

Business Paper

ORDINARY COUNCIL MEETING

COUNCIL CHAMBERS, GUNDAGAI

6:00PM, Tuesday 28th March, 2023

Administration Centres: 1300 459 689

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

NOTICE OF MEETING

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

Tuesday, 28th March, 2023 at 6:00PM

The agenda for the meeting is enclosed.

Steve McGrath
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.

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 28 FEBRUARY 2023

REPORTING OFFICER	Teresa Breslin, Acting EA to Mayor and General Manager
AUTHORISING OFFICER	Steve McGrath, 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 28 February 2023

RECOMMENDATION

The Minutes of the Ordinary Meeting of Council held on Tuesday 28 February 2023 be confirmed as a true and correct record of the meeting.

Minutes

ORDINARY COUNCIL MEETING

ALBY SCHULTZ MEETING CENTRE, COOTAMUNDRA

6:00PM, Tuesday 28th February, 2023

Administration Centres: 1300 459 689

**MINUTES OF COOTAMUNDRA-GUNDAGAI REGIONAL COUNCIL
ORDINARY COUNCIL MEETING
HELD AT THE ALBY SCHULTZ MEETING CENTRE, COOTAMUNDRA
ON TUESDAY, 28 FEBRUARY 2023 AT 6:00PM**

PRESENT: Cr Charlie Sheahan (Mayor), Cr Leigh Bowden (Deputy Mayor), Cr Logan Collins, Cr Trevor Glover, Cr David Graham, Cr Gil Kelly, Cr Abb McAlister, Cr Penny Nicholson

IN ATTENDANCE: Steve McGrath (Interim General Manager), Paul Woods (Interim Deputy General Manager - CCD), Matt Stubbs (Deputy General Manager - Operations), Linda Wiles (Manager Business), Zac Mahon (Manager Finance), Mark Ellis (Manager Civil Works), Stephen Targett (Acting Manager Technical Services), Wayne Bennett (Manager Waste, Parks & Recreation Services)

1 ACKNOWLEDGEMENT OF COUNTRY

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

ADJOURN MEETING FOR OPEN FORUM

RESOLUTION 021/2023

Moved: Cr Trevor Glover

Seconded: Cr Penny Nicholson

Council adjourn for Open Forum.

CARRIED

2 OPEN FORUM

List of Speakers

1. Nina Piotrowicz – Item 7.1 Minutes of Local Traffic Committee
– Item 8.1.5 Delivery Program/ Operational Plan Progress Report

Submission for open forum received by Nina Piotrowicz, and was read out by the Mayor during Open Forum.

RESUME OPEN MEETING

RESOLUTION 022/2023

Moved: Cr Leigh Bowden

Seconded: Cr David Graham

Council resume the Open Meeting.

CARRIED

3 APOLOGIES

Cr Les Boyd was not present at the meeting.

4 DISCLOSURES OF INTEREST

Nil

5 CONFIRMATION OF MINUTES

5.1 MINUTES OF THE ORDINARY MEETING OF COUNCIL HELD ON TUESDAY 24 JANUARY 2023

RESOLUTION 023/2023

Moved: Cr Leigh Bowden

Seconded: Cr David Graham

The Minutes of the Ordinary Meeting of Council held on Tuesday 24 January 2023 be confirmed as a true and correct record of the meeting.

CARRIED

6 MAYORAL MINUTES

6.1 MAYORAL MINUTE - COUNCILLOR ENGAGEMENT

RESOLUTION 024/2023

Moved: Cr David Graham

Seconded: Cr Trevor Glover

The information in the Mayoral Minute be received and noted.

CARRIED

6.2 MAYORAL MINUTE - CONGRATULATIONS TO OAM RECIPIENTS

RESOLUTION 025/2023

Moved: Cr Leigh Bowden

Seconded: Cr Trevor Glover

Council acknowledge and congratulate the following recipients of the Order of Australia (OAM) from the Cootamundra-Gundagai Regional Council area:

- 1. Mr Brian Joseph O'Malley; and**
- 2. Mr Dennis Thomas Palmer.**

CARRIED

7 REPORTS FROM COMMITTEES**7.1 MINUTES OF THE COOTAMUNDRA-GUNDAGAI LOCAL TRAFFIC COMMITTEE MEETING HELD ON THURSDAY 9 FEBRUARY 2023****RECOMMENDATION**

- 1. The Minutes of the Cootamundra-Gundagai Local Traffic Committee Meeting held on Thursday 9 February 2023, attached to the report, be received and noted.**
- 2. Council consider the recommendations detailed in the report, and contained within the Minutes.**

AMENDMENT

Moved: Cr Leigh Bowden

Seconded: Cr Penny Nicholson

The recommendation listed in the Minutes at General Business item 2.7 dot point 1 be withdrawn, and refereed back to the committee.

RESOLUTION 026/2023

Moved: Cr Logan Collins

Seconded: Cr Abb McAlister

- 1. The Minutes of the Cootamundra-Gundagai Local Traffic Committee Meeting held on Thursday 9 February 2023, attached to the report, be received and noted.**
- 2. The recommendation listed in the Minutes at General Business item 2.7 dot point 1 be withdrawn, and refereed back to the committee.**
- 3. Council resolve the remaining recommendations detailed in the report, and contained within the Minutes.**

CARRIED

8 GENERAL MANAGER'S REPORT**8.1 BUSINESS****8.1.1 NSW ALGWA CONFERENCE 2023****RESOLUTION 027/2023**

Moved: Cr Leigh Bowden

Seconded: Cr Abb McAlister

- 1. The Australian Local Government Women's Association (ALGWA) NSW program attached to the report, be received and noted.**
- 2. Council support Cr Bowden, Cr Nicholson and maximum of two (2) interested Council staff, to attend the ALGWA NSW Conference in 2023.**

CARRIED

8.1.2 NATIONAL GENERAL ASSEMBLY 2023**RESOLUTION 028/2023**

Moved: Cr David Graham

Seconded: Cr Abb McAlister

1. The attendance of the Mayor and Interim General Manager at the 2023 National General Assembly in June, 2023 be endorsed.
2. Registration for each attendee be finalised before 19 May, 2023 to receive the early bird rate of \$895 per attendee.
3. The attendance of the Deputy Mayor at the 2023 Regional Cooperation and Development Forum with a registration fee of \$425 be endorsed.
4. The Motion listed below, and detailed in the late report, be endorsed and submitted to ALGA by 24 March 2023:

“This National General Assembly calls on the Australian Government to fast track overseas trained doctors to the regions.”

CARRIED

8.1.3 COMMUNITY DONATIONS POLICY**RESOLUTION 029/2023**

Moved: Cr Trevor Glover

Seconded: Cr David Graham

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 \$30,000 to the Community Donations program be included in the 2023/2024 Operational Plan.

CARRIED

8.1.4 TABLING OF PECUNIARY INTEREST RETURNS - MAYOR AND NEW DESIGNATED PERSON**RESOLUTION 030/2023**

Moved: Cr Logan Collins

Seconded: Cr David Graham

The tabling of a pecuniary interest returns from Mayor and new designated person be noted.

CARRIED

8.1.5 DELIVERY PROGRAM/ OPERATIONAL PLAN QUARTERLY PROGRESS REPORT**RESOLUTION 031/2023**

Moved: Cr Leigh Bowden

Seconded: Cr Logan Collins

The Delivery Program incorporating the Operational Plan 2022/2023, quarterly progress report, (2nd Quarter October to December), attached to the report, be received and noted.

CARRIED

8.1.6 ARIC RECOMMENDATION - CGRC POLICY REGISTER REVIEW**RESOLUTION 032/2023**

Moved: Cr Trevor Glover

Seconded: Cr Leigh Bowden

The Policy Schedule, attached to the report, be received and noted.

CARRIED

8.1.7 COOTAMUNDRA HERITAGE CENTRE MANAGEMENT S.355 COMMITTEE MEETING MINUTES**RESOLUTION 033/2023**

Moved: Cr Penny Nicholson

Seconded: Cr Logan Collins

The Minutes of the Cootamundra Heritage Centre Management s.355 Committee Meetings held 5 December 2022 and 6 February 2023, attached to the report, be received and noted.

CARRIED

8.1.8 MUTTAMA CREEK REGENERATION GROUP S.355 COMMITTEE MEETING MINUTES**RESOLUTION 034/2023**

Moved: Cr Gil Kelly

Seconded: Cr Leigh Bowden

- 1. The Minutes of the Muttama Creek Regeneration Group s.355 Committee meeting held 12 December 2022, attached to the report be, received and noted.**
- 2. The Muttama Creek Regeneration Group reword the flood planning committee paragraph in the Minutes to accurately reflect the current situation.**

CARRIED

8.1.9 STOCKINBINGAL ELLWOOD'S HALL S.355 COMMITTEE MEETING MINUTES**RESOLUTION 035/2023**

Moved: Cr Leigh Bowden

Seconded: Cr Trevor Glover

The Minutes of the Stockinbingal Ellwood's Hall s.355 Committee meeting held 9 February 2023 attached to the report be, received and noted.

CARRIED

8.2 FINANCE**8.2.1 CREDIT CARD POLICY****RESOLUTION 036/2023**

Moved: Cr David Graham

Seconded: Cr Logan Collins

The draft Credit Card Policy, attached to the report, be adopted.

CARRIED

8.2.2 DECEMBER 2022 QUARTERLY BUDGET REVIEW STATEMENT**RESOLUTION 037/2023**

Moved: Cr Trevor Glover

Seconded: Cr Logan Collins

- 1. The December 2022 Quarterly Budget Review be received and noted.**
- 2. The budget variations listed in the report be adopted.**

CARRIED

8.2.3 RESTRICTED CASH RECONCILIATION**RESOLUTION 038/2023**

Moved: Cr David Graham

Seconded: Cr Trevor Glover

The Restricted Cash Reconciliation report, be received and noted.

CARRIED

8.2.4 FINANCE UPDATE - CAPITAL AND OPERATIONAL INCOME & EXPENDITURE**RESOLUTION 039/2023**

Moved: Cr David Graham

Seconded: Cr Penny Nicholson

1. The Finance Update report, be received and noted.
2. Council separate its Water, Sewer and Waste income expenditure and reserves in preparation for the demerger.

CARRIED**8.2.5 INVESTMENT REPORT - JANUARY 2023****RESOLUTION 040/2023**

Moved: Cr David Graham

Seconded: Cr Trevor Glover

The report detailing Council Cash and Investments as at 31 January 2023, be received and noted.

CARRIED**8.3 COMMUNITY AND CULTURE****8.3.1 OLD MILL PROJECT****MOTION**

Moved: Cr Abb McAlister

Seconded: Cr David Graham

1. Council withdraw from the Regional Tourism Activation Fund (RTAF).
2. Council utilise funds of \$153,457.00 allocated to the Old Mill project from the Stronger Communities Fund to masterplan the Old Mill precinct.

The mover indicated that it was preferred that each item be considered separately, and withdrew the motion.

RESOLUTION 041/2023

Moved: Cr Leigh Bowden

Seconded: Cr Penny Nicholson

Council withdraw from the Regional Tourism Activation Fund (RTAF).

VOTING RECORD	
FOR RESOLUTION	AGAINST RESOLUTION
Cr Charlie Sheahan (Mayor)	Cr David Graham
Cr Leigh Bowden	Cr Abb McAlister
Cr Logan Collins	Cr Penny Nicholson

Cr Trevor Glover Cr Gil Kelly	
ABSENT	DECLARED INTEREST
Cr Les Boyd	Nil

CARRIED**RESOLUTION 042/2023**

Moved: Cr Trevor Glover

Seconded: Cr David Graham

Council utilise funds of \$153,457.00 allocated to the Old Mill project from the Stronger Communities Fund to masterplan the Old Mill precinct.

CARRIED**8.3.2 GUNDAGAI TOURISM ACTION GROUP (ADVISORY COMMITTEE) MONDAY 6TH FEBRUARY 2023 - MINUTES****RESOLUTION 043/2023**

Moved: Cr David Graham

Seconded: Cr Abb McAlister

- 1. The Minutes of the Gundagai Tourism Advisory Group meeting held Monday 6th February 2023, attached to the report, be noted.**
- 2. Council note the planned 6-month break of the committee.**

CARRIED**8.4 DEVELOPMENT, BUILDING AND COMPLIANCE****8.4.1 DEVELOPMENT APPLICATIONS APPROVED JANUARY 2023****RESOLUTION 044/2023**

Moved: Cr Logan Collins

Seconded: Cr Abb McAlister

The information on Development Applications approved in January 2023, be received and noted.

CARRIED**8.5 REGULATORY SERVICES**

Nil

8.6 ASSETS**8.6.1 NANGUS WATER OPTIONS REPORT****RESOLUTION 045/2023**

Moved: Cr Abb McAlister

Seconded: Cr David Graham

Following completion of the flood study for Nangus village and allocation of funding, work proceed on detailed design and economic analysis of alternate options presented within the BIDS Construction report.

CARRIED

8.6.2 GUNDAGAI SEWAGE TREATMENT PLANT REPLACEMENT PROJECT - PROGRESS REPORT**RESOLUTION 046/2023**

Moved: Cr Penny Nicholson

Seconded: Cr David Graham

The progress report on the Gundagai Sewage Treatment Plant Replacement Project, be noted.

CARRIED

8.7 CIVIL WORKS**8.7.1 CIVIL WORKS AND TECHNICAL SERVICES REPORT - FEBRUARY 2023****RESOLUTION 047/2023**

Moved: Cr David Graham

Seconded: Cr Leigh Bowden

The Civil Works and Technical Services Report for the month of February 2023 be noted.

CARRIED

8.8 TECHNICAL SERVICES**8.8.1 ADDITIONAL FIXING LOCAL ROADS FUNDING****RESOLUTION 048/2023**

Moved: Cr Leigh Bowden

Seconded: Cr Gil Kelly

- 1. Council endorses the acceptance of the Regional and Local Roads Repair Program funding deed totalling \$2,491,307 for pavement maintenance across the council region. This is in addition to the \$473,892 already funded under this program.**
- 2. Council endorses the acceptance of the Fixing Local Roads Funding Deed for a full rehabilitation of 0.6km of Hovell Street, Cootamundra totalling \$1,804,120.**

CARRIED

8.8.2 PLANT REPLACEMENT PROGRAM 23-24**RESOLUTION 049/2023**

Moved: Cr David Graham

Seconded: Cr Trevor Glover

- 1. Council endorses the plant budget of \$2,265,523 for the 23-24 financial year, for inclusion in the 23-24 financial budget, when presented at a future council meeting.**
- 2. Council endorses the raising of purchase orders for plant items detailed in this report, up to \$1,630,000 due to the extended delay between ordering and delivery.**

CARRIED

At 6:51pm, Cr Logan Collins left the meeting.

At 6:54 pm, Cr Logan Collins returned to the meeting.

8.9 FACILITIES**8.9.1 SALE OF GUNDAGAI PRE-SCHOOL****RESOLUTION 050/2023**

Moved: Cr Penny Nicholson

Seconded: Cr David Graham

- 1. The report be tabled and placed on public exhibition for an adequate period, to facilitate community consultation and obtain community feedback.**
- 2. A further report be presented to council after adequate community consultation has been conducted.**

CARRIED

8.9.2 GUNDAGAI VISITOR INFORMATION CENTRE UPDATE**RESOLUTION 051/2023**

Moved: Cr Penny Nicholson

Seconded: Cr Logan Collins

The report on the Gundagai Visitor Information Centre Project, presented to Council and the Public, be received and noted.

CARRIED

8.10 WASTE, PARKS AND RECREATION**8.10.1 WASTE, PARKS & RECREATION DIVISIONAL MONTHLY OPERATIONS REPORT TO COUNCIL****RESOLUTION 052/2023**

Moved: Cr Abb McAlister

Seconded: Cr David Graham

The Waste, Parks & Recreation Division's Monthly Works Report be received and noted.

