

Meeting commenced at 2.00pm.

BUSINESS:

- 1) Apologies
- 2)
 - a. Confirmation of Minutes
 - b. Matters arising out of Minutes. (Not elsewhere reported)
- 3) Correspondence
 - a. Agenda A (Information Only)
 - b. Agenda B
- 4) General Manager's Report
 - 4.1 General Manager's Report
 - 4.2 Executive Manager, Corporate & Community Services' Report
 - 4.3 Executive Manager, Engineering & Environmental Services' Report
 - 4.4 Executive Manager, Development & Environmental Services' Report
- 5) Recommendations of a Committee of a Whole Meeting held 22nd September, 2016.
- 6) Reports: Delegates/Mayor/Councillors

PRESENT: Clrs Seymour, McCann, Maslin, White, McKinnon, Logan, Crocker and Hutcheon.

STAFF: General Manager; Executive Manager, Corporate & Community Services; Executive Manager, Engineering & Technical Services; Executive Manager, Development & Environmental Services and Finance Manager.

APOLOGY: Clr Jones.

1) APOLOGY

RESOLVED on the motion of Clr McCann and seconded by Clr Maslin that the apology of Clr Jones be accepted. 183/09/2016

2a) CONFIRMATION OF MINUTES OF THE MEETING HELD 18TH AUGUST, 2016.

RESOLVED on the motion of Clr Maslin and seconded by Clr McCann that the Minutes of the Meeting held 18th August, 2016 as circulated be confirmed and adopted. 184/09/2016

2b) MATTERS ARISING OUT OF THE MINUTES

There were no matters arising out of the Minutes.

3) CORRESPONDENCE

AGENDA A (FOR INFORMATION ONLY)

1a) INFORMATION PAPERS

→ The following papers have been **distributed** with Council's supplementary material as being matters of information/interest to Councillors. If Councillors desire any further information on the matters distributed then that can be raised with the General Manager. Attachment No. 1

- 1) Local Government NSW Weekly Circulars 32, 33, 34, 35 and 36.
- 2) Minutes of the Advance Ganmain Committee Meeting held 7th September, 2016.
- 3) Minutes of the Advance Ardlethan Committee Meetings held 2nd May 2016, 6th June 2016, 4th July 2016, 1st August 2016 and 6th September 2016.

2a) ACTIVITY REPORTS

- 1) Allawah Community Care Coordinator's Report for the month of August 2016.
- 2) Operating Statistics of the Coolamon Shire Library for August 2016.
- 3) Community Development Officer's Report for August 2016.

General Manager's Note

→ The above reports are operating reports only for use by Senior Staff. They are submitted to Council as part of Agenda A for information only. Attachment No. 2

RESOLVED on the motion of Clr White and seconded by Clr Hutcheon that the Correspondence be received. 185/09/2016

AGENDA B

1b) FAYE IRVINE, COOLAMON (A.08-01, SC21)

- Forwarding a letter to Council expressing her concerns about Premier Baird's decision to Ban Greyhound Racing. [Attachment No. 3](#)

RESOLVED on the motion of Clr Crocker and seconded by Clr McCann that:
[186/09/2016](#)

- 1) A letter of reply be written to Faye Irvine.
- 2) A letter of congratulations supporting the Local Member for Cootamundra's stance on not supporting the decision by the Baird Government to ban Greyhound Racing.

2b) LOCAL GOVERNMENT GRANTS COMMISSION (G.03-02, SC202)

Council has received information from the Grants Commission advising of the allocation for this year. It should be noted that this allocation is slightly increased from the budgeted amount from last year.

- In addition, a Circular regarding information on the 2016-17 Financial Assistance Grants together with a letter advising that the Minister for Local Government, the Hon Paul Toole MP and the Commonwealth Minister for Infrastructure and Transport, the Hon Darren Chester MP have approved the Grants Commission's recommendations for the 2016-17 Financial Assistance Grants. [Attachment No. 4](#)

RESOLVED on the motion of Clr Maslin and seconded by Clr White that the report be noted. [187/09/2016](#)

4) GENERAL MANAGER REPORTS

4.1) GENERAL MANAGER REPORTS

GM1) ELECTION OF MAYOR, COMMITTEES AND DELEGATES (C.11-01)

1) ELECTION OF MAYOR - LOCAL GOVERNMENT (GENERAL) REGULATIONS 2005, CLAUSE 394, SCHEDULE 7)

