



COOTAMUNDRA-
GUNDAGAI REGIONAL
COUNCIL

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Business Paper

ORDINARY COUNCIL MEETING

COUNCIL CHAMBERS, GUNDAGAI

6:00PM, Tuesday 22nd July, 2025

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, 22nd July, 2025 at 6:00PM

The agenda for the meeting is enclosed.

Roger Bailey
Interim General Manager

Live Streaming of Meetings Statement

This meeting is streamed live via the internet and an audio-visual recording of the meeting will be publicly available on Council's website.

By attending this meeting, you consent to your image and, or, voice being live streamed and publicly available. Please refrain from making any defamatory statements.

Statement of Ethical Obligations

The Mayor and Councillors are bound by the Oath/Affirmation of Office made at the start of the Council term to undertake their civic duties in the best interests of the people of Cootamundra-Gundagai Regional Council and to faithfully and impartially carry out the functions, powers, authorities and discretions vested in them under the Local Government Act or any other Act, to the best of their skill and judgement.

It is also a requirement that the Mayor and Councillors disclose conflicts of interest in relation to items listed for consideration on the Agenda or which are considered at this meeting in accordance with Council's Code of Conduct and Code of Meeting Practice.

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 24 JUNE 2025

REPORTING OFFICER	Teresa Breslin, Executive Assistant to Mayor and General Manager
AUTHORISING OFFICER	Roger Bailey, Interim 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 24 June 2025

RECOMMENDATION

That the Minutes of the Ordinary Meeting of Council held on Tuesday 24 June 2025 be confirmed as a true and correct record of the meeting.

Minutes

ORDINARY COUNCIL MEETING

ALBY SCHULTZ MEETING CENTRE, COOTAMUNDRA

6:00PM, TUESDAY 24th June, 2025

Administration Centres: 1300 459 689

**MINUTES OF COOTAMUNDRA-GUNDAGAI REGIONAL COUNCIL
ORDINARY COUNCIL MEETING
HELD AT THE ALBY SCHULTZ MEETING CENTRE, COOTAMUNDRA
ON TUESDAY, 24 JUNE 2025 AT 6:00PM**

PRESENT: Cr Abb McAlister (Mayor), Cr Rosalind Wight (Deputy Mayor), Cr Logan Collins, Cr Les Cooper, Cr David Graham, Cr Gil Kelly, Cr Ethan Ryan (online), Cr Danyal Syed

IN ATTENDANCE: Roger Bailey (Interim General Manager), Trevor Dando (Deputy General Manager - Operations), Linda Wiles (Manager Business), Damian Smith (Acting Manager Finance), Michael Mason (Interim Manager Sustainable Development), Greg Ewings (Acting Manager Regional Services Gundagai), Teresa Breslin (Executive Assistant)

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 097/2025

Moved: Cr David Graham

Seconded: Cr Danyal Syed

That Council adjourn for Open Forum at 6.02pm.

CARRIED

2 OPEN FORUM

List of Speakers

1. Phil Matheson – Item 8.4.1 DA2025/013
2. Charlotte Matheson – Item 8.4.1 DA2025/013

RESUME OPEN MEETING

RESOLUTION 098/2025

Moved: Cr Les Cooper

Seconded: Cr David Graham

That Council resume the Open Meeting at 6.06pm.

CARRIED

3 APOLOGIES AND LEAVE OF ABSENCE

3.1 APOLOGIES

APOLOGY

RESOLUTION 099/2025

Moved: Cr David Graham

Seconded: Cr Danyal Syed

That the apology received from Cr Nicholson be accepted and leave of absence granted.

CARRIED

3.2 LEAVE OF ABSENCE

Nil

4 DISCLOSURES OF INTEREST

Nil

5 CONFIRMATION OF MINUTES**5.1 MINUTES OF THE EXTRAORDINARY MEETING OF COUNCIL HELD ON TUESDAY 20 MAY 2025****RESOLUTION 100/2025**

Moved: Cr Gil Kelly

Seconded: Cr Logan Collins

That the Minutes of the Extraordinary Meeting of Council held on Tuesday 20 May 2025 be confirmed as a true and correct record of the meeting.

CARRIED

5.2 MINUTES OF THE ORDINARY MEETING OF COUNCIL HELD ON TUESDAY 27 MAY 2025**RESOLUTION 101/2025**

Moved: Cr Rosalind Wight

Seconded: Cr Gil Kelly

That the Minutes of the Ordinary Meeting of Council held on Tuesday 27 May 2025 be confirmed as a true and correct record of the meeting.

CARRIED

PROCEDURAL MOTION**RESOLUTION 102/2025**

Moved: Cr Gil Kelly

Seconded: Cr Rosalind Wight

That Council bring forward item 8.4.1 on the agenda for consideration.

CARRIED

8.4.1 DA2025/013 - PROPOSED SUBDIVISION AND DWELLING, INCLUDING A CLAUSE 4.6 VARIATION TO A DEVELOPMENT STANDARD - INGOLDS LANE, COOTAMUNDRA

RESOLUTION 103/2025

Moved: Cr Gil Kelly
 Seconded: Cr Les Cooper

That Council approve the following development application:

- **Application No.:** DA2025/013
- **Property:** Lot 2 DP 1244151, 1068 Cullinga Road, Wallendbeen, NSW 2588, and Lots 291 and 292 DP 753604 and Lot 2 DP 113978, Ingolds Lane, COOTAMUNDRA NSW 2590
- **Development:** Subdivision and dwelling house – boundary adjustment and consolidation to create two (2) lots of 33.4 ha and 293 ha, and to erect a dwelling house on the proposed 33.4 ha lot.

VOTING RECORD	
FOR RESOLUTION	AGAINST RESOLUTION
Cr Abb McAlister (Mayor)	Nil
Cr Rosalind Wight	
Cr Logan Collins	
Cr Les Cooper	
Cr David Graham	
Cr Gil Kelly	
Cr Penny Nicholson	
Cr Ethan Ryan	
Cr Danyal Syed	
ABSENT	DECLARED INTEREST
Cr Penny Nicholson	Nil

CARRIED

6 MAYORAL MINUTES

6.1 MAYORAL MINUTE - COUNCILLOR ENGAGEMENT

RESOLUTION 104/2025

Moved: Cr Rosalind Wight
 Seconded: Cr Danyal Syed

The information in the Councillor Engagements Mayoral Minute be received and noted.

CARRIED

7 REPORTS FROM COMMITTEES

Nil

8 GENERAL MANAGER'S REPORT**8.1 GENERAL MANAGER OFFICE****8.1.1 STRONGER COMMUNITIES FUND ROUND 1****RESOLUTION 105/2025**

Moved: Cr Logan Collins

Seconded: Cr Les Cooper

That Council:

1. Note the correspondence from the NSW Office of Local Government (OLG) advising that its variation requests (extensions of time) under the Stronger Communities Fund (SCF) Round 1 for the Nangus Water Supply Works and the Gundagai Water Supply Extension Project (Dog on the Tuckerbox site) have been declined.
2. Seek approval from the NSW Office of Local Government to reallocate the SCF grant funds among remaining eligible SCF projects to cover over-expenditures.
3. Should point 2 above not be accepted by the NSW Office of Local Government, authorise the Mayor, Deputy Mayor, and one other councillor to determine an alternative allocation to avoid returning any grant funds.

CARRIED

8.2 BUSINESS**8.2.1 THE ARTS CENTRE COOTAMUNDRA S.355 COMMITTEE MEETING MINUTES****RESOLUTION 106/2025**

Moved: Cr Les Cooper

Seconded: Cr Rosalind Wight

The Minutes of The Arts Centre Cootamundra s.355 Committee Meeting 15 May 2025 attached to the report, be received and noted.

CARRIED

8.2.2 STOCKINBINGAL ELLWOOD'S HALL S.355 COMMITTEE MEETING MINUTES**RESOLUTION 107/2025**

Moved: Cr David Graham

Seconded: Cr Gil Kelly

The Minutes of the Stockinbingal Ellwood's Hall s.355 Committee Meetings held, 22 May 2025 attached to the report, be received and noted.

CARRIED

8.2.3 COMMUNITY DONATIONS POLICY REVIEW

RESOLUTION 108/2025

Moved: Cr Les Cooper

Seconded: Cr Danyal Syed

1. Council place the reviewed draft Community Donations Policy, attached to the report, on public exhibition for a period of not less than 28 days.
2. The Policy be adopted under delegation should there be no submissions that warrant significant changes to the Policy.
3. The appropriate provision for the budgeting and funding of the Community Donations program be included in the 2025/2026 Operational Plan.

CARRIED

8.2.4 APPLICATIONS FOR COMMUNITY DONATIONS 2025

RESOLUTION 109/2025

Moved: Cr David Graham

Seconded: Cr Danyal Syed

1. Council provides \$150 to schools in the LGA from the annual community donations budget, incorporating Gundagai High, Gundagai Public, Gundagai South Public, St. Patricks Primary, Nangus Public, Bongonga Public, Cootamundra High, Cootamundra Public, E.A Southee Public, Sacred Heart Central, Elouera Special, and Stockinbingal Public, totalling \$1,800.
2. Council review applications received and determine successful donation recipients from the remaining \$39,400.

Organisation Name	\$ Awarded	
	\$	In-Kind
Cootamundra Veterans Week of Golf	\$ 1,000.00	\$ -
Cootamundra Public School	\$ -	\$ 800.00
Gundagai Neighbourhood Centre Inc	\$ -	\$ 5,720.00
Lions Club of Cootamundra	\$ 750.00	\$ 500.00
Cootamundra Riffle Club	\$ 2,796.00	\$ -
Cootamundra Sports Foundation	\$ 1,000.00	\$ -
NSW Branch Australian Carriage Driving Society	\$ 2,000.00	\$ -
Adina Care Cootamundra	\$ 5,000.00	\$ -
S.I South West Slopes	\$ 1,000.00	\$ -
Stockinbingal Community Newsletter	\$ 1,000.00	\$ -
Riding for the Disabled	\$ 5,000.00	\$ -
Battle of the Bidgee Inc	\$ 5,000.00	\$ -
Land Rover Defenders of Australia Club	\$ -	\$ 2,000.00

Totals	\$ 24,546.00	\$ 9,020.00
SUB TOTAL	\$ 33,566.00	

CARRIED

8.2.5 FINAL COMMUNITY STRATEGIC PLAN, DELIVERY PROGRAM AND OPERATIONAL PLAN

RESOLUTION 110/2025

Moved: Cr Danyal Syed

Seconded: Cr Rosalind Wight

1. Council acknowledges the submissions received in response to the public exhibition of the draft; 2025/2035 Community Strategic Plan (CSP), 2025/2029 Delivery Program (DP), 2025/2026 Operational Plan (OP), and Workforce Management Plan.
2. The draft 2025/2035 Community Strategic Plan (CSP), draft 2025/2029 Delivery Program (DP), (incorporating the 10-year LTFP), and draft 2025/2026 Operational Plan (OP) (incorporating Budget, Revenue Policy, and fees & Charges), be adopted, with the following amendments:
 - (a) additions to the Delivery Program:

CSP Objective 2.1: Recognised as a must-visit tourist destination.

DP Strategy 2.1b: Seek funding and investment opportunities to improve existing visitor amenities and experiences.

DP Objective 2.1b(3): Upgrades to the Dog on the Tucker box precinct at Annie Pyers Drive.

Measures of success:

 - Potable water supply provided to the precinct.
 - Investigate feasibility of the provision of sewer with commercial operators at the precinct.
 - (b) Inclusion of the below amendments and additions to the Fees and Charges within the Revenue Policy.
 - i. Caravan Park License – ‘Plus per site fee’ added.
 - ii. Rates Section 603 Certificates – Legislated fee updated \$100 per assessment.
 - iii. Council notes the fee of 1% to be charged to all council Point of Service (POS) for payments made by Credit card to recover Merchant Fees charged by financial institutions.
 - iv. The Effluent charge for 2025/2026 has been determined at \$1.50kL.
3. The draft Cootamundra-Gundagai Regional Council 2025/2029 Workforce Management Plan (Part of the Resourcing Strategy) be endorsed by Council.

CARRIED

8.3 FINANCE

8.3.1 2025/26 RATES AND ANNUAL CHARGES

RESOLUTION 111/2025

Moved: Cr Les Cooper

Seconded: Cr Gil Kelly

1. ORDINARY RATES

In accordance with the provisions of Section 535 of the *Local Government Act 1993* Cootamundra Gundagai Regional Council hereby resolves to make the following rates for the 2025/26 rating year:

- a) Farmland Category Rate of 0.123418 cents in the dollar, with a base amount of \$414.55 per assessment, for all rateable land within the Farmland Category in Council's area, as defined in Section 515 of the *Local Government Act 1993*, based upon the land value at a base valuation date of 1 July 2024. The base amount for the Farmland Category is estimated to realise 9.80% of the total yield in this category.
- b) Residential Category Rate of 0.388625 cents in the dollar, with a base amount of \$414.55 per assessment, for all rateable land within the Residential Category in Council's area, as defined in Section 516 of the *Local Government Act 1993*, based upon the land value at a base valuation date of 1 July 2024. The base amount for the Residential Category is estimated to realise 39.79% of the total yield of this category.
- c) Business Category Rate of 1.221569 cents in the dollar, with a base amount of \$414.55 per assessment, for all rateable land within the Business Category in Council's area, as defined in Section 518 of the *Local Government Act 1993*, based upon the land value at a base valuation date of 1 July 2024. The base amount for the Business Category is estimated to realise 16.26% of the total yield of this category.
- d) Mining Rate of 0.300865 cents in the dollar, with a base amount of \$414.55 per assessment, for all rateable land within the Mining Category in Council's area, as defined in Section 517 of the *Local Government Act 1993*, based upon the land value at a base valuation date of 1 July 2024.

2. WASTE MANAGEMENT CHARGES

In accordance with the provisions of Sections 535, 496 and 501 of the *Local Government Act 1993* Council hereby resolves to make the following domestic waste management and waste management charges for the 2025/26 rating year:

- a) Domestic Waste Management Charge of \$590.00 per annual service for each parcel of rateable residential land within the Gundagai, Cootamundra, Stockinbingal & Wallendbeen Scavenging Areas for which the service is available, excluding vacant and unoccupied land. The levying of such charge is to entitle the ratepayer to a regular weekly service of one 120 litre bin for domestic rubbish and a fortnightly service of one 240 litre bin for recyclable domestic rubbish.
- b) Green Waste/Organics Charge of \$77.00 per annual service for each parcel of rateable residential land within the Gundagai, Cootamundra, Stockinbingal & Wallendbeen Scavenging Areas for which the service is available, excluding vacant and unoccupied land. The levying of such charge is to entitle the ratepayer to a regular fortnightly service of one 240 litre bin for green domestic waste.
- c) Residential Waste Management – Other Charge of \$590.00 per annual service for each assessment of residential land outside of the Gundagai, Cootamundra, Stockinbingal & Wallendbeen Scavenging Areas, for which the service is available and required. The levying of such charge is to entitle the ratepayer to a regular weekly service of one 140 litre bin for domestic rubbish, a fortnightly service of one 240 litre bin for recyclable domestic rubbish. (Ratepayers for whom this service is requested and available, may also elect to be provided with a Green Waste/Organics service subject to the charge as noted in d) below.)
- d) Green Waste/Organics Charge – Other Charge of \$77.00 per annual service for each assessment of residential land outside of the Gundagai, Cootamundra, Stockinbingal & Wallendbeen Scavenging Areas, for which the service is available and required. The levying of such charge is to entitle the ratepayer to a regular fortnightly service of one 240 litre bin for domestic green waste
- e) Rural Waste Charge of \$87.00 on each parcel of rateable land outside the Gundagai, Cootamundra, Stockinbingal & Wallendbeen Scavenging areas, and for which there is no service being provided as noted in c) above.
- f) Commercial Waste Management Charge of \$590.00 per service for the removal of waste (one 240 litre general waste pickup per week and one 240 litre recyclable waste pickup per fortnight) from Non-Residential properties for which the service is requested and available. Multiple services will be charged for multiple bins and/or collections per week.

g) Unoccupied (Vacant Land) Waste Charge of \$87.00 on each parcel of rateable land within the Gundagai, Cootamundra, Stockinbingal & Wallendbeen Scavenging areas for which a domestic waste management service is available, but the land is vacant and unoccupied.

3. STORMWATER MANAGEMENT SERVICE CHARGE

In accordance with the provisions of Section 535, 496A and 510A of the *Local Government Act 1993*, Cootamundra Gundagai Regional Council hereby resolves to make the following annual stormwater management service charges, in respect of occupied rateable land within the urban area of Cootamundra, excepting Council owned or controlled parks, land and buildings, or other land exempt as per Section 496A(2) of the *Local Government Act 1993*, for the 2025/26 rating year:

- a) Residential Stormwater Management Charge of \$25.00 per annum per residential assessment of occupied rateable land within the townships of Gundagai & Cootamundra, excepting Council owned or controlled parks, lands and buildings, or other land exempt as per Section 496A(2) of the *Local Government Act 1993*, and excluding land that is part of a residential strata allotment.
- b) Residential Strata Stormwater Management Charge of \$12.50 per annum per residential Strata assessment within the townships of Gundagai & Cootamundra, excepting Council owned or controlled parks, lands and buildings, or other land exempt as per Section 496A(2) of the *Local Government Act 1993*.
- c) Business (Non-Residential) Stormwater Management Charge of \$25.00 for each 350 square meters of area of land or part thereof of land categorised as business, subject to a minimum of \$25.00 per annum per assessment and a maximum charge of \$250.00 per annum per assessment within the townships of Gundagai & Cootamundra, excepting Council owned or controlled parks, lands and buildings, or other land exempt as per Section 496A(2) of the *Local Government Act 1993*.
- c) Business (Non-Residential) Stormwater Management Charge being the greater of \$5.00, or the assessment's proportion of the charge that would apply if the total land area was not strata'd, per annum per business strata assessment within the townships of Gundagai & Cootamundra, excepting Council owned or controlled parks, lands and buildings, or other land exempt as per Section 496A(2) of the *Local Government Act 1993*.

4. ON-SITE SEWERAGE MANAGEMENT ADMINISTRATION CHARGE

In accordance with the provisions of Sections 535 and 501 of the *Local Government Act 1993* Council hereby resolves to make the following domestic waste management and waste management charges for the 2025/26 rating year:

On-Site Sewerage Management Administration Charge of \$54.00 per annum for properties for which on-site sewerage services are available and connected.

5. WATER CONSUMPTION CHARGES

In accordance with the provisions of Section 535 and 502 of the *Local Government Act 1993*, Cootamundra Gundagai Regional Council hereby resolves to make the following water consumption charges for the 2025/26 rating year:

- a) Water Usage Charge of \$2.49 per kilolitre for usage up to and including 39 kilolitres per quarter, and thereafter \$3.74 per kilolitre for water usage exceeding 39 kilolitres per quarter, for all land connected to the water supply, excepting that land as identified as subject to the charges in 5.b) below.
- b) Non-Residential Community Water Usage Charge of \$1.95 per kilolitre for usage up to and including 39 kilolitres per quarter, and thereafter \$2.80 per kilolitre for usage exceeding 39 kilolitres per quarter, for land to which the water supply is available and connected and whereby Council has by resolution identified the assessment as being subject to Non-Residential Community Water Usage charges.

6. NON-RESIDENTIAL SEWER USAGE CHARGES

In accordance with the provisions of Section 535 and 502 of the *Local Government Act 1993*, Cootamundra Gundagai Regional Council hereby resolves to make the following non-residential sewer usage charges for the 2025/26 rating year:

Non-Residential Sewer Usage Charge of \$3.32 per kilolitre of the volume of sewerage discharged. The volume of sewerage discharged shall be calculated by multiplying the volume of water measured at the water meter(s) connected to the property, based on actual usage per kilolitre, by the sewerage discharge factors (SDF) for the predominant use of the land as follows:

PROPERTY USE	SDF %
Concrete Plant, Park Watering	2

Pool	10
Bowling Green, Clubhouse	20
Caravan Park	60
Community use (as defined in Community Based Not For Profit Organisations)	50
Hospital, Motel	85
General business, RLPB, Pharmacy, Medical Centre, Bakery, Restaurant/Hotel/Club, Takeaway food, McDonalds, Service Station, Dentist, Butcher, Hairdresser, Supermarket, Carwash	95
Sewer Well	100

7. WATER ACCESS CHARGES

The annual water access charges as identified below are charged quarterly in arrears.

In accordance with the provisions of Section 535 and 501 of the *Local Government Act 1993*, Cootamundra Gundagai Regional Council hereby resolves to make the following annual water access charges for the 2025/26 rating year:

a) **Residential Water Access Charge** on residential land to which the water supply is available and connected, excluding land that is part of a residential strata allotment, in accordance with the number and size of water service meters connected to the land as follows;

Water Meter Size	Annual Charge
20mm	\$517.00
25mm	\$810.00
32mm	\$1,327.00
40mm	\$2,072.00
50mm	\$3,238.00
63mm	\$5,143.00
75mm	\$7,286.00
80mm	\$8,291.00
100mm	\$12,955.00

b) **Residential Strata Water Access Charge** of \$517.00 per annum per residential Strata assessment for which the water supply is available and connected.

c) **Non-Residential Water Access Charge** in respect of non-residential land to which the water supply is available and connected, excluding land that is part of a strata allotment and that land that is identified as liable for charges outlined in 7.e) below, in accordance with the number and size of water service meters connected to the parcel as follows (excluding fire service meters);

Water Meter Size	Annual Charge
20mm	\$517.00
25mm	\$810.00
32mm	\$1,327.00
40mm	\$2,072.00
50mm	\$3,238.00
63mm	\$5,143.00
75mm	\$7,286.00
80mm	\$8,291.00
100mm	\$12,955.00

d) **Non-Residential Strata Water Access Charge** of \$517.00 per annum per non-residential Strata assessment for which the water supply is available and connected.

e) **Non-Residential Community Water Access Charge** in respect of non-residential land to which the water supply is available and connected, and whereby Council has by resolution identified the assessment as being subject to Non-Residential Community Water Access charges, in accordance with the number and size of water service meters connected to the parcel as follows (excluding fire service meters):

Water Meter Size	Annual Charge
20mm	\$259.00
25mm	\$405.00
32mm	\$663.00
40mm	\$1,036.00
50mm	\$1,619.00
80mm	\$4,145.00
100mm	\$6,477.00

8. VACANT WATER ACCESS CHARGES

In accordance with the provisions of Section 535 and 501 of the *Local Government Act 1993*, Cootamundra Gundagai Regional Council hereby resolves to make the following annual vacant water access charges for the 2025/26 rating year:

- Vacant Residential Water Access Charge of \$517.00 per annum per residential assessment to which the water supply is available but not connected.
- Vacant Non-Residential Water Access Charge of \$517.00 per annum per non-residential assessment to which the water supply is available but not connected.
- Vacant Non-Residential Community Water Access Charge of \$259.00 per annum per non-residential assessment whereby Council has by resolution identified the assessment as being subject to the Vacant Non-Residential Community Water Access Charge.

9. SEWER ACCESS CHARGES

The annual sewer access charges as identified below are charged quarterly in arrears.

In accordance with the provisions of Section 535 and 501 of the *Local Government Act 1993*, Cootamundra Gundagai Regional Council hereby resolves to make the following annual sewer access charges for the 2025/26 rating year:

- Residential Sewer Access Charge of \$749.00 per annum per residence to which sewerage services are available and connected.
- Non-Residential Sewer Access Charge in respect of non-residential land to which sewerage services are available and connected, excepting land identified as liable for the charges as outlined in 9.c) below, in accordance with the number and size of the water service meters connected to the land as follows (excluding fire service meters);

Water Meter Size	Annual Charge
20mm	\$624.00
25mm	\$749.00
32mm	\$873.00
40mm	\$1,198.00
50mm	\$1,498.00
63mm	\$1,887.00
75mm	\$2,247.00
80mm	\$2,396.00
100mm	\$2,997.00

- Non-Residential Community Sewer Access Charge in respect of non-residential land to which sewerage services are available and connected, and whereby Council has by resolution identified the assessment as being subject to Non-Residential Community Sewer Access charges, in accordance with the number and size of water service meters connected to the land as follows (excluding fire service meters):

Water Meter Size	Annual Charge
20mm	\$312.00
25mm	\$375.00
32mm	\$437.00
40mm	\$599.00
50mm	\$749.00
80mm	\$1,198.00

100mm	\$1,498.00
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10. VACANT SEWER ACCESS CHARGES

In accordance with the provisions of Section 535 and 501 of the *Local Government Act 1993*, Cootamundra Gundagai Regional Council hereby resolves to make the following annual vacant sewer access charges for the 2025/26 rating year:

- a) Vacant Residential Sewer Access Charge of \$438.00 per annum per residential assessment to which the water supply is available but not connected.
- b) Vacant Non-Residential Sewer Access Charge of \$438.00 per annum per non-residential assessment to which the water supply is available but not connected.
- c) Vacant Non-Residential Community Sewer Access Charge of \$219.00 per annum per non-residential assessment to which sewerage services are available but not connected, and whereby Council has by resolution identified the assessment as being subject to Vacant Non-Residential Community Access Charges.

11. LIQUID TRADE WASTE CHARGES

The annual trade waste charges as identified below are charged bi-annual in arrears. In accordance with the provisions of Section 535 and 502 of the Local Government Act 1993, Council hereby resolves to make the following trade waste charges for the 2025/26 rating year:

- a) Trade Waste Annual Fee on non-residential land connected to the sewerage service of \$250.00 where liquid trade waste is discharged.
- b) Trade Waste Usage Charge on (Category 2) non-residential land connected to the sewerage service of \$4.33 per kilolitre of the estimated volume of liquid trade waste discharged to the sewerage system with prescribed pre-treatment. The volume of liquid trade waste discharged shall be calculated by multiplying the volume of water measured at the water meter(s) connected to the property, based on actual usage per kilolitre, by the trade waste discharge factors (TWDF) for the predominant use of the property as follows:

PROPERTY USE	TWDF %
Concrete Plant, Park Watering & Sewer Well	1
Pool, Bowling Green, Clubhouse & General Business	10
RLPB, Pharmacy, Medical Centre	20
Caravan Park, School & Bakery, Community use (as defined in Community Based Not for Profit Organisations)	25
Motel, Restaurant, Hotel, Club	30
Takeaway food	50
McDonalds	62
Service Station	70
Dentist	80
Hospital	85
Butcher, Hairdresser, Supermarket, Carwash	90

12. INTEREST ON OVERDUE RATES & CHARGES

Interest on overdue rates and charges for the 2025/26 rating year has been set by Council at the maximum rate of interest payable as determined by the Minister of Local Government of 10.5% per annum, calculated daily, in accordance with Section 566 of the Local Government Act 1993.

13. COMMUNITY BASED NOT FOR PROFIT ORGANISATIONS

Cootamundra-Gundagai Regional Council hereby resolves to make the assessments shown below as being those assessments to which Non-Residential Community Water Access Charges, Non-Residential Community Sewer Access Charges, Non-Residential Community Water Usage Charges, and Community Use Sewerage and Trade Waste Discharge Factors shall apply as follows:

Assessment Name of Owner/Occupier
Religious Organisations

Use of Land

10001451	Sacred Heart Parish	Convent and Place of Worship
10001477	Catholic Church Trustees	Place of Worship
10001485	Catholic Church Trustees	Minister's Residence/Place of Worship
10008142	Presbyterian Church	Place of Worship
10013340	Jehovah's Witnesses Congregations	Place of Worship
10013423	Salvation Army	Minister's Residence/Place of Worship
10015444	Church Of The Foursquare Gospel	Place of Worship
10015832	Baptist Church Of NSW	Place of Worship
10017119	Anglican Church Property Trust Diocese	Minister's Residence/Place of Worship
10017135	Anglican Church Of Australia	Place of Worship
10029445	Uniting Church	Church Hall and Place of Worship
10029478	Uniting Church	Place of Worship
10039766	Australasian Conference Association Ltd	Place of Worship
11011715	Anglican Church Property Trust Dc & G	Place of Worship
11018389	Anglican Church Property Trust Dc & G	Place of Worship
11019627	Roman Catholic Church	Place of Worship
<u>Local Sporting, Charitable & Community Groups</u>		
10006328	Society of St Vincent de Paul	Public Charity
10008399	Boy Scouts Association	Community Group
	Cootamundra Ex-Servicemen's and Citizens Club	
10008431	Club	Community Facility
10008837	Australian Red Cross Society	Public Charity
10008845	Australian Red Cross Society	Public Charity
10009660	Showground Users Committee	Community Facility
10010320	The Cootamundra Country Club Ltd	Community Facility
10010882	CADAS Coota West	Community Group/Facility
10011955	Southern Cross Care - Retirement Village	Community Facility
10012060	Elouera Association Incorporated	Public Charity/Community Organisation
10015725	Cootamundra Wattle Guides	Community Group/Facility
10017556	Cootamundra Squash Assoc	Community Sporting Facility
10018877	Elouera Association Incorporated	Public Charity/Community Organisation
10030450	Town Tennis Club	Community Sporting Facility
10030468	Cootamundra Rugby League Club	Community Sporting Facility
10033223	Cootamundra Preschool Incorporated	Community Facility
10035780	Cootamundra Lions Club	Community Group
10039246	Coota Health Care Co-Op - Nursing Home	Community Facility
10039865	Elouera Cootamundra Assn Pty Ltd	Public Charity/Community Organisation
10045698	Cootamundra Strikers Soccer Club	Community Sporting Facility
10046159	Elouera Association Incorporated	Public Charity/Community Organisation
11011913	Gundagai Pre-School Kindergarten	Community Facility
11015922	Gundagai Common Trust	Community Group/Facility
11016136	Gundagai Racecourse and Showground Land	Community Sporting & Rec Facility
11019452	Gundagai District Services Club Ltd	Community Facility
11019460	Gundagai District Services Club Ltd	Community Facility
11019569	Valmar Support Services Ltd	Community Facility
11019965	Gundagai District Services Club Ltd	Community Facility
11019973	Gundagai District Services Club Ltd	Community Facility
11021318	Gundagai Scout Group	Community Group/Facility
11021730	Gundagai District Services Club Ltd	Community Facility
11032836	Gundagai Historic Bridges Committee Inc.	Community Group/Facility
11037132	South Gundagai Common Trust	Community Group/Facility

CARRIED**8.3.2 FINANCE UPDATE - MAY 2025****RESOLUTION 112/2025**

Moved: Cr David Graham

Seconded: Cr Logan Collins

The Finance Update report, be received and noted.**CARRIED****8.3.3 INVESTMENT REPORT - MAY 2025****RESOLUTION 113/2025**

Moved: Cr Ethan Ryan

Seconded: Cr Rosalind Wight

The report detailing Council Cash and Investments as at 31st May 2025, be received and noted.**CARRIED****8.4 SUSTAINABLE DEVELOPMENT****8.4.2 DA2025/022 - PROPOSED SUBDIVISION IDENTIFICATION SIGN - CORNER BOUNDARY ROAD AND OLIVER SELWYN DRIVE, COOTAMUNDRA****RESOLUTION 114/2025**

Moved: Cr Gil Kelly

Seconded: Cr Ethan Ryan

That Council formally grant owner's consent and accept the estate sign structure.

VOTING RECORD	
FOR RESOLUTION	AGAINST RESOLUTION
Cr Abb McAlister (Mayor) Cr Rosalind Wight Cr Logan Collins Cr Les Cooper Cr David Graham Cr Gil Kelly Cr Ethan Ryan Cr Danyal Syed	Nil

ABSENT	DECLARED INTEREST
Cr Penny Nicholson	Nil

CARRIED

8.4.3 DA2025/050 - PROPOSED DWELLING HOUSE - 13 OLIVER SELWYN DRIVE, COOTAMUNDRA

RESOLUTION 115/2025

Moved: Cr Logan Collins

Seconded: Cr Rosalind Wight

1. That Council approve the proposed variation as detailed in the Council report.
2. That Council approve the following development application, subject to the consent conditions detailed in the draft Notice of Determination (Attachment 1):
 - DA number: DA2025/050
 - Property: Lot 58 DP 1305491
13 Oliver Selwyn Drive
COOTAMUNDRA NSW 2590
 - Development: Dwelling house – to erect a single storey, fibre cement clad, four (4) bedroom dwelling

VOTING RECORD	
FOR RESOLUTION	AGAINST RESOLUTION
Cr Abb McAlister (Mayor)	Nil
Cr Rosalind Wight	
Cr Logan Collins	
Cr Les Cooper	
Cr David Graham	
Cr Gil Kelly	
Cr Ethan Ryan	
Cr Danyal Syed	
ABSENT	DECLARED INTEREST
Cr Penny Nicholson	Nil

CARRIED

8.4.4 DA2025/052 - DEMOLITION, TREE REMOVAL, DUAL OCCUPANCY AND SUBDIVISION - 39 CENTENARY AVENUE, COOTAMUNDRA

RESOLUTION 116/2025

Moved: Cr David Graham

Seconded: Cr Ethan Ryan

1. That Council approve the proposed variation as detailed in the Council report.

2. That Council approve the following development application, subject to consent conditions detailed in the draft Notice of Determination (Attachment 1):

DA number: DA2025/052

Property: Lot B DP 319714
39 Centenary Avenue
COOTAMUNDRA NSW 2590

Development: Demolition, tree removal, dual occupancy (detached) and subdivision – to demolish the existing metal shed and tree, to erect a single storey, brick veneer, four (4) bedroom dwelling on the western part of the property, and to subdivide the land into two (2) lots of approximately 656 m² and 647 m².

VOTING RECORD	
FOR RESOLUTION	AGAINST RESOLUTION
Cr Abb McAlister (Mayor)	Nil
Cr Rosalind Wight	
Cr Logan Collins	
Cr Les Cooper	
Cr David Graham	
Cr Gil Kelly	
Cr Ethan Ryan	
Cr Danyal Syed	
ABSENT	DECLARED INTEREST
Cr Penny Nicholson	Nil

CARRIED

8.4.5 JOINT REGIONAL PLANNING PANEL REPRESENTATIVES

RESOLUTION 117/2025

Moved: Cr Gil Kelly

Seconded: Cr Rosalind Wight

That Council:

1. Note the three (3) candidates who have expressed interest in being nominated as Council's representatives on the Regional Planning Panel for the Cootamundra-Gundagai Regional Council area;
2. Give due consideration to the qualifications, experience, and suitability of the candidates for the role of council members on the panel;
3. Resolve to nominate Mr Tony Donoghue and Mr Gordon Lindley as permanent council members and Mr Gary Arthur as an alternate council member to the Department of Planning, Housing and Infrastructure Regional Planning Panel for the maximum term of 3 years;
4. Resolve to pay the community members for attendance and representation at regional planning panel meetings including site inspections at the rate of \$1400 per day for attending meetings and site inspections, plus reasonable travel and out of pocket expenses, noting that the daily rate is intended to compensate for the time required to prepare for, attend and respond to meeting outcomes, upon receipt of invoice from the panel member.

CARRIED**8.5 ENGINEERING COOTAMUNDRA****8.5.1 COOTAMUNDRA ENGINEERING REPORT - JUNE 2025****RESOLUTION 118/2025**

Moved: Cr David Graham

Seconded: Cr Ethan Ryan

The Cootamundra Engineering Report for the month of June 2025 be noted.**CARRIED****8.6 ENGINEERING GUNDAGAI****8.6.1 GUNDAGAI ENGINEERING REPORT - JUNE 2025****RESOLUTION 119/2025**

Moved: Cr Rosalind Wight

Seconded: Cr Danyal Syed

The Gundagai Engineering Report for the month of June 2025 be noted.**CARRIED****8.7 REGIONAL SERVICES GUNDAGAI****8.7.1 GUNDAGAI REGIONAL SERVICES REPORT - JUNE 2025****RESOLUTION 120/2025**

Moved: Cr Les Cooper

Seconded: Cr David Graham

The Gundagai Regional Services Department, Monthly works report be received and noted.**CARRIED****8.8 REGIONAL SERVICES COOTAMUNDRA****8.8.1 COOTAMUNDRA REGIONAL SERVICES REPORT - JUNE 2025****RESOLUTION 121/2025**

Moved: Cr Gil Kelly

Seconded: Cr Danyal Syed

The Regional Services Cootamundra Monthly Works Report be received and noted.

CARRIED

9 MOTION OF WHICH NOTICE HAS BEEN GIVEN

Nil

10 QUESTIONS WITH NOTICE

Nil

11 CONFIDENTIAL ITEMS

11.1 CLOSED COUNCIL REPORT

RESOLUTION 122/2025

Moved: Cr David Graham

Seconded: Cr Les Cooper

1. Council entered Closed Council at 6.42pm.
2. Item 11.2 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.
3. In accordance with section 11 (2) and (3) of the Local Government Act, 1993, the reports, correspondence and other documentation relating to Item 11.2 be withheld from the press and public.

CARRIED

RESUMPTION OF OPEN COUNCIL MEETING

RESOLUTION 123/2025

Moved: Cr Ethan Ryan

Seconded: Cr Danyal Syed

That the Open Council meeting resume at 6.44pm.

CARRIED

ANNOUNCEMENT OF CLOSED COUNCIL RESOLUTIONS

Note: The Interim General Manager announced the resolutions made in Closed Council.

11.2 RFT 2025/03 BETTS STREET SEWAGE PUMPING STATION (SPS) RISING MAIN REPLACEMENT TENDER**RESOLUTION 124/2025**

Moved: Cr Les Cooper

Seconded: Cr David Graham

That Council:

- 1. Accepts the Tender from Trazlbat Pty Ltd for the contract price of \$1,647,671.00 including GST.**
- 2. Delegate authority to the Interim General Manager to execute all necessary documentation associated with this contract and expend funds as per the contract.**

CARRIED

The Meeting closed at 6.45pm.

The minutes of this meeting were confirmed at the Ordinary Council Meeting held on 22 July 2025.

CHAIRPERSON

GENERAL MANAGER

6 MAYORAL MINUTES

6.1 MAYORAL MINUTE - COUNCILLOR ENGAGEMENT

DOCUMENT NUMBER	441812
AUTHORISING OFFICER	Abb McAlister, Mayor
REPORTING OFFICER	Abb McAlister, Mayor
ATTACHMENTS	Nil

To keep the community aware of Councillor and my engagements, on behalf of Council I intend to provide regular updates through my Mayoral Minutes.

RECOMMENDATION

The information in the Councillor Engagements Mayoral Minute be received and noted.

16 June 2025

Cr McAlister (Mayor) attended an online Riverina Eastern Regional Organisation of Council (REROC) Executive Meeting.

20 June 2025

Cr McAlister (Mayor) and the Interim General Manager attended a Riverina Eastern Regional Organisation of Council (REROC) Board Meeting.

24 June 2025

Crs McAlister (Mayor), Wight (Deputy Mayor), Collins, Cooper, and Graham attended the AMG Workshop in Cootamundra, with Cr Syed joining later in the session.

Crs McAlister (Mayor), Wight (Deputy Mayor), Collins, Cooper, Graham, Ryan (online) and Syed attended a Council Workshop and Council Meeting in Cootamundra.

25 – 27 June 2025

Cr McAlister (Mayor) and the Interim General Manager attended the ALGA National General Assembly in Canberra.

2 July 2025

Cr McAlister (Mayor) attended the Riverina Eastern Regional Organisation of Council (REROC) Board Roundtable and Lunch with Minister Hoenig.

7 July 2025

Cr McAlister (Mayor) attended the NAIDOC Week Flag Raising Ceremony in Cootamundra.

Cr McAlister (Mayor) and the Interim General Manager attended a meeting with the Cootamundra Turf Club.

8 July 2025

Crs McAlister (Mayor) and Nicholson attended the NAIDOC Week Flag Raising Ceremony in Gundagai.

Cr McAlister (Mayor) meet with Steph Cooke MP at Mundarlo Bridge.

Crs McAlister (Mayor), Cooper, Nicholson, Graham, and Syed (online) attended a Council Workshop in Gundagai.

10 July 2025

Cr McAlister (Mayor) and the Interim General Manager attended a meeting with Australian Meat Group (AMG) in Cootamundra.

6.2 MAYORAL MINUTE - REQUEST FOR DROUGHT NATURAL DISASTER DECLARATION AND URGENT RELIEF SUPPORT

DOCUMENT NUMBER	442180
AUTHORISING OFFICER	Roger Bailey, Interim General Manager
REPORTING OFFICER	Abb McAlister, Mayor
ATTACHMENTS	1. Steph Cooke Media Release - Dry conditions persist across the Cootamundra electorate ↓

RECOMMENDATION

That Council:

1. Advocate for the immediate declaration of drought as a natural disaster across the region, with the entire CGRC area currently classified as “drought affected” or “in drought.”
2. Write to the NSW Minister for Agriculture, the Hon. Tara Moriarty, the NSW Minister for Recovery, the Hon. Janelle Saffin, the Federal Minister for Agriculture, the Hon. Julie Collins MP, and relevant shadow portfolio holders, seeking urgent relief funding and transport subsidies for drought-affected farmers.
3. Collaborate with key peak bodies including the National Farmers Federation, NSW Farmers, the Country Women’s Association, and continue working alongside other councils in the region, including the Canberra Region Joint Organisation (CRJO), to press for a coordinated regional and national drought response.

Introduction

This Mayoral Minute seeks Council’s endorsement to urgently escalate advocacy efforts to have the ongoing drought in our region recognised as a natural disaster, triggering access to essential funding and relief mechanisms. Over 86% of the Cootamundra-Gundagai Regional Council (CGRC) local government area is currently classified as “Drought Affected,” with the remaining area officially “In Drought” as mapped by the NSW Department of Primary Industries (DPI).

Further to that, according to the June 2025 Riverina Drought Summary the region is affected in the following way:

Non-drought: 13.4%

Recovering: 1.3%

Drought affected: 84.0%

Drought: 1.4%

The Riverina includes the councils of Cootamundra-Gundagai Regional, Carrathool, Hay, Griffith, Bland, Leeton, Murrumbidgee, Narrandera, Coolamon, Lockhart, Temora, Wagga Wagga, Junee, Snowy Rivers Regional and Hilltops.

Discussion

Agriculture remains a cornerstone of our economy, particularly sheep and cattle grazing, and is highly vulnerable to rainfall variability. Despite modest rainfall events since May 2024, DPI forecasting shows that this has not translated to sufficient pasture growth, with stock reliant entirely on handfeeding. The drought is set to persist through at least 31 August 2025.

Council has received concerning reports from farmers describing the current situation as a "green



Steph Cooke MP

MEMBER FOR COOTAMUNDRA

The seat of small communities

MEDIA RELEASE



Monday, 14 July 2025

DRY CONDITIONS PERSIST ACROSS THE COOTAMUNDRA ELECTORATE

Recent data from the NSW Department of Primary Industries (DPI) has confirmed that dry conditions continue to affect much of the Cootamundra electorate, with many local farming communities experiencing below-average rainfall and reduced soil moisture.

The July 2025 State Seasonal Update identifies large parts of southern NSW as either 'Drought Affected' or in 'Drought', reflecting the ongoing seasonal challenges across the region.

Member for Cootamundra, Steph Cooke said she is regularly contacted by landholders who are working hard to manage conditions as they plan for the months ahead.

"Farmers in our region are incredibly resilient, but there is no question they are doing it tough at the moment," Ms Cooke said.

"It is important the NSW Government outlines a clear plan as to how they intend to support our primary producers over the next 12 months, particularly if conditions remain dry through spring and into summer."

Ms Cooke said she continues to receive requests from local farmers seeking access to practical support, including transport subsidies to help manage rising freight costs.

"Right now, the only option being put forward is low-interest loans, but that is simply not good enough," she said.

"With ongoing cost-of-living pressures, many family farms are already stretched by high fuel, feed, and fertiliser costs. What they are asking for is not a handout, it's targeted, timely support to keep them going through a difficult period."

The Bureau of Meteorology's seasonal outlook points to a likelihood of below-average rainfall and warmer-than-usual daytime temperatures across much of southern NSW through to September.

While some parts of the region received light rainfall in June, the DPI notes it has not been enough to ease pressure on pastures or improve overall soil moisture.

"Farming always has its ups and downs, but that is exactly why it's important government is proactive in its response," Ms Cooke said.

"Having a well-communicated plan in place would give landholders some much-needed certainty as they make decisions for their businesses and families."

MEDIA: Hayley Wilkinson | 6924 2533

Young Office: 140 Boorowa Street (PO Box 350) Young NSW 2594 ☎ 6382 2399
Junee Office: 25 Seianior Street (PO Box 338) Junee NSW 2663 ☎ 6924 2533

6.3 MAYORAL MINUTE - FUNDING APPLICATION - INFRASTRUCTURE SUPPORT FOR THE DOG ON THE TUCKERBOX HERITAGE PARK

DOCUMENT NUMBER	442250
AUTHORISING OFFICER	Roger Bailey, Interim General Manager
REPORTING OFFICER	Abb McAlister, Mayor
ATTACHMENTS	<ol style="list-style-type: none"> 1. Letter - Bob Winnell, Chairman, The Dog on the Tuckerbox Developments Pty Ltd Download 2. The APP Group, Property Advisory Capability Statement Download 3. Regional Precincts and Partnership Programs - Stream Two: Precinct Delivery Project Guidelines Download

RECOMMENDATION

That Council:

1. Approves the preparation and submission of a funding application under the Regional Precincts and Partnerships Program – Stream Two: Precinct Delivery, to support the provision of water, sewerage, parking, and landscaping infrastructure at the Dog on the Tuckerbox (DOTT) Heritage Park and 5 Mile Precinct.
2. Endorses the use of any current Council approved funding to provide infrastructure to the site as a possible co-contribution to the project, if eligible.
3. Endorses the use of The APP Group to facilitate the preparation of the application, on the condition that associated costs are met by DOTT Pty Ltd.
4. Authorises DOTT Pty Ltd to assist Council in identifying potential precinct partners to maximise involvement and investment in the precinct development.

Introduction:

Council has been approached by the developers of the Dog on the Tuckerbox Heritage Park (DOTT Pty Ltd) to apply for Commonwealth Government funding through the Regional Precincts and Partnerships Program (RPPP) – Stream Two: Precinct Delivery.

This report outlines the proposal and seeks Council's endorsement to support the application process.

Discussion:

The redevelopment of the Dog on the Tuckerbox Heritage Park and the surrounding 5 Mile Precinct represents a regionally significant opportunity to boost tourism, cultural recognition, and local economic activity.

Following a public expression of interest process, Council has entered into a contract with DOTT Pty Ltd for the sale and revitalisation of the Heritage Park. This project aligns with Council's strategic objectives and presents a strong case for funding under the RPPP program.

The infrastructure proposed under the funding application will include:

- Connection of water and sewerage services to the precinct
- Provision of car parking facilities
- Landscaping upgrades along Annie Pyers Drive

The development will also enable:

- Establishment of a Regional Tourism Promotion Facility as outlined in the Cootamundra-Gundagai Agritourism Strategy
- Establishment of an Aboriginal Cultural and Arts Centre
- Installation of an electric vehicle charging station on the NRMA National Network
- Decommissioning of ageing and non-compliant spray sewer systems on adjoining land, improving commercial development opportunities

To support the application, The APP Group has been engaged by DOTT Pty Ltd to prepare the submission on Council's behalf. APP brings extensive experience in drafting successful funding applications for local governments and will work closely with Council staff to ensure a timely and compelling submission. It is anticipated that the RPPP assessment panel will next meet in August 2025.

As the eligible entity, Council must be the formal applicant. However, all costs associated with the application preparation will be met by DOTT Pty Ltd.

The Regional Precincts and Partnerships Program is an "always open" grants process, meaning there is no specific closing date for applications. Applications can be submitted at any time while the program remains open. However, applications are batched and assessed periodically.

If successful with the funding application the project must be completed by 31 March 2027.

Financial Implications:

There will be no financial outlay for Council in the preparation of the application, with all associated costs covered by DOTT Pty Ltd. If successful, the funding application will seek between \$5 million and \$50 million in support of eligible infrastructure works, with DOTT Pty Ltd and precinct partners contributing additional in-kind and direct investment. Council's contribution will primarily be in-kind, in the form of coordination and strategic support.

In relation to the project Council has an existing commitment of \$2.4M in 2025/26 to fund the extension of the Gundagai water supply to the site. Depending upon timing it may be possible to include this as a co-contribution.

Risks:

As the official grant applicant, Council will carry primary responsibility for:

- The overall delivery of the project
- Managing and acquitted all grant funds in accordance with the funding agreement
- Meeting project milestones and reporting obligations
- Addressing any project delays, variations or non-compliance
- Covering any financial shortfall in the event of funding gaps or cost overruns

Council must also seek clarification from The APP Group on the following matters prior to submission:

- The extent to which Council will be responsible for project governance and oversight beyond infrastructure delivery
- How milestone approvals and project variations will be managed, and who holds decision-making authority
- The legal and financial responsibilities that may fall to Council if precinct partners are unable to meet their obligations

These clarifications are critical to ensure that Council enters into the application process and any subsequent funding agreement with full awareness of the commitments and risks involved.

14 July 2025

Abb McAlister
Mayor
Cootamundra-Gundagai Regional Council
255 Sheridan Street
Gundagai NSW 2722

Email: abb.mcalister@cgrc.nsw.gov.au

RE: The Dog on the Tuckerbox | Regional Precincts and Partnerships Program Grant Funding Opportunity

Dear Mayor,

Further to our recent discussions, The Dog on the Tuckerbox Developments Pty Ltd has engaged The APP Group (APP) to prepare an application to the Regional Precincts and Partnerships Program (RPPP) on behalf of Cootamundra-Gundagai Regional Council (CGRC).

The redevelopment of the Dog on the Tuckerbox Heritage Park and 5 Mile Precinct, including the partnership between Council, the landowners and businesses is an eligible project under the RPPP.

The submission to the RPPP will outline the opportunities that are unlocked by funding and delivering infrastructure to the precinct, including:

1. Delivery of the DA approved Dog on the Tuckerbox Heritage Park upgrade project.
2. Enabling the establishment of the Dog on the Tuckerbox Regional Tourism Facility as identified under the Cootamundra-Gundagai Agritourism Development Strategy.
3. Enabling the establishment of an Aboriginal Cultural and Arts Centre.
4. Delivery of an electric vehicle charging station on NRMA's National Network.
5. Improving commercial development opportunities on adjoining land, by decommissioning spray sewer systems that are no longer fit-for-purpose.

The funding request by Council will include the connection of water and sewerage, and the provision of parking, and landscaping along Annie Pyers Drive to enable shared investment by DOTT Developments, landowners and businesses within the Dog on The Tuckerbox 5 Mile Precinct.

APP possesses extensive experience in the drafting and submission of compelling funding applications on behalf of Local Government across Australia, and is well positioned to assist CGRC to prepare a compelling application as part of the RPPP. In 2024, APP assisted Local Governments across Australia to secure the following Commonwealth Government funding:

- Blacktown City Council (NSW) - \$1.5 million to fund the Well-Located Housing Capacity Study and Planning Strategy Project (Housing Support Program – Stream 1)
- City of Karratha (WA) - \$400,000 to support the planning, development and implementation of the City of Karratha Housing Strategy (Housing Support Program – Stream 1)

- Blacktown City Council (NSW) - \$13 million to construct a new road and intersection design and an 86 metre bridge on Pelican Road, to enable the delivery of 235 new homes (Housing Support Program – Community Enabling Infrastructure Stream)
- City of Karratha (WA) - \$21.1 million to fund the headworks to deliver the first 130 lots of the Mulataga residential subdivision (Housing Support Program – Community Enabling Infrastructure Stream)

APP is currently working with local governments and other eligible entities across NSW to prepare grant funding applications under the Urban Precincts and Partnerships Program (UPPP) and the RPPP. I have attached a capability statement which provides you with more information about APP.

As Council is required to be the proponent of the application, please take this letter as our offer to utilise the services of APP to facilitate the application. We understand that grant funding processes like this can be resource intensive, so please see this as an offer of our partnership to deliver a regionally significant future for the Dog on the Tuckerbox.

We will introduce you via email to Madison Winnel, who will lead the APP team. It will be important for the APP team to work closely with Council in the preparation of the application and he will reach out to you to arrange an initial discussion. The RPPP assessment panel only meet bi-annually and we anticipate their next meeting to be in mid-August 2025. Whilst APP will do the work required, timely responses to requests for information would be greatly appreciated to support a target submission date by the end of July.

We are looking forward to continuing to work together to deliver a regionally significant future for the Dog on The Tuckerbox and Gundagai local community.

Regards,

Bob Winnel

Chairman

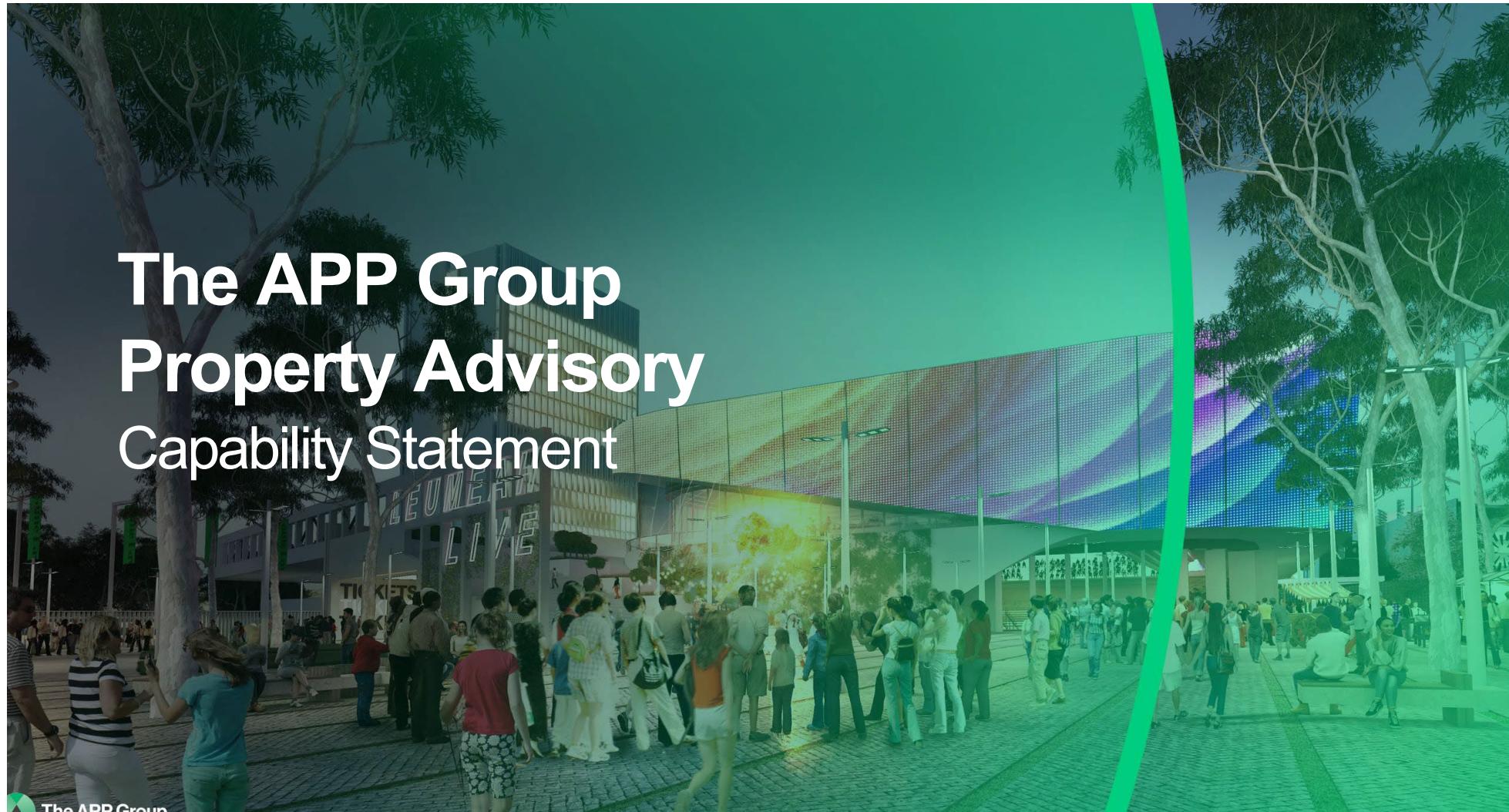
The Dog on the Tuckerbox Developments Pty Ltd

Attachment A – APP Government Funding Solutions Capability Statement

The APP Group

Property Advisory

Capability Statement



The APP Group



Property Advisory

The APP Group (APP) is a leading provider of development and property advisory services across Australia.

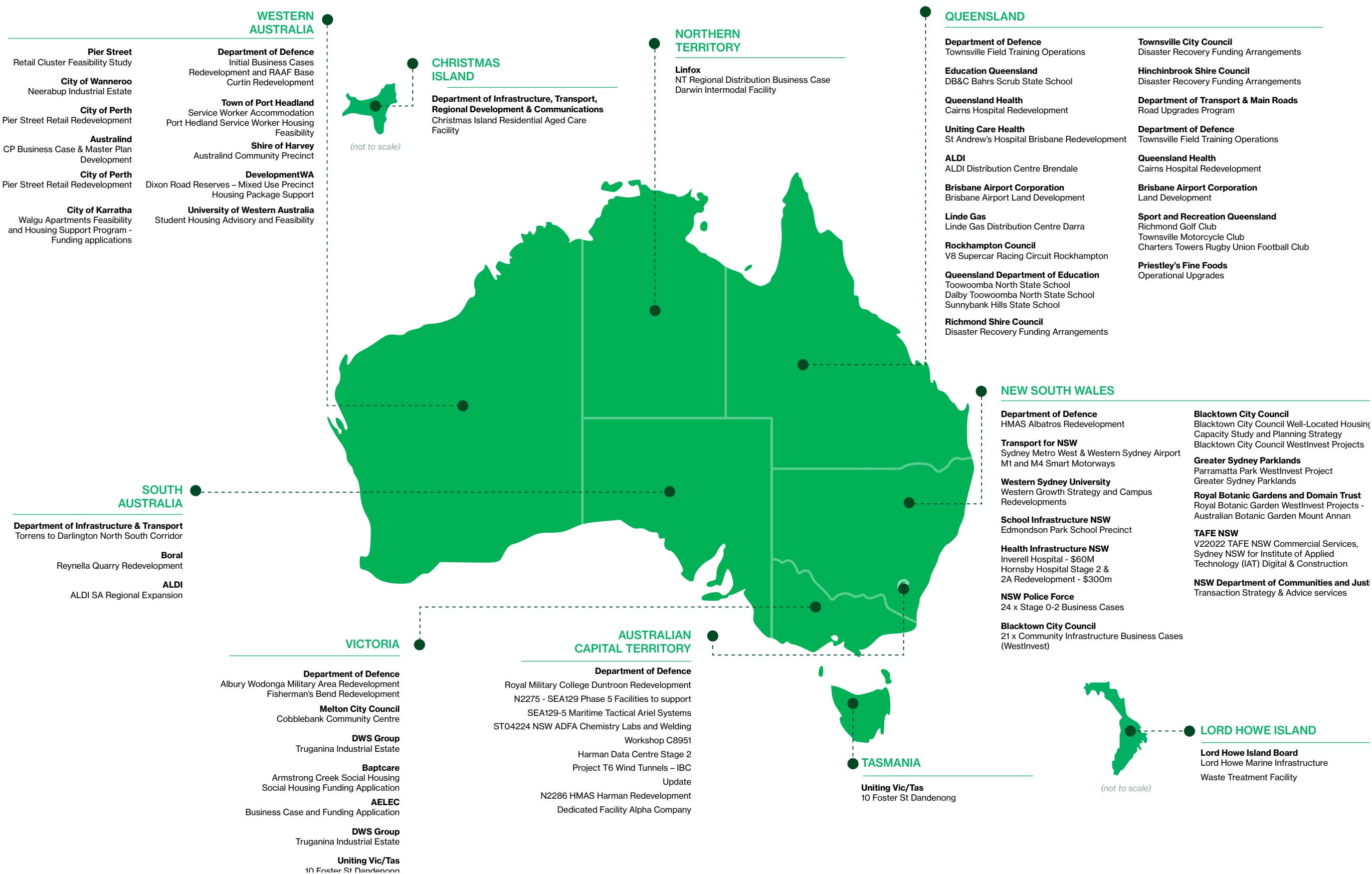
Our Property Advisory practice provides clients with sound advice to help them achieve their strategic objectives.

We consider our clients' strategies and objectives, their commercial drivers, the latest industry trends and the wider market context to develop targeted solutions and recommendations.

Our Property Advisory services

- ▶ Detailed Due Diligence
- ▶ Business Cases
- ▶ Development Feasibility
- ▶ Financial Modelling
- ▶ Portfolio Assessment & Property Strategy
- ▶ Cost-Benefit Analysis
- ▶ Highest & Best Use Assessment
- ▶ Market Research & Analysis
- ▶ Transaction Advisory
- ▶ Transaction Management
- ▶ Site Acquisition and Divestment Advisory
- ▶ Stakeholder Engagement
- ▶ Funding Solutions
- ▶ Grant Funding Applications

Our Projects across Australia - Business Cases and Project Funding





Client Case Study: Western Sydney University

The APP Group has been a long-term advisor and partner of Western Sydney University (WSU). **APP was engaged to oversee the optimisation of the University's property assets** at their Westmead, Werrington, Blacktown, Milperra, Campbelltown and Liverpool campuses, a role that began in 2003 and continues today.

WSU has been embarking on a large-scale transformation initiative called Western Growth, which involves the university, in partnership with APP, **developing the vision, purpose and development strategy** of its various campuses., with a **total program development value of over \$2 billion**.

APP worked with WSU to develop a value proposition that benefits each campus, and then established how best to realise that value.

APP's services for several key development sites has involved:

- ▶ Due diligence, urban planning services, master planning & rezoning.
- ▶ Transaction process management.
- ▶ Project planning, including project definition, strategy and governance framework.
- ▶ Business case preparation.
- ▶ Development feasibility and sensitivity testing.
- ▶ Stakeholder strategy & management of internal & external parties.

In 2018, APP was appointed to provide strategic advice regarding the optimisation of WSU's Werrington Campus

APP led the transformation of the greenfield 107ha campus into a future education, health and residential mixed-use precinct, which included the delivery of the neighbourhood shopping centre Caddens Corner.

This entailed significant master planning, due diligence, market analysis, development strategy feasibility, business case development and stakeholder engagement.

In 2022, our team brought this major precinct to market and on behalf of WSU selected a **major institutional proponent as delivery partner**.

APP has also assisted WSU in the identification of new sites to expand its education and research function.

Our long-term partnership with WSU highlights their trust in our expertise and consistent delivery of high-quality property advisory services.

Our strategic approach, encompassing advisory services, due diligence, business case development, development feasibility modelling and stakeholder management, ensures optimal outcomes and sustained client satisfaction.

Our services are underpinned by...



National Breadth

Our 32-year history extends across all states and territories of Australia, and all levels of Government.

With over 500 staff nationally, we have the breadth of experience and on-the-ground expertise to deliver exceptional outcomes for our clients no matter where their property assets are located.



Technical Expertise

Our people are highly qualified in a diverse range of technical backgrounds including economics, property, planning, engineering, architecture, design, and environment. The breadth of our technical knowledge, combined with our core skills in project management, enables us to manage property transactions across all sectors.



Transaction Experience

Having managed transactions on both sides we fully understand the motivations of each side in any negotiation. This enables us to seek and unlock value in any property asset.



Adding Value

We understand how value can be added to a property asset by undertaking a highest and best use assessment and determining the optimal divestment and/or optimisation strategy. This can take many forms including rezoning, remediation, infrastructure upgrades, etc.



Portfolio Assessment

APP has assisted clients with property portfolios to evaluate all assets and determine suitable strategies for holding, developing and divesting to suit their broader business objectives.

Selected NSW Clients



Transport
for NSW



Health



Education



SYD
Sydney's Airport



celestino

Sydney
WATER



LIVERPOOL
CITY
COUNCIL

nuveen
A TIAA Company



SIEMENS



TAFE
NSW



Client Testimonials



“Understanding our objectives is absolutely fundamental and so many times consultant firms just don’t. My experience with The APP Group has been that they understand what we are trying to achieve. They certainly make a point of going out of their way to try and figure out what it is we are trying to do and sometimes they help us figure out what it is that we need to achieve.”

Judy McKittrick - Regional Manager, Boral Property Group



“The APP Group team provides a high level of quality service [to the University of Newcastle]. Their people are industry experienced and display a very good understanding of our particular needs and requirements.”

Damian Burke, Program Director, University of Newcastle



“The project we bought forward to The APP Group was very unusual. It required a lot of resources to be applied in a short timeframe and they brought forward great depth. Every person The APP Group brought forward was competent.”

Bill Tsakalos, City Architect & Director Transformation, Blacktown City Council



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Our Scale

 500+ strong team

 12 offices

 Over 200 clients

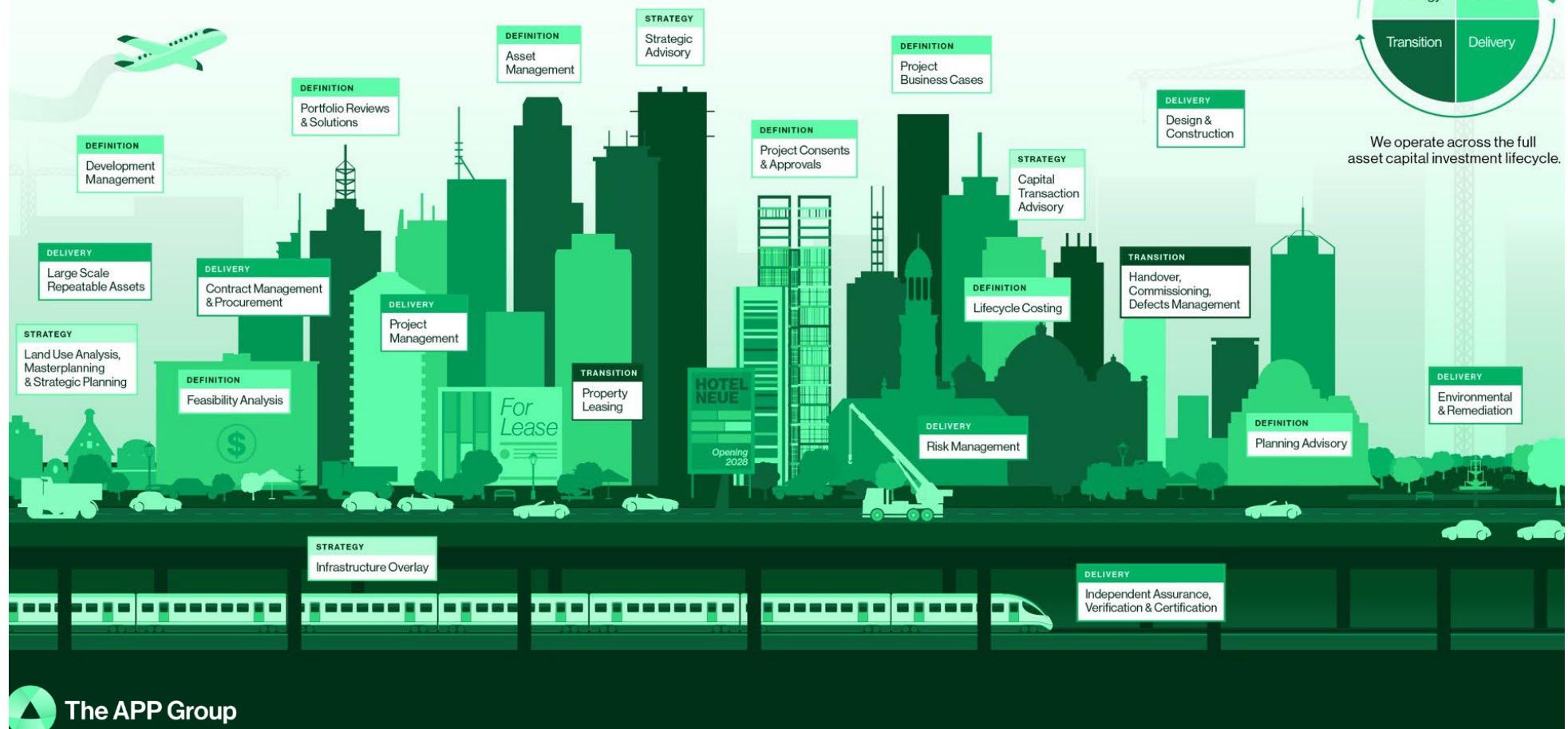
 Over 350 projects annually

 Working on over
\$100 billion of capital value

 Australian owned & managed



Shaping progress for organisations and the communities they serve.





The APP Group

Thank you.

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**Australian Government****Department of Industry, Science and Resources****Department of Infrastructure, Transport,
Regional Development, Communications and the Arts**

Program Guidelines

Regional Precincts and Partnerships Program – Stream Two: Precinct delivery

Opening date:	24 August 2023
Commonwealth policy entity:	Department of Infrastructure, Transport, Regional Development, Communications and the Arts (DITRDCA)
Administering entity:	Department of Industry, Science and Resources (DISR) and DITRDCA
Enquiries:	If you have any questions, contact us on 13 28 46.
Date guidelines released:	24 August 2023 Updated version released: 18 February 2025
Type of funding opportunity:	Open non-competitive

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1. Regional Precincts and Partnerships Program – Stream 2: Precinct delivery

The regional Precincts and Partnerships Program is designed to achieve Australian Government objectives

This funding opportunity contributes to the Department of Infrastructure, Transport, Regional Development, Communications and the Arts (DITRDCA)'s Outcome 3 - *Strengthening the sustainability, capacity and diversity of Australia's cities and regions including northern Australia, including through facilitating local partnerships between all levels of government and local communities; through investment in infrastructure and measures that stimulate economic growth; and providing grants and financial assistance.*



The Program opens

The Minister for Infrastructure, Transport, Regional Development and Local Government (the decision-maker) opens the program with program details published on the DITRDCA website. DISR publish the Program guidelines on business.gov.au.



You complete and submit an application

You complete the application form and provide a proposal that addresses all the eligibility and assessment criteria in order for your application to be considered. Contact DISR with any enquiries about the application process.



We assess all funding applications against eligibility

DISR assesses the applications against the eligibility criteria and notifies you if you are not eligible.



The Independent Expert Panel assesses eligible applications

Applications are batched (as outlined in Section 7.2) and reviewed by an Independent Expert Panel (the Panel). The Panel assesses eligible applications against the assessment criteria outlined in these guidelines, including an overall consideration of value for money. The Panel provides a list of meritorious applications to DITRDCA.



DITRDCA provides policy and program advice on applications

DITRDCA provides advice to the decision-maker on alignment between the meritorious proposals and policy and program objectives and provides recommendations for funding, alongside advice from the Panel.



Funding decisions are made

The decision-maker decides which applications are successful.



We notify you of the outcome

DISR advises you of the outcome of your application. We may not notify unsuccessful applicants until funding agreements have been executed with successful applicants.



Successful applicants enter into a funding agreement

As a successful project proponent, you will enter into a funding agreement. The funding agreement will be proportional to the risks involved.



Delivery of funding

You complete the activity as set out in your funding agreement.



Evaluation of the regional Precincts and Partnerships Program

DITRDCA will evaluate the specific activity and regional Precincts and Partnerships Program as a whole. We base this on information you provide to us and that we collect from various sources.

1.1. Introduction

These guidelines contain information for the regional Precincts and Partnerships Program (the Program) – Stream Two: Precinct delivery.

This document sets out:

- the purpose of the program and funding opportunity
- the eligibility and assessment criteria
- how funding applications are considered and assessed
- how applicants are notified of the outcome
- the steps for successful applicants to enter funding agreements with the relevant state or territory government agency
- how successful performance is monitored and evaluated
- the responsibilities and expectations in relation to the funding opportunity.

The application process for this funding opportunity will be administered by the Department of Industry, Science and Resources (DISR) on behalf of the Department of Infrastructure, Transport, Regional Development, Communications and the Arts (DITRDCA).

We intend that the funding agreement and delivery will be administered by the relevant state or territory government agency, (or for state and territory successful applicants, managed between the Commonwealth and jurisdiction via a schedule.

Key terms used in these Guidelines are defined in the glossary at section 14.

You should read this document carefully before you fill out an application.

Stream One of the Program addresses opportunities to support precinct design. Guidelines are available at: <https://www.infrastructure.gov.au/department/media/publications/stream-two-precinct-delivery>

2. About the Program

The program will run over 4 years from 2023-24 to 2026-27. The program was announced as part of the 2022-23 October Budget and reflects the Government's Regional Investment Framework which:

- values local voices and priorities
- is informed by and builds on the evidence-base
- operates with flexibility and transparency and
- guides coordinated responses across government.

The Program:

- Seeks to deliver transformative investment in regional, rural and remote Australia based on the principles of unifying regional places, growing their economies and serving their communities.
- Requires a partnership approach, bringing together governments, businesses and communities to deliver multi-purpose regional precincts that are place-based, tailored to local needs and have a shared vision in how that precinct connects to the region. Applications should include multiple identified partners with a demonstrated interest/investment in the project.
- Presents a new opportunity for regional investment through a unique funding opportunity, which features a strong focus on collaboration and joint investment opportunities. The

establishment of partnerships, that include local perspectives, will be critical to delivering place-based infrastructure supported by the community.

- Allows governments and communities to establish long-term partnerships and jointly invest in genuine regional priorities. The Government is committed to regional development, renewal and supporting population growth by delivering the infrastructure and housing required to create strong and vibrant communities.
- Will support the planning and delivery of regional, rural and remote precincts. Regional precincts or places that encompass multiple infrastructure elements delivered by various parties through long-term partnerships between multiple providers. Regional precincts may include business districts, neighbourhoods, activity centres, commercial hubs or community and recreational areas. They will be located in renewal areas and growth areas in regional centres, regional corridors, regional cities, as well as smaller town centres that serve as service hubs in more remote communities. The scale of regional precinct projects will vary depending on their location and objectives. The precinct cannot just be a single piece of infrastructure, and should include detail on how it integrates into a broader space.

Precincts support better integration of land use and ensure the infrastructure investment complements the broader region and its surrounding communities, spaces, transport and activities. The program's place-based, partnership approach will ensure that precinct proposals are suitably and strategically designed for their specific contexts and maximise outcomes for their communities.