CARRIED

8.10.2 DRAFT REGIONAL WASTE MANAGEMENT & RESOURCE RECOVERY STRATEGY 2022-2027**RESOLUTION 053/2023**

Moved: Cr Leigh Bowden

Seconded: Cr David Graham

- 1. Council receive and note the Draft Regional Waste Management and Resource Recovery Strategy 2022-2027.**
- 2. Where considered appropriate, councillors are invited to submit comments in writing to the Manager Waste, Parks & Recreation by the 14th March 2023.**
- 3. Comments received are to be reported back to the March Council Meeting for ratification prior to going to REROC for consideration.**

CARRIED

8.10.3 REVISED LAND AND ENVIRONMENTAL MANAGEMENT PLAN (LEMP) FOR COOTAMUNDRA LANDFILL**RESOLUTION 054/2023**

Moved: Cr Gil Kelly

Seconded: Cr Logan Collins

- 1. The Land and Environmental Management Plan Supplementary Report, attached to the report, be adopted.**
- 2. The Land and Environmental Management Plan Supplementary Report be submitted to the EPA for attachment to the existing Land and Environmental Management Plan.**

CARRIED

9 MOTION OF WHICH NOTICE HAS BEEN GIVEN**9.1 NOTICE OF MOTION - BUSINESS CASE FOR TRANSFER STATIONS****RESOLUTION 055/2023**

Moved: Cr Trevor Glover

Seconded: Cr Logan Collins

- 1. To prepare a business case for council to operate the transfer stations within CGRC.**
- 2. To investigate the addition of Adjungbilly into the waste system.**
- 3. Business Case to include waste from the Dog on the Tucker Box and any other waste that CGRC is responsible for.**
- 4. Business Case to include Stockinbingal and Wallendbeen if the current “open tips” are closed.**
- 5. Business case be presented to Council by the October 2023 Council Meeting.**

CARRIED

9.2 NOTICE OF MOTION - SIGNAGE AT MUTTAMA TRANSFER STATION**RESOLUTION 056/2023**

Moved: Cr Trevor Glover

Seconded: Cr Penny Nicholson

That ‘how to exit signs’ are installed inside all CGRC transfer stations, to explain exit process for when gates unexpectedly close.

CARRIED

10 QUESTIONS WITH NOTICE**10.1 QUESTIONS WITH NOTICE****RESOLUTION 057/2023**

Moved: Cr Penny Nicholson

Seconded: Cr David Graham

- 1. The Questions with Notice from Councillors and related responses from Council officers be noted.**
- 2. The 2022 Delivery Program activity 2.1f(1) be amended to reflect the draft version submitted to council.**

CARRIED

11 CONFIDENTIAL ITEMS

Nil

The Meeting closed at 7:27pm.

The minutes of this meeting were confirmed at the Ordinary Council Meeting held on 28 March 2023.

CHAIRPERSON

GENERAL MANAGER

6 MAYORAL MINUTES

6.1 MAYORAL MINUTE - COUNCILLOR ENGAGEMENT

DOCUMENT NUMBER	387275
AUTHORISING OFFICER	Charlie Sheahan, Mayor
REPORTING OFFICER	Charlie Sheahan, 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.

9 February 2023

Cr Collins attended a Local Area Traffic Committee meeting.

14 February 2023

Cr Collins attended a Local Rescue Committee meeting.

Cr Collins attended a Local Emergency Management Committee meeting.

16 February 2023

Cr Collins attended the Riverina Murray Transport Plan consultation meeting.

22 February 2023

Cr Glover attended the Muttama Hall s.355 Committee meeting.

27 February 2022

I, Cr Charlie Sheahan Mayor attended a meeting with the Interim General Manager and Inspector Nadine Roberts, OIC for CGRC.

28 February 2023

Cr Bowden (Deputy Mayor) and I attended a meeting with the Interim General Manager and Deputy GMs.

Crs Bowden, Collins, Graham, Glover, Kelly, McAlister, Nicholson, and I attended a Workshop and Council Meeting in Cootamundra.

I, Cr Charlie Sheahan Mayor attended a meeting with the Interim General Manager and Simon Sutherland from Business Cootamundra regarding the Coota Beach Volleyball.

1 March 2023

Cr Bowden attended a Business Cootamundra Board meeting.

2 March 2023

Cr Bowden attended the Welcome at Inland Rail Meet the Contractors event.

3 March 2023

I, Cr Charlie Sheahan Mayor attended a meeting with the Interim General Manager and Rodeo group.

4 March 2023

I, Cr Charlie Sheahan Mayor attended the Official Opening of the Cootamundra RSL Sub-Branch Veterans Drop-In Centre.

5 March 2023

Cr Bowden attended the Young Crisis Accommodation Centre Ladies Lunch.

7 March 2023

Cr Bowden (Deputy Mayor) and I attended a meeting with the Interim General Manager and Deputy GMs.

Cr Glover attended an Audit, Risk and Improvement Committee meeting in Cootamundra.

8 March 2023

Cr Bowden attended the Business Cootamundra International Women's Day Celebration.

I, Cr Charlie Sheahan Mayor attended the Hovell Street funding announcement with Steph Cooke.

10 March 2023

I, Cr Charlie Sheahan Mayor attended the REROC Executive meeting.

11 March 2023

Cr Bowden attended the Bush Dance at Ellwood's Hall.

14 March 2023

Cr Bowden (Deputy Mayor) and I attended a meeting with the Interim General Manager and Deputy GMs.

Crs Graham, Glover, McAlister, Nicholson, and I attended a Workshop in Gundagai.

Cr Bowden attended a Cootamundra Aboriginal Working Party meeting.

15 March 2023

I, Cr Charlie Sheahan Mayor attended a meeting with the Interim General Manager and Essential Energy.

Cr Glover Chaired the Annual General Meeting for the U3A, Cootamundra group and gave a presentation titled "Tools of the Trade".

Cr Bowden attended the Wallendbeen Hall s.355 Committee AGM.

21 March 2023

Cr Bowden (Deputy Mayor) and I attended a meeting with the Interim General Manager and Deputy GMs.

23 March 2023

Cr Bowden attended an Ellwood's Hall s.355 Committee meeting.

25 March 2023

Cr Bowden attended the Business Cootamundra Festival of Lights.

7 REPORTS FROM COMMITTEES

Nil

8 GENERAL MANAGER'S REPORT

8.1 GENERAL MANAGER OFFICE

8.1.1 RURAL AND REGIONAL SUMMIT SUMMARY

DOCUMENT NUMBER	386876
REPORTING OFFICER	Teresa Breslin, Acting EA to Mayor and General Manager
AUTHORISING OFFICER	Steve McGrath, 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	There are no Policy implications associated with this report.
ATTACHMENTS	Nil

RECOMMENDATION

The Rural and Regional Summit and Country Mayors Association meeting summary report, be received and noted.

Introduction

On February 20, 2023, Local Government NSW hosted the inaugural Rural and Regional Summit for mayors, councillors and general managers from the regions to discuss the issues that are of concern to them. It was instigated by LGNSW President, Cr Darriea Turley, a councillor from Broken Hill, who understands the issues in the regions and the need for rural and regional local government personnel to meet together to discuss them.

Cr Charlie Sheahan, Cr Leigh Bowden, Cr Trevor Glover and GM Steve McGrath attended from Cootamundra-Gundagai Regional Council (CGRC). This report has been prepared utilising the combined efforts of Crs Sheahan, Bowden and Glover.

Discussion

Twenty-one (21) presenters discussed an array of topics that included: the housing crisis, rural health, mental health, resilience and what our regional communities really need?

In addition, there were presentations by the major NSW political parties in the run up to the State Election on March 25. These included:

- the NSW Deputy Premier, Paul Toole
- the Minister for Women, Regional Health and Mental Health, Bronnie Taylor
- the Minister for Regional Transport and Roads, Sam Faraway

- the Member for Wagga Wagga, Dr Joe McGirr
- Shadow Minister for Local Government, Veterans and Western Sydney, Greg Warren
- the Shadow Minister for Regional Transport and Roads, Jenny Aitchinson
- the Shadow Minister for Health and Mental Health, Ryan Park
- the Minister for Local Government, Wendy Tuckerman, and
- the Federal Minister for Regional Development, Local Government and Territories of Australia, Kristy McBain.

Also presenting were representatives of Social Futures, Community Housing Industry Association NSW, Landcom, NSW Rural Doctors Network, NRMA, NSW Council of Social Services, NSW Farmers and CWA NSW.

Several mayors and GMs also gave insight into their region's situation. For example, the Mayor of Albury City Council, Cr Kylie King, gave an interesting presentation regarding housing development in Albury. The council is relocating a depot in the heart of the city to a location further out of the city and using the land to develop new housing. One of the most interesting and potentially valuable presentations for the CGRC was delivered by the Mayor of Forbes, Cr Phyllis Miller, OAM. In brief, Forbes developed a number of blocks of land, then ran a ballot. If your name came out, for the sum of \$149,000, you acquired a serviced block. This generated immense interest, and all blocks were over-subscribed. Forbes Council also "ear marked" four housing units for medical service personnel and for Council staff. This ensured that there was available accommodation when it was needed.

Mr Troy Green, General Manager of Tweed Shire Council, stated that a survey revealed that throughout their region there were 700 vacant houses on properties, indicating a potential to ease the housing shortage. However, not all the houses were of a "habitable" status. Is there similar untapped potential throughout the CGRC? Troy further raised the issue of shops within town that were closed and the potential they may have for accommodation. He acknowledged that the zoning issue may be an inhibitor, however if there are residences above the shops there may well be a way around this.

The politicians were disappointing, and it was obvious that an election was imminent. Promises were prolific. What was evident was that to remedy the housing crises throughout NSW, and indeed Australia, different approaches were needed. Each locality has individual needs and thus different solutions. Such remedies may include: the Forbes scenario, working with Crown Lands and maybe Landcom might be a solution. Indeed, "mobile" type houses may be a part of the solution.

Dr Joe McGirr, MP for Wagga Wagga, spoke passionately about the need for Government to develop a totally separate regional identity within Government, responsible for the running of rural/regional affairs.

The NRMA's Wal Setkiewicz, stated that in addition to the present regional road needs, there is a \$2billion backlog pertaining to road infrastructure.

Social housing was spoken about on multiple occasions and in conjunction with government agencies e.g., Crown Lands Dept. may be a potential source of land. Funding opportunities may arise from this. Jenny Aitchinson, Shadow Minister for Transport and Roads stated that the social

housing waiting list had jumped to 57,000; Mark Degotardi, CEO Community Housing Industry Association NSW, stated that this figure was seven months out of date and there would be many hundreds more on the list today. Tony Davies, CEO Social Futures, commented that the north coast of NSW, with a population of only 300,000, has the same number of "rough sleepers" as the city of Adelaide.

Alex Wendler, CEO Landcom, predicted the population of NSW will increase by 100,000 people per annum. All mentioned the need to challenge the stereotype of the beneficiaries of social housing. Today many of the people on the list for social housing are single, older women.

Are the old Cootamundra and Gundagai Hospitals a potential for some type of social housing development? Indeed, parts of both the Cootamundra and Gundagai saleyards may well be potential avenues for housing development. If the population exodus from the NSW metropolitan area continues, our communities will need to come up with new ways to "accommodate" growth. Mr Paul Toole stated that 180,000 people had moved to regional areas in the last five years and wanted to "unlock" Crown Land for regional development. Cr Phyllis Miller spoke about a "residential incentives policy".

Rebecca Reardon, Vice President of NSW Farmers, stated that weeds were costing the NSW economy \$1.8b annually and called upon councils to come down hard on those property owners who were not doing their job in weed suppression. What may this mean for councils and the multiple varieties of weeds rampant along their road systems?!

Joanna Quilty, CEO NSW Council of Social Services, stated that regional areas were harder hit from COVID than metropolitan areas and their recovery time was longer.

The Country Mayors' meeting on Tuesday, 21 February consisted of a panel of representatives from each party speaking to the election issues raised by the CMA. The issues are Skills and Education, Health Services, Roads and Transport, Water Security, Housing, Crime, Law and Order, Telecommunications Blackspot Coverage and Disaster Preparedness and Funding.

The panellists were:

- Paul Toole, Deputy Premier
- Jenny Aitchinson, Shadow Minister for Regional Transport and Roads
- Mark Latham, One Nation
- Cate Faehrmann, Greens
- Alison Waters, Animal Justice Party, and
- Robert Borsak, Shooters Fishers Farmers Party.

The sorry state concerning NSW TAFE and renewable energy were discussed at length with coal versus renewables having a variety of views, including a brief exchange between Mayor Charlie Sheahan and Mark Latham. TAFE and the need to reinstate this valuable education resource to its former role in providing a quality workforce was a common theme among candidates. The "Red

Fleet" issue was discussed at both forums and the vast majority of candidates agreed that the present situation is unacceptable.

The Rural and Regional Summit and the Country Mayors' Association meeting highlighted the benefits to be had in country elected representatives and local government staff meeting together, to share experiences and explore possible solutions. All were unanimous that the issues we experience in local government at present are the housing crisis, the health crisis and the skills shortage. There is a shortage of housing stock right across the state. In health there is a regional shortage of GP's, nurses, allied health professionals and mental health services. Aged care is also struggling with staff shortages.

Local government in the regions need town planners, engineers and building surveyors. There is a shortage of teachers and regional education outcomes are far below those of their metropolitan counterparts. There is also a shortage of tradies!

It was acknowledged that there is no quick fix to this supply shortage. However, it was good to hear the realisation that investment is needed in education, rebuilding TAFE, and that regionally trained skills and professions are more likely to remain in the regions.

It was encouraging to learn from our regional colleagues that there are some measures and steps that we, in our local government area, can do to alleviate some of the problems.

Financial

No further financial implications associated with this report.

OLG 23a Guideline consideration

Purpose of this report does not conflict with guidelines.

8.2 BUSINESS

8.2.1 COOTAMUNDRA HERITAGE CENTRE MANAGEMENT S.355 COMMITTEE MEETING MINUTES

DOCUMENT NUMBER	388217
REPORTING OFFICER	Anne Chamberlain, Acting Governance Officer
AUTHORISING OFFICER	Paul Woods, Interim Deputy General Manager - CCD
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. Cootamundra Heritage Centre Management s.355 Committee Meeting - 6 March 2023 ↓

RECOMMENDATION

The Minutes of the Cootamundra Heritage Centre Management s.355 Committee Meetings held 6 March 2023, attached to the report, be received and noted.

Introduction

The attached Minutes of the Cootamundra Heritage Centre Management s.355 Committee meetings held on 6 March 2023, 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.

**THE REPORT AND RECOMMENDATIONS OF THE COOTAMUNDRA HERITAGE CENTRE
MANAGEMENT COMMITTEE MONTHLY MEETING HELD AT THE COOTAMUNDRA HERIT-
AGE CENTRE ON MONDAY 6 MARCH 2023 COMMENCING AT 4.00PM**

Present: Geoff Larsen (Chairperson), Cr Les Boyd, Betty Brown, Yvonne Forsyth, Helen Hamilton, Michele Pigram, Betti Punnett, Craig Stewart, Ros Wight

Disclosure of Interest: There was no disclosure of interest.

Minutes from the Previous Meeting: Read and confirmed on the motion of Betti Punnett, seconded by Helen Hamilton
CARRIED

Business Arising: * HMV sign installed on back verandah thanks to Craig Stewart along with Ex-servicemen & Citizens', Mandarin and Herald signs. Power still to be connected.

* Emu eggs - nothing received from Phillip Jenkins to date.

* Garbage Bin - no change to date. Blue bin??

* Front door - no change to date, but Yvonne Forsyth offered to investigate possible adjustment.

* Cr Les Boyd reported that he had spoken to C/GRC re the outdated town map. He also reported that parts of the C/GRC financial report on CHC were internal costs.