The Regulations provide the following:-

- The General Manager (or a person appointed by the General Manager) is the Returning Officer.
- A Councillor may be nominated without notice for election as Mayor.
- The nomination is to be made in writing by two or more Councillors (one of whom may be the nominee).
- The nomination is not valid unless the nominee has indicated consent to the nomination in writing.
- The nomination is to be delivered or sent to the Returning Officer.
- The Returning Officer is to announce the names of the nominees at the Council Meeting at which the election is to be held.
- If only one Councillor is nominated that Councillor is elected.
- If more than one Councillor is nominated the Council is to resolve whether the election is to proceed by preferential ballot, by ordinary ballot or by open voting.
- The election is to be held at the Council Meeting at which the Council resolves on the method of voting.

DEFINITIONS

Ballot has its normal meaning of secret ballot and open voting means voting by a show of hands or similar means.

- ➔ **Distributed** with this agenda are copies of nomination forms for use in respect of the election of the Mayor. Attachment No. 5.1

The General Manager advised that he had received only one nomination, that being Councillor John Seymour for the position of Mayor. Cllr Seymour accepted nomination.

In accordance with the Local Government Act, the General Manager advised the Council that Councillor Seymour had been elected to the position of Mayor for the next two years.

- 2) ELECTION OF DEPUTY MAYOR – LOCAL GOVERNMENT ACT 1993 (SECTION 231)

The position of Deputy Mayor is an optional position. The Deputy Mayor may exercise any function of the Mayor at the request of the Mayor or if the Mayor is prevented by illness, absence or otherwise, from exercising the function or if there is a casual vacancy in the office of Mayor.

Council has traditionally elected such a person and the election procedures are the same as for the Mayor.

- ➔ **Distributed** with this agenda are copies of nomination forms for use in respect of the election of the Deputy Mayor. Attachment No. 5.2

The General Manager advised that he had received only one nomination, that being Councillor Bruce Hutcheon for the position of Deputy Mayor. Cllr Hutcheon accepted nomination.

In accordance with the Local Government Act, the General Manager advised the Council that Councillor Hutcheon had been elected to the position of Deputy Mayor for the next two years.

- 3) DETERMINATION OF DATE AND HOURS OF MEETING

The Local Government Act requires that Council should meet at least ten times per annum, each time being in a different month. (Section 365). It is appropriate therefore that Council determine the date and time for its Ordinary Meeting. Current policy is that Council meets on the third Thursday of the month commencing at 2.00pm.

RESOLVED on the motion of Cllr Hutcheon and seconded by Cllr Maslin that the Ordinary Meeting of Council be held at 2.00pm on the third Thursday of the month. 188/09/2015

4) APPOINTMENT OF DELEGATES

The following delegates are appointed usually for the term of Council unless Council proposes changes. The Organisations are external to Council's Administration.

	ORGANISATION	DELEGATES
a	Riverina Regional Library	<ul style="list-style-type: none"> • Clr G Beard To be determined • General Manager, T Donoghue • Alternate Delegate: Executive Manager, Corporate & Community Services, C Armstrong
b	Traffic Facilities Committee	<ul style="list-style-type: none"> • Executive Manager, Engineering & Technical Services, T Kelly
c	Riverina Eastern Regional Organisation of Councils (REROC)	<ul style="list-style-type: none"> • Mayor, Clr J Seymour • General Manager, T Donoghue
d	Goldenfields Water County Council	<ul style="list-style-type: none"> • Clr D McCann
e	Local Emergency Management Committee	<ul style="list-style-type: none"> • Executive Manager, Engineering & Technical Services, T Kelly • General Manager, T Donoghue
f	Eastern Riverina Arts	<ul style="list-style-type: none"> • Clr K Maslin
g	Coolamon/Junee Police Community Consultative Committee	<ul style="list-style-type: none"> • Clr J Seymour • Clr B Hutcheon • General Manager, T Donoghue
h	Noxious Weeds Authority Joint Venture Operating Committee	<ul style="list-style-type: none"> • Clr J Seymour • Clr D Brill TBD • Executive Manager, Engineering & Technical Services, T Kelly
i	NSW Rural Fire Service Agreement Committee	<ul style="list-style-type: none"> • Clr D Brill TBD
j	Riverina Regional Weeds Committee	<ul style="list-style-type: none"> • Clr K Maslin

RESOLVED on the motion of Clr McCann and seconded by Clr Maslin that the following delegates be appointed: 189/09/2016

