,969 for each small council. For small councils that do not share resources the annual cost estimate is over \$400,000.
2. Riverina Joint Organisation members are concerned that the Framework fails to recognise the role that councillors play in monitoring the operation of a council. It is unclear how the significant powers of the ARIC will complement the role of councillors. The community has elected Councillors and have expectations regarding Councillor oversight of council operations and budgets and they are held accountable at election time. It is unclear whether elected members will have a meaningful role in the audit processes.
3. ARIC membership qualifications are considered to be too restrictive and individuals with rural local government experience are likely to be excluded from the Panel. Rural councils face unique challenges which, if excluded from the Risk Management Framework may result in less effective outcomes.
4. There are concerns that the ARIC has too much power to direct council staff and resources. A lack of provisions for the resolution of issues between the ARIC and council has the potential to create unnecessary conflict and confusion.

In summary, the strengthening of the internal audit function to improve enterprise risk management has merit and local government will benefit from a structured, independent review of governance and risk control. However, the “one size fits all model” that has been proposed is extremely costly for rural councils. In addition there are strong concerns that requirements of the ARIC will not only direct effort and scarce resources away from service delivery and meaningful improvement but may be less effective if ARIC members lack an understanding of the challenges facing rural councils.

### 8.1.9 COOTAMUNDRA-GUNDAGAI REGIONAL COUNCIL'S RESPONSE TO THE CURRENT CATASTROPHIC BUSHFIRE EVENT

DOCUMENT NUMBER	321102
REPORTING OFFICER	Marianne McInerney, Personal Assistant to the General Manager
AUTHORISING OFFICER	Phil McMurray, General Manager
RELEVANCE TO COMMUNITY STRATEGIC PLAN	<p><b>4. Good governance: an actively engaged community and strong leadership team</b></p> <p>4.1 Decision-making is based on collaborative, transparent and accountable leadership</p>
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.
ATTACHMENTS	Nil

#### RECOMMENDATION

**The report on Cootamundra-Gundagai Regional Council's response to the current Catastrophic Bushfire Event be received and noted.**

#### Introduction

Rural councils typically have strong relations with neighbouring, and councils further afield, councils through a variety of mediums. At all times an unwritten or non-communicated understanding exists that when extreme events, such as fire and flood, unfold and assistance is required that it will be provided upon request without question.

#### Discussion

During the recent bushfire events Matt Stubbs (Manager Technical Services) provided support with the clearing efforts around the substations with an operator to drive the Snowy Valley Council grader in addition to providing the Cootamundra-Gundagai Regional Council low loader, loader and water cart. Further the following assistance was provided:

- a staff member and ute delivered medical supplies from the Gundagai ambulance station to Tumut;
- Council provided a large watercart which hauled bulk water from Tumut to the water bombing aircraft refilling area at the aerodrome which required a number of staff to work a rotation roster;
- Manager Technical Service worked as Local Emergency Management Officer within the Tumut Emergency Operations Centre for two 13 hour night shifts;
- Staff manned road closures through the night; and
- Council's low loader was tasked to relocate heavy plant on an as needed basis.

Glen McAtear (Manager Regulatory Services) as Council nominated Local Emergency Management Officer (LEMO) was in constant contact with the Emergency Operations Centre (EOC) and Local Emergency Operations Controller (LEOCON) in regard to any assistance that was required. He and Janelle Chapman (Regulatory Officer) attended the EOC over numerous days which included briefings and providing assistance to the LEOCON as required. The Mayor and Councillors were briefed accordingly.

Arrangements were made for staff from the Cootamundra depot to manage traffic control points and were involved in the diversion of traffic with the closure of the Hume Highway. Other outdoor staff were requested to be available should they be required to assist. Some staff attended as Rural Fire Service members to assist in the firefighting throughout the ordeal.

Andrew Brock (Manager Facilities) provided two members of staff to be onsite who were tasked with clearing around the electrical sub-stations in Batlow, Adelong and Talbingo. This involved the removal of trees and grading around the sites under instruction from Essential Energy staff. Those staff member were prepared with Council resources such as an appropriate vehicle, chainsaws and water trailer.

Further to this, various staff members were involved with the firefighting efforts on the ground, giving up their free time and using annual leave to assist with the fire fighting. Several have been away for several days on strike teams from as far away as Ulladulla and to the Dunn's Road fire. Local crew members have been involved with the defence at Braidwood, Batlow and Talbingo on the days of devastation (just to mention a few) and some are still working on the Dunn's Road fire around Adelong and surrounds.

Cootamundra mechanics travelled and attended to rural fire service vehicles and other items which required maintenance.

Council is exceedingly proud of the effort of all staff who have been involved with providing support in all manners during this catastrophic event during both work and in their own time.

**8.1.10 CODE OF CONDUCT COMPLAINT STATISTICS**

DOCUMENT NUMBER	320639
REPORTING OFFICER	Teresa Breslin, Governance Officer
AUTHORISING OFFICER	Phil McMurray, General Manager
RELEVANCE TO COMMUNITY STRATEGIC PLAN	<b>4. Good governance: an actively engaged community and strong leadership team</b>  4.3 Cootamundra-Gundagai Regional Council is a premier local government Council
FINANCIAL IMPLICATIONS	There are no Financial implications associated with this report.
LEGISLATIVE IMPLICATIONS	There are no Legislative implications associated with this report.
POLICY IMPLICATIONS	In accordance with the adopted procedures for the administration of the Code of Conduct.
ATTACHMENTS	Nil

**RECOMMENDATION**

**The report on Code of Conduct complaint statistics for the period 1<sup>st</sup> September, 2018 to 31<sup>st</sup> August 2019, be received and noted.**

Introduction

In accordance with part 11 of Council's adopted Code of Conduct procedure (Reporting on Complaints Statistic) the complaints coordinator must arrange for the following statistics to be reported to the Council within 3 months of the end of September of each year:

- a) the total number of code of conduct complaints made about councillors and the general manager under the code of conduct in the year to September (the reporting period)
- b) the number of code of conduct complaints referred to a conduct reviewer during the reporting period
- c) the number of code of conduct complaints finalised by a conduct reviewer at the preliminary assessment stage during the reporting period and the outcome of those complaints
- d) the number of code of conduct complaints investigated by a conduct reviewer during the reporting period
- e) without identifying particular matters, the outcome of investigations completed under these procedures during the reporting period
- f) the number of matters reviewed by the Office during the reporting period and, without identifying particular matters, the outcome of the reviews, and
- g) the total cost of dealing with code of conduct complaints made about councillors and the general manager during the reporting period, including staff costs.

Council is also required to provide the Office of Local Government (OLG) with a report containing the statistics referred to above within 3 months of the end of September of each year.

Discussion

During the period 1<sup>st</sup> September, 2018 to 31<sup>st</sup> August, 2019 Council had received zero (0) Code of Conduct complaints. In accordance with the requirements, the Office of Local Government has been advised accordingly.

**8.1.11 DRAFT COMPANION ANIMALS MANAGEMENT PLAN**

DOCUMENT NUMBER	318810
REPORTING OFFICER	Greg Briscoe-Hough, Relief Governance Officer
AUTHORISING OFFICER	Phil McMurray, General Manager
RELEVANCE TO COMMUNITY STRATEGIC PLAN	<b>4. Good governance: an actively engaged community and strong leadership team</b>  4.1 Decision-making is based on collaborative, transparent and accountable leadership
FINANCIAL IMPLICATIONS	There are no Financial implications associated with this report.
LEGISLATIVE IMPLICATIONS	To comply with the provisions of the Companion Animals Act, 1998.
POLICY IMPLICATIONS	There are no Policy implications associated with this report.
ATTACHMENTS	Nil

**RECOMMENDATION**

**The draft Companion Animals Management Plan, attached to the report, be adopted.**

Introduction

At its meeting held on 4<sup>th</sup> July, 2019, the Internal Audit Committee discussed Cootamundra-Gundagai Regional Council Policy Maintenance. As a result the Committee recommended that Council develop and adopt a Companion Animals Management Plan.

Discussion

The Companion Animal Management Plan provides the framework for the provision of an effective animal management service and procedural functions under the Companion Animals Act, 1998.



**8.1.12 DRAFT PESTICIDE NOTIFICATION PLAN**

DOCUMENT NUMBER	318812
REPORTING OFFICER	Teresa Breslin, Governance Officer
AUTHORISING OFFICER	Phil McMurray, General Manager
RELEVANCE TO COMMUNITY STRATEGIC PLAN	<b>4. Good governance: an actively engaged community and strong leadership team</b>  4.1 Decision-making is based on collaborative, transparent and accountable leadership
FINANCIAL IMPLICATIONS	There are no Financial implications associated with this report.
LEGISLATIVE IMPLICATIONS	To comply with the provisions of the Pesticides Regulation 2009.
POLICY IMPLICATIONS	There are no Policy implications associated with this report.
ATTACHMENTS	Nil

**RECOMMENDATION**

**The draft Pesticide Use Notification Plan, attached to the report, be adopted.**

Introduction

At its meeting held on 4<sup>th</sup> July, 2019, the Internal Audit Committee discussed Cootamundra-Gundagai Regional Council Policy Maintenance. As a result the Committee recommended that Council develop and adopt a Pesticide Use Notification Plan.

This Pesticide Use Notification Plan has been prepared in accordance with the requirements of *the Pesticides Regulation, 2009*.

Discussion

The aim of the Cootamundra-Gundagai Regional Council Pesticide Use Notification Plan is to meet the communities general right to know about pesticide applications made to outdoor public areas that are owned and controlled by the Cootamundra-Gundagai Regional Council.

**8.1.13 S.355 COMMITTEE UPDATE**

DOCUMENT NUMBER	320627
REPORTING OFFICER	Teresa Breslin, Governance Officer
AUTHORISING OFFICER	Phil McMurray, General Manager
RELEVANCE TO COMMUNITY STRATEGIC PLAN	<b>4. Good governance: an actively engaged community and strong leadership team</b>  4.1 Decision-making is based on collaborative, transparent and accountable leadership
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.
ATTACHMENTS	Nil

**RECOMMENDATION**

- 1. Councillor representation be confirmed and appointed to s.355 Committee, as detailed in the report.**
- 2. Council staff representation be confirmed and appointed to all s.355 Committees, as detailed in the report.**
- 3. Council dissolve the Cootamundra Concert Band s.355 Committee, for reasons detailed in the report.**

Introduction

The following report has been prepared to confirm, and appoint, necessary Councillor and management staff representation, onto s.355 Committees, and to dissolve the Cootamundra Concert Band s.355 Committee.

Discussion**Appointment of Councillor and Management Staff Representation**

Name	Members	Councillor Representation	Staff Representation
<b>Cootamundra Showground Users Group</b>	<b>Chairperson:</b> Andrew Brock <b>Secretary/ Treasurer:</b> Susan Gheller <b>APH&amp;I:</b> David Manwaring Alt Darren Absolon <b>Cootamundra &amp; District Machinery Restoration Society:</b> Roderick Jones Alt none <b>Cootamundra Antique Motor Club:</b> John Collins Alt Joan Collins	Councillor Kelly	Manager Facilities

	<b>Cootamundra Kennel Club:</b> Brian Childs Alt Lesley Childs <b>Cootamundra Harness Racing Club:</b> Rebecca Medhurst Alt Crystal Bell <b>Riding for the Disabled:</b> Trish Taylor Alt Doreen O'Connor <b>Cootamundra Pony Club:</b> Paul Clancy Alt Alice Crawford		
<b>Cootamundra Heritage Centre Management Committee</b>	<b>Chairperson:</b> Geoff Larsen <b>Vice Chairperson:</b> Craig Stewart <b>Secretary/Treasurer:</b> Betti Punnett <b>Other Members:</b> Yvonne Forsyth, Betty Brown, Hugh Hamilton, Margaret Parkinson, Michele Pigram and Arthur Ward	Councillor Stewart	Manager Facilities
<b>Stockinbingal Ellwood's Hall</b>	<b>Chairperson:</b> V, <b>Vice Chairperson:</b> Carmel Payne <b>Secretary:</b> Lorna Nixon, <b>Treasurer:</b> Allan Pether <b>Booking Officer:</b> Steven Neave <b>Other Members:</b> Russell Vincent and Kim Lee	Councillor Bowden	Manager Facilities
<b>Wallendbeen Memorial Hall</b>	<b>Chairperson:</b> Al Baldry, <b>Vice Chairperson:</b> Tom Allen, Phil McGeoch <b>Sec/Treasurer:</b> Marcia Thorburn, <b>Other Members:</b> Greg Hines, Toby Bassingthwaite, Ken Thorburn, James Baldry, Michael Baldry, Michael Wilkinson, Ken Clark and Natalie Wilkinson	None currently. Committee doesn't meet very often. Only as required.	Manager Facilities
<b>Muttama Memorial Hall Management Committee</b>	<b>Chairperson:</b> Hilary Connors <b>Vice Chairperson:</b> Sarah Last <b>Secretary:</b> Anne Last <b>Treasurer:</b> Leigh Scott <b>Other Members:</b> Bill Buckley, Robert Flint and Bart Groen	Councillor Sheahan	Manager Facilities
<b>Tourism Action Committee (Gundagai)</b>	<b>Chairperson:</b> John Morgan <b>Secretary:</b> Renee Lindley <b>Treasurer:</b> Miriam Crane <b>Other Members:</b> Peter Batey, Jim Morton, Abb McAlister and Penny Nicholson	Councillor Nicholson	Manager Community and Culture
<b>Cootamundra Tourism Action Group</b>	<b>Chairperson:</b> Leigh Bowden (Acting) <b>Secretary:</b> Nina Piotrowicz <b>Vice Secretary:</b> <b>Other Members:</b> Annie Jacobs, Leah Sutherland, Julianne Collingridge, Yvonne Forsyth, Sarah Last, Brian Nolan, Gwen Norman and Rosemary Fowler-Sullivan.	Councillor Bowden	Manager Community and Culture
<b>Muttama Creek Regeneration Group</b>	<b>Chairperson:</b> Graeme Johnson <b>Sec/Treasurer:</b> Di Pearton <b>Other Members:</b> Win Main, Betti Punnett, Norma Clarke, Linley Chaplin, Amelia Steinbeck, Greg Ewings and Steve Mills	Councillor Sheahan	Manager Waste, Parks and Recreation Services
<b>The Arts Centre Cootamundra</b>	<b>Chairperson:</b> Isabel Scott <b>Secretary:</b> Rosemary Fowler-Sullivan <b>Treasurer:</b> Maree Twomey <b>Other Members:</b> Lindsey Baber, Annabel Marley and Rae Webber	Councillor Bowden	Manager Community and Culture
<b>Cootamundra Beach Volleyball Festival</b>	<b>Chairperson:</b> Janine Ricketts <b>Secretary:</b> Julisia Cross <b>Treasurer:</b> Denise Mahon <b>Other Members:</b> Doug Phillips, Gemma Sutherland, Simon Sutherland and Gerald Trinder	None currently. Committee doesn't meet regularly.	None currently

It should be noted that Councillors appointed to s355 Committees *ex officio* are full Members of the Committee and able to exercise all roles and responsibilities and, where nominated and elected by the Committee, hold executive positions.

### **Cootamundra Concert Band**

In December 2017, Council endorsed the s.355 Committees Management Manual. This manual outlines the responsibilities and duties of Council, Committees and Committee Members.

Under sections 355 and 377 of the Local Government Act, 1993, Council is able to delegate some of its functions to a Committee of Council. Council uses this delegation and appoints community people to manage Council facilities or functions through a section 355 Committee.

The Cootamundra Concert Band does not manage a Council facility or function, nor do they hold regular or AGM meetings. The band equipment and instruments are not owned by Council and the band does not practice in a Council building or facility.

Correspondence between Council staff and a committee representative has determined that Council does not hold any responsibility for the band or its equipment and therefore would not have an obligation in relation to providing any kind of insurance for the band or its equipment.

To comply with the requirements set out in the s.355 Management Manual, it has been determined that there is no practical reason that the Cootamundra Concert Band should hold s.355 status.

It is recommended that the Cootamundra Concert Band s.355 Committee be dissolved and the band be officially notified.

**8.1.14 MINUTES OF THE ARTS CENTRE COOTAMUNDRA SECTION 355 COMMITTEE OF COUNCIL EXTRAORDINARY MEETING HELD ON 20TH NOVEMBER, 2019**

DOCUMENT NUMBER	320637
REPORTING OFFICER	Greg Briscoe-Hough, Relief Governance Officer
AUTHORISING OFFICER	Phil McMurray, General Manager
RELEVANCE TO COMMUNITY STRATEGIC PLAN	<b>4. Good governance: an actively engaged community and strong leadership team</b>  4.2 Active participation and engagement in local decision-making
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.
ATTACHMENTS	1. Minutes of the Extraordinary Meeting of the Arts Centre Cootamundra s.355 Committee Meeting 20 November 2019

**RECOMMENDATION**

**The Minutes of the Extraordinary Meeting of The Arts Centre Cootamundra s.355 Committee, held 20<sup>th</sup> November, 2019, be received and noted.**

Introduction

The Minutes of the Extraordinary Meeting of The Arts Centre Cootamundra s.355 Committee, held 20<sup>th</sup> November, 2019 are submitted for the information of Council.



COOTAMUNDRA-  
GUNDAGAI REGIONAL  
COUNCIL



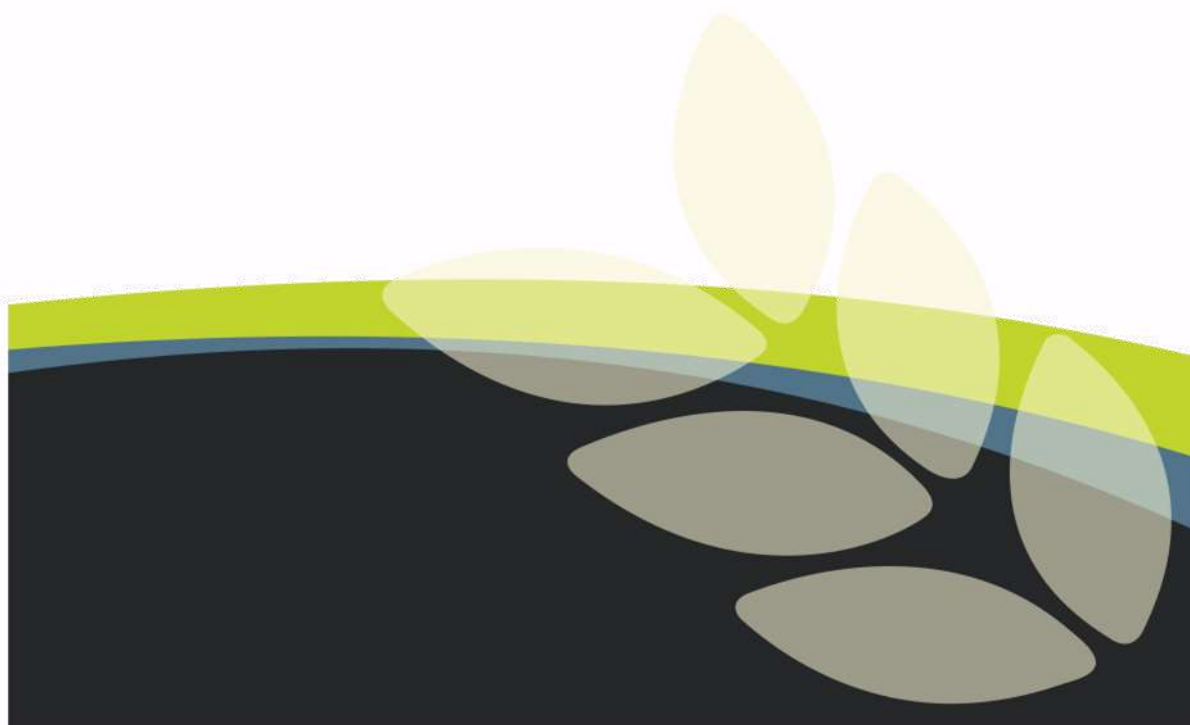
# Minutes

THE ARTS CENTRE COOTAMUNDRA  
SECTION 355 COMMITTEE

EXTRAORDINARY MEETING

THE EXHIBITION ROOM  
THE ARTS CENTRE COOTAMUNDRA, 18 WALLEDOON STREET

1PM, WEDNESDAY 20 NOVEMBER 2019



# Minutes

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## 1 MINUTES

### 1.1 Attendance and Confirmation of Quorum

**Present:** President/Chairperson: Isabel Scott  
 Secretary: Rosemary Fowler-Sullivan  
 Treasurer: -  
 Council Representative: Leigh Bowden  
 Committee Members: Lindsey Baber, Leigh Scott, Annabel Marley,  
 Other Attendees: Andy Baber, Eric Steinke, Lucy Main, Julie Cowell, April Hinder, Brian Nolan, Hans Bruitzman, Miriam Crane, Susan Gheller, Judy Emery

**Confirmation of a Quorum:** There are [8] Members appointed to this Committee.  
 Quorum numbers are met **no**

*Note: If quorum numbers are not met no actions can be made at this meeting. An informal discussion on items on the agenda can only take place. All agenda items from this meeting will be transferred to the next meeting for determination. Notes on the informal discussion can be made for reference at the next meeting.*

### 1.2 Apologies

List Members that were unable to attend: Maree Twomey (Treasurer)

### 1.3 Disclosure of Interests

There were [no] disclosures of Interest. [Or list possible conflict of interests]

### 1.4 Confirmation of previous meeting Minutes

The minutes of the last **Cootamundra Arts Centre Section 355 Committee** meeting dated **20 June 2019** are confirmed as true and correct.