Financial Report: Betti Punnett presented the Financial Report CHC. 156 \$123.80; VIC 89 Souvenirs \$81.00; EFTPOS \$24.00 **\$228.80** Moved Betti Punnett, seconded by Craig Stewart.

CARRIED

Correspondence: OUT: * February Minutes, Roster, letters to Phillip Jenkins, Marg Pavitt, Patsy Smith; email to Curtrax (order)

IN: Andrew Brock - reply to letter re building, Curtrax purchase order; email AWM Lucy Marie Elizabeth Kiley's service record; Museums & Galleries NSW Disaster Preparedness Calendar; email Anne Chamberlain re fuel depot booklets (on hand till area officially opened)

General Business: * Betti Punnett reported that a visitor had walked into the power box protruding over the front path, injuring her head. The volunteer on duty had given first aid and the lady had not wanted any further action taken. An accident report had been filled out and C/GRC informed of the accident. The box was next day outlined with yellow/black tape (C/GRC) making it more noticeable. It was decided to contact Essential Energy re the danger posed by their power box and seeking relocation of said box.

* A new Australian flag was installed after the previous one disappeared.

* Volunteers - Margaret Fuller, Don Manwaring and Phil Chadwick have retired and Leonie Le Lievre is joining the team of volunteers. A couple more are still needed to fill the roster.

* Cr Les Boyd reported that he had spoken to C/GRC re the proposed VIC building. At present the project had stalled as the Railway Heritage authority is being consulted.

* Yvonne Forsyth has Betty Kiley's photograph and details to add to war service gallery. She also expressed concern over security as Purvis sign appears to be missing. Members felt glass cases need to be locked and some objects in the open should be locked away.

* Faulty spot lights in House & Home gallery need to be replaced - electrician needed.

* Helen Hamilton suggested that C/GRC be approached re the need for a charging station to be established in town for Tesla vehicles as Cootamundra continues to grow as a base for tourists in this area..

* Defibrillator - President Geoff Larsen asked that training be given in the use of the fibrillatory. This to take place at the next meeting.

* Main gallery - it was decided to hold a working bee on **Tuesday 21 March at 10.00am** to plan changing the exhibits.

There being no further business, the meeting closed at 5.10pm.

Betti Punnett Secretary/Treasurer

Next Meeting 4.00pm 4 April

8.2.2 COOTA BEACH VOLLEYBALL EVENT REPORT

DOCUMENT NUMBER	388072
REPORTING OFFICER	Lauren Eccleston, Tourism and Economic Development Officer
AUTHORISING OFFICER	Paul Woods, Interim Deputy General Manager - CCD
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	1. Coota Beach Volleyball Carnival 2023 report ↓

RECOMMENDATION

- 1. The Coota Beach Volleyball Carnival 2023 report prepared by Business Cootamundra, attached to the report, be received and noted.**
- 2. Council proceed with an EOI process to secure an event operator for an extended 3 x 3 event licence.**

Introduction

The Coota Beach Volleyball carnival has been running for the past 20 years. Coota Beach Volleyball returned this year after a two-year Covid enforced break with 135 teams registering for the carnival. 2023 also saw the addition of the Friday school's carnival with 550 children taking to the courts.

Business Cootamundra was awarded the coordination of the 2023 event in June 2022 (Council Resolution 213/2022). \$20,000 from the residual funds of the defunct S355 Volleyball Committee were transferred to Business Cootamundra as seed funding.

Discussion

To promote stability around the event operations in future, an EOI process should be followed to secure the right event operator to continue with the event via a licencing agreement. By offering a 3 year agreement, with a further 3 year option, it would provide the operator the security to grow the event further whilst still remaining a Council owned event.

Financial

Seed funds for 2024 are being held in an account established by Business Cootamundra at the Southwest Slopes Credit Union. At the end of the EOI process these funds can be transferred to the organisation awarded the ongoing event agreement.

OLG 23a Guideline consideration

The objective of this report does not conflict with guidelines.

**BUSINESS
COOTAMUNDRA**



Cootamundra Beach Volleyball Carnival 2023



17, 18, 19TH FEBRUARY 2023

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BUSINESS COOTAMUNDRA

COOTA BEACH VOLLEYBALL 2023

Background

In 2000, with the aim of showcasing his home town of Cootamundra, Simon Sutherland developed the Coota Beach Volleyball Carnival. Mr Sutherland approached the Cootamundra Shire Council, the Cootamundra Development Corporation (now Business Cootamundra) and his family, friends and the community to put together the inaugural event.

This event involved constructing a full-size beach volleyball court in the main street of Cootamundra. Sand was transported in to build the court and 16 teams played throughout the Saturday for the championship.

Fast-forward to 2019 (the last year the Carnival was held) and the event has grown to 8 courts and 124 teams. The Carnival has moved from Parker Street to the tree lined Murray Street to accommodate the courts and a permanent court has been established in Murray Street.

The COVID-19 pandemic and associated restrictions have prevented the Carnival from being held in 2021 and 2022. The entire community has expressed support to bring this Carnival back to celebrate its 21st year.

Event Overview

The Coota Beach Volleyball Carnival has been a major tourism event for 20 years. Returning after a 2 year Covid enforced break, Coota Beach Volleyball was back bigger and better this year.

Registrations were opened on December 14th and the 126 allocated spots were filled in 1 hour and 50 minutes. With approx. 13 on the waiting list. Team capacity was increased to 136, and these spots were filled again within hours.

The weekend seen 135 teams take to the court and approx. 1100 players participate. Teams travelled from Sydney, Canberra, Wagga, Albury, Young, Harden, Bathurst and more, to be a part of the popular weekend. An estimated 2500 spectators visited the precinct.

The carnival also featured a school's tournament on Friday for the first time which was well supported by school's across the region and is expected to be a growing part of the event for years to come with more and more school's hoping to participate in the event next year.

COOTA BEACH VOLLEYBALL 2023

Inaugural Canberra Goulburn and All Schools Coota Beach Volleyball 2023

Organized by Sacred Heart Central School, the committee worked hard along with the CBV Executive, and CGRC to bring this day together. The success of the day, was a highlight of the carnival.

Approximately 550 children took to the courts on Friday for a friendly competition day. No overall winners, just smiles, laughter and fun. Schools travelled from Goulburn, Young, Tumut, Gundagai.

Catering was supplied by the Cootamundra schools, creating a fantastic fundraising opportunity.

Feedback included:

"What a fantastic day! The inaugural Canberra Goulburn and All Schools Coota Beach Volleyball Carnival has been a huge success. A wonderful community event for local and regional kids. Thank you to Coota Beach, Business Cootamundra and Cootamundra/Gundagai Regional council. Thank you to the hardworking parent groups from all the Cootamundra schools for the catering. We will be back next year bigger and better." Sacred Heart Central School Cootamundra

"McAuley secondary students had the best day at the Beach Volleyball Carnival in Cootamundra. They displayed excellent sportsmanship and teamwork over the whole day and met lots of students from the region." McAuley Catholic School Tumut

"Elouera School students were fortunate to play in the Cootamundra All Schools Beach Volleyball last Friday. What an exciting experience!! Thankyou to Coota Beach Volleyball for the amazing opportunity. Everyone had so much fun including the students and staff who played and also those that were spectating, it was great to be a part of a wonderful community event." Elouera School, Cootamundra

"We bought one bus load of children this year, next year we will be bringing two busload. Best day ever!" St Peter and Paul's Primary , Goulburn

"Friday was the best day. All we could hear was kids laughing all day". Tracey Oliver, Furniture One Cootamundra



COOTA BEACH VOLLEYBALL 2023

Strategy

As indicated in our proposal submitted in June 2022, an Event Co-Ordinator was engaged.

Mr Simon Sutherland, the original creator of the event, accepted our invitation to again take control of the event. Simon's knowledge, passion and commitment to Coota Beach Volleyball and our local community is exceptional. Mr Sutherland commented that what he is trying to achieve is 'to show people that there is plenty of innovation in rural towns and people willing to step out of their comfort zones to do something special'.

Mr Sutherland is committed to the 2024 carnival and has a register of ideas to ensure the carnivals growth, as well as streamlining organisational aspects to be more efficient.

Mr Sutherland was supported by Business Cootamundra staff and Board Members. In addition a sub-committee was formed including Business Cootamundra directors and interested members of the public. Collectively, our board alone has over 60 years' experience in event planning and management. The sub-committee includes members of the original committee returning.

Management Model – Executive Committee

Simon Sutherland - Event Co-Ordinator

Leah Sutherland - BC staff

Rosie O'Neill - BC staff

Jo Tomkies

Jamie Hall

Melinda Chambers

Chelsie Manwaring

Tracey Ewings

Richard de Belin

Chris Ryan

Leigh Bowden (CGRC Rep)

Sub-committee

Jacob Sutherland

Liz Glasson

Brad Winsor

Jamin Hall

Greg Ewings

Mark Elia

Dianne Williams

Cody James

Ian Wilson

COOTA BEACH VOLLEYBALL 2023

Planning

Planning and re-evaluating was essential to the overall event plan and success.

The CBV committee:

- Set sustainability objectives for this event.
- Identified key performance indicators and included them in the event plan. This enabled us to measure and track performance.
- Supported local community groups.
- Identified volunteer opportunities.
- Identified any staff, volunteers and suppliers who required induction and completed inductions.
- Undertook a review of the event site before the event to review sustainability objectives and WH&S and Risk requirements.
- Identified possible environmental impacts of the event and included them in the CGRC EVM and risk register and worked with CGRC to provide solutions.
- Identified local businesses that can supply products and requirements.

Compliance and Safety

Business Cootamundra worked closely with Cootamundra-Gundagai Regional Council and identified stakeholders to develop all associated risk and hazard management and develop appropriate procedures and address:

- Event access and egress
- Traffic flow and road closures
- Amenities access and maintenance
- Event detour signage
- Event emergency procedures
- First aid
- Utilities and site services
- Permits, licensing and registration required
- Food and beverage vendors requirements
- Staging – platform, marquee's, stalls, and any other temporary structures.
- Manual handling and lifting – set up and pull down. During the pack up this year, council supplied a manitou forklift to assist the pulling down of court infrastructure. In previous years this has been a cumbersome and labour intensive task.
- Security -
- Accessibility

COOTA BEACH VOLLEYBALL 2023

Marketing



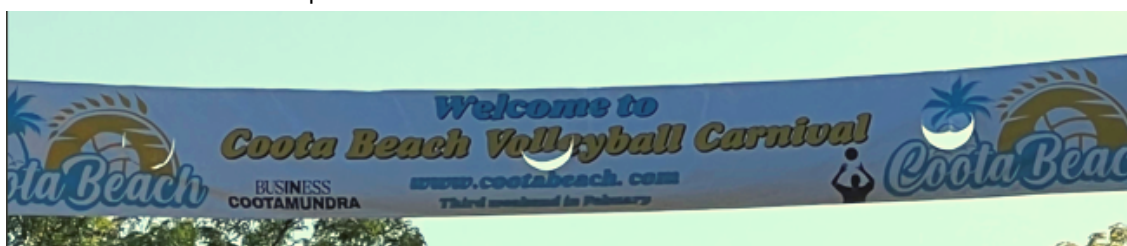
A new logo was established in the initial planning stages. This represented the re-emergence of CBV and the new committee

Key messages for consistent communication of the event's objectives to all stakeholders, internal and external were established. This included the message that the event *'is for the people - the players, the spectators, the community'*.

Promotion and marketing activities were restricted by time during preparations and the focus became ensuring the carnival was the best it could be for 2023. A street banner was commissioned, and took pride and place over Parker Street prior to the event.

Going forward, the CBV committee is committed to establishing how they will support promotion of the event, and communicate key messages for future years. This includes a major sponsorship campaign.

To support these campaigns, Wagga Wagga TV, owned by ex-Cootamundra resident Adam Drummond was commissioned to create a 5 minute documentary on the Coota Beach Volleyball Carnival including promotion of the Cootamundra area. Drone footage captured from before the first infrastructure was laid, to when the final piece was packed up will feature. This will be completed in the next few weeks.



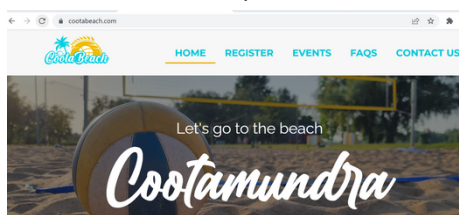
Website

A website was be created as a one-stop place for all information.

www.cootabeach.com

Registrations, for the first year ever, were online. This was an outstanding success, with very positive feedback on the ease of registration this year. the draw, gradings, rules were accessible online, and participants were encouraged to use the site. Very limited printing was conducted.

This website will be further utilized as a one-stop resource for the coming years.



BUSINESS COOTAMUNDRA

COOTA BEACH VOLLEYBALL 2023

Food

Food vendors in the CBV precinct were limited. This encouraged patrons to use local eateries, providing an economic stimulus for them.

We worked with local eateries to remain open during the weekend.

The committee communicated with caterers and vendors that single-serve containers and single-use items were to be avoided where possible.

The committee has identified that we would like to work with local retailers to establish a 'market day' or promotion, possibly on the Saturday morning to draw more event participants into the CBD and boost the local shopping economy.

Waste

In conjunction with CGRC, a waste management plan was generated for the event.

An adequate amount of bins with appropriate signage were provided.

Bins were monitored to assist attendees with the placement of waste in the correct bins. Replacement bins were supplied when receptacles became full.

Recyclables can be collected by community groups as a fundraising. Two community groups supplied trailers for recyclables.

Local environment impacts

Every event will have some level of adverse impact, be it direct or indirect, on natural ecosystems. Consideration must be given to how such direct and indirect impacts can be minimized.

The CBV Committee identified the following impacts and worked towards solutions to minimized or prevented the impact.

- Potential pollution impacts that the event may have including litter, fuel spills, water pollution, air and noise pollution.
- Followed all legislative regulations and Council requirements for protection of the general environment.
- Ensured trees are protected from potential damage including no infrastructure to be attached to trees and implement exclusion zones for significant and regulated trees.
- Minimized the impact of the event on grassed areas.
- Ensured that no pollutants are dispersed into storm water drains. This includes the disposal of cleaners and solvents.

COOTA BEACH VOLLEYBALL 2023

Financials

\$20 000 was made available to Business Cootamundra from CGRC, being part of the reserved amount from the dissolved Coota Beach Volleyball s355 Committee. It was be used for the event planning and establishment.

Profit from the Carnival will be rolled over, and held in a dedicated account established at South West Slopes Credit Union to provide seed funding for 2024. The committee is in the process of already planning for 2024, with many projects planned to make the running of the event more time and labour efficient. These plans and projects will be carried out through the coming year. ** Please note: there are still a couple of invoices to come in, so final figures will change.*

Income	
Seed funds Business Cootamundra	20000
Registrations	58572
Sand Sales (still to come in)	7200
	85772
Expenditure	
Co-ordinator	10000
Admin Fees	2430
Marketing/Promotion	5500
Overhead Banner/signage/	6446
Web Page Creation/Maint	1000
Insurance	3043
Prize Money	6800
PA System + Music	2900
Elouera Hire - seat, toilets, etc	2165
Elounga Quarries	23384
Court Set up (barriers,plumbing)	3790
Equipment - balls, net	1434
Draw Co-ordination	990
Court Equipment	1599
Refund (paid twice)	430
Donation Chop The Mop	500
Sundry - water, first aid, supplies	1500
Headquarter Set up (electrical)	1500
	75411
Seed funds for 2024	10361

Our relationship with Cootamundra–Gundagai Regional Council

BC and CGRC have established a very successful working relationship, through working on community events . This bond was further strengthened through working on the Coota Beach Volleyball Carnival.