	ORGANISATION	DELEGATES
a	Riverina Regional Library	<ul style="list-style-type: none"> • Clr K Logan • General Manager, T Donoghue • Alternate Delegate: Executive

		Manager, Corporate & Community Services, C Armstrong
b	Traffic Facilities Committee	<ul style="list-style-type: none"> • Executive Manager, Engineering & Technical Services, T Kelly
c	Riverina Eastern Regional Organisation of Councils (REROC)	<ul style="list-style-type: none"> • Mayor, Clr J Seymour • General Manager, T Donoghue
d	Goldenfields Water County Council	<ul style="list-style-type: none"> • Clr D McCann
e	Local Emergency Management Committee	<ul style="list-style-type: none"> • Executive Manager, Engineering & Technical Services, T Kelly • General Manager, T Donoghue
f	Eastern Riverina Arts	<ul style="list-style-type: none"> • Community Development Officer, J Inch
g	Coolamon/June Police Community Consultative Committee	<ul style="list-style-type: none"> • Clr J Seymour • Clr B Hutcheon • General Manager, T Donoghue • <i>Alternate Delegate: Clr D McCann</i>
h	Noxious Weeds Authority Joint Venture Operating Committee	<ul style="list-style-type: none"> • Clr J Seymour • Clr C McKinnon • Executive Manager, Engineering & Technical Services, T Kelly
i	NSW Rural Fire Service Agreement Committee	<ul style="list-style-type: none"> • Clr C McKinnon
j	Riverina Regional Weeds Committee	<ul style="list-style-type: none"> • Clr K Maslin

5) COUNCIL COMMITTEE STRUCTURE

The following Committees are structured as Council Committees and as such cannot make binding decisions. Their role is to review issues directed to them and to make recommendations to the following Council Meeting.

- Committee of a Whole
All Councillors
 - To consider matters referred to this Committee that are in accordance with the Local Government Act and to then make recommendations to the open Council Meeting.

- Staff Committee:

Councillor J Seymour
Councillor B Hutcheon
~~Councillor D Brill~~ **TBD**

- To implement a General Manager Performance Appraisal System that is in accordance with the Guidelines issued by the Office of Local Government.
 - To determine the General Manager's Performance Agreement and to undertake the Performance Appraisal in its entirety.
 - To review and adjust the current General Manager's Employment Contract and the total Remuneration Package subject to Clause 8.3 of that Contract (refers to Performance Appraisal) and the Guidelines.
-

- Executive Management Committee:

General Manager, T Donoghue (Chairman)
Executive Manager, Engineering & Technical Services, T Kelly
Executive Manager, Corporate & Community Services, C Armstrong
Executive Manager, Development & Environmental Services, C Farmer

- To consider operational issues as determined by the General Manager.
 - To review and prepare budgets and other financial documentation prior to submission to Council.
 - To review Council's Strategic 10 Year Plan prior to submission to Council.
 - To undertake policy and strategic review issues prior to Council consideration.
-

- Consultative Committee:

General Manager, T Donoghue
Mr J Mitchell
~~Mrs M Pattison~~ **Mrs N Johnson**
■ *one Work Staff Member to be added*

- Council by law is required to constitute a Consultative Committee. The Committee considers issues of an industrial nature with recommendations coming to Council.
-

- Code of Conduct Committee

Coolamon Code of Conduct Committee

Gary Lavelle, Temora Shire Council
Kris Dunstan, Temora Shire Council
Steve Firth, Temora Shire Council

Temora Code of Conduct Committee

Tony Donoghue
Courtney Armstrong

- Internal Audit Review Committee

Mr Gary Lavelle, Temora Shire Council
Mr Steve Firth, Temora Shire Council
Clr Bruce Hutcheon
~~Clr Rebecca Huxtable~~ TBD
Clr Alan White (alternate)

Temora Internal Audit Review Committee

Tony Donoghue
Courtney Armstrong

- Work Health & Safety Committee

Elected Representatives:

Works Staff

- Glenn Evans
- ~~Chris Skennar~~

Coolamon Early Childhood Centre

- Jade Cameron

Administration

- Margaret Payton

Allawah Lodge Aged Persons Hostel

- Carol Castle

Management Appointed:

- Courtney Armstrong
- Scott Buchanan

Human Resources / Risk Management Officer:

- Megan Pattison

Storeperson / Purchasing Officer

- Andrew Casperson

- Under Work, Health & Safety Legislation, Council Staff are entitled to request the formation of a Work, Health & Safety Committee.
-

- Events Funding Committee:

Clr J Seymour

Clr K Maslin

Clr D McCann

Clr K Logan

- The purpose of the Committee is to review the various applications and make recommendations for formal approval by Council.