*(Moved: Lindsey Baber, Seconded: Isabel Scott)*

### 1.5 Business Arising from previous Minutes:

- Leigh Bowden advised Council of her resignation from the TACC s355 committee on 5/6/19. Leigh is now the Council Representative on the TACC s355 Committee.

### 1.6 Correspondence in/out:

- NIL

### 1.7 Reports:

#### 1.7.1 Report from Treasurer

Treasurer's Nov 11 report presented to meeting. Copies attached.	
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*(Moved: Isabel, Seconded: Rosemary)*

### 1.8 Restructure Information

<p><b><u>Susan Gheller – CCA Inc Board</u></b></p> <p>Susan explained to the meeting the functions of CGRC s355 Committees. Section 355 (b) of the LGA 1993 NSW makes provision for Council to <u>delegate</u> certain functions to committees to provide these functions on behalf of Council. Section 355 Committees are required to be representative of the local community or interest groups of the facility or function, which the Committee manages. Whilst no particular qualifications are necessary, a positive commitment to the activities of the</p>	
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COOTAMUNDRA-GUNDAGAI REGIONAL COUNCIL

committee and a willingness to be actively involved in committee issues is essential, as is basic knowledge of meeting procedures and Councils code of conduct. Training in the code of conduct will be made available next week for Committee officers.

The benefit of the Section 355 Committee arrangement is that once appointed, Section 355 Committees are effectively a volunteer extension of Council. As a result, Section 355 Committees can access Council's professional staff and advisers and can take advantage of Council's purchasing and accounting services for support and advice where required and possible.

Section 355 Committees are formed to encourage active resident participation in Council decision making. The aim of each Section 355 Committee is to accurately reflect the Council visions and aims, as they are informed by the Community, and to present current and future needs of the locality and asset where relevant.

Council has developed user documents over time (such as leases, licenses, or agreements, depending on each circumstance) between Council and the clubs and organisations and these documents and agreements are constantly evolving to ensure that we are compliant with legislation and the requirements of our insurers.

One important Communication channel for s355 Committees are the minutes, reports and recommendations that are required to be submitted to Council by each 355 committee. Minutes are reviewed and adopted and recommendations by s355 Committees will be decided on the monthly Council Meeting. The importance of this method of communication should not be underestimated.

**Leigh Bowden – Councillor**

Understanding the memorandum of understanding through TACC and CGRC, it is recommended that the s355 Committee, as a matter of urgency, inform Council of the situation with the Board. Council provided a donation of \$50,000 for the incorporated body to employ staff, therefore CGRC need to be aware that discussions about Inc are under way. The Board should advise Council once it has reached a decision.

*Moved: Rosemary Fowler-Sullivan*

*Seconded: Julie Cowell*

## 1.9 General Business

- 1) Board of CCA Inc – new board members to be sourced to replace members who have resigned, and the structure of the Board to be formed at future meeting.  
When Board situation is confirmed, further discussions for 2020 events will be made.  
Number 1 priority to communicate with Gwen that her contract will run to completion.
- 2) Council to be advised the Executive and members who are willing to participate on committee of the s355 Committee of TACC.
- 3) Establish a Charter for s355.
- 4) Communication from TACC to volunteers not on committee to establish their position description.
- 5) Establish social meetings with Baby Boomers, Gen X, Youth.
- 6) Drama numbers are very low to form cast for productions.
- 7) Build our own resources for the town. Users require mentoring and encouragement to create or facilitate attend events at TACC.
- 8) Newsletter for TACC users – information to be ratified with Lucy Main. Hans offered to publish a newsletter – information about various users of TACC to be included, upcoming events.
- 9) Contracts with movie providers are required to go through CCA Inc – advise them of the new structure when confirmed.
- 10) Facebook – events/movies to be advertised as they already are.  
Instagram – administration users to be investigated/updated.  
Photos of Dabble Days, Quilters etc to be posted on social media.
- 11) Lindsay was asked to write a letter to Elise to acknowledge and thank her for her amazing contribution to TACC.
- 12) Hans suggested we investigate holding a course to train interested parties in lighting and technology.  
Investigate insurance requirements and qualified tutors.
- 13) What is our vision – to be The Jewel of the Riverina or a Community Centre - Julie

## 1.10 Date and Time of Next Meeting – 16 January 2020, 6PM.

## 1.11 Time Meeting Closed – 3.00PM



**COOTAMUNDRA-GUNDAGAI REGIONAL COUNCIL**

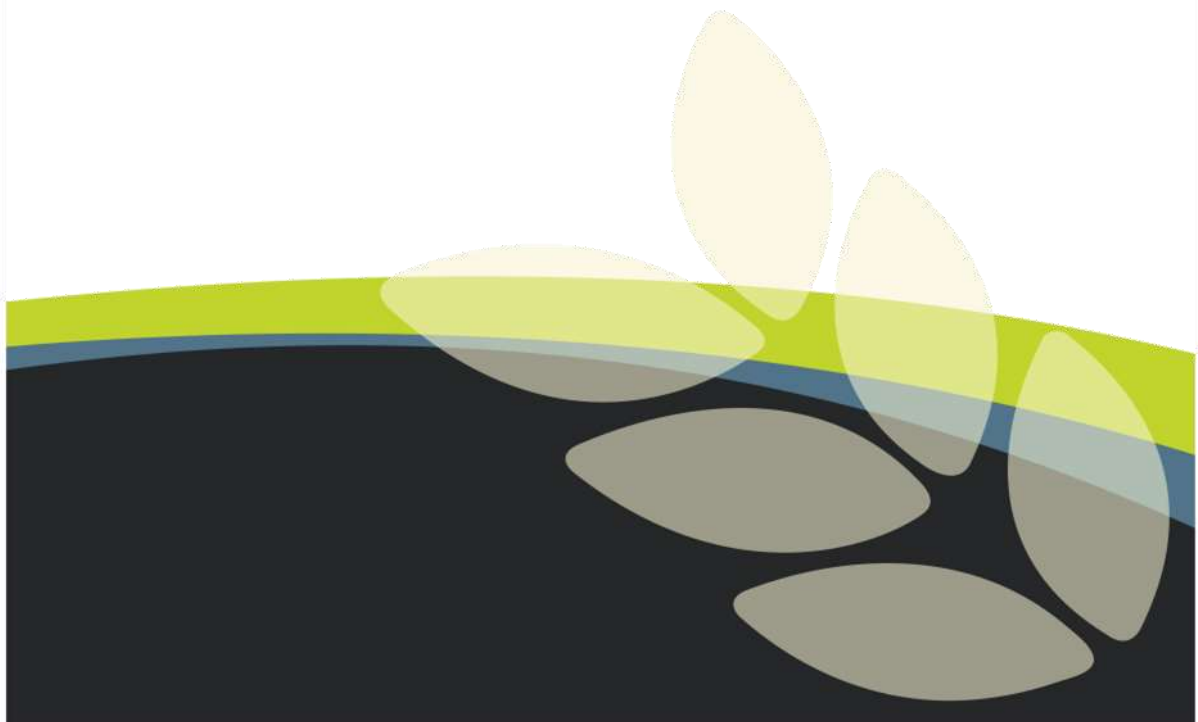
ABN: 46 211 642 339

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[www.cgrc.nsw.gov.au](http://www.cgrc.nsw.gov.au)



**8.1.15 COOTAMUNDRA TOURISM ACTION GROUP SECTION 355 COMMITTEE MINUTES OF MEETING HELD 15 JANUARY 2020**

DOCUMENT NUMBER	320752
REPORTING OFFICER	Greg Briscoe-Hough, Relief Governance Officer
AUTHORISING OFFICER	Phil McMurray, General Manager
RELEVANCE TO COMMUNITY STRATEGIC PLAN	<b>4. Good governance: an actively engaged community and strong leadership team</b>  4.2 Active participation and engagement in local decision-making
FINANCIAL IMPLICATIONS	There are no Financial implications associated with this report.
LEGISLATIVE IMPLICATIONS	There are no Legislative implications associated with this report.
POLICY IMPLICATIONS	To comply with the Section 355 Committee Management Policy.
ATTACHMENTS	1. Cootamundra Tourism Action Group - 15 January 2020 - Minutes

**RECOMMENDATION**

- 1. The Minutes of the Cootamundra Tourism Action Group s.355 Committee meetings held on 15<sup>th</sup> January 2020, attached to the report, be received and noted.**
- 2. Recommendations included in the Minutes, attached to the report, be considered by Council.**

Introduction

The attached Minutes of the Cootamundra Tourism Group s.355 Committee held on 15<sup>th</sup> January, 2020 are submitted for the information of Council and the community.



ABN: 46 211 642 339  
PO Box 420, Cootamundra NSW 2590  
Phone: 1300 459 689  
Email: [mail@cgrc.nsw.gov.au](mailto:mail@cgrc.nsw.gov.au)  
[www.cgrc.nsw.gov.au](http://www.cgrc.nsw.gov.au)

# Minutes

## COOTAMUNDRA TOURISM ACTION GROUP SECTION 355 COMMITTEE

### TELECONFERENCE

10AM, WEDNESDAY 15<sup>TH</sup> JANUARY 2020

**In Attendance:** Annie Jacobs (Chair), Nina Piotrowicz (Secretary), Sarah Last & Jeana Bell (Staff)

**Apologies:** Gwen Norman, Leah Sutherland, Julianne Collingridge, Yvonne Forsyth, Leigh Bowden (Councillor)

### 1 AGENDA ITEMS

#### 1.1 Discussion and Acceptance of Proposed Motions

The following two motions had been distributed prior to all Committee Members for their review and approval.

##### Recommendation 1:

That the Cootamundra Gundagai Regional Council develop a specific agri-tourism and regional tourism tours strategy for the Gundagai and Cootamundra region which develops rural, agriculture, food tourism and experiential tourism opportunities. Further, that an appropriate grant be acquired to develop the strategy in collaboration with local businesses and producers.

##### Recommendation 2:

That the Cootamundra Gundagai Regional Council seek an appropriate funding arrangement to ensure the position of Economic Development & Tourism Officer in Cootamundra, continues beyond the current one-year term which ends November 2020.

As members who were not able to attend had provided their agreement to the above two recommendations in writing prior to the meeting, and those present agreed with the motions, it was deemed that the motions had passed and will be forwarded to Council for their consideration at their next meeting.

#### 1.2 Time Meeting Closed

Meeting Closed 10.25am

**8.1.16 GUNDAGAI TOURISM ACTION SECTION 355 COMMITTEE**

DOCUMENT NUMBER	320767
REPORTING OFFICER	Greg Briscoe-Hough, Relief Governance Officer
AUTHORISING OFFICER	Phil McMurray, General Manager
RELEVANCE TO COMMUNITY STRATEGIC PLAN	<b>4. Good governance: an actively engaged community and strong leadership team</b>  4.2 Active participation and engagement in local decision-making
FINANCIAL IMPLICATIONS	There are no Financial implications associated with this report.
LEGISLATIVE IMPLICATIONS	There are no Legislative implications associated with this report.
POLICY IMPLICATIONS	To comply with Section 355 Committee Management Manual.
ATTACHMENTS	1. Gundagai Tourism Action Group - 11 December 2019 - Minutes

**RECOMMENDATION**

- 1. The Minutes of the Gundagai Tourism Action s.355 Committee meetings held on 11 December 2019 attached to the report, be received and noted.**
- 2. Recommendations contained in the Minutes, attached to the report, be considered by Council.**

Introduction

The attached Minutes of the Gundagai Tourism Action s.355 Committee meeting held on 11th December, 2019 are submitted for the information of Council and the community.

**COOTAMUNDRA - GUNDAGAI REGIONAL COUNCIL**

**GUNDAGAI TOURISM ACTION COMMITTEE**

**Meeting No 106**

**Wednesday 11<sup>th</sup> December 8:00am – Hope's Place**

**Agenda**

**Meeting Commenced:** 8:22am

**Attendees**

John Morgan, Miriam Crane, Abb McAlister, Renee Lindley, Penny Nicholson, Mike Kingwill

**Apologies**

Jessie-Lee Waite, Jim Morton

**Confirmation of Minutes**

Moved: Abb McAlister

Seconded: Penny Nicholson

**Correspondence**

NA

**Key Focus Area Updates**

**a) Branding and Marketing Strategy**

Miriam to contact consultant for results from survey and to email these out to the committee members for review.

**b) Launch and Promotion of Main Street**

**Main Street Mural**

All committee members to keep an eye out for suitable artists. Abb suggested Miriam contact Benalla to see if they have anyone they can recommend.

**c) Proposal from Wiscombe Media**

Advertising has been booked for the month of January to be televised on Prime7 network.

**d) Highway Signage**

The committee discussed when the billboards are next updated, they might include imagery of the new playground. They also discussed that many motorists are still not aware that Gundagai is an opportunity to stop on the Highway.

**Recommendation: Council approach RMS for permission to place the changeable VMS sign on the Hume Highway, north of Gundagai, encouraging people to Stop, Revive, Survive, in Gundagai.**

**e) River Access and Morley's Creek Plan (Old Mill)**

Committee to work on a fishing grant application to improve river access in the New Year.

**f) Visitor Information Centre Upgrade**

Pending outcome of SCCF3 application – due February 2020.

**g) Truck Museum**

No further update.

**h) Railway Bridge & Cycle path**

Miriam read the latest report provided from John Holland which provided very little information.

**i) Social Media**

Jessie has been doing a great job. Miriam to try and recruit a trainee in the new year to take over the social media content.

**j) ANBC Update**

The committee is considering moving this event in a different direction next year. Penny will investigate insurance and feasibility for securing a year round busking calendar.

**General Business**

**a) Change of Name/Charter**

Committee members are invited to attend Prosper Initiative meeting in Temora at 5:30pm Thursday 30<sup>th</sup> January at the BREED Business Centre, followed by 6pm Business Networking event held at the Temora Hotel.

**b) Debrief – Plaza night**

Committee members suggested releasing a survey to all businesses to determine a preference for either a Friday evening, Saturday morning or Sunday morning Plaza Event for next year. Next year's event date will be decided at the February TAC Meeting.

**Recommendation: Council to set aside \$6,000 for the 2020 Christmas Plaza Event. This will include promotion.**

**c) Welcome to Gundagai Night**

Mike suggested we look at organising a welcome event for new residents twice per year.

**d) Riverview Mums**

Renee advised that Sarah Graham has a group of 150 mums visiting Gundagai on the last weekend in March 2020. Carla Barton will have her pop-up shop open for this weekend and it is suggested that local stores are asked to extend their trading hours and offer specials. Miriam also suggested some busking on the day would add to the atmosphere.

**Next meeting:**

Monday 10<sup>th</sup> February 8:00am at Gundagai Council Chamber.

**Note:** This meeting will be a 2 hour meeting. Miriam will organise a fruit platter for a light breakfast.



**8.1.17 COOTAMUNDRA VETERAN GOLFERS REQUEST FOR SPONSORSHIP**

DOCUMENT NUMBER	319847
REPORTING OFFICER	Marianne McInerney, Personal Assistant to the General Manager
AUTHORISING OFFICER	Phil McMurray, General Manager
RELEVANCE TO COMMUNITY STRATEGIC PLAN	<b>2. A prosperous and resilient economy: we are innovative and 'open for business'</b>  2.3 Tourism opportunities are actively promoted
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.
ATTACHMENTS	1. Cootamundra Veteran Golfers Request for Sponsorship

**RECOMMENDATION**

**The amount of \$400 be donated to the Cootamundra Veterans Golfers for their April, 2020 tournament.**

Introduction

Local community groups and clubs regularly write to Council and request donations and/or sponsorship for a variety of reasons. Council considers each request on its individual merit. At the time of this report being prepared and submitted for the consideration of Council there is \$7,555.21 available funding for the purpose of community donations and sponsorship.

Discussion

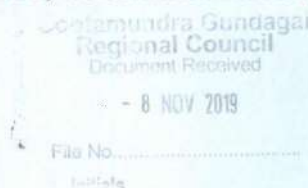
Council has previously donated \$400 annually to the Cootamundra Veterans Golfers Annual Tournament held in April each year. The tournament brings competitors from neighbouring areas, and as far as Wollongong and Sydney, to Cootamundra for the weekend. It is an exceptional and popular tourism event.



**COOTAMUNDRA VETERAN GOLFERS  
ASSOCIATION**  
94 HURLEY STREET, COOTAMUNDRA NSW 2590



**President:**  
**Russell Peck**  
**Phone: 0417288010**



**Secretary:**  
**David Steinbeck**  
**Phone 0400185374**

5/11/2019

General Manager  
Cootamundra Gundagai Regional Council  
Wallendoon Street  
COOTAMUNDRA NSW 2590

Dear Sir

The Cootamundra Veteran Golfers Association is a group of golfers 55 years and over. We hold a weekly golf day each Tuesday, when we play a 13 hole competition at Cootamundra. Our numbers have increased over the past years and we now have approximately 25-30 'vets' play each week.

In September each year we conduct an open 18 hole competition which attracts Veteran golfers, both men and ladies, from the South West region, including Wagga Wagga, Tumut, Gundagai, Temora, Junee, Harden and Young.

We will also be conducting an open Veterans Week of Golf in April 2019, an event that is sanctioned by the NSW Veteran Golfers Association and is part of their annual calendar of events. This tournament attracts approximately 120-130 participants, both men and ladies, from not only the South West, but Sydney, Wollongong, Nowra, Central Coast, North Coast and even visitors from Queensland. These visitors stay at our motels and Caravan Park, do some 'retail therapy' and visit our neighbouring towns.

We would like to thank you for your sponsorship of this event in 2019.

In an attempt to make this event even more appealing and therefore attract more participants, we are seeking continued sponsorship for our Week of Golf next year to the tune of \$400

In past years we have been able to use the Council's banners and Council has made available prizes for our 'Bradman' awards. Any assistance you could provide would be most gratefully accepted and help to stage a tournament worthy of Cootamundra and the region.

I can be contacted on 0438426484 or email [ktwhite7@bigpond.com](mailto:ktwhite7@bigpond.com) if you would like to discuss the matter with me.

Yours faithfully

Kate White  
Tournament Directors

**8.1.18 COOTAMUNDRA CANASSIST REQUEST FOR SPONSORSHIP**

DOCUMENT NUMBER	319504
REPORTING OFFICER	Marianne McInerney, Personal Assistant to the General Manager
AUTHORISING OFFICER	Phil McMurray, General Manager
RELEVANCE TO COMMUNITY STRATEGIC PLAN	<b>1. A vibrant and supportive community: all members of our community are valued</b>  1.1 Our Community is inclusive and connected
FINANCIAL IMPLICATIONS	Town Hall hire costs of \$1164.
LEGISLATIVE IMPLICATIONS	There are no Legislative implications associated with this report.
POLICY IMPLICATIONS	There are no Policy implications associated with this report.
ATTACHMENTS	1. Cootamundra CanAssist Request for Sponsorship 2. CanAssist - Town Hall Booking Form

**RECOMMENDATION**

- 1. Council apply the 50 per cent discount of the Town Hall hire cost of \$1164 as per the fees and charges policy regarding town hall hire by local community groups.**
- 2. Council donate the amount of \$1164 being for the remaining amount for the hire of the Town Hall hire for the CanAssist Bling It On Ball being held on Saturday, 21<sup>st</sup> March, 2020.**

Introduction

Local community groups and clubs regularly write to Council and request donations and/or sponsorship for a variety of reasons. Council considers each request on its individual merit. At the time of this report being prepared and submitted for the consideration of Council there is \$7,555.21 available funding for the purpose of community donations and sponsorship.

Discussion

For decades Cootamundra CanAssist has provided financial assistance and support to local individuals affected by cancer and their families. The financial assistance CanAssist provides to those individuals, and their families, is raised by tireless volunteers.

The annual ball is a major event which raises a significant amount of money for the organisation. By donating the remaining 50% of the hire fees Council will be a noted sponsor of the event.

10<sup>th</sup> November 2019



The General Manager

Mr Allen Dwyer

Cootamundra Gundagai Regional Council

Wallendoon Street

COOTAMUNDRA NSW 2590

Dear Allen

Our small committee will be hosting a Black Tie Ball at the Town Hall on Saturday 21<sup>st</sup> March 2020 and would like to utilise the Cootamundra Town Hall.

This event 'Bling It On Ball' will be a Charity fundraiser for the Cootamundra Can Assist with the hope of having 350 or more people attend.

Can Assist is a grass roots, community based charity dedicated solely to supporting country NSW people affected by cancer and their families. Due to travel and accommodation expenses, it can easily cost a country family affected by cancer up to five times more than a city family just to access treatment. The reality is that many country mums and dads simply can't afford treatment, let alone the weeks spent away from their family and work.

Can Assist provide financial assistance with expenses like medical, pharmaceutical, travel and accommodation to help alleviate the financial burden of a cancer diagnosis.

The committee would like to submit the request for exemption of the Town Hall hiring costs due to this being a Charity event.

Council will of course be mentioned as a Sponsor if the Exemption is approved.