The objectives of the Program are to:

- facilitate place-based approaches to precinct planning and delivery, supported by collaborative partnerships engaged in shared design, stewardship and accountability of planned outcomes
- provide targeted benefits related to productivity, equity, and resilience for the people of regional, rural or remote Australia
- support community priorities for regional cities, rural or remote centres and areas
- to deliver value for money, multi-purpose regional precincts for the community
- reflect the Government's approach to regional investment as outlined under the Regional Investment Framework.

The intended outcomes of the Program are to:

- design and deliver multi-purpose regional precincts comprised of multiple infrastructure components, which provide benefits related to productivity, equity, sustainability, liveability and resilience
- demonstrate the value of partnerships between governments, communities and businesses for effective planning, coordination and delivery of regional infrastructure through multi-purpose precincts
- contribute to the achievement of Australian Government policy priorities, including but not limited to: Commonwealth [regional policy](#) and transport priorities, [the National Agreement on Closing the Gap](#) and improving outcomes for First Nations' communities, addressing housing supply and affordability via support of the objectives of the [National Housing Accord](#), decarbonisation, adaptation to the changing climate, broadening and diversifying of Australia's industry and economy, [the National Cultural Policy](#), and environmental policy.

It is the intent of the Program to:

- deliver project funding across a broad geographic spread of regional Australia, including remote and very remote areas
- support precinct projects of differing scales and functionalities (purposes) depending on their location and objectives

- support and encourage projects from lesser-resourced applicants and low rate-based councils.

The regional Precincts and Partnerships Program will be an open funding opportunity, meaning applications can be submitted at any time once the program opens. The program is a non-competitive program to avoid the direct, competitive comparison of applications from organisations of differing sizes and levels of resourcing. This approach provides the ability to ensure the equitable distribution of funding across the country based on the individual merits of a precinct proposal and its benefits to the local community. This allows the opportunity to balance small and large precincts and different types of precincts within the funding profile.

There are two funding opportunities as part of this Program:

- Stream One: Precinct development and planning - to activate partnerships and deliver an investment-ready precinct plan
- Stream Two: Precinct delivery - to deliver a specified project or projects as part of a precinct.

We will publish Program updates and any other relevant information on business.gov.au.

2.1. Aligning your application with the Program intent and objectives

To be considered, projects must demonstrate alignment with the Program's objectives. Examples of projects that would deliver on the objectives and intended outcomes of the program include:

- Multi-user precincts focused on productive land-use, capturing economic opportunities by revitalising underutilised spaces and infrastructure
- Multi-purpose community precincts that foster social cohesion and economic resilience through strengthening local partnerships.
- Place-based and accessible precincts that improve liveability and resilience and position regional industries for sustainable growth.

The program is not intended to fund infrastructure projects that are primarily:

- standalone revitalisation and recreational projects, including individual bike or walking paths, play spaces, and green spaces
- new or upgraded infrastructure for single-purpose healthcare, childcare, aged care, disability, housing or community services.

The types of projects that are not in line with the Program intent would include:

- standalone or single-purpose facilities even if these include multiple pieces of infrastructure such as sports fields or facilities, change rooms, youth centres or animal shelters etc).
- proposals with a single applicant that does not demonstrate distinct and genuine partners.

2.2. About the Stream Two: Precinct delivery funding opportunity

This funding opportunity is for Stream Two of the regional Precincts and Partnerships Program.

The Precinct Delivery funding opportunity provides funding to deliver one or more elements of a precinct. This could include enabling public infrastructure (roads, pathways, underground infrastructure), open spaces between elements, or a particular building/s that is the catalyst for, or complements, other investment within a precinct.

For the purposes of Stream Two, the project is considered to be one or more elements of a precinct. This funding opportunity will provide funding for the delivery of projects, rather than entire precincts. This contrasts with Stream One, where the project is considered to be the planning and development of the whole precinct.

The objective of Stream Two is to support the delivery of multi-purpose precinct projects that will provide targeted benefits related to productivity, equity, and resilience for regional, rural and remote areas across Australia, comprised of multiple infrastructure components.

The intended outcomes of Stream Two are to:

- deliver projects that form part of a precinct or foundational infrastructure that activate a precinct
- support the delivery of regional precincts that are tailored to their local contexts and based on a shared vision.

2.3. Partnerships

The establishment of a partnership is mandatory to the Program, which has a focus on bringing together all relevant interested parties to collaboratively plan or deliver precinct proposals. These partnerships are intended to be conglomerates of relevant entities as well as other local stakeholders, that are providing material support to the project, including but not limited to:

- state and territory governments
- local government
- regional universities
- not-for-profit entities
- First Nations groups
- Regional Development Australia committees
- community organisations
- private enterprise
- Australian Government agencies that have relevant policy/program interests or responsibilities.

Not all entity types listed above are eligible to apply for Program funding (see section 4: Eligibility Criteria), however they can form part of the partnership.

First Nations groups should be provided an opportunity to shape projects and influence a stronger outcome that incorporates First Nations experiences, culture and design.

3. Funding amount and agreement period

3.1. Funding opportunities available

The Australian Government has announced a total of \$400 million over 4 years for the Program's two streams. We estimate a total of \$320 million is available over 4 years from 2023-24 for Stream Two, noting this may be reviewed and balanced between streams to meet demand or until funding is exhausted.

- The minimum funding amount is \$5 million.
- The maximum funding amount is \$50 million.

The funding amount will be up to 100 per cent of the eligible expenditure for the project to a maximum amount of \$50 million. While funding for up to 100 per cent of the eligible expenditure can be considered, funding is intended to support a broader commitment to the precinct, therefore, you are required to demonstrate how you will contribute to the successful delivery of the precinct. Your contributions can be cash or in-kind (such as land or resources), or a combination of both.

You will need to provide a precinct funding strategy (see section 7.1) outlining funding contributions for the precinct. This will allow your project and co-contributions to be considered in the context of other investments committed to the precinct.

Any partner contributions and other funding for your project can come from other sources including state, territory and local government grants. Other Commonwealth funding cannot be used for the project, however other parts of the broader precinct can be Commonwealth funded.

You are responsible for the remaining eligible and ineligible project costs.

3.2. Project period

You must complete your project by 31 March 2027.

4. Eligibility criteria

We cannot consider your application if you do not satisfy all eligibility criteria.

4.1. Who is eligible to apply?

To be eligible you must:

- have an Australian Business Number (ABN) or Office of the Registrar of Indigenous Organisations (ORIC) registration

and be one of the following entities:

- an Australian State/Territory Government agency or body
- an Australian local government agency or body as defined in section 14
- a regional university which may be for-profit as defined in section 14
- an incorporated and not-for-profit organisation.

As a not-for-profit organisation you must demonstrate your not-for-profit status through one of the following:

- current Australian Charities and Not-for-profits Commission's (ACNC) Registration
- state or territory incorporated association status
- constitutional documents and/or Articles of Association that demonstrate the not-for-profit character of the organisation.

Applicants who have been successful in applying for funding under rPPP Stream One of the program (Precinct development and planning) will need to make a separate application under the relevant guidelines on DITRDCA's website in order to be considered for Stream Two – Precinct delivery.

4.2. Additional eligibility requirements

We can only accept proposals where you:

- have a completed business case, a precinct master plan or equivalent and a project design which is part of the master plan or related to an existing precinct development plan, and is ready for delivery
- have authority for use of the land or infrastructure required to undertake the project at the nominated site (you are required to provide a letter to confirm this authority from the land or infrastructure owner)
- can identify the project partner/s that form your partnership supported with a governance structure outlining the anticipated engagement to carry out a precinct in collaboration

- can provide evidence that the relevant State or Territory government have been invited to participate in the partnership. If the relevant State or Territory government is not part of the partnership, reasoning should be provided in your application
- can provide evidence that the relevant local government agency or body have been invited to participate in the partnership. If the relevant local government agency or body is not part of the partnership, reasoning should be provided in your application
- can provide evidence that the relevant Regional Development Australia (RDA) committee has been contacted to seek their support
- can provide evidence that the relevant Traditional Owner/First Nations groups form part of the partnership or will be consulted on a regular basis throughout the implementation of the precinct in order to ensure their views are considered.

We cannot waive the eligibility criteria under any circumstances.

4.3. Who is not eligible to apply?

You are not eligible to apply if you are:

- an organisation, or your project partner is an organisation, included on the National Redress Scheme's website on the list of 'Institutions that have not joined or signified their intent to join the Scheme'
- an employer of 100 or more employees that has not complied with the *Workplace Gender Equality Act (2012)*
- for-profit organisations (with the exception of regional universities). However, they can form part of the partnership
- any organisation not included in section 4.1.

5. What the funding can be used for

5.1. Eligible activities

To be eligible your project must:

- be ready to commence construction with a business case, design, consultation and approvals already completed
- be aimed at meeting the objectives of the funding opportunity, as outlined in Section 2
- have at least \$5 million in eligible expenditure.

Eligible activities must directly relate to the project and may include:

- projects that will develop or improve a regional multi-purpose precinct including:
- upgrade or extension of existing infrastructure to enhance a precinct
- construction of new infrastructure
- procurement of suitable equipment and infrastructure.

The Minister may also approve other activities which are linked to the objectives and outcomes of the Program.

5.2. Eligible locations

The proposed project must be in a regional, rural or remote location, delineated as entirely outside the Australian Bureau of Statistics' Greater Capital City Statistical Areas (GCCSA).

Use the mapping tool to determine eligibility of your project location.

5.3. Ineligible locations

The following are ineligible locations:

- Greater Capital City Statistical Areas - Greater Sydney
- Greater Capital City Statistical Areas - Greater Melbourne
- Greater Capital City Statistical Areas - Greater Brisbane
- Greater Capital City Statistical Areas - Greater Perth
- Greater Capital City Statistical Areas - Greater Adelaide
- Greater Capital City Statistical Areas - Greater Hobart
- Greater Capital City Statistical Areas - Greater Darwin
- All of the Australian Capital Territory (ACT).

5.4. Eligible expenditure

You can only spend the funding on eligible expenditure you have incurred on an agreed project as defined in your funding agreement.

- For guidance on eligible expenditure, refer to appendix A.
- For guidance on ineligible expenditure, refer to appendix B.

We may update the guidance on eligible and ineligible expenditure from time to time. If your application is successful, the version in place when you submitted your application applies to your project.

If your application is successful, we will ask you to verify project costs that you provided in your application. You may need to provide evidence such as quotes for major costs and a detailed budget.

Not all expenditure on your project may be eligible for funding. The Program delegate (who is a manager within the department with responsibility for administering the Program) makes the final decision on what is eligible expenditure, and may give additional guidance on eligible expenditure if required.

To be eligible, expenditure must:

- be a direct cost of the project
- be incurred by you for required project activities.

You must incur the eligible expenditure between the funding agreement start and end date for it to be eligible unless stated otherwise.

We are not responsible for any expenditure you incur until a funding agreement is executed. The Commonwealth will not be liable, and should not be held as being liable, for any activities which are undertaken before the funding agreement is executed.

6. The assessment criteria

You must address all assessment criteria in your application. The Independent Expert Panel (the Panel) will assess your application based on the weighting given to each criterion (further detail on the Panel is at Section 8.2).

The application form asks questions that relate to the assessment criteria below. The amount of detail and supporting evidence you provide in your application should be relative to the project size, complexity and funding amount requested. You should provide evidence to support your answers. The application form displays character limits for each response.

Demonstrating value for money is a key requirement and will be assessed by comparing the projected benefits and opportunities created by the project against the estimated cost (refer to Section 8.1). Your response to the below assessment criteria should clearly articulate the expected benefits and opportunities that the project will create.

Only applications which score at least 75 per cent against each assessment criterion will be deemed as meritorious and considered for award of funding. A variation to this percentage may be determined by the Minister from time to time depending on the demand for the program and the funding available to ensure applications selected represent value for money.

6.1. Assessment criterion 1

Project alignment with Program objectives and Australian Government priorities (25 points).

You should demonstrate this through identifying how your proposal:

- a. aims to align with regional plans, community priorities and other regional investment strategies and activities
- b. supports a place-based approach to planning, including better integration of land use and regional development and/or renewal and applies best practice design principles
- c. provides economic opportunities, and enhances productivity, equity and resilience
- d. considers and/or measures climate and energy impacts such as disaster risk, emissions reduction, biodiversity, decarbonisation, circular economies, and energy and water efficiency
- e. contributes to the achievement of Australian Government policy priorities and program objectives, including but not limited to Closing the Gap, transition to a net zero economy, Australia's emission reduction goals, social and affordable housing, and National Cultural Policy, relative to the type of project being considered.

6.2. Assessment criterion 2

Project Need (20 points).

You should demonstrate this through identifying:

- a. how your proposal will address an existing public infrastructure gap and how the precinct, or expansion upon an existing precinct is likely to result in improvements and public benefits in your region
- b. evidence as to why investment in the proposal is needed, including any barriers preventing investment to date
- c. rationale for the elements of the precinct and how these would link a place with a purpose
- d. identification of potential future opportunities for additional private investment in the precinct and/or surrounding region that can build upon the project and help stimulate further expansion, in order to ensure the longevity of the precinct.

6.3. Assessment criterion 3

Community engagement, collaboration and partnership (20 points).

You should demonstrate this through identifying:

- a. how your precinct was supported by local knowledge, evidence and information and how it has identified and leveraged opportunities to address challenges within the region

- b. how your partnership members and links with relevant stakeholders will work together to achieve the project based on the values of shared design, stewardship and accountability of planned outcomes
- c. the governance arrangements of the partnership and how they will support, enhance or achieve community engagement and collaboration for the project
- d. how First Nations groups will be involved to help shape the project and influence a stronger outcome that incorporates First Nations experiences, culture and design.

6.4. Assessment criterion 4

Capacity, capability and resources to deliver the project (35 points).

You should demonstrate this by:

- a. your proven track record of success in delivering similar initiatives or other public infrastructure projects and your sound project planning experience to manage and monitor the project. This should address scope, implementation methodology, timeframes, consultation, budget and risk management
- b. the business or governance structure and how you will adhere to Commonwealth procurement requirements including the use of First Nations employment and suppliers where possible
- c. the total contributions the grant will leverage from all partners by providing the precinct funding strategy
- d. the level of continued support and capacity to extend the project outcomes beyond the term of funding
- e. your readiness to commence the project with appropriate business case, approvals, land use rights, community support and completed engagement/consultation and all relevant legislative requirements in place.

7. How to apply

Before applying you should read and understand these guidelines and the sample [application form](#) published on business.gov.au.

Applicants should read all eligibility and assessment criteria closely and attach detailed evidence that supports the assessment criteria.

You will need to set up an account to access our online [portal](#).

To apply, you must:

- complete and submit the application through the online [portal](#)
- provide all the information requested
- address all eligibility and assessment criteria
- include all necessary attachments.

You are responsible for making sure your application is complete and accurate. Giving false or misleading information is a serious offence under the [Criminal Code Act 1995](#). If we consider that you have provided false or misleading information we may not progress your application. If you find an error in your application after submitting it, you should call us immediately on 13 28 46.

After submission, we will not contact you for clarification on any aspect of your application, including any suspected errors, missing information, or lack of evidence that supports your eligibility/merit.

You can view and print a copy of your submitted application on the portal for your own records.

If you need further guidance around the application process, or if you have any issues with the portal, [contact us](#) at business.gov.au or by calling 13 28 46.

7.1. Attachments to the application

You must provide the following documents with your application:

- a feasible business case, precinct design or existing precinct development plan or master plan that demonstrates your proposal is ready for delivery
- a project budget and precinct funding strategy
- confirmation that you have authority for use of the land or infrastructure to undertake the project at the nominated site
- evidence to support your intended partnership, (e.g. a letter from project partner/s or other type of agreement), including details of all project partners
- a proposed governance structure for your precinct outlining the roles and responsibilities of each project partner
- evidence of support from local community and business as relevant
- evidence that the relevant State or Territory government and local government agency or body has been invited (e.g. an email or letter). If the relevant State or Territory government or local government agency or body is not part of the partnership, reasoning should be provided in your application
- evidence that the relevant RDA committee for the area has been contacted to seek their support (e.g. an email or letter)
- evidence that the relevant Traditional Owner/First Nations groups form part of the partnership or are consulted on a regular basis (e.g. an email, letter or minutes)
- evidence of not-for-profit status (where applicable)
- detailed evidence that supports assessment criteria responses (where applicable)
- trust deed (where applicable).

You must attach supporting documentation to the application form in line with the instructions provided within the form. You should only attach requested documents. The total of all attachments cannot exceed 20MB. We will not consider information in attachments that we do not request.

7.2. Timing of funding opportunity processes

You can apply at any time while the funding opportunity remains open. Eligible applications will be batched and announcements made at least twice per financial year, or until funding is exhausted.

If you are successful we expect you will be able to commence your project within three months of receiving the offer of funding agreement execution.

Table 1: Expected timing for this funding opportunity

Activity	Timeframe
Assessment of applications	Batching of applications and their assessment will be at regular intervals, dependent on the rate at which applications are submitted.
Approval and announcement of successful applicants	Within approximately three months of the batch being collated

Activity	Timeframe
Notification to unsuccessful applicants	1-3 weeks from announcement of successful applicants
It is anticipated that negotiation and award of funding agreements by state or territory government agencies would follow	Subject to state and territory government processes
Earliest start date of project	The date you are notified that your proposal has been successful, noting the Australian Government is not liable for costs incurred prior to the execution of a funding agreement
Project completion date	31 March 2027
End date of funding commitment	30 June 2027

7.3. Questions during the application process

If you have any questions during the application period, [contact us](#) at business.gov.au or by calling 13 28 46.

8. The selection process

8.1. Assessment process

The Program's non-competitive process means applicants will be assessed on their individual merit against the assessment criteria, and will not be compared to other applications.

It is intended that applications will be batched at least twice a year, however the number of batches and the timing of each batch may vary depending on the volume and quality of applications received.

We first review your application against the eligibility criteria.

If eligible, your application will be assessed against the assessment criteria by the Panel. Only eligible applications will proceed to the assessment stage. Any ineligible applications will not proceed and are excluded from funding consideration.

The Panel will consider your application on its merits, based on:

- how well it meets the criteria
- whether it provides value with relevant money¹ and represents an efficient, effective, economical and ethical use of public resources.

When assessing the extent to which the application represents value with relevant money, the Panel will have regard to:

- the overall objective/s of the funding opportunity
- the evidence provided to demonstrate how your project contributes to meeting those objectives
- location, precinct types and government objectives
- the relative resources of the applicant and need for the project
- the relative value of the funding sought.

¹ See glossary for an explanation of 'value with relevant money'.

8.2. Who will assess applications?

An Independent Expert Panel (the Panel) will assess all eligible applications and make determinations regarding which applications are meritorious. The Panel will comprise members selected from the Urban Policy Forum, chosen for their expertise in regional development, and urban design and renewal. This will enable them to make assessments based on a thorough understanding of regional needs, best practice planning and sustainable development. The Panel will assess applications against the assessment criteria, applying their expertise, before determining which are meritorious. Only applications that have been deemed as meritorious in the assessment process will be provided to the Minister for final decision making.

The Panel members will be subject to probity requirements as outlined in section 13.

DITRDCA will provide policy advice on meritorious proposals based on policy considerations and the funding envelope available.

DITRDCA's recommendations on meritorious proposals will be based on:

- the Panel's assessment
- alignment with the Government's approach to regional investment as outlined in the Regional Investment Framework
- alignment with current Australian Government policy priorities and program objectives, including but not limited to:
 - Commonwealth regional policy and transport priorities
 - National Agreement on [Closing the Gap](#)
 - Support of housing supply and affordability via the objectives of the [National Housing Accord](#)
 - Transition to a [net zero economy](#)
 - [Australia's emission reduction goals](#)
 - [National Cultural Policy](#)
- budget allocation available to fund projects
- balance of projects between each Stream across budget allocation, geographic area, Government's policy priorities and types of precincts.

DITRDCA will also identify meritorious applications which propose projects that are:

- located in 'remote and very remote locations'
- submitted by First Nations Community Controlled Organisations
- located in 'low rate based' council areas.

This information will allow DITRDCA to provide the decision maker with information regarding the diverse range of applicants, particularly lesser-resourced applicants that have submitted proposals assessed as meritorious by the Panel.

8.3. Who will approve applications?

DITRDCA will recommend which meritorious proposals should be considered for funding. The Minister decides which funding applications to approve, taking into account the recommendations of DITRDCA, the availability of funding, and where necessary, advice from relevant Minister/s for meritorious applications relevant to their specific portfolio responsibilities.

The Minister's decision is final in all matters, including:

- the funding agreement approval
- the funding to be awarded

- any conditions attached to the offer of funding.

DITRDCA cannot review decisions about the merits of your application.

The Minister will not approve funding if there is insufficient program funding available across relevant financial years for the Program; but may include partial funding of the relevant project.

9. Notification of application outcomes

We will advise you of the outcome of your application in writing.

Due to the nature of the application process, if you are not found meritorious, you will be notified and can submit a new application for the same project while the funding opportunity remains open.

If your project application is found meritorious, but it is unsuccessful in receiving funding, you will also be notified and offered the opportunity to submit an updated application. This variation should include new or additional information to enhance your previous application. If a new application is substantially the same as a previous unsuccessful application, we may refuse to consider it for assessment. A project can be assessed for funding as part of this program a maximum of two times. A project will not be assessed a third time.

The previous online application can be accessed in portal.business.gov.au after logging in if you wish to build on the information previously provided. You should select 'My applications', click on the Application Summary and select 'view submitted application'. Alternatively, you can request a pdf of your unsuccessful proposal by contacting regionalprecincts@industry.gov.au.

9.1. Feedback on your application

If you are unsuccessful, we will give you an opportunity to discuss the outcome with us. Questions can be directed to regionalprecincts@industry.gov.au.

10. Successful applications

10.1. The funding agreement

It is intended that applicants would then enter into a legally binding funding agreement with the relevant state or territory government agency responsible for administering the Program funding in your area. The Australian Government and the relevant state or territory government agency are not responsible for any expenditure you incur, and cannot make any payments, until a funding agreement is executed.

The approval of your funding opportunity may have specific conditions determined by the assessment process or other considerations made by the Program delegate or Minister. We will identify these in our communication to you.

If you do not enter into the funding agreement within two months of relevant correspondence, the Australian Government may withdraw its support for your project. Under certain circumstances, we may extend this period.

The funding agreement will set out the relevant project milestones, compliance requirements and reporting responsibilities, as well as relevant contact information for the period of the funding agreement.

10.2. Specific legislation, policies and industry standards

It is a condition of the funding that you comply with all relevant laws, regulations and Australian Government sanctions in undertaking your project. You must also comply with the specific legislation/policies/industry standards in your state or territory for the expenditure of public money

and the procurement of good and services. It is anticipated that compliance will be managed through a funding agreement with your relevant state and territory government agency.

In particular, you will be required to comply with:

- State/Territory legislation in relation to working with children.
- Australian Industry Participation policy
- Building and construction requirements.

10.2.1. Australian Industry Participation (AIP)

If your approved funding is equal to or over \$20 million, you may need to develop an Australian Industry Participation plan (AIP plan) in accordance with the AIP policy. The AIP policy area will consider whether you need to complete an AIP plan based on the nature of your project and opportunities for Australian suppliers to provide goods and services.

If it is determined that you require an AIP plan:

- You must submit your AIP plan to us prior to entering into a funding agreement
- We will publish an executive summary of your approved AIP plan at www.industry.gov.au/aip once the funding agreement is executed
- You must submit Implementation Reports showing how you are implementing the AIP plan.

More information on AIP plan requirements can be found at www.industry.gov.au/aip

10.2.2. Building and construction requirements

Wherever the government funds building and construction activities, the following special regulatory requirements apply.

- Australian Government Building and Construction WHS Accreditation Scheme (WHS Scheme)²

These regulations are subject to the level of funding you receive as outlined below.

10.2.2.1. WHS Scheme

The WHS Scheme is administered by the Office of the Federal Safety Commissioner.³

The Scheme applies to projects that are directly or indirectly funded by the Australian Government where:

- the value of the Australian Government contribution to the project is at least \$6 million and represents at least 50 per cent of the total construction project value; or
- the Australian Government contribution to a project is \$10 million (GST inclusive) or more, irrespective of the proportion of Australian Government funding; and
- a head contract under the project includes building work of \$4 million or more (GST inclusive).

10.3. How we pay the funding

The funding agreement will set out the funding arrangements and the maximum amount payable for your project. The Australian Government will not exceed the maximum funding amount under any circumstances. If you incur extra costs, you must meet them yourself.

You will be asked to report on:

² <https://www.fsc.gov.au/how-do-i-know-if-i-need-use-accredited-builder>

³ <https://www.fsc.gov.au/>

- The proportion of eligible expenditure covered by the funding agreement (funding percentage)
- any financial contribution provided by you or a third party.

Payment will be subject to satisfactory progress on the project, based on the achievement of set milestones as detailed in the funding agreement.

Conditional to your funding, you will be asked to provide a satisfactory end of project report demonstrating you have completed outstanding obligations for the project.

10.4. Funding Payments and GST

If you are registered for the Goods and Services Tax (GST), where applicable GST will be added to your funding payment. GST does not apply to funding payments to government related entities.⁴

Funding is assessable income for taxation purposes, unless exempted by a taxation law. We recommend you seek independent professional advice on your taxation obligations or seek assistance from the Australian Taxation Office. We do not provide advice on tax.

11. Announcement of funding

Information about our funding commitment to your project may be provided through public media events. This information may include:

- the name of your organisation
- the title of the project
- a description of the project and its aims
- the amount of funding awarded
- your Australian Business Number
- your business location
- your organisation's industry sector.

12. How we monitor your activity

12.1. Keeping us informed

You should let us know if anything is likely to affect your project or organisation.

DITRDCA need to know of any key changes to your organisation or its business activities, particularly if they affect your ability to complete your project, carry on business and pay debts due.

Any significant changes to these details must be approved by the Commonwealth. Approval by the relevant state and territory government agency administering your project may also be required.

If you become aware of a breach of terms and conditions under the expected funding agreement with the state and territory government agency, you must contact DITRDCA immediately via your state and territory government contact.

You must notify DITRDCA of events relating to your project and provide an opportunity for the Australian Government Minister or their representative to attend.

12.2. Reporting

You must submit reports in line with the funding agreement. The funding agreement will outline the requirements for these reports. DITRDCA require you to report on:

⁴ See Australian Taxation Office ruling GSTR 2012/2 available at ato.gov.au

- progress against agreed project milestones and outcomes
- project expenditure, including expenditure of funds
- contributions of participants directly related to the project.

The amount of detail you provide in your reports should be relative to the project size, complexity and funding amount.

The Australian Government may conduct site visits to confirm details of your reports if necessary. Occasionally DITRDCA may need to re-examine claims, seek further information or request an independent audit of claims and payments.

12.2.1. Progress reports

All proponents are obliged to report on the status of your project/s. Reporting requirements for state and territory governments, including on behalf of local governments, will be outlined in the funding agreement.

Progress reports must:

- include details of your progress towards completion of agreed project activities
- show the total eligible expenditure incurred to date
- include evidence of expenditure
- be submitted by the report due date (you can submit reports ahead of time if you have completed relevant project activities).

You will need discuss any project or milestone reporting delays with your funding agreement contact as soon as you become aware of them.

12.2.2. Ad-hoc reports

DITRDCA may ask you for ad-hoc reports on your project where necessary. This may be to provide an update on progress, or any significant delays or difficulties in completing the project.

12.2.3. End of project report

When you complete the project, you must submit an end of project report.

End of project reports must:

- include the agreed evidence as specified in the funding agreement
- identify the total eligible expenditure incurred for the project
- include a declaration that the funding was spent in accordance with the anticipated funding agreement and to report on any underspends of the funding
- identify the objectives and outcomes the project has achieved
- include photographic evidence as appropriate to demonstrate project completion
- be submitted by the report due date.

12.3. Audited financial acquittal report

Depending on the size of the project, you may be asked to provide an independent audit report. An audit report will verify that you spent the funding in accordance with the funding agreement. The audit report requires you to prepare a statement of funding income and expenditure. Examples are available on business.gov.au.

12.4. Non-compliance

Non-compliance with the Program Guidelines will make your project ineligible for funding.

Applications for projects which have already been funded may have their funding withdrawn, and/or be required to repay funding already paid.

12.5. Funding agreement variations

If required, changes to the name, scope and timeframe for your project should be requested in writing at the time the need for change is identified and well before the funding agreement end date. Changes to projects will require authority from relevant Ministers.

The Commonwealth recognises that unexpected events may affect project progress. In these circumstances, you can request a variation to your funding agreement.

The Program does not allow for:

- an increase of funding
- significant changes to the approved project scope.

If a delay in the project causes milestone achievement and payment dates to move to a different financial year, you will need a variation to the funding agreement. If we cannot coordinate movement of the funds, you may lose some funding.

You should not assume that a variation request will be successful. We will consider requests based on factors such as:

- how it affects the project outcome
- consistency with the Program policy objective, funding opportunity guidelines and any relevant policies of the Department
- changes to the timing of funding payments
- availability of program funds.

12.6. Compliance visits

DITRDCA may visit you during the project period to review project progress. For large or complex projects, we may visit you after you finish your project. DITRDCA will provide you with reasonable notice of any compliance visit.

12.7. Record keeping

DITRDCA may also inspect the records you are required to keep under the funding agreement with the state and territory government jurisdiction.

12.8. Evaluation

DITRDCA will evaluate your project and the Program to measure how well the outcomes and objectives have been achieved. To support the evaluation of your project, you will be required to collect baseline and routine data as part of your progress reporting, and complete evaluation activities as part of the end of project report.

To support the broader program evaluation, we may use information from your application and project reports for this purpose. DITRDCA may also interview you, or ask you for more information to help identify how the funding impacted you and to evaluate how effective the Program was in achieving its outcomes.

DITRDCA may contact you up to two years after you finish your project for more information to assist with this evaluation.

12.9. Acknowledgement

Signage and communications requirements will be stipulated in your funding agreement. This includes that the Australian Government's funding contribution to projects is recognised in all publications, promotional and advertising materials, including project signage, and public announcements and activities in relation to a project as appropriate. The Australian Government, through the state or territory government agency contact, must also be consulted prior to release of any promotional-related materials concerning your project.

You will be required to provide reasonable opportunity, through the funding agreement contact, for the Australian Government to contribute to developing communications strategies for your projects; and to provide the Australian Government with equal access to products that they obtain for use in the development of promotional material including but not limited to project data, footage and images.

If you erect signage in relation to the project, the signage must contain an acknowledgement of the Australian Government funding.

13. Probitory

We will make sure that the funding opportunity process is fair, according to the published guidelines, incorporates appropriate safeguards against fraud, unlawful activities and other inappropriate conduct.

These guidelines may be changed from time-to-time with the approval of the Program delegate or Minister. When this happens, the revised guidelines will be published online.

13.1. Enquiries and feedback

For further information and clarification on application assessments, application outcomes and timing, you can contact the Business Grants Hub on 13 28 46 or by [web chat](#) or through our [online enquiry form](#) on business.gov.au.

The Commonwealth may publish answers to your questions on our website as Frequently Asked Questions.

Our [Customer Service Charter](#) is available at business.gov.au. We use customer satisfaction surveys to improve our business operations and service.

If you have a complaint, contact DITRDCA at PrecinctsandPartnershipsProgram@infrastructure.gov.au.

If you are not satisfied with the way we handle your complaint, you can contact:

Assistant Secretary
Cities and Suburbs Branch
Department of Infrastructure, Transport, Regional Development, Communications and the Arts
GPO Box 594
CANBERRA ACT 2601

You can also contact the [Commonwealth Ombudsman](#) with your complaint (call 1300 362 072). There is no fee for making a complaint, and the Ombudsman may conduct an independent investigation.

13.2. Conflicts of interest

Any conflicts of interest could affect the performance of the funding opportunity and/or program. There may be a conflict of interest, or perceived conflict of interest, if our staff, any member of a committee or advisor and/or you or any of your personnel:

- has a professional, commercial or personal relationship with a party who is able to influence the application selection process, such as an Australian Government officer or member of an external panel
- has a relationship with or interest in, an organisation, which is likely to interfere with or restrict the applicants from carrying out the proposed activities fairly and independently or
- has a relationship with, or interest in, an organisation from which they will receive personal gain because the organisation receives funding under the funding program/ funding opportunity.

As part of your application, we will ask you to declare any perceived or existing conflicts of interests or confirm that, to the best of your knowledge, there is no conflict of interest.

If you later identify an actual, apparent, or perceived conflict of interest, you must inform us in writing immediately.

Conflicts of interest for Australian Government staff are handled as set out in the Australian [Public Service Code of Conduct \(Section 13\(7\)\)](#) of the [Public Service Act 1999](#). Panel members and other officials including the decision maker must also declare any conflicts of interest.

We publish our [conflict of interest policy](#)⁵ on the department's website. The Commonwealth policy entity also publishes a conflict of interest policy on its website.

13.3. Privacy

Unless the information you provide to us is:

- confidential information as per below, or
- personal information as per below.

We may share the information with other government agencies for a relevant Commonwealth purpose such as:

- to improve the effective administration, monitoring and evaluation of Australian Government programs
- for research
- to announce the awarding of funding agreements.

We must treat your personal information according to the Australian Privacy Principles (APPs) and the *Privacy Act 1988* (Cth). This includes letting you know:

- what personal information we collect
- why we collect your personal information
- to whom we give your personal information.

We may give the personal information we collect from you to our employees and contractors, the Panel, state and territory government agencies and their representatives, and other Commonwealth employees and contractors, so we can:

- manage the Program
- research, assess, monitor and analyse our programs and activities.

DITRDCA or the Minister, may:

- announce the names of successful applicants to the public
- publish personal information on the Department's websites.

⁵ https://www.industry.gov.au/sites/default/files/July%202018/document/pdf/conflict-of-interest-and-insider-trading-policy.pdf?acsf_files_redirect

You may read our [Privacy Policy](#)⁶ on the Department's website for more information on:

- what is personal information
- how we collect, use, disclose and store your personal information
- how you can access and correct your personal information.

13.4. Confidential information

Other than information available in the public domain, you agree not to disclose to any person, other than us, any confidential information (defined at Item 14) relating to the funding application and/or agreement, without our prior written approval. The obligation will not be breached where you are required by law, Parliament or a stock exchange to disclose the relevant information or where the relevant information is publicly available (other than through breach of a confidentiality or non-disclosure obligation).

We may at any time, require you to arrange for you; or your employees, agents or subcontractors to give a written undertaking relating to non-disclosure of our confidential information in a form we consider acceptable.

We will treat the information you give us as sensitive and therefore confidential if it meets all of the following conditions:

- you clearly identify the information as confidential and explain why we should treat it as confidential
- the information is commercially sensitive
- disclosing the information would cause unreasonable harm to you or someone else
- you provide the information with an understanding that it will stay confidential.

We may disclose confidential information:

- to the Panel, state and territory government agencies and their representatives and Commonwealth employees and contractors, to help us manage the Program effectively
- to the Auditor-General, Ombudsman or Privacy Commissioner
- to the responsible Minister or Assistant Minister
- to a House or a Committee of the Australian Parliament.

We may also disclose confidential information if

- we are required or authorised by law to disclose it
- you agree to the information being disclosed, or
- someone other than us has made the confidential information public.

13.5. Sharing information

Information submitted by the applicant may be provided to other organisations for the purposes of assessment. For successful projects, we expect relevant information will be shared with your state or territory government for the purposes of administering funding.

In addition, the details of successful projects will be made publicly available. Information from applications may also be used for research and analysis purposes.

Applicants should identify any information submitted which they wish to be considered as confidential, supported by reasons for the request. The Australian Government reserves the right to accept or refuse a request to treat information as confidential. *The Privacy Act 1988* applies to the

⁶ <https://www.industry.gov.au/data-and-publications/privacy-policy>

handling of personal information about individuals obtained in the course of the delivery of the programs.

13.6. Freedom of information

All documents in the possession of the Australian Government, including those about the Program, are subject to the *Freedom of Information Act 1982* (Cth) (FOI Act).

The purpose of the FOI Act is to give members of the public rights of access to information held by the Australian Government and its entities. Under the FOI Act, members of the public can seek access to documents held by the Australian Government. This right of access is limited only by the exceptions and exemptions necessary to protect essential public interests and private and business affairs of persons in respect of whom the information relates.

If someone requests a document under the FOI Act, we will release it (though we may need to consult with you and/or other parties first) unless it meets one of the exemptions set out in the FOI Act.

14. Glossary

Term	Definition
administering entity	When an entity that is not responsible for the policy, is responsible for the administration of part or all of the administration processes. For receiving and assessing applications for consideration, that refers to work undertaken by the Department of Industry, Science and Resources (DISR) (Australian Government). Administration of the funding agreement, including ongoing project oversight, may be undertaken by your relevant state or territory government.
application form	The document issued by the Program delegate that applicants use to apply for funding under the Program.
assessment criteria	The specified principles or standards, against which applications will be judged. These criteria are also used to assess the merits of proposals and, in the case of a competitive funding opportunity, to determine application ranking.
Australian local government body or agency	A local governing body as defined under the Local Government (Financial Assistance) Act 1995 (Commonwealth) as a local governing body established by or under a law of a State.
Commonwealth or Australian Government	A Department of State, or a Parliamentary Department, or a listed entity or a corporate body established by a law of the Commonwealth. See subsections 10(1) and (2) of the Public Governance, Performance and Accountability Act 2013 (PGPA Act).
completion date	The expected date that the project activity must be completed and the funding spent by.

Term	Definition
confidential information	Information identified by the applicant or Commonwealth as being of a sensitive or commercial in confidence nature.
date of effect	Can be the date on which a funding agreement is signed or a specified starting date. Where there is no funding agreement, entities must publish information on individual funding agreements as soon as practicable.
decision maker	The person who makes a decision to award funding. For this Program this is the Commonwealth Minister for Infrastructure, Transport, Regional Development and Local Government.
DISR	Department of Industry, Science and Resources (Australian Government).
DITRDCA	Department of Infrastructure, Transport, Regional Development, Communications and the Arts (Australian Government)
eligible activities	The activities undertaken by a project proponent in relation to a project that are eligible for funding support as set out in 5.1.
eligible application	An application or proposal for funding under the Program that the Program delegate has determined is eligible for assessment.
eligibility criteria	Refer to the mandatory criteria which must be met to qualify for a funding agreement. Assessment criteria may apply in addition to eligibility criteria.
eligible expenditure	The expenditure incurred by a project proponent on a project and which is eligible for funding support as set out in 5.
eligible expenditure guidance	The guidance that is provided at Appendix A.
First Nations community-controlled organisations	These organisations are an Indigenous Organisation or enterprise and have an Indigenous Corporation Number (ICN) or can declare that they are a Traditional Owner or that their organisation is at least 51 per cent owned or controlled by Indigenous persons or the Indigenous Enterprise has 50 per cent Indigenous ownership.
funding activity/activities	Refers to the project/tasks/services that the project proponent is required to undertake.
funding agreement	<i>A legally binding contract that sets out the relationship for the funding, and specifies the details of the funding agreement.</i>

Term	Definition
funding opportunity	Refers to the specific Program assessment round or process where Commonwealth funding is made available to potential project proponents. Funding opportunities may be open or targeted, and will reflect the relevant project selection process.
funding or funds	The funding made available by the Commonwealth to project proponents under the Program.
Independent Expert Panel (the Panel)	The body established to assess eligible applications and determine which are meritorious. Panellists comprise a subset of the Urban Policy Forum.
low rate-based councils	<p>Low rate-based councils are determined using the ratio of Financial Assistance Grant to Net Rate Income and are as follows:</p> <p>New South Wales</p> <ul style="list-style-type: none"> • Balranald Shire Council • Berrigan Shire Council • Bland Shire Council • Coolamon Shire Council • Cootamundra-Gundagai Regional Council • Cowra Shire Council • Edward River Council • Federation Council • Forbes Shire Council • Gilgandra Council • Hay Shire Council • Junee Shire Council • Lachlan Council • Lockhart Shire Council • Murray River Council • Murrumbidgee Council • Narrandera Shire Council • Narromine Shire Council • Oberon Council • Temora Shire Council • Tenterfield Shire Council • Uralla Shire Council • Walcha Council • Warrumbungle Shire Council • Weddin Shire Council • Wentworth Shire Council <p>Queensland</p> <ul style="list-style-type: none"> • Cherbourg Aboriginal Shire Council • Yarrabah Aboriginal Shire Council <p>South Australia</p> <ul style="list-style-type: none"> • District Council of Karoonda East Murray • District Council of Orroroo Carrieton • District Council of Peterborough • The Flinders Ranges Council

Term	Definition
	<p>Tasmania</p> <ul style="list-style-type: none"> • Central Highlands Council • Southern Midlands Council <p>Victoria</p> <ul style="list-style-type: none"> • Loddon Shire Council • West Wimmera Shire Council <p>Western Australia</p> <ul style="list-style-type: none"> • Shire of Cuballing • Shire of Cunderdin • Shire of Dowerin • Shire of Kellerberrin • Shire of Nannup • Shire of Quairading • Shire of Tammin • Shire of Wickepin • Shire of Wongan-Ballidu • Shire of Woodanilling • Shire of Wyalkatchem
Minister	The Commonwealth Minister for Infrastructure, Transport, Regional Development and Local Government.
National Housing Accord	The National Housing Accord brings together all levels of government along with investors and the construction sector, to unlock quality, affordable housing supply over the medium term. The Accord supports the Government's aspiration of building one million new homes over 5 years from 2024, as well as investing \$350 million in additional federal funding to deliver 10,000 affordable rental homes over five years from 2024 – matched by the states and territories.
partnership	For the purposes of the funding opportunity – partnership refers to collaboration between organisations/entities towards a shared goal. Applicants are not required to set up formal business partnership structures for the Program, however, as noted in the assessment criteria you must demonstrate evidence, including the provision of an established governance structure, that partners are committed to the goals of the project.
personal information	<p>Has the same meaning as in the <i>Privacy Act 1988</i> (Commonwealth) which is:</p> <p>Information or an opinion about an identified individual, or an individual who is reasonably identifiable:</p> <ol style="list-style-type: none"> whether the information or opinion is true or not; and whether the information or opinion is recorded in a material form or not.

Term	Definition
Precinct	Place of purpose as outlined in this document and the program FAQs.
Program	A 'program' carries its natural meaning and is intended to cover a potentially wide range of related activities aimed at achieving government policy outcomes.
Program administrator	DISR will have responsibility for administering the application process for the Program funding opportunity.
Program delegate	A manager within the Australian Government with responsibility for administering the Program.
Program funding or Program funds	The funding made available by the Commonwealth for the Program.
project	A project described in an application for funding under the Program.
project proponent	The organisation(s) which has been selected to receive a funding agreement.
proposal	A detailed outline of project/s described in your application.
Regional University	For the purposes of the funding opportunity – regional university refers to universities with a main campus or presence or universities that wish to establish a main campus or presence within a regional area as stipulated by the Greater Capital City Statistical Area.
remote or very remote location	Refers to projects located in 'remote' or 'very remote' locations per the Australian Bureau of Statistics' Remoteness Structure
selection criteria	Comprises of eligibility criteria and assessment criteria.
State and Territory Governments	<p>State and Territory Governments are the:</p> <ul style="list-style-type: none"> • Australian Capital Territory Government • New South Wales Government • Northern Territory Government • Queensland Government • South Australia Government • Tasmanian Government • Victorian Government • Western Australia Government

Term	Definition
value with money	<p>Value with money in this document refers to 'value with relevant money' which is a judgement based on the funding agreement proposal representing an efficient, effective, economical and ethical use of public resources and determined from a variety of considerations.</p> <p>When administering a funding opportunity, an official should consider the relevant financial and non-financial costs and benefits of each proposal including, but not limited to:</p> <ul style="list-style-type: none">• the quality of the project proposal and activities;• fitness for purpose of the proposal in contributing to government objectives;• that the absence of funding is likely to prevent the project proponent and government's outcomes being achieved; and• the potential project proponent's relevant experience and performance history.
We	The Commonwealth

Appendix A. Eligible expenditure

This section provides guidance on the eligibility of expenditure. We may update this guidance from time to time.

The Program delegate makes the final decision on what is eligible expenditure and may give additional guidance on eligible expenditure if required.

To be eligible, expenditure must:

- be incurred by you within the project period
- be a direct cost of the project
- be incurred by you to undertake required project audit activities (where applicable)
- meet the eligible expenditure requirements.

A.1 How we verify eligible expenditure

If your application is successful, we may ask you to verify the project budget that you provided in your application. You may need to provide evidence such as quotes for major costs.

Your funding agreement with the state and territory government agency may seek evidence of when you achieve certain milestones in your project. This may include evidence related to eligible expenditure.

If requested, you will need to provide the agreed evidence along with your progress reports.

You must keep payment records of all eligible expenditure, and be able to explain how the costs relate to the agreed project activities. At any time, we may ask you to provide records of the expenditure you have paid. If you do not provide these records when requested, the expense may not qualify as eligible expenditure.

At the end of the project, you may be required to provide an independent financial audit of all eligible expenditure from the project.

A.2 Materials for construction

We consider costs of acquiring materials for the construction of infrastructure as eligible expenditure.

You must list material costs as a separate item within your project budget in the proposal form and in the expenditure table in your progress reports.

We will not make any payments to you for any expenditure you have incurred prior to the execution of your funding agreement.

Examples of eligible material costs can include:

- building materials
- ICT cabling
- fit out of the infrastructure, such as window dressings
- fixed furniture (e.g. kitchen fit outs as part of the construction of a building)
- landscaping.

You may show expenditure on materials, plant and equipment by providing evidence of

- purchase price
- payments (e.g. tax invoices and receipts from suppliers confirming payment)

- commitment to pay for the materials or capital item (e.g. supplier contract, purchase order or executed lease agreement)
- receipt of materials (e.g. supplier or freight documents)
- associated costs such as freight and installation (e.g. supplier documents)
- photographs of the infrastructure on your premises.

If you claim expenditure for materials, we limit this to

- the costs of materials
- freight costs

A.3 Hired/leased plant

You may lease a plant and equipment to support your project, and where possible, you should use local suppliers. Examples of eligible hired/leased plants costs can include:

- lease of office spaces
- lease of space for the purpose of construction/site offices
- hire of IT equipment.

You must calculate eligible expenditure for the hired, rented, or leased plant by the number of payment periods where you use the plant for the project multiplied by the period hiring fee. If you purchase the plant under a hire purchase agreement, or you use a lease to finance the purchase of the plant, the cost of the item of the plant, excluding interest, is capitalised, and then depreciated.

Running costs for the hired or leased plant are eligible expenditure but you must be able to verify them. They may include items such as rent, light and power, and repairs and maintenance for the duration of the project only.

A.4 Labour expenditure

Eligible labour expenditure for the project covers the direct labour costs of employees you directly employ on the core elements of the project. We consider a person an employee when you pay them a regular salary or wage, out of which you make regular tax instalment deductions.

We consider costs for technical, but not administrative project management activities eligible labour expenditure. However, we limit these costs to 10 per cent of the total amount of eligible labour expenditure claimed.

We do not consider labour expenditure for leadership or administrative staff (such as CEOs, CFOs, accountants and lawyers) as eligible expenditure, even if they are doing project management tasks.

Eligible salary expenditure includes an employee's total remuneration package as stated on their Pay As You Go (PAYG) Annual Payment Summary submitted to the ATO. We consider salary-sacrificed superannuation contributions as part of an employee's salary package if the amount is more than what the Superannuation Guarantee requires.

The maximum salary for an employee, director or shareholder, including packaged components that you can claim from the funding is \$200,000 per financial year.

For periods of the project that do not make a full financial year, you must reduce the maximum salary amount you claim proportionally.

- You can only claim eligible salary costs when an employee is working directly on agreed project activities during the agreed project period.

A.5 Labour on-costs and administrative overhead

You may increase eligible salary costs by an additional 30 per cent allowance to cover on-costs such as employer paid superannuation, payroll tax, workers compensation insurance, and overheads such as office rent and the purchase or provision of computing equipment directly required or related to the delivery of the project.

You should calculate eligible salary costs using the formula below:

$$\text{Eligible salary costs} = \frac{\text{Annual salary package} \times \text{Weeks spent on project} \times \text{percentage of time spent on project}}{52 \text{ weeks}}$$

You cannot calculate labour costs by estimating the employee's worth. If you have not exchanged money (either by cash or bank transactions) we will not consider the cost eligible.

Evidence you will need to provide can include:

- details of all personnel working on the project, including name, title, function, time spent on the project and salary
- ATO payment summaries, pay slips and employment contracts.

A.6 Contract expenditure

Eligible contract expenditure is the cost of any agreed project activities that you contract others to do. These can include contracting:

- another organisation
- an individual who is not an employee, but engaged under a separate contract.

All contractors must have a written contract prior to starting any project work—for example, a formal agreement, letter or purchase order which specifies:

- the nature of the work they perform
- the applicable fees, charges and other costs payable.

Invoices from contractors must contain:

- a detailed description of the nature of the work
- the hours and hourly rates involved
- any specific plant expenses paid.

Invoices must directly relate to the agreed project, and the work must qualify as an eligible expense. The costs must also be reasonable and appropriate for the activities performed.

We will require evidence of contractor expenditure that may include:

- an exchange of letters (including email) setting out the terms and conditions of the proposed contract work
- purchase orders
- supply agreements
- invoices and payment documents.

You must ensure all project contractors keep a record of the costs of their work on the project. The Commonwealth may require you to provide a contractor's records of their costs of doing project

work. If you cannot provide these records, the relevant contract expense may not qualify as eligible expenditure.

Where possible, you should engage local labour and services. Eligible contract expenditure may include:

- project management
- quantity surveying
- building services.

Costs for pre-construction activities including surveying, planning, environmental or other regulatory approvals are limited to 10 per cent of the total amount of eligible project expenditure claimed.

A.7 Travel expenditure

Eligible travel expenditure may include domestic travel limited to the reasonable cost of accommodation and transportation required to conduct agreed project and collaboration activities in Australia.

Eligible air transportation is limited to the economy class fare for each sector travelled; where non-economy class air transport is used only the equivalent of an economy fare for that sector is eligible expenditure. Where non-economy class air transport is used, the proponent will require evidence showing what an economy airfare costs at the time of travel.

A.8 Other eligible expenditure

Other eligible expenditure for the project may include:

- costs associated with consultation sessions including venue hire and light refreshments (excluding alcohol)
- marketing and branding costs
- administration and operational costs directly related to the project including communications and consultation materials
- staff training that directly supports the achievement of project outcomes
- building modifications where you own the modified asset and the modification is required to undertake the project. Modifications to leased buildings may be eligible
- financial auditing of project expenditure, the cost of an independent audit of project expenditure (where we request one) up to a maximum of 1 per cent of total eligible project expenditure
- costs you incur in order to obtain planning, environmental or other regulatory approvals during the project period. However, associated fees paid to the Commonwealth, state, territory and local governments are not eligible
- contingency costs up to a maximum of 10 per cent of the eligible project costs. Note that we make payments based on actual costs incurred.

Other specific expenditures may be eligible as determined by the Program delegate.

Evidence you need to supply can include supplier contracts, purchase orders, invoices and supplier confirmation of payments.

Appendix B. Ineligible expenditure

This section provides guidance on what we consider ineligible expenditure. We may update this guidance from time to time.

The Program delegate may impose limitations or exclude expenditure, or further include some ineligible expenditure listed under this Program by notice to you.

Examples of ineligible expenditure include:

- research not directly supporting eligible activities
- activities, equipment or supplies that are already being supported through other sources
- costs incurred prior to us notifying you that the application is successful
- debt and financing costs, including interest
- capital expenditure for the purchase of assets such as office furniture and equipment, motor vehicles, computers, printers or photocopiers
- costs involved in the purchase or upgrade/hire of software (including user licences) and ICT hardware (unless it directly relates to the project)
- non-project-related staff training and development costs
- insurance costs (the participants must affect and maintain adequate insurance or similar coverage for any liability arising as a result of its participation in funded activities)
- costs related to obtaining resources used on the project, job advertising and recruiting, and contract negotiations
- depreciation of plant and equipment beyond the life of the project
- on-going maintenance costs
- costs of purchasing, leasing, depreciation of, or development of land
- infrastructure development costs, including development of road, rail, port or fuel delivery networks beyond the project site
- land clearing and demolition
- ongoing upgrades, updates and maintenance of existing ICT systems and computing facilities
- routine operational expenses, including communications, accommodation, printing and stationery, postage, legal and accounting fees and bank charges
- costs related to preparing the funding application
- overseas travel costs

This list is not exhaustive and applies only to the expenditure of the funds. Other costs may be ineligible where we decide that they do not directly support the achievement of the planned outcomes for the project or that they are contrary to the objective of the program.

You must ensure you have adequate funds to meet the costs of any ineligible expenditure associated with the project.

7 REPORTS FROM COMMITTEES

Nil

8 GENERAL MANAGER'S REPORT

8.1 GENERAL MANAGER OFFICE

8.1.1 LOCAL GOVERNMENT NSW ANNUAL CONFERENCE 2025

DOCUMENT NUMBER	440006
REPORTING OFFICER	Teresa Breslin, Executive Assistant to Mayor and General Manager
AUTHORISING OFFICER	Roger Bailey, Interim General Manager
RELEVANCE TO COMMUNITY STRATEGIC PLAN	<p>4. Good governance: an actively engaged community and strong leadership team</p> <p>4.3 Cootamundra-Gundagai Regional Council is a premier local government Council</p>
FINANCIAL IMPLICATIONS	Approximate cost to attend the conference is \$2500 per person.
LEGISLATIVE IMPLICATIONS	There are no Legislative implications associated with this report.
POLICY IMPLICATIONS	There are no Policy implications associated with this report.
ATTACHMENTS	1. 2025 LGNSW Annual Conference Program Download

RECOMMENDATION

That:

1. **Council endorse the attendance of the Mayor, Deputy Mayor, and Interim General Manager at the 2025 LGNSW Conference.**
2. **The Mayor and Deputy Mayor be nominated as Council's voting delegates for the 2025 Conference.**
3. **Council advise LGNSW of the appointed voting delegates by 5:00pm on 7 November 2025.**
4. **Proposed motions for submission to the 2025 Conference be discussed and considered at a Councillor Workshop and endorsed at a Council Meeting.**
5. **Council submit any endorsed motions arising from recommendation 4 to LGNSW by the deadline of 26 October 2025.**
6. **The November 2025 Council Meeting be rescheduled to 18 November 2025, one week earlier than usual, for the reasons outlined in this report.**

Introduction

The Local Government NSW (LGNSW) Annual Conference is the annual policy making event for NSW general purpose councils and its associate members. It is the pre-eminent event of the local government year where local councillors come together to share ideas and debate issues that shape the way the state is governed at a local level.

This year Conference is to be held between Sunday 23 November 2025 - Tuesday 25 November 2025. As Tuesday the 25 November is the last day of the conference, and the scheduled day of the November Council meeting, it is recommended that the Council Meeting date be moved to the week prior, that being 18 November 2025.

Cootamundra-Gundagai Regional Council is entitled to 2 voting delegates for both voting on motions and Board Elections. Nominations must be received by 5:00pm Friday 7 November 2025. Nominations submitted after this time will not be accepted, however, a member may notify LGNSW of a change to the name of an already nominated voting delegate, a substitute delegate, for voting at the Annual Conference subject to the LGNSW rules.

Registration will be made for the attendance by the Mayor, Deputy Mayor and the Interim General Manager.

Financial

The Costs (incl GST) per person are as follow:

- Member Early bird registration cost is \$1,250.00 per person; (ends 30th September) = \$3,615.00
- Conference dinner \$245.00 per person = \$735.00
- Accommodation at Quest Penrith = \$2,901.00 for all three (3) attendees; and
- Any travelling, parking and meal allowances

Total Cost: \$7,251.00 plus travel/parking & meal costs.

The cost to attend the 2025 LGNSW Conference is to be funded through the Mayor, Deputy Mayor and Executive Office annual budget.

OLG 23a Guideline consideration

Does not conflict with guidelines.

PROGRAM



Conference Program

23 November

9.00am	👉 Registration Opens
---------------	----------------------

9.15am- 11.45am	 Western Sydney International Airport Site Visit
11.30am- 12.30pm	 Professional Development Workshops Location: Western Sydney Conference Centre
	 Bus Transfers Delegate Transfers: From selected hotels to Panthers Penrith
1.00pm	 Exhibition Opens Location: Panthers Penrith Event Centre
1.30pm-5pm	 Plenary Sessions Location: Panthers Penrith Evan Theatre  Afternoon Refreshments in Trade Exhibition area  Plenary Sessions
5.15pm- 7.15pm	 President's Welcome Reception Location: Western Sydney Conference Centre  Bus Transfers Delegate Transfers: From Western Sydney Conference Centre to selected hotels

24 November

	 Bus transfers • ALGWA Breakfast Delegate Transfers: From selected hotels to Western Sydney Conference Centre • Conference Delegate Transfers: From selected hotels to Panthers Penrith
7.00am	 Registration Opens Location: Panthers Penrith Reception Satellite Location: Western Sydney Conference Centre (Breakfast Delegates Only)
7.30am- 8.45am	 ALGWA NSW Breakfast Location: Western Sydney Conference Centre
8.00am- 2.15pm	 LGNSW Voting Open Location: Western Sydney Conference Centre
8.00am	 Trade Exhibition Opens Location: Panthers Penrith Event Centre  Light refreshments available

9.00am- 5.00pm	 Conference Location: Panthers Penrith Evan Theatre
	<ul style="list-style-type: none">• Conference Welcome and Introduction, David Reynolds, Chief Executive LGNSW• Opening Address, Cr Phyllis Miller OAM, President LGNSW• Voting on motions procedure and housekeeping, David Reynolds, Chief Executive LGNSW• Opening of the Federal & State Conferences adoption of standing orders, business sessions and consideration of motions and conference business• Presentation of financial reports, Cr Julie Griffiths, LGNSW Treasurer• Commencement of consideration of motions and conference business
	 Morning refreshments Location: Trade Exhibition, Panthers Penrith Event Centre
	 LGNSW Voting Location: Western Sydney Conference Centre
	 Address by Elite Partner
	 Consideration of Conference Business continued
	 Lunch <ul style="list-style-type: none">• Delegates Location: Trade Exhibition, Panthers Penrith Event Centre <ul style="list-style-type: none">• GM Lunch – partnered by StateCover Mutual Location: Western Sydney Conference Centre
	 LGNSW Voting Location: Western Sydney Conference Centre
	 Consideration of Conference Business continued Location: Panthers Penrith Evan Theatre
	 Afternoon refreshments Location: Trade Exhibition, Panthers Penrith Event Centre

	 Consideration of Conference Business continued Location: Panthers Penrith Evan Theatre
5.00pm- 6.30pm	 Networking Drinks Location: Trade Exhibition, Panthers Penrith Event Centre  Bus Transfers Delegate Transfers: Panthers Penrith to selected hotels to Western Sydney Conference Centre
6.30pm- 10.30pm	 LGNSW Conference Dinner Location: Western Sydney Conference Centre  Bus Transfers Delegate Transfers: From Western Sydney Conference Centre to selected hotels

25 November

	 Bus Transfers Delegate Transfers: From selected hotels to Panthers Penrith
7.30am	 Registration Opens Location: Panthers Penrith Reception  Cloak Room Opens Location: Panthers Penrith
8.00am	 Trade Exhibition Opens Location: Panthers Penrith Event Centre  Light refreshments available

9.00am- 12.45pm	 Plenary Sessions Location: Panthers Penrith Evan Theatre  Introduction, Housekeeping and Speaker Introductions  Plenary Sessions  Morning Tea Location: Panthers Penrith Event Centre  Plenary Sessions  Keynote speaker  Annual Conference 2026 Host Council  Final Remarks, President LGNSW
12.45pm- 1.45pm	 Lunch Location: Panthers Penrith Event Centre
2.00pm	 Conference Concludes

8.1.2 DRAFT PAYMENT OF EXPENSES AND PROVISION OF FACILITIES FOR MAYOR AND COUNCILLORS POLICY

DOCUMENT NUMBER	441837
REPORTING OFFICER	Teresa Breslin, Executive Assistant to Mayor and General Manager
AUTHORISING OFFICER	Roger Bailey, Interim General Manager
RELEVANCE TO COMMUNITY STRATEGIC PLAN	<p>4. Good governance: an actively engaged community and strong leadership team</p> <p>4.1 Decision-making is based on collaborative, transparent and accountable leadership</p>
FINANCIAL IMPLICATIONS	Financial implications of the draft policy are detailed within the document and subject to its adoption, provision is to be made within Civic budget.
LEGISLATIVE IMPLICATIONS	To comply with s.252 and s.253 of the Local Government Act 1993.
POLICY IMPLICATIONS	The draft policy is presented in accordance with a model policy recommended by the Office of Local Government.
ATTACHMENTS	1. Draft Payment of Expenses and Provision of Facilities for Mayor and Councillors ↓

RECOMMENDATION

- 1. The draft Payment of Expenses and Provision of Facilities Policy for Mayor and Councillors, attached to the report, be publicly exhibited for twenty-eight (28) days.**
- 2. Following the exhibition period, a further report be prepared and submitted to Council, with the inclusion of any submissions received for consideration.**

Introduction

Section 252(1) of the Local Government Act 1993 (the Act) states: Within the first 12 months of a new council, a council must review a policy concerning the payment of expenses incurred or to be incurred by, and the provision of facilities to, the Mayor, the Deputy Mayor and the other councillors in relation to discharging the functions of civic office.

Discussion

In accordance with Section 253 of the Act a council must give public notice of its intention to adopt or amend its policy for the Payment of Expenses and Provision of Facilities for Mayor and Councillors for 28 days for the making of public submissions. Further, before adopting or amending the policy, Council must consider any submissions received within the time allowed to make any appropriate changes to the draft policy with a further report to be prepared and submitted to Council for consideration.

The existing policy and the revised draft policy are both based on the Office of Local Government (OLG) recommended template, which has not been updated since the original policy was adopted. As such, only minor amendments have been made to the existing policy. Adjustments to the maximum travel allowances have been introduced to better reflect current operational needs, while remaining within the overall allocated budget. The ICT allowance has also been updated to align

with actual expenditure and current budgetary provisions. In addition, a general review and tidy-up of the policy have been undertaken to improve clarity, consistency, and readability.

Councillors are encouraged to review the draft policy and submit any proposed amendments in writing to the General Manager. The draft policy will be placed on public exhibition for a period of 28 days. Following the exhibition period, the policy—together with any submissions received—will be presented to Council for consideration and formal adoption.

Financial

No financial implications associated with this purpose of this report.

OLG 23a Guideline consideration

There is no conflict with the 23a Guidelines.



Payment of Expenses and Provision of Facilities for Mayor and Councillors

Policy Approval and Distribution

Approved by	Council resolution
Responsible Officer	General Manager
Council Service Unit	Executive Office
Next Review Date	01-09- 2025 <ins>2029</ins> (within 12 months following council election)

Version Control

Ref	Date	Description	Council Resolution
0.1	27-02-2018	Presented to Council to facilitate 28 Public Exhibition.	40/2018
1.0	24-04-2018	Adopted.	82/2018
1.1	22-11-2022	Reviewed and now presented to Council to facilitate 28 Public Exhibition.	321/2022
1.2	24-01-2023	Adopted.	006/2023
1.3	<u>22-07-2025</u>	<u>Reviewed and now presented to Council to facilitate 28 Public Exhibition.</u>	

Purpose

To provide a policy for the reasonable and appropriate reimbursement of expenses and provision of facilities to Councillors to help them undertake their civic duties.

Scope

This policy applies to the Mayor and all Councillors.

General

The policy has been prepared in accordance with the *Local Government Act 1993* (the Act) and *Local Government (General) Regulation 2021* (the Regulation) and complies with the Office of Local Government's Guidelines for the payment of expenses and provision of facilities to Mayors and Councillors in NSW.

It ensures accountability and transparency and seeks to align Councillor expenses and facilities with community expectations. Councillors must not obtain private or political benefit from any expense or facility provided under this policy.

The policy sets out the maximum amounts Council will pay for specific expenses and facilities. Expenses not explicitly addressed in this policy will not be paid or reimbursed.

The main expenses and facilities are summarised in the table below. All monetary amounts are exclusive of GST.

Expense or facility	Maximum amount	Frequency
General travel expenses	<p>\$3,000<ins>2,500</ins> per Councillor \$4,500 for the Deputy Mayor \$6,000<ins>8,500</ins> for the Mayor</p> <p><u>Private Vehicle Use Reimbursement Rate:</u> <u>2.5L and over 95 cents per km</u> <u>Under 2.5L 81 cents per km</u> <u>Hybrid 62 cents per km</u> <u>Electric 43 cents per km</u></p> <p><u>*Rate is current as per the LG State Award 2023</u></p>	<u>Per Kilometre for the published amount in the current State Award</u>
Interstate, overseas and long-distance intrastate travel expenses	\$4,000 3,500 total for all Councillors	Per year
Accommodation and meals	As per the NSW Crown Employees (Public Service Conditions of Employment) Reviewed Award 2009 , adjusted annually	Per meal/night
Professional development	\$1,000 per Councillor	Per year
Conferences and seminars	\$10,000 total for all Councillors	Per year
ICT expenses	<p>\$1200-2500 per Councillor (for iPad or similar) \$600-250 per Councillor (for Data Plan) \$900 Mayor (Contribution to mobile phone plan)</p>	<u>Per every 2nd term</u> Per year Per year
Carer expenses	\$500 per Councillor	Per year
Home office expenses	\$100 per Councillor	Per year
Access to meeting room/s [Clause 9.1]	Alby Schultz Room and Gundagai Council Chambers is available to all Councillors when required.	As required
Council vehicle and fuel card [where applicable Clause 10]	Provided to the Mayor and Councillors if required	As required
Staff support for Mayor and Councillors [Clause 10]	EA to Mayor and GM available to support Mayor and Councillors when required	As required

Additional costs incurred by a Councillor in excess of these limits are considered a personal expense that is the responsibility of the Councillor.

Councillors must provide claims for reimbursement within three months of an expense being incurred. Claims made after this time cannot be approved.

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Council's Manager Finance is currently reviewing Council's Corporate Credit Card policy and procedure with the view of offering a corporate credit card to the Mayor to be used for official duties relevant to the expenses listed in the above table. This will facilitate more efficient purchasing processes which will be guided by appropriate framework that will be developed and presented to council for endorsement.



Page 3 of 15

Detailed reports on the provision of expenses and facilities to Councillors will be presented in Councils Annual Report each November. These reports will include expenditure summarised by individual Councillor and as a total for all Councillors.

Mayoral ~~and~~/Councillor fees, and superannuation are determined annually via the Local Government Remuneration Tribunal, and subsequently adopted by Council, and are not referenced or detailed in this policy.

Definitions

The following definitions apply throughout this policy.

Term	Definition
accompanying person	Means a spouse, partner or de facto or other person who has a close personal relationship with or provides carer support to a Councillor
appropriate refreshments	Means food and beverages, excluding alcohol, provided by Council to support Councillors undertaking official business
Act	Means the <i>Local Government Act 1993 (NSW)</i>
clause	Unless stated otherwise, a reference to a clause is a reference to a clause of this policy
Code of Conduct	Means the Code of Conduct adopted by Council or the Model Code if none is adopted
Councillor	Means a person elected or appointed to civic office as a member of the governing body of Council who is not suspended, including the Mayor
General Manager	Means the General Manager of Council and includes their delegate or authorised representative
incidental personal use	Means use that is infrequent and brief and use that does not breach this policy or the Code of Conduct
long distance intrastate travel	Means travel to other parts of NSW of more than three hours duration by private vehicle
maximum limit	Means the maximum limit for an expense or facility provided in the text and summarised in Appendix 1
NSW	New South Wales
official business	Means functions that the Mayor or Councillors are required or invited to attend to fulfil their legislated role and responsibilities for Council or result in a direct benefit for Council and/or for the local government area, and includes: <ul style="list-style-type: none"> meetings of Council and committees of the whole meetings of committees facilitated by Council civic receptions hosted or sponsored by Council meetings, functions, workshops and other events to which attendance by a Councillor has been requested or approved by Council
professional development	Means a seminar, conference, training course or other development opportunity relevant to the role of a Councillor or the Mayor
Regulation	Means the Local Government (General) Regulation 2021 (NSW)
year	Means the financial year, that is the 12 month period commencing on 1 July each year

Legislative Framework

Local Government Act 1993, [Section 252 and 253](#)

and Local Government (General) Regulation 2021, [Section 217 and 403](#)

[Council Circular 17-17 Councillor Expenses and Facilities Policy – Better Practice Template issued by the Office of Local Government](#)

[Council Circular 11-27 Findings from review of Councillor expenses and facilities policies](#)

[Guidelines for the payment of expenses and the provision of facilities for Mayors and Councillors in NSW \(2009\)](#)

[Local Government Circular 09-36 Guidelines for Payment of Expenses and Facilities](#)

[Local Government Circular 05-08 legal assistance for Councillors and Council Employees](#)

Related CGRC Policies

Code of Conduct Policy for Councillors.

[Corporate Credit Card Policy and Procedure \(to be reviewed\)](#)

Councillor and Staff Interaction Policy

Review Period

This document is to be reviewed within twelve (12) months of the commencement of a new Council term, or as required to ensure that it remains relevant and meets legislative requirements.

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Part A – Introduction

1. Introduction

- 1.1. The provision of expenses and facilities enables Councillors to fulfil their civic duties as the elected representatives of Cootamundra-Gundagai Regional Council.
- 1.2. The community is entitled to know the extent of expenses paid to Councillors, as well as the facilities provided.
- 1.3. The purpose of this policy is to clearly state the facilities and support that are available to Councillors to assist them in fulfilling their civic duties.
- 1.4. Council staff are empowered to question or refuse a request for payment from a Councillor when it does not accord with this policy.
- 1.5. Expenses and facilities provided by this policy are in addition to fees paid to Councillors. The minimum and maximum fees a Council may pay each Councillor are set by the Local Government Remuneration Tribunal as per Section 241 of the Act and reviewed annually. Council must adopt its annual fees within this set range.

2. Policy objectives

- 2.1. The objectives of this policy are to:
 - enable the reasonable and appropriate reimbursement of expenses incurred by Councillors while undertaking their civic duties
 - enable facilities of a reasonable and appropriate standard to be provided to Councillors to support them in undertaking their civic duties
 - ensure accountability and transparency in reimbursement of expenses and provision of facilities to Councillors
 - ensure facilities and expenses provided to Councillors meet community expectations
 - support a diversity of representation
 - fulfil the Council's statutory responsibilities.

3. Principles

- 3.1. Council commits to the following principles:
 - **Proper conduct:** Councillors and staff acting lawfully and honestly, exercising care and diligence in carrying out their functions
 - **Reasonable expenses:** providing for Councillors to be reimbursed for expenses reasonably incurred as part of their role as Councillor
 - **Participation and access:** enabling people from diverse backgrounds, underrepresented groups, those in carer roles and those with special needs to serve as a Councillor
 - **Equity:** there must be equitable access to expenses and facilities for all Councillors
 - **Appropriate use of resources:** providing clear direction on the appropriate use of Council resources in accordance with legal requirements and community expectations
 - **Accountability and transparency:** clearly stating and reporting on the expenses and facilities provided to Councillors.

4. Private or political benefit

- 4.1. Councillors must not obtain private or political benefit from any expense or facility provided under this policy.
- 4.2. Private use of Council equipment and facilities by Councillors may occur from time to time. For example, telephoning home to advise that a Council meeting will run later than expected.
- 4.3. Such incidental private use does not require a compensatory payment back to Council.
- 4.4. Councillors should avoid obtaining any greater private benefit from Council than an incidental benefit. Where there are unavoidable circumstances and more substantial private use of Council facilities does occur, Councillors must reimburse the Council.
- 4.5. Campaigns for re-election are considered to be a political benefit. The following are examples of what is considered to be a political interest during a re-election campaign:
 - production of election material
 - use of Council resources and equipment for campaigning
 - use of official Council letterhead, publications, websites or services for political benefit
 - fundraising activities of political parties or individuals, including political fundraising events.

Part B – Expenses

5. General expenses

- 5.1. All expenses provided under this policy will be for a purpose specific to the functions of holding civic office. Allowances for general expenses are not permitted under this policy.
- 5.2. Expenses not explicitly addressed in this policy will not be paid or reimbursed.

6. Specific expenses

General travel arrangements and expenses

- 6.1. All travel by Councillors should be undertaken using the most direct route and the most practicable and economical mode of transport.
- 6.2. Each Councillor may be reimbursed up to a total of \$2,0002.500 per year, the Deputy Mayor may be reimbursed up to a total of \$4,500 a year, and the Mayor may be reimbursed up to a total of \$6,0008.500 per year, for travel expenses incurred while undertaking official business or professional development or attending approved conferences and seminars within NSW. This includes reimbursement:
 - for public transport fares
 - for the use of a private vehicle or hire car
 - for parking costs for Council and other meetings
 - for tolls
 - by Cabcharge card or equivalent
 - for documented ride-share programs, such as Uber, where tax invoices can be issued.
- 6.3. Allowances for the use of a private vehicle will be reimbursed by kilometre at the rate contained in the Local Government (State) Award.
- 6.4. Councillors seeking to be reimbursed for use of a private vehicle must keep a log book recording the date, distance and purpose of travel being claimed. Copies of the relevant log book contents must be provided with the claim.

Interstate, overseas and long-distance intrastate travel expenses

- 6.5. In accordance with Section 4, Council will scrutinise the value and need for Councillors to undertake overseas travel. Councils should avoid interstate, overseas and long-distance intrastate trips unless direct and tangible benefits can be established for the Council and the local community. This includes travel to sister and friendship cities.
- 6.6. Total interstate, overseas and long-distance intrastate travel expenses for all Councillors will be capped at a maximum of ~~\$4000~~^{\$3,500} per year.
- 6.7. Councillors seeking approval for any interstate and long-distance intrastate travel must submit a case to, and obtain the approval of, the General Manager prior to travel.
- 6.8. Councillors seeking approval for any overseas travel must submit a case to, and obtain the approval of, a full Council meeting prior to travel.
- 6.9. The case should include:
 - objectives to be achieved in travel, including an explanation of how the travel aligns with current Council priorities and business, the community benefits which will accrue as a result, and its relevance to the exercise of the Councillor's civic duties
 - who is to take part in the travel
 - duration and itinerary of travel
 - a detailed budget including a statement of any amounts expected to be reimbursed by the participant/s.
- 6.10. For interstate and long-distance intrastate journeys by air of less than three hours, the class of air travel is to be economy class.
- 6.11. For interstate journeys by air of more than three hours, the class of air travel may be premium economy.
- 6.12. For international travel, the class of air travel is to be premium economy if available. Otherwise, the class of travel is to be economy.
- 6.13. Bookings for approved air travel are to be made through the General Manager's office.
- 6.14. For air travel that is reimbursed as Council business, Councillors will not accrue points from the airline's frequent flyer program. This is considered a private benefit.