Council participation is integral to the success of the CBV. The involvement of the CGRC staff guaranteed this carnival would be successful. When obstacles arose, staff assisted the committee in effectively coming up with solutions, and where possible, putting those solutions into action.

We extend our deepest gratitude to all staff involved and thank them for their passion and dedication, their willingness to assist and their commitment to making this event the success is was.

Business Cootamundra, Cootamundra Beach Volleyball/CGRC continuing collaboration

BC is excited to be proposing to collaborate again with Council on the staging of the 22nd Coota Beach Volleyball Carnival in 2024 and is committed to building the event every year to be the best it can.

Our strong and supportive working relationship with Council, along with the passion and commitment of Council workers, the BC Board of Directors and volunteers, ensures that the Coota Beach Volleyball (CBV) carnival will always be a resounding success.



BUSINESS COOTAMUNDRA

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Plans for the future

During committee meetings and our final debrief, the committee had identified areas that can be improved or enhanced to ensure the growth of the carnival and continued streamlining of procedures.

The list includes, but is not limited too:

- A comprehensive Coota Beach Carnival Event Management Plan
- Improving and beautifying the permanent courts.
- Improving the Beach Volleyball shed. Including a possible extension with dedicated registration and committee area.
- Interactive screens with the draw and information
- A mobile commentators stage, that could be used by community groups as well. (The current stage takes close to 3 hours to set up.)
- Further tweaking of the registration process.
- Further tweaking of providing relevant information to teams before the carnival
- Video's with information on rules for playing, umpiring and scoring. These would be uploaded to the website and Facebook
- More time and labor efficient ways of court set up and pull down.
- Sourcing a more stable power supply.
- Permanent signage through town. Home of Coota Beach Volleyball.
- Improved moving around the courts. Disabled and impaired mobility access.



COOTA BEACH VOLLEYBALL 2023



BUSINESS COOTAMUNDRA

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8.3 FINANCE

8.3.1 INVESTMENT REPORT - FEBRUARY 2023

DOCUMENT NUMBER	387406
REPORTING OFFICER	Zac Mahon, Manager Finance
AUTHORISING OFFICER	Paul Woods, Interim Deputy General Manager - CCD
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 by \$4,399,490.26 from \$21,861,248.07 as at 31 st January 2023 to \$26,216,510.16 as at 28 th February 2023.
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 28 February 2023, 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 by \$4,399,490.26 from \$21,861,248.07 as at 31st January 2023 to \$26,216,510.16 as at 28th February 2023. This was due to the 3rd quarter rates notices falling due and grants funding being received.

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	A+	A1	Macquarie Bank	At Maturity	1/03/2022	1/03/2023	365	0.95	3.37	\$1,000,000.00
TD	BBB+	A2	Members Equity Bank	At Maturity	1/03/2022	1/03/2023	365	0.85	3.37	\$1,002,243.84
TD	BBB	A2	AMP Bank	At Maturity	20/09/2022	21/03/2023	182	4.10	3.37	\$2,000,000.00
TD	AA-	A1+	NAB	At Maturity	10/01/2023	11/04/2023	91	4.09	3.37	\$4,000,000.00
TD	BBB+	A2	Bank of QLD	At Maturity	18/10/2022	18/04/2023	182	3.90	3.37	\$2,000,000.00
TD	AA-	A1+	CBA	At Maturity	18/10/2022	18/04/2023	182	3.86	3.37	\$2,000,000.00
TD	A+	A2	Macquarie Bank	At Maturity	24/01/2023	2/05/2023	98	3.84	3.37	\$1,000,000.00
TD	AA-	A1+	CBA	At Maturity	8/02/2023	9/05/2023	90	4.20	3.37	\$1,000,000.00
TD	BBB	A2	AMP Bank	At Maturity	14/06/2022	13/06/2023	364	3.85	3.37	\$2,027,812.73
TD	BBB+	A2	Members Equity Bank	At Maturity	19/07/2022	18/07/2023	364	4.05	3.37	\$1,006,129.61
CASH	AA-	A1+	CBA	Monthly				2.60	3.35	\$7,979,151.24
CASH	AA-	A1+	CBA	Monthly				2.60	3.35	\$1,154,519.39
CASH	AA-	A1+	NAB	Monthly				3.10	3.35	\$46,653.35

TOTAL:**\$26,216,510.16**

*Benchmarks

On Call - RBA Cash

Floating Rate Deposit - 3m BBSW

Term Deposit - BBSW

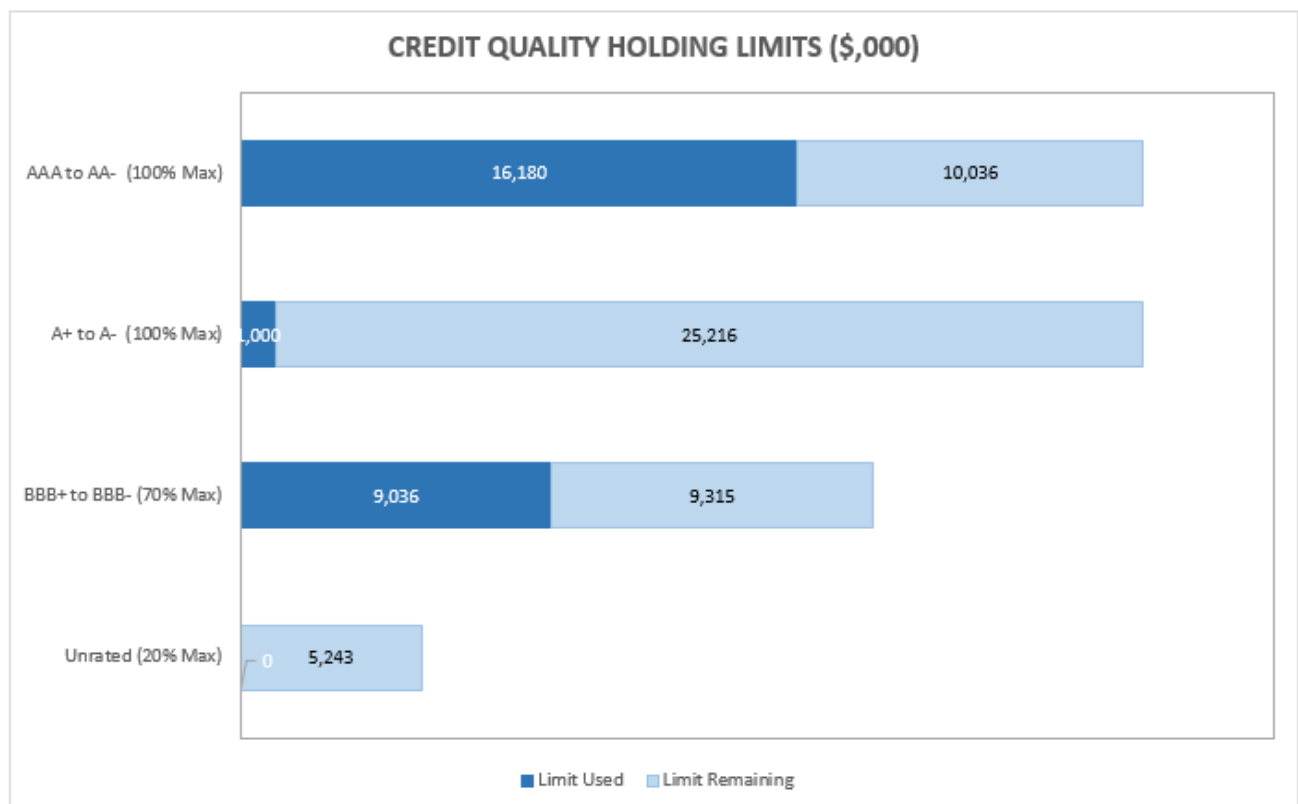
Performance

Cootamundra-Gundagai Regional Council's investment portfolio underperformed by 2.8% when compared to the relevant BBSW Index benchmark, this was due to an influx of grant funding received in February, these funds have been invested in March so that the rate of return will improve. The average weighted yield for February was 3.27%, over an average weighted term of 35 days, with a benchmark of 3.36%.

Total Cost 26,216,510	Yearly Interest Received 320,670	Weighted Average Term 35 Days
Total Value 26,216,510	Monthly Interest Received 59,409	Weighted Average Yield 3.27%

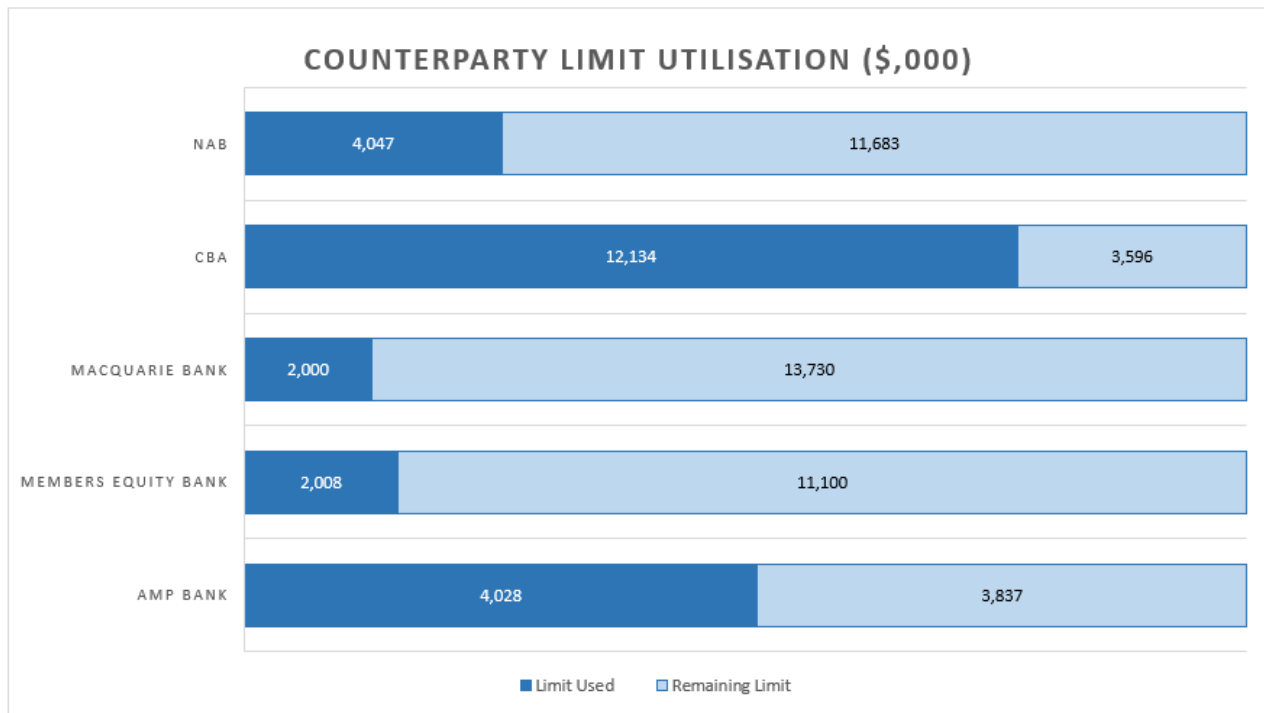
Credit Quality Compliance

Council's investment portfolio was compliant with policy in terms of S&P long term rating credit quality limits, as displayed below.



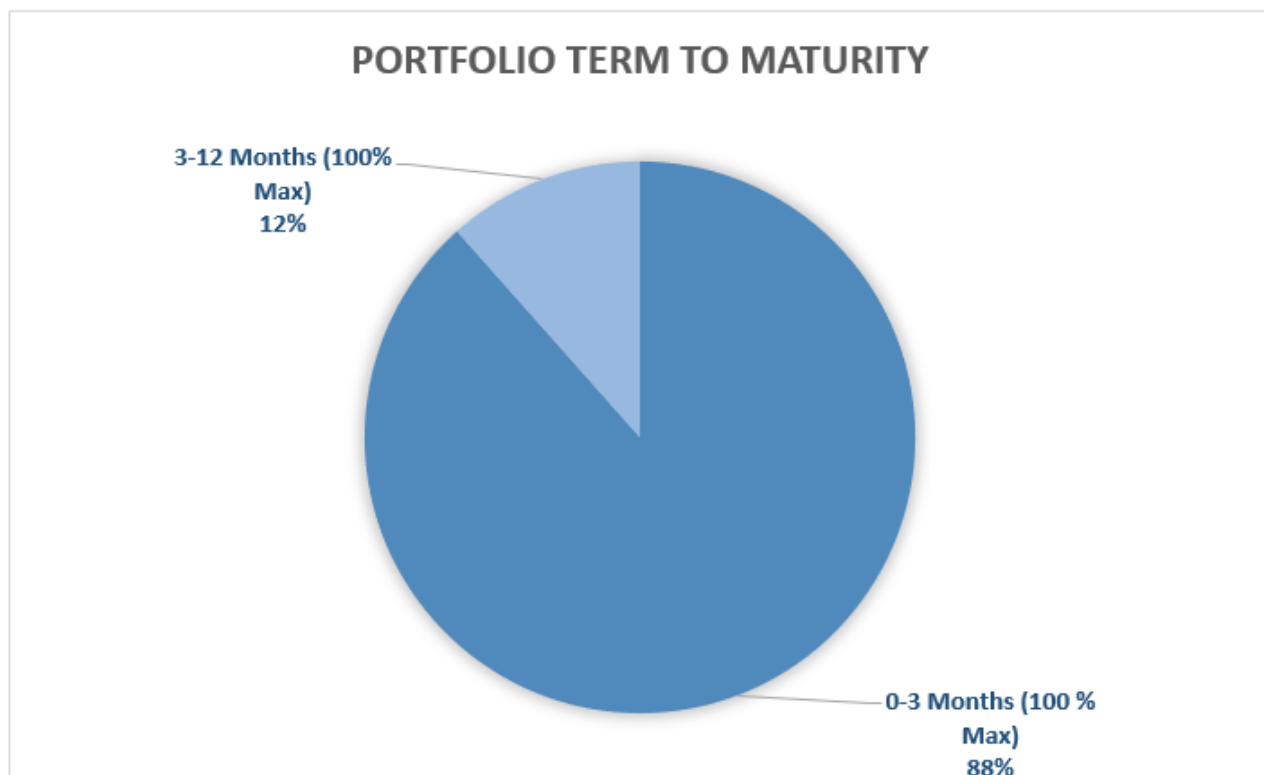
Counter Party Compliance

As at the end of February, Council was compliant with policy in terms of individual financial institution capacity limits. 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.



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

A handwritten signature in black ink that reads "Zac Mahon". The signature is written in a cursive style with a large, looped 'Z' and 'M'.

Zac Mahon
Responsible Accounting Officer

8.3.2 FINANCE UPDATE - OPERATIONAL AND CAPITAL INCOME & EXPENDITURE

DOCUMENT NUMBER	387909
REPORTING OFFICER	Zac Mahon, Manager Finance
AUTHORISING OFFICER	Paul Woods, Interim Deputy General Manager - CCD
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. Operating Update 28 February 2023 ↓ 2. Capital Update 28 February 2023 ↓

RECOMMENDATION

The Finance Update report, be received and noted.

Report

The Finance Update has been redesigned so that both income and expenditure is being reported on. The report below displays the actuals compared to budget as at 31 January 2023.

All of the investigations identified in previous updates have taken place and system and coding issues have been rectified and no major issues have been identified.

Please note that the loan repayments are considered capital and the variance between the quarterly budget review and this budget of \$1.315 million is caused by this.

Operations

There is currently a deficit of 1.48m, but council is awaiting on operational grant funding for flood and pothole repairs and the financial assistance grant which will lead to a surplus based on current projections as shown in the summary below.

Capital

The schedule of works for water, sewer and roads has been completed and updated in the system. The operations departments and the Finance Manager are collaborating on the adjustment for the capital works that will not be completed in 2023.