Would you please let me know of your decision regarding this request at

[admin@chamberssg.com.au](mailto:admin@chamberssg.com.au)

Yours sincerely

Melinda Chambers

0437 523 324



**COOTAMUNDRA TOWN HALL  
FACILITIES QUOTE 2019/2020**

Name Applicant: Melinda Chambers

Name of Organisation: Cannassist

Name Insurance held in: \_\_\_\_\_

Company Insurance held with: \_\_\_\_\_

\*\*\*\*\*MUST BE SUPPLIED WITH FINAL PAYMENT OR BOOKING  
WILL NOT BE FINALISED\*

Address of Applicant: \_\_\_\_\_ Contact: \_\_\_\_\_

Phone Number: \_\_\_\_\_ Mobile: 0437 523 324 Date of: \_\_\_\_\_

Function: 21/1/20 Type of Function: \_\_\_\_\_

Dates & times for Set up: 20/1/20 Dates & times for Rehearsals: \_\_\_\_\_

Approx. No. of Guests/Audience: \_\_\_\_\_

**\*\*PLEASE NOTE; IF THE BAR AREA IS HIRED A LIQUOR LICENCE MAY BE REQUIRED.**

VENUE	Cost Per Day	No. of Days	Tot
Town Hall	\$529		\$
Town Hall & Bar	\$679		\$
Town Hall & Civic Hall	\$740		\$
Town Hall & Civic Hall & Bar	\$863		\$
Town Hall & Civic Hall & Kitchen	\$863		\$
Town Hall Civic Hall Bar & Kitchen	\$1081	<u>2</u>	<u>\$2162</u>
Civic Hall & Kitchen	\$529		\$
Set up/ Rehearsal- Price Dependent on time and facilities required—Refer Attached	\$	Hours/Days required	\$
Piano (MUST REMAIN ON STAGE)	\$78		\$
Closure of Council Car Park	\$166	<u>1</u>	<u>166</u>
Additional requirements to above will be charged on an "At Actual Cost basis"	\$		\$
TOTAL AMOUNT:	\$		<u>\$2328</u>
LESS ADJUSTMENTS-COMMUNITY DISCOUNT IF Granted	\$		<u>\$-1164</u>
TOTAL BOOKING FEES	\$		<u>\$1164</u>
LESS DEPOSIT- 50% TO BE PAID AT TIME OF BOOKING-(Booking will be held for 4 weeks as "tentative" and then cancelled if deposit is not received)	\$		\$
BALANCE OWING: MUST BE PAID IN FULL 6 WEEKS PRIOR TO EVENT – IF BOOKING IS MADE WITHIN 6 WEEKS FULL PAYMENT MUST BE PAID AT TIME OF BOOKING	\$		\$****

**PLEASE SEE OVER PAGE**

**PLEASE INDICATE IF YOU REQUIRE ANY OF THE FOLLOWING:**

Change rooms	Yes	No
Lighting System	Yes	No
PA System	Yes	No
Stage area	Yes	No
Table & chair setup	Yes	No
Theatre seating setup	Yes	No
Additional Requirements		

**OFFICE USE ONLY**

Entered in Calendar .....Initials.....

Customer Advised of all Conditions Above.....

Deposit Received (Y/N) Receipt Number.....Amount \$.....

Balance Owing -Diarised For Follow

Up...../...../.....Init.....Amount \$.....

Balance Received.\$...../...../.....Init.....

Written Request received regarding Community Discount.....

Insurance - Certificate of Currency received.....

Confirmation Letter sent. ....

Copy given to Town Hall Caretaker.....





**Cootamundra-Gundagai Regional Council - Town Hall Organisations/Fundraisers Agreement**

Organisation: .....

Contact Name: ..... Phone: .....

Address: .....

Date of function .....

**Conditions of hire**

1. Bookings will only become effective when a deposit is paid. A minimum deposit of 50% of total hire costs is required. Bookings will be held as "tentative" for four weeks without deposit being paid and then will be cancelled. Full fees are required to be paid 6 weeks prior to the event.
2. Bookings made within 7 days of the event require payment by either cash or bank cheque.
3. If a cancellation is made more than 6 weeks prior to the event, a full refund will be given. Cancellations received after this time will incur a charge of 50% of the full fee.
4. Keys are available from the Council Cootamundra office between 9am and 5pm Monday to Friday, (after full payment has been received). If you are unable to pick up keys within these hours alternative arrangements may be made and additional costs may be incurred. Keys should be returned by noon on the first working day after the function
5. The premises must be cleaned and left in a tidy condition e.g. all food scraps, containers, bottles, cans, papers and decorations shall be collected and removed or placed in bins provided outside the hall.
6. The hall must be completely vacated by 12 noon on the day following completion of the booking unless prior arrangements have been made with Council.
7. Alcoholic drinks shall only be prepared and served from the bar and all food is to be prepared in the kitchen
8. Bar, kitchen and all equipment used for preparation and serving of food and drink must be cleaned and stored correctly.
9. No pins or nails are to be fixed into walls. Decorations are to be fixed with tape or blue-tack and any residual marks must be removed.
10. No amplified music is to be played after midnight. All persons are to leave in an orderly manner by 1am.
11. Turn off the air conditioner, lights, music system and lock and secure all doors when leaving the premises.
12. No smoking is permitted in the hall or any Council building.
13. Arrangements must be made through the Council offices to meet with the Town Hall caretaker at least **5 days prior to the event**. This must be done in business hours to undergo training in the operation of Town Hall facilities and to discuss the set up of your event.
14. Located in the wings of the Town Hall stage are two 40 Amp 3 Phase 5 pin (Clipsal 56 Series) switched socket outlets used to supply lighting and sound equipment. If you wish to use these outlets, please notify Council when making your booking, or as soon as possible after booking. Adaptors to suit alternative plugs/outlets etc. must be supplied by the hirer.
15. Please be advised that any cost charged by Council approved Security Company or NSW Fire and Rescue for negligent activation, intentional misuse or frivolous actions causing the alarms to be activated will be passed on to the hirer. These costs can be in excess of \$1,000.00. In this regard it is important to advise Council of any equipment or items being used that may trigger the Fire Monitoring System, such as smoke machines, candles or equipment that may produce excess heat or smoke.

**PLEASE SEE OVER PAGE**

16. Organisations must present Council with a copy of a certificate of currency for public liability insurance with a minimum cover of \$20 million with final payment .

**Failure to comply with the above conditions will mean a forfeiture of deposit.**

I/We agree to abide by all the conditions of hire by the Council, at the time of the function.

\$20 million insurance cover provided      Date .....

Signed:.....      Date: .....

**Office use only**

Deposit \$..... Receipt No: ..... Date: .....

Total Amount/Balance \$..... Receipt No: ..... Date: .....

Copy of Facilities Quote given to applicant ..... Date.....

Insurance Certificate Received.....

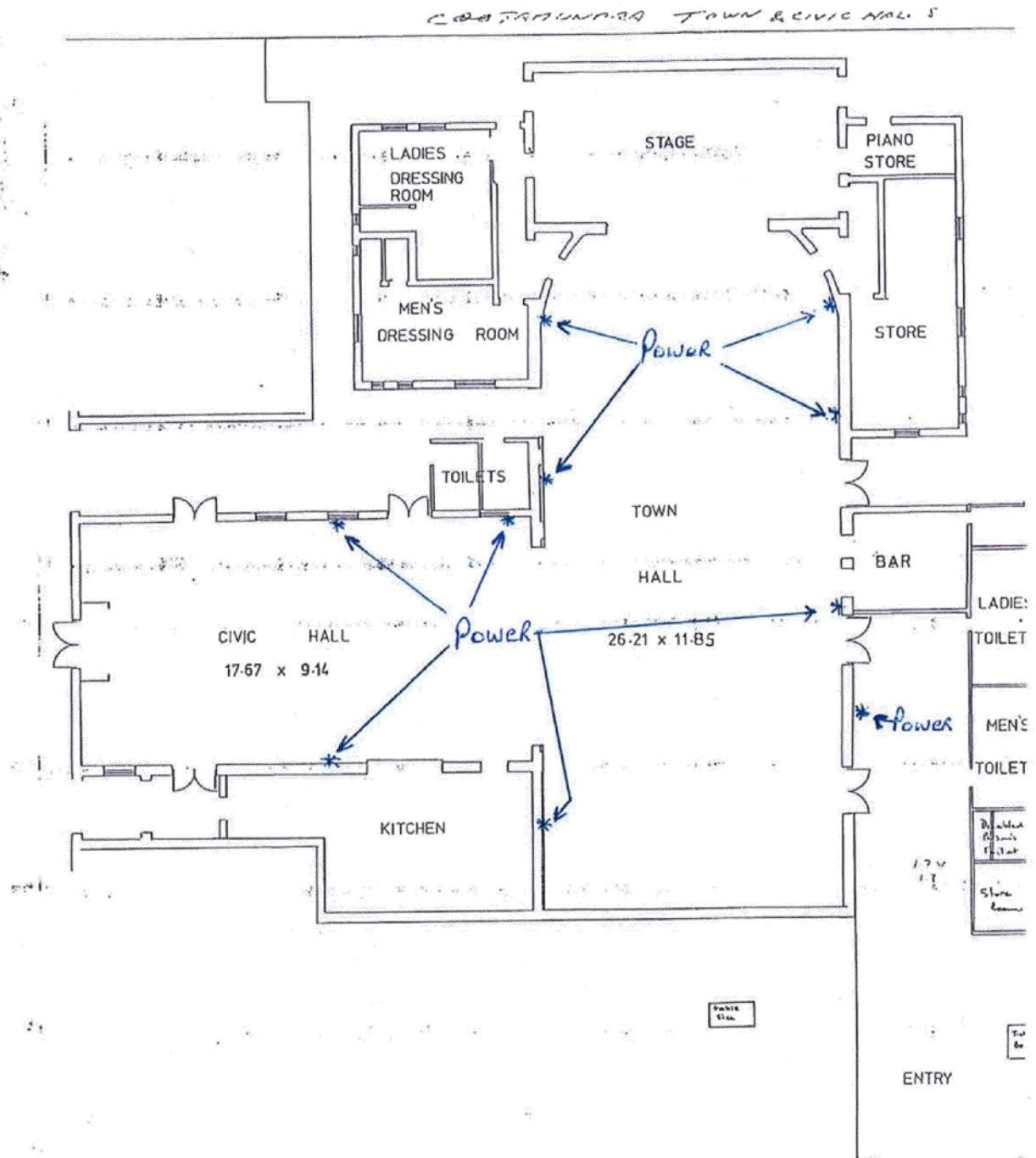
If Not Received Date to Follow Up .....

Confirmation letter sent .....

Additional Comments

.....  
 .....  
 .....  
 .....





**8.1.19 THE ARTS CENTRE COOTAMUNDRA REQUEST FOR DONATION**

DOCUMENT NUMBER	321117
REPORTING OFFICER	Marianne McInerney, Personal Assistant to the General Manager
AUTHORISING OFFICER	Phil McMurray, General Manager
RELEVANCE TO COMMUNITY STRATEGIC PLAN	<b>1. A vibrant and supportive community: all members of our community are valued</b>  1.1 Our Community is inclusive and connected
FINANCIAL IMPLICATIONS	The donation amount of \$165
LEGISLATIVE IMPLICATIONS	There are no Legislative implications associated with this report.
POLICY IMPLICATIONS	There are no Policy implications associated with this report.
ATTACHMENTS	1. TACC request for Donation

**RECOMMENDATION**

**Council consider donating the amount of \$165 to the Arts Centre Cootamundra as detailed in the attached correspondence.**

Introduction

Local community groups and clubs regularly write to Council and request donations and/or sponsorship for a variety of reasons. Council considers each request on its individual merit. At the time of this report being prepared and submitted for the consideration of Council there is \$7,555.21 available funding for the purpose of community donations and sponsorship.

Discussion

The Arts Centre Cootamundra (TACC) hires an exhibition room for a variety of events. TACC is hosting a Blues for Bushfire fund raising event to raise money for Cootamundra Rural Fire Service Brigade. The hire fee for the Exhibition room is \$330. TACC has requested Council donate 50 per cent of the hire fee, being \$165, and advised that TACC will subsidise the other 50 per cent of the fee.



Cootamundra Creative Arts Incorporated  
18-20 Wallendoon Street  
COOTAMUNDRA NSW 2590  
ABN 68 221 726 015

Tel: (02) 6942 4773  
Email: [info@theartscentrecootamundra.org.au](mailto:info@theartscentrecootamundra.org.au)  
Web: [www.theartscentrecootamundra.org.au](http://www.theartscentrecootamundra.org.au)

Mr Phil McMurray  
General Manager  
Cootamundra Gundagai Regional Council  
Wallendoon Street  
Cootamundra NSW 2590

Re: Donation of support

Dear Phil

Firstly, thank you for being an ongoing advocate of the Arts Centre Cootamundra.

As we all know 2020 has commenced with tragic bushfires and it is in response to this terrible occurrence that we write to you requesting assistance to host a fundraising activity on Saturday 8 February 2020 being organised by local musicians.

Our Exhibition Room hire fee is normally \$330 but if the CGRC as our partner, funds 50% of our Exhibition Room hire with \$165 we will subsidise the balance of \$165 for the event. Our hardworking volunteers will assist operationally for the event.

The funds raised will go towards providing local RFS teams to purchase new equipment.

We look forward to your response

Regards

Gwen Norman  
For and on behalf of The Arts Centre Cootamundra



Create NSW  
Arts, Screen & Culture



COOTAMUNDRA-  
GUNDAGAI  
REGIONAL COUNCIL



EASTERN  
RIVERINA  
ARTS



twomeys



## 8.2 FINANCE

### 8.2.1 DECEMBER 2019 QUARTERLY BUDGET REVIEW STATEMENT

DOCUMENT NUMBER	321179
REPORTING OFFICER	Tim Swan, Manager Finance and Customer Service
AUTHORISING OFFICER	Phil McMurray, General Manager
RELEVANCE TO COMMUNITY STRATEGIC PLAN	<p><b>4. Good governance: an actively engaged community and strong leadership team</b></p> <p>4.3 Cootamundra-Gundagai Regional Council is a premier local government Council</p>
FINANCIAL IMPLICATIONS	As reported in the attached December 2019 quarterly budget review, the revised net operating result for the year to 30 June 2020 is a profit of \$10,480,000. The budget adjustments recommended to Council for approval in this report result in a net change to the operating result of \$3,265,000.
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	There are no Policy implications associated with this report.
ATTACHMENTS	1. Quarterly Budget Review Report - December 2019

### RECOMMENDATION

1. The December, 2019 Quarterly Budget Review Statement be accepted.
2. The budget variations 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 December, 2019 quarter, and to report on progress made against the original budget adopted by Council in its 2019-20 Operational Plan. A detailed list of budget variances is included in the attached Quarterly Budget Review, and these are recommended for Council adoption.

### Discussion

Reporting procedures adopted this financial year have enabled the Quarterly Budget Review to be prepared one month earlier than has been possible in the past. This provides a much more current picture of Council's financial position.

The updated format also includes a dissection by business units and Key Performance Indicators.

Detailed commentary on the individual variations is included in the report itself. The net change to the projected operating result is an increase of \$3,265,000 to a surplus of \$10.48M.

The delay in securing a loan from TCorp for the Cootamundra Water Main Replacement Project has had a major impact on the Water Reserve. The current balance of \$194,000 will be adequate to cover any committed expenditure, however funding will need to be secured for further works to be undertaken.



## Commentary

### Budgeted Operating Result

The Council's Income and Expenses, and Net Operating Result are reported on pages 4 & 5 of this Review Statement.

The revised estimated net operating result for the year to 30 June 2020 is a surplus of \$10,480,000 (original budget was a surplus of \$7,649,000) and the revised estimated result before capital grants and contributions is a \$2,927,000 deficit (original \$5,758,000 deficit).

The major changes detailed in this report are related to timing of income and expenditure.

### Budget Variations to the Operating Result

The budget adjustments recommended to Council for approval in this report result in a net increase to the operating surplus of \$3,265,000.

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

#### Favourable variations

- Amounts levied for annual waste charges exceeded the budget by \$45,000.
- \$25,000 is recommended to be reallocated from operational expenditure to a capital project.
- The result for cemeteries is expected to be \$100,000 better than budgeted.
- Revenue from the waste soil operation is expected to be \$120,000 better than budgeted.
- Expenditure of \$1,625,000 on community projects funded by grants was

December 2019 Quarterly Budget Review

completed earlier than anticipated, and was included in the 2019 Financial Year.

- Budgeted repayment of funding received under NCIF round one has been removed, resulting in a positive adjustment of \$1,400,000.

#### Unfavourable variations

- Projected interest to be received from investments has been downgraded by \$180,000
- Changes to the organisational structure as a result of amalgamation have resulted in termination payments funded by NCIF (New Council Implementation Fund) and the Employee Leave Entitlement Reserve.

### Possible future changes

There are a few items we are currently monitoring that may require a change to the budget in a future review. At this point in time we either do not have the necessary information to quantify the change or sufficient guarantee that the change will actually be required. These are:

- Several positions included in the original budget are unlikely to be approved by the finance committee, with a positive adjustment likely to be included in the next QBR.
- Council's application for a loan of \$4,000,000 from TCorp is currently on hold, pending outcomes of the finance committee. Rejection of the application would have major budgetary and operational ramifications.

### Budget Cash Flows

Council's Cashflow and Reserve Movements are reported on page 9 of this Review Statement.





## Report by Responsible Accounting Officer

The following statement is made in accordance with Clause 203(2) of the Local Government (General) Regulations 2005:

It is my opinion that the Quarterly Budget Review Statement for Cootamundra Gundagai Regional Council for the quarter ended 31/12/19 indicates that Council's projected financial position at 30/6/20 will be satisfactory at year end, having regard to the projected estimates of income and expenditure and the original budgeted income and expenditure.

Signed:



Tim Swan  
Responsible Accounting Officer

date: 22 January 2020

December 2019 Quarterly Budget Review





# Income and Expense Budget Review

Cootamundra Gundagai Regional Council  
Budget review for the quarter ended 31 December 2019



## Income and Expenses Consolidated

(\$000's)	Original Budget	Council Approved Changes					Revised budget	Variations	Notes	Revised budget after variation	YTD Actual
		Carry Forwards	Other than by QBRs	Sept QBRs	Dec QBRs	Mar QBRs					
<b>Income</b>											
Rates and Annual Charges	12,975			45			13,020	-		13,020	11,279
User Charges and Fees	8,181			-			8,181	100	1	8,281	2,293
Interest and Investment Revenues	677			(180)			498	-		498	182
Other Revenues	400			-			400	120	2	520	394
Grants & Contributions - Operating	10,511			-			10,511	20	3	10,531	2,907
Grants & Contributions - Capital	13,407			-			13,407	-		13,407	39
Internal Plant Hire	3,420			-			3,420	-		3,420	1,390
Internal Overheads	2,279			-			2,279	-		2,279	-
Internal Easements	1,465			-			1,465	-		1,465	-
<b>Total Income from Continuing Operations</b>	<b>53,314</b>	<b>-</b>	<b>-</b>	<b>(134)</b>	<b>-</b>	<b>-</b>	<b>53,180</b>	<b>240</b>		<b>53,420</b>	<b>18,485</b>
<b>Expenses</b>											
Employee Costs	11,955			325			12,280	-		12,280	6,374
Borrowing Costs	184			-			184	-		184	30
Materials & Contracts	14,102			(25)			14,077	(1,625)	4	12,452	6,306
Plant Hire	2,686			-			2,686	-		2,686	1,066
Legal Costs	72			-			72	-		72	116
Consultants	257			-			257	-		257	592
Depreciation	7,677			-			7,677	-		7,677	-
Other Expenses	4,988			-			4,988	(1,400)	5	3,588	2,617
Internal Overheads	2,279			-			2,279	-		2,279	-
Internal Easements	1,465			-			1,465	-		1,465	-
<b>Total Expenses from Continuing Operations</b>	<b>45,665</b>	<b>-</b>	<b>-</b>	<b>300</b>	<b>-</b>	<b>-</b>	<b>45,965</b>	<b>(3,025)</b>		<b>42,940</b>	<b>17,100</b>
<b>Net Operating Result from Continuing Operations</b>	<b>7,649</b>	<b>-</b>	<b>-</b>	<b>(434)</b>	<b>-</b>	<b>-</b>	<b>7,215</b>	<b>3,265</b>		<b>10,480</b>	<b>1,385</b>
<b>Net Operating Result before Capital Items</b>	<b>(5,758)</b>	<b>-</b>	<b>-</b>	<b>(434)</b>	<b>-</b>	<b>-</b>	<b>(6,192)</b>	<b>3,265</b>		<b>(2,927)</b>	<b>1,346</b>

December 2019 Quarterly Budget Review

Cootamundra Gundagai Regional Council  
Budget review for the quarter ended 31 December 2019



Income and Expenses by Business Unit

Income and Expenses by Business Unit		Council Approved Changes									
	Original Budget	Carry forwards	Other than by QBRs	Sept QBRs	Dec QBRs	Mar QBRs	Revised Budget	Variations	Notes	Revised Budget after variation	YTD Actual
(5000's)											
Income											
Development, Building and Compliance	384			-			384	-		384	140
Regulatory Services	524			-			524	120	1.3	644	277
Community and Culture	267			-			267	-		267	101
Business Services	12			-			12	-		12	15
Finance and Customer Services	16,629			(73)			16,557	-		16,557	8,700
Executive Office	10			-			10	-		10	(51)
Operations Management	5,568			-			5,568	-		5,568	1,222
Facilities	133			-			133	120	2	253	247
Recreation	187			-			187	-		187	247
Technical Services	516			-			516	-		516	331
Civil Works	3,366			-			3,366	-		3,366	21
Asset Management	3,795			-			3,795	-		3,795	1,656
Waste Services	2,427			32			2,458	-		2,458	2,324
Water	4,275			(50)			4,224	-		4,224	1,928
Sewer	15,220			(43)			15,177	-		15,177	1,328
Total Income from Continuing Operations	53,314	-	-	(134)	-	-	53,180	240		53,420	18,485
Expenses											
Development, Building and Compliance	1,315			-			1,315	-		1,315	535
Regulatory Services	1,099			-			1,099	-		1,099	548
Community and Culture	1,392			-			1,392	-		1,392	864
Business Services	2,126			-			2,126	-		2,126	1,179
Finance and Customer Services	2,086			-			2,086	-		2,086	774
Executive Office	6,397			-			6,397	(3,025)	4.3	3,372	1,970
Operations Management	1,175			-			1,175	-		1,175	1,445
Facilities	1,408			(25)			1,383	-		1,383	710
Recreation	1,721			-			1,721	-		1,721	992
Technical Services	2,316			-			2,316	-		2,316	1,035
Civil Works	5,311			-			5,311	-		5,311	2,056
Asset Management	2,976			325			3,301	-		3,301	2,125
Waste Services	2,093			-			2,093	-		2,093	828
Water	4,073			-			4,073	-		4,073	1,471
Sewer	2,500			-			2,500	-		2,500	568
Total Expenses from Continuing Operations	37,989	-	-	300	-	-	38,289	(3,025)		35,264	17,100
Net Operating Result from Continuing Operations	15,325	-	-	(434)	-	-	14,891	3,265		18,156	1,385
Depreciation	7,677						7,677			7,677	-
Net Operating Result including depreciation	7,648	-	-	(434)	-	-	7,215	3,265		10,480	1,385
Net Operating Result before Capital Items	(5,758)	-	-	(434)	-	-	(6,192)	3,265		(2,927)	1,346