Travel expenses not paid by Council

- 6.15. Council will not pay any traffic or parking fines or administrative charges for road toll accounts.

Accommodation and meals

- 6.16. In circumstances where it would introduce undue risk for a Councillor to travel to or from official business in the late evening or early morning, reimbursement of costs for accommodation and meals on the night before or after the meeting may be approved by the General Manager. This includes where a meeting finishes later than 9.00pm or starts earlier than 7.00am and the Councillor lives more than 50 kilometres from the meeting location.
- 6.17. Council will reimburse costs for accommodation and meals while Councillors are undertaking prior approved travel or professional development outside the Riverina region.
- 6.18. The daily limits for accommodation and meal expenses within Australia are to be consistent with those set out in Part B Monetary Rates of the [NSW Crown Employees \(Public Service Conditions of Employment\) Reviewed Award 2009](#), as adjusted annually.
- 6.19. The daily limits for accommodation and meal expenses outside Australia are to be determined in advance by the General Manager, being mindful of Clause 6.18.
- 6.20. Councillors will not be reimbursed for alcoholic beverages.

Refreshments for Council related meetings

- 6.21. Appropriate refreshments will be available for Council meetings, Council committee meetings, Councillor briefings, approved meetings and engagements, and official Council functions as approved by the General Manager.
- 6.22. As an indicative guide for the standard of refreshments to be provided at Council related meetings, the General Manager must be mindful of Part B Monetary Rates of the [NSW Crown Employees \(Public Service Conditions of Employment\) Reviewed Award 2009](#), as adjusted annually.

Professional development

- 6.23. Council will set aside \$1,000 per Councillor annually in its budget to facilitate professional development of Councillors through programs, training, education courses and membership of professional bodies (as defined in section 6.25).
- 6.24. In the first year of a new Council term, Council will provide a comprehensive induction program for all Councillors which considers any guidelines issued by the Office of Local Government (OLG). The cost of the induction program will be in addition to the ongoing professional development funding.
- 6.25. Annual membership of professional bodies will only be covered where the membership is relevant to the exercise of the Councillor's civic duties, the Councillor actively participates in the body and the cost of membership is likely to be fully offset by savings from attending events as a member.
- 6.26. Approval for professional development activities is subject to a prior written request to the General Manager outlining the:
 - details of the proposed professional development
 - relevance to Council priorities and business
 - relevance to the exercise of the Councillor's civic duties.
- 6.27. In assessing a Councillor request for a professional development activity, the General Manager must consider the factors set out in Clause 6.26, as well as the cost of the professional development in relation to the Councillor's remaining budget.

Conferences and seminars

- 6.28. Council is committed to ensuring its Councillors are up to date with contemporary issues facing Council and the community, and local government in NSW.
- 6.29. Council will set aside a total amount of \$10,000 annually in its budget to facilitate Councillor attendance at conferences and seminars. This allocation is for all Councillors. The General Manager will ensure that access to expenses relating to conferences and seminars is distributed equitably.
- 6.30. Approval to attend a conference or seminar is subject to a written request to the General Manager. In assessing a Councillor request, the General Manager must consider factors including the:
 - relevance of the topics and presenters to current Council priorities and business and the exercise of the Councillor's civic duties
 - cost of the conference or seminar in relation to the total remaining budget.
- 6.31. Council will meet the reasonable cost of registration fees, transportation and accommodation associated with attendance at conferences approved by the General Manager. Council will also meet the reasonable cost of meals when they are not included in the conference fees. Reimbursement for accommodation and meals not included in the conference fees will be subject to Clauses 6.17-6.20.

Information and communications technology (ICT) expenses

- 6.32. Council will provide an iPad (or similar) to assist in accessing Council information. Appropriate accessories will be provided as necessary, and only one item will be provided per term of Council.
- 6.33. Council will provide internet access on the iPad (or similar) through the provision of a data plan with an approximate cost of ~~\$50-19~~ per month.
- 6.34. Council will provide the Mayor with a reimbursement of monthly mobile phone charges on the mobile communication device that is directly related to their duties as the mayor, within the maximum limit.

Special requirement and carer expenses

- 6.35. Council encourages wide participation and interest in civic office. It will seek to ensure Council premises and associated facilities are accessible, including provision for sight or hearing impaired Councillors and those with other disabilities.
- 6.36. Transportation provisions outlined in this policy will also assist Councillors who may be unable to drive a vehicle.
- 6.37. In addition to the provisions above, the General Manager may authorise the provision of reasonable additional facilities and expenses in order to allow a Councillor with a disability to perform their civic duties.
- 6.38. Councillors who are the principal carer of a child or other elderly, disabled and/or sick immediate family member will be entitled to reimbursement of carer's expenses up to a maximum of \$500 per annum for attendance at official business, plus reasonable travel from the principal place of residence.
- 6.39. Child care expenses may be claimed for children up to and including the age of 16 years where the carer is not a relative.
- 6.40. In the event of caring for an adult person, Councillors will need to provide suitable evidence to the General Manager that reimbursement is applicable. This may take the form of advice from a medical practitioner.

Home office expenses

- 6.41. Each Councillor may be reimbursed up to \$100 per year for costs associated with the maintenance of a home office, such as minor items of consumable stationery and printer ink cartridges.

7. Insurances

- 7.1. In accordance with Section 382 of the Local Government Act, Council is insured against public liability and professional indemnity claims.
- 7.2. Council will meet on an annual basis the premium costs of Councillors' liability insurance, personal accident insurance and public liability insurance (for matters arising out of Councillors' performance of their civic duties and/or exercise of their Council functions) and professional indemnity insurance (for matters arising out of Councillors' performance of their civic duties and/or exercise of their functions). This includes payment of the relevant excess in the event of a claim.
- 7.3. Insurance protection is only provided if a claim arises out of or in connection with the Councillor's performance of his or her civic duties, or exercise of his or her functions as a Councillor. All insurances are subject to any limitations or conditions set out in the policies of insurance.
- 7.4. Council shall pay the insurance policy excess in respect of any claim accepted by Council's insurers, whether defended or not.

7.5. Appropriate travel insurances will be provided for any Councillors travelling on approved interstate and overseas travel on Council business.

8. Legal assistance

- 8.1. Council may, if requested, indemnify or reimburse the reasonable legal expenses of:
 - a Councillor defending an action arising from the performance in good faith of a function under the Local Government Act provided that the outcome of the legal proceedings is favourable to the Councillor
 - a Councillor defending an action in defamation, provided the statements complained of were made in good faith in the course of exercising a function under the Act and the outcome of the legal proceedings is favourable to the Councillor
 - a Councillor for proceedings before an appropriate investigative or review body, provided the subject of the proceedings arises from the performance in good faith of a function under the Act and the matter has proceeded past any initial assessment phase to a formal investigation or review and the investigative or review body makes a finding substantially favourable to the Councillor.
- 8.2. In the case of a code of conduct complaint made against a Councillor, legal costs will only be made available where the matter has been referred by the General Manager to a conduct reviewer and the conduct reviewer has commenced a formal investigation of the matter and makes a finding substantially favourable to the Councillor.
- 8.3. Legal expenses incurred in relation to proceedings arising out of the performance by a Councillor of his or her functions under the Act are distinguished from expenses incurred in relation to proceedings arising merely from something that a Councillor has done during his or her term in office. For example, expenses arising from an investigation as to whether a Councillor acted corruptly would not be covered by this section.
- 8.4. Council will not meet the legal costs:
 - of legal proceedings initiated by a Councillor under any circumstances
 - of a Councillor seeking advice in respect of possible defamation, or in seeking a non-litigious remedy for possible defamation
 - for legal proceedings that do not involve a Councillor performing their role as a Councillor.
- 8.5. Reimbursement of expenses for reasonable legal expenses (based on a cost estimate of the legal practitioner) must have Council approval by way of a resolution at a Council meeting prior to costs being incurred.

Part C – Facilities

9. General facilities for all Councillors

Facilities

- 9.1. Council will provide the following facilities to Councillors to assist them to effectively discharge their civic duties:
 - the Alby Shultz Room and Gundagai Council Chambers ~~will can~~ be available for use by Councillors for activities associated with their role as a Councillor
 - reasonable administrative support will be provided to Councillors by the General Manager's Office during normal office hours for work directly related to the duties of the office of Councillor. Requests for support are to be directed to the General Manager's Office

- reasonable access to a photocopier and a computer during normal office hours for work directly related to the duties of a Councillor
- personal protective equipment for use during site visits
- a name badge which may be worn at official functions, indicating that the wearer holds the office of a Councillor and/or Mayor or deputy Mayor.

- 9.2. Councillors may book the Alby Schultz Room or Gundagai Council Chambers for official business in a specified Council building at no cost. Rooms may be booked through the Executive Assistant to the Mayor and General Manager.
- 9.3. The provision of facilities will be of a standard deemed by the General Manager as appropriate for the purpose.

Administrative support

- 9.4. Council will provide administrative support to Councillors to assist them with their civic duties only. Administrative support may be provided by ~~staff in the Mayor's office~~the Executive Assistant to the Mayor and General Manager or by a member of Council's administrative staff as arranged by the General Manager or their delegate.
- 9.5. As per Section 4, Council staff are expected to assist Councillors with civic duties only, and not assist with matters of personal or political interest, including campaigning.

10. Additional facilities for the Mayor

- 10.1. Should the Mayor request the provision of a vehicle, Council will provide ~~to~~ a maintained vehicle to a similar standard of other Council vehicles, with a fuel card. The vehicle will be supplied for use on business, professional development and attendance at the ~~Mayor's office~~Council Chambers.
- 10.2. The Mayor must keep a log book setting out the date, distance and purpose of all travel. This must include any travel for private benefit. The log book must be submitted to Council on a monthly basis.
- 10.3. The Mayoral allowance will be reduced to cover the cost of any private travel recorded in the log book, calculated on a per kilometre basis by the rate set by the Local Government (State) Award.
- 10.4. In performing his or her civic duties, the Mayor will be assisted by a small number of staff providing administrative and secretarial support, as determined by the General Manager.
- 10.5. As per Section 4, staff assisting the Mayor are expected to work on official business only, and not for matters of personal or political interest, including campaigning.

Part D – Processes

11. Approval, payment and reimbursement arrangements

- 11.1. Expenses should only be incurred by Councillors in accordance with the provisions of this policy.
- 11.2. Approval for incurring expenses, or for the reimbursement of such expenses, should be obtained before the expense is incurred.
- 11.3. Up to the maximum limits specified in this policy, approval for the following may be sought after the expense is incurred:
 - local travel relating to the conduct of official business
 - carer costs
 - ICT expenditure.

11.4. Final approval for payments made under this policy will be granted by the General Manager or their delegate.

Direct payment

11.5. Council may approve and directly pay expenses. Requests for direct payment must be submitted to the General Manager for assessment against this policy using the prescribed form, with sufficient information and time to allow for the claim to be assessed and processed.

Reimbursement

11.6. All claims for reimbursement of expenses incurred must be made on the prescribed form, supported by appropriate receipts and/or tax invoices and be submitted to the General Manager.

Advance payment

11.7. Council may pay a cash advance for Councillors attending approved conferences, seminars or professional development.

11.8. The maximum value of a cash advance is \$150 per day of the conference, seminar or professional development to a maximum of \$500.

11.9. Requests for advance payment must be submitted to the General Manager for assessment against this policy using the prescribed form with sufficient information and time to allow for the claim to be assessed and processed.

11.10. Councillors must fully reconcile all expenses against the cost of the advance within one month of incurring the cost and/or returning home. This includes providing to Council:

- a full reconciliation of all expenses including appropriate receipts and/or tax invoices
- reimbursement of any amount of the advance payment not spent in attending to official business or professional development.

Notification

11.11. If a claim is approved, Council will make payment directly or reimburse the Councillor through accounts payable.

11.12. If a claim is refused, Council will inform the Councillor in writing that the claim has been refused and the reason for the refusal.

Reimbursement to Council

11.13. If Council has incurred an expense on behalf of a Councillor that exceeds a maximum limit, exceeds reasonable incidental private use or is not provided for in this policy:

- Council will invoice the Councillor for the expense
- the Councillor will reimburse Council for that expense within 14 days of the invoice date.

11.14. If the Councillor cannot reimburse Council within 14 days of the invoice date, they are to submit a written explanation to the General Manager. The General Manager may elect to deduct the amount from the Councillor's allowance.

Timeframe for reimbursement

11.15. Unless otherwise specified in this policy, Councillors must provide all claims for reimbursement within three months of an expense being incurred. Claims made after this time cannot be approved.

12. Disputes

12.1. If a Councillor disputes a determination under this policy, the Councillor should discuss the matter with the General Manager.

12.2. If the Councillor and the General Manager cannot resolve the dispute, the Councillor may submit a notice of motion to a Council meeting seeking to have the dispute resolved.

13. Return or retention of facilities

- 13.1. All unexpended facilities or equipment supplied under this policy are to be relinquished immediately upon a Councillor or Mayor ceasing to hold office or at the cessation of their civic duties.
- 13.2. Should a Councillor desire to keep any equipment allocated by Council, then this policy enables the Councillor to make application to the General Manager to purchase any such equipment. The General Manager will determine an agreed fair market price or written down value for the item of equipment.
- 13.3. The prices for all equipment purchased by Councillors under Clause 13.2 will be recorded in Council's annual report.

14. Publication

- 14.1. This policy will be published on Council's website.

15. Reporting

- 15.1. Council will report on the provision of expenses and facilities to Councillors as required in the Act and Regulations.
- 15.2. Detailed reports on the provision of expenses and facilities to Councillors will be presented in Council's Annual Report each November. These reports will include expenditure summarised by individual Councillor and as a total for all Councillors.

16. Auditing

- 16.1. The operation of this policy, including claims made under the policy, will be included in Council's audit program and an audit undertaken at least every two years.

17. Breaches

- 17.1. Suspected breaches of this policy are to be reported to the General Manager.
- 17.2. Alleged breaches of this policy shall be dealt with by following the processes outlined for breaches of the Code of Conduct, as detailed in the Code and in the Procedures for the Administration of the Code.

8.2 BUSINESS

8.2.1 CODE OF CONDUCT - REVIEW

DOCUMENT NUMBER	436980
REPORTING OFFICER	Anne Chamberlain, Acting Governance Officer
AUTHORISING OFFICER	Roger Bailey, Interim General Manager
RELEVANCE TO COMMUNITY STRATEGIC PLAN	<p>4. Collaborative and progressive leadership</p> <p>4.1 A clear strategic direction that is delivered upon</p>
FINANCIAL IMPLICATIONS	There are no Financial implications associated with this report.
LEGISLATIVE IMPLICATIONS	Section 440 of the Local Government Act 1993.
POLICY IMPLICATIONS	Code of Conduct Policy to be in accordance with the Model prescribed by the Office of Local Government.
ATTACHMENTS	<ol style="list-style-type: none"> Code of Conduct for Council Staff ↓ Code of Conduct for Councillors ↓ Code of Conduct for Council Committee Members, Delegates of Council and Council Advisers ↓

RECOMMENDATION

- That Council confirms its Code of Conduct has been reviewed in line with Section 440, Clause 7 of the Local Government Act 1993, are compliant with the Office of Local Government Model Code of Conduct and Procedures, and as such no amendments are required.
- That Council adopts the current Code of Conduct for Council Staff, Code of Conduct for Councillors and Code of Conduct for Council Committee Members, Delegates of Council and Council Advisers, attached to the report.

Introduction

In accordance with Section 440, Clause 7 of the Local Government Act 1993 (the Act), Council is to review its adopted Code of Conduct (the Code) and the Procedures for the Administration of the Code of Conduct (the Procedures) to ensure currency and alignment to the Office of Local Government (OLG) Model Code of Conduct and Procedures, prescribed under the Act and the Local Government (General) Regulation 2005 (the Regulation).

Specifically, the Act states:

“(7) A council must, within 12 months after each ordinary election, review its adopted Code and make such adjustments as it considers appropriate and as are consistent with this section.”

While the Minister for Local Government is currently reviewing the broader councillor conduct and meeting practices framework, which may result in future legislative and policy changes, as such, no amendments are presently required to Council’s adopted Code of Conduct and Procedures.

Discussion

The Code of Conduct policies have been based on the Model Code of Conduct for Local Councils in NSW 2020. The policies were readopted by council on 22 November 2022.

There have been no changes to these documents to date, with the exception, of updating the reference made to the Local Government Regulations, which is now prescribed as 2021, not 2005.

No further changes are required at this time, until the new model is released by the Office of Local Government.

Financial

There are no financial implications associated with this report

OLG 23a Guidelines consideration

The report purpose does not conflict with guidelines



COOTAMUNDRA-
GUNDAGAI REGIONAL
COUNCIL

Developed using the Model Code of Conduct
for Local Councils in NSW

Code of Conduct for Council Staff

2025



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PART 1 INTRODUCTION

This code of conduct applies to members of council staff, including general managers. It is based on the *Model Code of Conduct for Local Councils in NSW* ("the Model Code of Conduct") which is made under section 440 of the *Local Government Act 1993* ("LGA") and the *Local Government (General) Regulation 2021* ("the Regulation").

The Model Code of Conduct sets the minimum standards of conduct for council officials. It is prescribed by regulation to assist council officials to:

- understand and comply with the standards of conduct that are expected of them
- enable them to fulfil their statutory duty to act honestly and exercise a reasonable degree of care and diligence (section 439)
- act in a way that enhances public confidence in local government.

Section 440 of the LGA requires every council (including county councils) and joint organisation to adopt a code of conduct that incorporates the provisions of the Model Code of Conduct. A council's or joint organisation's adopted code of conduct may also include provisions that supplement the Model Code of Conduct and that extend its application to persons that are not "council officials" for the purposes of the Model Code of Conduct (eg volunteers, contractors and members of wholly advisory committees).

A council's or joint organisation's adopted code of conduct has no effect to the extent that it is inconsistent with the Model Code of Conduct. However, a council's or joint organisation's adopted code of conduct may prescribe requirements that are more onerous than those prescribed in the Model Code of Conduct.

Councillors, administrators, members of staff of councils, delegates of councils, (including members of council committees that are delegates of a council) and any other person a council's adopted code of conduct applies to, must comply with the applicable provisions of their council's code of conduct. It is the personal responsibility of council officials to comply with the standards in the code and to regularly review their personal circumstances and conduct with this in mind.

Failure by a member of staff to comply with a council's code of conduct may give rise to disciplinary action.

Note: References in this code of conduct to councils are also to be taken as references to county councils and joint organisations.

Note: In adopting this code of conduct, joint organisations should adapt it to substitute the terms "board" for "council", "chairperson" for "mayor", "voting representative" for "councillor" and "executive officer" for "general manager".

Note: In adopting this code of conduct, county councils should adapt it to substitute the term "chairperson" for "mayor" and "member" for "councillor".

PART 2 DEFINITIONS

In this code the following terms have the following meanings:

administrator	an administrator of a council appointed under the LGA other than an administrator appointed under section 66
committee	see the definition of “council committee”
complaint	a code of conduct complaint made for the purposes of clauses 4.1 and 4.2 of the Procedures.
conduct	includes acts and omissions
council	includes county councils and joint organisations
council committee	a committee established by a council comprising of councillors, staff or other persons that the council has delegated functions to and the council’s audit, risk and improvement committee
council committee member	a person other than a councillor or member of staff of a council who is a member of a council committee other than a wholly advisory committee, and a person other than a councillor who is a member of the council’s audit, risk and improvement committee
council official	includes councillors, members of staff of a council, administrators, council committee members, delegates of council and, for the purposes of clause 4.16 of the Model Code of Conduct, council advisers
councillor	any person elected or appointed to civic office, including the mayor and includes members and chairpersons of county councils and voting representatives of the boards of joint organisations and chairpersons of joint organisations
delegate of council	a person (other than a councillor or member of staff of a council) or body, and the individual members of that body, to whom a function of the council is delegated
designated person	a person referred to in clause 4.8
election campaign	includes council, state and federal election campaigns
general manager	includes the executive officer of a joint organisation
joint organisation	a joint organisation established under section 400O of the LGA
LGA	the <i>Local Government Act 1993</i>

mayor	includes the chairperson of a county council or a joint organisation
members of staff of a council	includes members of staff of county councils and joint organisations
the Office	Office of Local Government
personal information	information or an opinion (including information or an opinion forming part of a database and whether or not recorded in a material form) about an individual whose identity is apparent or can reasonably be ascertained from the information or opinion
the Procedures	<i>the Procedures for the Administration of the Model Code of Conduct for Local Councils in NSW</i> prescribed under the Regulation
the Regulation	<i>the Local Government (General) Regulation 2021</i>
wholly advisory committee	a council committee that the council has not delegated any functions to

PART 3 GENERAL CONDUCT OBLIGATIONS

General conduct

3.1 You must not conduct yourself in a manner that:

- is likely to bring the council or other council officials into disrepute
- is contrary to statutory requirements or the council's administrative requirements or policies
- is improper or unethical
- is an abuse of power
- causes, comprises or involves intimidation or verbal abuse
- involves the misuse of your position to obtain a private benefit
- constitutes harassment or bullying behaviour under this code, or is unlawfully discriminatory.

3.2 You must act lawfully and honestly, and exercise a reasonable degree of care and diligence in carrying out your functions under the LGA or any other Act. (section 439).

Fairness and equity

3.3 You must consider issues consistently, promptly and fairly. You must deal with matters in accordance with established procedures, in a non-discriminatory manner.

3.4 You must take all relevant facts known to you, or that you should be reasonably aware of, into consideration and have regard to the particular merits of each case. You must not take irrelevant matters or circumstances into consideration when making decisions.

3.5 An act or omission in good faith, whether or not it involves error, will not constitute a breach of clauses 3.3 or 3.4.

Harassment and discrimination

3.6 You must not harass or unlawfully discriminate against others, or support others who harass or unlawfully discriminate against others, on the grounds of age, disability, race (including colour, national or ethnic origin or immigrant status), sex, pregnancy, marital or relationship status, family responsibilities or breastfeeding, sexual orientation, gender identity or intersex status or political, religious or other affiliation.

3.7 For the purposes of this code, “harassment” is any form of behaviour towards a person that:

- is not wanted by the person
- offends, humiliates or intimidates the person, and
- creates a hostile environment.

Bullying

3.8 You must not engage in bullying behaviour towards others.

3.9 For the purposes of this code, “bullying behaviour” is any behaviour in which:

- a person or a group of people repeatedly behaves unreasonably towards another person or a group of persons and
- the behaviour creates a risk to health and safety.

3.10 Bullying behaviour may involve, but is not limited to, any of the following types of behaviour:

- aggressive, threatening or intimidating conduct
- belittling or humiliating comments
- spreading malicious rumours
- teasing, practical jokes or ‘initiation ceremonies’
- exclusion from work-related events
- unreasonable work expectations, including too much or too little work, or work below or beyond a worker’s skill level
- displaying offensive material
- pressure to behave in an inappropriate manner.

3.11 Reasonable management action carried out in a reasonable manner does not constitute bullying behaviour for the purposes of this code. Examples of reasonable management action may include, but are not limited to:

- performance management processes
- disciplinary action for misconduct
- informing a worker about unsatisfactory work performance or inappropriate work behaviour
- directing a worker to perform duties in keeping with their job
- maintaining reasonable workplace goals and standards
- legitimately exercising a regulatory function
- legitimately implementing a council policy or administrative processes.

Work health and safety

3.12 All council officials, including councillors, owe statutory duties under the *Work Health and Safety Act 2011* (WHS Act). You must comply with your duties under the WHS Act and your responsibilities under any policies or procedures adopted by the council to ensure workplace health and safety. Specifically, you must:

- take reasonable care for your own health and safety
- take reasonable care that your acts or omissions do not adversely affect the health and safety of other persons

- c) comply, so far as you are reasonably able, with any reasonable instruction that is given to ensure compliance with the WHS Act and any policies or procedures adopted by the council to ensure workplace health and safety
- d) cooperate with any reasonable policy or procedure of the council relating to workplace health or safety that has been notified to council staff
- e) report accidents, incidents, near misses, to the general manager or such other staff member nominated by the general manager, and take part in any incident investigations
- f) so far as is reasonably practicable, consult, co-operate and coordinate with all others who have a duty under the WHS Act in relation to the same matter.

Land use planning, development assessment and other regulatory functions

- 3.13 You must ensure that land use planning, development assessment and other regulatory decisions are properly made, and that all parties are dealt with fairly. You must avoid any occasion for suspicion of improper conduct in the exercise of land use planning, development assessment and other regulatory functions.
- 3.14 In exercising land use planning, development assessment and other regulatory functions, you must ensure that no action, statement or communication between yourself and others conveys any suggestion of willingness to improperly provide concessions or preferential or unduly unfavourable treatment.

Obligations in relation to meetings

- 3.15 You must comply with rulings by the chair at council and committee meetings or other proceedings of the council unless a motion dissenting from the ruling is passed.
- 3.16 You must not engage in bullying behaviour (as defined under this Part) towards the chair, other council officials or any members of the public present during council or committee meetings or other proceedings of the council (such as, but not limited to, workshops and briefing sessions).
- 3.17 You must not engage in conduct that disrupts council or committee meetings or other proceedings of the council (such as, but not limited to, workshops and briefing sessions), or that would otherwise be inconsistent with the orderly conduct of meetings.

PART 4 PECUNIARY INTERESTS

What is a pecuniary interest?

- 4.1 A pecuniary interest is an interest that you have in a matter because of a reasonable likelihood or expectation of appreciable financial gain or loss to you or a person referred to in clause 4.3.
- 4.2 You will not have a pecuniary interest in a matter if the interest is so remote or insignificant that it could not reasonably be regarded as likely to influence any decision you might make in relation to the matter, or if the interest is of a kind specified in clause 4.6.
- 4.3 For the purposes of this Part, you will have a pecuniary interest in a matter if the pecuniary interest is:
 - (a) your interest, or
 - (b) the interest of your spouse or de facto partner, your relative, or your partner or employer, or
 - (c) a company or other body of which you, or your nominee, partner or employer, is a shareholder or member.

4.4 For the purposes of clause 4.3:

- (a) Your "relative" is any of the following:
 - i) your parent, grandparent, brother, sister, uncle, aunt, nephew, niece, lineal descendant or adopted child
 - ii) your spouse's or de facto partner's parent, grandparent, brother, sister, uncle, aunt, nephew, niece, lineal descendant or adopted child
 - iii) the spouse or de facto partner of a person referred to in paragraphs (i) and (ii).
- (b) "de facto partner" has the same meaning as defined in section 21C of the *Interpretation Act 1987*.

4.5 You will not have a pecuniary interest in relation to a person referred to in subclauses 4.3(b) or (c):

- (a) if you are unaware of the relevant pecuniary interest of your spouse, de facto partner, relative, partner, employer or company or other body, or
- (b) just because the person is a member of, or is employed by, a council or a statutory body, or is employed by the Crown, or
- (c) just because the person is a member of, or a delegate of a council to, a company or other body that has a pecuniary interest in the matter, so long as the person has no beneficial interest in any shares of the company or body.

What interests do not have to be disclosed?

4.6 You do not have to disclose the following interests for the purposes of this Part:

- (a) your interest as an elector
- (b) your interest as a ratepayer or person liable to pay a charge
- (c) an interest you have in any matter relating to the terms on which the provision of a service or the supply of goods or commodities is offered to the public generally, or to a section of the public that includes persons who are not subject to this code
- (d) an interest you have in any matter relating to the terms on which the provision of a service or the supply of goods or commodities is offered to your relative by the council in the same manner and subject to the same conditions as apply to persons who are not subject to this code
- (e) an interest you have as a member of a club or other organisation or association, unless the interest is as the holder of an office in the club or organisation (whether remunerated or not)
- (f) an interest you have relating to a contract, proposed contract or other matter, if the interest arises only because of a beneficial interest in shares in a company that does not exceed 10 per cent of the voting rights in the company
- (g) an interest you have arising from the proposed making by the council of an agreement between the council and a corporation, association or partnership, being a corporation, association or partnership that has more than 25 members, if the interest arises because your relative is a shareholder (but not a director) of the corporation, or is a member (but not a member of the committee) of the association, or is a partner of the partnership
- (h) an interest you have arising from the making by the council of a contract or agreement with your relative for, or in relation to, any of the following, but only if the proposed contract or agreement is similar in terms and conditions to such contracts and agreements as have been made, or as are proposed to be made, by the council in respect of similar matters with other residents of the area:

- i) the performance by the council at the expense of any relative of any work or service in connection with roads or sanitation
- ii) security for damage to footpaths or roads
- iii) any other service to be rendered, or act to be done, by the council by or under any Act conferring functions on the council, or by or under any contract
- (i) an interest of a person arising from the passing for payment of a regular account for the wages or salary of an employee who is a relative of the person
- (j) an interest arising from being covered by, or a proposal to be covered by, indemnity insurance as a council committee member

4.7 For the purposes of clause 4.6, "relative" has the same meaning as in clause 4.4, but includes your spouse or de facto partner.

What disclosures must be made by a designated person?

4.8 Designated persons include:

- (a) the general manager
- (b) other senior staff of the council for the purposes of section 332 of the LGA
- (c) a person (other than a member of the senior staff of the council) who is a member of staff of the council or a delegate of the council and who holds a position identified by the council as the position of a designated person because it involves the exercise of functions (such as regulatory functions or contractual functions) that, in their exercise, could give rise to a conflict between the person's duty as a member of staff or delegate and the person's private interest
- (d) a person (other than a member of the senior staff of the council) who is a member of a committee of the council identified by the council as a committee whose members are designated persons because the functions of the committee involve the exercise of the council's functions (such as regulatory functions or contractual functions) that, in their exercise, could give rise to a conflict between the member's duty as a member of the committee and the member's private interest.

4.9 A designated person:

- (a) must prepare and submit written returns of interests in accordance with clause 4.18, and
- (b) must disclose pecuniary interests in accordance with clause 4.10.

4.10 A designated person must disclose in writing to the general manager (or if the person is the general manager, to the council) the nature of any pecuniary interest the person has in any council matter with which the person is dealing as soon as practicable after becoming aware of the interest.

4.11 Clause 4.10 does not require a designated person who is a member of staff of the council to disclose a pecuniary interest if the interest relates only to the person's salary as a member of staff, or to their other conditions of employment.

4.12 The general manager must, on receiving a disclosure from a designated person, deal with the matter to which the disclosure relates or refer it to another person to deal with.

4.13 A disclosure by the general manager must, as soon as practicable after the disclosure is made, be laid on the table at a meeting of the council and the council must deal with the matter to which the disclosure relates or refer it to another person to deal with.

What disclosures must be made by council staff other than designated persons?

4.14 A member of staff of council, other than a designated person, must disclose in writing to their manager or the general manager the nature of any pecuniary interest they have in a matter they are dealing with as soon as practicable after becoming aware of the interest.

4.15 The staff member's manager or the general manager must, on receiving a disclosure under clause 4.14, deal with the matter to which the disclosure relates or refer it to another person to deal with.

What disclosures must be made by a council committee member?

4.16 A council committee member must disclose pecuniary interests in accordance with clause 4.25 and comply with clause 4.26.

4.17 For the purposes of clause 4.16, a "council committee member" includes a member of staff of council who is a member of the committee.

Disclosure of interests in written returns

4.18 A designated person must make and lodge with the general manager a return in the form set out in schedule 2 to this code, disclosing the designated person's interests as specified in schedule 1 to this code within 3 months after:

- (a) becoming a designated person, and
- (b) 30 June of each year, and
- (c) the designated person becoming aware of an interest they are required to disclose under schedule 1 that has not been previously disclosed in a return lodged under paragraphs (a) or (b).

4.19 A person need not make and lodge a return under clause 4.18, paragraphs (a) and (b) if:

- (a) they made and lodged a return under that clause in the preceding 3 months, or
- (b) they have ceased to be a designated person in the preceding 3 months.

4.20 A person must not make and lodge a return that the person knows or ought reasonably to know is false or misleading in a material particular.

4.21 The general manager must keep a register of returns required to be made and lodged with the general manager.

4.22 Returns required to be lodged with the general manager under clause 4.18(a) and (b) must be tabled at the first meeting of the council after the last day the return is required to be lodged.

4.23 Returns required to be lodged with the general manager under clause 4.18(c) must be tabled at the next council meeting after the return is lodged.

4.24 Information contained in returns made and lodged under clause 4.18 is to be made publicly available in accordance with the requirements of the *Government Information (Public Access)*

Act 2009, the Government Information (Public Access) Regulation 2009 and any guidelines issued by the Information Commissioner.

Note: For the purpose of clauses 4.25 to 4.32, a “council committee member” includes a member of staff of council who is a member of a council committee.

Disclosure of pecuniary interests at meetings

- 4.25 A council committee member who has a pecuniary interest in any matter with which the council is concerned, and who is present at a meeting of the committee at which the matter is being considered, must disclose the nature of the interest to the meeting as soon as practicable.
- 4.26 The council committee member must not be present at, or in sight of, the meeting of the committee:
 - (a) at any time during which the matter is being considered or discussed by the committee, or
 - (b) at any time during which the committee is voting on any question in relation to the matter.
- 4.27 A disclosure made at a meeting of a council committee must be recorded in the minutes of the meeting.
- 4.28 A general notice may be given to the general manager in writing by a council committee member to the effect that the council committee member, or the council committee member’s spouse, de facto partner or relative, is:
 - (a) a member of, or in the employment of, a specified company or other body, or
 - (b) a partner of, or in the employment of, a specified person.Such a notice is, unless and until the notice is withdrawn or until the end of the term of the council in which it is given (whichever is the sooner), sufficient disclosure of the council committee member’s interest in a matter relating to the specified company, body or person that may be the subject of consideration by the council committee after the date of the notice.
- 4.29 A council committee member is not prevented from being present at and taking part in a meeting at which a matter is being considered, or from voting on the matter, merely because the council committee member has an interest in the matter of a kind referred to in clause 4.6.
- 4.30 A person does not breach clauses 4.25 or 4.26 if the person did not know, and could not reasonably be expected to have known, that the matter under consideration at the meeting was a matter in which they had a pecuniary interest.
- 4.31 The Minister for Local Government may, conditionally or unconditionally, allow a council committee member who has a pecuniary interest in a matter with which the council is concerned to be present at a meeting of the committee, to take part in the consideration or discussion of the matter and to vote on the matter if the Minister is of the opinion that it is in the interests of the electors for the area to do so.
- 4.32 A council committee member with a pecuniary interest in a matter who is permitted to be present at a meeting of the committee, to take part in the consideration or discussion of the matter and to vote on the matter under clause 4.31, must still disclose the interest they have in the matter in accordance with clause 4.25.

PART 5 NON-PECUNIARY CONFLICTS OF INTERESTWhat is a non-pecuniary conflict of interest?

- 5.1 Non-pecuniary interests are private or personal interests a council official has that do not amount to a pecuniary interest as defined in clause 4.1 of this code. These commonly arise out of family or personal relationships, or out of involvement in sporting, social, religious or other cultural groups and associations, and may include an interest of a financial nature.
- 5.2 A non-pecuniary conflict of interest exists where a reasonable and informed person would perceive that you could be influenced by a private interest when carrying out your official functions in relation to a matter.
- 5.3 The personal or political views of a council official do not constitute a private interest for the purposes of clause 5.2.
- 5.4 Non-pecuniary conflicts of interest must be identified and appropriately managed to uphold community confidence in the probity of council decision-making. The onus is on you to identify any non-pecuniary conflict of interest you may have in matters that you deal with, to disclose the interest fully and in writing, and to take appropriate action to manage the conflict in accordance with this code.
- 5.5 When considering whether or not you have a non-pecuniary conflict of interest in a matter you are dealing with, it is always important to think about how others would view your situation.

Managing non-pecuniary conflicts of interest

- 5.6 Where you have a non-pecuniary conflict of interest in a matter for the purposes of clause 5.2, you must disclose the relevant private interest you have in relation to the matter fully and in writing as soon as practicable after becoming aware of the non-pecuniary conflict of interest and on each occasion on which the non-pecuniary conflict of interest arises in relation to the matter. In the case of members of council staff other than the general manager, such a disclosure is to be made to the staff member's manager. In the case of the general manager, such a disclosure is to be made to the mayor.
- 5.7 If a disclosure is made at a committee meeting, both the disclosure and the nature of the interest must be recorded in the minutes on each occasion on which the non-pecuniary conflict of interest arises. This disclosure constitutes disclosure in writing for the purposes of clause 5.6.
- 5.8 How you manage a non-pecuniary conflict of interest will depend on whether or not it is significant.
- 5.9 As a general rule, a non-pecuniary conflict of interest will be significant where it does not involve a pecuniary interest for the purposes of clause 4.1, but it involves:
 - a) a relationship between a council official and another person who is affected by a decision or a matter under consideration that is particularly close, such as a current or former spouse or de facto partner, a relative for the purposes of clause 4.4 or another person from the council official's extended family that the council official has a close personal relationship with, or another person living in the same household
 - b) other relationships with persons who are affected by a decision or a matter under consideration that are particularly close, such as friendships and business relationships. Closeness is defined by the nature of the friendship or business

relationship, the frequency of contact and the duration of the friendship or relationship.

- c) an affiliation between the council official and an organisation (such as a sporting body, club, religious, cultural or charitable organisation, corporation or association) that is affected by a decision or a matter under consideration that is particularly strong. The strength of a council official's affiliation with an organisation is to be determined by the extent to which they actively participate in the management, administration or other activities of the organisation.
- d) membership, as the council's representative, of the board or management committee of an organisation that is affected by a decision or a matter under consideration, in circumstances where the interests of the council and the organisation are potentially in conflict in relation to the particular matter
- e) a financial interest (other than an interest of a type referred to in clause 4.6) that is not a pecuniary interest for the purposes of clause 4.1
- f) the conferral or loss of a personal benefit other than one conferred or lost as a member of the community or a broader class of people affected by a decision.

5.10 Significant non-pecuniary conflicts of interest must be managed in one of two ways:

- a) by not participating in consideration of, or decision making in relation to, the matter in which you have the significant non-pecuniary conflict of interest and the matter being allocated to another person for consideration or determination, or
- b) if the significant non-pecuniary conflict of interest arises in relation to a matter under consideration at a committee meeting, by managing the conflict of interest as if you had a pecuniary interest in the matter by complying with clauses 4.25 and 4.26.

5.11 If you determine that you have a non-pecuniary conflict of interest in a matter that is not significant and does not require further action, when disclosing the interest you must also explain in writing why you consider that the non-pecuniary conflict of interest is not significant and does not require further action in the circumstances.

5.12 If you are a member of staff of council other than the general manager, the decision on which option should be taken to manage a non-pecuniary conflict of interest must be made in consultation with and at the direction of your manager. In the case of the general manager, the decision on which option should be taken to manage a non-pecuniary conflict of interest must be made in consultation with and at the direction of the mayor.

Note: For the purpose of clauses 5.13 and 5.14, a "council committee member" includes a member of staff of council who is a member of a council committee.

[Loss of quorum as a result of compliance with this Part](#)

5.13 The Minister for Local Government may, conditionally or unconditionally, allow a council committee member who is precluded under this Part from participating in the consideration of a matter to be present at a meeting of the committee, to take part in the consideration or discussion of the matter and to vote on the matter if the Minister is of the opinion that it is in the interests of the electors for the area to do so.

5.14 Where the Minister exempts a committee member from complying with a requirement under this Part under clause 5.13, the committee member must still disclose any interests they have in the matter the exemption applies to, in accordance with clause 5.6.

Other business or employment

5.15 The general manager must not engage, for remuneration, in private employment, contract work or other business outside the service of the council without the approval of the council.

5.16 A member of staff must not engage, for remuneration, in private employment, contract work or other business outside the service of the council that relates to the business of the council or that might conflict with the staff member's council duties unless they have notified the general manager in writing of the employment, work or business and the general manager has given their written approval for the staff member to engage in the employment, work or business.

5.17 The general manager may at any time prohibit a member of staff from engaging, for remuneration, in private employment, contract work or other business outside the service of the council that relates to the business of the council, or that might conflict with the staff member's council duties.

5.18 A member of staff must not engage, for remuneration, in private employment, contract work or other business outside the service of the council if prohibited from doing so.

5.19 Members of staff must ensure that any outside employment, work or business they engage in will not:

- a) conflict with their official duties
- b) involve using confidential information or council resources obtained through their work with the council including where private use is permitted
- c) require them to work while on council duty
- d) discredit or disadvantage the council
- e) pose, due to fatigue, a risk to their health or safety, or to the health and safety of their co-workers.

Personal dealings with council

5.20 You may have reason to deal with your council in your personal capacity (for example, as a ratepayer, recipient of a council service or applicant for a development consent granted by council). You must not expect or request preferential treatment in relation to any matter in which you have a private interest because of your position. You must avoid any action that could lead members of the public to believe that you are seeking preferential treatment.

5.21 You must undertake any personal dealings you have with the council in a manner that is consistent with the way other members of the community deal with the council. You must also ensure that you disclose and appropriately manage any conflict of interest you may have in any matter in accordance with the requirements of this code.

PART 6 PERSONAL BENEFIT

6.1 For the purposes of this Part, a gift or a benefit is something offered to or received by a council official or someone personally associated with them for their personal use and enjoyment.

6.2 A reference to a gift or benefit in this Part does not include:

- a) items with a value of \$10 or less
- b) a political donation for the purposes of the *Electoral Funding Act 2018*
- c) a gift provided to the council as part of a cultural exchange or sister-city relationship that is not converted for the personal use or enjoyment of any individual council official or someone personally associated with them
- d) benefit or facility provided by the council to an employee
- e) attendance by a council official at a work-related event or function for the purposes of performing their official duties, or
- f) free or subsidised meals, beverages or refreshments provided to council officials in conjunction with the performance of their official duties such as, but not limited to:
 - i) the discussion of official business
 - ii) work-related events such as council-sponsored or community events, training, education sessions or workshops
 - iii) conferences
 - iv) council functions or events
 - v) social functions organised by groups, such as council committees and community organisations.

Gifts and benefits

6.3 You must avoid situations that would give rise to the appearance that a person or body is attempting to secure favourable treatment from you or from the council, through the provision of gifts, benefits or hospitality of any kind to you or someone personally associated with you.

6.4 A gift or benefit is deemed to have been accepted by you for the purposes of this Part, where it is received by you or someone personally associated with you.

How are offers of gifts and benefits to be dealt with?

6.5 You must not:

- a) seek or accept a bribe or other improper inducement
- b) seek gifts or benefits of any kind
- c) accept any gift or benefit that may create a sense of obligation on your part, or may be perceived to be intended or likely to influence you in carrying out your public duty
- d) subject to clause 6.7, accept any gift or benefit of more than token value as defined by clause 6.9
- e) accept an offer of cash or a cash-like gift as defined by clause 6.13, regardless of the amount
- f) participate in competitions for prizes where eligibility is based on the council being in or entering into a customer–supplier relationship with the competition organiser
- g) personally benefit from reward points programs when purchasing on behalf of the council.

6.6 Where you receive a gift or benefit of any value other than one referred to in clause 6.2, you must disclose this promptly to your manager or the general manager in writing. The recipient, manager, or general manager must ensure that, at a minimum, the following details are recorded in the council's gift register:

- a) the nature of the gift or benefit
- b) the estimated monetary value of the gift or benefit
- c) the name of the person who provided the gift or benefit, and
- d) the date on which the gift or benefit was received.

6.7 Where you receive a gift or benefit of more than token value that cannot reasonably be refused or returned, the gift or benefit must be surrendered to the council, unless the nature of the gift or benefit makes this impractical.

Gifts and benefits of token value

6.8 You may accept gifts and benefits of token value. Gifts and benefits of token value are one or more gifts or benefits received from a person or organisation over a 12-month period that, when aggregated, do not exceed a value of \$100. They include, but are not limited to:

- invitations to and attendance at local social, cultural or sporting events with a ticket value that does not exceed \$100
- gifts of alcohol that do not exceed a value of \$100
- ties, scarves, coasters, tie pins, diaries, chocolates or flowers or the like
- prizes or awards that do not exceed \$100 in value.

Gifts and benefits of more than token value

6.9 Gifts or benefits that exceed \$100 in value are gifts or benefits of more than token value for the purposes of clause 6.5(d) and, subject to clause 6.7, must not be accepted.

6.10 Gifts and benefits of more than token value include, but are not limited to, tickets to major sporting events (such as international matches or matches in national sporting codes) with a ticket value that exceeds \$100, corporate hospitality at a corporate facility at major sporting events, free or discounted products or services for personal use provided on terms that are not available to the general public or a broad class of persons, the use of holiday homes, artworks, free or discounted travel.

6.11 Where you have accepted a gift or benefit of token value from a person or organisation, you must not accept a further gift or benefit from the same person or organisation or another person associated with that person or organisation within a single 12-month period where the value of the gift, added to the value of earlier gifts received from the same person or organisation, or a person associated with that person or organisation, during the same 12-month period would exceed \$100 in value.

6.12 For the purposes of this Part, the value of a gift or benefit is the monetary value of the gift or benefit inclusive of GST.

“Cash-like gifts”

6.13 For the purposes of clause 6.5(e), “cash-like gifts” include but are not limited to, gift vouchers, credit cards, debit cards with credit on them, prepayments such as phone or internet credit, lottery tickets, memberships or entitlements to discounts that are not available to the general public or a broad class of persons.

Improper and undue influence

6.14 You must not use your position to influence other council officials in the performance of their official functions to obtain a private benefit for yourself or for somebody else.

6.15 You must not take advantage (or seek to take advantage) of your status or position with council, or of functions you perform for council, in order to obtain a private benefit for yourself or for any other person or body.

PART 7 RELATIONSHIPS BETWEEN COUNCIL OFFICIALS**Obligations of councillors and administrators**

7.1 Each council is a body politic. The councillors or administrator/s are the governing body of the council. Under section 223 of the LGA, the role of the governing body of the council includes the development and endorsement of the strategic plans, programs, strategies and policies of the council, including those relating to workforce policy, and to keep the performance of the council under review.

7.2 Councillors or administrators must not:

- direct council staff other than by giving appropriate direction to the general manager by way of council or committee resolution, or by the mayor or administrator exercising their functions under section 226 of the LGA
- in any public or private forum, direct or influence, or attempt to direct or influence, any other member of the staff of the council in the exercise of the functions of the staff member
- contact a member of the staff of the council on council-related business unless in accordance with the policy and procedures governing the interaction of councillors and council staff that have been authorised by the council and the general manager.

Obligations of staff

7.3 Under section 335 of the LGA, the role of the general manager includes conducting the day-to-day management of the council in accordance with the strategic plans, programs, strategies and policies of the council, implementing without undue delay, lawful decisions of the council and ensuring that the mayor and other councillors are given timely information and advice and the administrative and professional support necessary to effectively discharge their official functions.

7.4 Members of staff of council must:

- give their attention to the business of the council while on duty
- ensure that their work is carried out ethically, efficiently, economically and effectively
- carry out reasonable and lawful directions given by any person having authority to give such directions
- give effect to the lawful decisions, policies and procedures of the council, whether or not the staff member agrees with or approves of them
- ensure that any participation in political activities outside the service of the council does not interfere with the performance of their official duties.

Inappropriate interactions

7.5 You must not engage in any of the following inappropriate interactions:

- councillors and administrators approaching staff and staff organisations to discuss individual or operational staff matters (other than matters relating to broader workforce policy), grievances, workplace investigations and disciplinary matters
- council staff approaching councillors and administrators to discuss individual or operational staff matters (other than matters relating to broader workforce policy), grievances, workplace investigations and disciplinary matters
- subject to clause 8.6, council staff refusing to give information that is available to other councillors to a particular councillor
- councillors and administrators who have lodged an application with the council, discussing the matter with council staff in staff-only areas of the council
- councillors and administrators being overbearing or threatening to council staff

- f) council staff being overbearing or threatening to councillors or administrators
- g) councillors and administrators making personal attacks on council staff or engaging in conduct towards staff that would be contrary to the general conduct provisions in Part 3 of this code in public forums including social media
- h) councillors and administrators directing or pressuring council staff in the performance of their work, or recommendations they should make
- i) council staff providing ad hoc advice to councillors and administrators without recording or documenting the interaction as they would if the advice was provided to a member of the community
- j) council staff meeting with applicants or objectors alone AND outside office hours to discuss planning applications or proposals

PART 8 ACCESS TO INFORMATION AND COUNCIL RESOURCES

Councillor and administrator access to information

- 8.1 The general manager is responsible for ensuring that councillors and administrators can access information necessary for the performance of their official functions. The general manager and public officer are also responsible for ensuring that members of the public can access publicly available council information under the *Government Information (Public Access) Act 2009* (the GIPA Act).
- 8.2 The general manager must provide councillors and administrators with the information necessary to effectively discharge their official functions.
- 8.3 Members of staff of council must provide full and timely information to councillors and administrators sufficient to enable them to exercise their official functions and in accordance with council procedures.
- 8.4 Members of staff of council who provide any information to a particular councillor in the performance of their official functions must also make it available to any other councillor who requests it and in accordance with council procedures.
- 8.5 Councillors and administrators who have a private interest only in council information have the same rights of access as any member of the public.
- 8.6 Despite clause 8.4, councillors and administrators who are precluded from participating in the consideration of a matter under this code because they have a conflict of interest in the matter, are not entitled to request access to council information in relation to the matter unless the information is otherwise available to members of the public, or the council has determined to make the information available under the GIPA Act.

Refusal of access to information

- 8.7 Where the general manager or public officer determine to refuse access to information requested by a councillor or administrator, they must act reasonably. In reaching this decision they must take into account whether or not the information requested is necessary for the councillor or administrator to perform their official functions (see clause 8.2) and whether they have disclosed a conflict of interest in the matter the information relates to that would preclude their participation in consideration of the matter (see clause 8.6). The general manager or public officer must state the reasons for the decision if access is refused.

Use of certain council information

8.8 In regard to information obtained in your capacity as a council official, you must:

- subject to clause 8.13, only access council information needed for council business
- not use that council information for private purposes
- not seek or obtain, either directly or indirectly, any financial benefit or other improper advantage for yourself, or any other person or body, from any information to which you have access by virtue of your position with council
- only release council information in accordance with established council policies and procedures and in compliance with relevant legislation.

Use and security of confidential information

8.9 You must maintain the integrity and security of confidential information in your possession, or for which you are responsible.

8.10 In addition to your general obligations relating to the use of council information, you must:

- only access confidential information that you have been authorised to access and only do so for the purposes of exercising your official functions
- protect confidential information
- only release confidential information if you have authority to do so
- only use confidential information for the purpose for which it is intended to be used
- not use confidential information gained through your official position for the purpose of securing a private benefit for yourself or for any other person
- not use confidential information with the intention to cause harm or detriment to the council or any other person or body
- not disclose any confidential information discussed during a confidential session of a council or committee meeting or any other confidential forum (such as, but not limited to, workshops or briefing sessions).

Personal information

8.11 When dealing with personal information you must comply with:

- the *Privacy and Personal Information Protection Act 1998*
- the *Health Records and Information Privacy Act 2002*
- the Information Protection Principles and Health Privacy Principles
- the council's privacy management plan
- the Privacy Code of Practice for Local Government

Use of council resources

8.12 You must use council resources ethically, effectively, efficiently and carefully in exercising your official functions, and must not use them for private purposes, except when supplied as part of a contract of employment (but not for private business purposes), unless this use is lawfully authorised and proper payment is made where appropriate.

8.13 Union delegates and consultative committee members may have reasonable access to council resources and information for the purposes of carrying out their industrial responsibilities, including but not limited to:

- the representation of members with respect to disciplinary matters
- the representation of employees with respect to grievances and disputes
- functions associated with the role of the local consultative committee.

- 8.14 You must be scrupulous in your use of council property, including intellectual property, official services, facilities, technology and electronic devices and must not permit their misuse by any other person or body.
- 8.15 You must avoid any action or situation that could create the appearance that council property, official services or public facilities are being improperly used for your benefit or the benefit of any other person or body.
- 8.16 You must not use council resources (including council staff), property or facilities for the purpose of assisting your election campaign or the election campaigns of others unless the resources, property or facilities are otherwise available for use or hire by the public and any publicly advertised fee is paid for use of the resources, property or facility.
- 8.17 You must not use the council letterhead, council crests, council email or social media or other information that could give the appearance it is official council material:
 - a) for the purpose of assisting your election campaign or the election campaign of others, or
 - b) for other non-official purposes.
- 8.18 You must not convert any property of the council to your own use unless properly authorised.

Internet access

- 8.19 You must not use council's computer resources or mobile or other devices to search for, access, download or communicate any material of an offensive, obscene, pornographic, threatening, abusive or defamatory nature, or that could otherwise lead to criminal penalty or civil liability and/or damage the council's reputation.

Council record keeping

- 8.20 You must comply with the requirements of the *State Records Act 1998* and the council's records management policy.
- 8.21 All information created, sent and received in your official capacity is a council record and must be managed in accordance with the requirements of the *State Records Act 1998* and the council's approved records management policies and practices.
- 8.22 All information stored in either soft or hard copy on council supplied resources (including technology devices and email accounts) is deemed to be related to the business of the council and will be treated as council records, regardless of whether the original intention was to create the information for personal purposes.
- 8.23 You must not destroy, alter, or dispose of council information or records, unless authorised to do so. If you need to alter or dispose of council information or records, you must do so in consultation with the council's records manager and comply with the requirements of the *State Records Act 1998*.

Councillor access to council buildings

- 8.24 Councillors and administrators must not enter staff-only areas of council buildings without the approval of the general manager (or their delegate) or as provided for in the procedures governing the interaction of councillors and council staff.

8.25 Councillors and administrators must ensure that when they are within a staff only area they refrain from conduct that could be perceived to improperly influence council staff decisions.

PART 9 MAINTAINING THE INTEGRITY OF THIS CODE

Complaints made for an improper purpose

9.1 You must not make or threaten to make a complaint or cause a complaint to be made alleging a breach of this code for an improper purpose.

9.2 For the purposes of clause 9.1, a complaint is made for an improper purpose where it is trivial, frivolous, vexatious or not made in good faith, or where it otherwise lacks merit and has been made substantially for one or more of the following purposes:

- a) to bully, intimidate or harass another council official
- b) to damage another council official's reputation
- c) to obtain a political advantage
- d) to influence a council official in the exercise of their official functions or to prevent or disrupt the exercise of those functions
- e) to influence the council in the exercise of its functions or to prevent or disrupt the exercise of those functions
- f) to avoid disciplinary action under the Procedures
- g) to take reprisal action against a person for making a complaint alleging a breach of this code
- h) to take reprisal action against a person for exercising a function prescribed under the Procedures
- i) to prevent or disrupt the effective administration of this code under the Procedures.

Detrimental action

9.3 You must not take detrimental action or cause detrimental action to be taken against a person substantially in reprisal for a complaint they have made alleging a breach of this code.

9.4 You must not take detrimental action or cause detrimental action to be taken against a person substantially in reprisal for any function they have exercised under the Procedures.

9.5 For the purposes of clauses 9.3 and 9.4, a detrimental action is an action causing, comprising or involving any of the following:

- a) injury, damage or loss
- b) intimidation or harassment
- c) discrimination, disadvantage or adverse treatment in relation to employment
- d) dismissal from, or prejudice in, employment
- e) disciplinary proceedings.

Compliance with requirements under the Procedures

9.6 You must not engage in conduct that is calculated to impede or disrupt the consideration of a matter under the Procedures.

9.7 You must comply with a reasonable and lawful request made by a person exercising a function under the Procedures. A failure to make a written or oral submission invited under the Procedures will not constitute a breach of this clause.

9.8 You must comply with a practice ruling made by the Office under the Procedures.

Disclosure of information about the consideration of a matter under the Procedures

9.9 All allegations of breaches of this code must be dealt with under and in accordance with the Procedures.

9.10 You must not allege breaches of this code other than by way of a complaint made or initiated under the Procedures.

9.11 You must not make allegations about, or disclose information about, suspected breaches of this code at council, committee or other meetings, whether open to the public or not, or in any other forum, whether public or not.

9.12 You must not disclose information about a complaint you have made alleging a breach of this code or a matter being considered under the Procedures except for the purposes of seeking legal advice, unless the disclosure is otherwise permitted under the Procedures.

9.13 Nothing under this Part prevents a person from making a public interest disclosure to an appropriate public authority or investigative authority under the *Public Interest Disclosures Act 1994*.

Complaints alleging a breach of this Part

9.14 Complaints alleging a breach of this Part by the general manager are to be managed by the Office. This clause does not prevent the Office from referring an alleged breach of this Part back to the council for consideration in accordance with the Procedures.

9.15 Complaints alleging a breach of this Part by other council officials are to be managed by the general manager in accordance with the Procedures.

SCHEDULE 1: DISCLOSURES OF INTERESTS AND OTHER MATTERS IN WRITTEN RETURNS SUBMITTED UNDER CLAUSE 4.18**Part 1: Preliminary****Definitions**

1. For the purposes of the schedules to this code, the following definitions apply:

address means:

- a) in relation to a person other than a corporation, the last residential or business address of the person known to the designated person disclosing the address, or
- b) in relation to a corporation, the address of the registered office of the corporation in New South Wales or, if there is no such office, the address of the principal office of the corporation in the place where it is registered, or
- c) in relation to any real property, the street address of the property.

de facto partner has the same meaning as defined in section 21C of the *Interpretation Act 1987*.

disposition of property means a conveyance, transfer, assignment, settlement, delivery, payment or other alienation of property, including the following:

- a) the allotment of shares in a company
- b) the creation of a trust in respect of property
- c) the grant or creation of a lease, mortgage, charge, easement, licence, power, partnership or interest in respect of property
- d) the release, discharge, surrender, forfeiture or abandonment, at law or in equity, of a debt, contract or chose in action, or of an interest in respect of property
- e) the exercise by a person of a general power of appointment over property in favour of another person
- f) a transaction entered into by a person who intends by the transaction to diminish, directly or indirectly, the value of the person's own property and to increase the value of the property of another person.

gift means a disposition of property made otherwise than by will (whether or not by instrument in writing) without consideration, or with inadequate consideration, in money or money's worth passing from the person to whom the disposition was made to the person who made the disposition, but does not include a financial or other contribution to travel.

interest means:

- a) in relation to property, an estate, interest, right or power, at law or in equity, in or over the property, or
- b) in relation to a corporation, a relevant interest (within the meaning of section 9 of the *Corporations Act 2001* of the Commonwealth) in securities issued or made available by the corporation.

listed company means a company that is listed within the meaning of section 9 of the *Corporations Act 2001* of the Commonwealth.

occupation includes trade, profession and vocation.

professional or business association means an incorporated or unincorporated body or organisation having as one of its objects or activities the promotion of the economic interests of its members in any occupation.

property includes money.

return date means:

- a) in the case of a return made under clause 4.18(a), the date on which a person became a designated person
- b) in the case of a return made under clause 4.18(b), 30 June of the year in which the return is made
- c) in the case of a return made under clause 4.18(c), the date on which the designated person became aware of the interest to be disclosed.

relative includes any of the following:

- a) a person's spouse or de facto partner
- b) a person's parent, grandparent, brother, sister, uncle, aunt, nephew, niece, lineal descendant or adopted child
- c) a person's spouse's or de facto partner's parent, grandparent, brother, sister, uncle, aunt, nephew, niece, lineal descendant or adopted child
- d) the spouse or de facto partner of a person referred to in paragraphs (b) and (c).

travel includes accommodation incidental to a journey.

Matters relating to the interests that must be included in returns

2. *Interests etc. outside New South Wales:* A reference in this schedule or in schedule 2 to a disclosure concerning a corporation or other thing includes any reference to a disclosure concerning a corporation registered, or other thing arising or received, outside New South Wales.
3. *References to interests in real property:* A reference in this schedule or in schedule 2 to real property in which a designated person has an interest includes a reference to any real property situated in Australia in which the designated person has an interest.
4. *Gifts, loans etc. from related corporations:* For the purposes of this schedule and schedule 2, gifts or contributions to travel given, loans made, or goods or services supplied, to a designated person by two or more corporations that are related to each other for the purposes of section 50 of the *Corporations Act 2001* of the Commonwealth are all given, made or supplied by a single corporation.

Part 2: Pecuniary interests to be disclosed in returns

Real property

5. A person making a return under clause 4.18 of this code must disclose:
 - a) the street address of each parcel of real property in which they had an interest on the return date, and
 - b) the street address of each parcel of real property in which they had an interest in the period since 30 June of the previous financial year, and
 - c) the nature of the interest.

6. An interest in a parcel of real property need not be disclosed in a return if the person making the return had the interest only:
 - a) as executor of the will, or administrator of the estate, of a deceased person and not as a beneficiary under the will or intestacy, or
 - b) as a trustee, if the interest was acquired in the ordinary course of an occupation not related to their duties as the holder of a position required to make a return.
7. An interest in a parcel of real property need not be disclosed in a return if the person ceased to hold the interest prior to becoming a designated person.
8. For the purposes of clause 5 of this schedule, “interest” includes an option to purchase.

Gifts

9. A person making a return under clause 4.18 of this code must disclose:
 - a) a description of each gift received in the period since 30 June of the previous financial year, and
 - b) the name and address of the donor of each of the gifts.
10. A gift need not be included in a return if:
 - a) it did not exceed \$500, unless it was among gifts totalling more than \$500 made by the same person during a period of 12 months or less, or
 - b) it was a political donation disclosed, or required to be disclosed, under Part 3 of the *Electoral Funding Act 2018*, or
 - c) the donor was a relative of the donee, or
 - d) subject to paragraph (a), it was received prior to the person becoming a designated person.
11. For the purposes of clause 10 of this schedule, the amount of a gift other than money is an amount equal to the value of the property given.

Contributions to travel

12. A person making a return under clause 4.18 of this code must disclose:
 - a) the name and address of each person who made any financial or other contribution to the expenses of any travel undertaken by the person in the period since 30 June of the previous financial year, and
 - b) the dates on which the travel was undertaken, and
 - c) the names of the states and territories, and of the overseas countries, in which the travel was undertaken.
13. A financial or other contribution to any travel need not be disclosed under this clause if it:
 - a) was made from public funds (including a contribution arising from travel on free passes issued under an Act or from travel in government or council vehicles), or
 - b) was made by a relative of the traveller, or
 - c) was made in the ordinary course of an occupation of the traveller that is not related to their functions as the holder of a position requiring the making of a return, or
 - d) did not exceed \$250, unless it was among gifts totalling more than \$250 made by the same person during a 12-month period or less, or
 - e) was a political donation disclosed, or required to be disclosed, under Part 3 of the *Electoral Funding Act 2018*, or

- f) was made by a political party of which the traveller was a member and the travel was undertaken for the purpose of political activity of the party in New South Wales, or to enable the traveller to represent the party within Australia, or
- g) subject to paragraph (d) it was received prior to the person becoming a designated person.

14. For the purposes of clause 13 of this schedule, the amount of a contribution (other than a financial contribution) is an amount equal to the value of the contribution.

Interests and positions in corporations

15. A person making a return under clause 4.18 of this code must disclose:

- a) the name and address of each corporation in which they had an interest or held a position (whether remunerated or not) on the return date, and
- b) the name and address of each corporation in which they had an interest or held a position in the period since 30 June of the previous financial year, and
- c) the nature of the interest, or the position held, in each of the corporations, and
- d) a description of the principal objects (if any) of each of the corporations, except in the case of a listed company.

16. An interest in, or a position held in, a corporation need not be disclosed if the corporation is:

- a) formed for the purpose of providing recreation or amusement, or for promoting commerce, industry, art, science, religion or charity, or for any other community purpose, and
- b) required to apply its profits or other income in promoting its objects, and
- c) prohibited from paying any dividend to its members.

17. An interest in a corporation need not be disclosed if the interest is a beneficial interest in shares in a company that does not exceed 10 per cent of the voting rights in the company.

18. An interest or a position in a corporation need not be disclosed if the person ceased to hold the interest or position prior to becoming a designated person.

Interests as a property developer or a close associate of a property developer

19. A person making a return under clause 4.18 of this code must disclose whether they were a property developer, or a close associate of a corporation that, or an individual who, is a property developer, on the return date.

20. For the purposes of clause 19 of this schedule:

close associate, in relation to a corporation or an individual, has the same meaning as it has in section 53 of the *Electoral Funding Act 2018*.

property developer has the same meaning as it has in Division 7 of Part 3 of the *Electoral Funding Act 2018*.

Positions in trade unions and professional or business associations

21. A person making a return under clause 4.18 of the code must disclose:

- a) the name of each trade union, and of each professional or business association, in which they held any position (whether remunerated or not) on the return date, and
- b) the name of each trade union, and of each professional or business association, in which they have held any position (whether remunerated or not) in the period since 30 June of the previous financial year, and
- c) a description of the position held in each of the unions and associations.

22. A position held in a trade union or a professional or business association need not be disclosed if the person ceased to hold the position prior to becoming a designated person.

Dispositions of real property

23. A person making a return under clause 4.18 of this code must disclose particulars of each disposition of real property by the person (including the street address of the affected property) in the period since 30 June of the previous financial year, under which they wholly or partly retained the use and benefit of the property or the right to re-acquire the property.

24. A person making a return under clause 4.18 of this code must disclose particulars of each disposition of real property to another person (including the street address of the affected property) in the period since 30 June of the previous financial year, that is made under arrangements with, but is not made by, the person making the return, being a disposition under which the person making the return obtained wholly or partly the use of the property.

25. A disposition of real property need not be disclosed if it was made prior to a person becoming a designated person.

Sources of income

26. A person making a return under clause 4.18 of this code must disclose:

- a) each source of income that the person reasonably expects to receive in the period commencing on the first day after the return date and ending on the following 30 June, and
- b) each source of income received by the person in the period since 30 June of the previous financial year.

27. A reference in clause 26 of this schedule to each source of income received, or reasonably expected to be received, by a person is a reference to:

- a) in relation to income from an occupation of the person:
 - (i) a description of the occupation, and
 - (ii) if the person is employed or the holder of an office, the name and address of their employer, or a description of the office, and
 - (iii) if the person has entered into a partnership with other persons, the name (if any) under which the partnership is conducted, or
- b) in relation to income from a trust, the name and address of the settlor and the trustee, or
- c) in relation to any other income, a description sufficient to identify the person from whom, or the circumstances in which, the income was, or is reasonably expected to be, received.

28. The source of any income need not be disclosed by a person in a return if the amount of the income received, or reasonably expected to be received, by the person from that source did not exceed \$500, or is not reasonably expected to exceed \$500, as the case may be.

29. The source of any income received by the person that they ceased to receive prior to becoming a designated person need not be disclosed.

Debts

30. A person making a return under clause 4.18 of this code must disclose the name and address of each person to whom the person was liable to pay any debt:

- a) on the return date, and
- b) at any time in the period since 30 June of the previous financial year.

31. A liability to pay a debt must be disclosed by a person in a return made under clause 4.18 whether or not the amount, or any part of the amount, to be paid was due and payable on the return date or at any time in the period since 30 June of the previous financial year, as the case may be.
32. A liability to pay a debt need not be disclosed by a person in a return if:
 - a) the amount to be paid did not exceed \$500 on the return date or in the period since 30 June of the previous financial year, as the case may be, unless:
 - (i) the debt was one of two or more debts that the person was liable to pay to one person on the return date, or at any time in the period since 30 June of the previous financial year, as the case may be, and
 - (ii) the amounts to be paid exceeded, in the aggregate, \$500, or
 - b) the person was liable to pay the debt to a relative, or
 - c) in the case of a debt arising from a loan of money the person was liable to pay the debt to an authorised deposit-taking institution or other person whose ordinary business includes the lending of money, and the loan was made in the ordinary course of business of the lender, or
 - d) in the case of a debt arising from the supply of goods or services:
 - (i) the goods or services were supplied in the period of 12 months immediately preceding the return date, or were supplied in the period since 30 June of the previous financial year, as the case may be, or
 - (ii) the goods or services were supplied in the ordinary course of any occupation of the person that is not related to their duties as the holder of a position required to make a return, or
 - e) subject to paragraph (a), the debt was discharged prior to the person becoming a designated person.

Discretionary disclosures

33. A person may voluntarily disclose in a return any interest, benefit, advantage or liability, whether pecuniary or not, that is not required to be disclosed under another provision of this Schedule.

SCHEDULE 2: FORM OF WRITTEN RETURN OF INTERESTS SUBMITTED UNDER CLAUSE 4.18**'Disclosures by councillors and designated persons' return**

1. The pecuniary interests and other matters to be disclosed in this return are prescribed by Schedule 1 of the *Model Code of Conduct for Local Councils in NSW* (the Model Code of Conduct).
2. If this is the first return you have been required to lodge with the general manager after becoming a councillor or designated person, do not complete Parts C, D and I of the return. All other parts of the return should be completed with appropriate information based on your circumstances at the return date, that is, the date on which you became a councillor or designated person.
3. If you have previously lodged a return with the general manager and you are completing this return for the purposes of disclosing a new interest that was not disclosed in the last return you lodged with the general manager, you must complete all parts of the return with appropriate information for the period from 30 June of the previous financial year or the date on which you became a councillor or designated person, (whichever is the later date), to the return date which is the date you became aware of the new interest to be disclosed in your updated return.
4. If you have previously lodged a return with the general manager and are submitting a new return for the new financial year, you must complete all parts of the return with appropriate information for the 12-month period commencing on 30 June of the previous year to 30 June this year.
5. This form must be completed using block letters or typed.
6. If there is insufficient space for all the information you are required to disclose, you must attach an appendix which is to be properly identified and signed by you.
7. If there are no pecuniary interests or other matters of the kind required to be disclosed under a heading in this form, the word "NIL" is to be placed in an appropriate space under that heading.

Important information

This information is being collected for the purpose of complying with clause 4.21 of the Model Code of Conduct.

You must not lodge a return that you know or ought reasonably to know is false or misleading in a material particular (see clause 4.23 of the Model Code of Conduct). Complaints about breaches of these requirements are to be referred to the Office of Local Government and may result in disciplinary action by the council, the Chief Executive of the Office of Local Government or the NSW Civil and Administrative Tribunal.

The information collected on this form will be kept by the general manager in a register of returns. The general manager is required to table all returns at a council meeting.

Information contained in returns made and lodged under clause 4.21 is to be made publicly available in accordance with the requirements of the *Government Information (Public Access) Act 2009*, the *Government Information (Public Access) Regulation 2009* and any guidelines issued by the Information Commissioner.

You have an obligation to keep the information contained in this return up to date. If you become aware of a new interest that must be disclosed in this return, or an interest that you have previously

failed to disclose, you must submit an updated return within three months of becoming aware of the previously undisclosed interest.

Disclosure of pecuniary interests and other matters by [full name of councillor or designated person]

as at [return date]

in respect of the period from [date] to [date]

[councillor's or designated person's signature]

[date]

A. Real Property

Street address of each parcel of real property in which I had an interest at Nature of interest
the return date/at any time since 30 June

B. Sources of income

1 Sources of income I reasonably expect to receive from an occupation in the period
commencing on the first day after the return date and ending on the following 30 June
Sources of income I received from an occupation at any time since 30 June

Description of occupation	Name and address of employer or description of office held (if applicable)	Name under which partnership conducted (if applicable)

2 Sources of income I reasonably expect to receive from a trust in the period commencing on
the first day after the return date and ending on the following 30 June

Sources of income I received from a trust since 30 June

Name and address of settlor	Name and address of trustee

3 Sources of other income I reasonably expect to receive in the period commencing on the first
day after the return date and ending on the following 30 June

Sources of other income I received at any time since 30 June

*[Include description sufficient to identify the person from whom, or the circumstances in which,
that income was received]*

C. Gifts

Description of each gift I received at any time since 30 Name and address of donor
June

D. Contributions to travel

Name and address of each person who made any financial or other contribution to any travel undertaken by me at any time since 30 June	Dates on which travel was undertaken	Name of States, Territories of the Commonwealth and overseas countries in which travel was undertaken

E. Interests and positions in corporations

Name and address of each corporation in which I had an interest or held a position at the return date/at any time since 30 June	Nature of interest (if any)	Description of position (if any)	Description of principal objects (if any) of corporation (except in case of listed company)
F. Were you a property developer or a close associate of a property developer on the return date? (Y/N)			
G. Positions in trade unions and professional or business associations			
Name of each trade union and each professional or business association in which I held any position (whether remunerated or not) at the return date/at any time since 30 June		Description of position	
H. Debts			
Name and address of each person to whom I was liable to pay any debt at the return date/at any time since 30 June			
I. Dispositions of property			
1 Particulars of each disposition of real property by me (including the street address of the affected property) at any time since 30 June as a result of which I retained, either wholly or in part, the use and benefit of the property or the right to re-acquire the property at a later time			
2 Particulars of each disposition of property to a person by any other person under arrangements made by me (including the street address of the affected property), being dispositions made at any time since 30 June, as a result of which I obtained, either wholly or in part, the use and benefit of the property			
J. Discretionary disclosures			



COOTAMUNDRA-
GUNDAGAI REGIONAL
COUNCIL

Developed using the Model Code of Conduct
for Local Councils in NSW

Code of Conduct for Councillors

2025

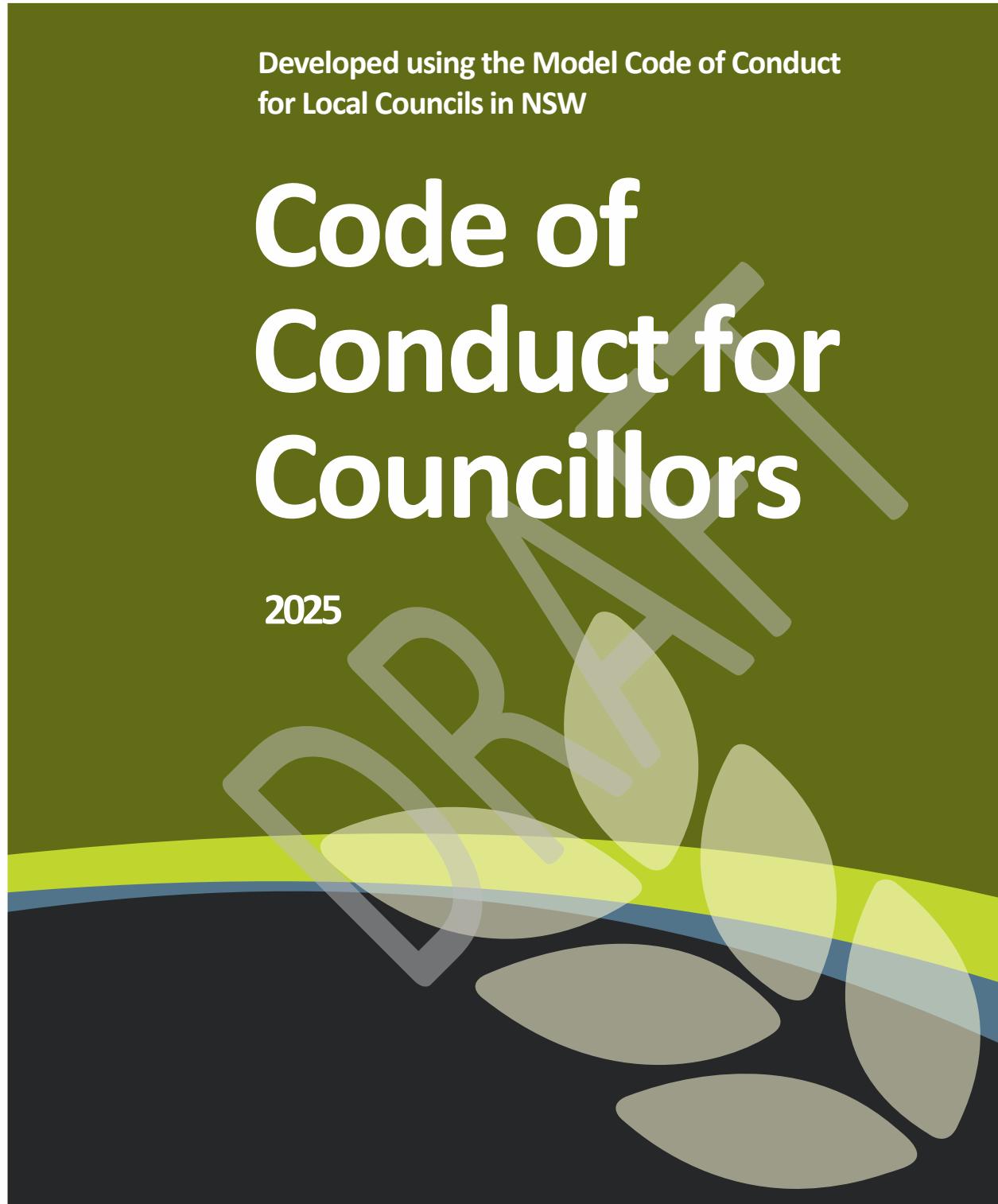


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PART 1 INTRODUCTION

This code of conduct applies to councillors. It is based on the *Model Code of Conduct for Local Councils in NSW* ("the Model Code of Conduct") which has been prescribed under the *Local Government (General) Regulation 2021* ("the Regulation").