Financial

There are no financial implications associated with this report.

OLG 23a Guideline consideration

Report purpose does not conflict with guidelines.

Cootamundra Gundagai Regional Cou													
OPERATING BUDGET 2023													
		2021/22										% ACTUAL &	
	BUDGET 2023	ORIGINAL BUDGET	CARRYOVERS &	QBR SEP 2022	QBR DEC 2022	QBR MAR 2023	REVISED BUDGET			TOTAL ACTUAL &		COMMITMENT TO	COMMENTS
		2022/23	REVOTES				2022/23	ACTUAL YTD	COMMITTED YTD	COMMITTED YTD	VARIANCE YTD	BUDGET	
OPERATING INCOME:	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	%	
Finance Department	(16,395,200)	(16,395,200)	-	-	-	-	(16,395,200)	(12,144,574)	-	(12,144,574)	(4,250,626)	74%	☹️
Executive Department	(33,200)	(33,200)	(305,172)	-	(239,000)	-	(577,372)	(551,540)	-	(551,540)	(25,832)	96%	☹️
Business Department	(224,359)	(224,359)	-	-	-	-	(224,359)	(240,229)	-	(240,229)	15,870	107%	☹️
Building Department	(857,800)	(857,800)	-	-	-	-	(857,800)	(495,978)	-	(495,978)	(361,822)	58%	☹️
Engineering Cootamundra	(8,264,912)	(8,264,912)	-	-	-	-	(8,264,912)	(7,598,818)	-	(7,598,818)	(666,094)	92%	☹️
Engineering Gundagai	-	-	-	-	-	-	-	-	-	-	-	0%	☹️
Services Cootamundra	(7,052,703)	(7,052,703)	-	-	-	-	(7,052,703)	(4,749,305)	-	(4,749,305)	(2,303,398)	67%	☹️
Services Gundagai	-	-	-	-	-	-	-	-	-	-	-	0%	☹️
Water Cootamundra	(5,109,700)	(5,109,700)	-	-	-	-	(5,109,700)	(3,632,201)	-	(3,632,201)	(1,477,499)	71%	☹️
Water Gundagai	(6,300)	(6,300)	-	-	-	-	(6,300)	(1,768)	-	(1,768)	(4,532)	28%	☹️
Sewer Cootamundra	(3,416,000)	(3,416,000)	-	-	-	-	(3,416,000)	(2,450,912)	-	(2,450,912)	(965,088)	72%	☹️
Sewer Gundagai	(2,700)	(2,700)	-	-	-	-	(2,700)	-	-	-	(2,700)	0%	☹️
Grants and Contributions	-	-	-	-	-	-	-	-	-	-	-	0%	☹️
TOTAL OPERATING INCOME:	(41,962,876)	(41,962,876)	(305,172)	-	(239,000)	-	(41,907,946)	(31,885,323)	-	(31,885,323)	(10,041,723)	76%	☹️
OPERATING EXPENDITURE													
Finance Department	(49,100)	(49,100)	-	-	-	-	(49,100)	(506,826)	38,540	(468,287)	419,187	954%	☹️
Executive Department	1,491,900	1,491,900	125,599	-	589,000	-	2,206,499	1,481,875	171,018	1,652,893	553,606	75%	☹️
Business Department	3,601,472	3,601,472	179,573	-	-	-	3,781,045	2,058,065	31,022	2,089,087	1,691,958	55%	☹️
Building Department	1,128,200	1,128,200	-	-	-	-	1,128,200	883,313	12,685	895,998	232,202	79%	☹️
Engineering Cootamundra	16,121,020	16,121,020	-	-	(350,000)	-	15,771,020	9,046,218	2,438,328	11,484,546	4,286,474	73%	☹️
Engineering Gundagai	-	-	-	-	-	-	-	-	-	-	-	0%	☹️
Services Cootamundra	10,437,804	10,437,804	-	-	-	-	10,437,804	6,070,801	388,482	6,459,283	3,978,521	62%	☹️
Services Gundagai	-	-	-	-	-	-	-	-	-	-	-	0%	☹️
Water Cootamundra	3,498,546	3,498,546	-	-	-	-	3,498,546	2,005,304	225,488	2,230,792	1,267,754	64%	☹️
Water Gundagai	921,700	921,700	-	-	-	-	921,700	293,280	2,880	296,160	625,540	32%	☹️
Sewer Cootamundra	1,965,861	1,965,861	-	-	200,000	-	2,165,861	667,818	18,370	686,188	1,479,673	32%	☹️
Sewer Gundagai	552,900	552,900	-	-	(200,000)	-	352,900	558,691	19,483	578,173	(225,273)	164%	☹️
Projects	-	-	-	-	-	-	-	-	-	-	-	0%	☹️
TOTAL OPERATING EXPENDITURE:	39,670,303	39,670,303	305,172	-	239,000	-	40,214,475	22,558,538	3,346,295	25,904,834	14,309,641	64%	☹️
ADJUSTMENTS:								7,024,000		7,024,000			
TOTALS AFTER ADJUSTMENTS	39,670,303	39,670,303	305,172	-	239,000	-	40,214,475			32,928,834	7,285,641	82%	☹️
NET RESULT:	(1,692,573)	(1,692,573)	-	-	-	-	(1,692,573)	(2,280,785)		1,063,511			

Cootamundra Gundagai Regional Council CAPITAL WORKS BUDGET 2023										
	BUDGET 2023	ORIGINAL BUDGET 2022/23	2021/22 CARRYOVERS & REVOTES	REVISED BUDGET 2022/23	ACTUAL YTD	COMMITTED YTD	TOTAL ACTUAL & COMMITTED YTD	VARIANCE YTD	% ACTUAL & COMMITMENT TO BUDGET	COMMENTS
CAPITAL EXPENDITURE										
Bridges	390,000	390,000	798,940	1,188,940	576,310	332,752	909,063	279,877	76%	😊
Buildings	293,774	293,774	1,075,511	1,369,285	498,013	64,953	562,966	806,319	41%	😊
Land	-	-	-	-	28,461	32,086	60,548	(60,548)	0%	😊
Plant	550,000	550,000	168,435	718,435	706,412	182	706,594	11,841	98%	😊
Pools	-	-	439,915	439,915	2,774	-	2,774	437,141	1%	😊
Recreation	1,880,809	1,880,809	520,428	2,401,236	839,983	268,700	1,108,683	1,292,553	46%	😊
Roads	4,823,300	4,823,300	3,171,586	7,994,886	1,668,615	101,879	1,770,494	6,224,393	22%	😊
Waste	917,000	917,000	-	917,000	-	-	-	917,000	0%	😊
Sewer	3,200,000	3,200,000	-	3,200,000	471,567	29,569	501,136	2,698,864	16%	😊
Water	3,050,000	3,050,000	345,023	3,395,023	17,557	15,500	33,057	3,361,966	1%	😊
TOTAL CAPITAL EXPENDITURE:	15,104,883	15,104,883	6,519,837	21,624,720	4,809,693	845,621	5,655,314	15,969,406	26%	😊

8.3.3 RESTRICTED CASH RECONCILIATION

DOCUMENT NUMBER	387913
REPORTING OFFICER	Zac Mahon, Manager Finance
AUTHORISING OFFICER	Paul Woods, Interim Deputy General Manager - CCD
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	Nil

RECOMMENDATION

The Restricted Cash Reconciliation report, be received and noted.

Report

The restricted cash figures have been reconciled to 28 February 2023 and an adjustment has been made to the plant reserve and the building reserve by 1.6 and 1 million respectively, as adopted by Council at the November 2022 meeting.

The Manager Finance has completed a forensic reconciliation and improved the process of reconciliation for the water, sewer and waste reserves from 1 July 2018 to now and updated the current figures so that they are accurate.

Council is working to reduce liability balances and acquit grants as a priority to improve the cash position and formulating a strategy to ensure the balance of unrestricted funds improves over time.

Internal Restrictions	Bal 30 June 2022	Transfers To	Transfers From	Bal 28 Feb 2023
Aerodrome Bitumen Resurfacing	165,588		0	165,588
Bradman's Birthplace	94,798	223	0	95,021
Cootamundra Caravan Park	149,516	12,221	0	161,736
Development - Land & Buildings	2,359,693	0	(1,000,000)	1,359,693
Employee Leave Entitlements	1,858,000	0	0	1,858,000
Financial Assistance Grant	0	0	0	0
Quarries & Pit Restoration	557,351	12,856	0	570,207
Heritage Centre	23,623	2,521	0	26,144
Plant Replacement	2,244,471	3,075,273	(3,583,647)	1,736,097
Saleyards	18,078	87,025	(97,724)	7,380

Swimming Pool Pump & Equipment	0	0	0	0
Cemetery	44,677	220,418	(151,394)	113,701
Southern Phone	602,536	0	(439)	602,097
Waste Management	2,746,407	2,636,025	(4,882,432)	500,000
INTERNAL TOTALS	10,864,739	6,046,561	(9,715,636)	7,195,665

Externally Restricted Reserves	Bal 30 June 2022	Transfers To	Transfers From	Bal 28 Feb 2023
Domestic Waste	1,038,570	2,000,384	(819,398)	2,219,556
Water Supply	7,099,851	940,747	(519,411)	7,521,187
Sewerage Service	5,317,544	2,056,427	(1,183,447)	6,190,524
Stormwater Infrastructure Renewal	179,184	127,226	0	306,410
New Council Implementation Fund (2) – Merged with Grants	0	0	0	0
Developer Contributions	587,380	106,955	(878)	693,457
General Fund Unspent Grants & Contributions	7,279,701	4,497,820	(1,320,875)	10,456,646
EXTERNAL TOTALS	21,502,230	9,729,560	(3,844,010)	27,387,780
GRAND TOTALS	32,366,970	15,776,121	(13,559,645)	34,583,445

Restricted Cash Reconciliation

Restricted Cash	34,583,445
Cash at 28 February 2023	26,216,510
Unrestricted Balance	(8,366,935)
Grant Debtors Outstanding	1,344,335
Grants Completed but not Acquitted	460,135
Balance	(6,562,465)

Financial

There are no financial implications associated with this report

OLG 23a Guideline consideration

Report purpose does not conflict with guidelines.

8.4 SUSTAINABLE DEVELOPMENT

8.4.1 DEVELOPMENT APPLICATIONS APPROVED FEBRUARY 2023

DOCUMENT NUMBER	388203
REPORTING OFFICER	Sally Atkinson, Acting Manager Development, Building and Compliance
AUTHORISING OFFICER	Paul Woods, Interim Deputy General Manager - CCD
RELEVANCE TO COMMUNITY STRATEGIC PLAN	3. Protected and enhanced environment 3.1 A natural environment is valued and protected
FINANCIAL IMPLICATIONS	As detailed in the 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 information on Development Applications approved in February 2023, be received and noted.

Introduction

The Development Applications approved in the February 2023 Report, is submitted for the information of Council regarding development applications processed.

Discussion

The following development applications were approved by Cootamundra-Gundagai Regional Council in February 2023.

APP. NO.	PROPOSED DEVELOPMENT	PROPERTY DESCRIPTION
10.2022.186.1	In ground Swimming pool with landscaping including retaining wall, tiled deck and pool fence	Lot 101 DP577519 First Avenue, Gundagai
10.2022.182.1	Proposed new single storey rural dwelling with attached garage including demolition of existing house	Lot 1 DP100866 Stockinbingal Road, Cootamundra
10.2022.145.1	Proposed Alterations and Additions to Existing Dwelling	Lot B DP380323 Sutton Street, Cootamundra
10.2022.154.1	Subdivision (residential) – 3 lots – to subdivide the land into three (3) lots	Lot 370 DP1171108 Pinkerton Road, Cootamundra
10.2022.151.1	Subdivision – 2 lots – to subdivide the land into two (2) lots	Lot 7 DP1173337 Warralong Road, Cootamundra
10.2022.130.1	Subdivision – existing 3 lot to 5 lots	Lot 3 DP1044171 Mount Street, Cootamundra

10.2020.138.3	Modification – S.4.55(1) – Proposed New Dwelling (Change to Roof Plan)	Lot 12 DP870918 Stockinbingal Road, Cootamundra
10.2022.157.1	Proposed New Shed	Lot 1 DP251887 Adelong Road, Tumblong
10.2022.141.1	Proposed New Industrial Shed	Lot 29 DP1075694 Barrett Street, Cootamundra
10.2022.152.1	Proposed New Dwelling	Lot 2 DP1276651 Adelong Road, Tumblong
10.2023.002.1	Proposed New Carport	Lot 1 SP89920 Hovell Street, Cootamundra
10.2023.007.1	Proposed Alterations and Additions to Existing Dwelling	Lot 2 DP523618 Centenary Avenue, Cootamundra

VALUE OF WORK REPORTED TO THIS MEETING:**\$ 1,854,489.00****VALUE OF WORK REPORTED FINANCIAL YEAR TO DATE****\$ 17,810,434.00**

THIS TIME LAST YEAR:

VALUE OF WORK – FEBRUARY 2022

\$ 6,382,223.00

VALUE OF WORK – YTD 2022-23

\$ 45,824,962.00

Financial

The value of approved applications is different than the same period last year, however this is something that is outside of the control of Council.

OLG 23a Guideline consideration

The objective of this report does not conflict with guidelines.

8.4.2 MANAGING CONFLICT OF INTEREST: COUNCIL-RELATED DEVELOPMENT POLICY

DOCUMENT NUMBER	388204
REPORTING OFFICER	Sally Atkinson, Acting Manager Development, Building and Compliance
AUTHORISING OFFICER	Steve McGrath, Interim General Manager
RELEVANCE TO COMMUNITY STRATEGIC PLAN	4. Collaborative and progressive leadership 4.2 Proactive, practical Council leaders who are aligned with community needs and values
FINANCIAL IMPLICATIONS	There are Financial implications associated with this report.
LEGISLATIVE IMPLICATIONS	The Policy is developed in accordance with the Guidelines issued under Section 66A of the <i>Environmental Planning and Assessment Regulation 2021</i> . Adoption of the policy will bring Council into compliance with the legislative requirements to have such a policy in place.
POLICY IMPLICATIONS	There may be consequential changes required to existing Council policies if this policy is adopted, including for advertising of Council-related development applications and to avoid duplication of standards across existing Council policies. Those policies have been identified in the report. Additional details will also be required to be recorded in Council's register of development applications that may require adaptations to be made to existing administrative processes.
ATTACHMENTS	1. Conflict of Interest Regulation 2022 ↓ 2. DPE Guidelines 2022 ↓ 3. Draft Managing Conflicts of Interest - Council-related Development Policy ↓

RECOMMENDATION**1. That Council resolves:**

- 1.1. To adopt, in principle, the **DRAFT *Managing Conflicts of Interest: Council related Development Policy***, to take effect on 3 April 2023;
- 1.2. To place the draft Policy on public exhibition for a period of 28 days;
- 1.3. That, if no submissions are received during the exhibition period that require material alterations to the draft ***Managing Conflicts of Interest: Council related Development Policy***, it be adopted.

2. That Council resolve:**2.1. That Council staff investigate the establishment of:**

- 2.1.1. A local planning panel, consistent with Division 2.5 of the **Environmental Planning and Assessment Act 1979**; and

2.1.2. A ‘service agreement’ or similar mechanism, with surrounding local governments as a mechanism to manage potential conflicts of interest in Council-related development as outlined in the Draft Policy; and

2.2. That a report be provided to Council on the options available to Council in respect of 2.1.1 and 2.1.2 above, at its November 2023 meeting for consideration.

Introduction

A new Regulation (Attachment 1) to the *Environmental Planning and Assessment Act, 1979* to take effect from 3 April 2023, mandates that Councils must have adopted a policy that specifies how potential conflicts-of-interest will be identified and managed for Council-related developments.