December 2019 Quarterly Budget Review



## Detail of budget variations

**Cootamundra Gundagai Regional Council**  
Budget review for the quarter ended 31 December 2019



### Income and Expenses Consolidated

Notes	Variance \$000	Details
1	100	Cemetery fees for 2019/20 were increased after the adoption of the budget. The current trend indicates an increase in income of \$100,000.
2	120	Income from the waste soil arrangement is projected to exceed budget by \$120,000.
3	20	Grants relating to management of noxious weeds have been secured.
4	1,625	Community projects budgeted for completion in the 2019/20 financial year were completed prior to July 2019.
5	1,400	\$1.4M was included in the original budget to allow for repayment of NCIF funds expended on ineligible projects. Qualifying projects have since been identified, and repayment of this amount is now unlikely.
<b>Total</b>	<b>3,265</b>	

December 2019 Quarterly Budget Review



## Capital budget review

Cootamundra Gundagai Regional Council  
Budget review for the quarter ended 31 December 2019



### Capital budget

(5000's)	Original Budget	Approved Changes					Revised Budget	Variations this quarter	Notes	Revised budget after variations	YTD Actual
		Carry forwards	Other than by QBRS	Sept QBRS	Dec QBRS	Mar QBRS					
<b>Capital Expenditure</b>											
Plant and equipment	2,484			-			2,484	-		2,484	659
Office equipment	40			-			40	-		40	29
Buildings	50			135			185	-		185	216
Land improvements	25			-			25	-		25	44
Major projects	5,920			-			5,920	-		5,920	4,103
Roads, bridges and footpaths	4,290			-			4,290	-		4,290	2,037
Stormwater drainage	-			-			-	-		-	282
Recreation assets	-			-			-	-		-	5
Parks and Gardens	-			-			-	-		-	51
Waste Services	-			-			-	-		-	2
Water supply network	4,000			-			4,000	-		4,000	2,986
Sewerage network	12,856			-			12,856	-		12,856	458
Other assets	-			-			-	-		-	-
<b>Total Capital Expenditure</b>	<b>29,665</b>	<b>-</b>	<b>-</b>	<b>135</b>	<b>-</b>	<b>-</b>	<b>29,800</b>	<b>-</b>		<b>29,800</b>	<b>10,872</b>
<b>Capital Funding</b>											
Rates & Other Untied Funding	4,069			135			4,204			4,204	1,727
Capital Grants & Contributions	13,407						13,407			13,407	39
Reserves:											
- External Restrictions/Reserves	7,493						7,493			7,493	8,564
- Internal Restrictions/Reserves							-			-	
New Loans	4,000						4,000			4,000	-
Receipts from Sale of Assets											
- Plant & Equipment	697			-			697	-		697	327
- Land & Buildings	-			-			-	-		-	216
<b>Total Capital Funding</b>	<b>29,665</b>	<b>-</b>	<b>-</b>	<b>135</b>	<b>-</b>	<b>-</b>	<b>29,800</b>	<b>-</b>		<b>29,800</b>	<b>10,872</b>
<b>Net Capital Funding - Surplus/(Deficit)</b>	<b>0</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>0</b>	<b>-</b>		<b>0</b>	<b>-</b>

December 2019 Quarterly Budget Review

## Detail of budget variations

**Cootamundra Gundagai Regional Council**  
Budget review for the quarter ended 31 December 2019



### Capital Budget

Notes	Variance \$000	Details
Total	-	

December 2019 Quarterly Budget Review





## Cash and investments budget review

### Restricted and unrestricted cash (reserves)

Cootamundra Gundagai Regional Council  
Budget review for the quarter ended 31 December 2019



#### Cash and Investments

(\$'000's)	Original Budget	Approved Changes				Variations			Revised budget after variations	YTD Actual
		Carry forwards	Other than by QBRs	Sept QBRs	Dec QBRs	Mar QBRs	Revised Budget	Variations this quarter		
<b>Externally Restricted<sup>(1)</sup></b>										
Developers contributions	12						12	(12)	0	0
Specific Purpose Unexpended Grants & Contributions	960						960	0	960	1,589
Water network infrastructure	6,197						6,197	(3,412)	2,785	194
Sewer network infrastructure	5,226						5,226	(847)	4,379	4,796
Gundagai Town Improvement District	1,376						1,376	341	1,517	1,446
Domestic Waste Management	1,725						1,725	542	2,267	2,655
Stormwater infrastructure renewal	160						160	103	263	263
<b>Total Externally Restricted</b>	<b>15,656</b>	-	-	-	-	-	<b>15,656</b>	<b>(3,485)</b>	<b>12,171</b>	<b>10,943</b>
<b>Internally Restricted<sup>(2)</sup></b>										
Merger Implementation Fund	-						-		-	1,400
Stronger communities fund	-						-		-	-
Aerodrome bitumen resurfacing	246						246	(1)	245	245
Bradraai's birthplace	51						51	2	53	53
Coolac bypass	78						78	24	102	102
Cootamundra caravan park	92						92	0	92	92
Development	193						193	401	594	504
Employee leave entitlements	1,586			(195)			1,391	(6)	1,385	1,385
Financial assistance grant	-						-	-	-	-
Heritage centre	12						12	2	14	14
Incomplete works	-						-	33	33	33
Plant replacement	76						76	172	248	966
Quarries & pit restoration	51						51	(35)	16	16
Saleyards	110						110	(75)	35	(22)
Special projects	-						-	(15)	(15)	454
Swimming Pool Pump & Equipment	12						12	0	12	12
Cemetery reserve	28						28	(28)	0	0
<b>Total Internally Restricted</b>	<b>2,535</b>	-	-	(195)	-	-	<b>2,340</b>	<b>474</b>	<b>2,814</b>	<b>5,345</b>
<b>Unrestricted</b>	<b>2,184</b>	-	-	195	-	-	<b>2,379</b>	<b>99</b>	<b>2,478</b>	<b>(103)</b>
<b>Total Cash &amp; Investments</b>	<b>20,375</b>						<b>20,375</b>	<b>(2,911)</b>	<b>17,464</b>	<b>16,186</b>

(1) Funds that must be spent for a specific purpose

(2) Funds that Council has restricted for a specific purpose

December 2019 Quarterly Budget Review



## Detail of budget variations

### Cootamundra Gundagai Regional Council

Budget review for the quarter ended 31 December 2019



#### Cash & Investments

Notes	Variance \$000	Details
1	(3,010)	Reconciled closing balances of reserves for the draft 2019 Financial Statements varied from the projections used for the preparation of the current year budget. The bulk of this variation was the result of expenditure on community projects occurring earlier than expected. This has resulted in a reduction to budgeted expenditure in the current year of \$1,625,000.
2	6,528	Reconciled closing balances of Cash & Investments for the 2019 Financial Year varied from the projections used for the preparation of the current year budget.
3	(2,831)	Adjustments to the current year budget have improved the projected cash position by \$2,831,000.
4	(786)	The sale of Council's share in Southern Phone has yielded \$786,000.
<b>Total</b>	<b>(99)</b>	

December 2019 Quarterly Budget Review



# Key Performance Indicators

Cootamundra Gundagai Regional Council  
Budget review for the quarter ended 31 December 2019



## Key Performance Indicators

	This revision	Original budget	2018/19	2017/18	Target
<b>1. Operating performance</b>					
Operating revenue less operating expense	(3,661)	-11.14%	-19.83%	-29.61%	>0%
Operating revenue	32,850				
<b>2. Own source revenue</b>					
Total operating revenue less grants	22,318	48.25%	48.17%	65.28%	>60%
Total operating revenue	46,257				
<b>3. Rates and annual charges outstanding</b>					
Rates outstanding	2,839	21.80%		7.68%	<10%
Rates collectible	13,020				

Note: Rates and annual charges outstanding reflects the balances at quarter end

December 2019 Quarterly Budget Review







**COOTAMUNDRA-GUNDAGAI REGIONAL COUNCIL**

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**Gundagai Office:**  
255 Sheridan Street, Gundagai NSW 2722  
Phone: 02 6944 0200  
Fax: 02 6940 2127

**8.2.2 INVESTMENT REPORT - DECEMBER 2019**

DOCUMENT NUMBER	321059
REPORTING OFFICER	Tim Swan, Manager Finance and Customer Service
AUTHORISING OFFICER	Phil McMurray, General Manager
RELEVANCE TO COMMUNITY STRATEGIC PLAN	<b>4. Good governance: an actively engaged community and strong leadership team</b>  4.3 Cootamundra-Gundagai Regional Council is a premier local government Council
FINANCIAL IMPLICATIONS	Council's investment income for December 2019 was \$23,422.42, 25% under the budgeted figure of \$31,407.00.
LEGISLATIVE IMPLICATIONS	Council investments comply fully with Section 625 of the Local Government Act (NSW) 1993, Local Government (General) Regulation, 2005 paragraph 212 and Council's Investment Policy.
POLICY IMPLICATIONS	The Investment Policy was adopted on 31 <sup>st</sup> July 2018 and is due for review on 31 <sup>st</sup> July 2021.
ATTACHMENTS	1. Investment Report - December 2019

**RECOMMENDATION**

**The Investment Report as at 31<sup>st</sup> December 2019 be received and noted.**

Introduction

The monthly investment report provides an overview of council's investments, and their performance for the month.

Discussion

Investments for December 2019 have produced interest of \$23,422.42, 25% below the adjusted budget adopted in the September Quarterly Budget Review.

With the outlook for interest rates uncertain, projections of investment income are being monitored, and a further downgrade in the March Quarterly Budget Review is anticipated.

# INVESTMENT REPORT

As at: 31-12-19



Date Invested	Interest Rate	Term Days	Investment Amount	Held With	Interest	Maturity Date
22 Oct 2019	1.60%	91	\$2,573,307.06	National Australia Bank	\$ 3,496.88	21 Jan 2020
29 Oct 2019	1.60%	91	\$1,500,000.00	BankVic	\$ 2,038.36	28 Jan 2020
29 Oct 2019	1.60%	91	\$1,000,000.00	Rural Bank Ltd	\$ 1,358.90	28 Jan 2020
18 Aug 2019	2.05%	182	\$3,041,654.79	AMP	\$ 5,295.81	16 Feb 2020
20 Aug 2019	2.00%	182	\$2,027,616.44	AMP	\$ 3,444.17	18 Feb 2020
2 Oct 2019	1.75%	181	\$2,027,575.34	AMP	\$ 3,013.59	31 Mar 2020
		AC	\$2,421,275.97	Commonwealth Bank	\$ 273.43	At Call
		BO5	\$1,501,583.96	Commonwealth Bank	\$ 1,583.96	At Call
		AC	\$92,622.22	National Australia Bank	\$ 29.65	At Call
Total			\$16,185,635.78			
Matured in Report Month						
30 Sep 2019	1.70%	92	\$2,000,000.00	National Australia Bank	\$ 2,887.67	31 Dec 2019
Totals					\$ 23,422.42	

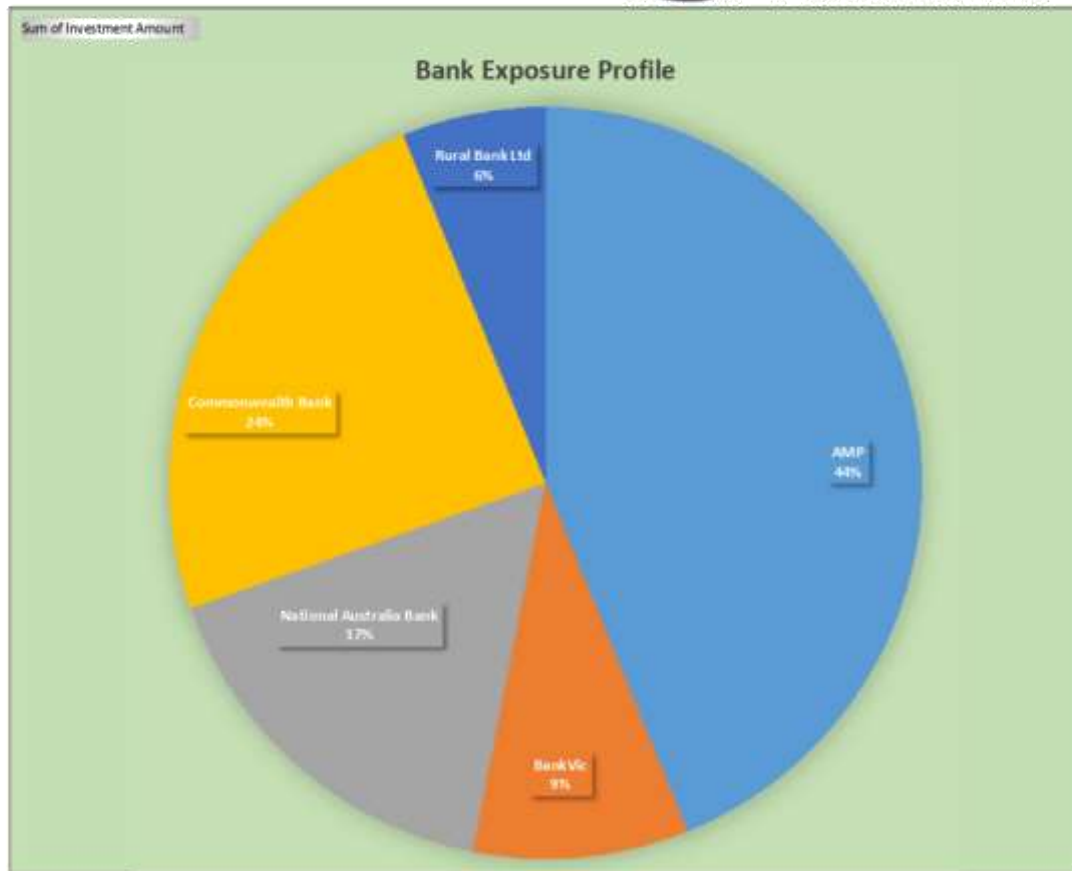
Budgeted Interest for Month	\$ 31,407.00
Combined Interest Rate	1.74%
BBSW Benchmark Rate	0.9001%

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 and council's investment policy.

Signed

Tim Swan  
Responsible Accounting Officer

Investment Report  
December 2019



**8.2.3 MONTHLY FINANCE REPORT FOR DECEMBER, 2019**

DOCUMENT NUMBER	321057
REPORTING OFFICER	Tim Swan, Manager Finance and Customer Service
AUTHORISING OFFICER	Phil McMurray, General Manager
RELEVANCE TO COMMUNITY STRATEGIC PLAN	<b>4. Good governance: an actively engaged community and strong leadership team</b>  4.1 Decision-making is based on collaborative, transparent and accountable leadership
FINANCIAL IMPLICATIONS	Regular monitoring of Council's finances will ensure that any issues are identified in a timely manner.
LEGISLATIVE IMPLICATIONS	There are no Legislative implications associated with this report.
POLICY IMPLICATIONS	There are no Policy implications associated with this report.
ATTACHMENTS	1. December 2019 Finance Report

**RECOMMENDATION**

**The Monthly Finance Report for December, 2019 be received and noted.**

Introduction

This monthly reporting package provides Councillors with an update on the current budget status.

Discussion

Overall expenditure remains under budget. Income is also under budget, however with a significant number of capital projects nearing completion the related grants can be expected to be received over the next 2 months.

Monthly budget variance report  
Consolidated  
Period ended 31 December



	Year to date actual				Consolidated total	Consolidated budget	Balance remaining	% of annual budget	Comments
	General	Waste	Water	Sewer					
<b>Revenue</b>									
Rates and annual charges	7,364,684	2,092,651	798,611	1,023,505	11,279,451	13,020,211	1,740,760	86.63%	
User charges and fees	828,762	158,402	1,058,714	247,234	2,293,112	8,180,772	5,887,660	28.03%	
Interest and investment revenues	159,328	4,013	12,723	5,466	181,530	497,517	315,987	36.49%	
Other revenues	390,443	-	4,014	-	394,456	399,740	5,284	98.68%	
Operating grants and contributions	2,732,241	69,406	53,677	51,539	2,906,863	10,511,434	7,604,571	27.65%	
Capital grants and contributions	38,901	-	-	-	38,901	13,406,936	13,368,035	0.29%	
Internal Plant hire	1,390,487	-	-	-	1,390,487	3,420,000	2,029,513	40.66%	
Internal Overheads	-	-	-	-	-	2,278,576	2,278,576	0.00%	
Internal Easements	-	-	-	-	-	1,464,950	1,464,950	0.00%	
<b>Total revenue</b>	<b>12,904,846</b>	<b>2,324,472</b>	<b>1,927,738</b>	<b>1,327,743</b>	<b>18,484,799</b>	<b>53,180,136</b>	<b>34,695,337</b>	<b>34.76%</b>	
<b>Expenditure</b>									
Employee costs	5,605,022	170,209	337,106	261,400	6,373,737	12,279,857	5,906,120	51.90%	
Borrowing costs	29,820	-	-	-	29,820	183,823	154,003	16.22%	
Materials and contracts	5,261,341	564,343	1,007,993	180,326	7,014,004	14,407,221	7,393,217	48.68%	
Plant hire	917,797	87,873	36,321	23,813	1,065,804	2,686,202	1,620,398	39.68%	
Other expenses	2,418,645	5,983	89,938	102,253	2,616,820	4,988,112	2,371,292	52.46%	Includes annual expenses such as insurance, rates, subscriptions.
Internal Overheads	-	-	-	-	-	2,278,576	2,278,576	0.00%	
Internal Easements	-	-	-	-	-	1,464,950	1,464,950	0.00%	
<b>Total expenses</b>	<b>14,232,625</b>	<b>828,408</b>	<b>1,471,359</b>	<b>567,793</b>	<b>17,100,184</b>	<b>38,288,741</b>	<b>21,188,557</b>	<b>44.66%</b>	
<b>Net result</b>	<b>(1,327,778)</b>	<b>1,496,064</b>	<b>456,379</b>	<b>759,950</b>	<b>1,384,615</b>	<b>14,891,395</b>	<b>13,506,780</b>		

**Business Unit Summary - Operating**

Period ended 31 December



	Income				Expenditure				Comments
	Actual	Budget	Variance	%	Actual	Budget	Variance	%	
Development, Building and Compliance	140,026	384,120	244,094	36.45%	534,617	1,315,066	780,449	40.65%	OK
Regulatory Services	276,686	524,190	247,504	52.78%	547,775	1,099,122	551,347	49.84%	OK
Community and Culture	100,506	267,041	166,535	37.64%	864,175	1,392,227	528,052	62.07%	PO's raised for full year.
Business Services	14,875	12,280	(2,595)	121.13%	1,179,248	2,125,847	946,599	55.47%	PO's raised for full year.
Finance and Customer Services	8,700,137	16,556,739	7,856,602	52.55%	773,501	2,086,194	1,312,693	37.08%	OK
Executive Office	(50,741)	10,000	60,741	-507.41%	1,969,958	6,397,456	4,427,498	30.79%	Allocations between GM and Deputy changed since budget. Combined exp is 45%
Operations Management	1,221,878	5,568,349	4,346,471	21.94%	1,445,496	1,175,322	(270,174)	122.99%	Workers comp & Public Liability Insurances for full year.
Facilities	246,799	132,940	(113,859)	185.65%	709,715	1,383,492	673,777	51.30%	OK
Recreation	246,714	187,392	(59,322)	131.66%	992,362	1,720,677	728,315	57.67%	PO's raised for full year.
Technical Services	330,657	515,991	185,334	64.08%	1,034,895	2,316,033	1,281,138	44.68%	OK
Civil Works	21,177	3,366,180	3,345,003	0.63%	2,056,289	5,310,993	3,254,704	38.72%	OK
Asset Management	1,656,133	3,795,080	2,138,947	43.64%	2,124,594	3,300,691	1,176,097	64.37%	Includes termination payment. QBR adjustment adopted.
Waste Services	2,324,472	2,458,338	133,866	94.55%	828,408	2,092,687	1,264,279	39.59%	OK
Water	1,927,738	4,224,467	2,296,729	45.63%	1,471,359	4,073,219	2,601,860	36.12%	OK
Sewer	1,327,743	15,177,029	13,849,286	8.75%	567,793	2,499,715	1,931,922	22.71%	OK
<b>Total</b>	<b>18,484,799</b>	<b>53,180,136</b>	<b>34,695,337</b>	<b>34.76%</b>	<b>17,100,184</b>	<b>38,288,741</b>	<b>21,188,557</b>	<b>44.66%</b>	