RESOLVED on the motion of Clr Hutcheon and seconded by Clr Logan that Council's Committee Structure be adopted as follows: 190/09/2016

- Committee of a Whole

All Councillors

- **To consider matters referred to this Committee that are in accordance with the Local Government Act and to then make recommendations to the open Council Meeting.**
-

- Staff Committee:

Councillor J Seymour

Councillor B Hutcheon

Councillor D McCann

- **To implement a General Manager Performance Appraisal System that is in accordance with the Guidelines issued by the Office of Local Government.**
 - **To determine the General Manager's Performance Agreement and to undertake the Performance Appraisal in its entirety.**
 - **To review and adjust the current General Manager's Employment Contract and the total Remuneration Package subject to Clause 8.3 of that Contract (refers to Performance Appraisal) and the Guidelines.**
-

- **Executive Management Committee:**
General Manager, T Donoghue (Chairman)
Executive Manager, Engineering & Technical Services, T Kelly
Executive Manager, Corporate & Community Services, C Armstrong
Executive Manager, Development & Environmental Services, C Farmer
 - To consider operational issues as determined by the General Manager.
 - To review and prepare budgets and other financial documentation prior to submission to Council.
 - To review Council's Strategic 10 Year Plan prior to submission to Council.
 - To undertake policy and strategic review issues prior to Council consideration.
-

- **Consultative Committee:**
General Manager, T Donoghue
Mr J Mitchell
Mrs N Johnson
■ *one Work Staff Member to be added*
 - Council by law is required to constitute a Consultative Committee. The Committee considers issues of an industrial nature with recommendations coming to Council.
-

- **Code of Conduct Committee**

Coolamon Code of Conduct Committee
Gary Lavelle, Temora Shire Council
Kris Dunstan, Temora Shire Council
Steve Firth, Temora Shire Council

Temora Code of Conduct Committee
Tony Donoghue
Courtney Armstrong
-

- **Internal Audit Review Committee**
Mr Gary Lavelle, Temora Shire Council
Mr Steve Firth, Temora Shire Council
Clr Bruce Hutcheon
Clr Alan White

Temora Internal Audit Review Committee
Tony Donoghue
Courtney Armstrong

- **Work Health & Safety Committee**

Elected Representatives:

Works Staff

- Glenn Evans
- Bruce Hilton

Coolamon Early Childhood Centre

- Jade Cameron

Administration

- Margaret Payton

Allawah Lodge Aged Persons Hostel

- Carol Castle

Management Appointed:

- Courtney Armstrong
- Scott Buchanan

Human Resources / Risk Management Officer:

- Nyrelle Johnson

Storeperson / Purchasing Officer

- Andrew Casperson

- **Under Work, Health & Safety Legislation, Council Staff are entitled to request the formation of a Work, Health & Safety Committee.**
-

- **Events Funding Committee:**

Clr J Seymour

Clr K Maslin

Clr D McCann

Clr K Logan

- **The purpose of the Committee is to review the various applications and make recommendations for formal approval by Council.**

6) **DELEGATION OF VARIOUS AUTHORITIES TO COMMITTEES AND COUNCIL STAFF**

Pursuant to a new Council being elected it is the responsibility of that Council to either reaffirm or revoke previous delegations to Council Staff and Committees. Delegations made to Staff or Committees allow the organisation to function without constant reference to Council. Decisions made are generally in accordance with Council's policies and as such expedite the decision making process. The following is a formal list of delegations that have existed in the past or have evolved through general practice.

DELEGATIONS FROM COUNCIL TO THE MAYOR

That subject to the requirements of the Local Government Act 1993 and regulations there under and any expressed policy of Council or the requirements or regulations under any other Act and pursuant to Section 377 of the Local Government Act 1993, the **MAYOR**, be authorised to exercise or perform on behalf of the Coolamon Shire Council the following powers, authorities, duties and functions:

- To carry out any function conferred on and duty imposed on the Mayor under any Act or regulation.
- To carry out the general supervision, control and direction of the General Manager.
- To approve Applications of Leave by the General Manager.
- To sign cheques drawn on Council's bank accounts in conjunction with the General Manager or any other Staff Member authorised by the General Manager.