Guidelines issued by the Department of Planning and Environment (DPE - Attachment 2) in relation to the new Regulation defines ‘Council-related development’ as *“development for which the Council is the applicant developer (whether lodged by or on behalf of Council), landowner, or has a commercial interest in the land the subject of the application, where it will also be the regulator or consent authority”*.

The Draft “Managing Conflict of Interest: Council-related Development” Policy (Attachment 3), if adopted, will ensure Council has met its legislative obligations under the Regulation.

Discussion

Legislative Compliance

The DPE Guidelines clarify that the Regulation requires that Council:

- a) adopts a policy that specifies how conflicts of interest in connection with ‘Council-related development applications’ will be handled (section 66A of the Regulation);
- b) includes a ‘Management Strategy Statement’ with Council-related development applications that states what Management Controls will be put in place to manage potential conflicts of interest. Council may also include a statement that Council has no management strategy for the application (section 36A of the Regulation);
- c) records conflicts of interest in connection with Council-related development applications, and the measures taken to manage the conflicts, in its Development Application registers (section 242A of the Regulation); and
- d) exhibits Council-related development applications for a minimum of 28 days to ensure transparency during the assessment process (*Environmental Planning and Assessment Act, schedule 1, clause 9B*).

A policy adopted by Council to conform with section 66A of the Regulation, must:

- establish Management Controls as part of a Management Strategy to address potential conflicts of interest at the different phases of the development process for Council-related development. Those details inform the ‘management strategy statement’ that must be submitted with any council-related development application;

- outline the process by which potential conflicts of interest will be identified, the risks assessed and appropriate management controls established; and
- outline the process that will be followed to publicly communicate the management approaches for each development subject to the policy.

The Draft Policy is consistent with these requirements and the Guidelines.

Process for assessing potential conflicts of interest

The Draft Policy proposes that an assessment of the relative risks of conflicts of interest in a Council-related development would:

- Determine whether the application is actually one that presents a potential conflict-of-interest;
- Identify the phase(s) of the development process (ie, assessment, decision-making, certification, compliance) at which any potential conflict of interest exists;
- Assess the level of risk involved at each phase of the development process; and
- Determine what, if any, management controls should be implemented to address the identified conflict-of-interest at each phase of the development.

In assessing potential conflicts of interest, the Draft Policy proposes that the following factors should be considered:

- Whether Council is a beneficiary of the application, either directly or indirectly, financially or in any other way;
- The Capital Investment Value of the application;
- The scale and nature of the application, its apparent consistency with relevant planning controls, and/or the degree to which it varies from planning controls, (reasonably relying on the Statement of Environmental Effects submitted with the application); and
- The likelihood of the application attracting a significant level of community attention and/or submissions.

The risk assessment process would result in a Management Strategy, incorporating individual Management Controls, to guide the handling of the development process for Council-related development. That Management Strategy becomes, in turn, the Management Strategy Statement that the Regulation is requiring be submitted with every Council-related development, be published on the NSW Planning Portal and be incorporated into Council's register of development applications and consents.

Where a risk assessment determines that no management controls or strategies are necessary in the circumstances of the individual development application, a Management Strategy Statement to that effect must also be submitted with the application, published on the NSW Planning Portal and be incorporated into Council's register of development applications and consents. The Draft Policy

has incorporated some types of development such as internal alterations or commercial fit-outs (and taken from the DPE Guidelines), where no conflicts of interest are considered to exist and no risk assessment need be carried out. A Management Strategy Statement would still need to be published to that effect, however. Council retains the option to review or expand that list of developments that do not require a risk assessment, however the more expansive the list, the greater the risk of conflicts of interest arising. Conversely, Council retains the option to develop controls or management strategy for these types of development should it consider it worthwhile.

Development process management controls

The DPE Guidelines support flexibility in developing Management Strategies for developments that present different levels of risk; potential conflicts-of-interest for advertising signage, for example, may present little, to no, risk, while a new multi-million-dollar development of a community facility presents broader and higher risk potential. The Draft Policy has adopted this flexible approach by putting forward a range of Management Controls for each stage of the development process - assessment, determination, regulation and enforcement. Broadly speaking, however, the Draft Policy makes clear that the higher the capital investment value of the Council-related development, the greater the reliance on external and independent expertise should be.

Management Controls for the *assessment* of Council-related development have been proposed as:

- Engaging a 'peer-review' of an assessment undertaken by Council's own staff, either by an adjoining Council or by an external, independent person/contractor/consultant with relevant expertise and experience;
- Using an external, independent planning person/contractor/consultant to carry out the assessment; or
- Engaging the assessment services of a neighbouring or other council to carry out the full assessment.

Management Controls for the *determination* of Council-related development have been proposed as:

- Ensuring Council-related developments are not approved under delegation, with all such applications being determined by a full, open meeting of Council;
- Including in the assessment report to Council on a Council-related development application, a clear statement on how the Management Strategy for the application was implemented and complied with;
- Establishing and using a local planning panel, consistent with the requirements of Division 2.5 of the Act; or
- Referring the assessment of the Council-related development to the relevant Regional Planning Panel. (It is worth noting, however, that the Regional Planning Panel is under no obligation to accept the referral unless it has statutory obligations to determine applications as in the case of Regionally Significant Developments by Councils).

Management Controls for the *regulation and enforcement* of Council-related development consents have been proposed as:

- Using the services of another/adjoining council to carry out regulatory/compliance/enforcement activities (which may include building certification) for the development;
- Using a private Principal Certifying Authority for construction certification and enforcement of consent conditions;

- Reporting to Council on the progress and compliance status of the development. Reporting could reasonably occur at the commencement of the development (for example, issue of a Construction Certificate or physical commencement of the work); at a midway point of the development; where compliance issues or complaints from the public arise; and at the issue of an Occupation Certificate.

Development process management controls

To ensure transparency and separation from Council's development-related staff, the Draft Policy proposes that the conflict of interest risk assessment and development of a Management Strategy, be carried out at the Deputy General Manager level. The Manager, Sustainable Development (the position under Council's recently adopted organisational structure) would be responsible for the implementation of the outcome of the risk assessment.

Options for using external expertise

The realities of managing conflicts of interest in Council-related development may result in additional costs and administrative processes where external planning consultants or contractors are relied on to provide separation in the development process.

The Draft Policy suggests using surrounding/other councils to carry out assessments, to certify developments, to take compliance action, to do peer reviews of assessments carried out by this Council's staff, or even to determine applications on this Council's behalf. Such arrangements would be best managed under a 'service agreement', Memorandum of Understanding (or similar document) with surrounding councils that could enable such services to be supplied in a mutually beneficial manner.

The Draft Policy also suggests use of a Local Planning Panel (such as allowed under Division 2.5 of the *Environmental Planning and Assessment Act, 1979*). Broadly, the Act allows the creation of local planning panels either by a single council for its local government area, or jointly by 2 or more councils where any function exercisable by a council in relation to the panel is exercised jointly by the member councils. A local planning panel must have four members, appointed by the relevant council(s) and consist of an approved independent person with relevant expertise (law, government, public administration) as Chairperson, two other independent persons with relevant expertise and a representative of the local community who is not a councillor or mayor. No councillor or property developer (as defined by the *Electoral Funding Act, 2018*) or real estate agent (as defined under the *Property, Stock and Business Agents Act, 2002*) can be part of a local planning panel. A local panel effectively functions as a consent authority under Part 4 of the Act and can provide advice on any planning proposal or planning or development matter referred to it by Council.

This Report recommends that Council further investigate the options for forming a local planning panel, including in conjunction with surrounding Councils, as well as options for 'service agreements' or similar legal arrangements that would support the intent and operation of the Draft Policy. It is likely that surrounding rural councils such as Hilltops, Junee, Yass Valley, Coolamon Shire or Snowy Valleys Councils would face similar staffing and cost issues in implementing conflict of interest controls (beyond the ongoing development-related staff resourcing issues that rural councils face). An approach that seeks to support cost and resource sharing may be an acceptable option for surrounding councils.

Financial

Adoption of this Policy may result in additional, one-off costs in processing of development applications where external expertise is bought in to assess proposals that are subject to the policy.

OLG 23a Guideline consideration

The objective of this report does not conflict with guidelines.



Environmental Planning and Assessment Amendment (Conflict of Interest) Regulation 2022

under the

Environmental Planning and Assessment Act 1979

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Environmental Planning and Assessment Act 1979*.

ANTHONY ROBERTS, MP
Minister for Planning

Explanatory note

The object of this Regulation is to impose requirements on councils to manage conflicts of interest that may arise in connection with council-related development applications because the council is the consent authority.

A ***council-related development application*** is a development application, for which the council is the consent authority, that is—

- (a) made by or on behalf of the council, or
- (b) for development on land—
 - (i) of which the council is an owner, a lessee or a licensee, or
 - (ii) otherwise vested in or under the control of the council.

Environmental Planning and Assessment Amendment (Conflict of Interest) Regulation 2022 [NSW]

Environmental Planning and Assessment Amendment (Conflict of Interest) Regulation 2022

under the

Environmental Planning and Assessment Act 1979

1 Name of Regulation

This Regulation is the *Environmental Planning and Assessment Amendment (Conflict of Interest) Regulation 2022*.

2 Commencement

This Regulation commences on 3 April 2023.

3 Amendment of Environmental Planning and Assessment Act 1979 No 203

Schedule 1 Community participation requirements

Insert after clause 9A—

9B Council-related development applications

- (1) Minimum public exhibition period for a council-related development application—28 days.
- (2) In this clause—

council-related development application means a development application, for which a council is the consent authority, that is—

 - (a) made by or on behalf of the council, or
 - (b) for development on land—
 - (i) of which the council is an owner, a lessee or a licensee, or
 - (ii) otherwise vested in or under the control of the council.

Note— Land vested in or under the control of the council includes public land within the meaning of the *Local Government Act 1993*.

Environmental Planning and Assessment Amendment (Conflict of Interest) Regulation 2022 [NSW]
Schedule 1 Amendment of Environmental Planning and Assessment Regulation 2021

Schedule 1 Amendment of Environmental Planning and Assessment Regulation 2021

[1] Section 30B

Insert after section 30A—

30B Council-related development applications

A council-related development application must be accompanied by—

- (a) a statement specifying how the council will manage conflicts of interest that may arise in connection with the application because the council is the consent authority (a *management strategy*), or
- (b) a statement that the council has no management strategy for the application.

[2] Section 66A

Insert after section 66—

66A Council-related development applications—the Act, ss 4.16(11)

- (1) A council-related development application must not be determined by the consent authority unless—

- (a) the council has adopted a conflict of interest policy, and
 - (b) the council considers the policy in determining the application.

- (2) In this section—

conflict of interest policy means a policy that—

- (a) specifies how a council will manage conflicts of interest that may arise in connection with council-related development applications because the council is the consent authority, and
 - (b) complies with the *Council-related Development Application Conflict of Interest Guidelines* published by the Department and available on the NSW planning portal.

[3] Section 240 Council to keep a register of development applications and development consents

Insert after section 240(3)(m)—

- (m1) for a development consent granted in response to a council-related development application—
 - (i) conflicts of interest that may arise in connection with the application because the council is the consent authority, and
 - (ii) measures taken by the council to manage the conflicts of interest,

[4] Schedule 7 Dictionary

Insert in alphabetical order—

council-related development application has the same meaning as in the Act, Schedule 1, clause 9B.

Council-related Development Application Conflict of Interest Guidelines

Introduction

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

Identifying these conflicts of interest early and finding ways to address them is crucial to good governance and allows councils to strengthen their relationship with communities and build and enhance trust.

The following requirements have been introduced into the *Environmental Planning and Assessment Regulation 2021* to address conflicts of interest in council related development:

- Councils must adopt and have a policy that specifies how conflicts of interest in connection with council-related development applications will be handled. The policy must comply with the requirements in these Guidelines (section 66A).
- Council-related development applications must now be accompanied by either a management strategy statement, which explains how the council will manage potential conflicts of interest, or a statement that the council has no management strategy for the application (section 36A).
- Councils must record conflicts of interest in connection with each council-related development application, and the measures taken to manage the conflicts, in their existing DA register (section 242A).
- Council-related development applications must be exhibited for a minimum of 28 days to ensure transparency during the assessment process (*Environmental Planning and Assessment Act 1979*, schedule 1, clause 9B).

While the regulation changes do not mandate the use of the framework once a development consent is issued, it is best practice when developing their policies for councils to also address conflicts that may occur after development consent has been granted. This could be as simple as stating in the policy that the council will seek to enter a shared services arrangement with a neighbouring council about this phase of the development process, for any development that is the subject of the policy.

Purpose of these Guidelines

These Guidelines are intended to:

- set out the requirements for the council conflict of interest policy required under section 66A,



- assist councils in meeting these requirements by providing a sample policy and management strategy statement that can be used as a template when developing their policies
- provide general information and guidance about the policy.

Flexibility

In some circumstances, council may determine the risks associated with a council-related development are sufficiently low and no specific controls are warranted. Where this is the case, council should still publicly communicate that fact to ensure transparency.

Where a council determines for a particular class of development that the risks of a conflict of interest are very low, it may decide to not have any management controls for a specified type of development unless there is some direct involvement of a councillor or a council staff member in their private capacity.

This can happen, for instance, where the council is the owner of a large commercial building that has a range of shops within it, for which it receives many development applications for commercial fit outs and minor changes to the building facade. In those circumstances, the council's policy could outline that its management strategy for this class of development does not apply additional controls for conflicts of interest.

Other examples where this approach might be appropriate include development for internal alterations or additions to buildings that are not a heritage item, advertising signage, minor building structures projecting from a building façade over public land (such as awnings, verandas, bay windows, flagpoles, pipes and services), and development where the council might receive a small fee for the use of their land.

Sample policy

The sample policy below is to help councils develop their conflict of interest policies for council-related development. It provides practical solutions for developing and implementing ways to manage potential conflicts at all stages of the development process.

For councils that have local planning panels, the council's policy only needs to deal with a subset of this development, as a range of development to which the policy would otherwise apply will already be referred to local planning panels.

Using the sample policy is optional. Each council and local government area is different and has unique local settings, therefore, councils should decide what is appropriate in their circumstances and develop a policy for managing conflicts of interest about council-related development that is suitable for their local area.

An example management strategy statement is also included below.

Requirements for conflict-of-interest policies

Any policy prepared and adopted by a council must:



- establish management controls and/or a management strategy to address potential conflicts of interest at the different phases of the development process for the types of council-related development that the council could be involved in,
- outline the process through which potential conflicts of interest will be identified, the risks assessed and appropriate management controls determined, and
- outline the process that will be followed to publicly communicate the management approaches for each development subject to the policy.

Sample policy

Part 1 Preliminary

(1) Name of policy

This policy is the [insert name of policy].

Note: For example, Conflicts of interest policy – dealing with council-related development throughout the development process.

(2) Aim of policy

This policy aims to manage potential conflicts of interest and increase transparency at all stages of the development process for council-related development.

(3) Scope

This policy applies to council-related development.

(4) Definitions

(1) In this policy:

application means an application for consent under Part 4 of the Act to carry out development and includes an application to modify a development consent it does not include an application for a complying development certificate.

council means [insert name of the council]

council-related development means development for which the council is the applicant developer (whether lodged by or on behalf of council), landowner, or has a commercial interest in the land the subject of the application, where it will also be the regulator or consent authority

development process means application, assessment, determination, and enforcement

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

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

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



Note: Other definitions can be inserted.

Part 2 Process for identifying and managing potential conflicts of interest

(5) Management controls and strategies

(1) The following management controls may be applied to:

- a. the **assessment** of an application for council-related development
 - *insert control(s)*
- b. the **determination** of an application for council-related development
 - *insert control(s)*
- c. the **regulation and enforcement** of approved council-related development
 - *insert control(s).*

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

(2) The management strategy for the following kinds of development is that no management controls need to be applied:

- a. commercial fit outs and minor changes to the building façade
- b. internal alterations or additions to buildings that are not a heritage item
- c. advertising signage
- d. minor building structures projecting from a building facade over public land (such as awnings, verandas, bay windows, flagpoles, pipes, and services)
- e. development where the council might receive a small fee for the use of their land.