**Capital expenditure**



	YTD	Budget	Variance	%	Comments
<b>Capital income</b>					
Proceeds from sale of plant	326,843	696,500	(369,657)	46.93%	
Proceeds from sale of property	215,582	-	215,582	0.00%	
Sports facilities capital income			-	0.00%	
Stormwater capital income			-	0.00%	
Roads capital income			-	0.00%	
Water capital income			-	0.00%	
Sewer capital income			-	0.00%	
Waste capital income			-	0.00%	
Other capital income			-	0.00%	
<b>Total Income</b>	<b>542,425</b>	<b>696,500</b>	<b>(154,075)</b>	<b>77.88%</b>	
<b>Capital expenditure</b>					
Plant and equipment	659,442	2,484,000	(1,824,558)	26.55%	
Office equipment	29,273	40,000	(10,728)	73.18%	Upgrade of expenditure control system.
Buildings	215,826	210,000	5,826	102.77%	
Land improvements	43,809	25,000	18,809	175.24%	
Major projects	4,102,706	5,920,226	(1,817,520)	69.30%	
Roads, bridges and footpaths	2,036,567	4,290,000	(2,253,433)	47.47%	
Stormwater drainage	281,669	-	281,669	0.00%	
Recreation assets	5,166	-	5,166	0.00%	
Parks and Gardens	51,290	-	51,290	0.00%	
Waste Services	2,039	-	2,039	0.00%	
Water supply network	2,986,211	4,000,000	(1,013,789)	74.66%	
Sewerage network	458,277	12,856,000	(12,397,723)	3.56%	QBR adjustment likely for March.
Other assets	-	-	-	0.00%	
<b>Total Expenses</b>	<b>10,872,274</b>	<b>29,825,226</b>	<b>(18,952,952)</b>	<b>36.45%</b>	
<b>Net capital expenditure</b>	<b>10,329,849</b>	<b>29,128,726</b>	<b>(18,798,877)</b>		



**8.2.4 PROJECTED PLANT RESERVE BALANCES FOR 2019/20 FINANCIAL YEAR**

DOCUMENT NUMBER	321217
REPORTING OFFICER	Tim Swan, Manager Finance and Customer Service
AUTHORISING OFFICER	Phil McMurray, General Manager
RELEVANCE TO COMMUNITY STRATEGIC PLAN	<b>4. Good governance: an actively engaged community and strong leadership team</b>  4.1 Decision-making is based on collaborative, transparent and accountable leadership
FINANCIAL IMPLICATIONS	Regular monitoring of Council's finances will ensure that any issues are identified in a timely manner.
LEGISLATIVE IMPLICATIONS	There are no Legislative implications associated with this report.
POLICY IMPLICATIONS	There are no Policy implications associated with this report.
ATTACHMENTS	1. Plant Reserve Balance Projections 2019-20

**RECOMMENDATIONS**

- 1. The four (4) purchases of plant reports submitted for consideration at the Ordinary Meeting held 12<sup>th</sup> December, 2019 proceed as recommended.**
- 2. An updated Plant Replacement Program be presented to Council for adoption in time for adjustment in the March Quarterly Budget Review.**

Introduction

At the Ordinary Meeting held 12<sup>th</sup> December, 2019 it was resolved that a report on the status of the plant reserve be prepared and submitted at the Ordinary Meeting scheduled to be held on 28<sup>th</sup> January, 2020 for the consideration of Council.

Council's plant fund has been under significant financial pressure for some time, and considerable work was invested in the preparation of a Plant Replacement Programme that was adopted with the 2019/20 Operational Plan. The programme is subject to constant change, and will need to be monitored very closely for the next several years to restore stability.

Four items of heavy plant were deferred for replacement at the December, 2019 Council Meeting, under the condition that the reserve was adequate to fund the purchases. The attached projection shows projected closing balances for the remainder of the financial year of:

January	\$452,965.75
February	\$55,889.59
March	<b>-\$30,686.57</b>
April	<b>-\$157,762.73</b>
May	<b>-\$57,107.93</b>
June	\$69,815.91

These balances are based on the following assumptions:

- That the 4 heavy plant purchases deferred at the December, 2019 Council Meeting would proceed in January, 2020.
- That the remaining additions and disposals meet the programmed timing and values.
- That the originally budgeted income and expenses be achieved, with the timing spread evenly across the remaining weeks of the financial year.

In reality the impact of purchases does not reach the reserve until the payment is made, which in many cases will be months after the order is placed. This may mean that the reserve will avoid going into deficit, however future replacements will need to be fully informed. The projections have been done this way to build some conservatism into the figures, without presenting a worst case scenario.

It is recommended that the 4 heavy plant purchases deferred in December, 2019 proceed as planned, however, that an updated Plant Replacement Program be prepared and submitted for the consideration of Council for adoption in time for an adjustment in the March, 2020 Quarterly Budget Review.

<b>Plant Replacement 2019/20</b>	<b>Budget - Replacement Program</b>	<b>Balance</b>
<b>Opening Balance</b>		\$720,517.00
Balance as at 31.12.19		\$966,041.91
<b>January</b>		
Overheads / Internal Recharges : Plant Hire - Internal Usage	\$ 329,076.36	
Plant Running - Expenses	-\$ 202,152.52	
Plant and Equipment : Plant & Equipment Purchases - Assets - Heavy Plant	-\$ 730,000.00	
Plant and Equipment : Plant & Equipment Purchases - Assets - Light Vehicles	-\$ 45,000.00	
Plant and Equipment : Proceeds from Sale of Assets	\$ 135,000.00	\$452,965.75
<b>February</b>		
Overheads / Internal Recharges : Plant Hire - Internal Usage	\$ 329,076.36	
Plant Running - Expenses	-\$ 202,152.52	
Plant and Equipment : Plant & Equipment Purchases - Assets - Heavy Plant	-\$ 440,000.00	
Plant and Equipment : Plant & Equipment Purchases - Assets - Light Vehicles	-\$ 114,000.00	
Plant and Equipment : Proceeds from Sale of Assets	\$ 30,000.00	\$55,889.59
<b>March</b>		
Overheads / Internal Recharges : Plant Hire - Internal Usage	\$ 329,076.36	
Plant Running - Expenses	-\$ 202,152.52	
Plant and Equipment : Plant & Equipment Purchases - Assets - Heavy Plant	-\$ 160,000.00	
Plant and Equipment : Plant & Equipment Purchases - Assets - Light Vehicles	-\$ 136,000.00	
Plant and Equipment : Proceeds from Sale of Assets	\$ 82,500.00	-\$30,686.57
<b>April</b>		
Overheads / Internal Recharges : Plant Hire - Internal Usage	\$ 329,076.36	
Plant Running - Expenses	-\$ 202,152.52	
Plant and Equipment : Plant & Equipment Purchases - Assets - Heavy Plant	-\$ 175,000.00	
Plant and Equipment : Plant & Equipment Purchases - Assets - Light Vehicles	-\$ 104,000.00	
Plant and Equipment : Proceeds from Sale of Assets	\$ 25,000.00	-\$157,762.73
<b>May</b>		
Overheads / Internal Recharges : Plant Hire - Internal Usage	\$ 411,345.45	
Plant Running - Expenses	-\$ 252,690.65	
Plant and Equipment : Plant & Equipment Purchases - Assets - Heavy Plant	-\$ 68,000.00	
Plant and Equipment : Plant & Equipment Purchases - Assets - Light Vehicles		
Plant and Equipment : Proceeds from Sale of Assets	\$ 10,000.00	-\$57,107.93
<b>June</b>		
Overheads / Internal Recharges : Plant Hire - Internal Usage	\$ 329,076.36	
Plant Running - Expenses	-\$ 202,152.52	
Plant and Equipment : Plant & Equipment Purchases - Assets - Heavy Plant	\$ -	
Plant and Equipment : Plant & Equipment Purchases - Assets - Light Vehicles		
Plant and Equipment : Proceeds from Sale of Assets		\$69,815.91

**8.2.5 MONTHLY MAJOR PROJECTS STATUS REPORT - OCTOBER, 2019**

DOCUMENT NUMBER	321181
REPORTING OFFICER	Paul Woods, Executive Director - PMO
AUTHORISING OFFICER	Phil McMurray, General Manager
RELEVANCE TO COMMUNITY STRATEGIC PLAN	<b>4. Good governance: an actively engaged community and strong leadership team</b>  4.3 Cootamundra-Gundagai Regional Council is a premier local government Council
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.
ATTACHMENTS	1. Monthly Major Project Spreadsheet

**RECOMMENDATION**

- 1. The Monthly Major Projects Status Update report be received and noted.**
- 2. The recommended changes to the project budgets as listed be adopted.**

Introduction

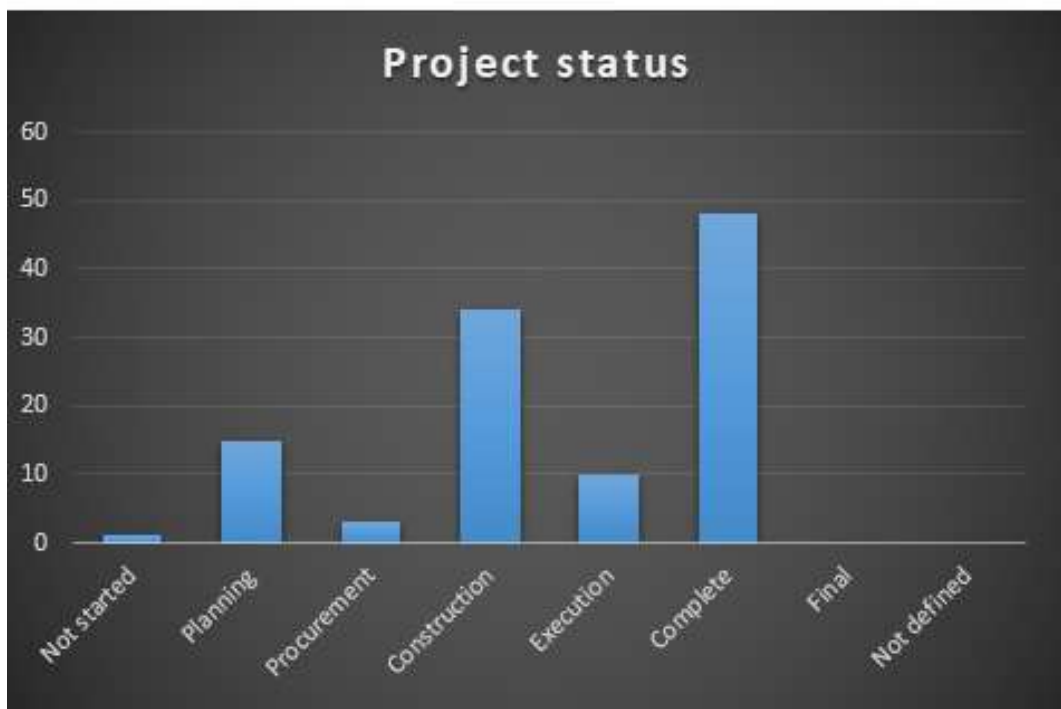
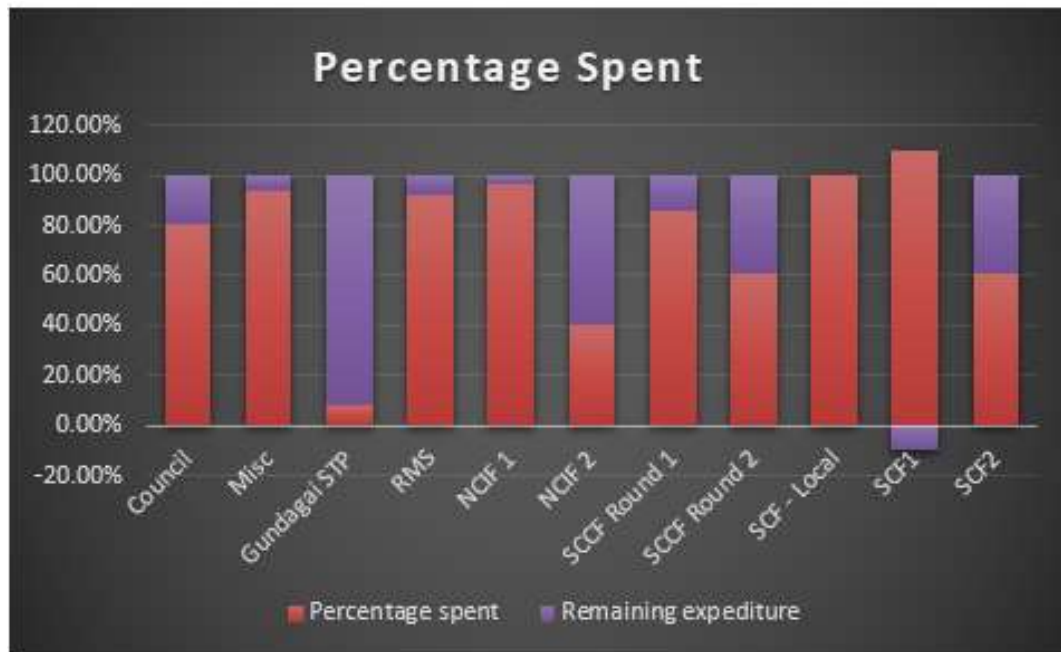
Council is currently managing 110 projects worth \$53,030,487. This report provides a monthly update to Councillors as to the progress of the projects. The attached schedule provides a brief update on the status of each of the projects.

Discussion**Budget variances**

Project	Amount	Commentary / Recommendation
Cootamundra Water Mains Replacement	\$4,335,873	To be funded from the Water Reserves until concerns raised by TCorp can be resolved and funding for the remainder of the project secured.

### Project expenditure

The figures used for total expenditure include both actual invoices paid and orders raised in the system but not yet paid (committed expenditure). In some instances there can be a lag in time between the goods being ordered and being physically delivered on site. From a budget point of view it is important to include both actual and committed expenditure to assist with management of budgets.





As at 31 December 2019

Project	Funding source	Status	Budget	Total committed expenditure	Percentage spent
<b>Council funded projects</b>					
Gundagai Library Extension	Council	Complete	195,000	189,756	97.31%
Mirrabooka Retaining Wall & Store Room	Council	Complete	-	-	0.00%
Cootamundra depot refurbishments	Council	Planning	900,000	27,424	3.05%
Turners Lane Industrial Land Development	Council	Planning	790,000	26,104	3.30%
Yass Road Service Centre - SW Fuels	Council	Complete	800,000	802,587	100.32%
Sheridan Street Gundagai Redevelopment - Main Street Upgrade	Council	Complete	5,430,490	5,420,641	99.82%
Sheridan and West Streets intersection treatments	Council	Complete	500,000	500,000	100.00%
<b>Total</b>			<b>8,615,490</b>	<b>6,966,513</b>	<b>80.86%</b>
<b>Council Reserve funded projects</b>					
Waste facility upgrades - Cootamundra - To be informed by waste strategy outcomes	Council Reserve	Planning	1,000,000	20,390	2.04%
Waste facility upgrade - Gundagai - To be informed by waste strategy outcomes	Council Reserve	Planning	400,000	-	0.00%
<b>Total</b>			<b>1,400,000</b>	<b>20,390</b>	<b>1.46%</b>
<b>Misc grant funded projects</b>					
Truckwash Upgrade - Cootamundra Saleyards	Country Truck Washes	Complete	362,935	371,171	102.27%
Morley's Creek Fishing Pier Replacement	Dept of Fisheries	Complete	61,600	61,600	100.00%
Wallendbeen Strategic Heritage Study & King Street Revitalisation	Heritage Near Me	Execution	95,000	87,490	92.09%
Stan Crowe Oval Gundagai canteen and changerooms construction (CAPREN)	NRL Grants	Complete	240,000	239,289	99.70%
Gundagai Sewerage Treatment Works Plant Replacement	NSW State Govt - Sewer	Construction	13,500,000	1,105,651	8.19%
Old Gaol - completion of repairs and maintenance activities and redesign of drainage (PRMF Grant)	Public Reserves Management Fund	Complete	15,000	15,637	104.25%
Old Primary School and Mens Shed - Renewal of fencing gutters, downpipes, facias and construction of retaining wall	Public Reserves Management Fund	Complete	171,760	148,680	86.56%
Flood damage repairs	RMS	Complete	2,380,365	2,187,301	91.89%
Coolac Recreation Reserve & Public Hall Trust - Solar Panels	SCF - Local	Complete	23,450	23,450	100.00%
Old Gaol masterplan, structural repairs, publicity and Captain Moonlight display (Heritage near me grant)	Heritage Near Me Heritage Activation Grant	Complete	87,605	92,185	105.23%
<b>Total</b>			<b>16,937,715</b>	<b>4,332,453</b>	<b>25.58%</b>





As at 31 December 2019

Project	Funding source	Status	Budget	Total committed expenditure	Percentage spent
<b>NCIF Round 1</b>					
NCIF Round 1	NCIF 1	Complete	5,000,000	4,841,970	96.84%
			<b>Total</b>	<b>5,000,000</b>	<b>4,841,970</b>
<b>Total NCIF 2</b>					
Gundagai Depot Training Room Construction	NCIF 2	Construction	300,000	280,832	93.61%
Gundagai Admin Refurbishment	NCIF 2	Procurement	100,000	1,200	1.20%
Branding and marketing plan	NCIF 2	Execution	100,000	45,861	45.86%
Better Community Strategy (ABCS)	NCIF 2	Execution	100,000	5,000	5.00%
Tourism and Economic development strategic plan	NCIF 2	Execution	150,000	54,955	36.64%
Recreational Needs Study	NCIF 2	Execution	100,000	41,480	41.48%
Consolidation and upgrade of Authority Corporate Software System	NCIF 2	Execution	414,282	273,737	66.07%
GIS Operational Review	NCIF 2	Planning	50,000	5,000	10.00%
Fees and charges review	NCIF 2	Execution	30,000	-	0.00%
Internal audit committee implementation	NCIF 2	Execution	20,000	-	0.00%
Business continuity and disaster recovery plans	NCIF 2	Planning	50,000	5,000	10.00%
Rates structure review	NCIF 2	Execution	50,000	5,000	10.00%
Signage updates	NCIF 2	Planning	250,000	24,929	9.97%
Local environmental plan development	NCIF 2	Planning	200,000	27,079	13.54%
			<b>Total</b>	<b>1,914,282</b>	<b>770,073</b>
<b>SCCF Round 1 projects</b>					
Cootamundra AFL - Demolition of old clubrooms & construction of new clubrooms	SCCF Round 1	Construction	372,800	121,100	32.48%
Gundagai Tigers - Construction of new shed & fitout of gymnasium	SCCF Round 1	Complete	100,000	96,269	96.27%
Cootamundra Racecourse - EXTERNAL repairs to flooring, repainting inside & out, refurbishment of function room, replacement of external cladding & replacement of seating of Grandstand building	SCCF Round 1	Complete	50,000	52,970	105.94%
Gundagai RSL - refurbishment of tennis clubrooms and squash courts - EXTERNAL	SCCF Round 1	Complete	150,000	142,873	95.25%
Coolac to Tumblong Rail Trail Development Plan	SCCF Round 1	Complete	54,600	54,600	100.00%
Nangus - Village Playground & Fitness Infrastructure (CAPREN)	SCCF Round 1	Complete	53,322	53,364	100.08%
Stockinbingal Playground and BMX track	SCCF Round 1	Complete	109,200	113,011	103.49%
Wallendbeen fitness infrastructure, playground and Rage Cage	SCCF Round 1	Complete	216,393	215,849	99.75%



As at 31 December 2019

Project	Funding source	Status	Budget	Total committed expenditure	Percentage spent
Cootamundra Tennis - refurbishment of tennis court surfaces, new line marking including hot shot courts	SCCF Round 1	Complete	183,029	183,848	100.45%
Gundagai Scouts - EXTERNAL Construction & Installation of Climbing Wall	SCCF Round 1	Complete	100,000	99,795	99.80%
Large Scale Teen Playground at Jubilee Park Cootamundra	SCCF Round 1	Complete	499,900	498,281	99.68%
Gundagai large scale adventure playground & fitness centre	SCCF Round 1	Complete	1,000,000	850,421	85.04%
Total			2,889,244	2,482,380	85.92%
SCCF Round 2 projects					
Cootamundra Showground Completion of Multipurpose Pavilion SCCF2	SCCF Round 2	Complete	53,290	34,277	64.32%
Anzac Park South Supporters Toilets - Gundagai	SCCF Round 2	Complete	86,061	88,151	102.43%
Mirraboopa Revivification (SCCF2)	SCCF Round 2	Construction	67,045	58,710	87.57%
Cootamundra Rifle Club Mower, top dressing, building maintenance, storage shed	SCCF Round 2	Construction	63,015	26,819	42.56%
Upgrades to Christ Church hall Cootamundra	SCCF Round 2	Complete	70,273	69,938	99.52%
Cootamundra Squash Court Renovation	SCCF Round 2	Planning	97,655	73	0.07%
Gundagai Pony Club Undercover Arena	SCCF Round 2	Complete	199,151	177,397	89.08%
Gundagai Racecourse and Showground Amenities Block	SCCF Round 2	Complete	215,000	214,748	99.88%
Cootamundra Event Promotion Banners	SCCF Round 2	Construction	53,841	41,459	77.00%
Gundagai Event Promotion Banners	SCCF Round 2	Construction	53,841	42,962	79.79%
Gundagai Friendship Park Playground	SCCF Round 2	Construction	60,000	43,479	72.47%
Muttama Hall Re-stumping	SCCF Round 2	Construction	140,707	130,987	93.09%
Gundagai Community Garden	SCCF Round 2	Construction	63,552	11,397	17.93%
Stockinbingal Tennis Court resurfacing - 3 courts	SCCF Round 2	Complete	118,093	118,836	100.63%
Community Safety & Beautification of King Street Wallendbeen	SCCF Round 2	Execution	55,964	73	0.13%
Barry Grace Oval Wallendbeen	SCCF Round 2	Construction	98,397	14,160	14.39%
O'Connor Park - Home of the Cootamundra Strikers Soccer Club - Lighting	SCCF Round 2	Construction	98,397	46,338	47.09%
Cootamundra Arts Centre Tin Shed Theatre Projection	SCCF Round 2	Complete	61,682	61,755	100.12%
Cootamundra Arts Centre Rehearsal Space	SCCF Round 2	Procurement	122,294	10,179	8.32%
Cootamundra Turf Club Irrigation system upgrade	SCCF Round 2	Construction	81,970	49,799	60.75%
Cootamundra Aerodrome Drag Pad and Taxiway for Water Refilling	SCCF Round 2	Construction	160,312	99,068	61.80%
Cootamundra Junior Rugby League Rejuvenation of football field	SCCF Round 2	Planning	60,000	25,910	43.18%
Upgrade to change rooms at ANZAC park Gundagai	SCCF Round 2	Construction	172,987	-	0.00%
Cootamundra Community Garden	SCCF Round 2	Construction	70,242	38,022	54.13%
Total			2,323,769	1,404,535	60.44%