- To affix the Common Seal of Council in conjunction with the General Manager to any necessary document pursuant to or consequent upon any decision of Council.
- To respond to media publicity on Council matters and to issue media releases and make statements to the media on behalf of Council.
- Approve attendance by Elected Members and Senior Staff at Conferences and Seminars etc., within New South Wales and the ACT to a maximum of three days and within budget provisions.
- Authorise urgent works up to an amount of \$20,000.

DELEGATIONS FROM COUNCIL TO DEPUTY MAYOR

That subject to the requirements of the Local Government Act 1993 and regulations there under and any expressed policy of Council or the requirements or regulations under any other Act and pursuant to Section 377 of the Local Government Act 1993, the **DEPUTY MAYOR**, be authorised to exercise on behalf of Coolamon Shire Council the following powers, authorities, duties and functions:-

- To carry out the statutory functions of the Mayor and exercise the delegations conferred upon the Mayor whenever the Mayor is absent from the Council area or is otherwise unable to carry out his duties.
- To affix the Common Seal of the Council in conjunction with the General Manager to any necessary document pursuant to or consequent upon any decision of Council.

FUNCTIONS OF THE GENERAL MANAGER

In pursuance of Section 335 of the Local Government Act, 1993 the **GENERAL MANAGER, Anthony Gerard Donoghue** has the following functions:

- 1) The General Manager is generally responsible for the efficient and effective operation of the Council's organisation and for ensuring the implementation, without undue delay, of decisions of the Council.
- 2) The General Manager shall have the following particular functions:
 - the day to day management of the Council;

- to exercise such of the functions of the Council as are delegated by the Council to the General Manager;
 - to appoint staff in accordance within the organisation structure and resources approved by the Council provided the General Manager may appoint or dismiss Senior Staff only after consultation with the Council;
 - to direct and dismiss staff; and
 - to implement the Council's equal employment opportunity management plan.
- 3) The General Manager has such other functions as may be conferred or imposed on the General Manager by or under this or any other Act.

These functions include but are not limited to the following:

- To carry out the regular services and operations of the Council within the sums voted by the Council for expenditure thereon and in accordance with any policy or resolution of the Council.
- To perform or authorise any action necessary to comply with any decision, policy or code of Council, any statutory requirements of the Local Government Act or regulation or any other law, rule or regulation affecting Council.
- Reject any application within the prescribed period if it is not clear as to the approval sought or if it is not easily legible.
- Request any additional information that is reasonably necessary to determine any application.
- Authorise the purchase of stationery; seek quotes for office equipment and acceptance of quotes for amounts covered within the Budget.
- Letters of reference may be issued by the General Manager under Council's letterhead at his discretion.
- Grant the tenancy on behalf of Council to permanent residents of Kindra Lodge, Centenary Lodge, Ganmain Aged Persons Units, Ardlethan Aged Persons Units, Allawah Lodge, Allawah Village and other Council dwellings subject to such discussions on appropriateness of tenants with the Mayor.

- To sign purchase orders on Council's behalf.
- To determine the matters which are to be included in the Business Papers subject to the inclusion of the following items whenever they arise, namely:-
 - a) Reports on matters which cannot be determined under Delegated Authority.
 - b) Reports required to be submitted under any Act or regulation.
 - c) Reference to any deputations which the Council has agreed to receive.
 - d) Matters requiring a determination of policy.
 - e) Reports directed by Council to be submitted.
 - f) Matters essential for the Council's information.
 - g) Matters requiring a vote of money.
 - h) Matters where the General Manager is of the opinion that any application should be refused.
- To reply to all routine correspondence not involving a monetary vote by Council, not effecting Council policy and not requiring the consideration of Council.
- To authorise the payment of salaries and wages of the employees of the Council within the sums voted by the Council for expenditure thereon.
- To authorise payment of accounts in respect of works or votes authorised by Council or associated with the functions of Council.
- To approve applications for extension of time to pay accounts where acceptable case is made out.
- To sign cheques drawn on Council's bank account and authorise and transmit electronic transfers from Council's bank account in conjunction with any other person authorised to sign cheques or electronic transfers on Council's behalf.
- Refund of Trust Fund Deposits including Contract Deposits on the recommendation and certification of the appropriate servant.
- Accept quotations for the purchase of and replacement of light vehicles.