Section 440 of the *Local Government Act 1993* ("LGA") requires every council (including county councils) and joint organisation to adopt a code of conduct that incorporates the provisions of the Model Code of Conduct.

The Model Code of Conduct sets the minimum standards of conduct for council officials. It is prescribed by regulation to assist council officials to:

- understand and comply with the standards of conduct that are expected of them
- enable them to fulfil their statutory duty to act honestly and exercise a reasonable degree of care and diligence (section 439)
- act in a way that enhances public confidence in local government.

This Code of Conduct replicates the model Code and does not include any additional provisions.

Councillors, administrators, members of staff of Council, delegates of Council, (including members of Council committees that are delegates of Council) and any other person Council's adopted code of conduct applies to, must comply with the applicable provisions of Council's code of conduct. It is the personal responsibility of council officials to comply with the standards in the code and to regularly review their personal circumstances and conduct with this in mind.

Failure by a councillor to comply with the standards of conduct prescribed under this code constitutes misconduct for the purposes of the LGA. The LGA provides for a range of penalties that may be imposed on councillors for misconduct, including suspension or disqualification from civic office. A councillor who has been suspended on three or more occasions for misconduct is automatically disqualified from holding civic office for five years.

PART 2 DEFINITIONS

In this code the following terms have the following meanings:

administrator	an administrator of a council appointed under the LGA other than an administrator appointed under section 66
committee	see the definition of “council committee”
complaint	a code of conduct complaint made for the purposes of clauses 4.1 and 4.2 of the Procedures.
council	includes county councils and joint organisations
council committee	a committee established by a council comprising of councillors, staff or other persons that the council has delegated functions to and the council’s audit, risk and improvement committee
council committee member	a person other than a councillor or member of staff of a council who is a member of a council committee other than a wholly advisory committee, and a person other than a councillor who is a member of the council’s audit, risk and improvement committee
council official	includes councillors, members of staff of a council, administrators, council committee members, delegates of council and council advisers
councillor	any person elected or appointed to civic office, including the mayor and includes members and chairpersons of county councils and voting representatives of the boards of joint organisations and chairpersons of joint organisations
conduct	includes acts and omissions
delegate of council	a person (other than a councillor or member of staff of a council) or body, and the individual members of that body, to whom a function of the council is delegated
election campaign	includes council, state and federal election campaigns
environmental planning instrument	has the same meaning as it has in the <i>Environmental Planning and Assessment Act 1979</i>
general manager	includes the executive officer of a joint organisation

joint organisation	a joint organisation established under section 400O of the LGA
LGA	the <i>Local Government Act 1993</i>
local planning panel	a local planning panel constituted under the <i>Environmental Planning and Assessment Act 1979</i>
mayor	includes the chairperson of a county council or a joint organisation
members of staff of a council	includes members of staff of county councils and joint organisations
the Office	Office of Local Government
personal information	information or an opinion (including information or an opinion forming part of a database and whether or not recorded in a material form) about an individual whose identity is apparent or can reasonably be ascertained from the information or opinion
the Procedures	the <i>Procedures for the Administration of the Model Code of Conduct for Local Councils in NSW</i> prescribed under the Regulation
the Regulation	the <i>Local Government (General) Regulation 2021</i>
voting representative	a voting representative of the board of a joint organisation
wholly advisory committee	a council committee that the council has not delegated any functions to

PART 3 GENERAL CONDUCT OBLIGATIONS

General conduct

3.1 You must not conduct yourself in a manner that:

- a) is likely to bring the council or other council officials into disrepute
- b) is contrary to statutory requirements or the council's administrative requirements or policies
- c) is improper or unethical
- d) is an abuse of power
- e) causes, comprises or involves intimidation or verbal abuse
- f) involves the misuse of your position to obtain a private benefit
- g) constitutes harassment or bullying behaviour under this code, or is unlawfully discriminatory.

3.2 You must act lawfully and honestly, and exercise a reasonable degree of care and diligence in carrying out your functions under the LGA or any other Act (*section 439*).

Fairness and equity

3.3 You must consider issues consistently, promptly and fairly. You must deal with matters in accordance with established procedures, in a non-discriminatory manner.

3.4 You must take all relevant facts known to you, or that you should be reasonably aware of, into consideration and have regard to the particular merits of each case. You must not take irrelevant matters or circumstances into consideration when making decisions.

3.5 An act or omission in good faith, whether or not it involves error, will not constitute a breach of clauses 3.3 or 3.4.

Harassment and discrimination

3.6 You must not harass or unlawfully discriminate against others, or support others who harass or unlawfully discriminate against others, on the grounds of age, disability, race (including colour, national or ethnic origin or immigrant status), sex, pregnancy, marital or relationship status, family responsibilities or breastfeeding, sexual orientation, gender identity or intersex status or political, religious or other affiliation.

3.7 For the purposes of this code, "harassment" is any form of behaviour towards a person that:

- a) is not wanted by the person
- b) offends, humiliates or intimidates the person, and
- c) creates a hostile environment.

Bullying

3.8 You must not engage in bullying behaviour towards others.

3.9 For the purposes of this code, "bullying behaviour" is any behaviour in which:

- a) a person or a group of people repeatedly behaves unreasonably towards another person or a group of persons, and

b) the behaviour creates a risk to health and safety.

3.10 Bullying behaviour may involve, but is not limited to, any of the following types of behaviour:

- a) aggressive, threatening or intimidating conduct
- b) belittling or humiliating comments
- c) spreading malicious rumours
- d) teasing, practical jokes or 'initiation ceremonies'
- e) exclusion from work-related events
- f) unreasonable work expectations, including too much or too little work, or work below or beyond a worker's skill level
- g) displaying offensive material
- h) pressure to behave in an inappropriate manner.

3.11 Reasonable management action carried out in a reasonable manner does not constitute bullying behaviour for the purposes of this code. Examples of reasonable management action may include, but are not limited to:

- a) performance management processes
- b) disciplinary action for misconduct
- c) informing a worker about unsatisfactory work performance or inappropriate work behaviour
- d) directing a worker to perform duties in keeping with their job
- e) maintaining reasonable workplace goals and standards
- f) legitimately exercising a regulatory function
- g) legitimately implementing a council policy or administrative processes.

Work health and safety

3.12 All council officials, including councillors, owe statutory duties under the *Work Health and Safety Act 2011* (WHS Act). You must comply with your duties under the WHS Act and your responsibilities under any policies or procedures adopted by the council to ensure workplace health and safety. Specifically, you must:

- a) take reasonable care for your own health and safety
- b) take reasonable care that your acts or omissions do not adversely affect the health and safety of other persons
- c) comply, so far as you are reasonably able, with any reasonable instruction that is given to ensure compliance with the WHS Act and any policies or procedures adopted by the council to ensure workplace health and safety
- d) cooperate with any reasonable policy or procedure of the council relating to workplace health or safety that has been notified to council staff
- e) report accidents, incidents, near misses, to the general manager or such other staff member nominated by the general manager, and take part in any incident investigations
- f) so far as is reasonably practicable, consult, co-operate and coordinate with all others who have a duty under the WHS Act in relation to the same matter.

Land use planning, development assessment and other regulatory functions

- 3.13 You must ensure that land use planning, development assessment and other regulatory decisions are properly made, and that all parties are dealt with fairly. You must avoid any occasion for suspicion of improper conduct in the exercise of land use planning, development assessment and other regulatory functions.
- 3.14 In exercising land use planning, development assessment and other regulatory functions, you must ensure that no action, statement or communication between yourself and others conveys any suggestion of willingness to improperly provide concessions or preferential or unduly unfavourable treatment.

Binding caucus votes

- 3.15 You must not participate in binding caucus votes in relation to matters to be considered at a council or committee meeting.
- 3.16 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.
- 3.17 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.
- 3.18 Clause 3.15 does not apply to a decision to elect the mayor or deputy mayor, or to nominate a person to be a member of a council committee or a representative of the council on an external body.

Obligations in relation to meetings

- 3.19 You must comply with rulings by the chair at council and committee meetings or other proceedings of the council unless a motion dissenting from the ruling is passed.
- 3.20 You must not engage in bullying behaviour (as defined under this Part) towards the chair, other council officials or any members of the public present during council or committee meetings or other proceedings of the council (such as, but not limited to, workshops and briefing sessions).
- 3.21 You must not engage in conduct that disrupts council or committee meetings or other proceedings of the council (such as, but not limited to, workshops and briefing sessions), or that would otherwise be inconsistent with the orderly conduct of meetings.

3.22 If you are a councillor, you must not engage in any acts of disorder or other conduct that is intended to prevent the proper or effective functioning of the council, or of a committee of the council. Without limiting this clause, you must not:

- a) leave a meeting of the council or a committee for the purposes of depriving the meeting of a quorum, or
- b) submit a rescission motion with respect to a decision for the purposes of voting against it to prevent another councillor from submitting a rescission motion with respect to the same decision, or
- c) deliberately seek to impede the consideration of business at a meeting.

PART 4 PECUNIARY INTERESTS**What is a pecuniary interest?**

- 4.1 A pecuniary interest is an interest that you have in a matter because of a reasonable likelihood or expectation of appreciable financial gain or loss to you or a person referred to in clause 4.3.
- 4.2 You will not have a pecuniary interest in a matter if the interest is so remote or insignificant that it could not reasonably be regarded as likely to influence any decision you might make in relation to the matter, or if the interest is of a kind specified in clause 4.6.
- 4.3 For the purposes of this Part, you will have a pecuniary interest in a matter if the pecuniary interest is:
 - (a) your interest, or
 - (b) the interest of your spouse or de facto partner, your relative, or your partner or employer, or
 - (c) a company or other body of which you, or your nominee, partner or employer, is a shareholder or member.
- 4.4 For the purposes of clause 4.3:
 - (a) Your “relative” is any of the following:
 - i) your parent, grandparent, brother, sister, uncle, aunt, nephew, niece, lineal descendant or adopted child
 - ii) your spouse’s or de facto partner’s parent, grandparent, brother, sister, uncle, aunt, nephew, niece, lineal descendant or adopted child
 - iii) the spouse or de facto partner of a person referred to in paragraphs (i) and (ii).
 - (b) “de facto partner” has the same meaning as defined in section 21C of the *Interpretation Act 1987*.
- 4.5 You will not have a pecuniary interest in relation to a person referred to in subclauses 4.3(b) or (c):
 - (a) if you are unaware of the relevant pecuniary interest of your spouse, de facto partner, relative, partner, employer or company or other body, or
 - (b) just because the person is a member of, or is employed by, a council or a statutory body, or is employed by the Crown, or
 - (c) just because the person is a member of, or a delegate of a council to, a company or other body that has a pecuniary interest in the matter, so long as the person has no beneficial interest in any shares of the company or body.

What interests do not have to be disclosed?

- 4.6 You do not have to disclose the following interests for the purposes of this Part:
 - (a) your interest as an elector
 - (b) your interest as a ratepayer or person liable to pay a charge

- (c) an interest you have in any matter relating to the terms on which the provision of a service or the supply of goods or commodities is offered to the public generally, or to a section of the public that includes persons who are not subject to this code
- (d) an interest you have in any matter relating to the terms on which the provision of a service or the supply of goods or commodities is offered to your relative by the council in the same manner and subject to the same conditions as apply to persons who are not subject to this code
- (e) an interest you have as a member of a club or other organisation or association, unless the interest is as the holder of an office in the club or organisation (whether remunerated or not)
- (f) an interest you have relating to a contract, proposed contract or other matter, if the interest arises only because of a beneficial interest in shares in a company that does not exceed 10 per cent of the voting rights in the company
- (g) an interest you have arising from the proposed making by the council of an agreement between the council and a corporation, association or partnership, being a corporation, association or partnership that has more than 25 members, if the interest arises because your relative is a shareholder (but not a director) of the corporation, or is a member (but not a member of the committee) of the association, or is a partner of the partnership
- (h) an interest you have arising from the making by the council of a contract or agreement with your relative for, or in relation to, any of the following, but only if the proposed contract or agreement is similar in terms and conditions to such contracts and agreements as have been made, or as are proposed to be made, by the council in respect of similar matters with other residents of the area:
 - i) the performance by the council at the expense of your relative of any work or service in connection with roads or sanitation
 - ii) security for damage to footpaths or roads
 - iii) any other service to be rendered, or act to be done, by the council by or under any Act conferring functions on the council, or by or under any contract
- (i) an interest relating to the payment of fees to councillors (including the mayor and deputy mayor)
- (j) an interest relating to the payment of expenses and the provision of facilities to councillors (including the mayor and deputy mayor) in accordance with a policy under section 252 of the LGA
- (k) an interest relating to an election to the office of mayor arising from the fact that a fee for the following 12 months has been determined for the office of mayor
- (l) an interest of a person arising from the passing for payment of a regular account for the wages or salary of an employee who is a relative of the person
- (m) an interest arising from being covered by, or a proposal to be covered by, indemnity insurance as a councillor

(n) an interest arising from the appointment of a councillor to a body as a representative or delegate of the council, whether or not a fee or other recompense is payable to the representative or delegate.

4.7 For the purposes of clause 4.6, “relative” has the same meaning as in clause 4.4, but includes your spouse or de facto partner.

What disclosures must be made by a councillor?

4.8 A councillor:

- (a) must prepare and submit written returns of interests in accordance with clause 4.9, and
- (b) must disclose pecuniary interests in accordance with clause 4.16 and comply with clause 4.17 where it is applicable.

Disclosure of interests in written returns

4.9 A councillor must make and lodge with the general manager a return in the form set out in schedule 2 to this code, disclosing the councillor’s interests as specified in schedule 1 to this code within 3 months after:

- (a) becoming a councillor, and
- (b) 30 June of each year, and
- (c) the councillor becoming aware of an interest they are required to disclose under schedule 1 that has not been previously disclosed in a return lodged under paragraphs (a) or (b).

4.10 A person need not make and lodge a return under clause 4.9 paragraphs (a) and (b) if:

- (a) they made and lodged a return under that clause in the preceding 3 months, or
- (b) they have ceased to be a councillor in the preceding 3 months.

4.11 A person must not make and lodge a return that the person knows or ought reasonably to know is false or misleading in a material particular.

4.12 The general manager must keep a register of returns required to be made and lodged with the general manager.

4.13 Returns required to be lodged with the general manager under clause 4.9(a) and (b) must be tabled at the first meeting of the council after the last day the return is required to be lodged.

4.14 Returns required to be lodged with the general manager under clause 4.9(c) must be tabled at the next council meeting after the return is lodged.

4.15 Information contained in returns made and lodged under clause 4.9 is to be made publicly available in accordance with the requirements of the *Government Information (Public Access) Act 2009*, the *Government Information (Public Access) Regulation 2009* and any guidelines issued by the Information Commissioner.

Disclosure of pecuniary interests at meetings

4.16 A councillor who has a pecuniary interest in any matter with which the council is concerned, and who is present at a meeting of the council or committee at which the matter is being considered, must disclose the nature of the interest to the meeting as soon as practicable.

4.17 The councillor must not be present at, or in sight of, the meeting of the council or committee:

- (a) at any time during which the matter is being considered or discussed by the council or committee, or
- (b) at any time during which the council or committee is voting on any question in relation to the matter.

4.18 In the case of a meeting of a board of a joint organisation, a voting representative is taken to be present at the meeting for the purposes of clauses 4.16 and 4.17 where they participate in the meeting by telephone or other electronic means.

4.19 A disclosure made at a meeting of a council or council committee must be recorded in the minutes of the meeting.

4.20 A general notice may be given to the general manager in writing by a councillor to the effect that the councillor or the councillor's spouse, de facto partner or relative, is:

- (a) a member of, or in the employment of, a specified company or other body, or
- (b) a partner of, or in the employment of, a specified person.

Such a notice is, unless and until the notice is withdrawn or until the end of the term of the council in which it is given (whichever is the sooner), sufficient disclosure of the councillor's interest in a matter relating to the specified company, body or person that may be the subject of consideration by the council or council committee after the date of the notice.

4.21 A councillor is not prevented from being present at and taking part in a meeting at which a matter is being considered, or from voting on the matter, merely because the councillor has an interest in the matter of a kind referred to in clause 4.6.

4.22 A person does not breach clauses 4.16 or 4.17 if the person did not know, and could not reasonably be expected to have known, that the matter under consideration at the meeting was a matter in which they had a pecuniary interest.

4.23 Despite clause 4.17, a councillor who has a pecuniary interest in a matter may participate in a decision to delegate consideration of the matter in question to another body or person.

4.24 Clause 4.17 does not apply to a councillor who has a pecuniary interest in a matter that is being considered at a meeting if:

- (a) the matter is a proposal relating to:

- (i) the making of a principal environmental planning instrument applying to the whole or a significant portion of the council's area, or
- (ii) the amendment, alteration or repeal of an environmental planning instrument where the amendment, alteration or repeal applies to the whole or a significant portion of the council's area, and

(b) the pecuniary interest arises only because of an interest of the councillor in the councillor's principal place of residence or an interest of another person (whose interests are relevant under clause 4.3) in that person's principal place of residence, and

(c) the councillor made a special disclosure under clause 4.25 in relation to the interest before the commencement of the meeting.

4.25 A special disclosure of a pecuniary interest made for the purposes of clause 4.24(c) must:

- (a) be in the form set out in schedule 3 of this code and contain the information required by that form, and
- (b) be laid on the table at a meeting of the council as soon as practicable after the disclosure is made, and the information contained in the special disclosure is to be recorded in the minutes of the meeting.

4.26 The Minister for Local Government may, conditionally or unconditionally, allow a councillor who has a pecuniary interest in a matter with which the council is concerned to be present at a meeting of the council or committee, to take part in the consideration or discussion of the matter and to vote on the matter if the Minister is of the opinion:

- (a) that the number of councillors prevented from voting would be so great a proportion of the whole as to impede the transaction of business, or
- (b) that it is in the interests of the electors for the area to do so.

4.27 A councillor with a pecuniary interest in a matter who is permitted to be present at a meeting of the council or committee, to take part in the consideration or discussion of the matter and to vote on the matter under clause 4.26, must still disclose the interest they have in the matter in accordance with clause 4.16.

PART 5 NON-PECUNIARY CONFLICTS OF INTEREST

What is a non-pecuniary conflict of interest?

- 5.1 Non-pecuniary interests are private or personal interests a council official has that do not amount to a pecuniary interest as defined in clause 4.1 of this code. These commonly arise out of family or personal relationships, or out of involvement in sporting, social, religious or other cultural groups and associations, and may include an interest of a financial nature.
- 5.2 A non-pecuniary conflict of interest exists where a reasonable and informed person would perceive that you could be influenced by a private interest when carrying out your official functions in relation to a matter.
- 5.3 The personal or political views of a council official do not constitute a private interest for the purposes of clause 5.2.
- 5.4 Non-pecuniary conflicts of interest must be identified and appropriately managed to uphold community confidence in the probity of council decision-making. The onus is on you to identify any non-pecuniary conflict of interest you may have in matters that you deal with, to disclose the interest fully and in writing, and to take appropriate action to manage the conflict in accordance with this code.
- 5.5 When considering whether or not you have a non-pecuniary conflict of interest in a matter you are dealing with, it is always important to think about how others would view your situation.

Managing non-pecuniary conflicts of interest

- 5.6 Where you have a non-pecuniary conflict of interest in a matter for the purposes of clause 5.2, you must disclose the relevant private interest you have in relation to the matter fully and in writing as soon as practicable after becoming aware of the non-pecuniary conflict of interest and on each occasion on which the non-pecuniary conflict of interest arises in relation to the matter.
- 5.7 If a disclosure is made at a council or committee meeting, both the disclosure and the nature of the interest must be recorded in the minutes on each occasion on which the non-pecuniary conflict of interest arises. This disclosure constitutes disclosure in writing for the purposes of clause 5.6.
- 5.8 How you manage a non-pecuniary conflict of interest will depend on whether or not it is significant.
- 5.9 As a general rule, a non-pecuniary conflict of interest will be significant where it does not involve a pecuniary interest for the purposes of clause 4.1, but it involves:
 - a) a relationship between a council official and another person who is affected by a decision or a matter under consideration that is particularly close, such as a current or former spouse or de facto partner, a relative for the purposes of

clause 4.4 or another person from the council official's extended family that the council official has a close personal relationship with, or another person living in the same household

- b) other relationships with persons who are affected by a decision or a matter under consideration that are particularly close, such as friendships and business relationships. Closeness is defined by the nature of the friendship or business relationship, the frequency of contact and the duration of the friendship or relationship
- c) an affiliation between the council official and an organisation (such as a sporting body, club, religious, cultural or charitable organisation, corporation or association) that is affected by a decision or a matter under consideration that is particularly strong. The strength of a council official's affiliation with an organisation is to be determined by the extent to which they actively participate in the management, administration or other activities of the organisation
- d) membership, as the council's representative, of the board or management committee of an organisation that is affected by a decision or a matter under consideration, in circumstances where the interests of the council and the organisation are potentially in conflict in relation to the particular matter
- e) a financial interest (other than an interest of a type referred to in clause 4.6) that is not a pecuniary interest for the purposes of clause 4.1
- f) the conferral or loss of a personal benefit other than one conferred or lost as a member of the community or a broader class of people affected by a decision.

5.10 Significant non-pecuniary conflicts of interest must be managed in one of two ways:

- a) by not participating in consideration of, or decision making in relation to, the matter in which you have the significant non-pecuniary conflict of interest and the matter being allocated to another person for consideration or determination, or
- b) if the significant non-pecuniary conflict of interest arises in relation to a matter under consideration at a council or committee meeting, by managing the conflict of interest as if you had a pecuniary interest in the matter by complying with clauses 4.16 and 4.17.

5.11 If you determine that you have a non-pecuniary conflict of interest in a matter that is not significant and does not require further action, when disclosing the interest you must also explain in writing why you consider that the non-pecuniary conflict of interest is not significant and does not require further action in the circumstances.

5.12 Despite clause 5.10(b), a councillor who has a significant non-pecuniary conflict of interest in a matter, may participate in a decision to delegate consideration of the matter in question to another body or person.

Political donations

5.13 Councillors should be aware that matters before council or committee meetings involving their political donors may also give rise to a non-pecuniary conflict of interest.

5.14 Where you are a councillor and have received or knowingly benefitted from a reportable political donation:

- a) made by a major political donor in the previous four years, and
- b) the major political donor has a matter before council,

you must declare a non-pecuniary conflict of interest in the matter, disclose the nature of the interest, and manage the conflict of interest as if you had a pecuniary interest in the matter by complying with clauses 4.16 and 4.17. A disclosure made under this clause must be recorded in the minutes of the meeting.

5.15 For the purposes of this Part:

- a) a “reportable political donation” has the same meaning as it has in section 6 of the *Electoral Funding Act 2018*
- b) “major political donor” has the same meaning as it has in the *Electoral Funding Act 2018*.

5.16 Councillors should note that political donations that are not a “reportable political donation”, or political donations to a registered political party or group by which a councillor is endorsed, may still give rise to a non-pecuniary conflict of interest. Councillors should determine whether or not such conflicts are significant for the purposes of clause 5.9 and take the appropriate action to manage them.

5.17 Despite clause 5.14, a councillor who has received or knowingly benefitted from a reportable political donation of the kind referred to in that clause, may participate in a decision to delegate consideration of the matter in question to another body or person.

Loss of quorum as a result of compliance with this Part

5.18 A councillor who would otherwise be precluded from participating in the consideration of a matter under this Part because they have a non-pecuniary conflict of interest in the matter is permitted to participate in consideration of the matter if:

- a) the matter is a proposal relating to:
 - i) the making of a principal environmental planning instrument applying to the whole or a significant portion of the council’s area, or
 - ii) the amendment, alteration or repeal of an environmental planning instrument where the amendment, alteration or repeal applies to the whole or a significant portion of the council’s area, and
- b) the non-pecuniary conflict of interest arises only because of an interest that a person has in that person’s principal place of residence, and
- c) the councillor discloses the interest they have in the matter that would otherwise have precluded their participation in consideration of the matter under this Part in accordance with clause 5.6.

5.19 The Minister for Local Government may, conditionally or unconditionally, allow a councillor who is precluded under this Part from participating in the consideration of a

matter to be present at a meeting of the council or committee, to take part in the consideration or discussion of the matter and to vote on the matter if the Minister is of the opinion:

- a) that the number of councillors prevented from voting would be so great a proportion of the whole as to impede the transaction of business, or
- b) that it is in the interests of the electors for the area to do so.

5.20 Where the Minister exempts a councillor from complying with a requirement under this Part under clause 5.19, the councillor must still disclose any interests they have in the matter the exemption applies to, in accordance with clause 5.6.

Personal dealings with council

5.21 You may have reason to deal with your council in your personal capacity (for example, as a ratepayer, recipient of a council service or applicant for a development consent granted by council). You must not expect or request preferential treatment in relation to any matter in which you have a private interest because of your position. You must avoid any action that could lead members of the public to believe that you are seeking preferential treatment.

5.22 You must undertake any personal dealings you have with the council in a manner that is consistent with the way other members of the community deal with the council. You must also ensure that you disclose and appropriately manage any conflict of interest you may have in any matter in accordance with the requirements of this code.

PART 6 PERSONAL BENEFIT

6.1 For the purposes of this Part, a gift or a benefit is something offered to or received by a council official or someone personally associated with them for their personal use and enjoyment.

6.2 A reference to a gift or benefit in this Part does not include:

- a) items with a value of \$10 or less
- b) a political donation for the purposes of the Electoral Funding Act 2018
- c) a gift provided to the council as part of a cultural exchange or sister-city relationship that is not converted for the personal use or enjoyment of any individual council official or someone personally associated with them
- d) a benefit or facility provided by the council to an employee or councillor
- e) attendance by a council official at a work-related event or function for the purposes of performing their official duties, or
- f) free or subsidised meals, beverages or refreshments of token value provided to council officials in conjunction with the performance of their official duties such as, but not limited to:
 - i) the discussion of official business
 - ii) work-related events such as council-sponsored or community events, training, education sessions or workshops
 - iii) conferences
 - iv) council functions or events
 - v) social functions organised by groups, such as council committees and community organisations.

Gifts and benefits

6.3 You must avoid situations that would give rise to the appearance that a person or body is attempting to secure favourable treatment from you or from the council, through the provision of gifts, benefits or hospitality of any kind to you or someone personally associated with you.

6.4 A gift or benefit is deemed to have been accepted by you for the purposes of this Part, where it is received by you or someone personally associated with you.

How are offers of gifts and benefits to be dealt with?

6.5 You must not:

- a) seek or accept a bribe or other improper inducement
- b) seek gifts or benefits of any kind
- c) accept any gift or benefit that may create a sense of obligation on your part, or may be perceived to be intended or likely to influence you in carrying out your public duty
- d) subject to clause 6.7, accept any gift or benefit of more than token value as defined by clause 6.9

- e) accept an offer of cash or a cash-like gift as defined by clause 6.13, regardless of the amount
- f) participate in competitions for prizes where eligibility is based on the council being in or entering into a customer-supplier relationship with the competition organiser
- g) personally benefit from reward points programs when purchasing on behalf of the council.

6.6 Where you receive a gift or benefit of any value other than one referred to in clause 6.2, you must disclose this promptly to the general manager in writing. The recipient or general manager must ensure that, at a minimum, the following details are recorded in the council's gift register:

- a) the nature of the gift or benefit
- b) the estimated monetary value of the gift or benefit
- c) the name of the person who provided the gift or benefit, and
- d) the date on which the gift or benefit was received.

6.7 Where you receive a gift or benefit of more than token value that cannot reasonably be refused or returned, the gift or benefit must be surrendered to the council, unless the nature of the gift or benefit makes this impractical.

Gifts and benefits of token value

6.8 You may accept gifts and benefits of token value. Gifts and benefits of token value are one or more gifts or benefits received from a person or organisation over a 12-month period that, when aggregated, do not exceed a value of \$50. They include, but are not limited to:

- a) invitations to and attendance at local social, cultural or sporting events with a ticket value that does not exceed \$100
- b) gifts of alcohol that do not exceed a value of \$100
- c) ties, scarves, coasters, tie pins, diaries, chocolates or flowers or the like
- d) prizes or awards that do not exceed \$100 in value.

Gifts and benefits of more than token value

6.9 Gifts or benefits that exceed \$100 in value are gifts or benefits of more than token value for the purposes of clause 6.5(d) and, subject to clause 6.7, must not be accepted.

6.10 Gifts and benefits of more than token value include, but are not limited to, tickets to major sporting events (such as international matches or matches in national sporting codes) with a ticket value that exceeds \$100, corporate hospitality at a corporate facility at major sporting events, free or discounted products or services for personal use provided on terms that are not available to the general public or a broad class of persons, the use of holiday homes, artworks, free or discounted travel.

6.11 Where you have accepted a gift or benefit of token value from a person or organisation, you must not accept a further gift or benefit from the same person or organisation or another person associated with that person or organisation within a single 12-month period where the value of the gift, added to the value of earlier gifts received from the

same person or organisation, or a person associated with that person or organisation, during the same 12-month period would exceed \$100 in value.

6.12 For the purposes of this Part, the value of a gift or benefit is the monetary value of the gift or benefit inclusive of GST.

“Cash-like gifts”

6.13 For the purposes of clause 6.5(e), “cash-like gifts” include, but are not limited to, gift vouchers, credit cards, debit cards with credit on them, prepayments such as phone or internet credit, lottery tickets, memberships or entitlements to discounts that are not available to the general public or a broad class of persons.

Improper and undue influence

6.14 You must not use your position to influence other council officials in the performance of their official functions to obtain a private benefit for yourself or for somebody else. A councillor will not be in breach of this clause where they seek to influence other council officials through the proper exercise of their role as prescribed under the LGA.

6.15 You must not take advantage (or seek to take advantage) of your status or position with council, or of functions you perform for council, in order to obtain a private benefit for yourself or for any other person or body.

PART 7 RELATIONSHIPS BETWEEN COUNCIL OFFICIALS**Obligations of councillors and administrators**

7.1 Each council is a body politic. The councillors or administrator/s are the governing body of the council. Under section 223 of the LGA, the role of the governing body of the council includes the development and endorsement of the strategic plans, programs, strategies and policies of the council, including those relating to workforce policy, and to keep the performance of the council under review.

7.2 Councillors or administrators must not:

- direct council staff other than by giving appropriate direction to the general manager by way of council or committee resolution, or by the mayor or administrator exercising their functions under section 226 of the LGA
- in any public or private forum, direct or influence, or attempt to direct or influence, any other member of the staff of the council or a delegate of the council in the exercise of the functions of the staff member or delegate
- contact a member of the staff of the council on council-related business unless in accordance with the policy and procedures governing the interaction of councillors and council staff that have been authorised by the council and the general manager
- contact or issue instructions to any of the council's contractors, including the council's legal advisers, unless by the mayor or administrator exercising their functions under section 226 of the LGA.

7.3 Despite clause 7.2, councillors may contact the council's external auditor or the chair of the council's audit risk and improvement committee to provide information reasonably necessary for the external auditor or the audit, risk and improvement committee to effectively perform their functions.

Obligations of staff

7.4 Under section 335 of the LGA, the role of the general manager includes conducting the day-to-day management of the council in accordance with the strategic plans, programs, strategies and policies of the council, implementing without undue delay, lawful decisions of the council and ensuring that the mayor and other councillors are given timely information and advice and the administrative and professional support necessary to effectively discharge their official functions.

7.5 Members of staff of council must:

- give their attention to the business of the council while on duty
- ensure that their work is carried out ethically, efficiently, economically and effectively
- carry out reasonable and lawful directions given by any person having authority to give such directions
- give effect to the lawful decisions, policies and procedures of the council, whether or not the staff member agrees with or approves of them
- ensure that any participation in political activities outside the service of the council does not interfere with the performance of their official duties.

Inappropriate interactions

7.6 You must not engage in any of the following inappropriate interactions:

- a) councillors and administrators approaching staff and staff organisations to discuss individual or operational staff matters (other than matters relating to broader workforce policy), grievances, workplace investigations and disciplinary matters
- b) council staff approaching councillors and administrators to discuss individual or operational staff matters (other than matters relating to broader workforce policy), grievances, workplace investigations and disciplinary matters
- c) subject to clause 8.6, council staff refusing to give information that is available to other councillors to a particular councillor
- d) councillors and administrators who have lodged an application with the council, discussing the matter with council staff in staff-only areas of the council
- e) councillors and administrators approaching members of local planning panels or discussing any application that is either before the panel or that will come before the panel at some future time, except during a panel meeting where the application forms part of the agenda and the councillor or administrator has a right to be heard by the panel at the meeting
- f) councillors and administrators being overbearing or threatening to council staff
- g) council staff being overbearing or threatening to councillors or administrators
- h) councillors and administrators making personal attacks on council staff or engaging in conduct towards staff that would be contrary to the general conduct provisions in Part 3 of this code in public forums including social media
- i) councillors and administrators directing or pressuring council staff in the performance of their work, or recommendations they should make
- j) council staff providing ad hoc advice to councillors and administrators without recording or documenting the interaction as they would if the advice was provided to a member of the community
- k) councillors attending on-site inspection meetings with lawyers and/or consultants engaged by the council associated with current or proposed legal proceedings unless permitted to do so by the council's general manager or, in the case of the mayor or administrator, unless they are exercising their functions under section 226 of the LGA.

PART 8 ACCESS TO INFORMATION AND COUNCIL RESOURCES

Councillor and administrator access to information

- 8.1 The general manager is responsible for ensuring that councillors and administrators can access information necessary for the performance of their official functions. The general manager and public officer are also responsible for ensuring that members of the public can access publicly available council information under the *Government Information (Public Access) Act 2009* (the GIPA Act).
- 8.2 The general manager must provide councillors and administrators with the information necessary to effectively discharge their official functions.
- 8.3 Members of staff of council must provide full and timely information to councillors and administrators sufficient to enable them to exercise their official functions and in accordance with council procedures.
- 8.4 Members of staff of council who provide any information to a particular councillor in the performance of their official functions must also make it available to any other councillor who requests it and in accordance with council procedures.
- 8.5 Councillors and administrators who have a private interest only in council information have the same rights of access as any member of the public.
- 8.6 Despite clause 8.4, councillors and administrators who are precluded from participating in the consideration of a matter under this code because they have a conflict of interest in the matter, are not entitled to request access to council information in relation to the matter unless the information is otherwise available to members of the public, or the council has determined to make the information available under the GIPA Act.

Councillors and administrators to properly examine and consider information

- 8.7 Councillors and administrators must ensure that they comply with their duty under section 439 of the LGA to act honestly and exercise a reasonable degree of care and diligence by properly examining and considering all the information provided to them relating to matters that they are required to make a decision on.

Refusal of access to information

- 8.8 Where the general manager or public officer determine to refuse access to information requested by a councillor or administrator, they must act reasonably. In reaching this decision they must take into account whether or not the information requested is necessary for the councillor or administrator to perform their official functions (see clause 8.2) and whether they have disclosed a conflict of interest in the matter the information relates to that would preclude their participation in consideration of the matter (see clause 8.6). The general manager or public officer must state the reasons for the decision if access is refused.

Use of certain council information

8.9 In regard to information obtained in your capacity as a council official, you must:

- a) only access council information needed for council business
- b) not use that council information for private purposes
- c) not seek or obtain, either directly or indirectly, any financial benefit or other improper advantage for yourself, or any other person or body, from any information to which you have access by virtue of your office with council
- d) only release council information in accordance with established council policies and procedures and in compliance with relevant legislation.

Use and security of confidential information

8.10 You must maintain the integrity and security of confidential information in your possession, or for which you are responsible.

8.11 In addition to your general obligations relating to the use of council information, you must:

- a) only access confidential information that you have been authorised to access and only do so for the purposes of exercising your official functions
- b) protect confidential information
- c) only release confidential information if you have authority to do so
- d) only use confidential information for the purpose for which it is intended to be used
- e) not use confidential information gained through your official position for the purpose of securing a private benefit for yourself or for any other person
- f) not use confidential information with the intention to cause harm or detriment to the council or any other person or body
- g) not disclose any confidential information discussed during a confidential session of a council or committee meeting or any other confidential forum (such as, but not limited to, workshops or briefing sessions).

Personal information

8.12 When dealing with personal information you must comply with:

- a) the *Privacy and Personal Information Protection Act 1998*
- b) the *Health Records and Information Privacy Act 2002*
- c) the Information Protection Principles and Health Privacy Principles
- d) the council's privacy management plan
- e) the Privacy Code of Practice for Local Government

Use of council resources

8.13 You must use council resources ethically, effectively, efficiently and carefully in exercising your official functions, and must not use them for private purposes unless this use is lawfully authorised and proper payment is made where appropriate.

8.14 You must be scrupulous in your use of council property, including intellectual property, official services, facilities, technology and electronic devices and must not permit their misuse by any other person or body.

- 8.15 You must avoid any action or situation that could create the appearance that council property, official services or public facilities are being improperly used for your benefit or the benefit of any other person or body.
- 8.16 You must not use council resources (including council staff), property or facilities for the purpose of assisting your election campaign or the election campaigns of others unless the resources, property or facilities are otherwise available for use or hire by the public and any publicly advertised fee is paid for use of the resources, property or facility.
- 8.17 You must not use the council letterhead, council crests, council email or social media or other information that could give the appearance it is official council material:
 - a) for the purpose of assisting your election campaign or the election campaign of others, or
 - b) for other non-official purposes.
- 8.18 You must not convert any property of the council to your own use unless properly authorised.

Internet access

- 8.19 You must not use council's computer resources or mobile or other devices to search for, access, download or communicate any material of an offensive, obscene, pornographic, threatening, abusive or defamatory nature, or that could otherwise lead to criminal penalty or civil liability and/or damage the council's reputation.

Council record keeping

- 8.20 You must comply with the requirements of the *State Records Act 1998* and the council's records management policy.
- 8.21 All information created, sent and received in your official capacity is a council record and must be managed in accordance with the requirements of the *State Records Act 1998* and the council's approved records management policies and practices.
- 8.22 All information stored in either soft or hard copy on council supplied resources (including technology devices and email accounts) is deemed to be related to the business of the council and will be treated as council records, regardless of whether the original intention was to create the information for personal purposes.
- 8.23 You must not destroy, alter, or dispose of council information or records, unless authorised to do so. If you need to alter or dispose of council information or records, you must do so in consultation with the council's records manager and comply with the requirements of the *State Records Act 1998*.

Councillor access to council buildings

- 8.24 Councillors and administrators are entitled to have access to the council chamber, committee room, mayor's office (subject to availability), councillors' rooms, and public areas of council's buildings during normal business hours and for meetings. Councillors

and administrators needing access to these facilities at other times must obtain authority from the general manager.

- 8.25 Councillors and administrators must not enter staff-only areas of council buildings without the approval of the general manager (or their delegate) or as provided for in the procedures governing the interaction of councillors and council staff.
- 8.26 Councillors and administrators must ensure that when they are within a staff only area they refrain from conduct that could be perceived to improperly influence council staff decisions.

PART 9 MAINTAINING THE INTEGRITY OF THIS CODE**Complaints made for an improper purpose**

9.1 You must not make or threaten to make a complaint or cause a complaint to be made alleging a breach of this code for an improper purpose.

9.2 For the purposes of clause 9.1, a complaint is made for an improper purpose where it is trivial, frivolous, vexatious or not made in good faith, or where it otherwise lacks merit and has been made substantially for one or more of the following purposes:

- a) to bully, intimidate or harass another council official
- b) to damage another council official's reputation
- c) to obtain a political advantage
- d) to influence a council official in the exercise of their official functions or to prevent or disrupt the exercise of those functions
- e) to influence the council in the exercise of its functions or to prevent or disrupt the exercise of those functions
- f) to avoid disciplinary action under the Procedures
- g) to take reprisal action against a person for making a complaint alleging a breach of this code
- h) to take reprisal action against a person for exercising a function prescribed under the Procedures
- i) to prevent or disrupt the effective administration of this code under the Procedures.

Detrimental action

9.3 You must not take detrimental action or cause detrimental action to be taken against a person substantially in reprisal for a complaint they have made alleging a breach of this code.

9.4 You must not take detrimental action or cause detrimental action to be taken against a person substantially in reprisal for any function they have exercised under the Procedures.

9.5 For the purposes of clauses 9.3 and 9.4, a detrimental action is an action causing, comprising or involving any of the following:

- a) injury, damage or loss
- b) intimidation or harassment
- c) discrimination, disadvantage or adverse treatment in relation to employment
- d) dismissal from, or prejudice in, employment
- e) disciplinary proceedings.

Compliance with requirements under the Procedures

9.6 You must not engage in conduct that is calculated to impede or disrupt the consideration of a matter under the Procedures.

- 9.7 You must comply with a reasonable and lawful request made by a person exercising a function under the Procedures. A failure to make a written or oral submission invited under the Procedures will not constitute a breach of this clause.
- 9.8 You must comply with a practice ruling made by the Office under the Procedures.

Disclosure of information about the consideration of a matter under the Procedures

- 9.9 All allegations of breaches of this code must be dealt with under and in accordance with the Procedures.
- 9.10 You must not allege breaches of this code other than by way of a complaint made or initiated under the Procedures.
- 9.11 You must not make allegations about, or disclose information about, suspected breaches of this code at council, committee or other meetings, whether open to the public or not, or in any other forum, whether public or not.
- 9.12 You must not disclose information about a complaint you have made alleging a breach of this code or any other matter being considered under the Procedures except for the purposes of seeking legal advice, unless the disclosure is otherwise permitted under the Procedures.
- 9.13 Nothing under this Part prevents a person from making a public interest disclosure to an appropriate public authority or investigative authority under the *Public Interest Disclosures Act 1994*.

Complaints alleging a breach of this Part

- 9.14 Complaints alleging a breach of this Part by a councillor or an administrator are to be managed by the Office. This clause does not prevent the Office from referring an alleged breach of this Part back to the council for consideration in accordance with the Procedures.

SCHEDULE 1: DISCLOSURES OF INTERESTS AND OTHER MATTERS IN WRITTEN RETURNS SUBMITTED UNDER CLAUSE 4.9**Part 1: Preliminary****Definitions**

1. For the purposes of the schedules to this code, the following definitions apply:

address means:

- a) in relation to a person other than a corporation, the last residential or business address of the person known to the councillor disclosing the address, or
- b) in relation to a corporation, the address of the registered office of the corporation in New South Wales or, if there is no such office, the address of the principal office of the corporation in the place where it is registered, or
- c) in relation to any real property, the street address of the property.

de facto partner has the same meaning as defined in section 21C of the *Interpretation Act 1987*.

disposition of property means a conveyance, transfer, assignment, settlement, delivery, payment or other alienation of property, including the following:

- a) the allotment of shares in a company
- b) the creation of a trust in respect of property
- c) the grant or creation of a lease, mortgage, charge, easement, licence, power, partnership or interest in respect of property
- d) the release, discharge, surrender, forfeiture or abandonment, at law or in equity, of a debt, contract or chose in action, or of an interest in respect of property
- e) the exercise by a person of a general power of appointment over property in favour of another person
- f) a transaction entered into by a person who intends by the transaction to diminish, directly or indirectly, the value of the person's own property and to increase the value of the property of another person.

gift means a disposition of property made otherwise than by will (whether or not by instrument in writing) without consideration, or with inadequate consideration, in money or money's worth passing from the person to whom the disposition was made to the person who made the disposition, but does not include a financial or other contribution to travel.

interest means:

- a) in relation to property, an estate, interest, right or power, at law or in equity, in or over the property, or

b) in relation to a corporation, a relevant interest (within the meaning of section 9 of the *Corporations Act 2001* of the Commonwealth) in securities issued or made available by the corporation.

listed company means a company that is listed within the meaning of section 9 of the *Corporations Act 2001* of the Commonwealth.

occupation includes trade, profession and vocation.

professional or business association means an incorporated or unincorporated body or organisation having as one of its objects or activities the promotion of the economic interests of its members in any occupation.

property includes money.

return date means:

- a) in the case of a return made under clause 4.9(a), the date on which a person became a councillor
- b) in the case of a return made under clause 4.9(b), 30 June of the year in which the return is made
- c) in the case of a return made under clause 4.9(c), the date on which the councillor became aware of the interest to be disclosed.

relative includes any of the following:

- a) a person's spouse or de facto partner
- b) a person's parent, grandparent, brother, sister, uncle, aunt, nephew, niece, lineal descendant or adopted child
- c) a person's spouse's or de facto partner's parent, grandparent, brother, sister, uncle, aunt, nephew, niece, lineal descendant or adopted child
- d) the spouse or de facto partner of a person referred to in paragraphs (b) and (c).

travel includes accommodation incidental to a journey.

Matters relating to the interests that must be included in returns

2. *Interests etc. outside New South Wales:* A reference in this schedule or in schedule 2 to a disclosure concerning a corporation or other thing includes any reference to a disclosure concerning a corporation registered, or other thing arising or received, outside New South Wales.
3. *References to interests in real property:* A reference in this schedule or in schedule 2 to real property in which a councillor has an interest includes a reference to any real property situated in Australia in which the councillor has an interest.

4. *Gifts, loans etc. from related corporations:* For the purposes of this schedule and schedule 2, gifts or contributions to travel given, loans made, or goods or services supplied, to a councillor by two or more corporations that are related to each other for the purposes of section 50 of the *Corporations Act 2001* of the Commonwealth are all given, made or supplied by a single corporation.

Part 2: Pecuniary interests to be disclosed in returns

Real property

5. A person making a return under clause 4.9 of this code must disclose:
 - a) the street address of each parcel of real property in which they had an interest on the return date, and
 - b) the street address of each parcel of real property in which they had an interest in the period since 30 June of the previous financial year, and
 - c) the nature of the interest.
6. An interest in a parcel of real property need not be disclosed in a return if the person making the return had the interest only:
 - a) as executor of the will, or administrator of the estate, of a deceased person and not as a beneficiary under the will or intestacy, or
 - b) as a trustee, if the interest was acquired in the ordinary course of an occupation not related to their duties as the holder of a position required to make a return.
7. An interest in a parcel of real property need not be disclosed in a return if the person ceased to hold the interest prior to becoming a councillor.
8. For the purposes of clause 5 of this schedule, “interest” includes an option to purchase.

Gifts

9. A person making a return under clause 4.9 of this code must disclose:
 - a) a description of each gift received in the period since 30 June of the previous financial year, and
 - b) the name and address of the donor of each of the gifts.
10. A gift need not be included in a return if:
 - a) it did not exceed \$500, unless it was among gifts totalling more than \$500 made by the same person during a period of 12 months or less, or
 - b) it was a political donation disclosed, or required to be disclosed, under Part 3 of the *Electoral Funding Act 2018*, or
 - c) the donor was a relative of the donee, or
 - d) subject to paragraph (a), it was received prior to the person becoming a councillor.
11. For the purposes of clause 10 of this schedule, the amount of a gift other than money is an amount equal to the value of the property given.

Contributions to travel

12. A person making a return under clause 4.9 of this code must disclose:

- a) the name and address of each person who made any financial or other contribution to the expenses of any travel undertaken by the person in the period since 30 June of the previous financial year, and
- b) the dates on which the travel was undertaken, and
- c) the names of the states and territories, and of the overseas countries, in which the travel was undertaken.

13. A financial or other contribution to any travel need not be disclosed under this clause if it:

- a) was made from public funds (including a contribution arising from travel on free passes issued under an Act or from travel in government or council vehicles), or
- b) was made by a relative of the traveller, or
- c) was made in the ordinary course of an occupation of the traveller that is not related to their functions as the holder of a position requiring the making of a return, or
- d) did not exceed \$250, unless it was among gifts totalling more than \$250 made by the same person during a 12-month period or less, or
- e) was a political donation disclosed, or required to be disclosed, under Part 3 of the *Electoral Funding Act 2018*, or
- f) was made by a political party of which the traveller was a member and the travel was undertaken for the purpose of political activity of the party in New South Wales, or to enable the traveller to represent the party within Australia, or
- g) subject to paragraph (d) it was received prior to the person becoming a councillor.

14. For the purposes of clause 13 of this schedule, the amount of a contribution (other than a financial contribution) is an amount equal to the value of the contribution.

Interests and positions in corporations

15. A person making a return under clause 4.9 of this code must disclose:

- a) the name and address of each corporation in which they had an interest or held a position (whether remunerated or not) on the return date, and
- b) the name and address of each corporation in which they had an interest or held a position in the period since 30 June of the previous financial year, and
- c) the nature of the interest, or the position held, in each of the corporations, and
- d) a description of the principal objects (if any) of each of the corporations, except in the case of a listed company.

16. An interest in, or a position held in, a corporation need not be disclosed if the corporation is:

- a) formed for the purpose of providing recreation or amusement, or for promoting commerce, industry, art, science, religion or charity, or for any other community purpose, and
- b) required to apply its profits or other income in promoting its objects, and
- c) prohibited from paying any dividend to its members.

17. An interest in a corporation need not be disclosed if the interest is a beneficial interest in shares in a company that does not exceed 10 per cent of the voting rights in the company.

18. An interest or a position in a corporation need not be disclosed if the person ceased to hold the interest or position prior to becoming a councillor.

Interests as a property developer or a close associate of a property developer

19. A person making a return under clause 4.9 of this code must disclose whether they were a property developer, or a close associate of a corporation that, or an individual who, is a property developer, on the return date.

20. For the purposes of clause 19 of this schedule:

close associate, in relation to a corporation or an individual, has the same meaning as it has in section 53 of the *Electoral Funding Act 2018*.

property developer has the same meaning as it has in Division 7 of Part 3 of the *Electoral Funding Act 2018*.

Positions in trade unions and professional or business associations

21. A person making a return under clause 4.9 of the code must disclose:

- a) the name of each trade union, and of each professional or business association, in which they held any position (whether remunerated or not) on the return date, and
- b) the name of each trade union, and of each professional or business association, in which they have held any position (whether remunerated or not) in the period since 30 June of the previous financial year, and
- c) a description of the position held in each of the unions and associations.

22. A position held in a trade union or a professional or business association need not be disclosed if the person ceased to hold the position prior to becoming a councillor.

Dispositions of real property

23. A person making a return under clause 4.9 of this code must disclose particulars of each disposition of real property by the person (including the street address of the affected property) in the period since 30 June of the previous financial year, under which they wholly or partly retained the use and benefit of the property or the right to re-acquire the property.

24. A person making a return under clause 4.9 of this code must disclose particulars of each disposition of real property to another person (including the street address of the affected property) in the period since 30 June of the previous financial year, that is made under arrangements with, but is not made by, the person making the return, being a disposition under which the person making the return obtained wholly or partly the use of the property.
25. A disposition of real property need not be disclosed if it was made prior to a person becoming a councillor.

Sources of income

26. A person making a return under clause 4.9 of this code must disclose:
 - a) each source of income that the person reasonably expects to receive in the period commencing on the first day after the return date and ending on the following 30 June, and
 - b) each source of income received by the person in the period since 30 June of the previous financial year.
27. A reference in clause 26 of this schedule to each source of income received, or reasonably expected to be received, by a person is a reference to:
 - a) in relation to income from an occupation of the person:
 - (i) a description of the occupation, and
 - (ii) if the person is employed or the holder of an office, the name and address of their employer, or a description of the office, and
 - (iii) if the person has entered into a partnership with other persons, the name (if any) under which the partnership is conducted, or
 - b) in relation to income from a trust, the name and address of the settlor and the trustee, or
 - c) in relation to any other income, a description sufficient to identify the person from whom, or the circumstances in which, the income was, or is reasonably expected to be, received.
28. The source of any income need not be disclosed by a person in a return if the amount of the income received, or reasonably expected to be received, by the person from that source did not exceed \$500, or is not reasonably expected to exceed \$500, as the case may be.
29. The source of any income received by the person that they ceased to receive prior to becoming a councillor need not be disclosed.
30. A fee paid to a councillor or to the mayor or deputy mayor under sections 248 or 249 of the LGA need not be disclosed.

Debts

31. A person making a return under clause 4.9 of this code must disclose the name and address of each person to whom the person was liable to pay any debt:
 - a) on the return date, and

b) at any time in the period since 30 June of the previous financial year.

32. A liability to pay a debt must be disclosed by a person in a return made under clause 4.9 whether or not the amount, or any part of the amount, to be paid was due and payable on the return date or at any time in the period since 30 June of the previous financial year, as the case may be.

33. A liability to pay a debt need not be disclosed by a person in a return if:

- a) the amount to be paid did not exceed \$500 on the return date or in the period since 30 June of the previous financial year, as the case may be, unless:
 - (i) the debt was one of two or more debts that the person was liable to pay to one person on the return date, or at any time in the period since 30 June of the previous financial year, as the case may be, and
 - (ii) the amounts to be paid exceeded, in the aggregate, \$500, or
- b) the person was liable to pay the debt to a relative, or
- c) in the case of a debt arising from a loan of money the person was liable to pay the debt to an authorised deposit-taking institution or other person whose ordinary business includes the lending of money, and the loan was made in the ordinary course of business of the lender, or
- d) in the case of a debt arising from the supply of goods or services:
 - (i) the goods or services were supplied in the period of 12 months immediately preceding the return date, or were supplied in the period since 30 June of the previous financial year, as the case may be, or
 - (ii) the goods or services were supplied in the ordinary course of any occupation of the person that is not related to their duties as the holder of a position required to make a return, or
- e) subject to paragraph (a), the debt was discharged prior to the person becoming a councillor.

Discretionary disclosures

34. A person may voluntarily disclose in a return any interest, benefit, advantage or liability, whether pecuniary or not, that is not required to be disclosed under another provision of this schedule.

**SCHEDULE 2: FORM OF WRITTEN RETURN OF INTERESTS SUBMITTED UNDER
CLAUSE 4.9****'Disclosures by councillors' return**

1. The pecuniary interests and other matters to be disclosed in this return are prescribed by schedule 1 of the *Model Code of Conduct for Local Councils in NSW*.
2. If this is the first return you have been required to lodge with the general manager after becoming a councillor, do not complete Parts C, D and I of the return. All other parts of the return should be completed with appropriate information based on your circumstances at the return date, that is, the date on which you became a councillor.
3. If you have previously lodged a return with the general manager and you are completing this return for the purposes of disclosing a new interest that was not disclosed in the last return you lodged with the general manager, you must complete all parts of the return with appropriate information for the period from 30 June of the previous financial year or the date on which you became a councillor (whichever is the later date), to the return date which is the date you became aware of the new interest to be disclosed in your updated return.
4. If you have previously lodged a return with the general manager and are submitting a new return for the new financial year, you must complete all parts of the return with appropriate information for the 12-month period commencing on 30 June of the previous year to 30 June this year.
5. This form must be completed using block letters or typed.
6. If there is insufficient space for all the information you are required to disclose, you must attach an appendix which is to be properly identified and signed by you.
7. If there are no pecuniary interests or other matters of the kind required to be disclosed under a heading in this form, the word "NIL" is to be placed in an appropriate space under that heading.

Important information

This information is being collected for the purpose of complying with clause 4.9 of the Code of Conduct.

You must not lodge a return that you know or ought reasonably to know is false or misleading in a material particular (see clause 4.11 of the Code of Conduct). Complaints about breaches of these requirements are to be referred to the Office of Local Government and may result in disciplinary action by the council, the Chief Executive of the Office of Local Government or the NSW Civil and Administrative Tribunal.

The information collected on this form will be kept by the general manager in a register of returns. The general manager is required to table all returns at a council meeting.

Information contained in returns made and lodged under clause 4.9 is to be made publicly available in accordance with the requirements of the *Government Information (Public Access) Act 2009*, the *Government Information (Public Access) Regulation 2009* and any guidelines issued by the Information Commissioner.

You have an obligation to keep the information contained in this return up to date. If you become aware of a new interest that must be disclosed in this return, or an interest that you have previously failed to disclose, you must submit an updated return within three months of becoming aware of the previously undisclosed interest.

[Disclosure of pecuniary interests and other matters](#) by [full name of councillor]

as at [return date]

in respect of the period from [date] to [date]

[councillor's signature]

[date]

A. Real Property

Street address of each parcel of real property in which I had an Nature of interest interest at the return date/at any time since 30 June

B. Sources of income

1 Sources of income I reasonably expect to receive from an occupation in the period commencing on the first day after the return date and ending on the following 30 June
Sources of income I received from an occupation at any time since 30 June

Description of occupation	Name and address of employer or description of office held (if applicable)	Name under which partnership conducted (if applicable)
---------------------------	----------------------------------------------------------------------------	--------------------------------------------------------

2 Sources of income I reasonably expect to receive from a trust in the period commencing on the first day after the return date and ending on the following 30 June
Sources of income I received from a trust since 30 June

Name and address of settlor	Name and address of trustee
-----------------------------	-----------------------------

3 Sources of other income I reasonably expect to receive in the period commencing on the first day after the return date and ending on the following 30 June
Sources of other income I received at any time since 30 June
[Include description sufficient to identify the person from whom, or the circumstances in which, that income was received]

C. Gifts

Description of each gift I received at any time Name and address of donor since 30 June

D. Contributions to travel

Name and address of each person who made any financial contribution or other contribution to any travel undertaken by me at any time since 30 June	Dates on which travel was undertaken	Name of States, Territories of the Commonwealth and overseas countries in which travel was undertaken
----------------------------------------------------------------------------------------------------------------------------------------------------	--------------------------------------	-------------------------------------------------------------------------------------------------------

E. Interests and positions in corporations

Name and address of each corporation in which I had an interest or held a position at the return date/at any time since 30 June	Nature of interest (if any) any	Description of position (if any)	Description of principal objects (if any) of corporation (except in case of listed company)
---------------------------------------------------------------------------------------------------------------------------------	---------------------------------	----------------------------------	---------------------------------------------------------------------------------------------

F. Were you a property developer or a close associate of a property developer on the return date? (Y/N)

G. Positions in trade unions and professional or business associations

Name of each trade union and each professional or business association in which I held any position (whether remunerated or not) at the return date/at any time since 30 June	Description of position
-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	-------------------------

H. Debts

Name and address of each person to whom I was liable to pay any debt at the return date/at any time since 30 June

I. Dispositions of property

1 Particulars of each disposition of real property by me (including the street address of the affected property) at any time since 30 June as a result of which I retained, either wholly or in part, the use and benefit of the property or the right to re-acquire the property at a later time

2 Particulars of each disposition of property to a person by any other person under arrangements made by me (including the street address of the affected property), being dispositions made at any time since 30 June, as a result of which I obtained, either wholly or in part, the use and benefit of the property

J. Discretionary disclosures

**SCHEDULE 3: FORM OF SPECIAL DISCLOSURE OF PECUNIARY INTEREST SUBMITTED
UNDER CLAUSE 4.25**

1. This form must be completed using block letters or typed.
2. If there is insufficient space for all the information you are required to disclose, you must attach an appendix which is to be properly identified and signed by you.

Important information

This information is being collected for the purpose of making a special disclosure of pecuniary interests under clause 4.24(c) of the Code of Conduct for Councillors (the Code of Conduct).

The special disclosure must relate only to a pecuniary interest that a councillor has in the councillor's principal place of residence, or an interest another person (whose interests are relevant under clause 4.3 of the Code of Conduct) has in that person's principal place of residence.

Clause 4.3 of the Code of Conduct states that you will have a pecuniary interest in a matter because of the pecuniary interest of your spouse or your de facto partner or your relative or because your business partner or employer has a pecuniary interest. You will also have a pecuniary interest in a matter because you, your nominee, your business partner or your employer is a member of a company or other body that has a pecuniary interest in the matter.

"Relative" is defined by clause 4.4 of the Code of Conduct as meaning your, your spouse's or your de facto partner's parent, grandparent, brother, sister, uncle, aunt, nephew, niece, lineal descendant or adopted child and the spouse or de facto partner of any of those persons.

You must not make a special disclosure that you know or ought reasonably to know is false or misleading in a material particular. Complaints about breaches of these requirements are to be referred to the Office of Local Government and may result in disciplinary action by the Chief Executive of the Office of Local Government or the NSW Civil and Administrative Tribunal.

This form must be completed by you before the commencement of the council or council committee meeting at which the special disclosure is being made. The completed form must be tabled at the meeting. Everyone is entitled to inspect it. The special disclosure must be recorded in the minutes of the meeting.

Special disclosure of pecuniary interests by [full name of councillor]

in the matter of [insert name of environmental planning instrument]

which is to be considered at a meeting of the [name of council or council committee (as the case requires)]

to be held on the day of 20 .

Pecuniary interest	
Address of the affected principal place of residence of the councillor or an associated person, company or body (the identified land)	
Relationship of identified land to the councillor [Tick or cross one box.]	<input type="checkbox"/> The councillor has an interest in the land (e.g. is the owner or has another interest arising out of a mortgage, lease, trust, option or contract, or otherwise). <input type="checkbox"/> An associated person of the councillor has an interest in the land. <input type="checkbox"/> An associated company or body of the councillor has an interest in the land.
Matter giving rise to pecuniary interest ¹	
Nature of the land that is subject to a change in zone/planning control by the proposed LEP (the subject land) ² [Tick or cross one box]	<input type="checkbox"/> The identified land. <input type="checkbox"/> Land that adjoins or is adjacent to or is in proximity to the identified land.
Current zone/planning control [Insert name of current planning instrument and identify relevant zone/planning control applying to the subject land]	

¹ Clause 4.1 of this Code of Conduct for Councillors (Code of Conduct) provides that a pecuniary interest is an interest that a person has in a matter because of a reasonable likelihood or expectation of appreciable financial gain or loss to the person. A person does not have a pecuniary interest in a matter if the interest is so remote or insignificant that it could not reasonably be regarded as likely to influence any decision the person might make in relation to the matter, or if the interest is of a kind specified in clause 4.6 of the Code of Conduct.

² A pecuniary interest may arise by way of a change of permissible use of land adjoining, adjacent to or in proximity to land in which a councillor or a person, company or body referred to in clause 4.3 of the Code of Conduct has a proprietary interest.

Proposed change of zone/planning control <i>[Insert name of proposed LEP and identify proposed change of zone/planning control applying to the subject land]</i>	
Effect of proposed change of zone/planning control on councillor or associated person <i>[Insert one of the following: "Appreciable financial gain" or "Appreciable financial loss"]</i>	
<i>[If more than one pecuniary interest is to be declared, reprint the above box and fill in for each additional interest.]</i>	

Councillor's signature

Date

[This form is to be retained by the council's general manager and included in full in the minutes of the meeting]



**COOTAMUNDRA-
GUNDAGAI REGIONAL
COUNCIL**

**Developed using the Model Code of Conduct
for Local Councils in NSW**

Code of Conduct for Council Committee Members, Delegates of Council and Council Advisers

2025



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PART 1 INTRODUCTION

This code of conduct applies to council committee members and delegates of council who are not councillors or staff of the council. It also applies to advisers of council for the purposes of clause 4.12. It is based on the *Model Code of Conduct for Local Councils in NSW* ("the Model Code of Conduct") which is made under section 440 of the *Local Government Act 1993* ("LGA") and the *Local Government (General) Regulation 2021* ("the Regulation").

The Model Code of Conduct sets the minimum standards of conduct for council officials. It is prescribed by regulation to assist council officials to:

- understand and comply with the standards of conduct that are expected of them
- enable them to fulfil their statutory duty to act honestly and exercise a reasonable degree of care and diligence (section 439)
- act in a way that enhances public confidence in local government.

Section 440 of the LGA requires every council (including county councils) and joint organisation to adopt a code of conduct that incorporates the provisions of the Model Code of Conduct. A council's or joint organisation's adopted code of conduct may also include provisions that supplement the Model Code of Conduct and that extend its application to persons that are not "council officials" for the purposes of the Model Code of Conduct (eg volunteers, contractors and members of wholly advisory committees).

A council's or joint organisation's adopted code of conduct has no effect to the extent that it is inconsistent with the Model Code of Conduct. However, a council's or joint organisation's adopted code of conduct may prescribe requirements that are more onerous than those prescribed in the Model Code of Conduct.

Councillors, administrators, members of staff of councils, delegates of councils, (including members of council committees that are delegates of a council) and any other person a council's adopted code of conduct applies to, must comply with the applicable provisions of their council's code of conduct. It is the personal responsibility of council officials to comply with the standards in the code and to regularly review their personal circumstances and conduct with this in mind.

Failure by a council committee member or delegate of the council to comply with a council's code of conduct may give rise to disciplinary action.

Note: References in this code of conduct to councils are also to be taken as references to county councils and joint organisations.

Note: In adopting this code of conduct, joint organisations should adapt it to substitute the terms "board" for "council", "chairperson" for "mayor", "voting representative" for "councillor" and "executive officer" for "general manager".

Note: In adopting this code of conduct, county councils should adapt it to substitute the term "chairperson" for "mayor" and "member" for "councillor".

PART 2 DEFINITIONS

In this code the following terms have the following meanings:

committee	see the definition of "council committee"
complaint	a code of conduct complaint made for the purposes of clauses 4.1 and 4.2 of the Procedures.
conduct	includes acts and omissions
council	includes county councils and joint organisations
council committee	a committee established by a council comprising of councillors, staff or other persons that the council has delegated functions to and the council's audit, risk and improvement committee
council committee member	a person other than a councillor or member of staff of a council who is a member of a council committee other than a wholly advisory committee, and a person other than a councillor who is a member of the council's audit, risk and improvement committee
council official	includes councillors, members of staff of a council, administrators, council committee members, delegates of council and, for the purposes of clause 4.12, council advisers
councillor	any person elected or appointed to civic office, including the mayor and includes members and chairpersons of county councils and voting representatives of the boards of joint organisations and chairpersons of joint organisations
delegate of council	a person (other than a councillor or member of staff of a council) or body, and the individual members of that body, to whom a function of the council is delegated
designated person	a person referred to in clause 4.8
election campaign	includes council, state and federal election campaigns
general manager	includes the executive officer of a joint organisation
joint organisation	a joint organisation established under section 400O of the LGA
LGA	the <i>Local Government Act 1993</i>
mayor	includes the chairperson of a county council or a joint organisation
members of staff	

of a council	includes members of staff of county councils and joint organisations
the Office	Office of Local Government
personal information	information or an opinion (including information or an opinion forming part of a database and whether or not recorded in a material form) about an individual whose identity is apparent or can reasonably be ascertained from the information or opinion
the Procedures	the <i>Procedures for the Administration of the Model Code of Conduct for Local Councils in NSW</i> prescribed under the Regulation
the Regulation	the <i>Local Government (General) Regulation 2021</i>
wholly advisory committee	a council committee that the council has not delegated any functions to

PART 3 GENERAL CONDUCT OBLIGATIONS**General conduct**

3.1 You must not conduct yourself in a manner that:

- a) is likely to bring the council or other council officials into disrepute
- b) is contrary to statutory requirements or the council's administrative requirements or policies
- c) is improper or unethical
- d) is an abuse of power
- e) causes, comprises or involves intimidation or verbal abuse
- f) involves the misuse of your position to obtain a private benefit
- g) constitutes harassment or bullying behaviour under this code, or is unlawfully discriminatory.

3.2 You must act lawfully and honestly, and exercise a reasonable degree of care and diligence in carrying out your functions under the LGA or any other Act. (section 439).

Fairness and equity

3.3 You must consider issues consistently, promptly and fairly. You must deal with matters in accordance with established procedures, in a non-discriminatory manner.

3.4 You must take all relevant facts known to you, or that you should be reasonably aware of, into consideration and have regard to the particular merits of each case. You must not take irrelevant matters or circumstances into consideration when making decisions.

3.5 An act or omission in good faith, whether or not it involves error, will not constitute a breach of clauses 3.3 or 3.4.

Harassment and discrimination

3.6 You must not harass or unlawfully discriminate against others, or support others who harass or unlawfully discriminate against others, on the grounds of age, disability, race (including colour, national or ethnic origin or immigrant status), sex, pregnancy, marital or relationship status, family responsibilities or breastfeeding, sexual orientation, gender identity or intersex status or political, religious or other affiliation.

3.7 For the purposes of this code, "harassment" is any form of behaviour towards a person that:

- a) is not wanted by the person
- b) offends, humiliates or intimidates the person, and
- c) creates a hostile environment.

Bullying

3.8 You must not engage in bullying behaviour towards others.

3.9 For the purposes of this code, "bullying behaviour" is any behaviour in which:

- a) a person or a group of people repeatedly behaves unreasonably towards another person or a group of persons, and
- b) the behaviour creates a risk to health and safety.

3.10 Bullying behaviour may involve, but is not limited to, any of the following types of behaviour:

- a) aggressive, threatening or intimidating conduct
- b) belittling or humiliating comments

- c) spreading malicious rumours
- d) teasing, practical jokes or 'initiation ceremonies'
- e) exclusion from work-related events
- f) unreasonable work expectations, including too much or too little work, or work below or beyond a worker's skill level
- g) displaying offensive material
- h) pressure to behave in an inappropriate manner.

3.11 Reasonable management action carried out in a reasonable manner does not constitute bullying behaviour for the purposes of this code. Examples of reasonable management action may include, but are not limited to:

- a) performance management processes
- b) disciplinary action for misconduct
- c) informing a worker about unsatisfactory work performance or inappropriate work behaviour
- d) directing a worker to perform duties in keeping with their job
- e) maintaining reasonable workplace goals and standards
- f) legitimately exercising a regulatory function
- g) legitimately implementing a council policy or administrative processes.

Work health and safety

3.12 All council officials, including councillors, owe statutory duties under the *Work Health and Safety Act 2011* (WHS Act). You must comply with your duties under the WHS Act and your responsibilities under any policies or procedures adopted by the council to ensure workplace health and safety. Specifically, you must:

- a) take reasonable care for your own health and safety
- b) take reasonable care that your acts or omissions do not adversely affect the health and safety of other persons
- c) comply, so far as you are reasonably able, with any reasonable instruction that is given to ensure compliance with the WHS Act and any policies or procedures adopted by the council to ensure workplace health and safety
- d) cooperate with any reasonable policy or procedure of the council relating to workplace health or safety that has been notified to council staff
- e) report accidents, incidents, near misses, to the general manager or such other staff member nominated by the general manager, and take part in any incident investigations
- f) so far as is reasonably practicable, consult, co-operate and coordinate with all others who have a duty under the WHS Act in relation to the same matter.

Land use planning, development assessment and other regulatory functions

3.13 You must ensure that land use planning, development assessment and other regulatory decisions are properly made, and that all parties are dealt with fairly. You must avoid any occasion for suspicion of improper conduct in the exercise of land use planning, development assessment and other regulatory functions.

3.14 In exercising land use planning, development assessment and other regulatory functions, you must ensure that no action, statement or communication between yourself and others conveys any suggestion of willingness to improperly provide concessions or preferential or unduly unfavourable treatment.

Obligations in relation to meetings

3.15 You must comply with rulings by the chair at council and committee meetings or other proceedings of the council unless a motion dissenting from the ruling is passed.

3.16 You must not engage in bullying behaviour (as defined under this Part) towards the chair, other council officials or any members of the public present during council or committee meetings or other proceedings of the council (such as, but not limited to, workshops and briefing sessions).

3.17 You must not engage in conduct that disrupts council or committee meetings or other proceedings of the council (such as, but not limited to, workshops and briefing sessions), or that would otherwise be inconsistent with the orderly conduct of meetings.

PART 4 PECUNIARY INTERESTS**What is a pecuniary interest?**

4.1 A pecuniary interest is an interest that you have in a matter because of a reasonable likelihood or expectation of appreciable financial gain or loss to you or a person referred to in clause 4.3.

4.2 You will not have a pecuniary interest in a matter if the interest is so remote or insignificant that it could not reasonably be regarded as likely to influence any decision you might make in relation to the matter, or if the interest is of a kind specified in clause 4.6.