As at 31 December 2019

Project	Funding source	Status	Budget	Total committed expenditure	Percentage spent
<b>SCF1 projects</b>					
Gundagai pool tiling and disabled ramp	SCF1	Complete	300,000	270,608	90.20%
Gundagai Visitors Information Centre redevelopment - disabled ramp and disabled toilet	SCF1	Planning	300,000	16,634	5.54%
Gundagai Netball Courts Masterplan - construction of lighting, storage & shelter	SCF1	Construction	200,000	40,695	20.35%
Stephen Ward Rooms Outdoor Area construction	SCF1	Construction	200,000	45,308	22.65%
Rathmells Lane - Bitumin seal from Temora St to end	SCF1	Complete	248,451	247,115	99.46%
Footpath renewal	SCF1	Complete	500,000	501,136	100.23%
Cootamundra pool - water park	SCF1	Complete	400,000	312,655	78.16%
Fisher Park Cootamundra sports ground lighting installation	SCF1	Complete	250,000	69,802	27.92%
Pool shade Cloth - Cootamundra and Gundagai	SCF1	Construction	100,000	61,343	61.34%
Extension of Gundagai Water Supply to the Dog on the Tuckerbox site	SCF1	Planning	600,000	117,656	19.61%
Nangus Water Supply Works	SCF1	Procurement	647,500	27,937	4.31%
Stormwater mitigation	SCF1	Construction	1,000,000	274,930	27.49%
Cootamundra saleyards lighting and electrical upgrade	SCF1	Complete	268,882	249,992	92.97%
Adjungbilly Road reconstruction for B'Doubles	SCF1	Construction	2,100,000	2,070,509	98.60%
Cootamundra water mains replacement project *should be a separate work order for each segment*	SCF1	Construction	2,000,000	6,335,873	316.79%
Investment into Department of Education	SCF1	Not started	594,724	-	0.00%
Construct public toilets - Sheridan St Gundagai	SCF1	Complete	150,000	152,911	101.94%
<b>Total</b>			<b>9,859,557</b>	<b>10,795,104</b>	<b>109.49%</b>
<b>SCF2 projects</b>					
Yarri Park Youth precinct/Lions Park – Basketball courts and Pump Track	SCF2	Construction	130,000	96,133	73.95%
Gundagai Preschool – Capital works projects to build additional rooms, providing more spaces.	SCF2	Planning	510,000	135,245	26.52%
Coolac Hall & Oval – Project includes relining hall, new kitchen, installation of cricket nets, picket fence, irrigation and seating.	SCF2	Construction	200,000	87,788	43.89%
Gundagai Public School P&C – Installation of soft fall for playground.	SCF2	Complete	75,100	75,099	100.00%
Gundagai Tourism Action Group (s355 Committee) – Gundagai Main Street History walk.	SCF2	Construction	50,000	36,549	73.10%
Ellwood Hall (Stockinbingal) – General repairs and installation of heating and cooling.	SCF2	Complete	60,000	58,637	97.73%
Gundagai Junior Rugby League – New PA system.	SCF2	Complete	14,753	14,753	100.00%



As at 31 December 2019

Project	Funding source	Status	Budget	Total committed expenditure	Percentage spent
Battle of the Bidgee – Installation of permanent storage sheds to support to event.	SCF2	Complete	22,449	20,121	89.63%
Town & Country Inc – Disabled toilet.	SCF2	Complete	30,000	30,180	100.60%
Gundagai South Public School – Sensory garden.	SCF2	Planning	60,000	-	0.00%
Adjungbilly Hall – Upgrade tennis courts into multipurpose facility, install community BBQ.	SCF2	Construction	130,000	102,563	78.89%
Turnlong Hall – Community facilities, multipurpose courts and BBQ area.	SCF2	Construction	137,447	102,489	74.57%
Mill Centre – Interactive Tourist Attraction.	SCF2	Construction	200,000	42,577	21.29%
Owen Vincent Oval – Gundagai	SCF2	Construction	150,000	136,307	90.87%
Gundagai RSL – Landscaping Anzac Grove, Gundagai.	SCF2	Complete	25,000	22,685	90.74%
Cootamundra Nursing Home – Installation of solar panels	SCF2	Complete	53,227	52,507	98.65%
Cootamundra Mens Shed – Relocation of Mens Shed to Depot 2 on Hovell Street.	SCF2	Construction	100,000	60,841	60.84%
Cootamundra Arts Centre – Disabled access ramp.	SCF2	Planning	3,142	-	0.00%
Owen Vincent Oval Gundagai – River water pump	SCF2	Complete	40,000	-	0.00%
Cootamundra Rugby Union Club – New dressing room facilities and club room. (CAPNEW)	SCF2	Construction	430,000	420,929	97.89%
Cootamundra Harness Racing – Upgrades and maintenance to track.	SCF2	Construction	52,000	18,368	35.32%
Cootamundra Netball Courts – 4 new netball courts to replace non-complying courts.	SCF2	Construction	450,000	172,953	38.43%
Cootamundra Country Club – Upgrades to precinct including dam, machinery shed, course, upgrade to building façade.	SCF2	Construction	1,355,000	927,175	68.43%
<b>Total</b>			<b>4,278,118</b>	<b>2,613,899</b>	<b>61.10%</b>

#### Status explanation

**Not started** - project not yet commenced.

**Planning** - includes meeting with community groups, design preparation, DA lodgement if necessary, community consultation and general planning

**Procurement** - Obtaining the necessary goods and or services to complete the project. Includes tendering and quotes as necessary

**Construction** - on ground works underway.

**Execution** - project underway for non construction projects

**Complete** - Construction/Execution complete pending final project review

**Final** - ready for acquittal

#### Total

39,315

13,144,113

513,596

20,098,851

### **8.3 COMMUNITY AND CULTURE**

Nil

## 8.4 DEVELOPMENT, BUILDING AND COMPLIANCE

### 8.4.1 DEVELOPMENT APPLICATION 2019/156 - 25 HOVELL ST, COOTAMUNDRA - FENCE

DOCUMENT NUMBER	320634
REPORTING OFFICER	Sharon Langman, Manager Development, Building and Compliance
AUTHORISING OFFICER	Phil McMurray, General Manager
RELEVANCE TO COMMUNITY STRATEGIC PLAN	<b>3. Sustainable natural and built environments: we connect with the places and spaces around us</b> 3.2 Our built environments support and enhance liveability
FINANCIAL IMPLICATIONS	There are no Financial implications associated with this report.
LEGISLATIVE IMPLICATIONS	The legislation requires that applications be assessed and determined in accordance with statutory timeframes and are applicable to applicant appeal rights. It is not envisaged that there will be Legislative implications associated with this report.
POLICY IMPLICATIONS	This proposal involves a variation to the controls contained within Cootamundra Development Control Plan, accordingly there are Policy implications associated with this report.
ATTACHMENTS	Nil

### RECOMMENDATION

Development Application 2019/156 for a 1800mm high front and side boundary picket fence at 25 Hovell Street, Cootamundra be approved subject to the following conditions:

### GENERAL CONDITIONS

#### (1) GEN Condition - Compliance with Council

The Development being completed in accordance with plans and specifications stamped by Council listed in the table below and the Statement of Environmental Effects, except where varied by conditions of this consent.

Document Reference	Description	Author	Date
NA	Site Plan- Aerial View	Applicant	27.11.2019
NA	Front Elevation Plan	Applicant	27.11.2019
NA	Side Elevation Plan	Applicant	27.11.2019

**Reason:** To confirm the details of the application as submitted by the applicant and as approved by Council.

#### (2) GEN Condition - Utilities

Approval is given subject to the location of, protection of, and/or any necessary modifications to any existing public utilities situated within or adjacent to the subject property.

**Reason:** *To ensure that any public utilities are maintained and protected from damage.*

**(3) Gen Condition – Not certify compliance with BCA or NCC**

The issue of this Development Consent does not certify compliance with the relevant provisions of the Building Code of Australia or National Construction Code Series.

**Reason:** *This consent does not certify compliance with the BCA or NCC.*

**PRIOR TO COMMENCEMENT OF WORKS**

**(1) PCW Condition – Prior to Building Work Commencing.**

The erection of a building in accordance with the development consent must not commence until:

1. a construction Certificate for the building work has been issued by the consent authority, the council (if the council is not the consent authority) or an accredited certifier, and
2. the person having the benefit of the development consent has:
  - a. appointed a principal certifying authority for the building work, and
  - b. notified the principal certifying authority that the person will carry out the building work as an owner-builder, if that is the case, and
3. the principal certifying authority has, no later than 2 days before building works commences:
  - a. notified the consent authority and the council (if the council is not the consent authority) of his or her appointment, and
  - b. notified the person having the benefit of the development consent of any critical stage inspections and other inspections that are to be carried out in respect to the building work, and
4. the person having the benefit of the development consent, if not carrying out the work as an owner-builder, has,
  - a. appointed a principal contractor for the building work who must be the holder of a contractor licence if any residential work is involved, and
  - b. notified the principal certifying authority of any such appointment, and
  - c. unless that person is the principal contractor, notified the principal contractor of any critical stage inspection or other inspections that are to be carried out in respect of the building work.

**Reason:** *To ensure compliance with the requirements of the Environmental Planning and Assessment Regulations.*

**(2) PCW Condition – Signage.**

Site signage shall apply and must be erected on the site in a prominent, visible position for the duration of the construction. The signage must include: -

1. Statement that unauthorised entry to the site is not permitted
2. Show the name of the builder or another person responsible for the site and a telephone number at which the builder or other person can be contacted outside working hours
3. The name, address and telephone contact of the Principal Certifying Authority for the work

Any structures erected to meet the requirements of this condition must be removed when it is no longer required for the purpose for which it was erected.

**Reason:** *To meet the minimum requirements of the Environmental Planning & Assessment Regulation.*

**(3) PCW Condition – Notice of Commencement.**

Prior to work commencing a 'Notice of Commencement of Building Work and Appointment of Principal Certifying Authority' shall be submitted to Council at least 2 days prior to work commencing.

**Reason:** *To meet the minimum requirements of the Environmental Planning & Assessment Regulation.*

**(4) PCW Condition – Underground Services.**

The applicant shall locate and identify all existing underground services prior to commencement of works and ensure there shall be no conflict between the proposed development and existing infrastructure including areas external to the development site where works are proposed.

**Reason:** *To ensure the utility services are protected and satisfactory for the proposed development.*

**DURING CONSTRUCTION**

**(1) DUR Condition – Works to be undertaken in Accordance with the Approval.**

All proposed works to be undertaken are to be carried out in accordance with the conditions of development consent, approved construction certificate drawings and specifications.

**Reason:** *ensure all works are carried out in accordance with the development consent.*

**(2) DUR Condition – Hours of Construction Site Works.**

Construction site works including the entering and leaving of vehicles is limited to the following hours, unless otherwise permitted by Council:-

Monday to Saturday from 7.00am to 7.00pm

Sundays and public holidays from 9.00am to 12.00pm

The applicant is responsible to instruct and control subcontractors regarding hours of work.

*Reason: So that the development does not reduce the amenity of the area.*

**(3) DUR Condition – Footpath Storage.**

Building materials not to be stored on Council footway or nature strip at any time.

*Reason: To ensure an adequate level of public safety is maintained.*

**(4) DUR Condition – Waste Removal.**

All debris and any waste fill are to be removed from the site and disposed of at Cootamundra Garbage Depot, in the building refuse section of the garbage depot. Please note that a separate fee applies for disposal of waste at Council's waste depot. You should contact Council's Works Operations Manager for an estimate of costs in this regard.

*Reason: To ensure that the amenity and unsightly condition is minimised.*

**(5) DUR Condition - BCA Compliance.**

All building work (other than work relating to the erection of a temporary building) must be carried out in accordance with the requirements of the Building Code of Australia (as in force on the date the application for the relevant construction certificate was made).

*Reason: To ensure the building complies with the BCA.*

**(6) DUR Condition – Inspections.**

The Principal Certifying Authority is to be given a minimum of 48 hours' notice prior to any critical stage inspection or any other inspection nominated by the Principal Certifying Authority via the notice issued under Section 91A of the Environmental Planning and Assessment Act 1979.

All building work (other than work relating to the erection of a temporary building) must be carried out in accordance with the requirements of the Building Code of Australia (as in force on the date the application for the relevant construction certificate was made).

*Reason: To ensure that adequate time is given of required inspections.*

**(7) DUR Condition – Restricted Public Access.**

It is the responsibility of the applicant to restrict public access to the building site, building works or materials or equipment on the site when building work is not in progress or the site is otherwise unoccupied in accordance with WorkCover Regulations.

*Reason: To ensure public safety is maintained.*

**(8) DUR Non Standard Condition – Encroachment of Fence**

The Applicant is to ensure that no part of the proposed fence encroaches over the front or side boundary of the property onto the Road Reserve.

*Reason: To ensure that the proposed fence is wholly contained on the allotment.*

**POST CONSTRUCTION**

**(1) POC Condition – Completion of Building Works.**

At the completion of the building works, an Occupation Certificate must be applied for and issued by the appointed Principal Certifying Authority.

*Reason: So that the development is substantially completed to a safe standard.*

**ONGOING USE****(1) USE Condition – Clean and Tidy.**

The premises are to be maintained in a clean and tidy condition at all times.

*Reason: So that the development does not reduce the amenity of the area.*

**Introduction**

This application proposes a new 1.8m front and side boundary timber picket fence to replace the existing 1m high metal front fence (Hovell Street) and 900m metal mesh side fence (Temora Street). The site is located within the identified heritage conservation area. In this area Council's Development Control Plan (DCP) has an acceptable solution for fencing to be 1.2m in height; this proposal seeks to vary the provisions of the DCP by greater than 10% and is therefore referred to Council for determination.

**Discussion**

The site is a developed lot in an established residential area of Cootamundra. Approximately 1.2km north east of the Cootamundra Post Office. The proposed timber paling fence will extend for a distance of 24 metres along the front boundary and will return for a distance of 10 metres along the Temora Street side boundary to the existing metal fence. It will have a height of 1.8 metres above ground level with a recessed gated entry to the Hovell Street frontage. The existing one metre high metal fence to Hovell Street and existing 900mm high metal mesh fence to Temora Street will be demolished.



Figure 1 – Site location

The site is zoned R1 General Residential by Cootamundra Local Environmental Plan 2013. The site is located within the Heritage Conservation, albeit on the north eastern most corner. The site is also identified as being affected by Groundwater Vulnerability. A detached pre coloured metal shed was approved to be erected on the site in April 2019.



The proposal is considered to be local development and was notified as per clause 1.7(b) of the Cootamundra DCP, 2013. One submission by way of objection was received as a result of the notification. The objection raised concerns that the view of vehicles existing properties in Temora may be obstructed from vehicles turning left into Temora Street by the fence due to its height.

### **Statutory Considerations, Environmental Planning and Assessment Act, 1979 Section 4.15**

#### **Section 4.15(1)(a)**

There are no State Environmental Planning Policies whose provisions apply to either the area or the type of development proposed.

The proposal is defined as an ancillary structure to a residential dwelling; residential dwellings are permissible with consent in the R1 General Residential zone of Cootamundra Local Environmental Plan 2013.

Clause 6.4 of Cootamundra Local Environmental Plan 2013 is applicable as the site is identified on the Groundwater Vulnerability Map. The construction of a side and front fence is unlikely to significantly impact upon the groundwater or the ecosystem that dependent upon this water.

Clause 5.10 and Part 2 of Schedule 5 of Cootamundra Local Environmental Plan, 2013 are also applicable to this proposal as the site is located in the Cootamundra Heritage Conservation Area. Pursuant to clause 5.10(4), it is considered that the proposed development will not adversely impact the heritage significance of the Conservation Area. The proposed timber picket fence and its proposed colours (heritage cream coloured pickets, gumtree mist coloured steel posts) will blend in with the existing dwelling and is sympathetic with other similar type picket fences in the Heritage Conservation Area in the locality and will complement the existing dwelling. It is considered that a "heritage management document" pursuant to clause 5.10(5) of the LEP 2013 is not required as the proposed fence will not adversely impact on the heritage significance of the heritage conservation area.

Cootamundra Development Control Plan is applicable to this proposal, in particular **Chapter 7** which deals with heritage. It is considered that the proposed timber picket fence is compatible with, and respectful of, recognised heritage values and the historic context of the area. Therefore, it is not warranted for a Heritage Conservation Management Plan nor a referral to the NSW Heritage Branch. The table on page 84 which relates to fences, in the performance criteria states:

*"To provide fencing that reinstates the original form of fencing, that is consistent with and does not detract from the established patterns of the street".*

The corresponding "acceptable solution" as it relates to front fences states;

1. *"Front fencing must be of materials characteristic to the architecture of the building and particular to the street".*

Staff Comment: It is considered that the proposed timber and metal paling fence blends in well with the architecture of the existing dwelling and other similar fences in the locality.

2. *"Front fencing, where installed, must be one of the following types where it is consistent with the style of building being fenced: masonry fencing to 700mm maximum; open fencing such as pickets or palisade to 1,200 maximum, hedging to 1,200mm maximum".*

Staff Comment: The applicant has applied to vary this provision of the DCP 2013 so that the proposed fence has a height of 1800mm instead of 1200mm above ground level. It is considered that the applicant has provided sufficient justification to allow Council to approve an 1800mm high fence

instead of the required 1200mm. They argue that a 1200mm type fence does not offer privacy from the Olympic Highway. Having small children a 1200mm fence does not offer confidence for the safety of children from passers-by. At present a lot of rubbish gets thrown over the fence. The existing fence is 1000mm and does not offer these protections, the applicants feel that an additional 200mm over the existing height will not offer the protection and privacy they are seeking. It is felt that a picket type fence, even at 1800mm, does not detract from the pedestrian scale of the footpath area as it is not a solid structure having gaps which break up the bulk whilst still affording the privacy and protection sought.

#### **Section 4.15(1)(b)**

This section of the Act requires an assessment of the likely impacts of the development on the natural and built environment as well as the social and economic impacts in the locality likely to occur as a result of the development. This section is supported by Schedule 1 of the Regulations that requires applicants to submit a statement of environmental effects which examines what the likely impacts of the development will be, how they have been identified and how they are proposed to be mitigated. Council relies on the information provided by applicants, as well as research, site visits and experience to assess the information provided by applicants to make an informed and balanced assessment of the validity and veracity of the information provided.

#### **Likely Impact of Development:**

The proposed development is appropriate in the Zone notwithstanding the receipt of the submission objecting to the proposal. It is unlikely to have no detrimental impacts on the locality or community.

#### **Context and Setting:**

Within the Heritage Conservation Area there are numerous heights and construction materials utilised for fencing. The proposed fence is considered not to have a negative or adverse impact on the context and setting of the locality as it will fit in well with the existing dwelling. The proposed colours are sympathetic to the overall character of the street generally and the conservation area overall.



Figure 2 – a mix of fencing heights and material types exist in the heritage conservation area

#### **Access, Transport and Traffic:**

Whilst the obstruction of sightlines for traffic has been raised in the objection, the wide street verge coupled with the traffic 'blister' immediately in front of the dwelling allow for ample sight distance into Temora Street. Furthermore, given the locality and its presentation as a residential street and speed limits within the town area of 50kph it is considered that there is adequate sightlines for

turning drivers to make necessary adjustments to driving to avoid any vehicles which may be reversing from residences in this street. The fence itself does not generate additional traffic, transport or access requirements nor does it alter the existing situation in relation to these issues.



Figure 3 – wide road verge and ‘blister’ island allow good visibility for road users

#### **Public Domain:**

The proposal does not rely on the public domain for its use or construction. However the construction of a fence at the proposed height affords the residents of the property privacy from the public domain. It is not envisaged that there will any negative impacts as a result of this proposal.

#### **Utilities:**

Existing site utilities will not be adversely impacted as a result of the proposed fence. Similarly, no augmentation of utilities is required by this proposal.

#### **Heritage:**

The site is located in the Cootamundra Heritage Conservation Area as shown on the LEP 2013 Heritage Map Sheet 005A. The proposal is considered consistent with the heritage provisions under the Cootamundra LEP 2013 and Cootamundra DCP 2013.

#### **Other Land Resources:**

The site is not mapped as being bushfire prone, having a history of contaminating land activities, flooding or vulnerable lands. It is not envisaged that the proposal will impact on other resources in the vicinity of the proposal.