Notes:

1. While councils must have a policy that sets out how they propose to deal with potential conflicts of interest for council-related development, it could implement different controls for dealing with them based on the level of risk. For example, councils could set their controls based on:
 - a. risk category – low, moderate, high, very high
 - b. types of development – non-controversial small-scale development, development of a certain value with/without a commercial interest, controversial development, or even
 - c. capital investment value of the proposed development.
2. There is a range of management controls that could be applied in particular circumstances. The following are some examples that councils could use. Note that councils are not limited to one approach and could specify more than one approach if appropriate in their local settings:
 - a. Assessment and determination
 - i. The assessment and/or determination of an application are to be undertaken by council staff under delegation – this might be appropriate if the proposal is considered to be a low-level risk or non-controversial. For more controversial projects, this might only be effective if strict role separation controls are imposed.
 - ii. The application could also be referred for external assessment and/or determination to either:



1. another council
2. a local planning panel if one is in place
3. a regional planning panel (may require negotiation – RPPs are not required to accept referrals)
4. a consultant.

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

b. Regulation and enforcement

- i. Engagement of a private certifier*
- ii. Publication of certificates issued under Part 6 of the Act on the NSW Planning Portal*
- iii. Peer review by a neighbouring council and/or entering into a shared services arrangement with a neighbouring council*
- iv. Reporting of key milestones to the full council.*

3. *Councils may also wish to take advantage of their audit and risk committee to provide guidance for the types of controls that could be applied in specific circumstances.*

(6) Identifying whether a potential conflict of interest exists, assessment of level risk and determination of appropriate management controls

- (1) Development applications lodged with the council that are council-related development are to be referred to the general manager (or a delegate) for a conflict-of-interest risk assessment.

Note: Council-related development is defined in section 4.

- (2) The general manager is to:

- a. assess whether the application is one in which a potential conflict of interest exists,
- b. identify the phase(s) of the development process at which the identified conflict of interest arises,
- c. assess the level of risk involved at each phase of the development process,
- d. determine what (if any) management controls should be implemented to address the identified conflict of interest (in each phase of the development process if necessary) having regard to any controls and strategies outlined in clause 5 of the policy and the outcome of the general manager's assessment of the level of risk involved as set out clause 6(2)(c) of the policy,

Note: The general manager could determine that no management controls are necessary in the circumstances.

- e. document the proposed management approach for the proposal in a statement that is published on the NSW Planning Portal.

Note: The following is an example of a statement that could be published by councils to document its proposed management approach in a particular circumstance.



Scenario

BlueStar Council is upgrading one of their assets, 'Blue River Civic Place'. Council is the landowner and the applicant and is proposing to redevelop the site into a mixed-use development with a total capital investment value (CIV) of \$4.9 million. The development application seeks approval for the construction and use of an additional 2 storeys on an existing 3 storey building comprising a childcare centre, commercial office spaces and partial use of the building for council's public administration.

Example management statement

Council conflict of interest management statement	
Project name	Blue River Civic Place
DA number	DA21/0001
Potential conflict	BlueStar Council is the applicant. Blue River Civic Place has an estimated capital investment value of \$4.9 million and the council expects to receive revenue through renting commercial office spaces.
Management strategy	<p>The council is managing potential conflicts of interest in this matter as follows:</p> <ul style="list-style-type: none"> • The application will be referred to the local planning panel to determine the development application. • Council development assessment staff not involved with preparing the application will assess the DA. The staff will remain separated from the project team. • A private certifier will be engaged to undertake the certification for the development. • Green Hill Council has agreed to peer review any regulatory decisions should compliance decisions be made. • Key project milestones following the development consent will be reported at a public council meeting.
Contact	Anyone with concerns about council fulfilling its obligations should report their concerns to the council.



Draft Managing Conflicts of Interest: Council-related Development Policy

Policy Approval and Distribution

Approved by	Council resolution
Responsible Officer	Manager, Sustainable Development
Council Service Unit	Sustainable Development
Next Review Date	
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

Version Control

Ref	Date	Description	Resolution Number
0.1	28-03-2023	Presented to Council for Adoption	TBA

Purpose

Council has a role as both regulator of development and as a proponent of development when it allows or carries out works on its own land or assets (that is, Council-related development).

For Council-related development, this policy aims to:

- manage potential conflicts of interest that can arise;
- establish appropriate management controls for the development process; and
- to increase transparency at all stages of the Council-related development.

Scope

This policy applies to all Council-related development.

The policy is consistent with the NSW Department of Environment and Planning Guidelines on section 66A of the *Environmental Planning and Assessment Regulation 2021*.

Definitions

In this policy:

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

Application means an application for consent under Part 4 of the Act to carry out development, and includes an application to modify a development consent.

Capital Investment Value means the all costs necessary to establish and operate the development (as established in section 3 and Schedule 7 of the Regulation).

Council means Cootamundra-Gundagai Regional Council.

Council-related development is a development application, for which Council is the consent authority, that is:

- made by, or on behalf of, the Council; or
- for the development on land
 - of which the Council is an owner, a lessee or a licensee; or
 - otherwise vested in, or under, the control of Council.

Development process means application, assessment, determination and enforcement.

Management Control means an action or measure that will be taken to manage potential conflicts of interest identified for any given Council-related development, that together form a Management Strategy.

Management Strategy Statement means a statement specifying how the Council will manage conflicts of interest that may arise in connection with the application because the Council is the consent authority. The Management Strategy Statement includes Management Controls.

the Regulation means the *Environmental Planning and Assessment Regulation 2021*.

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

Notes included in this Policy do not form part of this Policy.

Legislative Framework

This policy should also be read in conjunction with the following legislation:

- the *Environmental Planning and Assessment Act, 1979 (and in particular, Part 4)*;
- the *Environmental Planning and Assessment Regulation 2021*;
- *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*;
- *State Environmental Planning Policy (Planning Systems) 2021*;
- *Cootamundra Local Environment Plan, 2013*; and
- *Gundagai Local Environment Plan, 2011*.

Part 1: Process for identifying potential conflicts of interest

Council-related development applications will be handled in the following manner.

1.1 Assessing the risk of conflict-of-interest

The application will be referred to the Deputy General Manager, Corporate, Community and Development for an assessment of the risk of a conflict-of-interest. That assessment must:

- i. determine whether the application is one in which a potential conflict of interest exists;
- ii. identify the phase(s) of the development process at which any potential conflict-of-interest exists;

- iii. assess the level of risk involved at each phase of the development process, in accordance with the factors stated at Clause 1.2 of this Policy;
- iv. determine what, if any, Management Controls should be implemented as a Management Strategy to address the identified conflict-of-interest at each phase of the development, consistent with the measures stated at Section 2 of this Policy; and
- v. Prepare a Management Strategy Statement (incorporating the identified Management Controls) to be submitted with the application and published on the NSW Planning Portal.

Where a risk assessment determines that no management controls or strategies are necessary in the circumstances of the application, a Management Strategy Statement to that effect must also be prepared, submitted with the application and published on the NSW Planning Portal.

Note: A Management Strategy Statement template such as the one provided at Appendix A to this policy may be used by Council to submit with the application.

1.2 Factors to be considered in assessing the risk of a conflict-of-interest

The following factors should be considered, as a minimum, when assessing the level of conflict-of-interest and resulting risks. Other factors specific to the development, and not identified in the following list, may be relevant and should be considered and recorded in the risk assessment.

- i. Whether Council is a beneficiary of the application, either directly or indirectly, financially or in any other way;
- ii. The Capital Investment Value of the application;
- iii. The scale and nature of the application, its apparent consistency with relevant planning controls, and/or the degree to which it varies from planning controls, (reasonably relying on the Statement of Environmental Effects submitted with the application); and
- iv. The likelihood of the application attracting a significant level of community attention and/or submissions.

1.3 Council-related development where no Management Controls are deemed necessary

The Management Strategy for the following kinds of Council-related development is that no Management Controls need to be applied:

- i. Commercial fit-outs and minor changes to building facades;
- ii. Internal alterations or additions to buildings that are not a heritage item or included in a heritage conservation area;
- iii. Advertising signage.

NOTE:

- *This Clause does not preclude a risk-assessment of other Council-related developments determining that no Management Controls are required.*
- *Clause 5.10(3) of the Cootamundra Local Environmental Plan 2013 and the Gundagai Local Environmental Plan 2011, enables minor and maintenance works to be carried out on heritage items (or items in a heritage conservation area) where no adverse impact on the heritage significance of the building will result. Advice from Council's independent, external heritage consultant should be sought where relevant, under this Clause.*

Part 2: Development process management controls

Where potential conflicts of interest have been identified through the risk-assessment process (Clauses 1.1 and 1.2 of this Policy), the following controls may be applied to the development process.

Factors such as the Capital Investment Value (CIV) of the application may be considered in determining how Management Controls are applied to all phases of the development process. As a general principle, the larger the CIV of the Council-related development, the greater the reliance on external and independent expertise should be.

2.1 Assessing a Council-related application

The following Management Controls may be applied to the process of assessing a Council-related application, with the aim of ensuring that the assessment is not carried out by Council officers with any involvement in the application (including the provision of pre-application advice):

- Engaging a 'peer-review' of an assessment undertaken by Council's own staff, either by an adjoining Council or by an external, independent person/contractor/consultant with relevant expertise and experience;
- Using an external, independent planning person/contractor/consultant to carry out the assessment;
- Engaging the assessment services of a neighbouring or other council.

2.2 Determining a Council-related development

No Council-related development application will be approved under delegated authority, with all such applications to be determined by a full, public meeting of the Council.

For other Council-related developments that are not required to be determined by Regional Planning Panels (under Clause 3, Schedule 6 of *State Environmental Planning Policy (Planning Systems) 2021*) the following options for determining applications may be implemented as part of the Management Strategy:

- Including in the report to Council on a Council-related development application, a clear statement on how the Management Strategy for the application was implemented;
- Establishing and using a local planning panel, consistent with the requirements of Division 2.5 of the Act; or
- Referring the assessment of the Council-related development to the relevant Regional Planning Panel.

2.3 Regulating and enforcing Council-related development

The following Management Controls may be applied to the process of ensuring a Council-related development complies with the development consent and all relevant legal requirements:

- Using the services of another/adjoining council to carry out regulatory/compliance/enforcement activities (which may include building certification) for the development;
- Using a private Principal Certifying Authority for construction certification and enforcement of consent conditions;

- Reporting to Council on the progress and compliance status of the development. Reporting could reasonably occur at the commencement of the development (for example, issue of a Construction Certificate or physical commencement of the work); at a midway point of the development; where compliance issues or complaints from the public arise; and at the issue of an Occupation Certificate.

Part 3: Responsibility / accountability

For Council-related developments:

- The Deputy General Manager, Corporate, Community and Development has the responsibility for carrying out the conflict of interest risk assessment, for determining the applicable Management Strategy and Management Controls, and for preparing the Management Strategy Statement;
- The Manager, Sustainable Development has responsibility for ensuring that:
 - the Management Strategy Statement for each Council-related development is published on the NSW Planning Portal;
 - Council-related development is publicly exhibited in a manner consistent with Council's adopted notification/advertising policy, for at least 28 days;
 - Council's register of development applications and development consents is updated in relation to conflicts of interest, in accordance with Section 240 and 240(3)(m) of the Regulation;
 - The Management Strategy and Management Controls are adhered to during the development process; and
 - reports to Council on compliance of the development are provided (consistent with Clause 2.3 of this Policy).

Related CGRC Documents

This policy should be read in conjunction with Cootamundra-Gundagai Regional Council's adopted policies:

- *'Code of Conduct for Council Staff'*;
- *'Code of Conduct for Councillors'*;
- *'Legislative Compliance Policy'*.

Review Period

This document is to be reviewed every four (4) years to ensure that it remains relevant and meets legislative requirements.

Appendix A



[EXAMPLE] CONFLICT OF INTEREST MANAGEMENT STRATEGY

EXAMPLE STRATEGY ONLY

Project Name:	<i>Civic Centre Redevelopment</i>
Development Application Number:	
Potential Conflict:	<i>Cootamundra-Gundagai Regional Council is the applicant. The development has an estimated Capital Investment Value of \$XX and when completed, Council expects to receive revenue from the leasing of commercial office spaces.</i>
Management Strategy:	<i>Council will manage the potential conflicts of interest by:</i> <ul style="list-style-type: none"><i>• Having the application assessed by an external, independent planning professional;</i><i>• Referring the application to the Regional Planning Panel for determination;</i><i>• Using a private certifier to certify all necessary stages of the development; and</i><i>• Reporting on key project milestones or regulatory issues that arise to a public Council meeting.</i>
Contact:	<i>Anyone with concerns about Council fulfilling its obligations should report their concerns to Council's [Officer/Position].</i>

8.5 ENGINEERING COOTAMUNDRA

8.5.1 COOTAMUNDRA FLOODPLAIN RISK MANAGEMENT COMMITTEE MEETING - MINUTES 13 FEBRUARY 2023

DOCUMENT NUMBER	385874
REPORTING OFFICER	Julie Buckley, Operations Support Officer
AUTHORISING OFFICER	Matt Stubbs, Deputy General Manager - Operations
RELEVANCE TO COMMUNITY STRATEGIC PLAN	3. Protected and enhanced environment 3.1 A natural environment is valued and protected
FINANCIAL IMPLICATIONS	Seek grants for possible funding of protection options and Budgetary allocation as required with Voluntary Purchasing scheme.
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"> Minutes of the Cootamundra Floodplain Risk Management Committee Meeting held on 13 February, 2023 ↓ DRAFT Cootamundra Floodplain Risk Management Study and Plan (under separate cover) ⇒ DRAFT Cootamundra Floodplain Risk Management Study and Plan: Figures 1A - B25 and Appendices A - C (under separate cover) ⇒

RECOMMENDATION

- The Minutes of the Cootamundra Floodplain Risk Management Committee Meeting held on 13 February, 2023, attached to the report, be received and noted.
- In consideration of the Cootamundra Floodplain Risk Management Committee Meeting recommendations detailed in the report, Council:
 - 2.1. Seek a grant variation to allow WMA Water to run the hydrologic and hydraulic models to validate the October 31, 2022 flood event.
 - 2.2. Submit an application for grant funding with a view to implementing the Voluntary Purchase Scheme in the next round of Floodplain Management Grants. The Voluntary Purchase Scheme report will be available at Council's May Meeting at the close of the public submission period. It is noted that Council will have the opportunity to accept any successful grant funding when the grants are announced in late 2023.
 - 2.3. Consider an allocation of funding in future budgets for Council's contribution towards the implementation of the Voluntary Purchase Scheme.
 - 2.4. Place the Draft Cootamundra Floodplain Risk Management Study and Plan on Public Exhibition for a period of 28 days.

Introduction

The Minutes of The Cootamundra Floodplain Risk Management Committee Meeting held 13 February, 2023 attached to the report are provided for the information of Council and the community.

Discussion

The Cootamundra Floodplain Risk Management Committee meet as required to discuss the flood mitigation of the Muttama Creek and other matters relevant to the Muttama Creek that runs through Cootamundra.

Recommendations for consideration within the Minutes:

1. That Council seek a grant variation to allow WMA Water to run the hydrologic and hydraulic models to validate the October 31, 2022 flood event.
2. That Council submit an application for grant funding to implement the Voluntary Purchase Scheme in the next round of Floodplain Management Grants.
3. That Council consider an allocation of funding in future budgets for Council's contribution towards the implementation of the Voluntary Purchase Scheme.
4. That the Draft Cootamundra Floodplain Risk Management Study and Plan be placed on Public Exhibition for a period of 28 days.