4.3 For the purposes of this Part, you will have a pecuniary interest in a matter if the pecuniary interest is:

- (a) your interest, or
- (b) the interest of your spouse or de facto partner, your relative, or your partner or employer, or
- (c) a company or other body of which you, or your nominee, partner or employer, is a shareholder or member.

4.4 For the purposes of clause 4.3:

- (a) Your “relative” is any of the following:
 - i) your parent, grandparent, brother, sister, uncle, aunt, nephew, niece, lineal descendant or adopted child
 - ii) your spouse’s or de facto partner’s parent, grandparent, brother, sister, uncle, aunt, nephew, niece, lineal descendant or adopted child
 - iii) the spouse or de facto partner of a person referred to in paragraphs (i) and (ii).
- (b) “de facto partner” has the same meaning as defined in section 21C of the *Interpretation Act 1987*.

4.5 You will not have a pecuniary interest in relation to a person referred to in subclauses 4.3(b) or (c):

- (a) if you are unaware of the relevant pecuniary interest of your spouse, de facto partner, relative, partner, employer or company or other body, or
- (b) just because the person is a member of, or is employed by, a council or a statutory body, or is employed by the Crown, or
- (c) just because the person is a member of, or a delegate of a council to, a company or other body that has a pecuniary interest in the matter, so long as the person has no beneficial interest in any shares of the company or body.

What interests do not have to be disclosed?

4.6 You do not have to disclose the following interests for the purposes of this Part:

- (a) your interest as an elector
- (b) your interest as a ratepayer or person liable to pay a charge
- (c) an interest you have in any matter relating to the terms on which the provision of a service or the supply of goods or commodities is offered to the public generally, or to a section of the public that includes persons who are not subject to this code
- (d) an interest you have in any matter relating to the terms on which the provision of a service or the supply of goods or commodities is offered to your relative by the council in the same manner and subject to the same conditions as apply to persons who are not subject to this code
- (e) an interest you have as a member of a club or other organisation or association, unless the interest is as the holder of an office in the club or organisation (whether remunerated or not)
- (f) if you are a council committee member, an interest you have as a person chosen to represent the community, or as a member of a non-profit organisation or other community or special interest group, if you have been appointed to represent the organisation or group on the council committee
- (g) an interest you have relating to a contract, proposed contract or other matter, if the interest arises only because of a beneficial interest in shares in a company that does not exceed 10 per cent of the voting rights in the company
- (h) an interest you have arising from the proposed making by the council of an agreement between the council and a corporation, association or partnership, being a corporation, association or partnership that has more than 25 members, if the interest arises because your relative is a shareholder (but not a director) of the corporation, or is a member (but not a member of the committee) of the association, or is a partner of the partnership
- (i) an interest you have arising from the making by the council of a contract or agreement with your relative for, or in relation to, any of the following, but only if the proposed contract or agreement is similar in terms and conditions to such contracts and agreements as have been made, or as are proposed to be made, by the council in respect of similar matters with other residents of the area:
 - i) the performance by the council at the expense of your relative of any work or service in connection with roads or sanitation
 - ii) security for damage to footpaths or roads
 - iii) any other service to be rendered, or act to be done, by the council by or under any Act conferring functions on the council, or by or under any contract
- (j) an interest of a person arising from the passing for payment of a regular account for the wages or salary of an employee who is a relative of the person
- (k) an interest arising from being covered by, or a proposal to be covered by, indemnity insurance as a council committee member

4.7 For the purposes of clause 4.6, "relative" has the same meaning as in clause 4.4, but includes your spouse or de facto partner.

What disclosures must be made by a designated person?

4.8 Designated persons include:

- (a) a person who is a delegate of the council and who holds a position identified by the council as the position of a designated person because it involves the exercise of functions (such as regulatory functions or contractual functions) that, in their

exercise, could give rise to a conflict between the person's duty as a delegate and the person's private interest

(b) a person (other than a member of the senior staff of the council) who is a member of a committee of the council identified by the council as a committee whose members are designated persons because the functions of the committee involve the exercise of the council's functions (such as regulatory functions or contractual functions) that, in their exercise, could give rise to a conflict between the member's duty as a member of the committee and the member's private interest.

4.9 A designated person:

(a) must prepare and submit written returns of interests in accordance with clause 4.15, and

(b) must disclose pecuniary interests in accordance with clause 4.10.

4.10 A designated person must disclose in writing to the general manager the nature of any pecuniary interest the person has in any council matter with which the person is dealing as soon as practicable after becoming aware of the interest.

4.11 The general manager must, on receiving a disclosure from a designated person, deal with the matter to which the disclosure relates or refer it to another person to deal with.

What disclosures must be made by council advisers?

4.12 A person who, at the request or with the consent of the council or a council committee, gives advice on any matter at any meeting of the council or committee, must disclose the nature of any pecuniary interest the person has in the matter to the meeting at the time the advice is given. The person is not required to disclose the person's interest as an adviser.

4.13 A person does not breach clause 4.12 if the person did not know, and could not reasonably be expected to have known, that the matter under consideration at the meeting was a matter in which they had a pecuniary interest.

What disclosures must be made by a council committee member?

4.14 A council committee member must disclose pecuniary interests in accordance with clause 4.22 and comply with clause 4.23.

Note: A council committee member identified by council as a "designated person" for the purposes of clause 4.8(b) must also prepare and submit written returns of interests in accordance with clause 4.15.

Disclosure of interests in written returns

4.15 A designated person must make and lodge with the general manager a return in the form set out in schedule 2 to this code, disclosing the designated person's interests as specified in schedule 1 to this code within 3 months after:

(a) becoming a designated person, and

(b) 30 June of each year, and

(c) the designated person becoming aware of an interest they are required to disclose under schedule 1 that has not been previously disclosed in a return lodged under paragraphs (a) or (b).

4.16 A person need not make and lodge a return under clause 4.15, paragraphs (a) and (b) if:

(a) they made and lodged a return under that clause in the preceding 3 months, or

(b) they have ceased to be a designated person in the preceding 3 months.

4.17 A person must not make and lodge a return that the person knows or ought reasonably to know is false or misleading in a material particular.

4.18 The general manager must keep a register of returns required to be made and lodged with the general manager.

4.19 Returns required to be lodged with the general manager under clause 4.15(a) and (b) must be tabled at the first meeting of the council after the last day the return is required to be lodged.

4.20 Returns required to be lodged with the general manager under clause 4.15(c) must be tabled at the next council meeting after the return is lodged.

4.21 Information contained in returns made and lodged under clause 4.15 is to be made publicly available in accordance with the requirements of the *Government Information (Public Access) Act 2009*, the *Government Information (Public Access) Regulation 2009* and any guidelines issued by the Information Commissioner.

Disclosure of pecuniary interests at meetings

4.22 A council committee member who has a pecuniary interest in any matter with which the council is concerned, and who is present at a meeting of the committee at which the matter is being considered, must disclose the nature of the interest to the meeting as soon as practicable.

4.23 The council committee member must not be present at, or in sight of, the meeting of the committee:

- (a) at any time during which the matter is being considered or discussed by the committee, or
- (b) at any time during which the committee is voting on any question in relation to the matter.

4.24 A disclosure made at a meeting of a council committee must be recorded in the minutes of the meeting.

4.25 A general notice may be given to the general manager in writing by a council committee member to the effect that the council committee member, or the council committee member's spouse, de facto partner or relative, is:

- (a) a member of, or in the employment of, a specified company or other body, or
- (b) a partner of, or in the employment of, a specified person.

Such a notice is, unless and until the notice is withdrawn or until the end of the term of the council in which it is given (whichever is the sooner), sufficient disclosure of the council committee member's interest in a matter relating to the specified company, body or person that may be the subject of consideration by the council committee after the date of the notice.

4.26 A council committee member is not prevented from being present at and taking part in a meeting at which a matter is being considered, or from voting on the matter, merely because the council committee member has an interest in the matter of a kind referred to in clause 4.6.

- 4.27 A person does not breach clauses 4.22 or 4.23 if the person did not know, and could not reasonably be expected to have known, that the matter under consideration at the meeting was a matter in which they had a pecuniary interest.
- 4.28 The Minister for Local Government may, conditionally or unconditionally, allow a council committee member who has a pecuniary interest in a matter with which the council is concerned to be present at a meeting of the committee, to take part in the consideration or discussion of the matter and to vote on the matter if the Minister is of the opinion that it is in the interests of the electors for the area to do so.
- 4.29 A council committee member with a pecuniary interest in a matter who is permitted to be present at a meeting of the committee, to take part in the consideration or discussion of the matter and to vote on the matter under clause 4.28, must still disclose the interest they have in the matter in accordance with clause 4.22.

PART 5 NON-PECUNIARY CONFLICTS OF INTEREST

What is a non-pecuniary conflict of interest?

- 5.1 Non-pecuniary interests are private or personal interests a council official has that do not amount to a pecuniary interest as defined in clause 4.1 of this code. These commonly arise out of family or personal relationships, or out of involvement in sporting, social, religious or other cultural groups and associations, and may include an interest of a financial nature.
- 5.2 A non-pecuniary conflict of interest exists where a reasonable and informed person would perceive that you could be influenced by a private interest when carrying out your official functions in relation to a matter.
- 5.3 The personal or political views of a council official do not constitute a private interest for the purposes of clause 5.2.
- 5.4 Non-pecuniary conflicts of interest must be identified and appropriately managed to uphold community confidence in the probity of council decision-making. The onus is on you to identify any non-pecuniary conflict of interest you may have in matters that you deal with, to disclose the interest fully and in writing, and to take appropriate action to manage the conflict in accordance with this code.
- 5.5 When considering whether or not you have a non-pecuniary conflict of interest in a matter you are dealing with, it is always important to think about how others would view your situation.

Managing non-pecuniary conflicts of interest

- 5.6 Where you have a non-pecuniary conflict of interest in a matter for the purposes of clause 5.2, you must disclose the relevant private interest you have in relation to the matter fully and in writing as soon as practicable after becoming aware of the non-pecuniary conflict of interest and on each occasion on which the non-pecuniary conflict of interest arises in relation to the matter.
- 5.7 If a disclosure is made at a committee meeting, both the disclosure and the nature of the interest must be recorded in the minutes on each occasion on which the non-pecuniary conflict of interest arises. This disclosure constitutes disclosure in writing for the purposes of clause 5.6.

5.8 How you manage a non-pecuniary conflict of interest will depend on whether or not it is significant.

5.9 As a general rule, a non-pecuniary conflict of interest will be significant where it does not involve a pecuniary interest for the purposes of clause 4.1, but it involves:

- a relationship between a council official and another person who is affected by a decision or a matter under consideration that is particularly close, such as a current or former spouse or de facto partner, a relative for the purposes of clause 4.4 or another person from the council official's extended family that the council official has a close personal relationship with, or another person living in the same household
- other relationships with persons who are affected by a decision or a matter under consideration that are particularly close, such as friendships and business relationships. Closeness is defined by the nature of the friendship or business relationship, the frequency of contact and the duration of the friendship or relationship.
- an affiliation between the council official and an organisation (such as a sporting body, club, religious, cultural or charitable organisation, corporation or association) that is affected by a decision or a matter under consideration that is particularly strong. The strength of a council official's affiliation with an organisation is to be determined by the extent to which they actively participate in the management, administration or other activities of the organisation.
- membership, as the council's representative, of the board or management committee of an organisation that is affected by a decision or a matter under consideration, in circumstances where the interests of the council and the organisation are potentially in conflict in relation to the particular matter
- a financial interest (other than an interest of a type referred to in clause 4.6) that is not a pecuniary interest for the purposes of clause 4.1
- the conferral or loss of a personal benefit other than one conferred or lost as a member of the community or a broader class of people affected by a decision.

5.10 Significant non-pecuniary conflicts of interest must be managed in one of two ways:

- by not participating in consideration of, or decision making in relation to, the matter in which you have the significant non-pecuniary conflict of interest and the matter being allocated to another person for consideration or determination, or
- if the significant non-pecuniary conflict of interest arises in relation to a matter under consideration at a committee meeting, by managing the conflict of interest as if you had a pecuniary interest in the matter by complying with clauses 4.22 and 4.23.

5.11 If you determine that you have a non-pecuniary conflict of interest in a matter that is not significant and does not require further action, when disclosing the interest you must also explain in writing why you consider that the non-pecuniary conflict of interest is not significant and does not require further action in the circumstances.

5.12 Council committee members are not required to declare and manage a non-pecuniary conflict of interest in accordance with the requirements of this Part where it arises from an interest they have as a person chosen to represent the community, or as a member of a non-profit organisation or other community or special interest group, if they have been appointed to represent the organisation or group on the council committee.

[Loss of quorum as a result of compliance with this Part](#)

- 5.13 The Minister for Local Government may, conditionally or unconditionally, allow a council committee member who is precluded under this Part from participating in the consideration of a matter to be present at a meeting of the committee, to take part in the consideration or discussion of the matter and to vote on the matter if the Minister is of the opinion that it is in the interests of the electors for the area to do so.
- 5.14 Where the Minister exempts a committee member from complying with a requirement under this Part under clause 5.13, the committee member must still disclose any interests they have in the matter the exemption applies to, in accordance with clause 5.6.

Personal dealings with council

- 5.15 You may have reason to deal with your council in your personal capacity (for example, as a ratepayer, recipient of a council service or applicant for a development consent granted by council). You must not expect or request preferential treatment in relation to any matter in which you have a private interest because of your position. You must avoid any action that could lead members of the public to believe that you are seeking preferential treatment.
- 5.16 You must undertake any personal dealings you have with the council in a manner that is consistent with the way other members of the community deal with the council. You must also ensure that you disclose and appropriately manage any conflict of interest you may have in any matter in accordance with the requirements of this code.

PART 6 PERSONAL BENEFIT

- 6.1 For the purposes of this Part, a gift or a benefit is something offered to or received by a council official or someone personally associated with them for their personal use and enjoyment.
- 6.2 A reference to a gift or benefit in this Part does not include:
 - a) items with a value of \$10 or less
 - b) a political donation for the purposes of the *Electoral Funding Act 2018*
 - c) a gift provided to the council as part of a cultural exchange or sister-city relationship that is not converted for the personal use or enjoyment of any individual council official or someone personally associated with them
 - d) attendance by a council official at a work-related event or function for the purposes of performing their official duties, or
 - e) free or subsidised meals, beverages or refreshments provided to council officials in conjunction with the performance of their official duties such as, but not limited to:
 - i) the discussion of official business
 - ii) work-related events such as council-sponsored or community events, training, education sessions or workshops
 - iii) conferences
 - iv) council functions or events
 - v) social functions organised by groups, such as council committees and community organisations.

Gifts and benefits

- 6.3 You must avoid situations that would give rise to the appearance that a person or body is attempting to secure favourable treatment from you or from the council, through the provision of gifts, benefits or hospitality of any kind to you or someone personally associated with you.

6.4 A gift or benefit is deemed to have been accepted by you for the purposes of this Part, where it is received by you or someone personally associated with you.

How are offers of gifts and benefits to be dealt with?

6.5 You must not:

- a) seek or accept a bribe or other improper inducement
- b) seek gifts or benefits of any kind
- c) accept any gift or benefit that may create a sense of obligation on your part, or may be perceived to be intended or likely to influence you in carrying out your public duty
- d) subject to clause 6.7, accept any gift or benefit of more than token value as defined by clause 6.9
- e) accept an offer of cash or a cash-like gift as defined by clause 6.13, regardless of the amount
- f) participate in competitions for prizes where eligibility is based on the council being in or entering into a customer–supplier relationship with the competition organiser
- g) personally benefit from reward points programs when purchasing on behalf of the council.

6.6 Where you receive a gift or benefit of any value other than one referred to in clause 6.2, you must disclose this promptly to the general manager in writing. The general manager must ensure that, at a minimum, the following details are recorded in the council's gift register:

- a) the nature of the gift or benefit
- b) the estimated monetary value of the gift or benefit
- c) the name of the person who provided the gift or benefit, and
- d) the date on which the gift or benefit was received.

6.7 Where you receive a gift or benefit of more than token value that cannot reasonably be refused or returned, the gift or benefit must be surrendered to the council, unless the nature of the gift or benefit makes this impractical.

Gifts and benefits of token value

6.8 You may accept gifts and benefits of token value. Gifts and benefits of token value are one or more gifts or benefits received from a person or organisation over a 12-month period that, when aggregated, do not exceed a value of \$100. They include, but are not limited to:

- a) invitations to and attendance at local social, cultural or sporting events with a ticket value that does not exceed \$100
- b) gifts of alcohol that do not exceed a value of \$100
- c) ties, scarves, coasters, tie pins, diaries, chocolates or flowers or the like
- d) prizes or awards that do not exceed \$100 in value.

Gifts and benefits of more than token value

6.9 Gifts or benefits that exceed \$100 in value are gifts or benefits of more than token value for the purposes of clause 6.5(d) and, subject to clause 6.7, must not be accepted.

6.10 Gifts and benefits of more than token value include, but are not limited to, tickets to major sporting events (such as international matches or matches in national sporting codes) with a ticket value that exceeds \$100, corporate hospitality at a corporate facility at major sporting events, free or discounted products or services for personal use provided on terms that are not available to the general public or a broad class of persons, the use of holiday homes, artworks, free or discounted travel.

- 6.11 Where you have accepted a gift or benefit of token value from a person or organisation, you must not accept a further gift or benefit from the same person or organisation or another person associated with that person or organisation within a single 12-month period where the value of the gift, added to the value of earlier gifts received from the same person or organisation, or a person associated with that person or organisation, during the same 12-month period would exceed \$100 in value.
- 6.12 For the purposes of this Part, the value of a gift or benefit is the monetary value of the gift or benefit inclusive of GST.

Cash-like gifts

- 6.13 For the purposes of clause 6.5(e), "cash-like gifts" include but are not limited to, gift vouchers, credit cards, debit cards with credit on them, prepayments such as phone or internet credit, lottery tickets, memberships or entitlements to discounts that are not available to the general public or a broad class of persons.

Improper and undue influence

- 6.14 You must not use your position to influence other council officials in the performance of their official functions to obtain a private benefit for yourself or for somebody else.
- 6.15 You must not take advantage (or seek to take advantage) of your status or position with council, or of functions you perform for council, in order to obtain a private benefit for yourself or for any other person or body.

PART 7 ACCESS TO INFORMATION AND COUNCIL RESOURCES

Use of certain council information

- 7.1 In regard to information obtained in your capacity as a council official, you must:
 - a) only access council information needed for council business
 - b) not use that council information for private purposes
 - c) not seek or obtain, either directly or indirectly, any financial benefit or other improper advantage for yourself, or any other person or body, from any information to which you have access by virtue of your position with council
 - d) only release council information in accordance with established council policies and procedures and in compliance with relevant legislation.

Use and security of confidential information

- 7.2 You must maintain the integrity and security of confidential information in your possession, or for which you are responsible.
- 7.3 In addition to your general obligations relating to the use of council information, you must:
 - a) only access confidential information that you have been authorised to access and only do so for the purposes of exercising your official functions
 - b) protect confidential information
 - c) only release confidential information if you have authority to do so
 - d) only use confidential information for the purpose for which it is intended to be used
 - e) not use confidential information gained through your official position for the purpose of securing a private benefit for yourself or for any other person
 - f) not use confidential information with the intention to cause harm or detriment to the council or any other person or body

- g) not disclose any confidential information discussed during a confidential session of a council or committee meeting or any other confidential forum (such as, but not limited to, workshops or briefing sessions).

Personal information

7.4 When dealing with personal information you must comply with:

- a) the *Privacy and Personal Information Protection Act 1998*
- b) the *Health Records and Information Privacy Act 2002*
- c) the Information Protection Principles and Health Privacy Principles
- d) the council's privacy management plan
- e) the Privacy Code of Practice for Local Government

Use of council resources

7.5 You must use council resources ethically, effectively, efficiently and carefully in exercising your official functions, and must not use them for private purposes unless this use is lawfully authorised and proper payment is made where appropriate.

7.6 You must be scrupulous in your use of council property, including intellectual property, official services, facilities, technology and electronic devices and must not permit their misuse by any other person or body.

7.7 You must avoid any action or situation that could create the appearance that council property, official services or public facilities are being improperly used for your benefit or the benefit of any other person or body.

7.8 You must not use council resources (including council staff), property or facilities for the purpose of assisting the election campaigns of others unless the resources, property or facilities are otherwise available for use or hire by the public and any publicly advertised fee is paid for use of the resources, property or facility.

7.9 You must not use the council letterhead, council crests, council email or social media or other information that could give the appearance it is official council material:

- a) for the purpose of assisting your election campaign or the election campaign of others, or
- b) for other non-official purposes.

7.10 You must not convert any property of the council to your own use unless properly authorised.

Internet access

7.11 You must not use council's computer resources or mobile or other devices to search for, access, download or communicate any material of an offensive, obscene, pornographic, threatening, abusive or defamatory nature, or that could otherwise lead to criminal penalty or civil liability and/or damage the council's reputation.

Council record keeping

7.12 You must comply with the requirements of the *State Records Act 1998* and the council's records management policy.

- 7.13 All information created, sent and received in your official capacity is a council record and must be managed in accordance with the requirements of the *State Records Act 1998* and the council's approved records management policies and practices.
- 7.14 All information stored in either soft or hard copy on council supplied resources (including technology devices and email accounts) is deemed to be related to the business of the council and will be treated as council records, regardless of whether the original intention was to create the information for personal purposes.
- 7.15 You must not destroy, alter, or dispose of council information or records, unless authorised to do so. If you need to alter or dispose of council information or records, you must do so in consultation with the council's records manager and comply with the requirements of the *State Records Act 1998*.

PART 8 MAINTAINING THE INTEGRITY OF THIS CODE

Complaints made for an improper purpose

- 8.1 You must not make or threaten to make a complaint or cause a complaint to be made alleging a breach of this code for an improper purpose.
- 8.2 For the purposes of clause 8.1, a complaint is made for an improper purpose where it is trivial, frivolous, vexatious or not made in good faith, or where it otherwise lacks merit and has been made substantially for one or more of the following purposes:
 - a) to bully, intimidate or harass another council official
 - b) to damage another council official's reputation
 - c) to obtain a political advantage
 - d) to influence a council official in the exercise of their official functions or to prevent or disrupt the exercise of those functions
 - e) to influence the council in the exercise of its functions or to prevent or disrupt the exercise of those functions
 - f) to avoid disciplinary action under the Procedures
 - g) to take reprisal action against a person for making a complaint alleging a breach of this code
 - h) to take reprisal action against a person for exercising a function prescribed under the Procedures
 - i) to prevent or disrupt the effective administration of this code under the Procedures.

Detrimental action

- 8.3 You must not take detrimental action or cause detrimental action to be taken against a person substantially in reprisal for a complaint they have made alleging a breach of this code.
- 8.4 You must not take detrimental action or cause detrimental action to be taken against a person substantially in reprisal for any function they have exercised under the Procedures.
- 8.5 For the purposes of clauses 8.3 and 8.4, a detrimental action is an action causing, comprising or involving any of the following:
 - a) injury, damage or loss
 - b) intimidation or harassment
 - c) discrimination, disadvantage or adverse treatment in relation to employment
 - d) dismissal from, or prejudice in, employment
 - e) disciplinary proceedings.

Compliance with requirements under the Procedures

- 8.6 You must not engage in conduct that is calculated to impede or disrupt the consideration of a matter under the Procedures.
- 8.7 You must comply with a reasonable and lawful request made by a person exercising a function under the Procedures. A failure to make a written or oral submission invited under the Procedures will not constitute a breach of this clause.
- 8.8 You must comply with a practice ruling made by the Office under the Procedures.

Disclosure of information about the consideration of a matter under the Procedures

- 8.9 All allegations of breaches of this code must be dealt with under and in accordance with the Procedures.
- 8.10 You must not allege breaches of this code other than by way of a complaint made or initiated under the Procedures.
- 8.11 You must not make allegations about, or disclose information about, suspected breaches of this code at council, committee or other meetings, whether open to the public or not, or in any other forum, whether public or not.
- 8.12 You must not disclose information about a complaint you have made alleging a breach of this code or a matter being considered under the Procedures except for the purposes of seeking legal advice, unless the disclosure is otherwise permitted under the Procedures.
- 8.13 Nothing under this Part prevents a person from making a public interest disclosure to an appropriate public authority or investigative authority under the *Public Interest Disclosures Act 1994*.

Complaints alleging a breach of this Part

- 8.14 Complaints alleging a breach of this Part by a council committee member or delegate of council are to be managed by the general manager in accordance with the Procedures.

**SCHEDULE 1: DISCLOSURES OF INTERESTS AND OTHER MATTERS IN WRITTEN RETURNS
SUBMITTED UNDER CLAUSE 4.15**Part 1: PreliminaryDefinitions

1. For the purposes of the schedules to this code, the following definitions apply:

address means:

- a) in relation to a person other than a corporation, the last residential or business address of the person known to the designated person disclosing the address, or
- b) in relation to a corporation, the address of the registered office of the corporation in New South Wales or, if there is no such office, the address of the principal office of the corporation in the place where it is registered, or
- c) in relation to any real property, the street address of the property.

de facto partner has the same meaning as defined in section 21C of the *Interpretation Act 1987*.

disposition of property means a conveyance, transfer, assignment, settlement, delivery, payment or other alienation of property, including the following:

- a) the allotment of shares in a company
- b) the creation of a trust in respect of property
- c) the grant or creation of a lease, mortgage, charge, easement, licence, power, partnership or interest in respect of property
- d) the release, discharge, surrender, forfeiture or abandonment, at law or in equity, of a debt, contract or chose in action, or of an interest in respect of property
- e) the exercise by a person of a general power of appointment over property in favour of another person
- f) a transaction entered into by a person who intends by the transaction to diminish, directly or indirectly, the value of the person's own property and to increase the value of the property of another person.

gift means a disposition of property made otherwise than by will (whether or not by instrument in writing) without consideration, or with inadequate consideration, in money or money's worth passing from the person to whom the disposition was made to the person who made the disposition, but does not include a financial or other contribution to travel.

interest means:

- a) in relation to property, an estate, interest, right or power, at law or in equity, in or over the property, or
- b) in relation to a corporation, a relevant interest (within the meaning of section 9 of the *Corporations Act 2001* of the Commonwealth) in securities issued or made available by the corporation.

listed company means a company that is listed within the meaning of section 9 of the *Corporations Act 2001* of the Commonwealth.

occupation includes trade, profession and vocation.

professional or business association means an incorporated or unincorporated body or organisation having as one of its objects or activities the promotion of the economic interests of its members in any occupation.

property includes money.

return date means:

- a) in the case of a return made under clause 4.15(a), the date on which a person became a designated person
- b) in the case of a return made under clause 4.15(b), 30 June of the year in which the return is made
- c) in the case of a return made under clause 4.15(c), the date on which the designated person became aware of the interest to be disclosed.

relative includes any of the following:

- a) a person's spouse or de facto partner
- b) a person's parent, grandparent, brother, sister, uncle, aunt, nephew, niece, lineal descendant or adopted child
- c) a person's spouse's or de facto partner's parent, grandparent, brother, sister, uncle, aunt, nephew, niece, lineal descendant or adopted child
- d) the spouse or de facto partner of a person referred to in paragraphs (b) and (c).

travel includes accommodation incidental to a journey.

Matters relating to the interests that must be included in returns

2. *Interests etc. outside New South Wales:* A reference in this schedule or in schedule 2 to a disclosure concerning a corporation or other thing includes any reference to a disclosure concerning a corporation registered, or other thing arising or received, outside New South Wales.
3. *References to interests in real property:* A reference in this schedule or in schedule 2 to real property in which a designated person has an interest includes a reference to any real property situated in Australia in which the designated person has an interest.
4. *Gifts, loans etc. from related corporations:* For the purposes of this schedule and schedule 2, gifts or contributions to travel given, loans made, or goods or services supplied, to a designated person by two or more corporations that are related to each other for the purposes of section 50 of the *Corporations Act 2001* of the Commonwealth are all given, made or supplied by a single corporation.

Part 2: Pecuniary interests to be disclosed in returnsReal property

5. A person making a return under clause 4.15 of this code must disclose:
 - a) the street address of each parcel of real property in which they had an interest on the return date, and
 - b) the street address of each parcel of real property in which they had an interest in the period since 30 June of the previous financial year, and
 - c) the nature of the interest.
6. An interest in a parcel of real property need not be disclosed in a return if the person making the return had the interest only:
 - a) as executor of the will, or administrator of the estate, of a deceased person and not as a beneficiary under the will or intestacy, or
 - b) as a trustee, if the interest was acquired in the ordinary course of an occupation not related to their duties as the holder of a position required to make a return.
7. An interest in a parcel of real property need not be disclosed in a return if the person ceased to hold the interest prior to becoming a designated person.
8. For the purposes of clause 5 of this schedule, “interest” includes an option to purchase.

Gifts

9. A person making a return under clause 4.15 of this code must disclose:
 - a) a description of each gift received in the period since 30 June of the previous financial year, and
 - b) the name and address of the donor of each of the gifts.
10. A gift need not be included in a return if:
 - a) it did not exceed \$500, unless it was among gifts totalling more than \$500 made by the same person during a period of 12 months or less, or
 - b) it was a political donation disclosed, or required to be disclosed, under Part 3 of the *Electoral Funding Act 2018*, or
 - c) the donor was a relative of the donee, or
 - d) subject to paragraph (a), it was received prior to the person becoming a designated person.
11. For the purposes of clause 10 of this schedule, the amount of a gift other than money is an amount equal to the value of the property given.

Contributions to travel

12. A person making a return under clause 4.15 of this code must disclose:
 - a) the name and address of each person who made any financial or other contribution to the expenses of any travel undertaken by the person in the period since 30 June of the previous financial year, and
 - b) the dates on which the travel was undertaken, and
 - c) the names of the states and territories, and of the overseas countries, in which the travel was undertaken.
13. A financial or other contribution to any travel need not be disclosed under this clause if it:

- a) was made from public funds (including a contribution arising from travel on free passes issued under an Act or from travel in government or council vehicles), or
- b) was made by a relative of the traveller, or
- c) was made in the ordinary course of an occupation of the traveller that is not related to their functions as the holder of a position requiring the making of a return, or
- d) did not exceed \$250, unless it was among gifts totalling more than \$250 made by the same person during a 12-month period or less, or
- e) was a political donation disclosed, or required to be disclosed, under Part 3 of the *Electoral Funding Act 2018*, or
- f) was made by a political party of which the traveller was a member and the travel was undertaken for the purpose of political activity of the party in New South Wales, or to enable the traveller to represent the party within Australia, or
- g) subject to paragraph (d) it was received prior to the person becoming a designated person.

14. For the purposes of clause 13 of this schedule, the amount of a contribution (other than a financial contribution) is an amount equal to the value of the contribution.

Interests and positions in corporations

15. A person making a return under clause 4.15 of this code must disclose:
 - a) the name and address of each corporation in which they had an interest or held a position (whether remunerated or not) on the return date, and
 - b) the name and address of each corporation in which they had an interest or held a position in the period since 30 June of the previous financial year, and
 - c) the nature of the interest, or the position held, in each of the corporations, and
 - d) a description of the principal objects (if any) of each of the corporations, except in the case of a listed company.

16. An interest in, or a position held in, a corporation need not be disclosed if the corporation is:

 - a) formed for the purpose of providing recreation or amusement, or for promoting commerce, industry, art, science, religion or charity, or for any other community purpose, and
 - b) required to apply its profits or other income in promoting its objects, and
 - c) prohibited from paying any dividend to its members.

17. An interest in a corporation need not be disclosed if the interest is a beneficial interest in shares in a company that does not exceed 10 per cent of the voting rights in the company.

18. An interest or a position in a corporation need not be disclosed if the person ceased to hold the interest or position prior to becoming a designated person.

Interests as a property developer or a close associate of a property developer

 19. A person making a return under clause 4.15 of this code must disclose whether they were a property developer, or a close associate of a corporation that, or an individual who, is a property developer, on the return date.

20. For the purposes of clause 19 of this schedule:

close associate, in relation to a corporation or an individual, has the same meaning as it has in section 53 of the *Electoral Funding Act 2018*.

property developer has the same meaning as it has in Division 7 of Part 3 of the *Electoral Funding Act 2018*.

Positions in trade unions and professional or business associations

21. A person making a return under clause 4.15 of the code must disclose:
 - a) the name of each trade union, and of each professional or business association, in which they held any position (whether remunerated or not) on the return date, and
 - b) the name of each trade union, and of each professional or business association, in which they have held any position (whether remunerated or not) in the period since 30 June of the previous financial year, and
 - c) a description of the position held in each of the unions and associations.
22. A position held in a trade union or a professional or business association need not be disclosed if the person ceased to hold the position prior to becoming a designated person.

Dispositions of real property

23. A person making a return under clause 4.15 of this code must disclose particulars of each disposition of real property by the person (including the street address of the affected property) in the period since 30 June of the previous financial year, under which they wholly or partly retained the use and benefit of the property or the right to re-acquire the property.
24. A person making a return under clause 4.15 of this code must disclose particulars of each disposition of real property to another person (including the street address of the affected property) in the period since 30 June of the previous financial year, that is made under arrangements with, but is not made by, the person making the return, being a disposition under which the person making the return obtained wholly or partly the use of the property.
25. A disposition of real property need not be disclosed if it was made prior to a person becoming a designated person.

Sources of income

26. A person making a return under clause 4.15 of this code must disclose:
 - a) each source of income that the person reasonably expects to receive in the period commencing on the first day after the return date and ending on the following 30 June, and
 - b) each source of income received by the person in the period since 30 June of the previous financial year.
27. A reference in clause 26 of this schedule to each source of income received, or reasonably expected to be received, by a person is a reference to:
 - a) in relation to income from an occupation of the person:
 - (i) a description of the occupation, and
 - (ii) if the person is employed or the holder of an office, the name and address of their employer, or a description of the office, and
 - (iii) if the person has entered into a partnership with other persons, the name (if any) under which the partnership is conducted, or
 - b) in relation to income from a trust, the name and address of the settlor and the trustee, or

- c) in relation to any other income, a description sufficient to identify the person from whom, or the circumstances in which, the income was, or is reasonably expected to be, received.

28. The source of any income need not be disclosed by a person in a return if the amount of the income received, or reasonably expected to be received, by the person from that source did not exceed \$500, or is not reasonably expected to exceed \$500, as the case may be.

29. The source of any income received by the person that they ceased to receive prior to becoming a designated person need not be disclosed.

30. A fee paid to a councillor or to the mayor or deputy mayor under sections 248 or 249 of the LGA need not be disclosed.

Debts

31. A person making a return under clause 4.15 of this code must disclose the name and address of each person to whom the person was liable to pay any debt:

- a) on the return date, and
- b) at any time in the period since 30 June of the previous financial year.

32. A liability to pay a debt must be disclosed by a person in a return made under clause 4.15 whether or not the amount, or any part of the amount, to be paid was due and payable on the return date or at any time in the period since 30 June of the previous financial year, as the case may be.

33. A liability to pay a debt need not be disclosed by a person in a return if:

- a) the amount to be paid did not exceed \$500 on the return date or in the period since 30 June of the previous financial year, as the case may be, unless:
 - (i) the debt was one of two or more debts that the person was liable to pay to one person on the return date, or at any time in the period since 30 June of the previous financial year, as the case may be, and
 - (ii) the amounts to be paid exceeded, in the aggregate, \$500, or
- b) the person was liable to pay the debt to a relative, or
- c) in the case of a debt arising from a loan of money the person was liable to pay the debt to an authorised deposit-taking institution or other person whose ordinary business includes the lending of money, and the loan was made in the ordinary course of business of the lender, or
- d) in the case of a debt arising from the supply of goods or services:
 - (i) the goods or services were supplied in the period of 12 months immediately preceding the return date, or were supplied in the period since 30 June of the previous financial year, as the case may be, or
 - (ii) the goods or services were supplied in the ordinary course of any occupation of the person that is not related to their duties as the holder of a position required to make a return, or
- e) subject to paragraph (a), the debt was discharged prior to the person becoming a designated person.

Discretionary disclosures

34. A person may voluntarily disclose in a return any interest, benefit, advantage or liability, whether pecuniary or not, that is not required to be disclosed under another provision of this Schedule.

SCHEDULE 2: FORM OF WRITTEN RETURN OF INTERESTS SUBMITTED UNDER CLAUSE 4.15**'Disclosures by councillors or designated persons' return**

1. The pecuniary interests and other matters to be disclosed in this return are prescribed by Schedule 1 of the *Model Code of Conduct for Local Councils in NSW* (the Model Code of Conduct).
2. If this is the first return you have been required to lodge with the general manager after becoming a councillor or designated person, do not complete Parts C, D and I of the return. All other parts of the return should be completed with appropriate information based on your circumstances at the return date, that is, the date on which you became a councillor or designated person.
3. If you have previously lodged a return with the general manager and you are completing this return for the purposes of disclosing a new interest that was not disclosed in the last return you lodged with the general manager, you must complete all parts of the return with appropriate information for the period from 30 June of the previous financial year or the date on which you became a councillor or designated person, (whichever is the later date), to the return date which is the date you became aware of the new interest to be disclosed in your updated return.
4. If you have previously lodged a return with the general manager and are submitting a new return for the new financial year, you must complete all parts of the return with appropriate information for the 12-month period commencing on 30 June of the previous year to 30 June this year.
5. This form must be completed using block letters or typed.
6. If there is insufficient space for all the information you are required to disclose, you must attach an appendix which is to be properly identified and signed by you.
7. If there are no pecuniary interests or other matters of the kind required to be disclosed under a heading in this form, the word "NIL" is to be placed in an appropriate space under that heading.

Important information

This information is being collected for the purpose of complying with clause 4.21 of the Model Code of Conduct.

You must not lodge a return that you know or ought reasonably to know is false or misleading in a material particular (see clause 4.23 of the Model Code of Conduct). Complaints about breaches of these requirements are to be referred to the Office of Local Government and may result in disciplinary action by the council, the Chief Executive of the Office of Local Government or the NSW Civil and Administrative Tribunal.

The information collected on this form will be kept by the general manager in a register of returns. The general manager is required to table all returns at a council meeting.

Information contained in returns made and lodged under clause 4.21 is to be made publicly available in accordance with the requirements of the *Government Information (Public Access)*

Act 2009, the Government Information (Public Access) Regulation 2009 and any guidelines issued by the Information Commissioner.

You have an obligation to keep the information contained in this return up to date. If you become aware of a new interest that must be disclosed in this return, or an interest that you have previously failed to disclose, you must submit an updated return within three months of becoming aware of the previously undisclosed interest.

Disclosure of pecuniary interests and other matters by [full name of councillor or designated person]

as at [return date]

in respect of the period from [date] to [date]

[councillor's or designated person's signature]
[date]

A. Real Property

Street address of each parcel of real property in which I had an interest at the return date/at any time since 30 June	Nature of interest
------------------------------------------------------------------------------------------------------------------------	--------------------

B. Sources of income

1 Sources of income I reasonably expect to receive from an occupation in the period commencing on the first day after the return date and ending on the following 30 June
Sources of income I received from an occupation at any time since 30 June

Description of occupation	Name and address of employer or Name under description of office held (if applicable)	Name under which partnership conducted (if applicable)
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2 Sources of income I reasonably expect to receive from a trust in the period commencing on the first day after the return date and ending on the following 30 June
Sources of income I received from a trust since 30 June

Name and address of settlor	Name and address of trustee
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3 Sources of other income I reasonably expect to receive in the period commencing on the first day after the return date and ending on the following 30 June

Sources of other income I received at any time since 30 June

[Include description sufficient to identify the person from whom, or the circumstances in which, that income was received]

C. Gifts

Description of each gift I received at any time since 30 June	Name and address of donor
---------------------------------------------------------------	---------------------------

D. Contributions to travel

Name and address of each person who made any financial or other contribution to any travel	Dates on which travel was undertaken	Name of States, Territories of the Commonwealth
--------------------------------------------------------------------------------------------	--------------------------------------	-------------------------------------------------

undertaken by me at any time since 30 June	and overseas countries in which travel was undertaken
--------------------------------------------	-------------------------------------------------------

E. Interests and positions in corporations

Name and address of each corporation in which I had an interest or held a position at the return date/at any time since 30 June	Nature of interest (if any)	Description of position (if any)	Description of principal objects (if any) of corporation (except in case of listed company)
---------------------------------------------------------------------------------------------------------------------------------	-----------------------------	----------------------------------	---------------------------------------------------------------------------------------------

F. Were you a property developer or a close associate of a property developer on the return date? (Y/N)

G. Positions in trade unions and professional or business associations

Name of each trade union and each professional or business association in which I held any position (whether remunerated or not) at the return date/at any time since 30 June	Description of position
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H. Debts

Name and address of each person to whom I was liable to pay any debt at the return date/at any time since 30 June

I. Dispositions of property

1 Particulars of each disposition of real property by me (including the street address of the affected property) at any time since 30 June as a result of which I retained, either wholly or in part, the use and benefit of the property or the right to re-acquire the property at a later time

2 Particulars of each disposition of property to a person by any other person under arrangements made by me (including the street address of the affected property), being dispositions made at any time since 30 June, as a result of which I obtained, either wholly or in part, the use and benefit of the property

J. Discretionary disclosures

8.2.2 DRAFT CODE OF MEETING PRACTICE

DOCUMENT NUMBER	441933
REPORTING OFFICER	Anne Chamberlain, Governance Officer
AUTHORISING OFFICER	Roger Bailey, Interim General Manager
RELEVANCE TO COMMUNITY STRATEGIC PLAN	<p>4. Collaborative and progressive leadership</p> <p>4.1 A clear strategic direction that is delivered upon</p>
FINANCIAL IMPLICATIONS	There are no Financial implications associated with this report.
LEGISLATIVE IMPLICATIONS	Section 360 and 361 of the Local Government Act 1993.
POLICY IMPLICATIONS	Code of Meeting Practice to be in accordance with the Model Meeting Code prescribed by the Office of Local Government.
ATTACHMENTS	1. Draft Code of Meeting Practice ↓

RECOMMENDATION

- 1. That the Draft Code of Meeting Practice, attached to the report be placed on Public Exhibition for 28 days and allow a period of 42 days for submissions to be received prior to adoption with changes endorsed.**
- 2. If there are no submission received, adopt the Draft Code of Meeting Practice at the completion of the exhibition period.**

Introduction

In accordance with Section 360(3) of the Act, councils are required to adopt a Meeting Code within 12 months following an ordinary election. This Meeting Code must incorporate the mandatory provisions of the prescribed Model Code and may include non-mandatory provisions and other relevant content. As part of this legislative requirement, Council has undertaken a review of its current Meeting Code. The review confirmed that Council's Meeting Code aligns with the current OLG Model Meeting Code.

Discussion

In December 2024 the Office of Local Government (OLG) released a consultation draft for the Model Code of Meeting Practice that proposed a significant number of changes to develop a new model code of meeting practice.

The OLG has completed its assessment of submissions received regarding the consultation draft of the new Model Code of Meeting Practice and the OLG has advised that work is currently underway to finalise the new Model Meeting Code, however, a timeline has not been stated as to when the new model code will be released.

As the new Model Meeting Code has not been prescribed and a timeline has not been provided by the OLG, Council intends to place the currently adopted Code of Meeting Practice on public exhibition for consultation, to ensure that it can be readopted, as required by legislation, no later than 12 months after the 2024 local government elections.

If the Model Meeting Code is released by the OLG prior to this exhibition and re-adoption process, Council may pause or cancel the readoption of the current Code of Meeting Practice. However, any

such decisions will be in accordance with any detailed guidance provided to Councils by the OLG on relevant transitional arrangements for moving to the new Model Meeting Code.

Financial

There are no financial implications associated with this report.

OLG 23a Guideline consideration

The report purpose does not conflict with guidelines



COOTAMUNDRA-
GUNDAGAI REGIONAL
COUNCIL

Developed from the OLG Model Code of Meeting
Practice for Local Councils in NSW

Code of Meeting Practice

2025



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1. INTRODUCTION

The Model Code of Meeting Practice for Local Councils in NSW (the Model Meeting Code) is prescribed under section 360 of the *Local Government Act 1993* (the Act) and the *Local Government (General) Regulation 2021* (the Regulation).

The Model Meeting Code applies to all meetings of councils and committees of councils of which all the members are councillors (committees of council). Council committees whose members include persons other than councillors may adopt their own rules for meetings unless the council determines otherwise.

A council and a committee of the council of which all the members are councillors must conduct its meetings in accordance with the code of meeting practice adopted by the council.

2. MEETING PRINCIPLES

2.1 Council and committee meetings should be:

Transparent: Decisions are made in a way that is open and accountable.

Informed: Decisions are made based on relevant, quality information.

Inclusive: Decisions respect the diverse needs and interests of the local community.

Principled: Decisions are informed by the principles prescribed under Chapter 3 of the Act.

Trusted: The community has confidence that councillors and staff act ethically and make decisions in the interests of the whole community.

Respectful: Councillors, staff and meeting attendees treat each other with respect.

Effective: Meetings are well organised, effectively run and skilfully chaired.

Orderly: Councillors, staff and meeting attendees behave in a way that contributes to the orderly conduct of the meeting.

3. BEFORE THE MEETING

Timing of ordinary council meetings

3.1 Ordinary meetings of the council will be held at 6.00pm on the Fourth Tuesday of each month, alternating between Cootamundra and Gundagai with the exception of the December meeting which will be held on the 2nd Tuesday of that month.

Note: Under section 365 of the Act, councils are required to meet at least ten (10) times each year, each time in a different month unless the Minister for Local Government has approved a reduction in the number of times that a council is required to meet each year under section 365A.

Extraordinary meetings

3.2 If the mayor receives a request in writing, signed by at least two (2) councillors, the mayor must call an extraordinary meeting of the council to be held as soon as practicable, but in any event, no more than fourteen (14) days after receipt of the request. The mayor can be one of the two councillors requesting the meeting.

Note: Clause 3.2 reflects section 366 of the Act.

Notice to the public of council meetings

3.3 The council must give notice to the public of the time, date and place of each of its meetings, including extraordinary meetings and of each meeting of committees of the council.

Note: Clause 3.3 reflects section 9(1) of the Act.

3.4 For the purposes of clause 3.3, notice of a meeting of the council and of a committee of council is to be published before the meeting takes place. The notice must be published on the council's website, and in such other manner that the council is satisfied is likely to bring notice of the meeting to the attention of as many people as possible.

3.5 For the purposes of clause 3.3, notice of more than one (1) meeting may be given in the same notice.

Notice to councillors of ordinary council meetings

3.6 The general manager must send to each councillor, at least three (3) days before each meeting of the council, a notice specifying the time, date and place at which the meeting is to be held, and the business proposed to be considered at the meeting.

Note: Clause 3.6 reflects section 367(1) of the Act.

3.7 The notice and the agenda for, and the business papers relating to, the meeting may be given to councillors in electronic form, but only if all councillors have facilities to access the notice, agenda and business papers in that form.

Note: Clause 3.7 reflects section 367(3) of the Act.

Notice to councillors of extraordinary meetings

3.8 Notice of less than three (3) days may be given to councillors of an extraordinary meeting of the council in cases of emergency.

Note: Clause 3.8 reflects section 367(2) of the Act.

Giving notice of business to be considered at council meetings

3.9 A councillor may give notice of any business they wish to be considered by the council at its next ordinary meeting by way of a notice of motion. To be included on the agenda of the meeting, the notice of motion must be in writing and must be submitted **by 12pm on the Monday the week preceding the meeting.**

3.10 A councillor may, in writing to the general manager, request the withdrawal of a notice of motion submitted by them prior to its inclusion in the agenda and business paper for the meeting at which it is to be considered.

3.11 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.

3.12 A notice of motion for the expenditure of funds on works and/or services other than those already provided for in the council's current adopted operational plan must identify the source of funding for the expenditure that is the subject of the notice of motion. If the notice of motion does not identify a funding source, the general manager must either:

- prepare a report on the availability of funds for implementing the motion if adopted for inclusion in the business papers for the meeting at which the notice of motion is to be considered by the council, or
- by written notice sent to all councillors with the business papers for the meeting for which the notice of motion has been submitted, defer consideration of the matter by the council to such a date specified in the notice, pending the preparation of such a report.

Questions with notice

3.13 A councillor may, by way of a notice submitted under clause 3.9, ask a question for response by the general manager about the performance or operations of the council.

3.14 A councillor is not permitted to ask a question with notice under clause 3.13 that comprises a complaint against the general manager or a member of staff of the council, or a question that implies wrongdoing by the general manager or a member of staff of the council.

3.15 The general manager or their nominee may respond to a question with notice submitted under clause 3.13 by way of a report included in the business papers for the relevant meeting of the council or orally at the meeting.

Agenda and business papers for ordinary meetings

3.16 The general manager must cause the agenda for a meeting of the council or a committee of the council to be prepared as soon as practicable before the meeting.

3.17 The general manager must ensure that the agenda for an ordinary meeting of the council states:

- (a) all matters to be dealt with arising out of the proceedings of previous meetings of the council, and
- (b) if the mayor is the chairperson – any matter or topic that the chairperson proposes, at the time when the agenda is prepared, to put to the meeting, and
- (c) all matters, including matters that are the subject of staff reports and reports of committees, to be considered at the meeting, and
- (d) any business of which due notice has been given under clause 3.9.

3.18 Nothing in clause 3.17 limits the powers of the mayor to put a mayoral minute to a meeting under clause 9.6.

3.19 The general manager must not include in the agenda for a meeting of the council any business of which due notice has been given if, in the opinion of the general manager, the business is, or the implementation of the business would be, unlawful. The general manager must report, without giving details of the item of business, any such exclusion to the next meeting of the council.

3.20 Where the agenda includes the receipt of information or discussion of other matters that, in the opinion of the general manager, is likely to take place when the meeting is closed to the public, the general manager must ensure that the agenda of the meeting:

- (a) identifies the relevant item of business and indicates that it is of such a nature (without disclosing details of the information to be considered when the meeting is closed to the public), and
- (b) states the grounds under section 10A(2) of the Act relevant to the item of business.

Note: Clause 3.20 reflects section 9(2A)(a) of the Act.

3.21 The general manager must ensure that the details of any item of business which, in the opinion of the general manager, is likely to be considered when the meeting is closed to the public, are included in a business paper provided to councillors for the meeting concerned. Such details must not be included in the business papers made available to the public and must not be disclosed by a councillor or by any other person to another person who is not authorised to have that information.

Statement of ethical obligations

3.22 Business papers for all ordinary and extraordinary meetings of the council and committees of the council must contain a statement reminding councillors of their oath or affirmation of office made under section 233A of the Act and their obligations under the council's code of conduct to disclose and appropriately manage conflicts of interest.

Availability of the agenda and business papers to the public

3.23 Copies of the agenda and the associated business papers, such as correspondence and reports for meetings of the council and committees of council, are to be published on the council's website, and must be made available to the public for inspection, or for taking away by any person free of charge at the offices of the council, at the relevant meeting and at such other venues determined by the council.

Note: Clause 3.23 reflects section 9(2) and (4) of the Act.

3.24 Clause 3.23 does not apply to the business papers for items of business that the general manager has identified under clause 3.20 as being likely to be considered when the meeting is closed to the public.

Note: Clause 3.24 reflects section 9(2A)(b) of the Act.

3.25 For the purposes of clause 3.23, copies of agendas and business papers must be published on the council's website and made available to the public at a time that is as close as possible to the time they are available to councillors.

Note: Clause 3.25 reflects section 9(3) of the Act.

3.26 A copy of an agenda, or of an associated business paper made available under clause 3.23, may in addition be given or made available in electronic form.

Note: Clause 3.26 reflects section 9(5) of the Act.

Agenda and business papers for extraordinary meetings

3.27 The general manager must ensure that the agenda for an extraordinary meeting of the council deals only with the matters stated in the notice of the meeting.

3.28 Despite clause 3.27, business may be considered at an extraordinary meeting of the council, even though due notice of the business has not been given, if:

- (a) a motion is passed to have the business considered at the meeting, and
- (b) the business to be considered is ruled by the chairperson to be of great urgency on the grounds that it requires a decision by the council before the next scheduled ordinary meeting of the council.

3.29 A motion moved under clause 3.28(a) can be moved without notice but only after the business notified in the agenda for the extraordinary meeting has been dealt with.

3.30 Despite clauses 10.20–10.30, only the mover of a motion moved under clause 3.28(a) can speak to the motion before it is put.

3.31 A motion of dissent cannot be moved against a ruling of the chairperson under clause 3.28(b) on whether a matter is of great urgency.

Pre-meeting briefing sessions

- 3.32 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.
- 3.33 Pre-meeting briefing sessions are to be held in the absence of the public.
- 3.34 Pre-meeting briefing sessions may be held by audio-visual link.
- 3.35 The general manager or a member of staff nominated by the general manager is to preside at pre-meeting briefing sessions.
- 3.36 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.
- 3.37 Councillors (including the mayor) must declare and manage any conflicts of interest they may have in relation to any item of business that is the subject of a briefing at a pre-meeting briefing session, in the same way that they are required to do so at a council or committee meeting. The council is to maintain a written record of all conflict of interest declarations made at pre-meeting briefing sessions and how the conflict of interest was managed by the councillor who made the declaration.

4. PUBLIC FORUMS

- 4.1 The council may hold a public forum prior to each ordinary meeting of the council for the purpose of hearing oral submissions from members of the public on items of business relevant to the Council. Public forums may also be held prior to extraordinary council meetings and meetings of committees of the council.
- 4.2 Public forums may be held by audio-visual link when the meeting is approved to be held by audio-visual link.
- 4.3 Public forums are to be chaired by the mayor or their nominee.
- 4.4 To speak at a public forum, a person must first make an application to the council in the approved form. Applications to speak at the public forum must be received **no later than 15 minutes prior** to the scheduled commencement of the meeting and must identify the item of business on the agenda of the council meeting the person wishes to speak on, and whether they wish to speak 'for' or 'against' the item.
- 4.5 A person may apply to speak on unlimited items of business relevant to Council.
- 4.6 Legal representatives acting on behalf of others are not to be permitted to speak at a public forum unless they identify their status as a legal representative when applying to speak at the public forum.

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- 4.7 The general manager or their delegate may refuse an application to speak at a public forum. The general manager or their delegate must give reasons, verbally or in writing, for a decision to refuse an application.
- 4.8 No more than **two (2)** speakers are to be permitted to speak 'for' or 'against' each item of business on the agenda for the council meeting.
- 4.9 If more than the permitted number of speakers apply to speak 'for' or 'against' any item of business, the general manager or their delegate may request the speakers to nominate from among themselves the persons who are to address the council on the item of business. If the speakers are not able to agree on whom to nominate to address the council, the general manager or their delegate is to determine who will address the council at the public forum.
- 4.10 If more than the permitted number of speakers apply to speak 'for' or 'against' any item of business, the general manager or their delegate may, in consultation with the mayor or the mayor's nominated chairperson, increase the number of speakers permitted to speak on an item of business, where they are satisfied that it is necessary to do so to allow the council to hear a fuller range of views on the relevant item of business.
- 4.11 Approved speakers at the public forum are to register with the council any written, visual or audio material to be presented in support of their address to the council at the public forum, and to identify any equipment needs **no later than midday on the day prior** to the public forum. The general manager or their delegate may refuse to allow such material to be presented.
- 4.12 The general manager or their delegate is to determine the order of speakers at the public forum.
- 4.13 Each speaker will be allowed **three (3)** minutes to address the council. This time is to be strictly enforced by the chairperson.
- 4.14 Speakers at public forums must not digress from the item on the agenda of the council meeting they have applied to address the council on. If a speaker digresses to irrelevant matters, the chairperson is to direct the speaker not to do so. If a speaker fails to observe a direction from the chairperson, the speaker will not be further heard.
- 4.15 A councillor (including the chairperson) may, through the chairperson, ask questions of a speaker following their address at a public forum. Questions put to a speaker must be direct, succinct and without argument.
- 4.16 Speakers are under no obligation to answer a question put under clause 4.15. Answers by the speaker, to each question are to be limited to 1 minute.
- 4.17 Speakers at public forums cannot ask questions of the council, councillors, or council staff.
- 4.18 The general manager or their nominee may, with the concurrence of the chairperson, address the council for up to 1 minute in response to an address to the council at a public forum after the address and any subsequent questions and answers have been finalised.

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- 4.19 Where an address made at a public forum raises matters that require further consideration by council staff, the general manager may recommend that the council defer consideration of the matter pending the preparation of a further report on the matters.
- 4.20 When addressing the council, speakers at public forums must comply with this code and all other relevant council codes, policies, and procedures. Speakers must refrain from engaging in disorderly conduct, publicly alleging breaches of the council's code of conduct, or making other potentially defamatory statements.
- 4.21 If the chairperson considers that a speaker at a public forum has engaged in conduct of the type referred to in clause 4.20, the chairperson may request the person to refrain from the inappropriate behaviour and to withdraw and unreservedly apologise for any inappropriate comments. Where the speaker fails to comply with the chairperson's request, the chairperson may immediately require the person to stop speaking.
- 4.22 Clause 4.21 does not limit the ability of the chairperson to deal with disorderly conduct by speakers at public forums in accordance with the provisions of Part 15 of this code.
- 4.23 Where a speaker engages in conduct of the type referred to in clause 4.20, the general manager or their delegate may refuse further applications from that person to speak at public forums for such a period as the general manager or their delegate considers appropriate.
- 4.24 Councillors (including the mayor) must declare and manage any conflicts of interest they may have in relation to any item of business that is the subject of an address at a public forum, in the same way that they are required to do so at a council or committee meeting. The council is to maintain a written record of all conflict-of-interest declarations made at public forums and how the conflict of interest was managed by the councillor who made the declaration.

Note: Public forums should not be held as part of a council or committee meeting. Council or committee meetings should be reserved for decision-making by the council or committee of council. Where a public forum is held as part of a council or committee meeting, it must be conducted in accordance with the other requirements of this code relating to the conduct of council and committee meetings.

5. COMING TOGETHER

Attendance by councillors at meetings

- 5.1 All councillors must make reasonable efforts to attend meetings of the council and of committees of the council of which they are members.

Note: A councillor may not attend a meeting as a councillor (other than the first meeting of the council after the councillor is elected or a meeting at which the councillor takes an oath or makes an affirmation of office) until they have taken an oath or made an affirmation of office in the form prescribed under section 233A of the Act.

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- 5.2 A councillor cannot participate in a meeting of the council or of a committee of the council unless personally present at the meeting, unless permitted to attend the meeting by audio-visual link under this code.
- 5.3 Where a councillor is unable to attend one or more ordinary meetings of the council, the councillor should request that the council grant them a leave of absence from those meetings. This clause does not prevent a councillor from making an apology if they are unable to attend a meeting. However, the acceptance of such an apology does not constitute the granting of a leave of absence for the purposes of this code and the Act.
- 5.4 A councillor's request for leave of absence from council meetings should, if practicable, identify (by date) the meetings from which the councillor intends to be absent and the grounds upon which the leave of absence is being sought.
- 5.5 The council must act reasonably when considering whether to grant a councillor's request for a leave of absence.
- 5.6 A councillor's civic office will become vacant if the councillor is absent from three (3) consecutive ordinary meetings of the council without prior leave of the council, or leave granted by the council at any of the meetings concerned, unless the holder is absent because they have been suspended from office under the Act, or because the council has been suspended under the Act, or as a consequence of a compliance order under section 438HA.

Note: Clause 5.6 reflects section 234(1)(d) of the Act.

- 5.7 A councillor who intends to attend a meeting of the council despite having been granted a leave of absence should, if practicable, give the general manager at least two (2) days' notice of their intention to attend.

The quorum for a meeting

- 5.8 The quorum for a meeting of the council is a majority of the councillors of the council who hold office at that time and are not suspended from office.

Note: Clause 5.8 reflects section 368(1) of the Act.

- 5.9 Clause 5.8 does not apply if the quorum is required to be determined in accordance with directions of the Minister in a performance improvement order issued in respect of the council.

Note: Clause 5.9 reflects section 368(2) of the Act.

- 5.10 A meeting of the council must be adjourned if a quorum is not present:
 - (a) at the commencement of the meeting where the number of apologies received for the meeting indicates that there will not be a quorum for the meeting, or
 - (b) within half an hour after the time designated for the holding of the meeting, or
 - (c) at any time during the meeting.

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5.11 In either case, the meeting must be adjourned to a time, date, and place fixed:

- by the chairperson, or
- in the chairperson's absence, by the majority of the councillors present, or
- failing that, by the general manager.

5.12 The general manager must record in the council's minutes the circumstances relating to the absence of a quorum (including the reasons for the absence of a quorum) at or arising during a meeting of the council, together with the names of the councillors present.

5.13 Where, prior to the commencement of a meeting, it becomes apparent that a quorum may not be present at the meeting, or that the health, safety or welfare of councillors, council staff and members of the public may be put at risk by attending the meeting because of a natural disaster or a public health emergency, the mayor may, in consultation with the general manager and, as far as is practicable, with each councillor, cancel the meeting. Where a meeting is cancelled, notice of the cancellation must be published on the council's website and in such other manner that the council is satisfied is likely to bring notice of the cancellation to the attention of as many people as possible.

5.14 Where a meeting is cancelled under clause 5.13, the business to be considered at the meeting may instead be considered, where practicable, at the next ordinary meeting of the council or at an extraordinary meeting called under clause 3.3.

Meetings held by audio-visual link

5.15 A meeting of the council or a committee of the council may be held by audio-visual link where the mayor determines that the meeting should be held by audio-visual link because of a natural disaster or a public health emergency. The mayor may only make a determination under this clause where they are satisfied that attendance at the meeting may put the health and safety of councillors and staff at risk. The mayor must make a determination under this clause in consultation with the general manager and, as far as is practicable, with each councillor.

5.16 Where the mayor determines under clause 5.15 that a meeting is to be held by audio-visual link, the general manager must:

- give written notice to all councillors that the meeting is to be held by audio-visual link, and
- take all reasonable steps to ensure that all councillors can participate in the meeting by audio-visual link, and
- cause a notice to be published on the council's website and in such other manner the general manager is satisfied will bring it to the attention of as many people as possible, advising that the meeting is to be held by audio-visual link and providing information about where members of the public may view the meeting.

5.17 This code applies to a meeting held by audio-visual link under clause 5.15 in the same way it would if the meeting was held in person.

Note: Where a council holds a meeting by audio-visual link under clause 5.15, it is still required under section 10 of the Act to provide a physical venue for members of the public to attend in person and observe the meeting.

Attendance by councillors at meetings by audio-visual link

- 5.18 Councillors, may under exceptional circumstances, attend and participate in meetings of the council and committees of the council by audio-visual link with the approval of the general manager and mayor.
- 5.19 A request by a councillor for approval to attend a meeting by audio-visual link must be made in writing to the general manager prior to the meeting in question and must provide reasons why the councillor will be prevented from attending the meeting in person.
- 5.20 Councillors may request approval to attend more than one meeting by audio-visual link. Where a councillor requests approval to attend more than one meeting by audio-visual link, the request must specify the meetings the request relates to in addition to the information required under clause 5.19.
- 5.21 The council must comply with the Health Privacy Principles prescribed under the *Health Records and Information Privacy Act 2002* when collecting, holding, using and disclosing health information in connection with a request by a councillor to attend a meeting by audio-visual link.
- 5.22 A decision whether to approve a request by a councillor to attend a meeting of the council or a committee of the council by audio-visual link must be made by the general manager and the mayor prior to the meeting. Approval will only be granted under exceptional circumstances.
- 5.23 If the general manager and mayor refuses a councillor's request to attend a meeting by audio-visual link, and the councillor attempts to participate in the meeting via audio-visual link, the link to the meeting will be terminated or not accepted.
- 5.24 A decision whether to approve a councillor's request to attend a meeting by audio-visual link is at the general managers and mayors discretion. The general manager and mayor must act reasonably when considering requests by councillors to attend meetings by audio-visual link. However, they are under no obligation to approve a councillor's request to attend a meeting by audio-visual link where the technical capacity does not exist to allow the councillor to attend the meeting by these means.
- 5.25 The general manager or mayor may refuse a councillor's request to attend a meeting by audio-visual link where the council or committee is satisfied that the councillor has failed to appropriately declare and manage conflicts of interest, observe confidentiality or to comply with this code on one or more previous occasions they have attended a meeting of the council or a committee of the council by audio-visual link.
- 5.26 This code applies to a councillor attending a meeting by audio-visual link in the same way it would if the councillor was attending the meeting in person. Where a councillor is permitted to attend a meeting by audio-visual link under this code, they are to be taken as attending the meeting in person for the purposes of the code and will have the same voting rights as if they were attending the meeting in person.
- 5.27 A councillor must give their full attention to the business and proceedings of the meeting when attending a meeting by audio-visual link. The councillor's camera must be on at all times during the meeting except as may be otherwise provided for under this code.

5.28 A councillor must be appropriately dressed when attending a meeting by audio-visual link and must ensure that no items are within sight of the meeting that are inconsistent with the maintenance of order at the meeting or that are likely to bring the council or the committee into disrepute.

Entitlement of the public to attend council meetings

5.29 Everyone is entitled to attend a meeting of the council and committees of the council. The council must ensure that all meetings of the council and committees of the council are open to the public.

Note: Clause 5.29 reflects section 10(1) of the Act.

5.30 Clause 5.29 does not apply to parts of meetings that have been closed to the public under section 10A of the Act.

5.31 A person (whether a councillor or another person) is not entitled to be present at a meeting of the council or a committee of the council if expelled from the meeting:

- (a) by a resolution of the meeting, or
- (b) by the person presiding at the meeting if the council has, by resolution, authorised the person presiding to exercise the power of expulsion.

Note: Clause 5.31 reflects section 10(2) of the Act.

Webcasting of meetings

5.32 Each meeting of the council or a committee of the council is to be recorded by means of an audio or audio-visual device.

5.33 At the start of each meeting of the council or a committee of the council, the chairperson must inform the persons attending the meeting that:

- (a) the meeting is being recorded and made publicly available on the council's website, and
- (b) persons attending the meeting should refrain from making any defamatory statements.

5.34 The recording of a meeting is to be made publicly available on the council's website:

- (a) at the same time as the meeting is taking place, or
- (b) as soon as practicable after the meeting.

5.35 The recording of a meeting is to be made publicly available on the council's website for at least 12 months after the meeting.

5.36 Clauses 5.34 and 5.35 do not apply to any part of a meeting that has been closed to the public in accordance with section 10A of the Act.

Note: Clauses 5.32 – 5.36 reflect section 236 of the Regulation.

5.37 Recordings of meetings may be disposed of in accordance with the *State Records Act 1998*.

Attendance of the general manager and other staff at meetings

5.38 The general manager is entitled to attend, but not to vote at, a meeting of the council or a meeting of a committee of the council of which all of the members are councillors.

Note: Clause 5.38 reflects section 376(1) of the Act.

5.39 The general manager is entitled to attend a meeting of any other committee of the council and may, if a member of the committee, exercise a vote.

Note: Clause 5.39 reflects section 376(2) of the Act.

5.40 The general manager may be excluded from a meeting of the council or a committee while the council or committee deals with a matter relating to the standard of performance of the general manager or the terms of employment of the general manager.

Note: Clause 5.40 reflects section 376(3) of the Act.

5.41 The attendance of other council staff at a meeting, (other than as members of the public) shall be with the approval of the general manager.

5.42 The general manager and other council staff may attend meetings of the council and committees of the council by audio-visual-link. Attendance by council staff at meetings by audio-visual link (other than as members of the public) shall be with the approval of the general manager.

6. THE CHAIRPERSON

The chairperson at meetings

6.1 The mayor, or at the request of or in the absence of the mayor, the deputy mayor (if any) presides at meetings of the council.

Note: Clause 6.1 reflects section 369(1) of the Act.

6.2 If the mayor and the deputy mayor (if any) are absent, a councillor elected to chair the meeting by the councillors present presides at a meeting of the council.

Note: Clause 6.2 reflects section 369(2) of the Act.

Election of the chairperson in the absence of the mayor and deputy mayor

6.3 If no chairperson is present at a meeting of the council at the time designated for the holding of the meeting, the first business of the meeting must be the election of a chairperson to preside at the meeting.

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6.4 The election of a chairperson must be conducted:

- (a) by the general manager or, in their absence, an employee of the council designated by the general manager to conduct the election, or
- (b) by the person who called the meeting or a person acting on their behalf if neither the general manager nor a designated employee is present at the meeting, or if there is no general manager or designated employee.

6.5 If, at an election of a chairperson, two (2) or more candidates receive the same number of votes and no other candidate receives a greater number of votes, the chairperson is to be the candidate whose name is chosen by lot.

6.6 For the purposes of clause 6.5, the person conducting the election must:

- (a) arrange for the names of the candidates who have equal numbers of votes to be written on similar slips, and
- (b) then fold the slips so as to prevent the names from being seen, mix the slips and draw one of the slips at random.

6.7 The candidate whose name is on the drawn slip is the candidate who is to be the chairperson.

6.8 Any election conducted under clause 6.3, and the outcome of the vote, are to be recorded in the minutes of the meeting.

Chairperson to have precedence

6.9 When the chairperson rises or speaks during a meeting of the council:

- (a) any councillor then speaking or seeking to speak must cease speaking and, if standing, immediately resume their seat, and
- (b) every councillor present must be silent to enable the chairperson to be heard without interruption.

7. MODES OF ADDRESS

7.1 If the chairperson is the mayor, they are to be addressed as 'Mr Mayor' or 'Madam Mayor'.

7.2 Where the chairperson is not the mayor, they are to be addressed as either 'Mr Chairperson' or 'Madam Chairperson'.

7.3 A councillor is to be addressed as 'Councillor [surname]'.

7.4 A council officer is to be addressed by their official designation or as Mr/Ms [surname].

8. ORDER OF BUSINESS FOR ORDINARY COUNCIL MEETINGS

8.1 The general order of business for an ordinary meeting of the council shall be:

- 01 Acknowledgement of country
- 02 Apologies and applications for a leave of absence or attendance by audio-visual link by councillors
- 03 Adjournment for Public Forum
- 04 Confirmation of minutes
- 05 Disclosures of interests
- 06 Mayoral minute(s)
- 07 Reports of committees
- 08 General Manager's Reports
- 09 Notices of motions
- 10 Questions with notice
- 11 Conclusion of the meeting
- 12 Confidential Items

8.2 The order of business as fixed under clause 8.1 may be altered for a particular meeting of the council if a motion to that effect is passed at that meeting. Such a motion can be moved without notice.

Note: If adopted, Part 13 allows council to deal with items of business by exception.

8.3 Despite clauses 10.20–10.30, only the mover of a motion referred to in clause 8.2 may speak to the motion before it is put.

9. CONSIDERATION OF BUSINESS AT COUNCIL MEETINGS

Business that can be dealt with at a council meeting

9.1 The council must not consider business at a meeting of the council:

- (a) unless a councillor has given notice of the business, as required by clause 3.9, and
- (b) unless notice of the business has been sent to the councillors in accordance with clause 3.6 in the case of an ordinary meeting or clause 3.8 in the case of an extraordinary meeting called in an emergency.

9.2 Clause 9.1 does not apply to the consideration of business at a meeting, if the business:

- (a) is already before, or directly relates to, a matter that is already before the council, or
- (b) is the election of a chairperson to preside at the meeting, or
- (c) subject to clause 9.9, is a matter or topic put to the meeting by way of a mayoral minute, or
- (d) is a motion for the adoption of recommendations of a committee, including, but not limited to, a committee of the council.

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9.3 Despite clause 9.1, business may be considered at a meeting of the council even though due notice of the business has not been given to the councillors if:

- (a) a motion is passed to have the business considered at the meeting, and
- (b) the business to be considered is ruled by the chairperson to be of great urgency on the grounds that it requires a decision by the council before the next scheduled ordinary meeting of the council.

9.4 A motion moved under clause 9.3(a) can be moved without notice. Despite clauses 10.20–10.30, only the mover of a motion referred to in clause 9.3(a) can speak to the motion before it is put.

9.5 A motion of dissent cannot be moved against a ruling by the chairperson under clause 9.3(b).

Mayoral minutes

9.6 Subject to clause 9.9, if the mayor is the chairperson at a meeting of the council, the mayor may, by minute signed by the mayor, put to the meeting without notice any matter or topic that is within the jurisdiction of the council, or of which the council has official knowledge.

9.7 A mayoral minute, when put to a meeting, takes precedence over all business on the council's agenda for the meeting. The chairperson (but only if the chairperson is the mayor) may move the adoption of a mayoral minute without the motion being seconded.

9.8 A recommendation made in a mayoral minute put by the mayor is, so far as it is adopted by the council, a resolution of the council.

9.9 A mayoral minute must not be used to put without notice matters that are routine and not urgent or matters for which proper notice should be given because of their complexity. For the purpose of this clause, a matter will be urgent where it requires a decision by the council before the next scheduled ordinary meeting of the council.

9.10 Where a mayoral minute makes a recommendation which, if adopted, would require the expenditure of funds on works and/or services other than those already provided for in the council's current adopted operational plan, it must identify the source of funding for the expenditure that is the subject of the recommendation. If the mayoral minute does not identify a funding source, the council must defer consideration of the matter, pending a report from the general manager on the availability of funds for implementing the recommendation if adopted.

Staff reports

9.11 A recommendation made in a staff report is, so far as it is adopted by the council, a resolution of the council.

Reports of committees of council

9.12 The recommendations of a committee of the council are, so far as they are adopted by the council, resolutions of the council.

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9.13 If in a report of a committee of the council distinct recommendations are made, the council may make separate decisions on each recommendation.

Questions

9.14 A question must not be asked at a meeting of the council unless it concerns a matter on the agenda of the meeting or notice has been given of the question in accordance with clauses 3.9 and 3.13.

9.15 A councillor may, through the chairperson, put a question to another councillor about a matter on the agenda.

9.16 A councillor may, through the general manager, put a question to a council employee about a matter on the agenda. Council employees are only obliged to answer a question put to them through the general manager at the direction of the general manager.

9.17 A councillor or council employee to whom a question is put is entitled to be given reasonable notice of the question and, in particular, sufficient notice to enable reference to be made to other persons or to information. Where a councillor or council employee to whom a question is put is unable to respond to the question at the meeting at which it is put, they may take it on notice and report the response to the next meeting of the council.

9.18 Councillors must put questions directly, succinctly, respectfully and without argument.

9.19 The chairperson must not permit discussion on any reply to, or refusal to reply to, a question put to a councillor or council employee.