#### **Water:**

The proposal does not require water for construction or use. Similarly the proposal will not generate any wastewater. Whilst the site is within in an area mapped as subject to vulnerable groundwater, the proposal itself is unlikely to have an impact on, nor be impacted by, groundwater or the ecosystems that rely on the groundwater.

#### **Soil:**

Minimal soil disturbance will occur to facilitate the erection of the fence in the form of holes for supporting posts. It is unlikely that this will result in any significant soil degradation of the immediate area or in the wider locality.

**Air and Microclimate:**

There will be no ongoing air or microclimate impacts as a result of this proposal.

**Flora and Fauna:**

There is no vegetation that is required to be removed or disturbed to facilitate this development proposal.

**Waste:**

Any waste generated by the construction of the proposed fence is to be contained on site and deposited to an appropriate waste management facility.

**Energy:**

The proposal does not have a need for energy use and will not adversely impact upon energy use or consumption.

**Natural Hazards:**

The site is not known to be subject to flooding, slip, slump or other natural hazards.

**Social Impact and Locality:**

The preservation and enhancement of heritage contributes to the visual and social cohesion of an area. There is unlikely to any negative social impact as a result of this proposal, rather an enhancement and recognition of the heritage values overall.

**Economic Impact and Locality:**

There is not envisaged to be any economic impact, either positive or negative, for the wider community overall as a result of this proposal.

**Site Design and Internal Design:**

It is considered that the design, site and location of the proposal is adequate. Apart from the variation in maximum height of 1200mm, the site design complies with the provisions of Cootamundra Development Control Plan 2013.

**Construction Matters:**

There are no construction matters that require addressing at this stage in the development approval process.

**Section 4.15 (1)(c)**

The suitability of a site for a development proposal is required to be assessed. In this instance the proposal is to be carried out on a site that is within an established residential area and has been identified as a heritage conservation area. The construction of a picket type fence painted white and green is unlikely to have a negative visual, social, economic or streetscape impact in the vicinity and the wider area.

**Submissions (Section 4.15(1)(d)):**

One submission objecting to the proposal was received at the end of the submission period. The submission raised the issue of traffic safety and driver visibility into Temora Street from Hovell Street. It is considered that owing to the very wide footpath outside 25 Hovell Street at the intersection of Hovell and Temora Streets, vehicles are “pushed” away from the intersection so that drivers turning left into Temora Street from Hovell Street have a clear view of any vehicles that may be exiting from 13, 15 and 17 Temora Street. This, combined with the fact that traffic turning left into Temora Street would be typically travelling at 20-30km/h, is likely to result in the proposed 1.8 metre high picket fence not interfering with the drivers’ vision.

**Public Interest (Section 4.15(1)(e)):**

It is not considered that the approval of this proposal is contrary to the public interest.

**CONCLUSION:**

The proposed fence is permissible with consent in the R1 General Residential Zone and complies with the relevant requirements of the Cootamundra LEP 2013 and the Cootamundra DCP 2013 (except in relation to the maximum height for a front fence in a heritage conservation area).

**8.4.2 DEVELOPMENT APPLICATIONS APPROVED DECEMBER, 2019**

DOCUMENT NUMBER	321229
REPORTING OFFICER	Sharon Langman, Manager Development, Building and Compliance
AUTHORISING OFFICER	Phil McMurray, General Manager
RELEVANCE TO COMMUNITY STRATEGIC PLAN	<b>3. Sustainable natural and built environments: we connect with the places and spaces around us</b> 3.2 Our built environments support and enhance liveability
FINANCIAL IMPLICATIONS	There are no Financial implications associated with this report.
LEGISLATIVE IMPLICATIONS	Compliance with the provisions of the Environmental Planning and Assessment Act, 1979 and related regulations.
POLICY IMPLICATIONS	There are no Policy implications associated with this report.
ATTACHMENTS	Nil

**RECOMMENDATION**

**The information on Development Applications approved in December, 2019 be noted.**

Introduction

The Development Applications Approved in December, 2019 Report is submitted for the information of Council and the community with regard to development applications processed.

Discussion

The following development applications were approved by Cootamundra-Gundagai Regional Council in December, 2019.

APP. NO.	PROPOSED BUILDING	STREET NAME
DA.2019.167	New Carport	Pinkstone Avenue
DA.2019.165	Continued Use of Carport	Mary Angove Crescent
DA.2019.136	New Shed	Richards Street
DA.2019.163	New Garages - Sheds Residential	Centenary Avenue
DA.2019.159	New Carport	Wood Street
DA.2019.157	Infrastructure Install 100 kW ground-mounted solar system	Old Hume Highway
DA.2019.154	Modification (4.55(1A) - Alterations to existing carwash	Wallendoon Street

DA.2019.152	New Storage Shed	Springfield Lane
DA.2019.151	New Shed	Northcott Avenue
DA.2019.150	New Shed	Warren Street
DA.2019.148	New Commercial Building	Parker Street
DA.2019.147	Other Building Envelope	Springfield Lane
DA.2019.146	New Shed	Sutton Street
DA.2019.144	New Single Dwelling	Cooper Street
DA.2019.139	Continued Use of Carport	Chamen Street
DA.2019.103	Trial Waste Processing Facility (Rendering Fish)	Stockinbingal Road
CDC.2019.32	Carport	Sutton Street

**VALUE OF WORK REPORTED TO THIS MEETING:** \$815,377.00

**VALUE OF WORK REPORTED YEAR TO DATE :** \$6,898,915.00

**THIS TIME LAST YEAR:**

*VALUE OF WORK –December 2018 - \$705,400.00*

*VALUE OF WORK – YTD 2018 - \$6,662,428.00*

## **8.5 REGULATORY SERVICES**

Nil



## 8.6 ASSETS

### 8.6.1 GUNDAGAI SEWER TREATMENT PLANT REPLACEMENT PROJECT - CONSTRUCTION OF EARTHWORKS AND RETAINING WALL

DOCUMENT NUMBER	321224
REPORTING OFFICER	Phil McMurray, General Manager
AUTHORISING OFFICER	Phil McMurray, General Manager
RELEVANCE TO COMMUNITY STRATEGIC PLAN	<b>3. Sustainable natural and built environments: we connect with the places and spaces around us</b>  3.2 Our built environments support and enhance liveability
FINANCIAL IMPLICATIONS	Funding comes from a number of sources for this project with time limits attached to each of these, the tightest of which is the Commonwealths Building Better Regions Program with funds from that source to cease after 31 <sup>st</sup> December, 2020.
LEGISLATIVE IMPLICATIONS	Section 55 of the Local Government Act, 1993 and NSW Tendering Regulation, 1999
POLICY IMPLICATIONS	These works are critical for the sewerage business plans and future rate costs.
ATTACHMENTS	1. Quote - MH Earthmoving Pty Ltd dated 20.01.2020 - Confidential 2. Quote - DET Construction Pty Ltd dated 20.01.2020 - Confidential

## RECOMMENDATION

### That Council:

1. The progress on the upgrading of the treatment plant be noted.
2. Avail themselves of the opportunity to attend the open day.
3. Resolve that the requirements for tendering do not apply for contracts related to the Earthworks and Retaining wall components for the Gundagai Sewer Treatment Plant Replacement Project, because of extenuating circumstances related to overall project timing and funding as documented in the report.
4. Accept the tenders of the companies in the report, provided under confidential cover as the most cost effective and beneficial course of action in this unique circumstance.

### Introduction

This paper has been prepared to inform Council that the tenders documents for the construction of the new Gundagai STP have, after a number of delays, finally been completed by the NSW Public

Works Administration (PWA) and called for tender. The Gundagai Sewerage Augmentation contract has been advertised on e-tendering:

<https://tenders.nsw.gov.au/?event=public.rft.show&RFTUID=B7154DC3-C659-0DAD-A7210255B491A774>

An open day is planned for 30<sup>th</sup> January, 2020 at 9:30am at the District Services Club in Gundagai for perspective tenderers and local tradespersons are also being invited so that they can meet with these prospective tenderers. An invitation is also extended to any Councillors who may wish attend and update themselves on this project.

Council officers received from the PWA the last of the final construction drawings for the Sewage Treatment Plant (STP) in late December, 2019. However, with the requirement to complete as much of these works as possible by 31<sup>st</sup> December, 2020, to minimise the loss of any Commonwealth funding, it is proposed Council engage local contractors to construct the revised retaining walls and remaining elevated mound outside of the main contract. This will involve direct engagement of local contractors rather than going out to open tenders as would normally be undertaken for works of this scale, however, there are tangible and valid reasons supporting this action that are set out in this report.

Section 55(3)(i) of the Local Government Act, 1993 nominates that the requirements for tendering do not apply to contracts where, because of extenuating circumstances, a Council decides by resolution (which states the reason for the decision) that a satisfactory result would not be achieved by inviting tenders.

### Discussion

The main contractor will, by the time the tenders are completed and analysed, not be on site until the latter part of April this year. If Council were to wait on that successful tenderer to undertake all of the works there would not be any work permissible on the site in the interim. This would result in wasting valuable time with the potential of the loss of \$1M to \$1.5M in federal funding as a result of the delays. However, with the direct engagement of local contractors it is possible to have some of the essential bulk earthworks (retaining walls constructed and base fill material placed and compacted) completed by the end of March, 2020. Those Contractors would then be off the site before the successful contractor commences works. The potential for claims against Council with two individual Contractors on site at the same time is to be avoided where possible.

The above mentioned earthworks are essential to advance work on the site as alternative work on site is not possible until they are completed. The installation of a site office is required and that will be impacted as it will need to be moved to accommodate the expansion of the elevated mound.

This window of opportunity to get these works completed and maximise site usage, however, does not allow sufficient time for an open tendering process for these earthworks due to the late receiving of the final site plans. Council foresees that at the conclusion of a usual tendering process the main contractor would seek to be on site and create a potential clash between contractors and anticipated claims that local contractors would be holding up the main contractor, in the eyes of the latter, would occur.

**The retaining wall** is required to protect the elevated mound that lifts the plant out of the flood plain and if it is to be built as per the contract drawings then the Contractor will not be ordering materials till late April, 2020 and it will take till at least mid-August to complete these works thus denying the Contractor the ability to undertake the multitude of works that are meant to occur on this mound. This will delay the completion of the contract till around May – June, 2021 with a resultant loss in funds for these works from the Commonwealth's Building Better Regions fund

estimated to be of the order of \$1.0 to \$1.5 M. Completion of this wall early in the process will allow the Contractor to bring in more employees and work on the whole site at the same time. It also simplifies the contract for that main contractor.

Council officers propose to construct a slightly different wall to that which was suggested in the design at an estimated cost of \$735,000 (ex GST) that will prove effective and is a type of retaining wall already in existence in Gundagai around the Gundagai Library where it has proven both suitable and visually pleasing in this role. Council has obtained a firm quote from DET Constructions for this amount.

The estimated costs to construct the retaining wall as per the designs in the contract have been estimated by both Council officers and the Local Contractors as costing between \$1.0 m and \$1.2 M and will not be as appropriate as the proposed wall from DET constructions with the material for that wall likely to be available in two weeks. The materials for the “as designed” retaining walls have a three month waiting period and that wall will take longer to construct with mobile cranes having the potential to damage to one of the golf course fairways during the construction period. Even if Council was to allow the modified wall as a variation under the Contract it is doubted that the wall would be constructed before the end of June, 2020 at the very least, again holding up works on the site. The local tendered rates are more than competitive, with the Contractor likely to use the locals as sub-contractors adding a typical 15% contract premium on top, assuming that the locals undertook the works at the same costs for the contractors.

**The base fill for the IDEA tanks, Sludge Lagoons and for the extended mound** can be placed before the main Contract is on site leaving them free to install their piles and commence the concrete construction of these tanks and the inlet works. These units are anticipated to take the longest time of the construction elements and having this fill taken out of the main contract will greatly reduce the time frame for the contract (estimated 3 months). It will also take the worst of the flood risk out of the equation for the contractor and hopefully with that, better overall rates. Having these works completed along with the extended mound allows the Contractor to bring in a large workforce and work in a multiple number of areas at the same time allowing these works to be built in the shortest possible timeframe.

Council has a quote provided by MHE for \$38/m<sup>3</sup> compacted by volume required and the rates in that quote are considered by Council officers to be very competitive being lower than what Council believes it could do the works for. As above these contractors could likely become the subcontractors but their rates to the contractors are likely to be higher as the contractor will be unknown to them and they need to protect themselves as well the usual contract premium on top of the sub contract rates.

It is recommended that Council accept the tenders of the companies shown in the table below as the most cost effective and beneficial course of action for the Cootamundra – Gundagai Communities in this unique instance. The precise proposals are provided under separate confidential cover. Based on, quality, reliability, timeliness, service, risk profiles and initial and ongoing costs, these represent value for money for Council.

<b>Tender Company</b>	<b>Nature of Works to be Undertaken</b>	<b>Tendered (\$Total EX GST)</b>	<b>Costs</b>
DET Constructions Pty Ltd	Construction of two sets of retaining walls totally around	738,822.50	

	160 in length as well as safety rails for tops of the mound.	
MHE	<p>Win, supply place and compact fill material under the base area proposed for the new IDEA tanks and Sludge Lagoons.</p> <p>Win, supply place and compact fill material for the expanded mound area on which many of the treatment plant structures are to be constructed inside the completed retaining walls.</p>	<p>\$38/m3 compacted paid on actual volume by survey.</p> <p>Estimated value around \$418,000.</p>

The further reasons for supporting these recommendations are set out below:

#### **Further Reasons for Supporting the Engagement of Local Contractors Directly**

The costs to carry out this work are beyond the \$150,000 amount that normally would generate an open tendering process for a particular set of works and, as such, this matter needs to be brought to Council's attention before proceeding with any engaging local contractors directly. The reasons for seeking this departure from normal tendering practices include the following:

1. The existing plant poses a major threat to Council with the current cracks in the trickling filter walls continuing to open and with the passage of time and failure (even on a clear day) is inevitable but potentially a little longer away. However failure in the next flood has a very strong probability and thus time delays leave Council exposed to unacceptable levels of risk now that funds are available to build the new works. It needs to be remembered that failure of this plant has the potential to force an evacuation of the township until repairs are affected and this is the driving factor for undertaking these works in the first instance.

Any delays leave Council exposed to this risk which could cost several million dollars to the local economy as well as considerable loss of faith in the future of the township.

2. The Indian Ocean Diapole has recently collapsed and there is a return to more average weather patterns and if as per normal (in Australian history) the current drought ends with a flood, then the possibility that the old plant could physically fail before the new plant is operational is much increased. As such delays at this time based upon the drought of previous years is misplaced when historical data indicates that a flood occurs once every 5 years on average and it has now been 8 years since the last flood.
3. Funding for this project has time limits on it and the project has been significantly delayed during the design phases and there is an absolute must need to accelerate the works in a sensible matter, if Council is to attain the most of the funding it has been allocated. The Commonwealth Building Better Regions funding expiry date of 31 December 2020 requires Council to maximise the work completed on site before that date or alternatively some of the supportive works such as the pumping station replacement for the upgrading of rising mains will need to be excluded from the package.

4. Failure to take this opportunity is likely to delay the project completion by up 3 to 5 months with the potential to lose up to \$1.5 Million in Commonwealth Funding when the estimated work completed timeline is overlayed with these deadline dates. The Commonwealth in granting a delay due to the design delays have made it very clear that there will be no further extensions granted so the losses will be real.
5. Taking this opportunity allows Council a way to make up some of the time lost in getting to the tender stage by the Council contractors and through regulator delays.
6. Prices /Quotes obtained have been assessed as extremely competitive and whilst the actual cost are high a significant proportion of those costs are plant and materials costs which are not likely to be lower for any contractors. For example the retaining walls quote can be broken down to around \$400,000 (54% of quote) in materials purchase \$120,000 (16%) in plant and \$218,000 (30%) in contractors labour subcontractor hire and miscellaneous items. Thus the opportunity for savings in contractor costs are extremely limited and in this instance highly unlikely.
7. Materials costs (particularly fill material) billed directly to Council are lower as no royalties are involved and as local these contractors have a desire to build a substantive relationship with Council into the future and are likely to give Council far better rates than any one off Contractor. Similar statements can be made in relation to plant usage. Hence opportunities for savings under a bulk contractor are very limited and in this instance non-existent.
8. Both local contractors have excellent records of performance in the local region and come highly recommended.
9. Project funds expenditure is maximised in the local community with strong local employment for these works likely to occur in a region where such an injection of funds post this drought will be something of a godsend.
10. Local contractors are least impacted by floods if one was to occur and would have no delay costs whereas a contractor from outside would be seeking prolongation claims and other delays and claims.
11. The time scale indicted by these local contractors will see them completed and off the site before the main contractor takes procession of the site.
12. As indicated having these works completed before the main will allow the contractor to commence work in a number of different locations on the site maximising their expenditure in the period covered by the funding programs.
13. Having these works completed by local contractors minimises the Contractors exposure to flood risk which can form a significant loading on their tender rates in the main contract and it is expected that taking this action should significantly reduce overall tender rates.
14. Council will be able to report significant progress to the funding bodies over the next few months to maximise funds from these sources and keep them reassured.
15. The Environmental Protection Agency have expressed considerable concerns over the existing plant and will be relieved to see this progress made.

## 8.7 CIVIL WORKS

### 8.7.1 CIVIL WORKS AND TECHNICAL SERVICES REPORT - JANUARY 2020

DOCUMENT NUMBER	321008
REPORTING OFFICER	Shelley Liehr, Executive Assistant - Operations
AUTHORISING OFFICER	Phil McMurray, General Manager
RELEVANCE TO COMMUNITY STRATEGIC PLAN	<b>3. Sustainable natural and built environments: we connect with the places and spaces around us</b>  3.2 Our built environments support and enhance liveability
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.
ATTACHMENTS	Nil

### RECOMMENDATION

The Civil Works and Technical Services Report for the month of January, 2020 be received.

#### Introduction

This report provides a detailed update of the Civil Works and Technical Services Departments' works undertaken for the month of January, 2020.

#### Discussion

Boral have almost finished the annual resealing works around whole Council area. During January, several streets in the Cootamundra Township have been resealed in addition to several rural roads. Line marking of these areas will be completed as soon as possible.

Heavy patching works on the Burley Griffin Way were completed in December, 2019 as per the Transport for New South Wales (TfNSW) priorities. Several of these areas are also scheduled for resealing as part of the TfNSW 19/20 program, which will be undertaken in February, 2020.

The Bongalong Creek Bridge on Burra Road has been opened after the completion of gravel abutments. Sealing the approaches is planned for the coming weeks, weather permitting, along with installation of guardrail terminals. The Burra Road widening and realignment works between Yamatree and Wambidgee Roads has continued with culvert installation and general earthworks undertaken.

During the recent bushfire emergency Council supplied resources to assist Essential Energy clear around substations in Talbingo, Adelong and Batlow and other services to Snowy Valleys Council and the Rural Fire Service where and when required. Further detail on Council's involvement was detailed in item 8.1.8 Cootamundra-Gundagai Regional Council's Response to the Current Catastrophic Bushfire Event.

Work on the upgrade of the Cootamundra netball courts is currently underway. Work has seen the existing courts excavated and removed and the placement and compaction of the new base pavement is currently underway.

Crews from both Cootamundra and Gundagai have been cleaning up debris from the storm events of the 19<sup>th</sup> and 20<sup>th</sup> January, 2020. Most of this involved the removal and cleaning of debris being washed onto the roads and the removal of fallen limbs.

The next stage of the Cootamundra Gap Bridge project is set to commence on the 28<sup>th</sup> January, 2020 with this work being the replacement of further culverts under the road. There are three remaining road closures scheduled to take place on the 30<sup>th</sup> January, 2020, and the 11<sup>th</sup> and 19<sup>th</sup> February, 2020 to enable these culvert works to be completed unimpeded by traffic. As per the previous road closure traffic will be detoured around Suttons Lane.

Over the last month patching and other general maintenance has been undertaken as required around the Council local government area.

**8.8 TECHNICAL SERVICES**

Nil

**8.9 FACILITIES**

Nil

**8.10 WASTE, PARKS AND RECREATION**

Nil



**9 MOTION OF WHICH NOTICE HAS BEEN GIVEN****9.1 NOTICE OF MOTION - TO REVIEW 2019/20 BUDGET WITH RELATION TO STAFF AND COUNCILLOR DEVELOPMENT WITH THE VIEW TO ALLOCATE FUNDS IN THE 2020/21 BUDGET.**

DOCUMENT NUMBER	319898
REPORTING OFFICER	Penny Nicholson, Councillor
AUTHORISING OFFICER	Phil McMurray, General Manager

The following Notice of Motion signed by Councillor Penny Nicholson was submitted on 19 December, 2019.

I hereby give notice of my intention to move the following motion at the Council meeting of Tuesday, 28 January, 2020:

**MOTION**

**To Review 2019/20 Budget With Relation To Staff and Councillor Development With The View To Allocate Funds In The 2020/21 Budget.**

**Note from Councillor**

This Notice of Motion is correlated with item 8.1.11 Australian Local Government Women's Association "Women On Council" Forum 2<sup>nd</sup> November, 2019 (Minute No. 420/2019) submitted by Councillor Bowden at the Ordinary Meeting held Tuesday, 26<sup>th</sup> November, 2019.

Point two (2) of the recommendation was that 'in addition to both women councillors attending the Australian Local Government Women's Association (ALGWA) NSW Conference in 2020, a senior female member of staff also be supported to attend if the relevant budget allows'.