- To authorise approval of leave of absence for all Staff of the Council.
- To apply to wages and salaries any automatic award variations basic wage variation or cost of living adjustments subject to official notification from Local Government NSW or total financial resource allocation in Council's Operational Plan.
- To approve attendance by Council Officers and Staff at Conferences and Seminars which are conducted by or endorsed by the Office of Local Government and other relevant authorities and/or Local Government NSW.
- To approve attendance by Staff at training courses included in Council's Staff Training Programme together with associated User Group Meetings and for which funds are available in Council's Budget.
- To authorise Council Staff to attend Professional Conferences in accordance with Councils policy.

DELEGATIONS OF AUTHORITY TO THE GENERAL MANAGER

That pursuant to Section 377 of the Local Government Act, 1993, Council delegates to the **GENERAL MANAGER, Anthony Gerard Donoghue** the functions of Council under the Local Government Act, 1993 other than those functions which, pursuant to sub-section (1) of that section, cannot be delegated by the Council.

That pursuant to Section 381 of the Local Government Act, 1993, Council delegates to the **GENERAL MANAGER, Anthony Gerard Donoghue** the exercise of functions conferred or imposed on Council employees under other Acts.

The General Manager shall exercise the functions herein delegated in accordance with and subject to:-

- (i) the provisions of the Local Government Act, 1993 and other relevant legislation; and
- (ii) each and every policy of the Council adopted by resolution and current at the time of the exercise of the function herein delegated.

The delegations under Section 377 and 381 of the Local Government Act, 1993 include but are not limited to the following:

Local Government Act, 1993

- (a) Chapter 6 - Services Function
- (i) PART 2 - PUBLIC LAND
 - s.54 - Issue of Land Classification Certificates.
- (b) Chapter 7 - Regulatory Function
- (i) PART 1 - APPROVALS
 - s.68 - Approval of activities specified in the table (Section 68 Local Government Act), except in so far as the Local Government Act, 1993, the regulations or a local policy adopted by the Council allows the activity to be carried out without approval.
 - s.82 - To modify provisions of Clauses 54 and 55 of the (Approvals) Regulations.
 - s.94 - Determination of Applications by granting approval, either conditionally or subject to conditions, or by refusing approval.
 - s.95 - Exercising Council's power for deferred commencement of approvals.
 - s.96 - Exercising Council's power to grant Staged Approval.
 - s.97 - Exercising Council's power to apply Conditions concerning security.
 - s.98 - Exercising Council's power to impose Other Conditions.
 - s.99 - Giving of notice to applicants of determination of Applications.
 - s.100 - Review of Determination where made by a delegation of Council.
 - s.106 - Exercising Council's power to amend an approval, in accordance with the procedures outlined in Section 106.
 - s.107 - Exercise Council's power to extend or review an approval.

s.108-109 - Exercise Council's power to revoke or modify an approval in any of the following circumstances:-

- (a) if the approval was obtained by fraud, misrepresentation or concealment of facts;
- (b) for any cause arising after the granting of the approval which, had it arisen before the approval was granted, would have caused the Council not to have granted the approval (or not have granted it in the same terms);
- (c) for any future failure to comply with a requirement made by or under the Local Government Act, 1993 relating to the subject of the approval; and
- (d) for any failure to comply with a condition of the approval.

(ii) PART 2 - ORDERS

s.124 - Order a person to do or refrain from doing a thing specified in Column 1 Table No.2 (Chapter 7 - Orders) if the circumstances specified opposite in Column 2 of the Table exists and the person comes within the description opposite it in Column 3 of the Table.

s.125 - Order a person responsible for a public nuisance to abate such nuisance.

s.132 - Give notices of an Order under Section 121.

(c) Chapter 8 - Ancillary Functions

(i) PART 1 - ACQUISITION OF LAND

s.186-187 - Negotiate on Council's behalf for the acquisition of land for the purpose of exercising any of the functions, up to the stage of presenting offers to Council for determination.

(ii) PART 2 - ENTRY ON TO LAND AND OTHER POWERS

s.191-192 - Authorise Council employees (or other persons) to enter any premises for the purpose of enabling the

Council to exercise its functions.

s.194 - Authorise the use of force for the purposes of entering premises.

s.201 - Make application to an authorised Justice for the issue of a Search Warrant.

(d) Chapter 11 – How Are Councils Staffed

(i) PART 3 – PUBLIC OFFICER

s.342 - Designate a member of staff as a Public Officer.

s.353 - Prohibit staff from engaging in private employment or contract work outside Council.