10. RULES OF DEBATE**Motions to be seconded**

10.1 Unless otherwise specified in this code, a motion or an amendment cannot be debated unless or until it has been seconded.

Notices of motion

10.2 A councillor who has submitted a notice of motion under clause 3.9 is to move the motion the subject of the notice of motion at the meeting at which it is to be considered.

10.3 If a councillor who has submitted a notice of motion under clause 3.9 wishes to withdraw it after the agenda and business paper for the meeting at which it is to be considered have been sent to councillors, the councillor may request the withdrawal of the motion when it is before the council.

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10.4 In the absence of a councillor who has placed a notice of motion on the agenda for a meeting of the council:

- any other councillor may, with the leave of the chairperson, move the motion at the meeting, or
- the chairperson may defer consideration of the motion until the next meeting of the council.

Chairperson's duties with respect to motions

10.5 It is the duty of the chairperson at a meeting of the council to receive and put to the meeting any lawful motion that is brought before the meeting.

10.6 The chairperson must rule out of order any motion or amendment to a motion that is unlawful or the implementation of which would be unlawful.

10.7 Before ruling out of order a motion or an amendment to a motion under clause 10.6, the chairperson is to give the mover an opportunity to clarify or amend the motion or amendment.

10.8 Any motion, amendment, or other matter that the chairperson has ruled out of order is taken to have been lost.

Motions requiring the expenditure of funds

10.9 A motion or an amendment to a motion which if passed would require the expenditure of funds on works and/or services other than those already provided for in the council's current adopted operational plan must identify the source of funding for the expenditure that is the subject of the motion. If the motion does not identify a funding source, the council must defer consideration of the matter, pending a report from the general manager on the availability of funds for implementing the motion if adopted.

Amendments to motions

10.10 An amendment to a motion must be moved and seconded before it can be debated.

10.11 An amendment to a motion must relate to the matter being dealt with in the original motion before the council and must not be a direct negative of the original motion. An amendment to a motion which does not relate to the matter being dealt with in the original motion, or which is a direct negative of the original motion, must be ruled out of order by the chairperson.

10.12 The mover of an amendment is to be given the opportunity to explain any uncertainties in the proposed amendment before a seconder is called for.

10.13 If an amendment has been lost, a further amendment can be moved to the motion to which the lost amendment was moved, and so on, but no more than one (1) motion and one (1) proposed amendment can be before council at any one time.

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- 10.14 While an amendment is being considered, debate must only occur in relation to the amendment and not the original motion. Debate on the original motion is to be suspended while the amendment to the original motion is being debated.
- 10.15 If the amendment is carried, it becomes the motion and is to be debated. If the amendment is lost, debate is to resume on the original motion.
- 10.16 An amendment may become the motion without debate or a vote where it is accepted by the councillor who moved the original motion.

Foreshadowed motions

- 10.17 A councillor may propose a foreshadowed motion in relation to the matter the subject of the original motion before the council, without a seconder during debate on the original motion. The foreshadowed motion is only to be considered if the original motion is lost or withdrawn and the foreshadowed motion is then moved and seconded. If the original motion is carried, the foreshadowed motion lapses.
- 10.18 Where an amendment has been moved and seconded, a councillor may, without a seconder, foreshadow a further amendment that they propose to move after the first amendment has been dealt with. There is no limit to the number of foreshadowed amendments that may be put before the council at any time. However, no discussion can take place on foreshadowed amendments until the previous amendment has been dealt with and the foreshadowed amendment has been moved and seconded.
- 10.19 Foreshadowed motions and foreshadowed amendments are to be considered in the order in which they are proposed. However, foreshadowed motions cannot be considered until all foreshadowed amendments have been dealt with.

Limitations on the number and duration of speeches

- 10.20 A councillor who, during a debate at a meeting of the council, moves an original motion, has the right to speak on each amendment to the motion and a right of general reply to all observations that are made during the debate in relation to the motion, and any amendment to it at the conclusion of the debate before the motion (whether amended or not) is finally put.
- 10.21 A councillor, other than the mover of an original motion, has the right to speak once on the motion and once on each amendment to it.
- 10.22 A councillor must not, without the consent of the council, speak more than once on a motion or an amendment, or for longer than five (5) minutes at any one time.
- 10.23 Despite clause 10.22, the chairperson may permit a councillor who claims to have been misrepresented or misunderstood to speak more than once on a motion or an amendment, and for longer than five (5) minutes on that motion or amendment to enable the councillor to make a statement limited to explaining the misrepresentation or misunderstanding.
- 10.24 Despite clause 10.22, the council may resolve to shorten the duration of speeches to expedite the consideration of business at a meeting.

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10.25 Despite clauses 10.20 and 10.21, a councillor may move that a motion or an amendment be now put:

- (a) if the mover of the motion or amendment has spoken in favour of it and no councillor expresses an intention to speak against it, or
- (b) if at least two (2) councillors have spoken in favour of the motion or amendment and at least two (2) councillors have spoken against it.

10.26 The chairperson must immediately put to the vote, without debate, a motion moved under clause 10.25. A seconder is not required for such a motion.

10.27 If a motion that the original motion or an amendment be now put is passed, the chairperson must, without further debate, put the original motion or amendment to the vote immediately after the mover of the original motion has exercised their right of reply under clause 10.20.

10.28 If a motion that the original motion or an amendment be now put is lost, the chairperson must allow the debate on the original motion or the amendment to be resumed.

10.29 All councillors must be heard without interruption and all other councillors must, unless otherwise permitted under this code, remain silent while another councillor is speaking.

10.30 Once the debate on a matter has concluded and a matter has been dealt with, the chairperson must not allow further debate on the matter.

11. VOTING

Voting entitlements of councillors

11.1 Each councillor is entitled to one (1) vote.

Note: Clause 11.1 reflects section 370(1) of the Act.

11.2 The person presiding at a meeting of the council has, in the event of an equality of votes, a second or casting vote.

Note: Clause 11.2 reflects section 370(2) of the Act.

11.3 Where the chairperson declines to exercise, or fails to exercise, their second or casting vote, in the event of an equality of votes, the motion being voted upon is lost.

Voting at council meetings

11.5 A councillor who is present at a meeting of the council but who fails to vote on a motion put to the meeting is taken to have voted against the motion.

11.6 If a councillor who has voted against a motion put at a council meeting so requests, the general manager must ensure that the councillor's dissenting vote is recorded in the council's minutes.

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- 11.7 The decision of the chairperson as to the result of a vote is final unless the decision is immediately challenged and not fewer than two (2) councillors rise and call for a division.
- 11.8 When a division on a motion is called, the chairperson must ensure that the division takes place immediately. The general manager must ensure that the names of those who vote for the motion and those who vote against it are recorded in the council's minutes for the meeting.
- 11.9 When a division on a motion is called, any councillor who fails to vote will be recorded as having voted against the motion in accordance with clause 11.5 of this code.
- 11.10 Voting at a meeting, including voting in an election at a meeting, is to be by open means (such as on the voices, by show of hands or by a visible electronic voting system). However, the council may resolve that the voting in any election by councillors for mayor or deputy mayor is to be by secret ballot.

Voting on planning decisions

- 11.11 The general manager must keep a register containing, for each planning decision made at a meeting of the council or a council committee (including, but not limited to a committee of the council), the names of the councillors who supported the decision and the names of any councillors who opposed (or are taken to have opposed) the decision.
- 11.13 For the purpose of maintaining the register, a division is taken to have been called whenever a motion for a planning decision is put at a meeting of the council or a council committee.
- 11.13 Each decision recorded in the register is to be described in the register or identified in a manner that enables the description to be obtained from another publicly available document.
- 11.14 Clauses 11.11–11.13 apply also to meetings that are closed to the public.

Note: Clauses 11.11–11.14 reflect section 375A of the Act.

Note: The requirements of clause 11.11 may be satisfied by maintaining a register of the minutes of each planning decision.

12. COMMITTEE OF THE WHOLE

- 12.1 The council may resolve itself into a committee to consider any matter before the council.

Note: Clause 12.1 reflects section 373 of the Act.

- 12.2 All the provisions of this code relating to meetings of the council, so far as they are applicable, extend to and govern the proceedings of the council when in committee of the whole, except the provisions limiting the number and duration of speeches.

Note: Clauses 10.20–10.30 limit the number and duration of speeches.

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- 12.3 The general manager or, in the absence of the general manager, an employee of the council designated by the general manager, is responsible for reporting to the council the proceedings of the committee of the whole. It is not necessary to report the proceedings in full, but any recommendations of the committee must be reported.
- 12.4 The council must ensure that a report of the proceedings (including any recommendations of the committee) is recorded in the council's minutes. However, the council is not taken to have adopted the report until a motion for adoption has been made and passed.

13. DEALING WITH ITEMS BY EXCEPTION

- 13.1 The council or a committee of council may, at any time, resolve to adopt multiple items of business on the agenda together by way of a single resolution.
- 13.2 Before the council or committee resolves to adopt multiple items of business on the agenda together under clause 13.1, the chairperson must list the items of business to be adopted and ask councillors to identify any individual items of business listed by the chairperson that they intend to vote against the recommendation made in the business paper or that they wish to speak on.
- 13.3 The council or committee must not resolve to adopt any item of business under clause 13.1 that a councillor has identified as being one they intend to vote against the recommendation made in the business paper or to speak on.
- 13.4 Where the consideration of multiple items of business together under clause 13.1 involves a variation to the order of business for the meeting, the council or committee must resolve to alter the order of business in accordance with clause 8.2.
- 13.5 A motion to adopt multiple items of business together under clause 13.1 must identify each of the items of business to be adopted and state that they are to be adopted as recommended in the business paper.
- 13.6 Items of business adopted under clause 13.1 are to be taken to have been adopted unanimously.
- 13.7 Councillors must ensure that they declare and manage any conflicts of interest they may have in relation to items of business considered together under clause 13.1 in accordance with the requirements of the council's code of conduct.

14. CLOSURE OF COUNCIL MEETINGS TO THE PUBLICGrounds on which meetings can be closed to the public

- 14.1 The council or a committee of the council may close to the public so much of its meeting as comprises the discussion or the receipt of any of the following types of matters:
 - (a) personnel matters concerning particular individuals (other than councillors),
 - (b) the personal hardship of any resident or ratepayer,
 - (c) information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business,

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- (d) commercial information of a confidential nature that would, if disclosed:
 - (i) prejudice the commercial position of the person who supplied it, or
 - (ii) confer a commercial advantage on a competitor of the council, or
 - (iii) reveal a trade secret,
- (e) information that would, if disclosed, prejudice the maintenance of law,
- (f) matters affecting the security of the council, councillors, council staff or council property,
- (g) advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege,
- (h) information concerning the nature and location of a place or an item of Aboriginal significance on community land,
- (i) alleged contraventions of the council's code of conduct.

Note: Clause 14.1 reflects section 10A(1) and (2) of the Act.

14.2 The council or a committee of the council may also close to the public so much of its meeting as comprises a motion to close another part of the meeting to the public.

Note: Clause 14.2 reflects section 10A(3) of the Act.

Matters to be considered when closing meetings to the public

14.3 A meeting is not to remain closed during the discussion of anything referred to in clause 14.1:

- (a) except for so much of the discussion as is necessary to preserve the relevant confidentiality, privilege or security, and
- (b) if the matter concerned is a matter other than a personnel matter concerning particular individuals, the personal hardship of a resident or ratepayer or a trade secret – unless the council or committee concerned is satisfied that discussion of the matter in an open meeting would, on balance, be contrary to the public interest.

Note: Clause 14.3 reflects section 10B(1) of the Act.

14.4 A meeting is not to be closed during the receipt and consideration of information or advice referred to in clause 14.1(g) unless the advice concerns legal matters that:

- (a) are substantial issues relating to a matter in which the council or committee is involved, and
- (b) are clearly identified in the advice, and
- (c) are fully discussed in that advice.

Note: Clause 14.4 reflects section 10B(2) of the Act.

14.5 If a meeting is closed during the discussion of a motion to close another part of the meeting to the public (as referred to in clause 14.2), the consideration of the motion must not include any consideration of the matter or information to be discussed in that other part of the meeting other than consideration of whether the matter concerned is a matter referred to in clause 14.1.

Note: Clause 14.5 reflects section 10B(3) of the Act.

14.6 For the purpose of determining whether the discussion of a matter in an open meeting would be contrary to the public interest, it is irrelevant that:

- (a) a person may misinterpret or misunderstand the discussion, or
- (b) the discussion of the matter may:
 - (i) cause embarrassment to the council or committee concerned, or to councillors or to employees of the council, or
 - (ii) cause a loss of confidence in the council or committee.

Note: Clause 14.6 reflects section 10B(4) of the Act.

14.7 In deciding whether part of a meeting is to be closed to the public, the council or committee concerned must consider any relevant guidelines issued by the Departmental Chief Executive of the Office of Local Government.

Note: Clause 14.7 reflects section 10B(5) of the Act.

Notice of likelihood of closure not required in urgent cases

14.8 Part of a meeting of the council, or of a committee of the council, may be closed to the public while the council or committee considers a matter that has not been identified in the agenda for the meeting under clause 3.20 as a matter that is likely to be considered when the meeting is closed, but only if:

- (a) it becomes apparent during the discussion of a particular matter that the matter is a matter referred to in clause 14.1, and
- (b) the council or committee, after considering any representations made under clause 14.9, resolves that further discussion of the matter:
 - (i) should not be deferred (because of the urgency of the matter), and
 - (ii) should take place in a part of the meeting that is closed to the public.

Note: Clause 14.8 reflects section 10C of the Act.

Representations by members of the public

14.9 The council, or a committee of the council, may allow members of the public to make representations to or at a meeting, before any part of the meeting is closed to the public, as to whether that part of the meeting should be closed.

Note: Clause 14.9 reflects section 10A(4) of the Act.

14.10 A representation under clause 14.9 is to be made after the motion to close the part of the meeting is moved and seconded.

14.11 Where the matter has been identified in the agenda of the meeting under clause 3.20 as a matter that is likely to be considered when the meeting is closed to the public, in order to make representations under clause 14.9, members of the public must first make an application to the council in the approved form. Applications must be **received no later than 5 minutes prior to the scheduled commencement time of the meeting** at which the matter is to be considered.

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- 14.12 The general manager (or their delegate) may refuse an application made under clause 14.11. The general manager or their delegate must give reasons in writing for a decision to refuse an application.
- 14.13 No more than **two (2)** speakers are to be permitted to make representations under clause 14.9.
- 14.14 If more than the permitted number of speakers apply to make representations under clause 14.9, the general manager or their delegate may request the speakers to nominate from among themselves the persons who are to make representations to the council. If the speakers are not able to agree on whom to nominate to make representations under clause 14.9, the general manager or their delegate is to determine who will make representations to the council.
- 14.15 The general manager (or their delegate) is to determine the order of speakers.
- 14.16 Where the council or a committee of the council proposes to close a meeting or part of a meeting to the public in circumstances where the matter has not been identified in the agenda for the meeting under clause 3.20 as a matter that is likely to be considered when the meeting is closed to the public, the chairperson is to invite representations from the public under clause 14.9 after the motion to close the part of the meeting is moved and seconded. The chairperson is to permit no more than **two (2)** speakers to make representations in such order as determined by the chairperson.
- 14.17 Each speaker will be allowed **three (3)** minutes to make representations, and this time limit is to be strictly enforced by the chairperson. Speakers must confine their representations to whether the meeting should be closed to the public. If a speaker digresses to irrelevant matters, the chairperson is to direct the speaker not to do so. If a speaker fails to observe a direction from the chairperson, the speaker will not be further heard.

Expulsion of non-councillors from meetings closed to the public

- 14.18 If a meeting or part of a meeting of the council or a committee of the council is closed to the public in accordance with section 10A of the Act and this code, any person who is not a councillor and who fails to leave the meeting when requested, may be expelled from the meeting as provided by section 10(2)(a) or (b) of the Act.
- 14.19 If any such person, after being notified of a resolution or direction expelling them from the meeting, fails to leave the place where the meeting is being held, a police officer, or any person authorised for the purpose by the council or person presiding, may, by using only such force as is necessary, remove the first-mentioned person from that place and, if necessary restrain that person from re-entering that place for the remainder of the meeting.

Obligations of councillors attending meetings by audio-visual link

- 14.20 Councillors attending a meeting by audio-visual link must ensure that no other person is within sight or hearing of the meeting at any time that the meeting is closed to the public under section 10A of the Act.

Information to be disclosed in resolutions closing meetings to the public

14.21 The grounds on which part of a meeting is closed must be stated in the decision to close that part of the meeting and must be recorded in the minutes of the meeting. The grounds must specify the following:

- (a) the relevant provision of section 10A(2) of the Act,
- (b) the matter that is to be discussed during the closed part of the meeting,
- (c) the reasons why the part of the meeting is being closed, including (if the matter concerned is a matter other than a personnel matter concerning particular individuals, the personal hardship of a resident or ratepayer or a trade secret) an explanation of the way in which discussion of the matter in an open meeting would be, on balance, contrary to the public interest.

Note: Clause 14.21 reflects section 10D of the Act.

Resolutions passed at closed meetings to be made public

14.22 If the council passes a resolution during a meeting, or a part of a meeting, that is closed to the public, the chairperson must make the resolution public as soon as practicable after the meeting, or the relevant part of the meeting, has ended, and the resolution must be recorded in the publicly available minutes of the meeting.

14.23 Resolutions passed during a meeting, or a part of a meeting, that is closed to the public must be made public by the chairperson under clause 14.22 during a part of the meeting that is webcast.

15. KEEPING ORDER AT MEETINGS

Points of order

15.1 A councillor may draw the attention of the chairperson to an alleged breach of this code by raising a point of order. A point of order does not require a seconder.

15.2 A point of order cannot be made with respect to adherence to the principles contained in clause 2.1.

15.3 A point of order must be taken immediately it is raised. The chairperson must suspend the business before the meeting and permit the councillor raising the point of order to state the provision of this code they believe has been breached. The chairperson must then rule on the point of order – either by upholding it or by overruling it.

Questions of order

15.4 The chairperson, without the intervention of any other councillor, may call any councillor to order whenever, in the opinion of the chairperson, it is necessary to do so.

15.5 A councillor who claims that another councillor has committed an act of disorder, or is out of order, may call the attention of the chairperson to the matter.

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- 15.6 The chairperson must rule on a question of order immediately after it is raised but, before doing so, may invite the opinion of the council.
- 15.7 The chairperson's ruling must be obeyed unless a motion dissenting from the ruling is passed.

Motions of dissent

- 15.8 A councillor can, without notice, move to dissent from a ruling of the chairperson on a point of order or a question of order. If that happens, the chairperson must suspend the business before the meeting until a decision is made on the motion of dissent.
- 15.9 If a motion of dissent is passed, the chairperson must proceed with the suspended business as though the ruling dissented from had not been given. If, as a result of the ruling, any motion or business has been rejected as out of order, the chairperson must restore the motion or business to the agenda and proceed with it in due course.
- 15.10 Despite any other provision of this code, only the mover of a motion of dissent and the chairperson can speak to the motion before it is put. The mover of the motion does not have a right of general reply.

Acts of disorder

- 15.11 A councillor commits an act of disorder if the councillor, at a meeting of the council or a committee of the council:
 - (a) contravenes the Act, the Regulation or this code, or
 - (b) assaults or threatens to assault another councillor or person present at the meeting, or
 - (c) moves or attempts to move a motion or an amendment that has an unlawful purpose or that deals with a matter that is outside the jurisdiction of the council or the committee, or addresses or attempts to address the council or the committee on such a motion, amendment or matter, or
 - (d) insults, makes unfavourable personal remarks about, or imputes improper motives to any other council official, or alleges a breach of the council's code of conduct, or
 - (e) says or does anything that is inconsistent with maintaining order at the meeting or is likely to bring the council or the committee into disrepute.

Note: Clause 15.11 reflects section 182 of the Regulation.

- 15.12 The chairperson may require a councillor:
 - (a) to apologise without reservation for an act of disorder referred to in clauses 15.11(a), (b), or (e), or
 - (b) to withdraw a motion or an amendment referred to in clause 15.11(c) and, where appropriate, to apologise without reservation, or
 - (c) to retract and apologise without reservation for any statement that constitutes an act of disorder referred to in clauses 15.11(d) and (e).

Note: Clause 15.12 reflects section 233 of the Regulation.

How disorder at a meeting may be dealt with

15.13 If disorder occurs at a meeting of the council, the chairperson may adjourn the meeting for a period of not more than fifteen (15) minutes and leave the chair. The council, on reassembling, must, on a question put from the chairperson, decide without debate whether the business is to be proceeded with or not. This clause applies to disorder arising from the conduct of members of the public as well as disorder arising from the conduct of councillors.

Expulsion from meetings

15.14 All chairpersons of meetings of the council and committees of the council are authorised under this code to expel any person, including any councillor, from a council or committee meeting, for the purposes of section 10(2)(b) of the Act.

15.15 Clause 15.14 does not limit the ability of the council or a committee of the council to resolve to expel a person, including a councillor, from a council or committee meeting, under section 10(2)(a) of the Act.

15.16 A councillor may, as provided by section 10(2)(a) or (b) of the Act, be expelled from a meeting of the council for having failed to comply with a requirement under clause 15.12. The expulsion of a councillor from the meeting for that reason does not prevent any other action from being taken against the councillor for the act of disorder concerned.

Note: Clause 15.16 reflects section 233(2) of the Regulation.

15.17 A member of the public may, as provided by section 10(2)(a) or (b) of the Act, be expelled from a meeting of the council for engaging in or having engaged in disorderly conduct at the meeting.

15.18 Where a councillor or a member of the public is expelled from a meeting, the expulsion and the name of the person expelled, if known, are to be recorded in the minutes of the meeting.

15.19 If a councillor or a member of the public fails to leave the place where a meeting of the council is being held immediately after they have been expelled, a police officer, or any person authorised for the purpose by the council or person presiding, may, by using only such force as is necessary, remove the councillor or member of the public from that place and, if necessary, restrain the councillor or member of the public from re-entering that place for the remainder of the meeting.

How disorder by councillors attending meetings by audio-visual link may be dealt with

15.20 Where a councillor is attending a meeting by audio-visual link, the chairperson or a person authorised by the chairperson may mute the councillor's audio link to the meeting for the purposes of enforcing compliance with this code.

15.21 If a councillor attending a meeting by audio-visual link is expelled from a meeting for an act of disorder, the chairperson of the meeting or a person authorised by the chairperson, may terminate the councillor's audio-visual link to the meeting.

Use of mobile phones and the unauthorised recording of meetings

- 15.22 Councillors, council staff and members of the public must ensure that mobile phones are turned to silent during meetings of the council and committees of the council.
- 15.23 A person must not live stream or use an audio recorder, video camera, mobile phone or any other device to make a recording of the proceedings of a meeting of the council or a committee of the council without the prior authorisation of the council or the committee.
- 15.24 Without limiting clause 15.17, a contravention of clause 15.23 or an attempt to contravene that clause, constitutes disorderly conduct for the purposes of clause 15.17. Any person who contravenes or attempts to contravene clause 15.23, may be expelled from the meeting as provided for under section 10(2) of the Act.
- 15.25 If any such person, after being notified of a resolution or direction expelling them from the meeting, fails to leave the place where the meeting is being held, a police officer, or any person authorised for the purpose by the council or person presiding, may, by using only such force as is necessary, remove the first-mentioned person from that place and, if necessary, restrain that person from re-entering that place for the remainder of the meeting.

16. CONFLICTS OF INTEREST

- 16.1 All councillors and, where applicable, all other persons, must declare and manage any conflicts of interest they may have in matters being considered at meetings of the council and committees of the council in accordance with the council's code of conduct. All declarations of conflicts of interest and how the conflict of interest was managed by the person who made the declaration must be recorded in the minutes of the meeting at which the declaration was made.
- 16.2 Councillors attending a meeting by audio-visual link must declare and manage any conflicts of interest they may have in matters being considered at the meeting in accordance with the council's code of conduct. Where a councillor has declared a pecuniary or significant non-pecuniary conflict of interest in a matter being discussed at the meeting, the councillor's audio-visual link to the meeting must be suspended or terminated and the councillor must not be in sight or hearing of the meeting at any time during which the matter is being considered or discussed by the council or committee, or at any time during which the council or committee is voting on the matter.

17. DECISIONS OF THE COUNCILCouncil decisions

- 17.1 A decision supported by a majority of the votes at a meeting of the council at which a quorum is present is a decision of the council.

Note: Clause 17.1 reflects section 371 of the Act.

- 17.2 Decisions made by the council must be accurately recorded in the minutes of the meeting at which the decision is made.

Rescinding or altering council decisions

17.3 A resolution passed by the council may not be altered or rescinded except by a motion to that effect of which notice has been given under clause 3.9.

Note: Clause 17.3 reflects section 372(1) of the Act.

17.4 If a notice of motion to rescind a resolution is given at the meeting at which the resolution is carried, the resolution must not be carried into effect until the motion of rescission has been dealt with.

Note: Clause 17.4 reflects section 372(2) of the Act.

17.5 If a motion has been lost, a motion having the same effect must not be considered unless notice of it has been duly given in accordance with clause 3.9.

Note: Clause 17.5 reflects section 372(3) of the Act.

17.6 A notice of motion to alter or rescind a resolution, and a notice of motion which has the same effect as a motion which has been lost, must be signed by three (3) councillors if less than three (3) months has elapsed since the resolution was passed, or the motion was lost.

Note: Clause 17.6 reflects section 372(4) of the Act.

17.7 If a motion to alter or rescind a resolution has been lost, or if a motion which has the same effect as a previously lost motion is lost, no similar motion may be brought forward within three (3) months of the meeting at which it was lost. This clause may not be evaded by substituting a motion differently worded, but in principle the same.

Note: Clause 17.7 reflects section 372(5) of the Act.

17.8 The provisions of clauses 17.5–17.7 concerning lost motions do not apply to motions of adjournment.

Note: Clause 17.8 reflects section 372(7) of the Act.

17.9 A notice of motion submitted in accordance with clause 17.6 may only be withdrawn under clause 3.10 with the consent of all signatories to the notice of motion.

17.10 A notice of motion to alter or rescind a resolution relating to a development application must be submitted to the general manager no later than **5pm on the Thursday following the meeting** at which the resolution was adopted.

17.11 A motion to alter or rescind a resolution of the council may be moved on the report of a committee of the council and any such report must be recorded in the minutes of the meeting of the council.

Note: Clause 17.11 reflects section 372(6) of the Act.

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17.12 Subject to clause 17.7, in cases of urgency, a motion to alter or rescind a resolution of the council may be moved at the same meeting at which the resolution was adopted, where:

- (a) a notice of motion signed by three councillors is submitted to the chairperson, and
- (b) a motion to have the motion considered at the meeting is passed, and
- (c) the chairperson rules the business that is the subject of the motion is of great urgency on the grounds that it requires a decision by the council before the next scheduled ordinary meeting of the council.

17.13 A motion moved under clause 17.12(b) can be moved without notice. Despite clauses 10.20–10.30, only the mover of a motion referred to in clause 17.12(b) can speak to the motion before it is put.

17.14 A motion of dissent cannot be moved against a ruling by the chairperson under clause 17.12(c).

Recommittting resolutions to correct an error

17.15 Despite the provisions of this Part, a councillor may, with the leave of the chairperson, move to recommit a resolution adopted at the same meeting:

- (a) to correct any error, ambiguity or imprecision in the council's resolution, or
- (b) to confirm the voting on the resolution.

17.16 In seeking the leave of the chairperson to move to recommit a resolution for the purposes of clause 17.15(a), the councillor is to propose alternative wording for the resolution.

17.17 The chairperson must not grant leave to recommit a resolution for the purposes of clause 17.15(a), unless they are satisfied that the proposed alternative wording of the resolution would not alter the substance of the resolution previously adopted at the meeting.

17.18 A motion moved under clause 17.15 can be moved without notice. Despite clauses 10.20–10.30, only the mover of a motion referred to in clause 17.15 can speak to the motion before it is put.

17.19 A motion of dissent cannot be moved against a ruling by the chairperson under clause 17.15.

17.20 A motion moved under clause 17.15 with the leave of the chairperson cannot be voted on unless or until it has been seconded.

18. TIME LIMITS ON COUNCIL MEETINGS

18.1 Meetings of the council and committees of the council are to conclude no later than **10pm**.

18.2 If the business of the meeting is unfinished at **10pm**, the council or the committee may, by resolution, extend the time of the meeting.

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18.3 If the business of the meeting is unfinished at **11pm**, and the council does not resolve to extend the meeting, the chairperson must either:

- defer consideration of the remaining items of business on the agenda to the next ordinary meeting of the council, or
- adjourn the meeting to a time, date and place fixed by the chairperson.

18.4 Clause 18.3 does not limit the ability of the council or a committee of the council to resolve to adjourn a meeting at any time. The resolution adjourning the meeting must fix the time, date and place that the meeting is to be adjourned to.

18.5 Where a meeting is adjourned under clause 18.3 or 18.4, the general manager must:

- individually notify each councillor of the time, date and place at which the meeting will reconvene, and
- publish the time, date and place at which the meeting will reconvene on the council's website and in such other manner that the general manager is satisfied is likely to bring notice of the time, date and place of the reconvened meeting to the attention of as many people as possible.

19. AFTER THE MEETING

Minutes of meetings

19.1 The council is to keep full and accurate minutes of the proceedings of meetings of the council.

Note: Clause 19.1 reflects section 375(1) of the Act.

19.2 At a minimum, the general manager must ensure that the following matters are recorded in the council's minutes:

- the names of councillors attending a council meeting and whether they attended the meeting in person or by audio-visual link,
- details of each motion moved at a council meeting and of any amendments moved to it,
- the names of the mover and seconder of the motion or amendment,
- whether the motion or amendment was passed or lost, and
- such other matters specifically required under this code.

19.3 The minutes of a council meeting must be confirmed at a subsequent meeting of the council.

Note: Clause 19.3 reflects section 375(2) of the Act.

19.4 Any debate on the confirmation of the minutes is to be confined to whether the minutes are a full and accurate record of the meeting they relate to.

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19.5 When the minutes have been confirmed, they are to be signed by the person presiding at the subsequent meeting.

Note: Clause 19.5 reflects section 375(2) of the Act.

19.6 The confirmed minutes of a meeting may be amended to correct typographical or administrative errors after they have been confirmed. Any amendment made under this clause must not alter the substance of any decision made at the meeting.

19.7 The confirmed minutes of a council meeting must be published on the council's website. This clause does not prevent the council from also publishing unconfirmed minutes of its meetings on its website prior to their confirmation.

Access to correspondence and reports laid on the table at, or submitted to, a meeting

19.8 The council and committees of the council must, during or at the close of a meeting, or during the business day following the meeting, give reasonable access to any person to inspect correspondence and reports laid on the table at, or submitted to, the meeting.

Note: Clause 19.8 reflects section 11(1) of the Act.

19.9 Clause 19.8 does not apply if the correspondence or reports relate to a matter that was received or discussed or laid on the table at, or submitted to, the meeting when the meeting was closed to the public.

Note: Clause 19.9 reflects section 11(2) of the Act.

19.10 Clause 19.8 does not apply if the council or the committee resolves at the meeting, when open to the public, that the correspondence or reports are to be treated as confidential because they relate to a matter specified in section 10A(2) of the Act.

Note: Clause 19.10 reflects section 11(3) of the Act.

19.11 Correspondence or reports to which clauses 19.9 and 19.10 apply are to be marked with the relevant provision of section 10A(2) of the Act that applies to the correspondence or report.

Implementation of decisions of the council

19.12 The general manager is to implement, without undue delay, lawful decisions of the council.

Note: Clause 19.12 reflects section 335(b) of the Act.

20. COUNCIL COMMITTEES

Application of this Part

20.1 This Part only applies to committees of the council whose members are all councillors.

Council committees whose members are all councillors

20.2 The council may, by resolution, establish such committees as it considers necessary.

20.3 A committee of the council is to consist of the mayor and such other councillors as are elected by the councillors or appointed by the council.

20.4 The quorum for a meeting of a committee of the council is to be:

- (a) such number of members as the council decides, or
- (b) if the council has not decided a number – a majority of the members of the committee.

Functions of committees

20.5 The council must specify the functions of each of its committees when the committee is established but may from time to time amend those functions.

Notice of committee meetings

20.6 The general manager must send to each councillor, regardless of whether they are a committee member, at least three (3) days before each meeting of the committee, a notice specifying:

- (a) the time, date and place of the meeting, and
- (b) the business proposed to be considered at the meeting.

20.7 Notice of less than three (3) days may be given of a committee meeting called in an emergency.

Attendance at committee meetings

20.8 A committee member (other than the mayor) ceases to be a member of a committee if the committee member:

- (a) has been absent from three (3) consecutive meetings of the committee without having given reasons acceptable to the committee for the member's absences, or
- (b) has been absent from at least half of the meetings of the committee held during the immediately preceding year without having given to the committee acceptable reasons for the member's absences.

20.9 Clause 20.8 does not apply if all of the members of the council are members of the committee.

Non-members entitled to attend committee meetings

20.10 A councillor who is not a member of a committee of the council is entitled to attend, and to speak at a meeting of the committee. However, the councillor is not entitled:

- (a) to give notice of business for inclusion in the agenda for the meeting, or
- (b) to move or second a motion at the meeting, or
- (c) to vote at the meeting.

Chairperson and deputy chairperson of council committees

20.11 The chairperson of each committee of the council must be:

- (a) the mayor, or
- (b) if the mayor does not wish to be the chairperson of a committee, a member of the committee elected by the council, or
- (c) if the council does not elect such a member, a member of the committee elected by the committee.

20.12 The council may elect a member of a committee of the council as deputy chairperson of the committee. If the council does not elect a deputy chairperson of such a committee, the committee may elect a deputy chairperson.

20.13 If neither the chairperson nor the deputy chairperson of a committee of the council is able or willing to preside at a meeting of the committee, the committee must elect a member of the committee to be acting chairperson of the committee.

20.14 The chairperson is to preside at a meeting of a committee of the council. If the chairperson is unable or unwilling to preside, the deputy chairperson (if any) is to preside at the meeting, but if neither the chairperson nor the deputy chairperson is able or willing to preside, the acting chairperson is to preside at the meeting.

Procedure in committee meetings

20.15 Subject to any specific requirements of this code, each committee of the council may regulate its own procedure. The provisions of this code are to be taken to apply to all committees of the council unless the council or the committee determines otherwise in accordance with this clause.

20.16 Whenever the voting on a motion put to a meeting of the committee is equal, the chairperson of the committee is to have a casting vote as well as an original vote unless the council or the committee determines otherwise in accordance with clause 20.15.

20.17 Voting at a council committee meeting is to be by open means (such as on the voices, by show of hands or by a visible electronic voting system).

Closure of committee meetings to the public

20.18 The provisions of the Act and Part 14 of this code apply to the closure of meetings of committees of the council to the public in the same way they apply to the closure of meetings of the council to the public.

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20.19 If a committee of the council passes a resolution, or makes a recommendation, during a meeting, or a part of a meeting that is closed to the public, the chairperson must make the resolution or recommendation public as soon as practicable after the meeting or part of the meeting has ended, and report the resolution or recommendation to the next meeting of the council. The resolution or recommendation must also be recorded in the publicly available minutes of the meeting.

20.20 Resolutions passed during a meeting, or a part of a meeting that is closed to the public must be made public by the chairperson under clause 20.19 during a part of the meeting that is webcast.

Disorder in committee meetings

20.21 The provisions of the Act and this code relating to the maintenance of order in council meetings apply to meetings of committees of the council in the same way as they apply to meetings of the council.

Minutes of council committee meetings

20.22 Each committee of the council is to keep full and accurate minutes of the proceedings of its meetings. At a minimum, a committee must ensure that the following matters are recorded in the committee's minutes:

- (a) the names of councillors attending a meeting and whether they attended the meeting in person or by audio-visual link,
- (b) details of each motion moved at a meeting and of any amendments moved to it,
- (c) the names of the mover and seconder of the motion or amendment,
- (d) whether the motion or amendment was passed or lost, and
- (e) such other matters specifically required under this code.

20.23 All voting at meetings of committees of the council (including meetings that are closed to the public), must be recorded in the minutes of meetings with the names of councillors who voted for and against each motion or amendment, (including the use of the casting vote), being recorded.

20.24 The minutes of meetings of each committee of the council must be confirmed at a subsequent meeting of the committee.

20.25 Any debate on the confirmation of the minutes is to be confined to whether the minutes are a full and accurate record of the meeting they relate to.

20.26 When the minutes have been confirmed, they are to be signed by the person presiding at that subsequent meeting.

20.27 The confirmed minutes of a meeting may be amended to correct typographical or administrative errors after they have been confirmed. Any amendment made under this clause must not alter the substance of any decision made at the meeting.

20.28 The confirmed minutes of a meeting of a committee of the council must be published on the council's website. This clause does not prevent the council from also publishing unconfirmed minutes of meetings of committees of the council on its website prior to their

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confirmation.

21. IRREGULARITES

21.1 Proceedings at a meeting of a council or a council committee are not invalidated because of:

- (a) a vacancy in a civic office, or
- (b) a failure to give notice of the meeting to any councillor or committee member, or
- (c) any defect in the election or appointment of a councillor or committee member, or
- (d) a failure of a councillor or a committee member to declare a conflict of interest, or to refrain from the consideration or discussion of, or vote on, the relevant matter, at a council or committee meeting in accordance with the council's code of conduct, or
- (e) a failure to comply with this code.

Note: Clause 21.1 reflects section 374 of the Act.

22. DEFINITIONS

the Act	means the <i>Local Government Act 1993</i>
act of disorder	means an act of disorder as defined in clause 15.11 of this code
amendment	in relation to an original motion, means a motion moving an amendment to that motion
audio recorder	any device capable of recording speech
audio-visual link	means a facility that enables audio and visual communication between persons at different places
business day	means any day except Saturday or Sunday or any other day the whole or part of which is observed as a public holiday throughout New South Wales
chairperson	in relation to a meeting of the council – means the person presiding at the meeting as provided by section 369 of the Act and clauses 6.1 and 6.2 of this code, and in relation to a meeting of a committee – means the person presiding at the meeting as provided by clause 20.11 of this code
this code	means the council's adopted code of meeting practice
committee of the council	means a committee established by the council in accordance with clause 20.2 of this code (being a committee consisting only of councillors) or the council when it has resolved itself into committee of the whole under clause 12.1
council official	has the same meaning it has in the Model Code of Conduct for Local Councils in NSW
day	means calendar day
division	means a request by two councillors under clause 11.7 of this code requiring the recording of the names of the councillors who voted both for and against a motion
foreshadowed amendment	means a proposed amendment foreshadowed by a councillor under clause 10.18 of this code during debate on the first amendment
foreshadowed motion	means a motion foreshadowed by a councillor under clause 10.17 of this code during debate on an original motion
open voting	means voting on the voices or by a show of hands or by a visible electronic voting system or similar means
planning decision	means a decision made in the exercise of a function of a council under the <i>Environmental Planning and Assessment Act 1979</i> including any decision relating to a development application, an environmental planning instrument, a development control plan or a development contribution plan under that Act, but not including the making of an order under Division 9.3 of Part 9 of that Act
performance improvement order	means an order issued under section 438A of the Act
quorum	means the minimum number of councillors or committee members necessary to conduct a meeting
the Regulation	means the <i>Local Government (General) Regulation 2021</i>
webcast	a video or audio broadcast of a meeting transmitted across the internet either concurrently with the meeting or at a later time
year	means the period beginning 1 July and ending the following 30 June

8.2.3 RECORDS MANAGEMENT POLICY

DOCUMENT NUMBER	441827
REPORTING OFFICER	Linda Wiles, Manager Business
AUTHORISING OFFICER	Roger Bailey, Interim General Manager
RELEVANCE TO COMMUNITY STRATEGIC PLAN	4. Collaborative and progressive leadership 4.1 A clear strategic direction that is delivered upon
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. Draft Records Management Policy ↓

RECOMMENDATION

The Records Management Policy, attached to the report, be adopted.

Introduction

Council's Records Management Policy has been reviewed and updated.

Discussion

This policy has been prepared based on adherence to the statutory requirements under the State Records Act 1998 and aims to preserve the Cootamundra-Gundagai Regional Council's (Council) corporate memory through sound recordkeeping practices and accurate capture of information.

Financial

There are no financial implications associated with this report.

OLG 23a Guideline consideration

Consideration of the 23a Guidelines has been given when updating this policy.



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www.cgrc.nsw.gov.au

Records Management Policy

Approved by	Council resolution
Responsible Officer	Records Officer
Council Service Unit	Business
Next Review Date	22.07.2029

Version Control

Ref	Date	Description	Council Resolution
0.1	16/01/2017	Presented to Council	04/01/2017

Purpose

This policy has been prepared on the basis of adherence to the statutory requirements under the State Records Act 1998 and aims to preserve the Cootamundra-Gundagai Regional Council's (Council) corporate memory through sound recordkeeping practices and accurate capture of information to meet:

- Operational business needs,
- Legal, evidential and accountability requirements and,
- Community expectations.

This policy recognises that effective management and preservation of Council information is intrinsic to both the decision making process and productivity within Council.

As a public agency Council is bound by the requirements and regulations of the State Records Act 1998. These regulations set out specific practices which Council must comply with and be audited against.

Scope

This policy applies to all Council business, including electronic business. This policy applies to all levels of Council and to all Council employees. All records management systems and procedures are to be consistent with this policy, the Records Management Procedures, and the infoXpert Business Rules.

Definitions

A *record* is 'any information captured in a reproducible form which is capable of transmitting meaning from one user to another'.

Records are evidence of business activities and have meaning primarily in the context of those activities.

Legislative Framework

State Records Act 1998 – this Act requires public offices to ensure compliance with the Act and to:

- Make and keep full and accurate records,
- Institute a records management program in accordance with standards and codes of best practice for records management,
- Ensure the safe custody and proper preservation of records and,
- Maintain accessibility to electronic records.

Privacy and Personal Information Protection Act 1998 – this Act deals with how all NSW public sector agencies manage personal information. The Act includes information protection principles, established methods for enforcement of privacy, and establishes a mechanism for complaints if personal information has been mishandled. Personal information refers to any information that relates to an identifiable person.

Government Information (Public Access) Act 2009 – the purpose of freedom of information legislation is to allow citizens to access information in possession of government.

In NSW, this Act gives citizens the right to:

- Obtain access to information held as records by public bodies,
- Request amendments to records of a personal nature that are inaccurate and,
- Appeal against a decision not to grant access to information or to amend personal records.

Review Period

This document is to be reviewed every four years to ensure it remains relevant and meets legislative requirements.

Policy Statement

Council will address the matter of records management in a systematic manner by:

- Implementing records practices that capture information from electronic sources and documents,
- Maintaining records that provide appropriate and adequate evidence of the conduct of Council's business and affairs,
- Ensuring records are maintained, complete, accurate and authentic so that they can have integrity and are accessible and useable,
- Maintaining permanent records in accordance with the State Records Act of 1998,
- Managing records in accordance with organisational needs and accountability requirements and,
- Enabling staff to effectively and efficiently maintain records through the implementation of appropriate records management systems.

8.2.4 COOTAMUNDRA BEACH VOLLEYBALL 2025 REPORT

DOCUMENT NUMBER	441922
REPORTING OFFICER	Linda Wiles, Manager Business
AUTHORISING OFFICER	Roger Bailey, Interim General Manager
RELEVANCE TO COMMUNITY STRATEGIC PLAN	<p>2. A region for the future</p> <p>2.2 A thriving region that attracts people to live, work and visit</p>
FINANCIAL IMPLICATIONS	\$13,000 in-kind support be endorsed for the 2026 event.
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 Beach Volleyball 2025 Report ↓

RECOMMENDATION

- The Coota Beach Volleyball Committee 2025 Report be received and noted.**
- Council event contribution totalling approximately \$13,000 in-kind support be endorsed for the 2026 event.**

Introduction

The Coota Beach Volleyball Carnival has become one of Cootamundra's signature tourism and community events, attracting players, families, and spectators from across the state for 24 years. The 2025 Carnival reached a record milestone, hosting 193 teams and welcoming 1,680 players – the biggest event to date. The event now incorporating 'All-School Beach Volleyball' on Friday, with 800 children participating in a competition day on the courts.

Discussion

Cootamundra Beach Volleyball Carnival is a Council owned event. In July 2023 Council resolved to award the coordination of the Coota Beach Volleyball event, via MOU, offering a 3-year agreement, with a further 3-year option, to Adina Care.

Council offers approximately \$13,000 in-kind support for the event each year. This cost covers:

- Install and remove signage and close road (including advertising road closure).
- Setup and removal of grandstands.
- Assist with installation of pedestrian barriers around the courts.
- Pick up and remove sand from the street after the event. Includes delivering sand to close by locations and sweep road pavement.
- General assistance with on site preparation.
- Hire and install concrete barriers.
- Provided temporary pedestrian access ramps.
- Provide and lay sandbags and court base construction.
- Clean toilet blocks daily.
- Place, empty and remove garbage bins.
- Pre tidy area, mowing etc.
- Conduct risk assessments and ensure compliance with WHS and public liability standards.

Council has been trialling the 'Spendmapp' web-based platform, built for Local Government. Spendmapp provides accurate and up-to-date insights into consumer spending patterns across local communities. Spendmapp uses transaction data to help local governments, organisations and businesses track their region's economic activity.

A report generated through 'Spendmapp' for the Beach Volleyball carnival period indicates the following:-

Coota Beach Volleyball Weekend - income generated

2025 (13.02.2025 - 17.02.2025)

Total Spending	\$ 2,423,806.00
Resident Spend	\$ 1,201,517.00
Visitor Spend	\$ 1,162,866.00

Financial

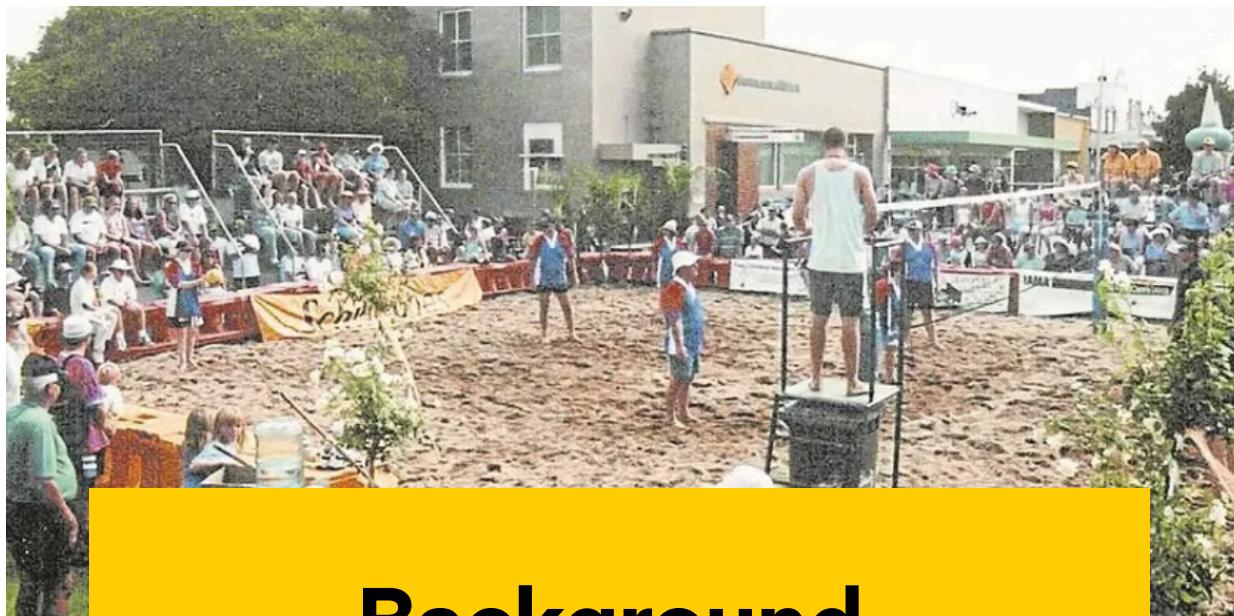
Council event contribution totalling approximately \$13,000 in-kind support.

OLG 23a Guideline consideration

The objective of this report does not conflict with guidelines.

COOTA BEACH VOLLEYBALL CARNIVAL 2025





Background

In 2000, with the vision of promoting his hometown of Cootamundra, Simon Sutherland founded the Coota Beach Volleyball Carnival. To bring the inaugural event to life, Mr Sutherland partnered with the Cootamundra Shire Council, the Cootamundra Development Corporation (now known as Business Cootamundra), as well as his family, friends, and the wider community.

The first event saw a full-sized beach volleyball court constructed in the heart of Cootamundra's main street. Sand was brought in to build the court, and 16 teams competed throughout the Saturday for the championship title.

By 2019 – the last year the Carnival was held prior to a break – the event had expanded significantly, boasting eight courts and 124 participating teams. To accommodate the growth, the Carnival was relocated from Parker Street to the tree-lined Murray Street, where a permanent volleyball court has since been established.

The COVID-19 pandemic and related restrictions meant the Carnival could not be held in 2021 or 2022. However, the community remained strongly supportive of its return, particularly in celebration of its 21st year. In response, Business Cootamundra revived the event in 2023. The following year, in 2024, Adina Care entered into a Memorandum of Understanding (MOU) with the Cootamundra-Gundagai Regional Council to deliver the Carnival for the next three years.

2024 served as a valuable learning year, laying the groundwork for future success. In 2025, the Carnival reached a record milestone, hosting 193 teams and welcoming 1,680 players – the biggest event to date.



Event Overview

The Coota Beach Volleyball Carnival has become one of Cootamundra's signature tourism and community events, attracting players, families, and spectators from across the state for 24 years. After a two-year pause due to COVID-19 restrictions, the 2023 Carnival returned in full force – bigger, better, and more vibrant than ever before.

Throughout the weekend, Murray Street was transformed into a buzzing inland beach hub. Approximately 3,500 spectators visited the precinct to enjoy the electric atmosphere and cheer on the athletes. Teams came from far and wide, including Sydney, Canberra, Wagga Wagga, Albury, Young, Harden, Bathurst, and surrounding towns, reinforcing the Carnival's reputation as a key sporting and social fixture on the regional calendar.

Registrations were opened on December 14th and the 168 allocated spots were filled in under 4 hour. With 24 teams on the waiting list. After discussions regarding the possible timeslots and extending the finishing time the committee made the decision to increase the carnival to accommodate 192 teams on the 10 courts.

A major highlight of the 2025 Carnival was the Schools Tournament, held on the Friday. This growing addition to the program adds significant value to the overall event, with more than 900 students travelling from across the region to take part. The school competition brings a fresh energy to the precinct, providing an inclusive, youth-focused opportunity for participation and community spirit.

With its unique setting, strong community involvement, and growing appeal among both youth and adult players, the Coota Beach Volleyball Carnival continues to deliver significant tourism, economic and social benefits to the Cootamundra region.



All School Beach Volleyball Event Overview

Sacred Heart Central School established a committee to organise the event, responding to the increased interest in volleyball over the past year.

Following 2024, all participating schools and students from Sacred Heart were surveyed to gather feedback for the organizing committee, enabling improvements for 2025.

On Friday, around 800 children participated in a competition day on the courts.

This year, students were divided into pool draws, with semi-finals and finals being held. Participants ranged from Year 5 to Year 12.

To enhance the event's visibility, Sacred Heart Central School created a dedicated website: [Cootamundra Volleyball Results](<http://sites.google.com/cg.catholic.edu.au/schools-coota-beach-volleyball/results>).

Schools from Goulburn, Young, Tumut, Temora, Harden, Gundagai, and Leeton traveled to participate in this year's volleyball event.

Catering was provided by the Cootamundra schools, including Sacred Heart.





Event Strategy

Event Name: Coota Beach Volleyball Carnival

- Location: Murray Street Cootamundra
- Date: 14,15,16 February 2025
- Target Audience: Local residents, school students, families, sports enthusiasts, previous participants, neighbouring towns.

Key Partners:

- Sacred Heart Central School
- CGRC staff
- Adina Court staff & volunteers
- Community volunteers

Planning Committee & Stakeholder Engagement

Partner Roles & Responsibilities:

Adina Court Staff & Volunteers

Planning, organisation and delivery of the event including registrations, budgeting, logistics of set up/pack down

CGRC

Set up & back down of courts, permits, risk assessments, marketing support, waste management

Sacred Heart School

Organisation of the school event, student participation, support with games and entertainment, set up of precinct.

Community Volunteers

Planning, organisation and delivery of the event. Setup/packdown, marshalling, crowd assistance

Event Planning Committee - Adina Court Staff, CGRC Staff Sacred Heart Staff, Community Volunteers

Bi-weekly meetings to track progress and ensure collaboration

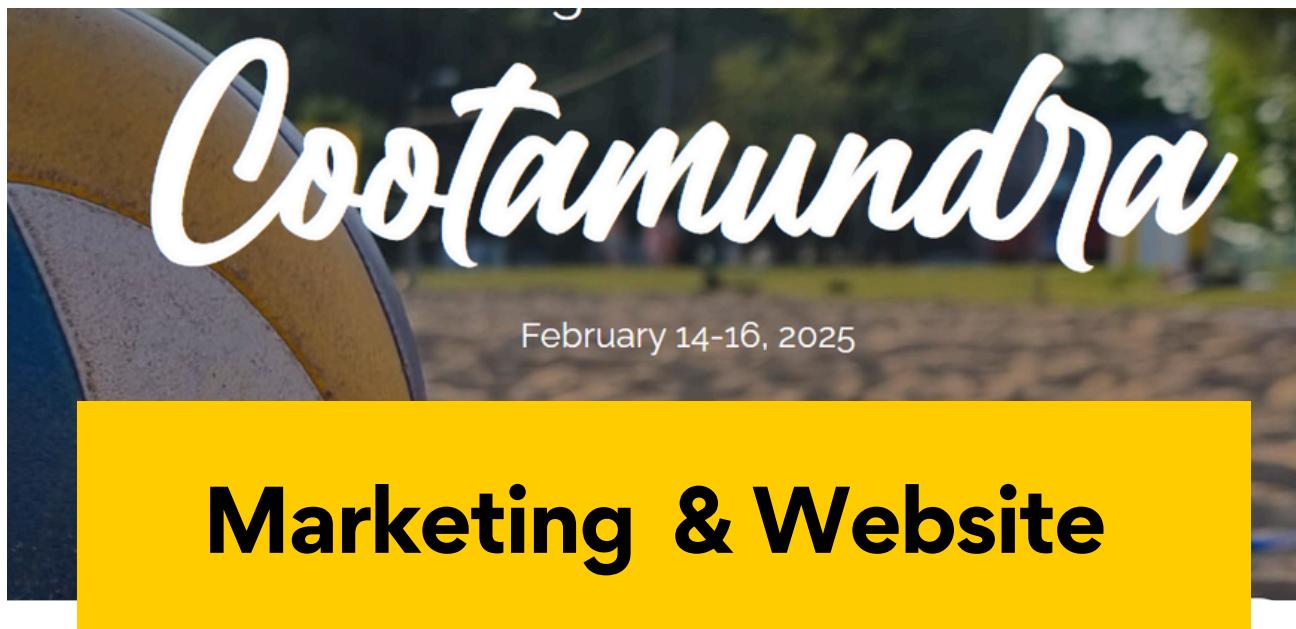


Strategic Planning and Continuous Evaluation as Keys to Event Success

Thorough planning and continuous reassessment were vital to the event's overall success. The CBV Committee took a proactive and strategic stance, ensuring that every aspect of the event was in harmony with sustainability goals and community values.

The Committee implemented the following actions:

- **Established clear sustainability objectives** as a foundation for responsible event execution. These goals were integrated throughout the planning process to steer decisions and outcomes.
- **Defined key performance indicators (KPIs)** and included them in the event plan to facilitate effective measurement and monitoring of success across various sustainability and operational criteria.
- **Engaged and supported local community groups**, recognising their essential role in enhancing the social and cultural aspects of the event.
- **Identified meaningful volunteer opportunities** creating pathways for community participation while bolstering event operations with extra support.
- **Conducted comprehensive inductions** for all staff, volunteers, and suppliers, ensuring everyone was informed and prepared, especially regarding safety protocols, sustainability practices, and operational expectations.
- **Performed a thorough site inspection** prior to the event, focusing on confirming that sustainability objectives were feasible on-site and that all Work Health & Safety (WH&S) and risk management requirements were met.
- **Evaluated potential environmental impacts** linked to the event and documented them within the CGRC Event Management Plan (EVM) and risk register. The committee collaborated with CGRC to pinpoint practical mitigation strategies and implement sustainable solutions.
- **Identified and prioritised local suppliers** capable of fulfilling the event's product and service requirements. This strategy not only minimised the environmental footprint related to transportation but also invigorated the local economy.



Promotion and marketing activities were commenced in July 2024 ensuring the carnival was the best it could be for 2025. The Adina CBV committee is committed to seeking ongoing support for the event and will continue in 2025 to secure new sponsors for the 2026 carnival. To support the event and sponsorship campaigns will be run with local newspapers, digital media, TV and radio over the months leading up to the carnival.

All 2025 sponsors were recognised in the Event Handbook and via social media.

The 2025 major sponsorship campaign raised \$6,340 for the building of an improved commentary box for the carnival.

The Committee believes an enhancement to the event infrastructure would be a custom built commentary box. The current commentary box does not allow for both commentators and entertainment/DJs, creating a disconnect between the communications and sound reach across the event space, along with minimal protection from weather. The tower will have fold out steps, a guard rail and cover for all weather, and allows both commentators and entertainers to utilise the space together and enabling electrical, equipment and sound issues to be resolved.

Branding and Sponsorship: The box would be branded with logos from sponsors to gain visibility at all community events.

Community Asset: The box would be available for other charity events and not-for-profits free of charge and available for rent to for-profit business events providing an additional income stream for the beach volleyball event over time

Professional Presentation: The box would enhance the overall quality and standing of the town event for Cootamundra and provide protection from the elements, ensuring that commentators and their equipment are shielded from rain, wind, or extreme temperature.

Website

The website was updated in 2025 as a one-stop place for all information for the carnival. The website address is www.cootabeach.com

Registrations were online for the third year and the process was further streamlined in 2025 with teams paying and registering seamlessly. Thanks to the skill of Megan Gale and Janice Dunk the draw and results were also able to be accessed live on the website throughout the carnival by all participants and spectators.



Compliance and Safety

Adina Care and the CBV Committee worked in close collaboration with Cootamundra-Gundagai Regional Council to identify key stakeholders and develop comprehensive risk and hazard management plans. Appropriate procedures were established to address the following areas:

- Event access and egress
- Traffic flow management and road closures
- Amenities access and ongoing maintenance
- Event detour signage
- Event emergency procedures
- First Aid provision
- Utilities and site services
- Permits, licensing, and registration requirements
- Food and beverage vendor requirements
- Staging requirements, including platforms, marquees, stalls, and all other temporary structures
- Manual handling and lifting — for both event setup and pack-down. Notably, during this year's pack-down, Council provided a Manitou forklift to assist with dismantling court infrastructure, significantly reducing the labour intensity of a task that had previously been cumbersome and time-consuming.
- Security and Accessibility



Waste & Environmental Impacts

Waste

In conjunction with CGRC, a comprehensive Waste Management Plan was developed for the event.

An adequate number of bins, clearly marked with appropriate signage, were provided throughout the event site.

Rubbish bags were also supplied to every team upon registration, which assisted greatly in keeping the venue litter-free.

Bins were regularly monitored to assist attendees in placing waste in the correct receptacles. Replacement bins were supplied promptly when existing bins reached capacity. The Fijian community in Cootamundra offered fantastic assistance in the clean up and collection of recyclable items.

In addition, Adina Care provided a dedicated recyclables trailer was provided for the collection of cans and plastic bottles.

Local Environmental Impacts

It is recognised that every event has the potential to create some level of adverse impact—both direct and indirect—on natural ecosystems. Careful consideration was given to identifying and mitigating these impacts wherever possible.

The CBV Committee proactively identified key environmental risks and implemented measures to minimise or prevent negative impacts. These included:

- Identifying potential pollution risks such as litter, fuel spills, water pollution, and air and noise pollution, and taking action to mitigate them.
- Complying fully with all relevant legislative regulations and Council requirements relating to environmental protection.
- Ensuring the protection of trees by prohibiting the attachment of any infrastructure to trees and establishing exclusion zones around significant and regulated trees.
- Minimising the impact of event activities on grassed areas.
- Ensuring no pollutants, including cleaners and solvents, were discharged into stormwater drains.

Through these actions, the CBV Committee worked to reduce the event's environmental footprint and uphold best-practice environmental management standards.



Financials



Balance Sheet

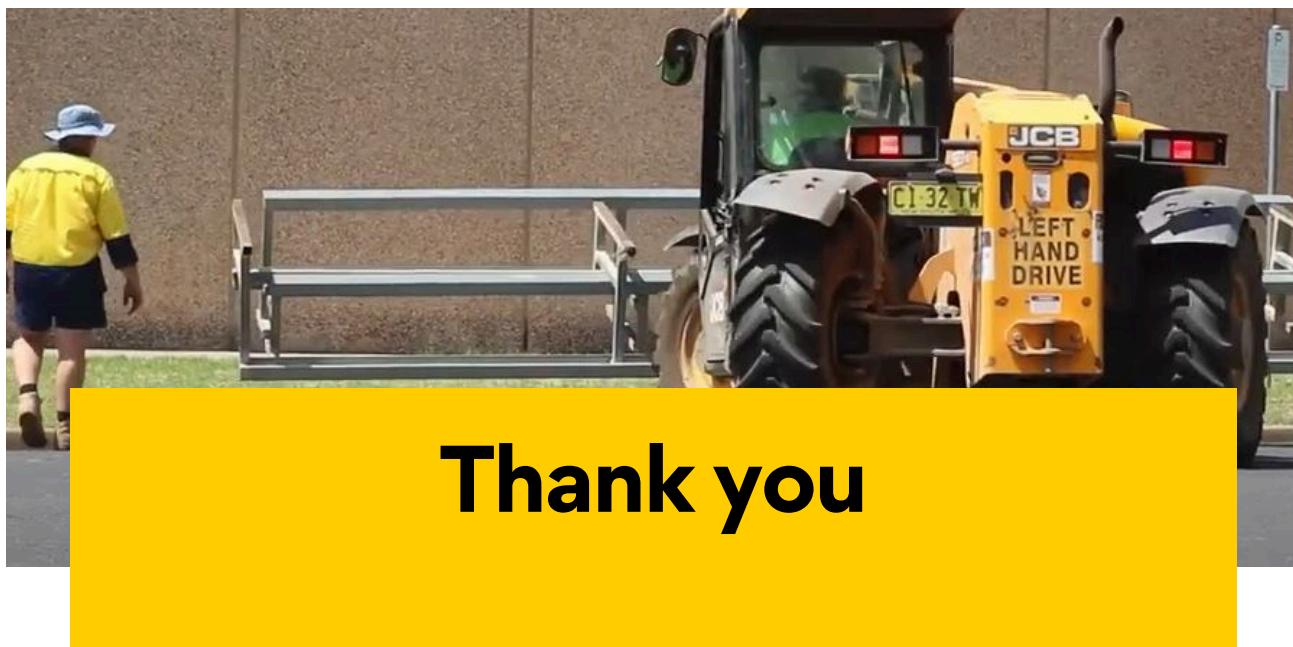
Cootamundra Beach Volleyball Committee
As at 30 June 2025

	30 JUNE 2025	30 JUNE 2024
Assets		
Bank		
Cootamundra Beach Volley Ball Committee	50,411	11,222
Total Bank	50,411	11,222
Current Assets		
Accounts Receivable	900	-
Total Current Assets	900	-
Total Assets	51,311	11,222
Liabilities		
Current Liabilities		
Accounts Payable	33,090	-
Total Current Liabilities	33,090	-
Total Liabilities	33,090	-
Net Assets	18,221	11,222
Equity		
Current Year Earnings	6,999	2,264
Retained Earnings	2,264	-
Seed Capital -Reserves	8,958	8,958
Total Equity	18,221	11,222

Profit and Loss

Cootamundra Beach Volleyball Committee
 For the year ended 30 June 2025

	2025	2024
Trading Income		
Court Side Advertising	800	-
Player Registration - Teams @ \$225	450	675
Player Registration - Teams @ \$450	85,050	73,800
Sales - Ice, Stubby Holders, Hats	1,950	1,190
Sales - Sand	17,250	13,300
Sales - Site Payment	600	-
Sponsorship	6,340	2,186
Total Trading Income	112,440	91,151
Gross Profit	112,440	91,151
Operating Expenses		
Advertising, Banners Signage	715	1,356
Bank Fees	1,502	874
Consultants -NXT Journey, McRoped Concepts (Draw)	600	2,090
Courts - Barriers, Umpire Stands etc	1,033	3,250
Courts - Set up Costs	2,560	1,423
Courts - Volley Ball Equipment	224	709
Donations	33,000	15,000
Entertainment and DJ Costs	2,357	4,035
First Aid - St John's Ambulance 2 days	2,108	1,000
Hire Costs - Seats etc	1,671	2,618
Insurance	3,304	3,291
Marketing Promotion	1,320	500
Player Costs - ID Wrist Bands, registration sundries	850	309
Power and Generator Hire	-	3,030
Printing and Stationary	317	219
Prize Money	6,300	8,150
Purchases - Hats, Stubby Holders, Ice	2,193	4,993
Sand	37,888	34,858
Shed Costs	1,748	-
Subscriptions	983	106
Sundry Expenses	320	339
Website	4,350	709
Total Operating Expenses	105,441	88,887



Thank you

Cootamundra-Gundagai Regional Council

The CBV Committee, Adina Care, and CGRC have developed a highly effective working relationship through their collaboration on the Coota Beach Volleyball Carnival.

Council participation is integral to the ongoing success of the CBV. The involvement of CGRC staff played a critical role in ensuring the success of this year's carnival. When challenges arose, staff worked closely with the committee to identify practical solutions and, wherever possible, helped to implement them.

We extend our sincere gratitude to all CGRC staff involved. Their passion, dedication, willingness to assist, and strong commitment were key to making this event the success it was.

Volunteer Committee Members

Finally, thank you to the dedicated volunteer committee members of the Cootamundra Beach Volleyball Carnival.

Your ongoing commitment to planning meetings, event preparations, and especially your incredible efforts over the event weekend—often contributing more than 12 hours a day—do not go unnoticed.

Your passion and dedication are what make this event such a success, year after year.





During our committee meetings and final debrief, we identified several areas for improvement and enhancement to ensure the carnival's growth and the continued streamlining of procedures.

The CBV Committee considered relocating the event to Bourke Street for the 2025 year. However, this proposal was ultimately outvoted due to the shade provided by the Murray Street trees for both the sand and participants. Since the event takes place in one of the hottest months of the year, it was decided that the event will remain on Murray Street.

Additionally, in 2024, it became apparent that having ongoing foot traffic through the Woolworths loading dock over the weekend posed safety and logistical challenges for participants and drivers. After discussions with the Cootamundra Woolworths manager, the committee decided to fully close the car park for the 2025 event, with entrances and exits provided only from Bourke and Wallendoon Streets. This worked well and will be continued in 2026.

The following list outlines key initiatives, though it is not exhaustive:

- Permanent signage throughout town:
- Establishing Coota Beach Volleyball as a recognized destination.
- A comprehensive Coota Beach Carnival Event Management Plan to enhance organisation.
- Improving and beautifying the permanent courts .
- Enhancing the Beach Volleyball shed. Potentially including an extension for dedicated registration and committee areas.
- Interactive screens displaying event draws and information.
- A mobile commentators' stage that could also be utilized by community groups (the current stage takes nearly three hours to set up).
- Videos providing information on rules for playing, umpiring, and scoring, to be uploaded to the website and Facebook.
- More efficient methods for court setup and takedown, saving time and labor.
- Improved access around the courts for individuals with disabilities and mobility impairments.



8.2.5 MUTTAMA CREEK REGENERATION GROUP S.355 COMMITTEE MEETING MINUTES

DOCUMENT NUMBER	440836
REPORTING OFFICER	Anne Chamberlain, Governance Officer
AUTHORISING OFFICER	Roger Bailey, Interim General Manager
RELEVANCE TO COMMUNITY STRATEGIC PLAN	4. Collaborative and progressive leadership 4.3 Actively engaged and supportive community
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 Manual.
ATTACHMENTS	1. Muttama Creek Regeneration Group Minutes - 2 June 2025 

RECOMMENDATION

The Minutes of the Muttama Creek Regeneration Group s.355 Committee meeting held, 2 June 2025, attached to the report be, received and noted.

That council provides a response to the Muttama Creek Regeneration Group s.355 Committee in relation to the following items listed in the Minutes:

- a. Exotic removal/Master Plan for Muttama Creek.
- b. Attending Councillor, improving communication
- c. Water Testing

Introduction

The attached Minutes of the Muttama Creek Regeneration Group s.355 Committee meeting held on 2 June 2025, is submitted for the information of council and the community.

Please note the following items listed in the minutes, which require a response from Council:

- a. Exotic removal/Master Plan for Muttama Creek.
- b. Attending Councillor, improving communication
- c. Water testing

Financial

There are no financial implications associated with this report.

OLG 23a Guideline consideration

The objective of this report does not conflict with guidelines.

Muttama Creek



Regeneration Group

Muttama Creek Regeneration Group

Minutes: Monday 2 June, 2025

Present: Graeme Johnson, Lin Chaplin, Paulina Butler, Betti Punnett, Anthony Meyer.

Apologies: Doug Butler

Welcome: Meeting opened at 5.10 pm. Moved to Di and Graeme's house, Wallendoon Street as the Library was closed.

GJ presented the evacuation plan for our home, as required prior to every meeting.

GJ read the 7 April 2025 meeting minutes and they were accepted by Betti Punnett, seconded by Paulina Butler.

BUSINESS ARISING:

- **Exotic removal/Master Plan for Muttama Creek-** information letterboxed 28 April. MCRG has emailed CGRC and Martens & Assoc, asking that as a Section 355 Committee we be included in any consultation process and be provided with any documents pertaining to the Master Plan as it is developed. **MCRG concerns-**
 1. The Plan for the creek should attempt to not increase Council workers workload- Cootamundra has a lot of green space to be maintained.
 2. That the MC Master plan consider the Cootamundra Floodplain Risk Management study's recommendation for- 'continuation of existing and extension of Council's vegetation management program to maintain native vegetation, bank stability and weed removal'.
 3. That the Muttama Creek be managed with attention to its environmental value, not be bulldozed as an ineffective but popular flood mitigation measure. Other more effective flood mitigation measures were recommended in the Cootamundra Floodplain Risk Management Study.
- **Attending Councillor, improving communication-** The new Council member, Rosalind Wight, and Stuart Moorby, CGRC Operations Supervisor, are again absent today's meeting. MCRG has emailed CGRC re a representative to attend the meetings to facilitate effective communication and emailed Rosalind Wight- representative for 'new' Council since October, who has not attended a meeting.
- **New Brochures** – New Brochures have been printed and have proved very popular. Copies have been distributed to the Golf Club, Heritage Motel, Little Shop Of Books, Tourist Information Centre and the Caravan Park.
- **Water Testing** – No further information as SM has not returned with Council information.
- **Working bees-** Three working bees were held since April meeting- weeding, mulching, planting saltbush, correas, and watering, and removing general rubbish- Mackay St entrance to Bird Walk, Betti's Happy Wanderer garden, Pat's seat, Casuarina Walk. New redgums watered behind the pool on River Redgum Walk.

GENERAL BUSINESS:

- Phantom pruner has been active again, 'pruning' many of our small plants and taking two years growth from some river redgums.
- Working Bee dates- Saturday 9.00 am, 14 June- Mackay Street Bird Walk Casuarina Walk. Saturday 9.00 am, 28 June- Mackay Street Bird Walk Casuarina Walk.

Meeting closed at 6.10 pm.

Next Meeting: Monday, 4 August at 5pm, Stephen Ward Rooms

8.2.6 COOTAMUNDRA HERITAGE CENTRE MANAGEMENT S.355 COMMITTEE MEETING MINUTES

DOCUMENT NUMBER	440838
REPORTING OFFICER	Anne Chamberlain, Governance Officer
AUTHORISING OFFICER	Roger Bailey, Interim General Manager
RELEVANCE TO COMMUNITY STRATEGIC PLAN	4. Collaborative and progressive leadership 4.3 Actively engaged and supportive community
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 Manual.
ATTACHMENTS	1. CHCMC Minutes - 2 June 2025 ↓ 2. CHCMC Minutes - 7 July 2025 ↓

RECOMMENDATION

The Minutes of the Cootamundra Heritage Centre Management s.355 Committee Meeting held 2 June 2025 and 7 July 2025, attached to the report, be received and noted.

Introduction

The attached Minutes of the Cootamundra Heritage Centre Management s.355 Committee meeting held on 2 June 2025 and 7 July 2025, are submitted for the information of Council and the community.

We make note of the Notice of the upcoming Cootamundra Heritage Centre 24th Birthday Celebrations in the minutes dated 7 July 2025.

Financial

There are no financial implications associated with this report.

OLG 23a Guideline consideration

The report purpose does not conflict with guidelines

**THE REPORT AND RECOMMENDATIONS OF THE COOTAMUNDRA HERITAGE CENTRE
MANAGEMENT COMMITTEE MONTHLY MEETING HELD AT THE COOTAMUNDRA HERITAGE
CENTRE ON MONDAY 2 JUNE 2025 COMMENCING AT 4.02PM**

Present: Frances Redden (in the Chair), Betty Brown, Michele Pigram, Betti Punnett, Simon Hall, Nicole Godber, Ros Wight

Apologies: Leah Sutherland, Helen Hamilton, Yvonne Forsyth

Disclosure of Interest: There was no disclosure of interest.

Minutes from the Previous Meeting: Moved Betti Punnett, seconded Michele Pigram that the Minutes be confirmed.

CARRIED

Business Arising:

* Signs - members agreed to go ahead with the sign which folds **OPEN/CLOSED**

* Cabinets - Betti Punnett to obtain quotes on cabinets for Agricultural and Railway Galleries.