Information recently received from ALGWA has advised that the annual General Meeting of the ALGWA NSW Branch will be held on 28<sup>th</sup> March, 2020 at the Shellharbour Civic Centre in Shellharbour. Should there be provision in the 2019/20 budget I ask that consideration be given for a senior female member of staff to attend the 2020 ALGWA Annual Conference with Councillor Bowden and myself.

**9.2 NOTICE OF MOTION - THAT COUNCIL PROPERTY, 39 HAROLD CONKEY AVENUE COOTAMUNDRA, BE AVAILABLE TO RENT TO DOCTORS COMING TO COOTAMUNDRA THAT ARE HAVING DIFFICULTY IN ACQUIRING SUITABLE ACCOMMODATION.**

DOCUMENT NUMBER	320503
REPORTING OFFICER	Gil Kelly, Councillor
AUTHORISING OFFICER	Phil McMurray, General Manager

The following Notice of Motion signed by Councillor Gil Kelly was submitted on 6 January, 2020.

I hereby give notice of my intention to move the following motion at the Council meeting of Wednesday, 29 January, 2020:

**MOTION**

**That Council property, 39 Harold Conkey Avenue, Cootamundra be available to rent to doctors coming to Cootamundra that are having difficulty in acquiring suitable accommodation.**

**Note from Councillor**

39 Harold Conkey Avenue, Cootamundra (the property) has been vacant since May, 2019. It is my understanding that recently a doctor relocating to Cootamundra was having difficulty in acquiring accommodation. Should such circumstances occur in the future Council could consider offering the property at terms to be discussed at such time.

- 9.3 NOTICE OF MOTION - THAT COOTAMUNDRA-GUNDAGAI REGIONAL COUNCIL (CGRC) PROVIDES BUSHFIRE RECOVERY SUPPORT FOR ALL RESIDENTS WITHIN THE COOTAMUNDRA-GUNDAGAI REGIONAL COUNCIL LOCAL GOVERNMENT AREA WHO ARE IMPACTED BY BUSHFIRE, IN ACCORDANCE WITH COUNCIL'S RATES AND CHARGES FINANCIAL HARDSHIP POLICY, THE OFFICE OF LOCAL GOVERNMENT'S LOCAL GOVERNMENT BUSHFIRE RECOVERY SUPPORT GROUP AND AT THE DISCRETION OF THE GENERAL MANAGER.**

DOCUMENT NUMBER	320593
REPORTING OFFICER	Charlie Sheahan, Councillor
AUTHORISING OFFICER	Phil McMurray, General Manager

The following Notice of Motion signed by Councillor Charlie Sheahan was submitted on 13 January, 2020.

I hereby give notice of my intention to move the following motion at the Council meeting of Tuesday, 28 January, 2020:

#### **MOTION**

**That Cootamundra-Gundagai Regional Council (CGRC) provides bushfire recovery support for all residents within the Cootamundra-Gundagai Regional Council Local Government Area who are impacted by bushfire, in accordance with Council's Rates and Charges Financial Hardship Policy, the Office of Local Government's Local Government Bushfire Recovery Support Group and at the discretion of the General Manager.**

#### **Note from Councillor**

The attached documentation provides information to assist residents and rate payers who suffer financial hardship and how they can apply to Council for assistance.

Office of  
Local Government

## Circular to Councils

<b>Circular Details</b>	Circular No 20-01 / 6 January 2020 / A686940
<b>Previous Circular</b>	Nil
<b>Who should read this</b>	Councillors / General Managers / All council staff
<b>Contact</b>	Ms Karen Purser, Acting Director Policy and Sector Development <a href="mailto:olg@olg.nsw.gov.au">olg@olg.nsw.gov.au</a>
<b>Action required</b>	Council to Implement

**Recovery Information for Councils impacted by bushfires in NSW**

The Office of Local Government (OLG) has agreed to be the State coordinating agency between affected local councils seeking assistance and councils who have the capacity to assist. OLG has teamed up with the City of Sydney, Sydney Resilience Office and Local Government NSW to provide a disaster recovery council resource co-ordination service to assist councils impacted by the bushfire crisis.

**What's new or changing**

- This circular contains recovery information for council areas with residents recently impacted by bushfires in NSW.

**What this will mean for your council**

- Councils may become a go-to point for people recently impacted by bushfires who are seeking assistance.
- Council staff should make themselves familiar with recovery information sources available to the public.
- Councils may be called upon to help with clean-up activities and/or to waive tip fees for the disposal of material directly related to the recent fires.
- A councils helping councils resource sharing initiative called the **Local Government Bushfire Recovery Support Group** has been established by OLG, the City of Sydney, Sydney Resilience Office and Local Government NSW to enable unaffected councils to offer assistance, resource sharing and temporary deployment of relief staff to councils in need.
- The Office of Emergency Management convenes the State Recovery Committee. Two General Managers Working Groups have been established as part of the Recovery Committee process. The General Managers Working Groups will be the central point to establish priority needs of local councils with particular regard to the needs that could be met through the assistance of other councils. The General Managers Working Groups are meeting weekly with the State Recovery Coordinators to discuss recovery issues.

**Key points****General**

- A disaster welfare assistance line has been established on 1800 018 444.
- A number of grants have been made available, such as grants of up to \$15,000 for business owners directly affected by bushfires and grants of up to \$15,000 for bushfire affected primary producers.

Office of Local Government  
5 O'Keefe Avenue NOWRA NSW 2541  
Locked Bag 3015 NOWRA NSW 2541  
T 02 4428 4100 F 02 4428 4199 TTY 02 4428 4209  
E [olg@olg.nsw.gov.au](mailto:olg@olg.nsw.gov.au) W [www.olg.nsw.gov.au](http://www.olg.nsw.gov.au) ABN 44 913 630 046

- A number of allowances are available for individuals affected by recent fires, such as a one-off payment of \$1,000 per adult and \$400 per child for people who have lost their properties or whose properties have been severely damaged.
- Housing assistance is available to support people via temporary accommodation.
- A number of disaster welfare assistance points have been established.
- Free mental health telephone support is available 24/7 via the Mental Health Line, Lifeline, Mensline, Kids Helpline and Beyond Blue.

#### Waste disposal

- The NSW Government is waiving waste levy fees for residents disposing of bushfire-generated waste at nominated facilities.
- Councils should check whether the fees adopted for council operated tips already include a provision allowing council to waive fees in circumstances of a bushfire emergency.
- If there is no such provision councils may choose to explore the use of their power under section 356 of the Local Government Act 1993 to grant financial assistance to fire-affected persons.
- This could occur by way of free waste disposal vouchers. Alternatively, councils may resolve to grant a "tip fee" amnesty. To adopt either option council will need a resolution. The terms of the resolution would authorise the nature and terms of the amnesty.
- Whether public notice of 28 days would be required under section 356(2) will depend on the nature of the proposed amnesty. It could apply uniformly to all persons within the council's area or it could apply to a significant group of persons within the council's area.
- Councils must keep records of the total value of any amnesty or financial assistance provided for future financial reporting requirements. Councils should later ratify the loss in revenue due to the amnesty as an expense against the revenue budget.
- In establishing an amnesty councils should be guided by their own legal advice.

#### Where to go for further information

- For recovery information, information fact sheets and updates please visit the following useful sites:
  - [www.emergency.nsw.gov.au](http://www.emergency.nsw.gov.au)
  - <https://www.emergency.nsw.gov.au/Pages/for-the-community/disaster-assistance/Northern-Fires-November-2019.aspx>
  - <https://www.emergency.nsw.gov.au/Documents/factsheets/community-recovery-information-november-northern-nsw-fires-2.pdf>
- To offer resources and/or specialist staff assistance, please contact the **Local Government Bushfire Recovery Support Group** on 02 9246 7709 or [recovery@cityofsydney.nsw.gov.au](mailto:recovery@cityofsydney.nsw.gov.au).
- Requests for assistance can be directed to the Office of Emergency Management State Recovery Committee - General Managers Groups, or directly to the Office of Local Government on [olg@olg.nsw.gov.au](mailto:olg@olg.nsw.gov.au).

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# Rates and Charges Financial Hardship Policy

<b>Approved by</b>	<b>Council resolution</b>
<b>Responsible Officer</b>	Rates Officer
<b>Council Service Unit</b>	Finance
<b>Next Review Date</b>	December 2021

## Version Control

Ref	Date	Description	Council Resolution
0.1	12 December 2017	Presented to Council	07/12/2017

## Purpose

To provide financial assistance to ratepayers who are experiencing genuine financial hardship with the payment of Council's rates and charges.

To provide a decision making framework for the appropriate assessment of financial hardship applications.

## Scope

This policy applies to eligible ratepayers within the Cootamundra-Gundagai Regional Council Local Government area who are experiencing genuine financial difficulties in paying their rates and charges.

## Legislative Framework

Local Government Act 1993

## Review Period

This document is to be reviewed every four years.

## Policy Statement

Council recognises there are cases of genuine financial hardship requiring respect and compassion in special circumstances. This policy establishes guidelines for assessment of a hardship application applying the principles of fairness, integrity, confidentiality and compliance with statutory requirements. It applies to all applications for alternative payment arrangements or writing off rates, fees, annual charges and interest accrued on such debts.

The General Manager has the delegated authority to assess applications due to hardship and payment arrangement plans from any customer after receiving a written request and in cases of genuine hardship each

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case is to be referred to Council for consideration in accordance with Councils adopted policy.

To establish guidelines for the General Manager and staff when dealing with ratepayers, suffering genuine financial hardship, with the payment of their rates and charges.

To fulfill the statutory requirements of the Local Government Act, 1993 with respect to the ability to grant provision and give special consideration to ratepayers subject to financial hardship.

### **Determination of Eligibility**

The criterion for financial hardship involves an inability of the ratepayer to pay their rates, rather than an unwillingness to do so. Hardship may result from any of, but is not limited to, the following:

- Loss of employment by ratepayer or family member.
- Family breakdown.
- Ongoing or long term illness of the ratepayer or family member.
- Death in the family.
- Loss of income due to natural disasters or drought.
- High rate levy increase due to revaluation.

To request consideration for a concession under the hardship policy, the ratepayer must submit in writing a signed and dated application stating the nature of the hardship and the estimated period over which the hardship will be experienced.

- Evidence confirming the ratepayer's hardship status must accompany the application in one of the following forms:
- Evidence in writing from a third party such as the ratepayer's bank manager or accountant;
- Copy of recent bank statements for all accounts.
- Evidence in writing from a recognised financial counsellor;
- Statutory declaration from a person familiar with the ratepayer's circumstances who is qualified to provide Council with a clear, unbiased assessment of the ratepayer's hardship status, such as a carer, power of attorney or a medical practitioner.

Council may request additional information to confirm the ratepayer's hardship status if deemed necessary and may also request the ratepayer attend an interview to assist Council in the understanding of the issues causing hardship.

### **Hardship Concession Provisions**

Once the ratepayer has submitted the application, the Revenue Officer will make an assessment based on the merit of the individual case against the eligibility conditions within this policy, and will make a recommendation to Council regarding the actions they may take in relation to the particular hardship case. Available options are:

#### **Defer outstanding amounts for a set period of time**

#### **Periodic Payment Arrangements**

- Section 564 of the Local Government Act provides that Council may enter into a formal agreement with

a ratepayer eligible for alternative periodical payments for due and payable rates and charges. A periodic payment agreement will be offered in accordance with Council's Debt Recovery Policy. Interest will apply unless specifically stated otherwise on outstanding balances but allow ratepayers the required time to make payments without any legal action being undertaken by Council to recover rates and charges.

**Charge interest rate of 0% on overdue amounts for a set period of time**

**Writing off accrued interest and costs**

- Accrued interest on rates or charges payable by a person may be written off under Section 567 of the Local Government Act 1993, if:
- The person was unable to pay the rates or charges when they became due for reasons beyond the person's control,
- The person is unable to pay accrued interest for reasons beyond the person's control, or
- Payment of the accrued interest would cause the person hardship.

**Extend pensioner concession to avoid hardship**

- Section 577 of the Local Government Act, 1993 enables Council to make an order deeming certain persons who are jointly liable with an eligible pensioner(s) or solely liable, but who are not themselves eligible, to be eligible pensioners for the purpose of a mandatory reduction in rates and charges to avoid hardship.

**Pensioner Abandonments**

- Section 582 of the Local Government Act, 1993 enables Council to waive or reduce rates, charges and accrued interest due by any person prescribed by the regulations who is in receipt of a pension, benefit or allowance under the Social Security Act 1991. Thus, council may, in its absolute discretion, further reduce on a voluntary basis (with no subsidy from the state government) rates and charges otherwise payable by an eligible pensioner. Council may also agree to allow the remainder of pensioners' rates, after concessions have been deducted, to accrue against the future estate or sale of the land in appropriate cases.

**General Revaluation of the Local Government Area**

- Section 601 of the Local Government Act, 1993 provides that where any ratepayer who suffers substantial hardship as the consequence of the making and levying of a rate following a new valuation, may apply to Council for rate relief.
- Council will not consider hardship applications under this provision, as valuations are independently determined by the NSW Valuer General. Council will encourage ratepayers to make an appropriate application under the appeal provision of the NSW Valuation of Land Act 1916.

**Any combination of the above.**

**Assessment Process**

Each case will be considered individually and on its merits and will take into account, but will not be limited to:

The property for which the hardship application applies must be the principal place of residency of the applicant/s if categorised as "Residential" for rating purposes.

- The property for which the hardship application applies must be categorised as "Residential" or



"Farmland" for rating purposes.

- The applicant must be the owner or part owner of the property and be liable for the payment of rates on the property.
- The ratepayer's financial circumstances, including income and expenses from all sources.
- The amount of rates levied compared to the average rates levied of the rate category or sub-category.
- Repayment history, including any previous defaults or arrangements.

Council will consider hardship applications in closed meetings and personal information will remain confidential. The ratepayer will be informed of Council's decision in writing and if not satisfied with the outcome can request the Council to reconsider its decision.

If the ratepayer continues to experience hardship after the concession period approved by Council has expired, then a new application must be made by the ratepayer. In such circumstances evidence provided with the initial application may be used to confirm the ratepayer's hardship status, however Council may request additional information to confirm the ratepayer's current hardship status if deemed necessary.

### **Hardship Concession Termination**

The concessions granted may be withdrawn for any of the following reasons:

- The ratepayer no longer owns the land.
- The ratepayer advises Council that the hardship no longer applies.
- The ratepayer defaults on a payment arrangement if a payment arrangement has been entered into,
- Council receives information that proves the hardship no longer exists.

Where property ownership changes on any assessment with a rate deferral agreement in place, all rates and charges must be fully paid at the point of this change. Hardship concessions are not transferable.

<b>9.4</b>	<b>NOTICE OF MOTION - COUNCIL INVESTIGATE THE FEASIBILITY OF REDIRECTING WATER FROM THE MURRUMBIDGEE RIVER TO DEVELOP A PERMANENT WATER FLOW INTO MORLEY'S CREEK SO AS TO HAVE CONSISTENT AND FRESH WATER IN THE CREEK. FURTHER, THAT COUNCIL ENGAGES WITH THE APPROPRIATE STATE ORGANISATIONS AND UNDERTAKE DISCUSSIONS TO ACHIEVE THE CONCEPT.</b>
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DOCUMENT NUMBER	320979
REPORTING OFFICER	Penny Nicholson, Councillor
AUTHORISING OFFICER	Phil McMurray, General Manager

The following Notice of Motion signed by Councillor Penny Nicholson was submitted on 20 January, 2020.

I hereby give notice of my intention to move the following motion at the Council meeting of Tuesday, 28 January, 2020:

#### **MOTION**

**Council investigate the feasibility of redirecting water from the Murrumbidgee River to develop a permanent water flow into Morley's Creek so as to have consistent and fresh water in the creek. Further, that Council engages with the appropriate state organisations and undertakes discussions to achieve the concept.**

#### **Note from Councillor**

The water level in Morley's Creek is currently at an extremely low level and, as such, now is an appropriate time to investigate what options are available to ensure there is a constant flow of fresh water to Morley's creek. Water in Morley's creek is currently stagnant and rancid with reports of dead fish found in the waterway.

Previous investigations undertaken by impassioned residents, believe the process to have water run into Morleys creek is a relatively simple process. To have a fresh and reliable water source so close to the town centre would have many advantages, for example an increase to tourism, an emergency water source, an improved ecological environment and a more aesthetically pleasing landscape.

I propose and support the "Make Morleys Move!" movement.

**9.5 NOTICE OF MOTION - THAT ANY NOTICES OF MOTION PRESENTED BY COUNCILLORS, REGARDLESS OF SUBJECT, NOT BE DEBATED BY EMAILS SENT BY COUNCILLORS OR DECIDED AT WORKSHOPS PRIOR TO THE COUNCIL MEETING. DECISIONS ARE TO BE MADE AT COUNCIL MEETINGS**

DOCUMENT NUMBER	321134
REPORTING OFFICER	Gil Kelly, Councillor
AUTHORISING OFFICER	Phil McMurray, General Manager

The following Notice of Motion signed by Councillor Gil Kelly was submitted on 21 January, 2020.

I hereby give notice of my intention to move the following motion at the Council meeting of Tuesday, 28 January, 2020:

**MOTION**

That any notices of motion submitted by Councillors, regardless of subject, not be debated by emails sent by councillors or decided at workshops prior to the Council meeting. Decisions are to be made at Council meetings.

**Note from Councillor**

Residents that we, as Councillors, are charged with representing deserve to hear our thoughts on any subject, controversial or not, in an open forum of Council.

We all claim to want transparency in Local Government but too many times decisions are made without residents, that we are charged to represent, hearing the views of all Councillors.

I have no issue with any Councillor seeking more information or clarification on a subject from the author of the Notice of Motion before the meeting if needed to gain a full understanding of the particular subject matter.

**Report by General Manager**

Clause 3.11 of Council's Code of Meeting Practice states that:

If the General Manager considers that a notice of motion submitted by a councillor for consideration at an ordinary meeting of the Council has legal, strategic, financial or policy implications which should be taken into consideration by the meeting, the General Manager may prepare a report in relation to the notice of motion for inclusion with the business papers for the meeting at which the notice of motion is to be considered by the Council.

In relation to the Notice of Motion it is therefore appropriate that I provide information to Councillors as I believe that the Notice of Motion has policy implications.

Council's adopted Code of Meeting Practice, which includes mandatory provisions from the Office of Local Government's Model Code, states that:

*Prior to each ordinary meeting of the Council, the General Manager may arrange a pre-meeting briefing session to brief councillors on business to be considered at the meeting. Pre-meeting briefing sessions may also be held for extraordinary meetings of the Council and meetings of committees of the Council. (Clause 3.31)*

It also states that:

*Councillors must not use pre-meeting briefing sessions to debate or make preliminary decisions on items of business they are being briefed on, and any debate and decision-making must be left to the formal Council or committee meeting at which the item of business is to be considered. (Clause 3.34)*

Therefore, a component of the Notice of Motion is already addressed by an existing Council Policy and adoption of the Notice of Motion would be superfluous and potentially conflicting with that Policy.

In relation to limitations on Notices of Motion being “debated by email”, Council’s Code of Conduct, which also includes mandatory provisions of the Office of Local Government’s Model Code, includes the following relevant provisions:

- *You must not participate in binding caucus votes in relation to matters to be considered at a council or committee meeting. (Clause 3.15)*
- *For the purposes of clause 3.15, a binding caucus vote is a process whereby a group of councillors are compelled by a threat of disciplinary or other adverse action to comply with a predetermined position on a matter before the council or committee, irrespective of the personal views of individual members of the group on the merits of the matter before the council or committee. (Clause 3.16)*
- *Clause 3.15 does not prohibit councillors from discussing a matter before the council or committee prior to considering the matter in question at a council or committee meeting, or from voluntarily holding a shared view with other councillors on the merits of a matter. (Clause 3.17)*

One again, I consider that adoption of the Notice of Motion would be superfluous and, in this case, directly conflicting with provisions of Council’s adopted Code of Conduct.

**10 QUESTIONS WITH NOTICE**

Nil

**11 CONFIDENTIAL ITEMS**

<b>11.1 CONFIDENTIAL ITEMS</b>	
DOCUMENT NUMBER	319721
REPORTING OFFICER	Marianne McInerney, Personal Assistant to the General Manager
AUTHORISING OFFICER	Phil McMurray, General Manager
RELEVANCE TO COMMUNITY STRATEGIC PLAN	<b>4. Good governance: an actively engaged community and strong leadership team</b>  4.2 Active participation and engagement in local decision-making
FINANCIAL IMPLICATIONS	There are no Financial implications associated with this report.
LEGISLATIVE IMPLICATIONS	To facilitate compliance with sections 10 and 11 of the Local Government Act 1993.
POLICY IMPLICATIONS	There are no Policy implications associated with this report.
ATTACHMENTS	Nil

Note

Council's Code of Meeting Practice allows members of the public present to indicate whether they wish to make representations to the meeting, before it is closed to the public, as to whether that part of the meeting dealing with any or all of the matters listed should be closed.

**RECOMMENDATION**

1. **Item 1.2 be considered in closed Council at which the press and public are excluded in accordance with the applicable provisions of the Local Government Act, 1993 and related public interest reasons detailed.**
2. **In accordance with section 11 (2) and (3) of the Local Government Act, 1993, the reports, correspondence and other documentation relating to Item 1.2 be withheld from the press and public.**

**11.2 PROPOSED PURCHASE OF LOT 1 TURNERS LANE COOTAMUNDRA**Provisions for Confidentiality

Section 10A (2) (c) – The Confidential Report contains information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.

Public Interest

It is considered that discussions of this matter in open Council would, on balance, be contrary to the public interest as it would prejudice Council's ability to secure the optimum outcome for the community..