The Cootamundra Floodplain Risk Management Committee recommended the Voluntary Purchasing Scheme be considered however, at the time of the presentation of the Draft Cootamundra Floodplain Risk Management Study and Plan the Voluntary Purchasing Feasibility Study was still being finalised pending review by the Department of Planning & Environment, Council and the Committee. This Study will be presented to the May Council Meeting as a confidential report.

The announcement of successful Voluntary Purchasing Scheme grants will be announced in late 2023 and a report will be presented to Council at that time for consideration.

Financial

Future works dependent on available grant funding.

OLG 23a Guideline consideration

Potential budgetary allocation a per possible Voluntary Purchasing scheme.



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Minutes

COOTAMUNDRA FLOODPLAIN RISK MANAGEMENT COMMITTEE MEETING

**ALBY SCHULTZ MEETING CENTRE,
COOTAMUNDRA**

3.00PM, MONDAY 13th February, 2023

Administration Centres: Ph: 1300 459 689

mail@cgrc.nsw.gov.au

www.cgrc.nsw.gov.au

CONTENTS

Cootamundra Floodplain Risk Management Committee Meeting 13th February 2023

Agenda

Meeting title:	Cootamundra Floodplain Risk Management Committee - Meeting No 9		
Date:	13 February 2023	Time:	3.00pm – 5.00pm
Location:	Alby Schultz Meeting Centre, Cootamundra		
Attendees:	Councillor Gil Kelly - Alternate Chairperson Steve McGrath – Interim General Manager Matt Stubbs - Deputy General Manager Operations (via Teams) Mark Ellis - Manager Civil Works Mike Brearley – Consultant Project Manager Steve Manwaring – DPE Representative Craig Ronan - State Emergency Service (via Teams) Erin Askew – WMA Water Belinda Scott – Community Member Antonia Brown – Assisting Belinda Scott, Community Member Ken Loiterton – Community Member		
Apologies	Councillor Charlie Sheehan– Chairperson Craig Perrin - Acting Manager Development, Building and Compliance Steve Mills – Community Member (Muttama Ck Regeneration Group)		

No.	Description	Responsible
1.	Welcome	Chairperson
2.	Adoption of Previous Minutes and Business Arising Moved: Belinda Scott Seconded: Mark Ellis Antonia Brown (on behalf of Belinda Scott) asked why the previous Voluntary Purchase Grant Application was unsuccessful, advising that she has received conflicting information. Antonia Brown would like it noted that she was very disappointed, stating that Belinda Scott is now homeless, her house has been flooded several times and that she will forego any confidentiality associated with this matter.	Chairperson

Steve Manwaring and Mike Brearley confirmed that the grant application had been lodged and accepted as an application. The feedback from the Grants Unit was that the Draft Floodplain Management Risk Study (which includes the Voluntary Purchase Feasibility Study) was not sufficiently advanced at the time the applications were assessed, to meet the funding criteria.

The first draft of the Floodplain Management Risk Study and Plan is now complete and is being considered at this committee meeting. The committee recommends that Council lodge an application for grant funding in the next round of Floodplain Management Grants.

3. Draft Floodplain Risk Management Study.

Erin Askew,
WMA Water

Erin Askew presented the Draft Floodplain Risk Management Study and Plan. There was discussion on the following matters:

- The flood event that occurred on the 31 October 2022 Flood Event appears to be slightly larger than a 5% AEP (1 in 20 years) flood event. Further validation is recommended.
- The draft plan recommends that the following flood modification projects have merit for further evaluation.
 - A retention basin at the Turf Club. Erin Askew will consult with Turf Club representatives.
 - A levee along McGowan Street
 - A stormwater trunk drainage upgrade from Southee Circle
 - Ongoing vegetation management along Muttama Creek.
- The draft plan recommends that the following property modification options have merit:
 - Adoption of a Flood Planning Level
 - Adoption of a Flood Planning Area
 - Flood Proofing/Flood Resilient Buildings
 - Managing Development in Flood Prone Areas
 - Provision of Flood Information to Residents via Section 10.7 Planning Certificates
 - Voluntary Purchase (Feasibility Study completed).

The current draft of the Floodplain Risk Management Study and Plan is being reviewed, and Council will consider a recommendation at its meeting on 28 February 2023 that the draft documentation be placed on public exhibition. Following the exhibition period, submissions will be evaluated, and a final draft of the study will be prepared. The next meeting of the committee will note the submissions and will consider a recommendation that the Floodplain Risk Management Study and Plan be adopted by Council.

The current Draft of the Floodplain Risk Management Study and Plan will be issued to members of the Floodplain Risk Management Committee on 14 February, noting that there may be changes to this draft, and that the documentation remains confidential until such time that Council considers the matter at its meeting on 28 February 2023.

Recommendations

1. That Council seek a grant variation to allow WMA Water to run the hydrologic and hydraulic models to validate the October 31, 2022 flood event.
2. That Council submit an application for grant funding to implement the Voluntary Purchase Scheme in the next round of Floodplain Management Grants.
3. That Council consider an allocation of funding in future budgets for Council's contribution towards the implementation of the Voluntary Purchase Scheme.
4. That the Draft Cootamundra Floodplain Risk Management Study and Plan be placed on Public Exhibition for a period of 28 days.

4. Questions/ Discussions

All

Procedural matters relating to the adoption of the Floodplain Risk Management Study and Plan, and the process associated with grant applications, were discussed.

It was noted that the timing of the exhibition period and the subsequent adoption of the Floodplain Risk Management Study and Plan are critical, to place Council in a strong position for the next round of grant funding.

5. Date for next meeting

To be scheduled for a date soon after the exhibition period. Committee members to be advised.

8.5.2 CGRC ENGINEERING REPORT - MARCH 2023

DOCUMENT NUMBER	387851
REPORTING OFFICER	Julie Buckley, Operations Support Officer
AUTHORISING OFFICER	Matt Stubbs, Deputy General Manager - Operations
RELEVANCE TO COMMUNITY STRATEGIC PLAN	5. Integrated and accessible region 5.2 Easily accessible from major cities and other regional towns
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 CGRC Engineering Report for the month of March 2023 be noted.

Introduction

The CGRC Engineering Report for the month of March 2023 is submitted for the information of Council and the community.

Discussion*Fixing Local Roads Projects:*

Works on Cooper Lane (Cootamundra) have seen the kerb replaced down both sides of the laneway. Excavation is currently underway on the old pavement with the new pavement due to be placed and compacted by the end of March. Sealing is expected in early-mid April. Once re-opened the laneway will be one-way traffic.

Warralong Road (Cootamundra) - placement and compaction of the road pavement is currently underway. Final pavement trimming and sealing is also expected in early April.

Bridge Replacement Program:

The bridge replacement program is close to completion on Lucerndale Road and Carrs Road, Darbalara. The Carrs Road bridge deck was placed on 6 March 2023 and the Lucerndale Road bridge deck was placed on 13 March 2023. Each bridge will cure for 28 days prior to the abutment works to open the bridge to traffic.

Timber Haulage/Heavy Patching Program:

The timber haulage project is close to completion in the Adjungbilly area, on Threeways Road, Adjungbilly Road, Nanagroe Road and Redhill Road.

REPAIR Program:

Pavement and drainage works have commenced on West and Punch Street (Gundagai) intersection under the repair program. These works are anticipated to take up to 3 months and an asphalt wearing course is to be placed at completion.

State Roads:

Works on heavy patching and pavement repairs are scheduled to commence in late March on the Olympic Highway between Cootamundra and Wallendbeen and the Burley Griffin Way west of Wallendbeen. These works are a continuation of similar works undertaken in late 2022 as prioritised by Transport for NSW to repair pavement failures due to the wet spring of 2022.

Cootamundra Flooding:

After the extensive rainfall on the 13 March, 2023 in the Muttama Catchment, Cootamundra experienced its second flooding event in five months. While this event was not as severe as the October 2022 event, numerous properties were impacted by flooding. Council's works crew set up road closures on many streets including the Muttama Creek causeways, as well as roads to the west of Cootamundra including Berthong Road, Old Cootamundra Road, Stockinbingal Road and West Jindalee Road.

At the time of writing, damage assessment of the road and culvert damage is still being assessed, however, Berthong Road has once again suffered road shoulder damage and erosion around culvert headwalls. Old Cootamundra Road experienced water washing across the road in several locations as did Stockinbingal Road. There was also a couple locations on Rosehill Road which experienced water washing over the road.

Emergency works to repair these roads and make trafficable has been undertaken where required.

General Works:

Gravel road maintenance and maintenance grading is underway throughout the Council region including Greens Lane, Cliffords Lane and Smiths Lane (Stockinbingal).

Pothole patching has continued on many bitumen roads around the Local Government Area where necessary. Rosehill Road (Rosehill) has been repaired as well as possible with the patching truck, but still warrants heavy patching in many areas which will be included in upcoming works.

Grass slashing has been completed in various areas around the towns and villages.

Geotechnical and Engineering

Geotechnical investigation and survey request for quotations have just closed for Hillas Creek Bridge, Mundarlo. It is anticipated the investigation and survey works will commence in coming weeks.

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 TENDER - RFT2023/1 - SHERIDAN ST BLOCK 3 (STAGE 2)

DOCUMENT NUMBER	387638
REPORTING OFFICER	Catherine Smith, Procurement Officer
AUTHORISING OFFICER	Matt Stubbs, Deputy General Manager - Operations
RELEVANCE TO COMMUNITY STRATEGIC PLAN	5. Integrated and accessible region 5.1 Known for our good road network
FINANCIAL IMPLICATIONS	Local Roads and Community Infrastructure (LCRI) Round 3 will provide funding for packages 1-6, with 7 currently unfunded.
LEGISLATIVE IMPLICATIONS	To comply with the tendering conditions of the Local Government Act, 1993 and (General) Regulation, 2005.
POLICY IMPLICATIONS	To comply with Council's Procurement Policy and Guidelines.
ATTACHMENTS	1. RFT2023/1 - Post tender report to Council - Confidential attachment - Confidential (under separate cover)

RECOMMENDATION

1. Council treat the Evaluation Matrix, attached to the report as confidential in accordance with section 11(3) of the Local Government Act 1993, as the Matrix relates to a matter specified in section 10A(2)(d)(i) of the Local Government Act 1993. The Matrix contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person(s) who supplied it; and
2. Council accept the tender, for packages 1-6, from the highest ranked party as contained in the confidential evaluation matrix attached to the report for the amount specified; and
3. Council endorse funding the asphalt wearing course placement in Package 7, from the 23-24 financial year budget for re-sealing town streets, for the amount specified, in the confidential report.

Introduction

The Sheridan Street Main Street Upgrade Block 3 project is progressing. Stage 1 of the project was completed late in 2021 and Tenders were recently called for Stage 2 of the project. Stage 2 encompasses the area from Homer Street, 120m easterly toward Virgil Street on the Southern side of Gundagai.

Discussion

Public Tenders were called via VendorPanel on 23 January 2023. As with Stage 1, Stage 2 was offered in several packages, with Tenderers able to bid for one or all packages:

1. Demolition & Earthworks
2. Water & Stormwater Drainage

3. Construction of Retaining Walls
4. Kerb & Gutter Construction
5. Footpath – Concrete Subgrade and Stencilled Concrete Footpaths
6. Footpath Stone Paving
7. Road Pavement Construction

At closing on 24 February 2023, three tenders were received, with two (2) conforming and one (1) non-conforming:

1. Civil & Civic Group Pty Ltd
2. Gundagai Construction Services Pty Ltd
3. Huon Contractors Pty Ltd

The Tender evaluation panel consisted of Stephen Targett (Acting Manager, Technical Services); Thomas Hogg (Design Engineer); and Damien Cullen (WHS & Risk Officer). An assessment report containing the evaluation panel's recommendations have been provided as a confidential attachment.

Financial

Stages 1-6 will be fully funded from Round 3 of the Local Roads and Community Infrastructure (LCRI) fund. Stage 7 can be completed by Council from the Local Roads and Community Infrastructure (LCRI) fund if the wearing surface is reduced from an asphalt pavement to a bitumen seal. Provision of an asphalt wearing surface would provide a significantly better product. It is likely the project will be completed in 2023-24 financial year. Allowance to asphalt this could be reserved from Councils Resealing, Town Streets budget in the 2023-24 financial year. The alternative to this would be to obtain further funding for the asphalt works, at a later date.

OLG 23a Guideline consideration

The funding received from the Local Roads and Community Infrastructure (LCRI) program is already in Council's budgeted program. This will see Stages 1-6 of the project fully expended well within a 12-month period.

8.7 REGIONAL SERVICES GUNDAGAI

Nil

8.8 REGIONAL SERVICES COOTAMUNDRA

Nil

9 MOTION OF WHICH NOTICE HAS BEEN GIVEN

9.1 NOTICE OF MOTION - MUTTAMA CREEK

DOCUMENT NUMBER	388349
REPORTING OFFICER	Abb McAlister, Councillor
AUTHORISING OFFICER	Steve McGrath, Interim General Manager

The following Notice of Motion signed by Councillor Cr Abb McAlister was submitted on 20 March, 2023.

I hereby give notice of my intention to move the following motion at the Council meeting of Tuesday, 28 March, 2023:

MOTION

CGRC immediately contact the relevant Government Authority or Authorities that control the clearing of vegetation from the Muttama Creek to meet with Council in Cootamundra as soon as possible, to inspect the vegetation issue in the creek that has caused severe flooding in the Cootamundra Town area twice over the last 6 months.

Note from Councillor

I think it is imperative that Council immediately look at clearing of vegetation.

In the Cootamundra town area of the Muttama Creek to lessen the severe flooding that has occurred in the town over the last 6 months. I know there are concerns for the aquatic life in the creek. However, I also have great concern for human life and if we continue to experience the severe flooding after rain events, it worries me greatly that human life will be lost. It also must be remembered we are only looking at clearing vegetation to a satisfactory standard from the creek "in the town area only".

Note from Interim General Manager

Subject to Council direction, this action can be undertaken. It should be noted that the Cootamundra Floodplain Risk Management Study and Plan is the subject of a separate report to the 28 March 2023 Council meeting.

10 QUESTIONS WITH NOTICE

10.1 QUESTIONS WITH NOTICE

DOCUMENT NUMBER	388078
REPORTING OFFICER	Teresa Breslin, Acting EA to Mayor and General Manager
AUTHORISING OFFICER	Steve McGrath, Interim General Manager

RECOMMENDATION

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

Questions with Notice

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

Cr Trevor Glover – Are there any compliance issues with regards to the Gundagai Abattoir? If so, could councillors be briefed?.

Response from Council Officer – This matter can be the subject of a briefing for Councillors at a Workshop in the near future, to the extent of the information available to Council officers. It should be noted that Gundagai Meat Processors apparently engaged a Private Certifier for it's latest development and Council officers do not have access to any documentation as it relates to outstanding, or compliance issues, in regard to that development.

11 CONFIDENTIAL ITEMS

11.1 CLOSED COUNCIL REPORT

DOCUMENT NUMBER	388128
REPORTING OFFICER	Teresa Breslin, Acting EA to Mayor and General Manager
AUTHORISING OFFICER	Steve McGrath, 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	To facilitate compliance with sections 10 and 11 of the Local Government Act 1993.
POLICY IMPLICATIONS	There are no Policy implications associated with this report.
ATTACHMENTS	Nil

Note

Council's Code of Meeting Practice allows members of the public present to indicate whether they wish to make representations to the meeting, before it is closed to the public, as to whether that part of the meeting dealing with any or all of the matters listed should be closed.

RECOMMENDATION

1. Item 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.
2. 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 RENO ROAD POTENTIAL ACQUISITION

Provisions for Confidentiality

Section 10A (2) (g) – The Confidential Report contains advice concerning litigation, or advice as comprises a discussion of this matter, that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege.

Public Interest

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