* Flag - new flag received from Michael McCormack MP

* Wattle sign - nothing further

* Gantry - Betti Punnett reported that she had spoken to Josephine ARTC who advised a letter to be written to Property Manager

* Newsletter – later

Financial Report: Frances Redden presented the Financial Report for May: CHC 252, children 1 \$292.25 EFTPOS \$60.00 Lucky Dips \$200.00; VIC 186 Souvenirs \$129.00 EFTPOS \$189.00 **\$581.25 EFTPOS \$289.00 \$870.25** Bank Balance **\$3617.38** Expenses \$371.66 - milk, CBA fee, maps, cleaning, mower Moved Frances Redden, seconded Betty Brown

CARRIED

CORRESPONDENCE:

OUT - May Minutes, letter to Lyndon Newman

IN - Tim McLaren information

GENERAL BUSINESS:

* Chairperson - Moved Ros Wight, seconded Michele Pigram that Paul Braybrooks be approached re the Chairperson position.

CARRIED

* Members had not visited Young to view the railway container - Leah Sutherland offered her husband to show us containers next door.

* Ros Wight reported she was checking on amount left from grant spending.

* Ros Wight suggested that barriers be placed restricting entry to 87 Adams St Gallery and Railway Gallery.

* Quad Scull - oars still to be installed

* Cameras - 8 cameras to be installed - suggested: verandah, main gallery, kitchen, 2 in hallway, commerce gallery, 87 Adams Street, railway

* Nicki Godber informed members her daughter wished to volunteer after school - dusting, sweeping

* There being no further business the meeting closed at 5.05pm

Betti Punnett Secretary
July 2025 4.00pm

Next meeting: Monday 7

Should you have any item/s you wish to place on next month's meeting agenda, please notify me by 30 June 2025.

bettipunnett@bigpond.com 69421158 0429421158

**THE REPORT AND RECOMMENDATIONS OF THE COOTAMUNDRA HERITAGE CENTRE
MANAGEMENT COMMITTEE MONTHLY MEETING HELD AT THE COOTAMUNDRA
HERITAGE CENTRE ON MONDAY 7 JULY 2025 COMMENCING AT 4.02PM**

Present: Frances Redden (in the Chair), Betty Brown, Yvonne Forsyth, Nicole Godber, Helen Hamilton, Michele Pigram, Betti Punnett, Leah Sutherland

Cootamundra Gundagai
Regional Council
Document Received

Apologies: Simon Hall, Ros Wight

- 8 JUL 2025

Disclosure of Interest: There was no disclosure of interest.

File No.....

Minutes from the Previous Meeting: Moved Betti Punnett, seconded Michele Pigram that the Minutes be confirmed. **CARRIED**

Business Arising: * Signs - Michele Pigram to check progress with signwriter

* Cabinets - Betti Punnett reported that she had visited Evans Joinery and Independent Kitchens & Joinery outlining the cabinets needed and both businesses agreed to visit and supply quotes. As yet no-one had visited. She will contact both businesses and if unable to do business, will contact other joineries.

* Gantry - Nothing further

* Gallery barriers - Betti Punnett asked that the Railway Gallery not have a barrier installed as when railway veterans visit they like to go through the books and material on display. She would not like to have them locked out. Members agreed and Nicki Godbar offered to notify Ben Traeger of this decision.

* Quad scull oars - these have now been installed.

* Security cameras - provided and ready to be installed. Leah Sutherland reported that they would be under CHC control and would only be monitored from the Main Gallery.

* Young volunteer - it was agreed that only those volunteers happy to have a young assistant would do so.

Financial Report: Frances Redden presented the Financial Report for June: CHC 156, children 13 \$221.95 EFTPOS \$50.00 Lucky Dips \$120.00; VIC 123 Souvenirs \$80.50 EFTPOS \$63.00 **\$412.45** EFTPOS **\$123.00** **\$535.45** Bank Balance **\$5656.49** Expenses \$124.88 - milk, CBA fee, Dotti le Sage Moved Frances Redden, seconded Betty Brown

CARRIED

CORRESPONDENCE: OUT - June Minutes, Newsletter

IN - Rotary Peace Path information, C/GRC, Small Grant Application unsuccessful

GENERAL BUSINESS: * Chairperson - Betti Punnett reported that she had spoken to Paul Braybrooks re Chairperson position. He agreed to consider the proposal, but has not yet made his decision.

* Rotary Peace Park - it was moved Betti Punnett, seconded Frances Redden that the Cootamundra Heritage Centre purchase a paver \$50.00. **CARRIED**

* Christmas Party - Leah Sutherland informed members that the Volunteers' Christmas Party (luncheon) would be held on Wednesday 8 December.

* Chairs - members thanked C/G Regional Council for the 2 chairs provided for volunteers. Members asked that if one with arms became available, we would be very grateful.

* Security of volunteers - volunteers to be reminded to wear the security alert control when on duty. This would be for their safety when away from the Main Gallery.

* Annual General Meeting - members agreed this would be best held when we have a new Chairperson. We have till September to hold the AGM.

*Front doors - members expressed concern that nothing further had been done although the job had been approved and awarded to Steve Broadley. As he is away for some time, another painter will be contacted (*Betti Punnett*).

* New presentations - Picture of first motor car to visit Cootamundra (from John Collins) to be placed on display. A box of various items viewed, but no information available. Volunteers are reminded that Interim Receipts must be provided.

* There being no further business the meeting closed at 5.02pm

Betti Punnett Secretary

Next meeting: Monday 4 August 2025 4.00pm

Should you have any item/s you wish to place on next month's meeting agenda, please notify me by 31 July 2025.

bettipunnett@bigpond.com 69421158 0429421158

****** 24th BIRTHDAY CELEBRATIONS Monday 18 August 2025 ******

It has been suggested that a birthday cake be purchased (Woolworths) and any left over from Monday be kept in the refrigerator for volunteers and visitors to enjoy.

8.2.7 THE ARTS CENTRE COOTAMUNDRA S.355 COMMITTEE MEETING MINUTES

DOCUMENT NUMBER	441418
REPORTING OFFICER	Anne Chamberlain, Governance Officer
AUTHORISING OFFICER	Roger Bailey, Interim General Manager
RELEVANCE TO COMMUNITY STRATEGIC PLAN	4. Collaborative and progressive leadership 4.3 Actively engaged and supportive community
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 Manual
ATTACHMENTS	1. TACC Minutes - 15 May 2025 Download 2. TACC Minutes - 19 June 2025 Download

RECOMMENDATION

The Minutes of The Arts Centre Cootamundra s.355 Committee Meeting held, 15 May 2025 and 19 June 2025, attached to the report, be received and noted.

Introduction

The attached Minutes of The Arts Centre Cootamundra s.355 Committee meeting held on 15 May 2025 and 19 June 2025, are submitted for the information of Council and the community.

Financial

There are no financial implications associated with this report.

OLG 23a Guideline consideration

Report purpose does not conflict with guidelines.



COOTAMUNDRA-
GUNDAGAI REGIONAL
COUNCIL



Minutes

THE ARTS CENTRE COOTAMUNDRA
SECTION 355 COMMITTEE

THE ARTS CENTRE COOTAMUNDRA, 18 WALLENDOON STREET

THURSDAY 15 MAY 2025



Agenda

1.1	Attendance and Confirmation of Quorum	2
1.2	Apologies.....	2
1.3	Disclosure of Interests	2
1.4	Confirmation of previous meeting Minutes	2
1.5	Correspondence in/out.....	2
1.6	WHS.....	2
1.7.1	Financial Report	3
1.7.2	Report for Administration & Movies	3
1.7.3	Reports for Comms and marketing	4
1.8	Business Arising from previous Minutes	5
1.9	New/General Business.....	6
1.10	Date and Time of Next Meeting	6
1.11	Time Meeting Closed	6

MINUTES: SECTION 355 COMMITTEE THE ARTS CENTRE COOTAMUNDRA

Sign on in the Volunteer Attendance Register**1.1 Attendance and Confirmation of Quorum**

Attendance: President/Chairperson: Natalie Cowled

Vice Chairperson: Julie Cowell

Secretary: Eric Steinke

Treasurer: Rosie Fowler-Sullivan

Council Representative:

General Members: Mackenzie Bird, Lynn Cameron, Isabel Scott, Hannah Northey,

Confirmation of a Quorum:

There are **[10]** Members appointed to this Committee.

Quorum numbers are met yes/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. See Section 355 Committee Manual to identify if quorum numbers are meet.

We acknowledge the Traditional Custodians of the land on which we live, work, and create. We pay respects to Elder's past, present and emerging.

1.2 Apologies

Denise price, Rachel Magrath

1.3 Disclosure of Interests

None disclosed.

1.4 Confirmation of previous meeting Minutes

The minutes of the last The Arts Centre Cootamundra Section 355 Committee meeting dated 20 February 2025 to be confirmed as true and correct. (Appendix A). moved Julie Cowell; seconded: Rosie Fowler-Sullivan

1.5 Correspondence in/out

- Studio 3 partition, still in waiting, Brendon has moved onto a different job due to a miscommunication in availabilities.
- Corresponding with Linda Wiles and Leah Sutherland at council in relation to centre manager Natalie, Julie and Eric are meeting with Linda and Leah to discuss the matter on 16/05/25.

1.6 WHS

- Brought to attention that the piano stool in the green room was in disrepair, has been thrown out and replaced.

COOTAMUNDRA-GUNDAGAI REGIONAL COUNCIL

- Automatic lighting at entry way to the dirty arts room needs refresh to improve visibility when entering/exiting the building.
- Swipe key with tag 504 has accessed the building but has no known person associated with it, no unusual activity has occurred. Julie to chase with Stephen Lowe on whose key it is.

1.7 ReportsFinancial Report

- Profit & Loss and Balance sheet are attached (Appendix B).

1.7.2 Report for Administration & Movies

- Council community donations applications are due Fri 31 May by 5pm (media release is attached). I think that we should check in with council to see if they have record of the funding that they held for us, to help go toward the outdoor area upgrade (drainage and new cement and new roofing to cover path to toilets. Write email?
- Bookings
 - We still do not have a choir master/mistress, but Mackenzie is helping with the running of it while we wait to hear anything from Young Regional Conservatorium. I think that they will be too expensive even if they find a teacher. (About \$165/wk)
 - Darren Coggan tickets are selling slowly - in bigger groups - 4 or 5. Need to get it happening more though.
 - Matt Arthur has changed his date to Thurs 4 Sept (not Friday) due to his other bookings.
 - Tues May 27 - Fling will be here to screen "My Black dog" for free. They may or may not be organising school screenings/workshops too around that date.
 - Enquiry from Geoffery Bell regarding Sarah Storer playing here August 21st. Enquiry ongoing
 - Wallendbeen Red Cross has asked for us to screen The Penguin Lessons in September (date to be advised) We should have access to that movie with Madman Entertainment. Awaiting date to follow through with booking.
 - Leigh Barker agreed to 50/50 split, but is still trying to nail down a date
 - Coota High has hired the exhibition room for June 26-30 last week of term two.

Other

- Michael van Baast will pick up and install the new sub-woofer in the theatre. It has been paid for.
- John Coleman from Australian Theatre Supplies will be here Thurs 8 or Fri 9 May to service the projector at a cost of \$1780 (if nothing is terribly bad)
- Linda Wiles at CGRC agreed to look over the job description for office coordinator. Nat, Eric & I will meet with Leah Sutherland on Friday 16 May to discuss (council had a thought...)
- 29.4 Contacted Squire Interiors regarding window coverings for the east side of studios. they will come to have a look and quote
- Wed 30 May - I met with the community liaison officers of Inland Rail. They are expecting 400 people to live in a camp at Stockinbingal from September this year. They work two weeks one, one off. They are required to take part in social activities and volunteering during their time here.
- 6/5/25 Dale Gilders came to do a quote on concreting - removal and new to make the drainage correct at the back door (out to the toilets)

- 6/5/25 John Fallon - steel removal of kiln (& roof) - called and left a message
- 6.5.25 - Emailed Independent kitchens to say no to the quote for now. The wall side looks good. The cost is also about \$25K and may be too much? Should we be requesting a quote for something moveable that we could use at the theatre Foyer/pottery area?

Movies

Date	Movie name	adults	seniors	children	comp & n/c	total income (inc gst)
Wed 2 Apr	A Complete Unknown	6	7	0	2	\$181.00
Sun 6	Jesus Christ Superstar (CinemaLive)	17	3			\$485.00
Wed 9	JCS	3	9			\$255.00
Sun 13	The Lost Tiger (Maslow)	2	0	11	1	\$151.00
Wed 16	The Lost Tiger	3	4	7	0	\$174.00
Sun 20	Snow white (Disney)	2	3	1	0	\$80.00
Wed 23	Snow White	4	18	20	6	\$474.00
Sun 27	Dogman (Universal)	4	18	20	6	\$474.00
Wed 30	Dogman	0	0	0	0	\$0.00

Total income = \$2,274

Total movie cost = \$1,497.50

Leaves \$776.50 to cover marketing, booking, projecting (a bit less than \$200 per movie)

Possible office Co-ordinator/movie admin raise? Casual theatre booking agents earn \$38/hr plus superannuation. Presently, I charge TACC \$31.5/hr. Lucy charges \$42/hr (no gst) and Eric \$31 (no gst). I'd like to ask for \$33 plus GST per hour. With the possibility of increase if I am still here in January 2026. Council originally stated that if they hired someone for TACC it would cost us \$55/hr (all costs inclusive)

1.7.3 Reports for Comms and marketing

TACC Comms Report – as at 13 May 2025

- **TACC Facebook**
Followers = 1,579 (up by 24 since Feb 2025 meeting)
In the last 28 days 3 posts had a reach of 1.7K – They were the posts for the 3 school holiday movies. The post with the most likes was “Not long now until Fibre Fest” with 10 likes
- **TACC Instagram**
Followers = 472 (up by 2 since Feb 2025 meeting)
In the last 28 days the post with the largest reach (313) and the most likes (10) was “Not long now until Fibre Fest”
- **TACC Mailchimp**
Total email subscribers = 612 (down by 1 since Feb meeting)
- Movies: business as usual + we have a special screening of “My Black Dog” on Tuesday 27 May (brought to us by Fling – Gabby Rose). Another movie fundraiser is in the pipeline for September.
- External Bookings: Darren Coggan (27 July) and Matt Arthur (4 Sept) – confirmed and locked in. They have created their own promo materials and I am distributing the info in the normal ways.
- TACC Event: Fibre Fest 2025 (31 May). Initial save the date / general info has been distributed. Focus now is social media tiles / posts, a new poster and a Coota Times ad. A few activities TBC first.
- Photography Exhibition in June: I had a meeting with the 3 participants (Sarah - Bye Bye Blackbird, Scott – Kranyak Kactus, David – Outstanding Dave). This was the first time all 3 had had the opportunity to come

COOTAMUNDRA-GUNDAGAI REGIONAL COUNCIL

together. The general theme was decided along with the plan for the opening (7 June). I have requested promo shots, bio and general overview of the theme from each photographer. Once I have received that all regular promo activities will kick off. They also had a meeting with Eric to discuss the room set up and Julie has asked our volunteers if they can help with opening hours.

*** A BIG THANK YOU TO ERIC! He has been very active on FB and Instagram – often liking posts before I do! If you are able to, please remember to navigate to the TACC pages and like the posts. The more likes, the more the post will be spread far and wide!

Any other thoughts, comments or suggestions please let me know.

(Reports moved: Rosie Fowler Sullivan; seconded: Hannah Northey)

1.8 Business Arising from previous Minutes

- Subcommittee formed to discuss website, style guide, marketing & social media – On Hold
- Subcommittee formed to discuss website, style guide, marketing & social media
- Compliance, Infrastructure and Grants subcommittee met. Next steps:
 - Comprehensive plan from a draftsperson, designer, architect in relation to building repair/maintenance needed before any grants are applied for.

COOTAMUNDRA-GUNDAGAI REGIONAL COUNCIL

- Priority to make centre accessible
- Studio will be for hire.
- Removing the evaporative coolers - \$500 - \$600 each. Possible that the contractor can install a reverse cycle air conditioner and remove the evaporative coolers at the same time.

- Facebook Group for Volunteer Members; Nat Lucy and Rachel to have a meeting to determine best path forward for social media for members
- Community chest: Natalie has presented a revised community chest constitution and distributed to the committee to read and review.
- Future Planning
 - 1 year plan: compliance (sliding doors, bio box, fireproofing, ~~electrical~~, egress, etc. as per report), roller door in kitchen, ~~clean up~~, paint, foyer lighting
- Proposal to hire an architect to begin the grant ball rolling as our volunteer draftsmen have yet to get back to us.

- Items on hold
 - Photos of various layouts for website (Nat) – For 2024
 - Refresh/painting – after building/compliance changes.
 - Signage in car park
 - 2-year plan: ceilings, furniture refresh
 - 3-year plan: secure storage, bar area
 - 4-year plan: Men's shed rebuild
 - 10-year plan: theatre rejig
 - Registered volunteer organisation for pensioners (revisit august meeting 2025)
 - Dance with Miss Em space issues. (awaiting written correspondence from DWME)
 - Centre manager position: still wanting
 - possibly showing movies more times during school holidays or maybe a Saturday evening session, with notice. Julie and Lucy to work on this for next school holidays.

1.9 New/General Business

- Due to Julies request for a pay increase Natalie put forward a motion that all our regular contractors, Julie, Eric and Lucy receive a pay increase. Raised to \$33/hr for Julie and Eric and \$45/hr for Lucy, the motion passed unopposed by the committee.
- Squire interior has provided mock-ups for retractable window awnings to replace the grapevine.
- Fibre fest: moving along steadily, event encompassing a whole range of activities
 - market stalls
 - Photography and crocheting workshops
 - community craft project
 - 4:00pm relaxed “movie” with dim lighting for hand craft
 - Hannah chasing a coffee van to provide refreshment.
- Postponed removal of old evaporative air conditioners from studio 7 moving forward instead with installing reverse cycles first. Julie to chase quotes on installation of new air conditioners.
- Natalie to email Narrell Vogul on the updates to style guide and marketing material.
- Natalie to Mariah Foley at shinning designs on potential drafts work for the building
- Julie to chase Riverina auto-doors and security about quotes for automatic door installation.

1.10 Date and Time of Next Meeting

19th June 2025 at 5:15pm

1.11 Time Meeting Closed

Meeting closed 6:10pm

Sign Off in the Volunteer Attendance Register



COOTAMUNDRA-GUNDAGAI REGIONAL COUNCIL

ABN: 46 211 642 339
PO Box 420, Cootamundra NSW 2590
Phone: 1300 459 689
Email: mail@cgrc.nsw.gov.au
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COOTAMUNDRA-
GUNDAGAI REGIONAL
COUNCIL



Minutes

THE ARTS CENTRE COOTAMUNDRA
SECTION 355 COMMITTEE

THE ARTS CENTRE COOTAMUNDRA, 18 WALLENDOON STREET

THURSDAY 19 JUNE 2025



Agenda

1.1	Attendance and Confirmation of Quorum	2
1.2	Apologies.....	2
1.3	Disclosure of Interests	2
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MINUTES: SECTION 355 COMMITTEE THE ARTS CENTRE COOTAMUNDRA

1.1 Attendance and Confirmation of Quorum

Attendance: President/Chairperson: Natalie Cowell

Vice Chairperson: Julie Cowell

Secretary: Eric Steinke

Treasurer: Rosie Fowler-Sullivan

Council Representative:

General Members: Mackenzie Bird, Lynn Cameron, Hannah Northey, Denise Price,

Confirmation of a Quorum:

There are [10] Members appointed to this Committee.
Quorum numbers are met yes/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. See Section 355 Committee Manual to identify if quorum numbers are met.*

We acknowledge the Traditional Custodians of the land on which we live, work, and create. We pay respects to Elder's past, present and emerging.

1.2 Apologies

Isabel Scott, Rachel Magrath

1.3 Disclosure of Interests

None disclosed.

1.4 Confirmation of previous meeting Minutes

The minutes of the last The Arts Centre Cootamundra Section 355 Committee meeting dated 15 May 2025 to be confirmed as true and correct. (Appendix A). moved Eric Steinke; seconded: Julie Cowell

1.5 Correspondence in/out

- Baptist Care has asked that we complete a Modern Slavery self-risk assessment. Council has been asked on the applicability of the request.
- Quote from Squires to affix two retractable blinds (appendix C)
- Letter of thanks from Sue Guy (appendix D).

1.6 WHS

- The fire alarm has been triggered, the detector in the old kiln shed believed to be caused by the rain, due to the fire alarm being active the building alarm cannot be armed. Council has been informed of the issue and central fire services has made an appearance, thus far the issue is unresolved.
- Swipe key with tag 504, Julie believes it is Baptist Care and that the tag number has been confused somewhere in the system.
- Electronics require test and tag, Julie to inquire with Stephen Cross.

COOTAMUNDRA-GUNDAGAI REGIONAL COUNCIL

- Meeting room tables gave Mackenzie a splinter, require refurbishment or replacement, potentially resealed by the men shed
- Red shed aircon filters require a clean out.

1.7 ReportsFinancial Report

- Profit & Loss and Balance sheet are attached (Appendix B).

1.7.2 Report for Administration & Movies

- Unable yet to find the exhibition banner - therefore Anne and Sarah and Eric are re-purposing one for the June Exhibition - found and erected!
- Emailed Steven Lowe about the concreting (15 & 21 May) Called Thurs 22 May. Steven (via Nicky Godber) agreed to the cementing on the phone Thurs 22 May. I then called Dale and he will be on holiday for the next month. He will call when he gets back to organise the demolish and repaving. We will need an electrician to change the lighting cable either along the rehearsal space wall or underground. We might want to get a floodlight out there too.
- Asked Squire's for a quote with agreed upon pull down blinds and colours etc. Quote accepted \$1500 12 Jun.
- May 22 - got hold of John Fallon about steel in the courtyard. Came to look and said that none of the steel was worth the take down for him. Looks like we will have to pull it all down and take it to the recycling.builder's rubble at the tip. Eric and Mackenzie are on it!
- May 22 - Steven Cross will look at the sensor lights on the front door and the vis arts door when he has a chance. Not yet
- May 22 - emailed Brendon Martin again re studio 2 wall. He came! Thursday 12 Jun - finished Tues 17 Jun. Have three doors with new locks. Baptist care has been informed about the changes and by the end of the month they will be out of Studio 2A (larger room)
- New associate member Ann Wald rejoined
- Sun 8 Jun - fire alarm going off due to (probably) sensor getting wet where the old kiln shed was. Sarah coped very well and called me and spoke to the security monitoring co (were not very helpful) Tuesday I called Steven Lowe who also would have gotten messages on Sunday from security as noted on the report) Jamie at CGRC promised to get a hold of him asap and to get Central Fire down here to sort it. Central fire has disconnected the sensor, but the fire system has not been reset yet.
- The west toilet attached to the rehearsal space is leaking and Eric has turned off the water, but it needed to go back on for toilet flushing. Also found out that the door no longer locks. I will ask Brendon Martin about that when he comes (hopefully) to do studio 2 wall on Thursday 12 June. Door is locking now. Leak not repaired yet.
- Photo exhibition opening Sat 7th had 84 paying visitors. \$840, with \$609 taken on the bar (from drinks restock of \$253) Catering cost was \$450 by the Old General Store which was beautiful & tasty.
- Having some trouble booking movies with Madman - such as for the Wallendbeen red cross fundraiser on sat 13 Sept. Still working on that

Lots of good movies booked into Oct school holidays.

Sunday 4 May	Billy Elliot (CinemaLive)	6	3		\$210.00
Wed 7	Billy Elliot	8	9	4	\$380.00

COOTAMUNDRA-GUNDAGAI REGIONAL COUNCIL

Sun 11	The Amateur (Disney)	0	3	0	0	\$39.00
Wed 14	The Amateur	1	7	0	1	\$106.00
Sun 18	Love of an Icon: The Legend of Crocodile Dundee (Kismet)	2	4	0	0	\$82.00
Wed 21	Loal: TLoFCD	2	6	0	1	\$108.00
Sun 25	Small Things Like These (Roadshow)	2	19	0	2	\$277.00
Total income \$1202						

1.7.3 Reports for Comms and marketing

(Reports moved: Rosie Fowler- Sullivan; seconded: Hannah Northey)

1.8 Business Arising from previous Minutes

- Subcommittee formed to discuss website, style guide, marketing & social media – On Hold
- Subcommittee formed to discuss website, style guide, marketing & social media
- Compliance, Infrastructure and Grants subcommittee met. Next steps:
 - Comprehensive plan from a draftsperson, designer, architect in relation to building repair/maintenance needed before any grants are applied for.

COOTAMUNDRA-GUNDAGAI REGIONAL COUNCIL

- Priority to make centre accessible
- Studio will be for hire.
- Removing the evaporative coolers - \$500 - \$600 each. Possible that the contractor can install a reverse cycle air conditioner and remove the evaporative coolers at the same time.
- Facebook Group for Volunteer Members; Nat Lucy and Rachel to have a meeting to determine best path forward for social media for members
- Community chest: Natalie has presented a revised community chest constitution and distributed to the committee to read and review.
- Future Planning
 - 1 year plan: compliance (sliding doors, bio box, fireproofing, ~~electrical~~, egress, etc. as per report), roller door in kitchen, ~~clean up~~, paint, foyer lighting
- Proposal to hire an architect to begin the grant ball rolling as our volunteer draftsmen have yet to get back to us.
- Items on hold
 - Photos of various layouts for website (Nat) – For 2024
 - Refresh/painting – after building/compliance changes.
 - Signage in car park
 - 2-year plan: ceilings, furniture refresh
 - 3-year plan: secure storage, bar area
 - 4-year plan: Men's shed rebuild
 - 10-year plan: theatre rejig
 - Registered volunteer organisation for pensioners (revisit august meeting 2025)
 - Dance with Miss Em space issues. (awaiting written correspondence from DWME)
 - Centre manager position: still wanting
 - possibly showing movies more times during school holidays or maybe a Saturday evening session, with notice. Julie and Lucy to work on this for next school holidays.

1.9 New/General Business

- Central fire service has reset the fire alarm. The building alarm can now be armed.
- Correspondence from Sydney opera house on donation of lights, they have replied indicating what stock is still available, awaiting a reply on distribution/ pickup of items
- Post office has grant available for improving mental health. Eric to pursue on a potential application.
- Upcoming visual arts workshops run internally by a volunteer. Two events are set one in August and the second in September
- High school students bumping in items for their exhibition 27/06
- The grant money that was funding the Riverina touring network was not renewed meaning the RTN is officially disbanded. Potential of ERA to revive a similar structured network. keeping our channels open.
- Little wing puppet. Looking to book for potential booking in December. Julie has asked the schools/preschools for expressions of interest awaiting on reply before confirming the booking.
- Natalie submitted an application to the council community grant for funds for new trestle tables.
- Building update works are steadily underway.
 - The partition in studio 3 has been completed, Baptist care has been given until the end of June to consolidate their items into their new space freeing up an extra studio for hire.
 - Accepted the quote from squire interiors to affix new outdoor blinds to the exterior of studio 3 to replace the grapevine that has been removed.
 - Receiving an inspection and future quote on sliding doors for the foyer from Craford glass and doors.
 - New concrete for the tin shed theatre entrance is being laid by DJG Concreting for \$9300 which includes the removal of the current concrete to allow for correct fall preventing flooding of the building.
 - Awaiting quotes for installation of new reverse cycle aircons for the dirty arts room and studio 7.
- AGM set up: We have confirmed the AGM for the 17/07/25 at 6:00pm doors open for a 6:30pm start. the meeting has been advertised through our usual channels. Julie is organising the catering, Natalie penning an invite for council and members to attend.

1.10 Date and Time of Next Meeting

COOTAMUNDRA-GUNDAGAI REGIONAL COUNCIL

Thursday 17 July 6:00pm

1.11 Time Meeting Closed

Meeting closed 6:21pm



COOTAMUNDRA-GUNDAGAI REGIONAL COUNCIL

ABN: 46 211 642 339
PO Box 420, Cootamundra NSW 2590
Phone: 1300 459 689
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www.cgrc.nsw.gov.au



8.2.8 MUTTAMA HALL MANAGEMENT S.355 COMMITTEE MEETING MINUTES

DOCUMENT NUMBER	441481
REPORTING OFFICER	Anne Chamberlain, Governance Officer
AUTHORISING OFFICER	Roger Bailey, Interim General Manager
RELEVANCE TO COMMUNITY STRATEGIC PLAN	4. Collaborative and progressive leadership 4.3 Actively engaged and supportive community
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 Manual.
ATTACHMENTS	1. MHMC Minutes - 11 June 2025 Download

RECOMMENDATION

The Minutes of the Muttama Hall Management s.355 Committee Ordinary Meetings held, 11 June 2025, attached to the report, be received and noted.

Introduction

The attached Minutes of the Muttama Hall Management s.355 Committee Ordinary Meetings held, 11 June 2025, attached to the report, are submitted for the information of Council and the community.

Financial

There are no financial implications associated with this report.

OLG 23a Guideline consideration

Report purpose does not conflict with guidelines.



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Minutes

MUTTAMA HALL MANAGEMENT COMMITTEE SECTION 355 COMMITTEE

MUTTAMA HALL

6.30 PM WEDNESDAY, 11TH JUNE 2025.

1 MINUTES

1.1 Attendance and Confirmation of Quorum

Present: President/Chairperson: Robert Flint.

Secretary: Cathy Last

Treasurer: Lien Puddicombe

Councillor:

General Members: Bill Buckley, Anne Last, Hilary Connors, Emily Flint, Trevor Glover, Sarah Ingold, Sam Puddicombe.

Cootamundra-Gundagai Regional Council representatives: Darrell Edwards.

Confirmation of a Quorum: There are 13 Members appointed to this Committee.

Quorum numbers are met **yes**

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

Eliza Butt, Kate Last, Kaede Ingold, Abb McAlister, Darrell Edwards.

1.3 Disclosure of Interest

There were **no** Disclosures of Interest.

1.4 Confirmation of previous meeting Minutes

The minutes of the last **Muttama Hall Management Committee** Section 355 Committee meeting dated **14th May, 2025** are confirmed as true and correct.
Moved by Trevor Glover seconded by Bill Buckley.

Business Arising from previous Minutes:

Correspondence in/out: (as per agenda)

100 Year Celebration

Time Capsule. The closing date for items to be placed in capsule will Friday 27th June. Time capsule will be sealed on Sunday 29th June.

Anne Last to advertise in Cootamundra newspaper or Council newsletter the date when time capsule will close, Emily Flint to advertise in Gundagai paper. Committee to cover cost of advertising.

Cathy Last to collect items for time capsule from Gundagai Council on 27th June.

The time capsule will be sealed on Sunday 29th June 11:00am, followed by a B-B-Q at 12noon.

Donations. The Committee decided that the following organisations be given a donation for the 100 Year celebration:

Lions Club -	\$200.00
Vintage Machinery -	\$200.00
Light Horse	\$200.00
Cadas Kids -	\$200.00
Coolac Hall -	\$50.00

Invoice for straw Robert Flint. Invoice to be drawn up for \$5,000.00.

Coasters for 100 Year celebration dinner. The invoice for coasters has been paid. Thank you, Lien and Sam.

Council Grant. Bill Buckley to be paid for purchase of electric stove. How much money has been spent for this grant?

Action. Available funds to be tabled at the next meeting.

GST:

Action: The Committee to seek advice from Council regarding GST.

1.5 Report from the Treasurer/President/Secretary

\$11,832.00 Moved by Robert Flint seconded by Cathy Last that the Treasurers report be accepted.

Bank Account. There has been a problem with internet banking regarding signatories.

1.6 General Business (List Agenda Items)

Internet: Moved by Trevor Glover and seconded by Anne Last that Wi-Sky be informed that the Committee would like to change the password.

Table replacement.

Moved by Trevor Glover seconded by Sam Puddicombe that Anne Last purchase a new table as a replacement for the lost table. Anne will be reimbursed.

Hand Print Art: Moved by Sarah Ingold seconded by Hilary Connors that the hand print art from the 100 Year celebration be hung in the kitchen.

Model Railway Display. Anne Last received an email from Peter Beyer advising that he has a HO scale layout of the Muttama railway.

Action: Anne Last to ask Peter if he is available to come and display his model railway. The Committee are interested in having a Railway Day next year. Date to be decided.

The Muttama Railway was opened on 1st June 1886.

Community War Memorial Fund.

Applications for 2025/2026 Grant closes on 25th June, 2025.

Conservation work such as natural oil-based solution on the dry cypress walls to prevent cracking, reseal the hardwood floor and apply a sealant to the kitchen walls.

Action: It was decided that there isn't enough time to complete the application as well as have Council's approval also the necessary documents to accompany the application.

Maintenance:

Trees. The trees near the kitchen need to be trimmed to prevent leaves blocking the gutters. New tank needs to connected. Robert Flint advised that Shaun Flint has cleaned out the gutters near the kitchen.

Repairs to lights and replacements.

Moved by Trevor Glover and seconded by Robert Flint that Bill Buckley be thanked for all the work he and John did at no cost to the committee prior to the 100 Year dinner. John Scrivener will be given a gift in appreciation of his work at the hall.

1.9 Meeting Wednesday 16th July, 6:30pm.

1.10 Time Meeting Closed 8:15 pm.

CHAIRPERSON'S REPORT

Good evening all thank you for attending this meeting.

Over the last 12months we have seen an increase in the number of members on the committee which is great to see especially the number of younger members in the community becoming involved.

A number of big improvements have been made to the Hall in the past 12months.

Construction of a new kitchen including lining of the kitchen area.

Construction of paths from the kitchen door to the toilets, path from the front door to side door.

New water tank and refrigerator.

New vacuum cleaner.

Grants from Community War Memorials Funds. Grant application for \$10,000.00 was successful.

Work is being carried out at present - sealing of the kitchen ovens, repairs to chimneys, repairs to back wall.

Grant from Cootamundra Gundagai Regional Council – Annual Community Donations.

The Muttama Hall Committee was successful in obtaining a grant from Council for \$1,175.00

This grant is to be used to purchase various items for the kitchen, within 12 months.

Fund raising event – Movie Night - \$1,300.00 was raised.

A very successful B-B-Q and Movie Night was held on Saturday 13th April with approximately 73 people in attendance. Not only a successful fund raiser but a coming together of the Muttama Community.

100 Year Celebration 17th & 18th May, 2025

It was decided to have a Dinner on Saturday 17th May and Fun Day 18th May.

A lot preparation is needed for this event to be a success.

Thank you to the Cootamundra Gundagai Regional Council especially Darrell Edwards and Andrew Brock for their many hours they both spent above and beyond their duties to help advise the Hall Committee on what repairs were needed to bring the building to a heritage status level.

Thank you, Trevor Glover, for being Council reprehensive on the Hall Committee.

Thank you to **all** members of the Committee for their time and effort they have put into making the past year very successful.

Robert Flint
Chairperson
Muttama Hall Management Committee

8.2.9 COOTAMUNDRA SHOWGROUND USERS S.355 COMMITTEE MEETING MINUTES

DOCUMENT NUMBER	441991
REPORTING OFFICER	Anne Chamberlain, Governance Officer
AUTHORISING OFFICER	Roger Bailey, Interim General Manager
RELEVANCE TO COMMUNITY STRATEGIC PLAN	4. Collaborative and progressive leadership 4.4 Recognised as a premier local government Council that represents and advocates for community needs
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 s.355 Committee Management Manual.
ATTACHMENTS	1. CSUG Minutes - 18 June 2025 ↓

RECOMMENDATION

The Minutes of the Cootamundra Showground User s.355 Committee Meeting held on 18 June 2025 attached to the report, be received and noted.

Discussion

The attached Minutes of the CSUC Group s.355 Committee Meeting held on 18 June 2025 are submitted for the information of Council and the community.

Financial

There are no financial implications associated with this report.

OLG 23a Guideline consideration

The report purpose does not conflict with guidelines.



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MINUTES

COOTAMUNDRA SHOWGROUD USERS SECTION 355 COMMITTEE

ALBY SCHULTZ MEETING ROOM
5.00PM, WEDNESDAY 18 JUNE 2025

1 AGENDA ITEMS

Sign On in the Attendance Register

Meeting Open 5.05pm

Meeting open

1.1 Attendance and Confirmation of Quorum

Attendance: Chairperson: Darren Absolon

Nominated Members - Bec Medhurst, Jeff Price, Trish Taylor, Rod Jones,

Other Attendance: Steven Lowe, Olwen Smith, David Manwaring

Confirmation of a Quorum:

There are [5] Members appointed to this Committee.

Quorum numbers are met [yes/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. See Section 355 Committee Manual to identify if quorum numbers are met.

1.2 Apologies

Gil Kelly, Wayne Eschbank

Matters with Council

Darren Absolon asked that any matters that needed to be discussed with Steven Lowe be discussed now so that Steve could leave the meeting as soon as possible as he kindly attends the meetings in his own time.

Steve brought to the meetings attention that an invoice for \$941 from Ben Tregear Electrical had been received by council. This invoice relates to work undertaken by Ben Tregear for the Caretakers Office at the showground. This invoice should have gone to the CSUG.

It was discussed that any monies been spent at the grounds should be getting approved by the committee prior to been completed and Steve Lowe should be advised of works being done prior to the event.

Motion:

That all purchases over \$100 be approved by the committee prior to been spent. This can be done via email, text message, in person or at a CSUG meeting. Purchases between \$100 - \$500 no quote required. Amounts over \$500 are required to follow the CGRC procurement process regarding number of quotes required. The main user group delegate from each group to be contacted for agreeance for purchases.

Moved Jeff Price Second Olwen Smith CARRIED

Steve Reminded the committee that as a section 355 committee we are an extension to council and are therefore required to follow all the same processes as council. Refer to the Section 355 committee manual as previously distributed.

Camping Area

Some confusion between council and the User Group when the grounds were open to campers after the June long weekend. We need to ensure that council is kept up to date with this as they still field a lot of enquiries regarding campers.

Depending on size of livestock event been held the campers are to be moved to the berthong st (pavilion) side of the grounds and utilise the facilities on that side of the grounds.

As approved at a previous meeting. A mobile phone to be purchased for the caretaker with a pre paid sim. This phone will be the contact number for the showground camping enquiries and can be passed over to anyone undertaking the caretaking role if the caretaker is away. The caretaker can set the hours that the phone is answered each day. Bec will arrange this purchase.

A sign will be made up with an arrow that can be switched around to change the direction of the camping area. This will allow camping to take place even when an event is on the livestock side of the arena.

Motion:

A large sign be designed and erected relating to camping areas at the grounds with a changeable arrow for directing campers. The cost of up to \$100 is approved for this

Moved: Trish Taylor Second: Rod Jones CARRIED

Rod and Dave to liaise and arrange this signage.

Financial Requirements

Steve to provide a guide/template for the requirements of financial reporting to CGRC.

1.3 Disclosure of Interests

Identify if there are any Conflict of interests that need to be disclosed in the Minutes.

1.4 Confirmation of previous meeting Minutes

The minutes of the Showground Users Group Section 355 Committee ordinary meeting date 23 April 2025.

The minutes are accepted as circulated..

Moved: Rod Jones Second: Trish Taylor CARRIED

Business arising from previous Minutes-Action List

Item/Discussion	Action	Status
Ned Stieger – Led Lights	Still to be completed New Funding hopefully available later this year	Steven to follow up
Tree/Hedge Plantings Cnr Berthong & Pinkerton Rd to assist with noise suppression from Luncheon Pavilion	Steve to arrange with parks & gardens	Ongoing
Measuring bay	-Slab requires council engineers to certify levelness and provide a letter to this.	-To be completed -
Top Dressing Main Arena	Council have delivered several loads of top dressing. Darren to meet with Wayne onsite to decide on the area to work on first	TO BE COMPLETED
Luncheon Pavilion	Quotes still being sourced by Darren & Bec. Steve advised that we have until 30/6/2026 for work to be completed. Works will need to be undertaken around booked events. Electricity requires upgrading for air conditioning	Ongoing
Drain pinkerton Rd end of main arena	has started to collapse. Causing a sink hole.	Ongoing
RDA Paddock weed spraying	Still on councils to do list	Ongoing
Pony Club	Chase up other master key Caretaker took tyres and other items not removed to their new grounds	No key forthcoming. Accepted as lost
Council Contact	Reminder that Chairman and Secretary are points of contact for council. Anything related to CSUG and Cootamundra Showgrounds to go through committee NOT direct to council.	NOTED
Wallendbeen Oval Old Fencing	For fencing around Caretakers Office	To Be Completed
Neighbours Fence Screening	Additional stays and support to be added	To be completed

Moved: Trish Taylor Second: Jeff Price

Steve Lowe left the meeting

1.5 Correspondence in/out:

- **Incoming correspondence:**

Emails from Jeff Price:

Quotes for connection of air conditioning in Caretakers Office.

Brent Louttit electrical \$729.98 plus 2 circuits – total \$1000

Todd Basham electrical \$1815

Motion:

Brent Louttit be contacted to proceed with the connection of air conditioning and increased circuits to the amount of \$1000.

Moved: Rod Jones Second: Jeff Price CARRIED

Jeff Price to contact and arrange works.

Booking requests:

NSW Yard Dogs 15/6/25 \$100

Harrington Circus 11 – 18/8/25 \$1000

Scandalous Cabaret 15 – 29/9/25 \$1400

All bookings approved

Outgoing Correspondence

Replies to bookings

Moved: Trish Taylor Second: Rod Jones

1.6 Report from the Treasurer/Chairperson/Secretary:

Treasurer not present at meeting.

Refund of bond to kennel club for May 2025 booking

\$600 bond less \$95 for a book of toilet rolls. Total to be refunded \$505

Ben Tregear Invoice for electrical works at Caretakers Office \$941

Motion:

Bond be returned to Kennel Club for \$505. Ben Tregear Invoice be paid \$941

Moved: Bec Medhurst Second: Trish Taylor CARRIED

1.7 General Business:

Showground Booking

CDMRS Rally – User Group Booking – 18/4/26

Covered Arena Lights

The main set of lights in the covered arena are tripping the circuit when turned on. The 2 separate lights at the other end are working ok.

Jeff Price to arrange for Brent Louttit to have a look when undertaking work in caretakers building and advise a course of action and costing. Brent to also provide a quote for connection of air conditioning in luncheon pavilion as well as increasing capacity to the same building.

1.8 Date and Time of Next Meeting

The next meeting is scheduled for **Wednesday 20 August 2025 5pm** Alby Schultz Meeting Centre.

Time Meeting Closed 5.55pm

This is a true and correct copy of the minutes.

Chairperson

Current Showground Bookings

NSW Yard Dogs 15/6/25

Harrington Circus 11 – 18/8/25

Swap Meet – User Group Booking 30/8 – 8/9/25

Scandalous Cabaret 15 – 29/9/25

Cootamundra Annual Show - User Group Booking 11/10 – 20/10/25

Cootamundra Summer Horse Show – User Group Booking 6 – 8/2/26

CDMRS Rally – User Group Booking – 18/4/26

Cootamundra Winter Horse Show – User Group Booking 4 – 9/6/26

8.3 FINANCE

8.3.1 FINANCE UPDATE - JUNE 2025

DOCUMENT NUMBER	441809
REPORTING OFFICER	Damian Smith, Accountant
AUTHORISING OFFICER	Roger Bailey, Interim General Manager
RELEVANCE TO COMMUNITY STRATEGIC PLAN	<p>4. Collaborative and progressive leadership</p> <p>4.1 A clear strategic direction that is delivered upon</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 Finance Update report, be received and noted.

Report

The June Finance Update has been reviewed, and no issues have been detected.

Operations

Income

The operational income is at 102% when comparing actual to budget, with the annual rates already being recognised as income but becoming due and payable quarterly throughout the year.

Department	Income Actual	Income Budget	Variance	Result	Comment
Building Department	\$699,570	\$647,616	108%	😊	
Business Department	\$82,821	\$90,000	92%	😊	
Engineering Cootamundra	\$6,064,592	\$4,628,989	131%	😊	
Engineering Gundagai	\$138,811	\$237,500	58%	😊	
Plant Hire - Cootamundra	\$1,821,846	\$2,013,500	90%	😊	
Plant Hire - Gundagai	\$1,796,511	\$1,985,500	90%	😊	
Executive Department	\$134,978	\$223,600	60%	😊	
Finance Department	\$9,409,860	\$11,171,383	84%	😊	
Rates Cootamundra	\$6,801,789	\$7,028,139	97%	😊	
Rates Gundagai	\$4,407,916	\$4,532,162	97%	😊	
Services Cootamundra	\$3,888,726	\$3,633,750	107%	😊	
Services Gundagai	\$1,485,452	\$1,610,000	92%	😊	
Sewer Cootamundra	\$3,316,179	\$2,910,807	114%	😊	
Sewer Gundagai	\$835,151	\$768,442	109%	😊	

Department	Income Actual	Income Budget	Variance	Result	Comment
Water Cootamundra	\$4,176,925	\$3,267,356	128%	😊	
Water Gundagai	\$2,087,957	\$1,629,444	128%	😊	
Total	\$47,149,083	\$46,378,188	102%	😊	

Expenditure

Operational Expenditure is at 93% when comparing actual to budget.

Department	Expense Actual	Expense Budget	% Spent	Result	Comment
Building Department	\$1,652,439	\$1,763,671	94%	😊	
Business Department	\$3,425,805	\$3,499,004	98%	😊	
Engineering Cootamundra	\$12,026,293	\$9,576,544	126%	😢	
Engineering Gundagai	\$6,494,664	\$5,210,819	125%	😢	
Executive Department	\$2,123,123	\$2,348,537	90%	😊	
Finance Department	\$14,787,582	\$20,447,706	72%	😊	
Services Cootamundra	\$5,731,803	\$5,744,946	100%	😊	
Services Gundagai	\$2,709,175	\$2,608,305	104%	😊	
Sewer Cootamundra	\$819,789	\$1,581,693	52%	😐	
Sewer Gundagai	\$600,925	\$784,319	77%	😊	
Water Cootamundra	\$2,656,813	\$2,812,625	94%	😊	
Water Gundagai	\$711,294	\$1,210,655	59%	😐	
Total	\$53,739,705	\$57,588,824	93%	😊	

Capital

Income

Capital income is at 23% of budget when comparing actual to budget.

Asset Category	Total YTD.	Budget	%Received	Result	Comments
Plant & Equipment - Cootamundra	253,042.40	\$473,550	53%	😐	
Plant & Equipment - Gundagai	207,474.14	\$498,950	42%	😐	
Property Disposal – Cootamundra	\$0	\$1,000,000	0%	😢	
Property Disposal – Gundagai	\$0	\$0	0%	😊	
TOTAL	\$460,517	\$1,972,500	23%	😊	

Expenditure

Capital expenditure is at 61% of budget when comparing actual to budget.

Asset Category	Total YTD	Budget	% Spent	Result	Comments
Cootamundra Land	-\$83,497.29	\$301,785	-28%	😊	Reimbursement received from insurance for the Oliver Selwyn purchase. Part of the original expenditure was incurred in the prior financial year.
Cootamundra Plant	\$1,916,407.01	\$2,142,264	89%	😊	
Cootamundra Roads	\$2,726,990.78	\$3,697,854	74%	😊	Works schedule to be completed by EOFY
Cootamundra Building	\$84,383.63	\$1,059,556	8%	😊	
Cootamundra Recreation	\$656,976.23	\$594,117	111%	😊	
Cootamundra Waste	\$207,928.32	\$242,000	86%	😊	
Cootamundra Bridges	\$1,487,396.70	\$0	0%	😊	
Cootamundra Water	\$747,730.26	\$1,036,527	72%	😊	
Cootamundra Sewer	\$767,912.64	\$3,070,300	25%	😊	
Gundagai Building	\$705,583.51	\$931,858	76%	😐	
Gundagai Recreation	\$564,167.64	\$1,071,273	53%	😐	
Gundagai Waste	\$0.00	\$720,000	0%	😊	
Gundagai Bridges	\$0.00	\$1,480,757	0%	😊	
Gundagai Plant	\$1,196,113.50	\$1,300,000	92%	😊	
Gundagai Roads	\$2,303,781.61	\$2,815,746	82%	😊	
Gundagai Water	\$1,387,251.62	\$3,241,336	43%	😐	
Gundagai Sewer	\$185,517.98	\$633,000	29%	😐	
IT	\$28,250.00	\$50,000	57%	😊	
Total	\$14,882,894	\$24,388,373	61%	😊	

Financial

There are no financial implications associated with this report.

OLG 23a Guideline consideration

Report purpose does not conflict with guidelines.

8.3.2 INVESTMENT REPORT - JUNE 2025

DOCUMENT NUMBER	441822
REPORTING OFFICER	Damian Smith, Accountant
AUTHORISING OFFICER	Roger Bailey, Interim General Manager
RELEVANCE TO COMMUNITY STRATEGIC PLAN	4. Collaborative and progressive leadership 4.1 A clear strategic direction that is delivered upon
FINANCIAL IMPLICATIONS	Council's cash and investment portfolio increased \$1,795,662.35 from \$29,465,914.09 as at 31st May 2025 to \$31,261,576.44 as at 30th June 2025.
LEGISLATIVE IMPLICATIONS	Council investments comply fully with Section 625 of the Local Government Act 1993, Clause 212 of the Local Government (General) Regulation 2021.
POLICY IMPLICATIONS	Investments comply fully with the Council's Investment Policy.
ATTACHMENTS	Nil

RECOMMENDATION

The report detailing Council Cash and Investments as at 30th June 2025, be received and noted.

Introduction

A report on Council's Investments is required to be presented for Council's consideration in accordance with Clause 212 of the Local Government (General) Regulation 2021.

Financial

Council's cash and investment portfolio increased \$1,795,662.35 from \$29,465,914.09 as at 31st May 2025 to \$31,261,576.44 as at 30th June 2025.

OLG 23a Guideline consideration

Report purpose does not conflict with guidelines.

Cash and Investment Portfolio

Type	Long Rating	Short Rating	Issuer	Frequency	Purchase	Maturity	Days	Rate	Benchmark*	Principal
TD	BBB+	A2	AMP	At Maturity	15-01-25	15-07-25	181	5.10	4.05	\$4,000,000.00
TD	BBB	A2	JUDO	At Maturity	04-02-25	05-08-25	182	4.85	4.05	\$3,000,000.00
TD	AA-	A1+	NAB	At Maturity	19-03-25	19-08-25	153	4.75	4.05	\$1,000,000.00
TD	AA-	A1+	NAB	At Maturity	09-04-25	09-09-25	153	4.60	4.05	\$2,000,000.00
TD	BBB+	A2	AMP	At Maturity	17-12-24	16-09-25	273	5.10	4.05	\$3,000,000.00
TD	BBB	A2	JUDO	At Maturity	19-03-25	16-09-25	181	4.80	4.05	\$1,000,000.00
TD	BBB	A2	MyState	At Maturity	09-04-25	07-10-25	181	4.80	4.05	\$4,000,000.00
TD	A-	A2	Rabobank	At Maturity	20-05-25	18-11-25	182	4.47	4.05	\$3,000,000.00
TD	A-	A2	Rabobank	At Maturity	04-06-25	03-12-25	182	4.34	4.05	\$3,000,000.00
CASH	AA-	A1+	CBA	Monthly				3.40	3.85	\$1,022,888.48
CASH	AA-	A1+	CBA	Monthly				3.35	3.85	\$6,213,566.71
CASH	AA-	A1+	NAB	Monthly				3.10	3.85	\$25,121.25
Total										\$31,261,576.44

Performance

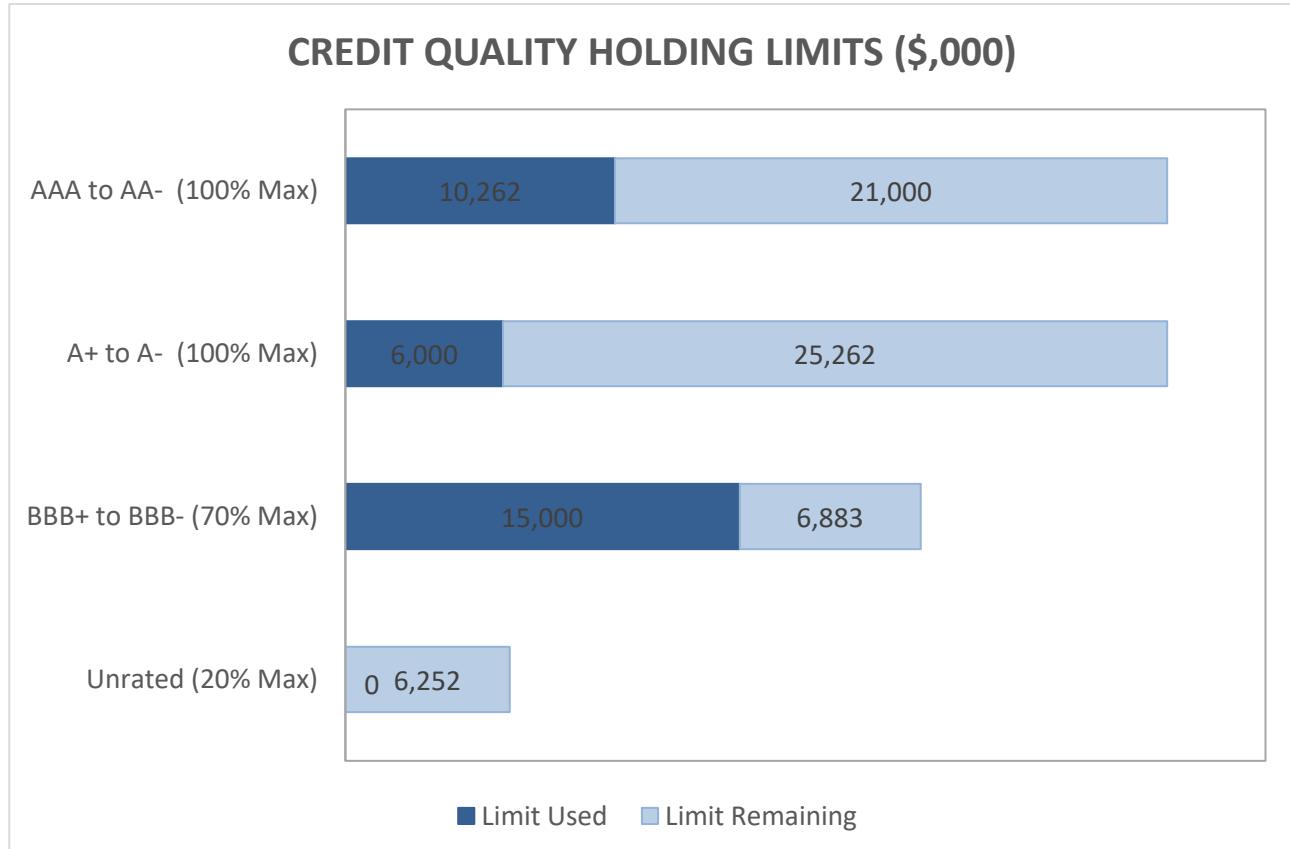
Cootamundra-Gundagai Regional Council's investment portfolio outperformed the relevant BBSW Index benchmark by 11.11%. The average weighted yield for June was 4.45%, over an average weighted term of 90 days, with a benchmark of 4.00%.

Please note that Council have tried to invest in longer term investments, but the rate is far below the required benchmark and it isn't a financially viable alternative.

Total Cost \$31,261,576	Monthly Interest Received \$112,120	Weighted Average Term 90 Days
Total Value \$31,261,576	Yearly Interest Received \$1,475,183	Weighted Average Yield 4.45%

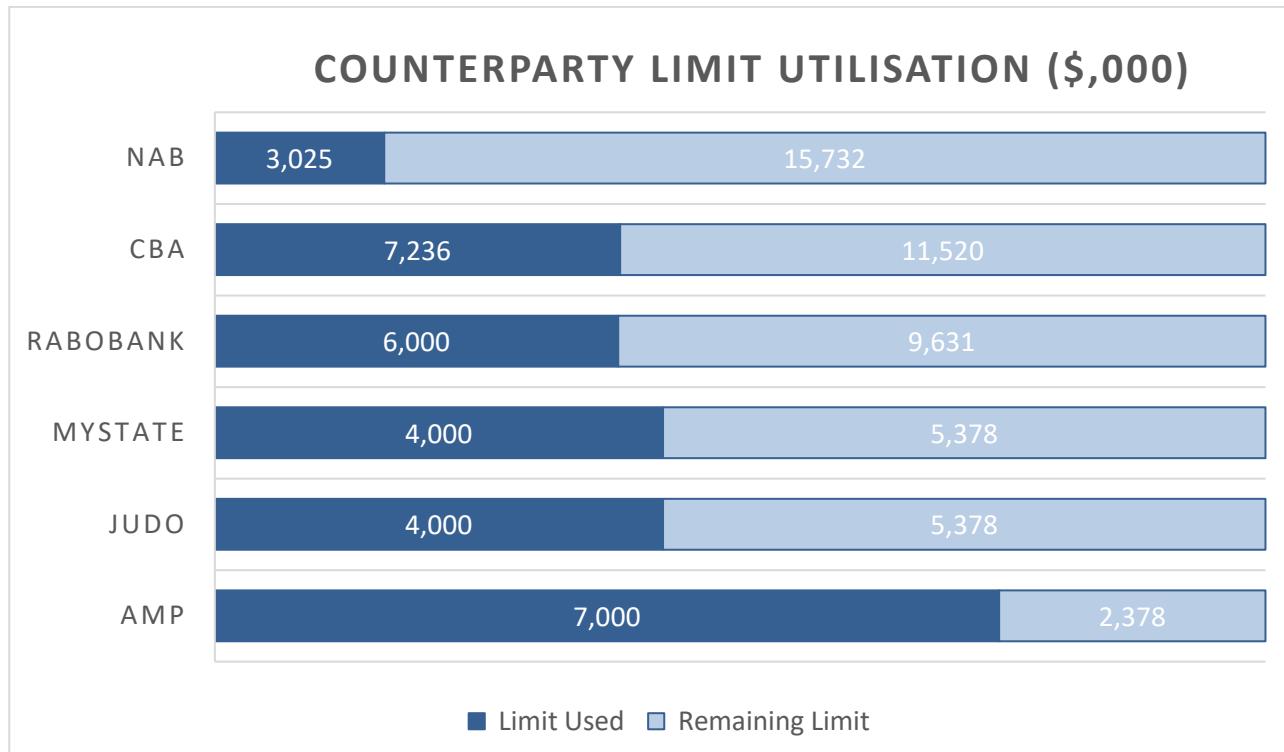
Credit Quality Compliance

Council's investment portfolio was compliant with policy in terms of S&P long term rating credit quality limits, as displayed below.



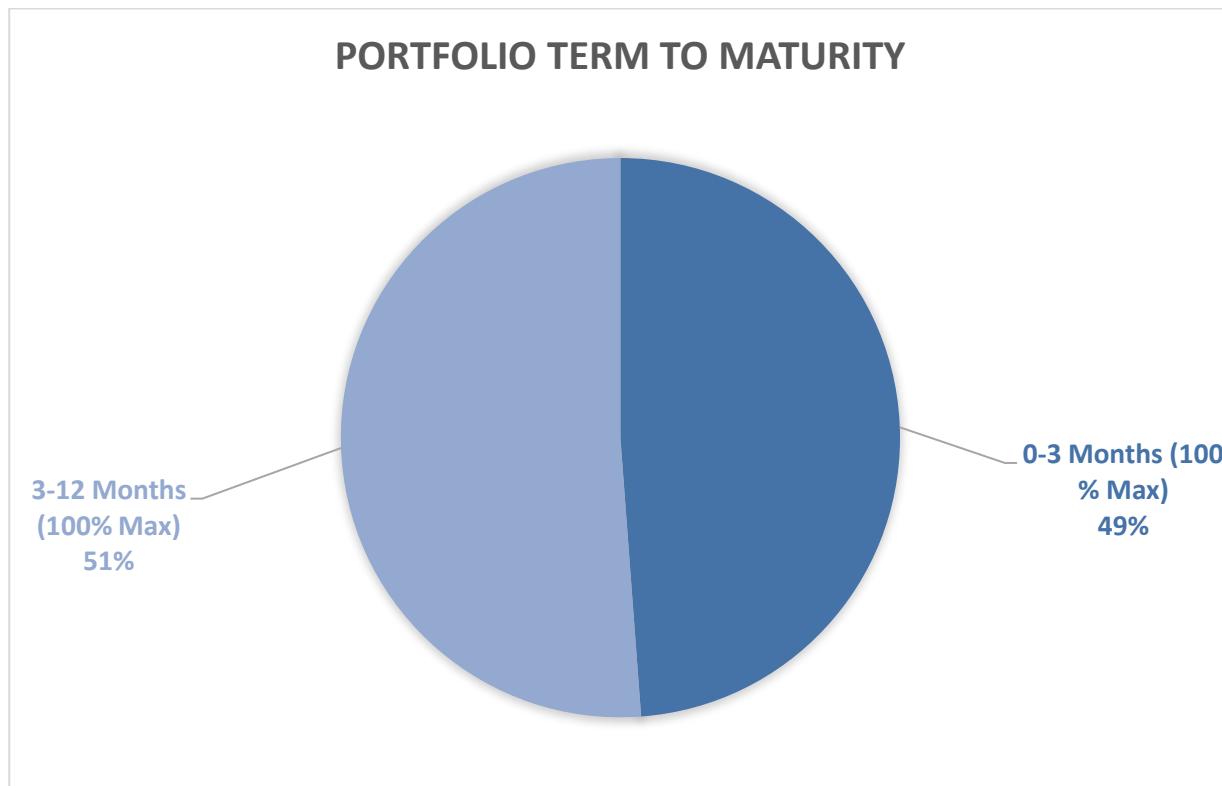
Counter Party Compliance

As at the end of February, Council was compliant with policy. It is worth noting that capacity limits are affected by changes in the on-call account balance compared to the total portfolio balance.



Term to Maturity

Council's investment portfolio maturities shown graphically below were also compliant with policy requirements. All of the investments are short term to deal with liquidity and to be prepared for the demerger split.



Declaration

I hereby certify that investments listed in the report have been made in accordance with Section 625 of the Local Government Act 1993, Clause 212 of the Local Government (General) Regulation 2021 and Council's Investment Policy.

Signed

Damian Smith
Responsible Accounting Officer

8.4 SUSTAINABLE DEVELOPMENT

8.4.1 DA 2025/61 - 10 MINKARA AVENUE COOTAMUNDRA

DOCUMENT NUMBER	441946
REPORTING OFFICER	Luke Izzard, Building Surveyor
AUTHORISING OFFICER	Roger Bailey, Interim General Manager
RELEVANCE TO COMMUNITY STRATEGIC PLAN	<p>2. A region for the future</p> <p>2.2 A thriving region that attracts people to live, work and visit</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	<ol style="list-style-type: none"> 1. Development Assessment Report Download 2. Plans Download 3. Draft Notice of Determination Download

RECOMMENDATION

That Council resolve to approve DA 2025/61 for the demolition of existing shed and erection of a new shed ancillary to existing dwelling, subject to the conditions of consent detailed in the accompanying Draft Notice of Determination and authorise minor amendments to correct any errors prior to issuing the final notice.

Introduction

The proposed development involves the proposed erection of a shed, ancillary to an existing dwelling house at 10 Minkara Avenue, Cootamundra. The proposal seeks to vary the primary and secondary setback requirements of the Cootamundra Development Control Plan. As the extent of the variation exceeds staff delegations, the application is referred to Council for determination.

Discussion

Summary of variation

The DCP requires a minimum setback for garages, sheds and carports is 1m behind both the primary and secondary frontages of the dwelling. The dwelling is located on the corner of Minkara Avenue and Allumba Place, the primary frontage being to Minkara Avenue.

The application seeks to erect a 10m x 4m shed in line with the primary building frontage to Minkara Avenue and wholly in front of the secondary building line to Allumba Place. Proposed setback from the property boundary on the secondary frontage is 500mm.

Summary of Staff Assessment and Recommendation

In considering the request for variation, assessing officers are satisfied that the proposed shed would not result in any significant adverse impact on the existing streetscape or surrounding area, noting the following:

- No vehicle access to the shed is proposed from Minkara Avenue, with the roller door located at the end of the shed facing into the rear yard.

- Existing 1.8m high Colorbond fencing aligned with the dwelling on Minkara Avenue and along the Allumba Place boundary, combined with established vegetation within the road reserve, would largely obscure the shed from public view.
- The application seeks to replace an existing unapproved shed (approximately 7m x 4m) in the same location. This existing shed is not highly visible from the street, and while the replacement shed would be longer, it is not anticipated to result in a significant change to the streetscape.
- The increased length of the proposed shed would only be visible from Allumba Place, a short cul-de-sac containing eight other dwellings, which significantly reduces the extent of public visibility.
- Potential impacts on traffic visibility and safety have been considered and are not anticipated to result in adverse impacts.

The development assessment concludes that the proposal, including the setback variation for the shed, is appropriate in the context of the surrounding area. However, it is acknowledged that reliance on vegetation for screening to reduce visual impact is not good practice, as this vegetation may be removed or modified in the future. In this regard, while the current screening assists in reducing visual impacts, the visibility of the proposed shed may alter over time.

The site presents practical constraints that limit the ability to fully comply with the DCP provisions. The existing dwelling has only a single-car attached garage, which restricts storage options for a modern household. Additionally, a 3-metre-wide sewer easement along the rear boundary further limits opportunities to position the shed further back on the lot in a manner that would comply with the DCP setback requirements. Altering the design to achieve full compliance with the DCP while achievable would result in a significant reduction in the property's private open space and would reduce occupant amenity.

Financial

There are no financial impacts to this development.

OLG 23a Guideline consideration

There are no impacts or considerations in regard to the 23a Guidelines.

DEVELOPMENT ASSESSMENT REPORT

Pursuant to the Environmental Planning & Assessment Act 1979
Section 4.15 (as amended)


DATE OF REPORT COMMENCEMENT:

11 June 2025

COUNCIL OFFICER COMPLETING DEVELOPMENT ASSESSMENT:

Luke Izzard

DEVELOPMENT REFERENCE:

DA 2025/61

DEVELOPMENT ADDRESS:

10 Minkara Avenue COOTAMUNDRA

DEVELOPMENT LOT / SEC / PLAN:

Lot: 57 DP: 707561

OWNER(S):

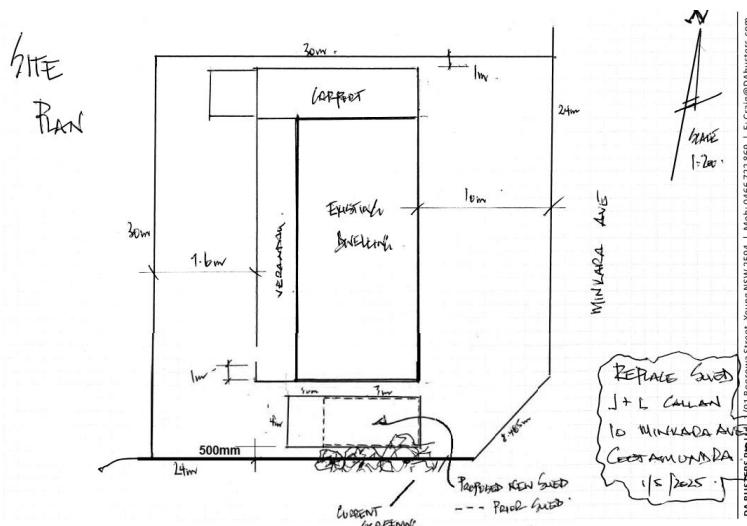
James David Callan & Lynette Callan
10 Minkara Avenue
Cootamundra NSW 2590

APPLICANT:

Alec Sutherland
9 Chamen Street
Cootamundra NSW 2590

PROPOSED DEVELOPMENT:

Proposed new Shed, ancillary to the use of the existing dwelling house.



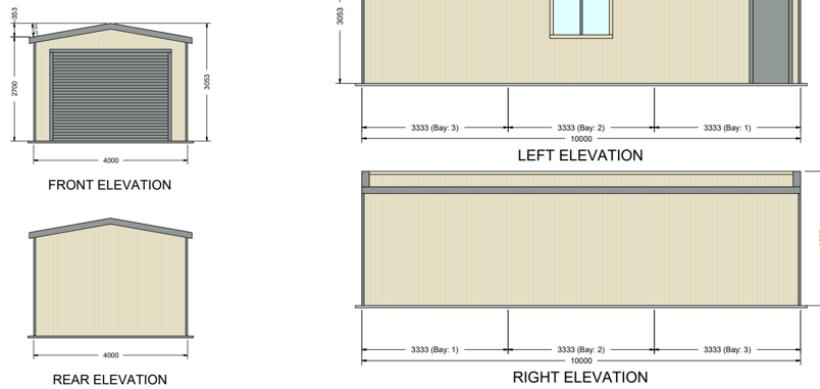
Above: site plan of the proposed shed- roller door to inside of yard

DEVELOPMENT ASSESSMENT REPORT

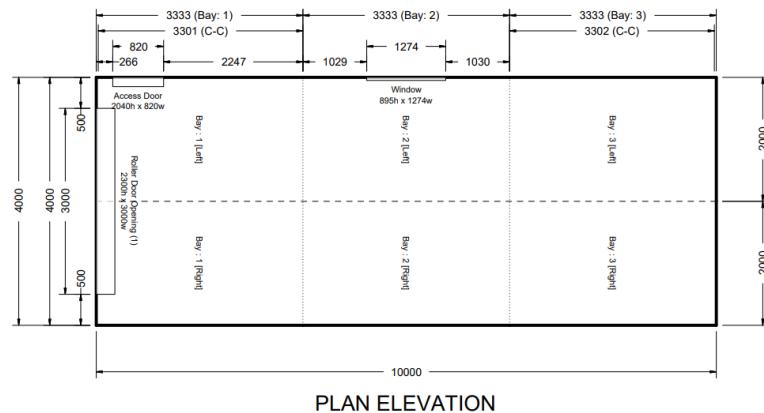
Pursuant to the Environmental Planning & Assessment Act 1979
Section 4.15 (as amended)



COOTAMUNDRA-
GUNDAGAI
REGIONAL COUNCIL



Above: elevations. (front elevation roller door towards inside yard)



Above: floorplan

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SITE:

The site is located approximately 1.4 km north west of the Cootamundra CBD, the lot is a corner lot with secondary frontage to Allumba place, the lot 881m² in size and largely flat. Existing on the site is a brick dwelling with multiple associated structures.



Figure 1- Deposited Plan Extract – 3m sewer easement shown at the rear



Figure 2 - 10 Minkara avenue, circa 2008 (Source: Intramaps)

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Pursuant to the Environmental Planning & Assessment Act 1979
Section 4.15 (as amended)



Figure 3 - 10 Minkara Avenue, Nov 2023 (Source: e-planning spatial viewer)

GENERAL REQUIREMENTS OF THE ENVIRONMENTAL PLANNING & ASSESSMENT ACT 1979:

1.7 Application of Part 7 of *Biodiversity Conservation Act 2016* and Part 7A of *Fisheries Management Act 1994*

The development is not a key threatening process under either Act, and the site contains no known threatened species or EECs, has not been declared critical habitat or an area of outstanding biodiversity value, and is not mapped on the Biodiversity Values Map. It is not considered that the development is likely to significantly affect threatened species, populations or ecological communities, as it does not impact on any flora, fauna or their habitat, including terrestrial biodiversity and river systems.

DEVELOPMENT ASSESSMENT REPORT

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2.22 Mandatory community participation requirements

As per this section and Schedule 1, of the Act, the development was notified in accordance with the CGRC Community Participation Plan (CPP), for a period of fourteen (14) days.

Notified from 05/06/2025 until 20/06/2025.

No submissions were received.

4.5 Designation of consent authority

The development is not state significant or regionally significant, and therefore Council is the determining authority.

4.10 Designated development

Schedule 3 of the EP&A Regulation defines the various types of designated development, but the application does not meet any of the criteria and therefore is not designated.

4.13 Consultation and concurrence

No consultation was required with Essential Energy, RMS, NRAR, APA, etc.

4.14 Consultation and development consent—certain bush fire prone land

The land is not bushfire prone and therefore consideration of *Planning for Bush Fire Protection*, is not required.

4.22 Concept development applications

The development is not a concept development (development undertaken in stages).

4.33 Determination of Crown development applications

The development is not a Crown development.

4.36 Development that is State significant development

The development is not State significant development (of a size, type, value or with impacts deemed to be significant).

4.46 Integrated development

The development is not integrated development (requires consent or an approval from another government agency).

4.55 Modification of consents - generally

Not applicable

SECTION 4.15 CONSIDERATIONS UNDER THE ENVIRONMENTAL PLANNING & ASSESSMENT ACT 1979:

4.15(1)(a)(i) The provisions of any environmental planning instrument:

State Environmental Planning Policies (SEPPs) and deemed SEPP's

DEVELOPMENT ASSESSMENT REPORT

Pursuant to the Environmental Planning & Assessment Act 1979
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The following SEPPs are relevant to the development.

SEPP (Resilience and Hazards) 2021

Chapter 4 – Remediation of land

Council must not consent to the carrying out of any development on land, unless it has considered whether the land is contaminated, and if contaminated whether it is suitable for the intended use or requires remediation.

The land is not identified by council as potentially contaminated land, nor is there any known historical landuse likely to have resulted in contamination. Given this, no further investigation is required.

SEPP (Transport and Infrastructure) 2021

Chapter 2 - Infrastructure

- *Section 2.48 (Determination of development applications—other development)* requires referral to the electricity supply authority, for development comprising:
 - penetration of ground within 2m of an underground electricity power line or an electricity distribution pole or within 10m of any part of an electricity tower,
 - development within or immediately adjacent to an easement for electricity purposes
 - development immediately adjacent to an electricity substation
 - development within 5m of an exposed overhead electricity power line
 - installation of a swimming pool any part of which is within 30m of a structure supporting an overhead electricity transmission line, measured horizontally from the top of the pool to the bottom of the structure at ground level,
 - installation of a swimming pool any part of which is within 5m of an overhead electricity power line, measured vertically upwards from the top of the pool
 - involving or requiring the placement of power lines underground.

The development does not meet this criterion, so no formal referral to Essential Energy/Transgrid, was required.

- *Section 2.77 (Development adjacent to gas pipeline corridors)* requires referral to the pipeline operator, for development compromising:
 - within the licence area of a pipeline for gas
 - within 20m of the centreline of a pipeline
 - within 20m of land the subject of an easement for a relevant pipeline.

The development does not meet this criterion, so no formal referral to APA Group, was required.