(e) Chapter 12 - Operation of Councils

(i) PART 3 - SALE OF COUNCIL PROPERTY - PLANT AND EQUIPMENT

To dispose of Council plant and equipment by way of sale at the best offer received when:

(1) The sale of such item of plant and equipment is approved in the current year's annual operating plan and budget or approved by the Asset Management Committee; or

(2) The item of plant, equipment or material is obsolete, unserviceable and/or surplus to Council's requirements and the sale of such item of plant or equipment represents the most cost effective option.

(ii) PART 4 – INSURANCE

s.382 - Make arrangements for adequate insurance against public liability and professional liability.

(f) Chapter 15 - Council Finances

(i) PART 3 - ORDINARY RATES

s.514 - Determine and declare the categorisation of land for the purpose of making an ordinary rate.

- s.515 - Determine and declare the categorisation of land as farmland.
 - s.516 - Determine and declare the categorisation of land as residential.
 - s.517 - Determine and declare the categorisation of land as mining.
 - s.518 - Determine and declare the categorisation of land as business.
 - s.519 - Determine and declare the categorisation of vacant land.
 - s.520 - Issue notices of categorisation of land.
 - s.523 - Review determinations of categorisation of land.
 - s.525 - Determine applications for change of categorisation of land.
 - s.548A - Determine applications for aggregation of land values by Council and to adjust and re-levy accordingly.
- (ii) PART 5 - LEVYING OF RATES AND CHARGES
- s.552 - Determination of what land may be subject to a water supply special rate or charge.
 - s.553 - Determination of time at which land becomes subject to special rate or charge.
- (iii) PART 6 - RATEABLE LAND
- s.555 - Determination of what land is exempt from all rates.
 - s.556 - Determination of what land is exempt from all rates, other than water supply special rates and sewerage special rates.

(iv) PART 7 - PAYMENT OF RATES AND CHARGES

s.564 - Approval of agreements as to periodical payment of rates and charges.

s.567 - Write-off accrued interest on rates or charges payable by a rateable owner if, in the General Manager's opinion:-

- (a) the rateable owner is unable to pay the accrued interest for reasons beyond the rateable owner's control; or
- (b) payment of the accrued interest would cause the rateable owner hardship. Section 569 - Issue and serve notices on occupiers for liability for payment of unpaid rates and charges.

(v) LOCAL GOVERNMENT GENERAL REGULATION (2005)

cl.131 - To write off Rates and Charges in accordance with the regulation under this clause.

- To write off Rates and Charges up to \$10,000 in accordance with this clause (errors, at law or cost effectiveness).
- To write off debts to Council up to \$500.00 in accordance with this clause.

(vi) PART 13 - INVESTMENTS

s.625 - Arrange the investment of money that is not, for the time being, required by the Council for any other purpose.

Money may only be invested in the following:-

- (a) in any security authorised by the Trustee Act; or
- (b) in a form of investment notified by order of the Minister published in the Government Gazette.

(vii) LOCAL GOVERNMENT GENERAL REGULATION, 2000

cl.144 - To apply water restrictions under the terms of this clause.

Council delegates to the General Manager the functions, powers, duties and authorities conferred upon it by the following Acts:-

- Aged Care Act, 1997
- Children and Young Persons (Care and Protection) Act, 1998
- Companion Animals Act, 1998 & Regulations
Part 5 Division 1 relating to the declaration of dangerous dogs, the consideration of objections by owners of proposed dangerous dogs, revocation of dangerous dog declarations where it is appropriate to do so and to authorise persons for the purposes of that Act.
- Contaminated Land Management Act, 1997 & Regulations
- Environmental Planning and Assessment Act, 1979 & Regulations
 - i) The authority to determine development applications lodged for consent under Part 4 of the Environmental Planning & Assessment Act, 1979 which:
 - a) Comply with the provisions of any Environmental Planning Instrument;
 - b) Are consistent with relevant Development Control Plans, Codes or Policies adopted by the Council;
 - c) May be considered under Part 4 Division 2 (Existing Use) of the Environmental Planning & Assessment Act, 1979;
 - d) Are the subject of public submissions to which the objection relates;
 - (i) solely to the type of development proposed;
 - (ii) to possible market competition arising, if the development is approved;
 - (iii) to a design standard contained within an adopted Development Control Plan, Code or Policy;
 - (iv) to an issue that may be reasonably alleviated by the imposition of a condition of development consent.
 - ii) The authority to, on behalf of the Director-General, prepare Section 65 Certificates and Section 69 Reports to the Minister to approve such amendments.
(N.B. Council must still apply to the Director to complete the relevant documents under Sections 65 and 69 of the Act).