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Section 4.15 (as amended)



- *Division 15, Subdivision 2 Development in or adjacent to rail corridors and interim rail corridors—notification and other requirements*, requires referral to the rail authority, for development compromising:
 - *Section 2.97* - access via a level crossing
 - *Section 2.98* development adjacent a rail corridor that is likely to have an adverse effect on rail safety, places a metal finish on a structure and the corridor is used by electric trains, use of a crane in the air space above the corridor, within 5 m of an exposed overhead power line used for railway purposes and infrastructure,
 - *Section 2.99* – penetration of the ground to a depth of 2 m or greater, within a rail corridor or within 25 metres of a rail corridor

The development does not meet this criterion, so no formal referral to the rail authority, was required.

- *Section 2.100 (Impact of rail noise or vibration on non-rail development)*, requires consideration of the impact of noise and vibration on residential accommodation, a place of public worship, hospital, educational establishment or child care facility, where they are located in or adjacent a rail corridor.

The development is not for this form of development and/or is not located adjacent a rail corridor, and therefore consideration of this clause is not required.

- *Section 2.119 (Development with frontage to classified road)*, the development does not front a classified road and therefore this clause does not apply to this development,
- *Section 2.120 (Impact of road noise or vibration on non-road development)*, does not apply as the AADT volume of the adjacent road is less than 20,000 vehicles, and/or the development is not for residential accommodation, a place of public worship, hospital, educational establishment or child care facility.
- *Section 2.121 (Excavation in or immediately adjacent to corridors)*, does not apply as the development will not result in the penetration of the ground to a depth of 3 m or greater, within or adjacent the Hume Motorway.
- *Section 2.122 and Schedule 3 (Traffic generating development)*, does not apply, as the type/and or scale of the works is not identified in the Schedule.

Local Environmental Plan (LEP)

The applicable LEP is the Cootamundra LEP 2013 (CLEP) and the relevant provisions of the LEP are discussed as follows.

1.2 Aims of Plan

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*Pursuant to the Environmental Planning & Assessment Act 1979
Section 4.15 (as amended)*



The development is not inconsistent the aims of the LEP.

1.4 Definitions

A garage/shed is not a defined land use under the LEP, but is permitted as ancillary to the existing dwelling and use of the property. As a legal dwelling occurs onsite ancillary development is permissible with consent.

1.6 Consent authority

The consent authority for the purposes of this Plan is (subject to the Act) the Council.

1.9A Suspension of covenants, agreements and instruments

None identified. Development is clear of existing sewer easement.

2.1 Land use zones

The site is zoned R1- General Residential, and the proposed development is permitted in the zone with consent.

2.3 Zone objectives

The proposed development is not inconsistent with the objectives of the zone.

2.7 Demolition requires development consent

Approval for demolition of the existing structure is sought under this application.

COOTAMUNDRA CLAUSES

5.10 Heritage conservation

There are no heritage items on-site (identified on either the SHR or in the LEP), and the site is not located in an HCA.

An AHIMS search was provided with the application on the NSW Planning Portal and no items were identified.

5.21 Flood planning

The land is not in the flood planning area.

6.1 Earthworks

Required earthworks will be minimal, the site is largely flat and will require minimal excavations for footings and slab only. No batter or retaining walls have been detailed, nor is it expected that they will be required.

6.3 Terrestrial biodiversity

This clause applies to land that is identified as biodiversity land on the *Terrestrial Biodiversity Map*, but the site is not mapped as being affected, and accordingly this clause is not applicable.

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Section 4.15 (as amended)*



6.4 Groundwater vulnerability

This clause applies to land that is identified as groundwater vulnerable on the *Groundwater Vulnerability Map*, but the site is not mapped as being affected, and accordingly this clause is not applicable.

6.5 Riparian land and watercourses

This clause applies to land that is identified as a watercourse on the *Watercourses Map*, or is within 40 metres of a mapped watercourse, but the site is not mapped as being affected, and accordingly this clause is not applicable.

6.6 Salinity

This clause applies to land identified as dryland salinity on the *Natural Resources Land Map*, but the site is not mapped as being affected, and accordingly this clause is not applicable.

6.7 Highly erodible soils

This clause applies to land identified as high soil erodibility on the *Natural Resources Land Map*, but the site is not mapped as being affected, and accordingly this clause is not applicable.

6.8 Airspace operations

This clause applies to developments that penetrate the Limitation or Operations Surface of the Cootamundra Airport. Works carried out on the site will not project into the Airport airspace.

6.9 Essential Services

This clause only applies to land that is zoned RU4 Primary Production Small Lots, and R5 Large Lot Residential, and therefore does not apply in this instance.

4.15(1)(a)(ii) The provisions of any draft environmental planning instrument:

State Environmental Planning Policies (SEPPs)

There are no draft SEPP's which relate to this development.

Local Environmental Plan (LEP)

There are no draft LEP's which apply to this land.

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4.15(1)(a)(iii) The provisions of any development control plan:

The Cootamundra Development Control Plan 2013 applies to the proposed development. Assessment against the provisions are detailed below.

Chapter 2 of the DCP applies to this application and is assessed within the table below.

Item	Complies Y/N/NA	Comments
2.1 - Building line setbacks		
Primary building line setbacks		
1. Where there are existing neighbouring houses within forty (40) metres of the subject allotment, an average of the front setbacks of the nearest two neighbouring houses, with the same primary road frontage must be maintained.	NA	The proposed works are not for a dwelling and setbacks for outbuildings are based off the building lines of the existing dwelling.
2. Where there are no neighbouring houses (i.e. dwelling houses within 40m) a minimum setback from the primary road frontage will vary from 4.5 metres to 10 metres depending on the table below		
Lot size	Setback	
Lots up to 600m ²	4.5m	
600m up to 900m ²	4.5m	
900m up to 1500m ²	6.5m	
1500m or greater ²	10.0m	
Secondary Building Line Setback		
Dwelling houses on a corner allotment must maintain a setback from the secondary road boundary ranging from 2 to 5 metres depending on the area of the allotment as defined in the table below.	NA	The provisions of this clause relate only to setback of dwellings. No change to the existing dwelling setback is proposed. However, it is noted that the proposed shed is wholly within the secondary setback and only a 500mm setback is proposed off the boundary on the Allumba Place secondary frontage proposed.
Lot Size	Secondary Setback	
Lots up to 600m ²	2m	
600m up to 900m ²	3m	
900m up to 1500m ²	3m	
1500m or greater ²	5m	
Setbacks For Articulation Zones		
Within the front setback of a dwelling house an 'articulation zone' may be incorporated where the dwelling has a primary road setback of at least three (3) metres.	NA	
1. This zone is a notional area projecting 1.5m forward of the front building line within which additional building elements such as entry features and porticos, balconies, decks, verandahs and bay windows may be built.		
2. Up to 25% of the articulation zone, when viewed		

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from above, may include building elements. An awning or other feature over a window and sun shading feature are not included in the maximum area of the articulation zone

Setbacks For Garages, Sheds And Carports

Garages, sheds and carports must be setback at least 1m from the primary or secondary building line.

Does not comply

Variation is sought, see comments below table.

2.2 Site Coverage and Floor Area Limitations

Maximum Site Coverage of ALL Development

The site coverage of the dwelling house and all ancillary development on an allotment must not exceed the maximum percentage or maximum area specified in the table, whichever is the greater (floor area is calculated on the buildings footprint, measured from external walls or posts).

Yes

The lot is 880m²
Maximum allowable coverage (60%) is 528m²

Approximate existing site coverage

Carport: 36m²
House: 187m²
Verandah: 66m²
Garden Shed: 12m²
Total: 301m²

Proposed new works:

Garage: 40m²

Total existing and proposed works: 441m² and complies

Maximum Floor Area for Single Dwelling Houses (excluding allotments within the R3 Zone)

The floor area of a single dwelling house on an allotment must not be more than the following table (floor area is calculated on the buildings footprint, measured from external walls or posts).

NA

The proposed works are not for a dwelling house.

Lot size

Lot size	Area
Less than 450m ²	290m ²
450 to 600m ²	360m ²
601 to 900m ²	420m ²
901 to 1500m ²	470m ²
Greater than 1500m ²	600m ²

Maximum Floor Area for Outbuildings

The floor area of a single outbuilding on an allotment must not be more than the following table (floor area is calculated on building footprint measured from external walls or posts).

Complies

Total area of the proposed garage is compliant at 40m²

Note: Provision for additional open structures is provided, such as verandas and carports to be added to any outbuilding so long as the open structure does not exceed 50% of the total allowable floor area of the sites maximum outbuilding size.

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Lot Size	Area		
Less than 600m ²	50m ²		
601 to 900m²	70m²		
Greater than 900m ²	110m ²		
Minimum Principal Private Open Space Requirements			
Each dwelling house must be provided with an area devoted to 'principal private open space' which is an area that is directly accessible from, and adjacent to, a habitable room, other than a bedroom and is at least 3 metres wide and is not steeper than 1:50 gradient.		Complies	Well over 10% in available rear and front yards
Lot Size	Percentage		
Less than 600m ²	5%		
600 to 900m²	10%		
901 to 1500m ²	20%		
Greater than 1500m ²	30%		
R3 allotments	5%		
2.3 Residential Driveway Safety Requirements			
Does the proposal demonstrate compliance with part 2.3 via either separation or restricted access as per the requirements of the DCP.		NA	Detached garage is proposed and does not need to meet 2.3

Variation requests

Council must consider whether the applicant has suitably demonstrated that the proposed development cannot practically meet the DCP requirement and outline what measures have been employed to enhance the appearance of the proposal and lessen the impacts on the existing streetscape.

Setbacks For Garages, Sheds and Carports

The DCP requires outbuildings to be set back at least 1 metre behind both the primary and secondary building lines. The proposed shed aligns with the primary setback but encroaches 5 metres forward of the secondary building line, and therefore does not comply with the DCP provisions.

A variation of the DCP has been sought in writing with the following justifications supplied:

- The application asserts that the proposal will have minimal impact on the neighbourhood, noting the presence of an existing shed in the same location, albeit with a smaller footprint. Notwithstanding this, Council has no record of any prior approvals for the existing structure.
- Screening and vegetation currently exists along the Allumba Place frontage and is proposed be retained, helping to mitigate any potential adverse impact on amenity that may result from the proposed new garage.
- That the existing shed was in line with the dwelling on the primary Minkara Avenue frontage
- That should the shed be located inline with the DCP requirement that there will be not enough private open space remaining at the rear of the dwelling accessible from living areas as required.

Recommendation

The proposed variation to the DCP is considered acceptable in this instance. While some of the justifications provided may not fully align with the intent of the DCP, particularly those referencing

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existing non-compliant or unauthorised structure or that vegetation screening is an appropriate reason to vary the DCP, however, it is acknowledged that each application must be assessed on its individual merits.

The subject site presents some practical constraints. The existing dwelling includes only a single car attached garage, which may limit storage options for a modern household. Additionally, a 3-metre-wide sewer easement along the rear boundary restricts opportunities to position a shed further to the rear of the lot complying to the DCP.

Engineering has been consulted regarding the appropriateness of the second access to the lot via the existing side gates, the line of site for traffic movements including the intersection of Allumba Place. Comments supplied state that secondary access is acceptable as site lines are appropriate.

Conditions will be applied regarding the need for Section 138 approval for works required for kerb crossover and sealing of the verge.



Figure 4 - Side view of the subject site showing the existing un-approved structure on the side fence- well screened by existing shrubs

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Figure 5 - New crossover to be installed for rear yard access- to be conditioned on the consent from recommendations from CGRC engineering department. Note the sewer manhole to the LH side of picture representing the 3m easement down the rear of the site.



Figure 6 - Front view from Minkara Avenue. Note existing plantings to remain and additional planting have been added which will help shield the development. Existing shed significantly screened.

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4.15(1)(a)(iii) Any planning agreement or draft planning agreement:

The developer has not entered into a planning agreement, nor has offered to enter into a draft planning agreement.

4.15(1)(a)(iv) Matters prescribed by the Regulations:

Council has considered the following matters as prescribed by Regulations:

Section 61 (Additional matters for consideration): -

- discuss if demolition is proposed or not and AS 2601,

The development requires the demolition of an existing small shed. It is not expected that the demolition of the structure will generate substantial waste or negatively impact the amenity unreasonably during demolition. Conditions will be imposed in relation to waste disposal and hours of operation.

- the development is not for the carrying out of development on land that is subject to a subdivision order made under Schedule 7 to the Act,
- the development is not located within the local government area of Coonamble, City of Dubbo, Gilgandra or Warrumbungle (to which the Dark Sky Planning Guideline applies),
- the development does not pertain to a manor house or multi dwelling housing (terraces),
- the development is not land to which the Penrith LEP, Wagga LEP or Moree Plans LEP applies to,

Section 62 (Consideration of fire safety)

- the development is not for a change of building use for an existing building.

Section 63 (Considerations for erection of temporary structures)

- the development is not for a temporary structure.

Section 64 (Consent authority may require upgrade of buildings)

- the development does not involve the rebuilding, enlargement or extension of an existing building.

Section 65 (Special provision relating to Sydney Opera House)

- the development does not relate to the Sydney Opera House.

4.15(1)(b) The likely impacts of that development:

Context and Setting:

The surrounding area is predominantly residential, with dwellings adjoining or nearby in all directions. Most homes in the immediate vicinity are brick veneer constructions with tiled roofs.

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Although the proposed development extends beyond the current secondary building line, much of the structure will be obscured from public view by existing fencing, landscaping, and vegetation. As the property is located on a corner lot, any concession granted for this variation is less likely to set a precedent, given that the structure remains outside the primary building line.

Access, Transport and Traffic:

It is not expected that the proposed new shed will generate additional traffic in the area. However, the secondary access will need to be established. Conditions of consent will be applied requiring S138 approval prior to issuance of a Construction Certificate.

Public Domain:

It is not expected that the development will impact negatively in terms of such things as recreational opportunities, or the amount, location, design, use and management of public spaces.

Utilities:

There are no changes proposed or required in relation to water, sewer, phone, gas or power. No section 64 charges are applicable, and the existing services on-site will be extended to connect to the extension.

Stormwater will be conditioned to be disposed to councils stormwater system.

Heritage:

There is no perceived impact on Aboriginal or European heritage, as a result of the development.

Other Land Resources:

The development will not have any adverse effect on conserving and using valuable land resources such as productive agricultural land, mineral extractive resources or water supply catchments.

Water:

No water supply is proposed to the structure and stormwater will be disposed of in a way that there is no impact on ground/surface waters

Soil:

The development will have no impact on soil conservation in terms of - soil qualities or instability, management of soils, soil erosion and degradation, sedimentation and pollution of water bodies contamination, or acid sulphate soils.

Conditions will be applied in relation to sediment and erosion controls

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Air and Microclimate:

The development will have no effect on air quality and microclimatic conditions in terms of existing air quality or pollution.

Flora and Fauna:

The development does not result in the removal of any significant vegetation and therefore, the development will not have any impact on critical habitats, threatened species or populations, ecological communities or any other protected species, or on native fauna or vegetation. Although hard to enforce- conditions will be imposed to protect existing planting to aid shielding the development.

Waste:

The proposal is for a kit style prefabricated shed, it is expected that there will be minimal building waste during construction and a minimal, if any, increase in future domestic waste.

Energy:

There are no proposed power connections to the development, therefore no increase to power usage is expected or the need for upgrades are required.

Noise and Vibration

Minimal impacts expected during construction, but amenity conditions will be imposed. It is not considered that the finished development will generate offensive noise pollution or vibrations.

Natural Hazards:

There are no known risks to people, property or the biophysical environment from – geologic or soil instability, bushfire or flooding.

Technological hazards

There are no known risks to people, property or the biophysical environment from industrial and technological hazards, land contamination and remediation or building fire risk.

Safety, security and crime prevention

It is not considered that the development will impact on the security and safety of adjoining properties.

Social Impacts in the Locality:

It is not considered that the development will have a negative social impact in terms of the health and safety of the community, social cohesion, community structure, character, values or beliefs, social equity, socio-economic groups or the disadvantaged, and social displacement.

Economic Impact in the Locality:

It is not considered that there will be any negative impact in economic terms.

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Site Design and Internal Design:

The proposed development design is seen to be sensitive to the environmental conditions and site attributes.

Construction Matters:

Construction amenity conditions to be imposed.

Cumulative impacts

Nil adverse cumulative impacts have been identified.

4.15(1)(c) - The suitability of the site for the development:

Does the proposal fit in the locality ?

Although the development does not comply with the setback requirements of the DCP, the existing screening and vegetation, along with the modest size and scale of the proposed garage, ensure it remains appropriate within of the locality and is likely not to set precedent by being within the secondary building line only.

Are the site attributes conducive to development ?

The site is not subject to natural hazards including flooding, bushfire, subsidence, slip or mass movement. The soil characteristics are appropriate for the development, and there are no identified critical habitats, or threatened species, populations, ecological communities or habitats on the site. The development is in an urban area and will not prejudice future agricultural production and there are no known mineral or extractive resources on the site. A major factor in the proposal is the current sewer easement at the rear of the property which restricts the relocation of any structure to behind the dwelling and compliant to the DCP.

4.15(1)(d) - Any submissions made:

Nil submissions received.

4.15(1)(e) - The public interest:

The Riverina Murray Regional Plan 2041 has been developed to plan for future population's needs for housing, jobs, infrastructure and a healthy environment, in the Region. The development is not inconsistent any of the Directions in the Plan.

Staff are not aware of any other policy statements from either Federal or State Government that are relevant to this proposal, nor any planning studies or strategies. There is no management plan that is applicable to a development of this nature, and no codes or guidelines. The issue of easements has been discussed above.

Overall, the proposed garage is considered not contravene the public interest.

DEVELOPMENT ASSESSMENT REPORT

Pursuant to the Environmental Planning & Assessment Act 1979
Section 4.15 (as amended)



OTHER MATTERS:

Section 7.11 and 7.12 Contributions Policies:

Section 7.12(2) of the EPA Act, states that "*a consent authority cannot impose as a condition of the same development consent a condition under this section as well as a condition under section 7.11*". Accordingly, Council can only require payment of either a 7.11 or 7.12 contributions.

Section 7.11 Contributions Plans

There is no section 7.11 plan in force in the former Cootamundra LGA.

Section 7.12 Contributions Plans

The *Cootamundra-Gundagai Regional Council Section 7.12 Fixed Development Consent Levy Contributions Plan 2018*, applies to the land and this development, based on the following costings:

Proposed Cost of the Development	Maximum Percentage of the Levy	Contribution payable
Up to \$100,000	Nil	N/A
\$100,001-\$200,000	0.5 %	N/A
\$200,001 +	1 %	N/A

Section 64 water and sewer contributions policies:

Neither the Goldenfields Water s64 water contributions plan or the Cootamundra s64 sewer contributions plan, applies to this development.

Disclosure of political donations and gifts:

The application and notification process did not result in any disclosure of Political Donations and Gifts.

FINANCIAL IMPACTS:

Nil impacts for Council

POLICY IMPACTS:

Nil

ORGANISATIONAL IMPACT:

Nil

RISK MANAGEMENT IMPACTS:

Nil

LEGAL ISSUES:

Nil

DEVELOPMENT ASSESSMENT REPORT

*Pursuant to the Environmental Planning & Assessment Act 1979
Section 4.15 (as amended)*



CONCLUSION:

Council has considered all matters under the relevant legislation, and it considers that the proposed development is appropriate having regard to those matters, and that any impacts can be managed through appropriate conditions.

RECOMMENDATION:

Determination:

That Council approve the following development, subject to the Draft Notice of Determination attached:

- Application No.: DA 2025/61
- Property: Lot: 57 DP: 707561
10 Minkara Avenue COOTAMUNDRA
- Development: Proposed new Shed

REASONS FOR CONDITIONS:

- To confirm the details of the application as submitted by the applicant and as approved by Council.
- To manage any inconsistencies between the approved plan and documents and conditions of consent.
- To ensure that the demolition is conducted in a manner that maintains acceptable safety, environmental and legislative standards.
- To ensure the amenity of the neighbourhood is maintained during construction.
- To ensure that adequate measures are in place so that damage from sediment run off to adjoining sites and waterways is minimised.
- To ensure that roof water is disposed of without nuisance to neighbours,
- To ensure public safety is maintained.
- To ensure all works are carried out in accordance with the development consent.

SCHEDULE 1, DIVISION 4, CLAUSE 20 - REASONS FOR THE DECISION:

This section of the Act requires the public notification of certain decisions, the date of the decision, the reasons for the decision and how community views were taken into account in making the decision. The reasons for the decision and how community views were taken into account, as it relates to this development application are:

- The development is in keeping with the existing character of the area.
- The impacts of the development are considered low and reduced by the features of the site and corner lot, despite the requested DCP Variation.

DEVELOPMENT ASSESSMENT REPORT

*Pursuant to the Environmental Planning & Assessment Act 1979
Section 4.15 (as amended)*

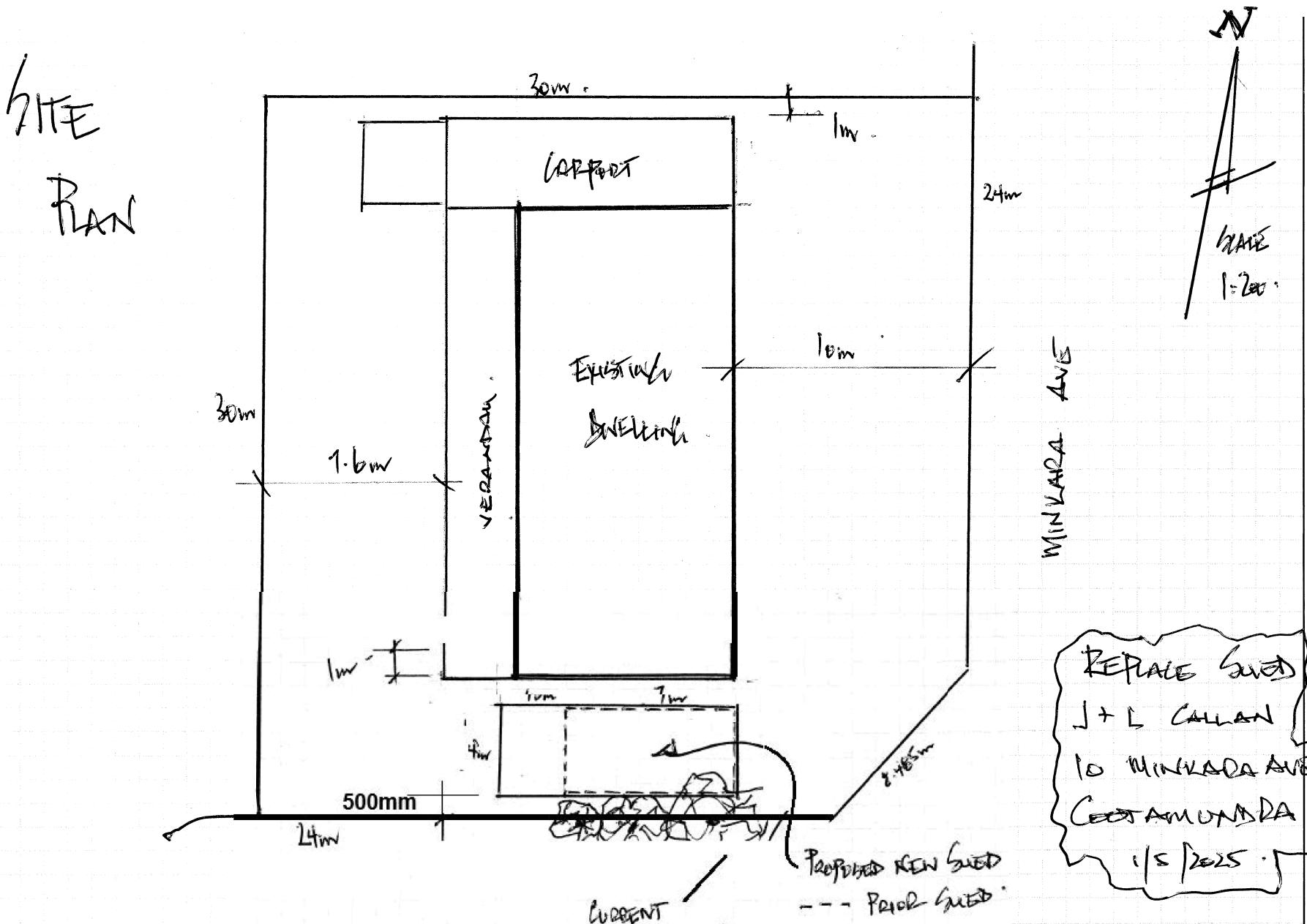


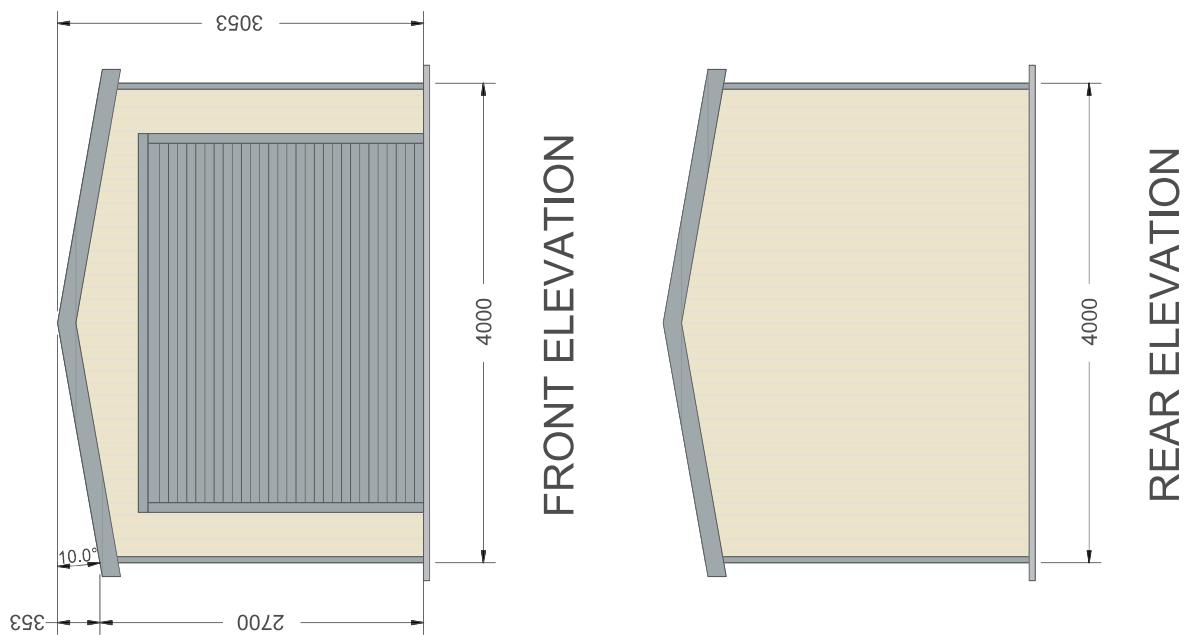
- The development complies with all local environmental planning instruments.
- Conditions have been imposed to preserve the amenity of the area and also the existing plantings surrounding the proposed shed.
- The development application was notified, and no submissions were received.

DEVELOPMENT ASSESSMENT SIGNING OFFICER:

Luke Izzard

11 July 2025



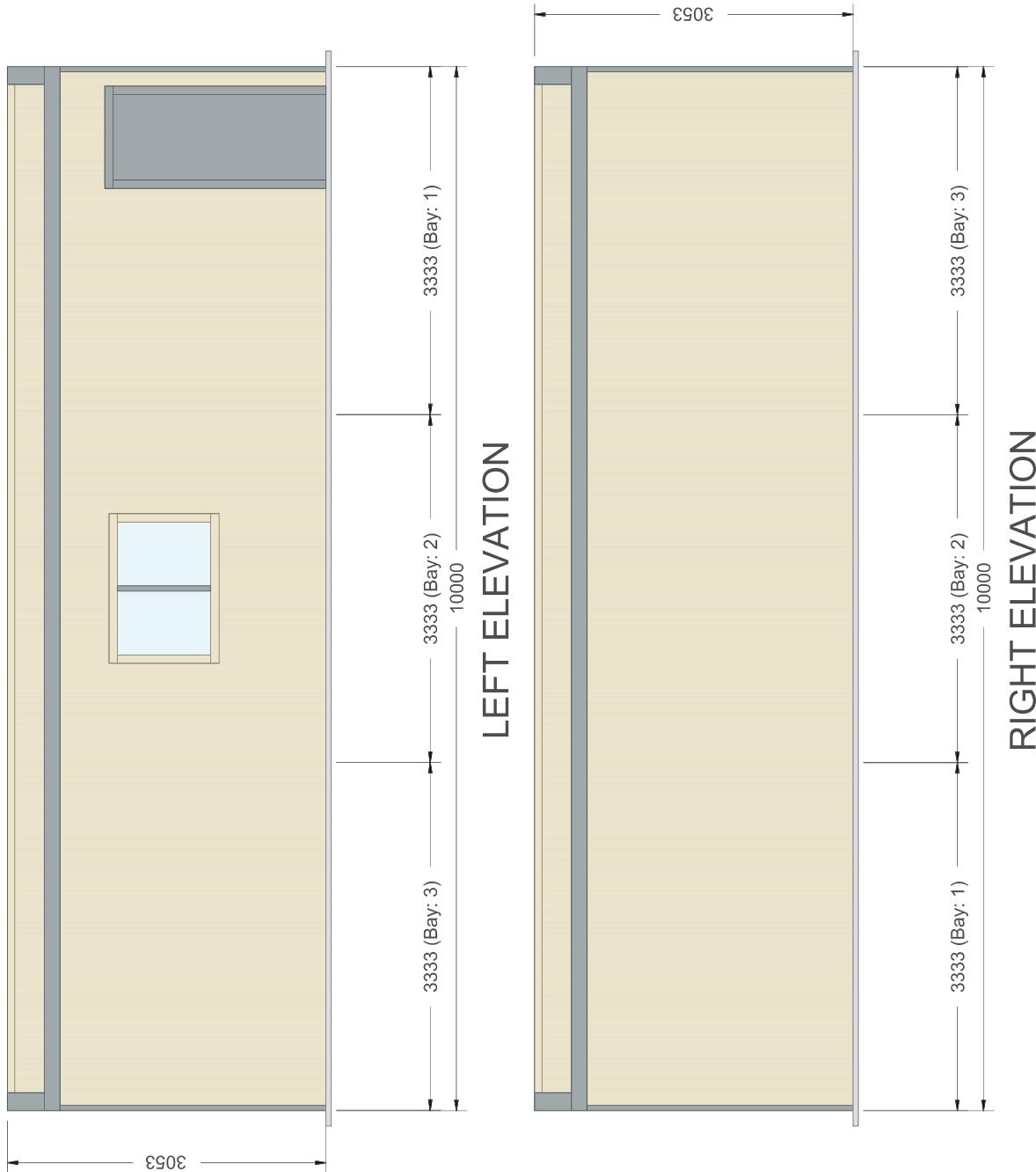


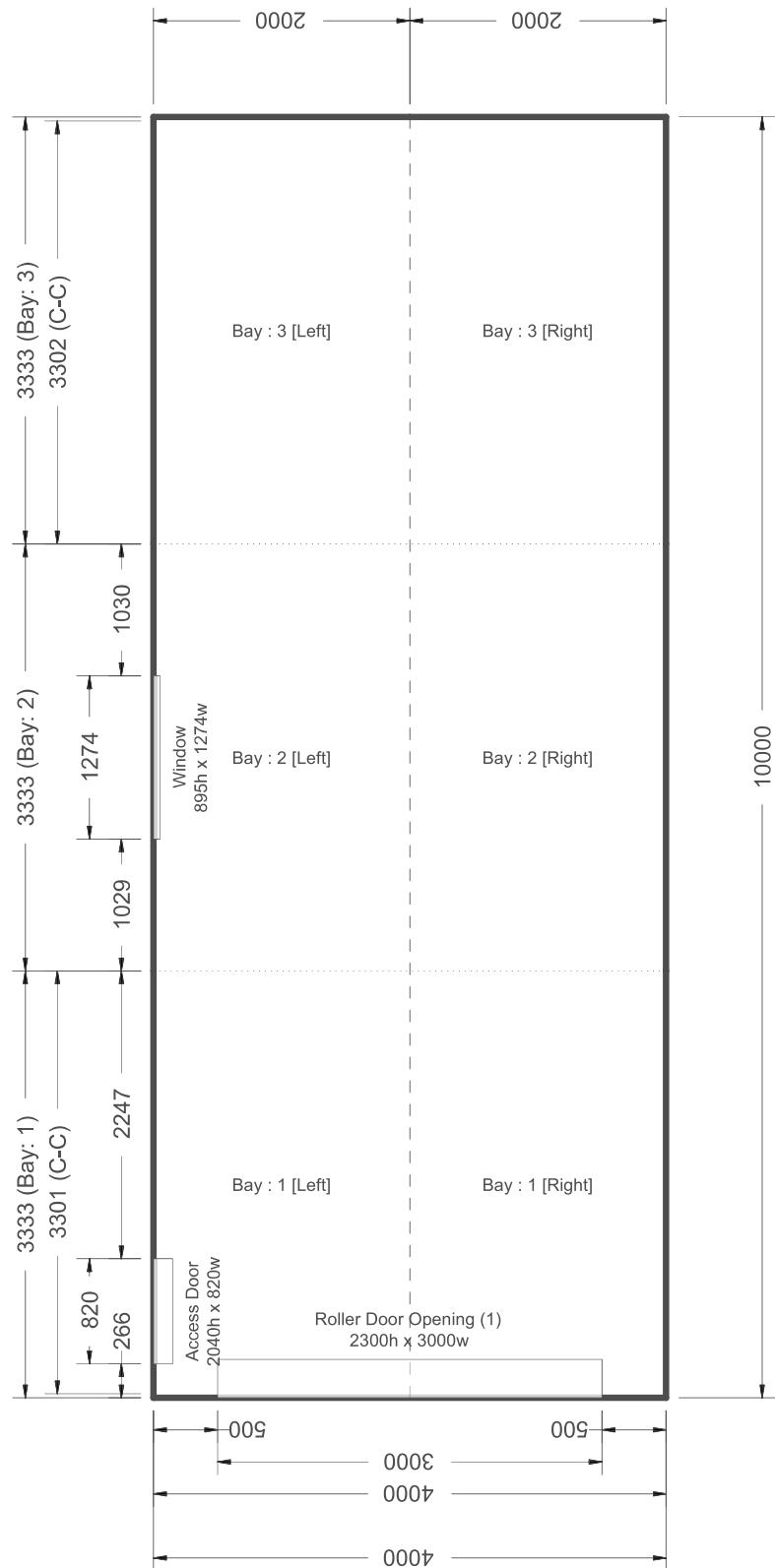
DRAWING TITLE: End Elevations
SCALE: 1:39.223
R.A.T.E.: 40 mm/mm

CLIENT: Alex Sutherland
ADDRESS: 10 Minikara Ave, Coolamundra, NSW, 2590
PHONE: 0412 123 456

CIVIL & STRUCTURAL ENGINEERS
COMMERCIAL, INDUSTRIAL, RESIDENTIAL, RETAIL, OFFICE, STEEL FRAMING
CAMILLO PINEDA MORENO
www.civilandstructural.com.au







CLIENT: Alex Sutherland
SITE ADDRESS: 10 Minkara Ave, Cootamundra, NSW, 2590
PHONE: 0412 123 456

CIVIL & STRUCTURAL ENGINEERS
COMMERCIAL - INDUSTRIAL - RESIDENTIAL - FRENDSIC - STEEL DETAILING
CAMILO PINEDA MORENO
DRAWS & DETAILS





**COOTAMUNDRA-
GUNDAGAI REGIONAL
COUNCIL**

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Ph: 02 6940 2100 Fax: 02 6940 2127

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

NOTICE OF DETERMINATION OF A DEVELOPMENT APPLICATION

Application number	DA2025/61 PAN-535993
Applicant	Alec Sutherland 9 CHAMEN STREET COOTAMUNDRA 2590
Description of development	Demolition of existing shed and erection of a new 7m x 4m shed with new 10m x 4m shed ancillary to existing dwelling
Property	10 MINKARA AVENUE COOTAMUNDRA 2590 57/-/DP707561
Determination	Approved Consent Authority - Council
Date of determination	22/07/25
Date from which the consent operates	22/07/25
Date on which the consent lapses	24/07/30

Under section 4.18(1) of the EP&A Act, notice is given that the above development application has been determined by the granting of consent using the power in section 4.16(1)(a) of the EP&A Act, subject to the conditions specified in this notice.

Reasons for approval

- The development is in keeping with the existing character of the area.
- The impacts of the development are considered low and reduced by the features of the site and corner lot, despite the requested DCP Variation.
- The development complies with all local environmental planning instruments.
- Conditions have been imposed to preserve the amenity of the area.
- The development application was notified, and no submissions were received

Right of appeal / review of determination

If you are dissatisfied with this determination:

Request a review

You may request a review of the consent authority's decision under section 8.3(1) of the EP&A Act. The application must be made to the consent authority within 6 months from the date that you received the original determination notice provided that an appeal under section 8.7 of the EP&A Act has not been disposed of by the Court.

Rights to appeal

You have a right under section 8.7 of the EP&A Act to appeal to the Court within 6 months after the date on which the determination appealed against is notified or registered on the NSW planning portal.

The Dictionary at the end of this consent defines words and expressions for the purposes of this determination.

Luke Izzard
Building Surveyor
Person on behalf of the consent authority

Terms and Reasons for Conditions

Under section 88(1)(c) of the EP&A Regulation, the consent authority must provide the terms of all conditions and reasons for imposing the conditions other than the conditions prescribed under section 4.17(11) of the EP&A Act. The terms of the conditions and reasons are set out below.

General Conditions

1	<p>Compliance with Building Code of Australia and insurance requirements under Home Building Act 1989</p> <ul style="list-style-type: none"> 1. It is a condition of a development consent for development that involves building work that the work must be carried out in accordance with the requirements of the Building Code of Australia. 2. It is a condition of a development consent for development that involves residential building work for which a contract of insurance is required under the Home Building Act 1989, Part 6 that a contract of insurance is in force before building work authorised to be carried out by the consent commences. 3. It is a condition of a development consent for a temporary structure used as an entertainment venue that the temporary structure must comply with Part B1 and NSW Part H102 in Volume 1 of the Building Code of Australia. 4. In subsection (1), a reference to the Building Code of Australia is a reference to the Building Code of Australia as in force on the day on which the application for the construction certificate was made. 5. In subsection (3), a reference to the Building Code of Australia is a reference to the Building Code of Australia as in force on the day on which the application for development consent was made. 6. This section does not apply— <ul style="list-style-type: none"> a. to the extent to which an exemption from a provision of the Building Code of Australia or a fire safety standard is in force under the Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021, or b. to the erection of a temporary building, other than a temporary structure to which subsection (3) applies. <p>Condition reason: Prescribed condition under section 69 of the Environmental Planning and Assessment Regulation 2021.</p>
2	<p>Erection of signs</p> <ul style="list-style-type: none"> 1. This section applies to a development consent for development involving building work, subdivision work or demolition work. 2. It is a condition of the development consent that a sign must be erected in a prominent position on a site on which building work, subdivision work or demolition work is being carried out—

	<ul style="list-style-type: none"> a. showing the name, address and telephone number of the principal certifier for the work, and b. showing the name of the principal contractor, if any, for the building work and a telephone number on which the principal contractor may be contacted outside working hours, and c. stating that unauthorised entry to the work site is prohibited. <p>3. The sign must be—</p> <ul style="list-style-type: none"> a. maintained while the building work, subdivision work or demolition work is being carried out, and b. removed when the work has been completed. <p>4. This section does not apply in relation to—</p> <ul style="list-style-type: none"> a. building work, subdivision work or demolition work carried out inside an existing building, if the work does not affect the external walls of the building, or b. Crown building work certified to comply with the Building Code of Australia under the Act, Part 6.
	<p>Condition reason: Prescribed condition under section 70 of the Environmental Planning and Assessment Regulation 2021.</p>
3	<p>Notification of Home Building Act 1989 requirements</p> <ul style="list-style-type: none"> 1. This section applies to a development consent for development involving residential building work if the principal certifier is not the council. 2. It is a condition of the development consent that residential building work must not be carried out unless the principal certifier for the development to which the work relates has given the council written notice of the following— <ul style="list-style-type: none"> a. for work that requires a principal contractor to be appointed— <ul style="list-style-type: none"> i. the name and licence number of the principal contractor, and ii. the name of the insurer of the work under the Home Building Act 1989, Part 6, b. for work to be carried out by an owner-builder— <ul style="list-style-type: none"> i. the name of the owner-builder, and ii. if the owner-builder is required to hold an owner-builder permit under the Home Building Act 1989—the number of the owner-builder permit. 3. If the information notified under subsection (2) is no longer correct, it is a condition of the development consent that further work must not be carried out unless the principal certifier has given the council written notice of the updated information. 4. This section does not apply in relation to Crown building work certified to comply with the Building Code of Australia under the Act, Part 6. <p>Condition reason: Prescribed condition under section 71 of the Environmental Planning and Assessment Regulation 2021.</p>
4	<p>Approved plans and supporting documentation</p> <p>Development must be carried out in accordance with the following approved plans and documents, except where the conditions of this consent expressly require otherwise.</p>

Approved plans						
Plan number	Revision number	Plan title	Drawn by	Date of plan		
Tumut-0597	-	End Elevations	Emerald Design and Construction	19-02-2025		
Tumut-0597	-	Side Elevations	Emerald Design and Construction	19-02-2025		
Tumut-0597	-	Plan Elevation	Emerald Design and Construction	19-02-2025		
-	-	Site Plan	DA Busters	-		
Approved documents						
Document title	Version number	Prepared by	Date of document			
Statement of Environmental Effects	-	DA Busters	-			
In the event of any inconsistency with the approved plans and a condition of this consent, the condition prevails.						
Condition reason: To ensure all parties are aware of the approved plans and supporting documentation that applies to the development.						
5	Access and Location of Access Door					
	The roller door to the proposed shed must be located on the façade facing the rear yard. Access to the shed is not to be provided from Minkara Avenue.					
	Condition reason: The submitted plans do not clearly show the proposed location of the access door. This condition is applied to clarify the approved access arrangement and to prevent unauthorised access from Minkara Avenue.					

Building Work

Before issue of a construction certificate

6	138 Approval for New Access Works
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	<p>Prior to the issue of a construction certificate the proponent is required to obtain approval under Section 138 of the Roads Act 1993 for works within the road reserve relating to vehicle access from Allumba Place.</p> <p>Condition reason: To ensure that adequate vehicle access is achieved and maintained for the safety of road users and occupants/users of the development.</p>
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Before building work commences

7	Appointment of a Principal Certifier
	<p>Prior to the commencement of any construction works, the person having benefit of this Development Consent must appoint a Principal Certifier.</p> <p>Condition reason: To ensure legislative requirements are met.</p>
8	Construction Certificate
	<p>A Construction Certificate must be submitted and approved by a nominated Certifier prior to any building works taking place on the subject site. The Construction Certificate must be lodged via the NSW Planning Portal.</p> <p>Condition reason: To ensure compliance with the requirements of the Environmental Planning and Assessment Regulation 2021.</p>
9	Erosion and sediment controls in place
	<p>Before any site work commences, the Principal Certifier, must be satisfied that erosion and sediment controls in the erosion and sediment control plan are in place. These controls must remain in place until any bare earth has been restabilised in accordance with 'Managing Urban Stormwater: Soils and Construction' prepared by Landcom (the Blue Book) (as amended from time to time).</p> <p>Condition reason: To ensure sediment laden runoff and site debris do not impact local stormwater systems and waterways.</p>
10	Notice of intention to commence building work
	<p>The proponent must give the Principal Certifier at least 2 days notice of their intention to commence building works. The notice of intention to commence building works must be lodged on the NSW Planning Portal in accordance with Section 6.6 of Environmental Planning and Assessment Act 1979 and Section 59 of Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021.</p> <p>Condition reason: To ensure legislative requirements are met</p>
11	Underground Services

	<p>The proponent 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.</p> <p>Condition reason: To ensure the utility services are protected and satisfactory for the proposed development.</p>
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During building work

12	<p>Discovery of relics and Aboriginal objects</p> <p>While site work is being carried out, if a person reasonably suspects a relic or Aboriginal object is discovered:</p> <ul style="list-style-type: none"> a. the work in the area of the discovery must cease immediately; b. the following must be notified <ul style="list-style-type: none"> i. for a relic – the Heritage Council; or ii. for an Aboriginal object – the person who is the authority for the protection of Aboriginal objects and Aboriginal places in New South Wales under the <i>National Parks and Wildlife Act 1974</i>, section 85. <p>Site work may recommence at a time confirmed in writing by:</p> <ul style="list-style-type: none"> a. for a relic – the Heritage Council; or b. for an Aboriginal object – the person who is the authority for the protection of Aboriginal objects and Aboriginal places in New South Wales under the <i>National Parks and Wildlife Act 1974</i>, section 85. <p>Condition reason: To ensure the protection of objects of potential significance during works.</p>
13	<p>Procedure for critical stage inspections</p> <p>While building work is being carried out, the work must not continue after each critical stage inspection unless the principal certifier is satisfied the work may proceed in accordance with this consent and the relevant construction certificate.</p> <p>Condition reason: To require approval to proceed with building work following each critical stage inspection.</p>
14	<p>Approved Plans</p> <p>A copy of the endorsed plans, specifications, development consent, the construction certificate and any other certificates to be relied upon shall be available on site at all times during construction.</p> <p>Condition reason: To ensure compliance with relevant plans and approvals</p>

15	Deliveries
<p>While site work is being carried out, deliveries of material and equipment must only be carried out between—</p> <ul style="list-style-type: none"> • Mondays to Fridays - 7:00am to 6:00pm; • Saturdays - 8:00am to 1:00pm; • No work permitted on Sundays and Public Holidays. 	Condition reason: To protect the amenity of neighbouring properties.
	Earthworks
<p>No earthworks are permitted to be undertaken beyond those detailed on the approved plans unless otherwise permitted by the exempt development provisions of State Environmental Planning Policy (Exempt and Complying Development Codes) 2008</p>	Condition reason: To ensure that the development is consistent with the approval
	Footpath Storage
<p>Building materials not to be stored on Council footway or nature strip at any time.</p>	Condition reason: To ensure an adequate level of public safety is maintained.
	Hours of Work
<p>Site work must only be carried out between the following times –</p> <ul style="list-style-type: none"> • Mondays to Fridays - 7:00am to 6:00pm; • Saturdays - 8:00am to 1:00pm; and • No work is permitted on Sundays and Public Holidays. <p>Site work is not to be carried out outside of these times except where there is an emergency, or for urgent work directed by a police officer or a public authority.</p>	Condition reason: To protect the amenity of the surrounding area.
	Restricted Public Access
<p>It is the responsibility of the proponent 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 SafeWork NSW Regulations.</p>	Condition reason: To ensure public safety is maintained.
	Roof Water
<p>Roof water generated by the development must be directed :-</p>	

	<ul style="list-style-type: none"> • To Councils storm water system (the kerb) on either Minkara Avenue or Allumba Place <p>The point of discharge from the overflow must be</p> <ul style="list-style-type: none"> • Protected from being crushed or damaged; and
<p>Condition reason: To ensure that roof water is disposed of without nuisance to neighbours, damage to property or the environment.</p>	

Before issue of an occupation certificate

21	<p>Works-as-executed plans and any other documentary evidence</p> <p>Before the issue of an Occupation Certificate, works-as-executed plans, any compliance certificates and any other evidence confirming the following completed works must be submitted to the satisfaction of the principal certifier:</p> <ul style="list-style-type: none"> a. All stormwater drainage systems
<p>Condition reason: To confirm the location of works once constructed that will become Council assets.</p>	

Occupation and ongoing use

22	<p>Amenity General</p> <p>The development is to be conducted in a manner that will not interfere with the amenity of the locality by reason of the emission of noise, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit, oil, by causing interference to television or radio reception or otherwise.</p>
<p>Condition reason: So that the development does not reduce the amenity of the area.</p>	
23	<p>Non Habitable Use.</p> <p>The garage or shed is not to be used for residential occupation without prior development consent.</p>
<p>Condition reason: Health and safety prohibition.</p>	
24	<p>Clean and Tidy</p> <p>The premises are to be maintained in a clean and tidy condition at all times</p>
<p>Condition reason: So that the development does not reduce the amenity of the area.</p>	

General advisory notes

This consent contains the conditions imposed by the consent authority which are to be complied with when carrying out the approved development. However, this consent is not an exhaustive list of all obligations which may relate to the carrying out of the development under the EP&A Act, EP&A Regulation and other legislation. Some of these additional obligations are set out in the [Conditions of development consent: advisory notes](#). The consent should be read together with the *Conditions of development consent: advisory notes* to ensure the development is carried out lawfully.

The approved development must be carried out in accordance with the conditions of this consent. It is an offence under the EP&A Act to carry out development that is not in accordance with this consent.

Building work or subdivision work must not be carried out until a construction certificate or subdivision works certificate, respectively, has been issued and a principal certifier has been appointed.

A document referred to in this consent is taken to be a reference to the version of that document which applies at the date the consent is issued, unless otherwise stated in the conditions of this consent.

Dictionary

The following terms have the following meanings for the purpose of this determination (except where the context clearly indicates otherwise):

Approved plans and documents means the plans and documents endorsed by the consent authority, a copy of which is included in this notice of determination.

AS means Australian Standard published by Standards Australia International Limited and means the current standard which applies at the time the consent is issued.

Building work means any physical activity involved in the erection of a building.

Certifier means a council or a person that is registered to carry out certification work under the *Building and Development Certifiers Act 2018*.

Construction certificate means a certificate to the effect that building work completed in accordance with specified plans and specifications or standards will comply with the requirements of the EP&A Regulation and *Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021*.

Council means COOTAMUNDRA-GUNDAGAI REGIONAL COUNCIL.

Court means the Land and Environment Court of NSW.

EPA means the NSW Environment Protection Authority.

EP&A Act means the *Environmental Planning and Assessment Act 1979*.

EP&A Regulation means the *Environmental Planning and Assessment Regulation 2021*.

Independent Planning Commission means Independent Planning Commission of New South Wales constituted by section 2.7 of the EP&A Act.

Occupation certificate means a certificate that authorises the occupation and use of a new building or a change of building use for an existing building in accordance with this consent.

Principal certifier means the certifier appointed as the principal certifier for building work or subdivision work under section 6.6(1) or 6.12(1) of the EP&A Act respectively.

Site work means any work that is physically carried out on the land to which the development the subject of this development consent is to be carried out, including but not limited to building work, subdivision work, demolition work, clearing of vegetation or remediation work.

Stormwater drainage system means all works and facilities relating to:

- the collection of stormwater,
- the reuse of stormwater,
- the detention of stormwater,
- the controlled release of stormwater, and
- connections to easements and public stormwater systems.

Strata certificate means a certificate in the approved form issued under Part 4 of the *Strata Schemes Development Act 2015* that authorises the registration of a strata plan, strata plan of subdivision or notice of conversion.

Sydney district or regional planning panel means Southern Regional Planning Panel.

8.5 ENGINEERING COOTAMUNDRA

8.5.1 COOTAMUNDRA ENGINEERING REPORT - JULY 2025

DOCUMENT NUMBER	441706
REPORTING OFFICER	Julie Buckley, Operations Support Officer
AUTHORISING OFFICER	Trevor Dando, Acting Deputy General Manager Operations
RELEVANCE TO COMMUNITY STRATEGIC PLAN	<p>5. Integrated and accessible region</p> <p>5.2 Easily accessible from major cities and other regional towns</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 Cootamundra Engineering Report for the month of July 2025 be noted.

Introduction

The Cootamundra Engineering Report for the month of July 2025 is submitted for the information of Council and the community.

Discussion

Fixing Local Roads

Council staff have been in discussions with Contractors who have completed works over the past month, including a site inspection to discuss defects that have appeared in the final wearing surface (asphalt). Contractors have completed works under contract with a twelve-month defect liability period. The contractors are currently investigating cause of defects and are to return findings to CGRC staff in coming weeks.

State Roads

Raised Pavement Markers have now been completed on the recent heavy patching west of Stockinbingal and at Yarrowee pavement works (5kms south of Cootamundra).

Table Drain and Shoulder rehabilitation works just north of Cootamundra are now completed.

Water and Sewer

The water mains replacement program has now reached practical completion after approximately 8 months of ongoing discussions regarding completion of WAE drawings to specified standards.

Council Staff have been continuing routine maintenance, including responding to burst water mains and sewer blockages. They have also completed a 100mm water main cut in as part of the solar farm water supply for fire suppression requirements.

General Works

Gravel patching and maintenance grading at the Rifle Range, Racecourse Road, Forsyths Lane, Bauloora Lane and works are still being carried out on the 14kms long Brawling Springs Road. Brawlin Springs road is being used as a trial to introduce material with a higher degree of fines into rocky loose material to allow binding of the pavement which is subject to corrugation on a regular basis, particularly after wet weather resulting in more regular maintenance requirements.

Jet patching has been carried out on Millvale Road, Stockinbingal Road and various locations throughout the shire.

Council's crews have undertaken footpath works in Hurley Street and causeway works on Rawilla Road, repairing potholes, cleaning of stormwater pits removing 800kg of leaf litter and signage works in the Cootamundra township.



Council has recently employed a Jetting and CCTV contractor to do cleaning and maintenance on the town street drainage network. The recent visit focused on Cowcumbla St and Southee Circle areas. Cowcumbla Street had previously been inspected by council staff and found to have significant deposits of debris and silt and Southee Circle was identified as an area for investigation in the previously completed town flood study. Works completed over three weeks resulted in 850m of stormwater bedding cleared and inspected, removing a total of 250tn of silt and debris



Before Cleaning



After Cleaning

Flood Studies

A community consultation drop-in centre will be held in the Stephen Ward Rooms on Wednesday, 13 August, 2025 from 3-6pm. This will be an opportunity for residents/stakeholders to review the current flood warning system for Cootamundra and recommend improvements. This is aimed at increasing the effectiveness of the flood warning system and reducing the risk to life and property within the Cootamundra township.

An online feedback portal is available on Council's website for people to share their thoughts and comments about the current flood warning arrangements for the Cootamundra township and the portal will be open until 22 August, 2025.

Inland Rail Project - Illabo to Stockinbingal

CGRC staff have been having ongoing meetings with Inland rail regarding future works to commence within the area in the coming months. Primary focus has been designs of the Rail overpass of Old Cootamundra Road adjacent to Dudauman Road, Passive rail crossing at Corbys Lane and Dudauman Road intersection as well as the Temporary Workers Camp to be constructed north of Stockinbingal on Grogan Road.

Financial

Projects funded from various funding sources, as noted above.

Maintenance works funded from the General Fund.

OLG 23a Guideline consideration

Report purpose does not conflict with guidelines.

8.6 ENGINEERING GUNDAGAI

8.6.1 GUNDAGAI ENGINEERING REPORT - JULY 2025

DOCUMENT NUMBER	441862
REPORTING OFFICER	Belle Mooney, Operations Support Officer
AUTHORISING OFFICER	Trevor Dando, Acting Deputy General Manager Operations
RELEVANCE TO COMMUNITY STRATEGIC PLAN	<p>5. Integrated and accessible region</p> <p>5.2 Easily accessible from major cities and other regional towns</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 Gundagai Engineering Report for the month of July 2025 be noted.

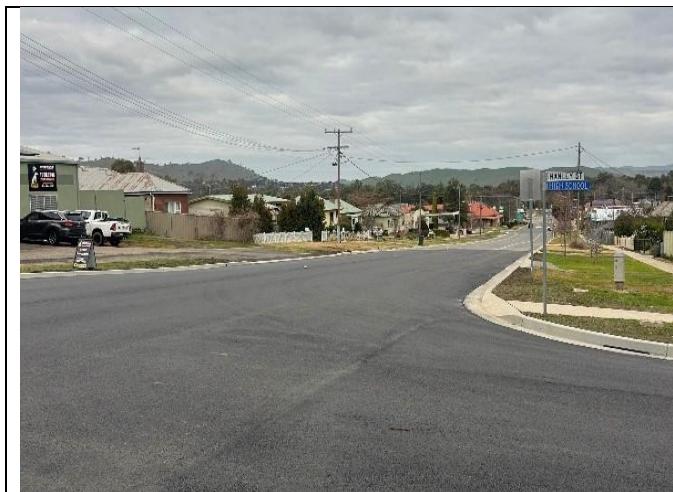
Introduction

The Gundagai Engineering Report for the month of July 2025 is submitted for the information of Council and the community.

Regional Emergency Road Repair Fund (RERRF)

West Street Rehabilitation:

Council has completed the asphalt works at the intersection of Hanley and West Street. The only outstanding works are line marking and reinstatement of the pedestrian islands. Line marking is deliberately delayed after asphalt work to ensure that residue from asphalt placement doesn't deteriorate the line marking prematurely.



*Local Roads and Community Infrastructure Program (LRCI)***First Avenue Upgrades**

First Ave upgrade works are continuing with kerb and gutter replacement continuing between Kitchener Street and the Preschool. Council staff are working in a way which minimises the impact to buses which use this road, by ensuring that buses have access during their scheduled times. Kerb and gutter works will continue throughout First Ave as per this years budget. Watermain replacement along First Avenue will occur over the next few weeks once the contractors have completed the final design and documentation works required for the project. Once kerb and gutter have been completed, and the water main has been renewed, Council will then re-seal the road.

*General Works*

Council has also undertaken gravel resheeting of Bundarbo Road following the completion of Parsons Creek Rd. This gravel resheeting provides a safer surface for vehicles to travel along as well as reducing the frequency which maintenance grading is needed on the road. Gravel resheeting typically occurs to replace the gravel lost on the road over time from dust as well as stormwater washing the gravel off the road.

Maintenance grading has been completed on Caulderwood Road. Council staff have now began grading works on Illawong Road as part of the routine maintenance program through the unsealed network.

Water and Sewer

Water and sewer teams have been completing general maintenance as required throughout the Treatment Plants and reticulation systems as well as attending emergency repairs when required.

Contractors have continued onsite completing various Water and Sewer projects with Trazlbat starting works on the water and sewer mains upgrades. They have now completed the utilities locating and CCTV inspections in Punch Street, Otway Street, First Avenue and Eagle Street which were required to ensure a streamlined construction program.

Water Treatment Australia are progressing with the Gundagai Water Treatment Plant upgrades, the sand filter nozzles have now been installed and the floor has now been finished on filter 1. Contractors are currently testing the filter nozzles to ensure that they produce the right air/water output and evenly treat the filter media, once installed.

NSW Health and the Department of Climate Change, Energy, the Environment and Water visited onsite at the Gundagai Water Treatment Plant to discuss, review and update the Drinking Water Management Strategy and Critical Control Points which are in place for the treatment plant. This is an initiative of and funded by NSW Health to ensure that our water continues to align with best practice.

Financial

Projects funded from various funding sources are as noted above and align with the adopted 2025/26 budget.

Maintenance works are funded from the General Fund and align with the adopted 2025/26 budget.

OLG 23a Guideline consideration

OLG 23a Guidelines have been reviewed and the work outlined in this report does not conflict with the guidelines.

8.7 REGIONAL SERVICES GUNDAGAI

8.7.1 GUNDAGAI REGIONAL SERVICES REPORT - JUNE 2025

DOCUMENT NUMBER	441956
REPORTING OFFICER	Donna Britton, Operations Support Officer - Facilities
AUTHORISING OFFICER	Trevor Dando, Acting Deputy General Manager Operations
RELEVANCE TO COMMUNITY STRATEGIC PLAN	<p>5. Integrated and accessible region</p> <p>5.2 Easily accessible from major cities and other regional towns</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 Gundagai Regional Services Department, Monthly works report be received and noted.

Introduction

This report is a snapshot of the diverse works Gundagai Regional Services performed over the previous month and intends to give an update on the ongoing works being conducted.

Discussion

This report covers the Regional Services projects and works over the month, detailing the operational activities, information on the progress of projects and the routine duties of this division.

Regional Services: Parks, Reserves, Sporting Fields, Playgrounds & Projects - Achievements for the month include:

- Main street tree pruning.
- Street repairs.
- Two P&G staff completed Playground inspection training level 2 ensuring that our playgrounds can be regularly inspected by accredited compliant staff.
- Cleaning of the areas around the DOTTB.
- Repairs of roof and guttering at the DOTTB.
- General maintenance of all parks, gardens, reserves, fields and playgrounds.
- Removal of the old mesh and steel left after the demolition of Stan Crowe Oval.

Carberry Park Amenities Block Lift & Change:

The installation of specialist equipment into the new Changing Places facility which will provide an adult-sized change table and hoist to assist people with disabilities and their carers.

Cemeteries – North Gundagai Lawn & Monumental, South Gundagai, Tumblong, Coolac, Mount Adrah, Muttama, Adjungbilly, Nangus, Wagragobilly (Darbalara).

Cemetery work activities this month include:

- Four interments across the Gundagai Cemeteries have taken place.
- 3 headstones, and 3 plaque refurbishments and 2 plaque installations have taken place.
- Maintenance on all cemeteries is routinely conducted.

Biosecurity:

All targets for the current 24-25 Weed Action Plan (WAP) have been completed.

The 24-25 WAP acquittal has been completed for submission to DPI.

In anticipation of the new 25-26 WAP year, inspections have started with both Council and Public Lands being completed, several high risk sites, some Waterways and 120 kms of Roadside inspections has also been completed.

The private land inspection process has been started with communications being sent out to landowners for planned inspections.

The 25-26 WAP application has not yet been released by DPI.

Gundagai Public & Council Facilities income:

Gundagai RV Park Income June 2025

- 01/06/25 – 30/06/25 - Total Income \$269.40

Gundagai Landfill/Transfer June 2025

- 01/06/25 – 30/06/25 - General Income \$3354.55

Gundagai Saleyards: - June 25 Weaner Sale

- Transit stock numbers: 2137 head for a total \$26,691.75
June 24 sale comparison:
- Transit stock numbers: 3018 head for a total income of \$33,753.23

Gundagai Standpipe Income June 2025

- 01/06/25 – 30/06/25 Income from the Water Standpipe for the month of June.

Note Figures are GST inclusive.*

2024/2025		Avdata Payments /Council Income	Usage - Customers /Account Holders
GST Incl.			
2024	July	\$ 2,436.40	9
2024	August	\$ 1,419.79	9
2024	September	\$ 1,250.29	10
2024	October	\$ 1,808.12	12
2024	November	\$ 2,951.04	16

2024	December	\$ 2,010.09	12
2025	January	\$ 1,092.14	14
2025	February	\$ 1,800.73	16
2025	March	\$ 2,072.03	12
2025	April	\$ 1,989.69	16
2025	May	\$ 16,905.68	16
2025	June	\$ 11,563.62	14
2024/2025	Totals	\$ 47,299.62	156

In comparison the previous 23-24 financial year figures were \$23,004.04

Gundagai Saleyards Truck Wash June 2025

- 01/06/25 – 30/06/25 Income from the Saleyards Truck wash for the month of June.

Note Figures are GST inclusive.*

2024/2025		Avdata Payments /Council Income	Usage -
			Customers /Account Holders
		GST Incl.	
2024	July	\$ 3,157.14	35
2024	August	\$ 2,123.91	35
2024	September	\$ 3,313.23	30
2024	October	\$ 2,418.47	28
2024	November	\$ 2,277.33	30
2024	December	\$ 3,435.11	32
2025	January	\$ 3,073.22	33
2025	February	\$ 3,421.08	31
2025	March	\$ 2,755.69	32
2025	April	\$ 3,773.47	35
2025	May	\$ 3,364.90	35
2025	June	\$ 3,175.13	29
2024/2025	Totals	\$ 36,288.68	385

In comparison the previous 23-24 financial year figures were \$31,761.18

Compliance:

Compliance with the Companion Animals Act 1998 and the Local Government (General) Regulation 2021 – Reg 217(1)(f)

Companion Animal: One dog has been taken into the pound and is being rehomed. Two dogs have been picked up and advertised for the owners to come forward.

There has been one incident of roaming stock that has been reported during the period.

Financial

There are no further financial implications as all work has been carried out as per the approved 23/24 budget allocations.

OLG 23a Guideline consideration

There are no implications to the guidelines.

8.8 REGIONAL SERVICES COOTAMUNDRA

8.8.1 REGIONAL SERVICES - COOTAMUNDRA MONTHLY REPORT TO COUNCIL

DOCUMENT NUMBER	441199
REPORTING OFFICER	Shelley Liehr, Operations Support Officer
AUTHORISING OFFICER	Trevor Dando, Acting Deputy General Manager Operations
RELEVANCE TO COMMUNITY STRATEGIC PLAN	2. A region for the future 2.2 A thriving region that attracts people to live, work and visit
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 Regional Services - Cootamundra Department monthly works report be received and noted.

Introduction

This report has been prepared to inform Council of the activities undertaken by the Regional Services – Cootamundra Department over the month of June 2025.

Discussion

Parks & Gardens

Parks and Gardens staff had a busy month focusing on tree requests in the streets of Cootamundra with a focus on line of sight pruning, under pruning for motorists and pedestrian access, and tree removals. These works are scheduled to continue over the coming months prior to commencement of street tree replacement planting during August.

Cootamundra sporting fields continue to be maintained for the winter sports season. Fields have been line marked and mowed, and repairs carried out to irrigation systems. The final school athletics carnivals for the season have been held at Albert Park. Staff will now fill the ruts in the running track with soil. This practice will enhance the playability of the oval for cricket during summer and improve the aesthetics of the ground.

Cootamundra's CBD has undergone extensive maintenance during the month of June with increased maintenance to prepare winter plantings for the cold weather. Garden beds were cleaned and debris removed, plants and shrubs pruned, application of fertilisers and mulching was completed to help aid plants through the winter months and prepare them for spring. Pruning of larger street trees was also carried out along the northern end of the main street to allow for easier parking and public accessibility, whilst preserving the overall aesthetics of the trees. Trees in the southern end of the main street are scheduled to be pruned in the coming weeks.

Staff have completed general maintenance to Cootamundra parklets. Local playgrounds have received maintenance to edging of the soft fall area, rotary hoeing of soft fall and levels topped up

where required. Routine maintenance will continue to ensure playgrounds adhere to the Australian Standards.

Materials have been ordered in readiness for irrigation repairs to be carried out in the coming months. These repairs will see irrigation systems within Jubilee Park, Fisher Park and open spaces functioning efficiently in time for summer.

Parks and facilities staff members have undertaken maintenance on public furniture within the CBD and parks. Repairs were undertaken in various locations to rectify damage caused by vandalism.

Saleyards / Truck Wash

Ongoing weed maintenance has been carried out to keep the yards at a manageable level.

The Cootamundra Truck Wash recorded 107 transactions for the month of June, invoicing a total of \$5,289.78.

Cemeteries

Three burials have been carried out in the Cootamundra Lawn Cemetery during the month of June, and one interment of ashes. Two plaques were removed and sent away for refurbishment.

Two regulatory staff attended the Cemeteries and Crematoria Association of NSW Conference in Sydney, bringing back innovative ideas to support the future development of cemeteries within the LGA.

Regulatory / Compliance Services

Total companion animal registration fees collected during June totalled \$4,654.

Ranger / Regulatory

During June Council Rangers issued five Intentions in relation to menacing dogs. Compliance checks are ongoing for animals that have previously been declared menacing. There were three penalty infringement notices issued in relation to companion animal offences. Rangers are investigating the feasibility of running socialisation sessions to help combat behavioural issues. Multiple notices for unregistered animals have been issued to owners as the Companion Animals audit continues. Straying goats were also reported within Cootamundra and continue to be monitored.

Animal Statistics	Dogs	Cats
Seized	23	1
Released to Owner	14	0
Surrendered	8	0
Rehomed	4	0
Euthanised	2	0
Waiting for Rehoming	4	1

One vehicle was impounded under the Public Space (Unattended Property) Act. Illegal dumping continues to be monitored during general regulatory patrols.

Facilities

The Cootamundra Library has been having difficulty with heating the facility throughout June. The air conditioning system has been affected by the colder temperatures, with contractors being on

site several times to troubleshoot the issue. A new PCB Board has been ordered which is expected to rectify this issue.

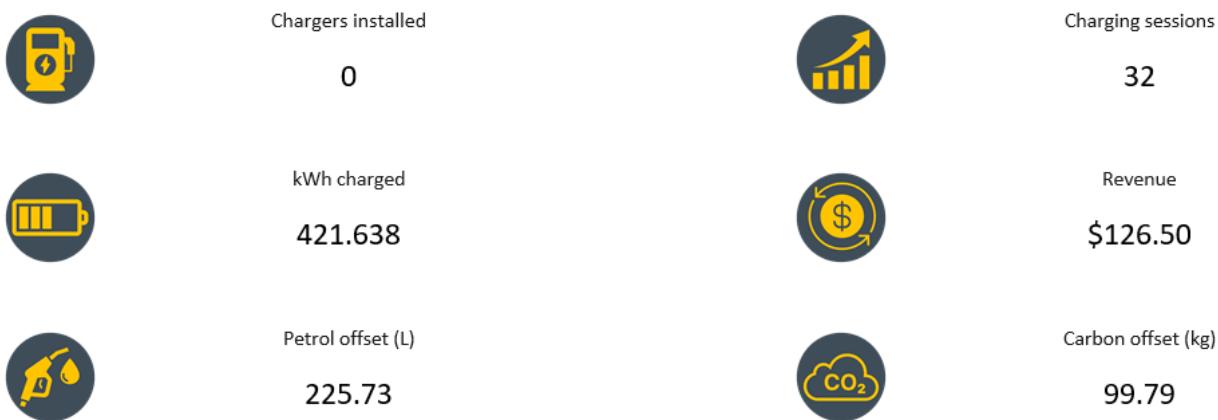
Footings for the brick columns on either side of the Cootamundra Library main entrance have dropped significantly, creating a 40mm gap and exposing electrical wires. Contractors have been engaged to install steel bracing around the columns to ensure they are safe and reinstate structural integrity, allowing the front entrance to be used safely by the public. Staff are looking at options for a long-term solution to stabilise and lift the footings to prevent recurring damage to the columns.

Plumbing repairs have been undertaken at the Cootamundra Caravan Park to repair leaking taps and toilets.

Work is continuing on the Cootamundra outdoor pool gutters, with the lining due to be installed early in July.

The contractors engaged to undertake repairs to the fort within Livvi's Place that was damaged by a fallen tree have advised the timber required to complete the works will arrive in early July. Repair works will commence as soon as the timber arrives. It is anticipated this will be completed before the end of July.

The Cootamundra EV charging stations' data for June is shown below:-



Waste Services

The Cootamundra Waste Facility operations were audited during June to identify areas for improvement, ensure regulatory compliance, and to help prevent any potential issues. The recommended outcomes will assist Council to continually improve services to the community.

The secondhand tip shop processed 79 transactions for June with a total of \$654.24 in income. During this period staff have diverted 600kg of waste from the landfill into the shop to be repurposed.

A total of 146 tonnes of recycled crushed concrete was sold during June, and a total of 25 tonnes of composted soil.

Capital Works Projects

The Draft Muttama Creek Masterplan Report, including the draft concept civil engineering plans, has been completed and is currently being reviewed by Council. Once Council have completed their review and provided feedback, the Draft Muttama Creek Masterplan Report will be placed on public exhibition for two weeks. Physical work has continued with cleaning out the creek 10 meters either side of culverts and bridges and additionally, mowing the Cumbungi along the creek.

Flood repairs to the AFL Clubhouse Building at Clarke Oval have now been completed. This included fence repairs, new carpet and new cabinetry in the kitchen and bar.

The three new bus shelters for Cootamundra High School, Cootamundra Public School and Creekside Kids childcare centre have been installed and the project is now complete.

Biosecurity – General and WAP Activity June 2025

Activity	Location	Km/Count	Date
Public Roadside Inspections (Target 1650km)	Rosehill Rd	21	4/6/2025
	Old Cootamundra Rd	22	5/6/2025
	Dudauman Rd	8.5	6/6/2025
		TOTAL: 51.5km	27/6/2025
Inspect Council owned and Managed Lands (≥ 2 annual):	Cootamundra Cemetery	1 inspection	30/6/25
	Cootamundra Waste Transfer	1 inspection	11/6/2025
Activity	Location	Km/Count	Date
LCAs to support Biosecurity Weed Officers to attend State Weed Conference (Coordination event)	Port Macquarie	N/A	4-7 th August
Provide landholders with education, training & technical advice & support on weed management (Extension)	Cootamundra	1 social media – Wheel cactus	12/6/2025
Reduce the impacts of widespread invasive species – Council Program (Non-WAP) (Target 825km)	Cootamundra (State and local roads)	≥ 825km (annual target fulfilled).	2025
Participate in Regional Weed Committee meetings. Complete delegate reports for	Wagga Wagga	Q4 Report	10/6/2024

<i>Regional Weed Committee meetings.</i>			
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General Weeds Activity

Activity	Location	Description	Date
<i>Roadside Maintenance (Side-Spray)</i>	Rosehill Road	Side spray	4/6/2025 5/6/2025
	Old Cootamundra Road	Side spray	6/6/2025 27/6/2025
	Dudauman Road	Side spray	30/6/2025

Side spraying of locals roads is continuing throughout the year in line with respective weed growth. Private property and HR pathway inspections are set to recommence in July as per WAP funding requirements.

WAP acquittals are due in July, which has been a focus for Council's Biosecurity Officer during June to ensure accurate reporting of inspection and activity targets.

Financial

All areas of expenditure relating to the operations within the Regional Services – Cootamundra department are within budget allocations.

OLG 23a Guideline consideration

No impacts associated with this report.

9 MOTION OF WHICH NOTICE HAS BEEN GIVEN

Nil

10 QUESTIONS WITH NOTICE

Nil

11 CONFIDENTIAL ITEMS

11.1 CLOSED COUNCIL REPORT	
DOCUMENT NUMBER	442061
REPORTING OFFICER	Anne Chamberlain, Governance Officer
AUTHORISING OFFICER	Roger Bailey, Interim General Manager
RELEVANCE TO COMMUNITY STRATEGIC PLAN	<p>4. Collaborative and progressive leadership</p> <p>4.1 A clear strategic direction that is delivered upon</p>
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

- Item 11.2 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.**
- In accordance with section 11 (2) and (3) of the Local Government Act, 1993, the reports, correspondence and other documentation relating to Item 11.2 be withheld from the press and public.**

11.2 HUMAN RESOURCES REPORT

Provisions for Confidentiality

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

Public Interest

N/A.