- iii) The authority to impose conditions on a development consent granted under Part 4 of the Environmental Planning & Assessment Act, 1979, which are:
 - (a) for a purpose identified in Section 80A of the Environmental Planning and Assessment Act 1979;
 - (b) in accordance with the terms of any environmental planning instrument;
 - (c) in accordance with any development control plan, code or policy adopted by the Council;
 - (d) requirements specified by any public authority or public undertaking.

- iv) The authority to refuse a development application which:
 - (a) is prohibited under the provisions of any environmental planning instrument;
 - (b) does not comply with the statutory provisions of the Environmental Planning & Assessment Act, 1979;
 - (c) does not contain adequate information to enable assessment under the relevant heads of consideration listed in Section 76(C) of the Environmental Planning & Assessment Act, 1979.

- v) The authority to determine any request for reconsideration or variation of a condition of development consent under Section 96 of the Environmental Planning & Assessment Act, 1979.

- vi) The authority to approve an extension of any development consent in accordance with the provisions of Section 95 of the Environmental Planning & Assessment Act, 1979.

- vii) The function of the Council in relation to Part 5 of the Environmental Planning & Assessment Act, 1979 for an activity which is not of a prescribed kind or an activity that is not likely to significantly affect the environment.

- viii) The authority to reject a development application within 7 days after its receipt if it is not clear as to the development consent sought or it is not easily legible.

- ix) The function of the Council under Section 118B of the Environmental Planning and Assessment Act 1979 to authorise a person to carry out inspections for the purposes of that Act, the regulations under that Act and any environmental planning instrument under that Act.

- x) The function of the Council under Section 123 of the Environmental Planning and Assessment Act 1979 to bring proceedings to remedy or restrain a breach of that Act.
- xi) Authority to forward a Draft Local Environmental Plan under Section 68 of the Environmental Planning & Assessment Act, 1979 to the Department of Planning where no public submissions are received as a result of the public exhibition required under Section 66 of the Act.
- xii) Authority to vary any numeric standard contained within any Council code, policy or development control plan by up to 10% provided the development still meets the objectives of the particular code, policy or development control plan.
- xiii) The authority to require the lodgement of a cash bond or bank guarantee for work outstanding in any partly completed development with the amount of the bond being sufficient to complete the approved work allowing for inflation and administration costs or as provided for in Council's policy.
- xiv) The authority to act on Council's behalf in relation to legal proceedings lodged with the Land & Environment Court as follows:
 - (a) To determine the nature of action to be taken to defend the appeal and thereafter institute any action deemed necessary in the circumstances.
 - (b) To negotiate on matters in issue during conferences between parties when presided over by an assessor appointed by the Land & Environment Court and to delegate such authority to the Director - Works and/or the Director – Environmental & Community Services, where appropriate.
- xv) The function of the Council under Section 149, 149A, 149C and 149D.
- xvi) The authority to issue Certificates under Part 4A including Construction, Occupation, Compliance and Subdivision Certificates.
- xvii) Part 6 - Division 1A Power of Entry onto Land and Other Powers.

- xviii) Issue Notice of Intent under Section 21H for an Order under Section 121B.
- ixx) Issue Orders under Section 121B.
- Environmental Planning & Assessment Amendment Act, 1997
 - a. Approving application which:
 - 1. Comply with the provisions of an environmental planning instrument.
 - 2. Are consistent with relevant Development Control Plans, Codes or Policies adopted by Council.
 - 3. May be considered under Part 4, Division 10, Existing Uses.
 - 4. Are the subject of public submissions to which the objection relates:
 - i) solely to the type of development proposal.
 - ii) to possible market competition arising, if the development is approved.
 - iii) to a design standard contained within an adopted Development Control Plan, Code or Policy.
 - iv) to an issue that may be reasonably alleviated by the imposition of a condition of development consent.
 - v) To make decisions on matters in issues during any mediation between parties whether presided over by a mediator appointed by the Court (Commissioner) or by a commercial mediator appointed to determine such matters.
 - b. Imposing conditions on a development consent granted under Part 4 which are:
 - 1) For a purpose identified in Section 80A.
 - 2) In accordance with the terms of an environmental planning instrument.
 - 3) In accordance with any Development Control Plan, code or policy adopted by Council.
 - 4) Requirements specified by any public authority or public undertaking including a Commissioner appointed by the Land & Environment Court.
 - c. Refusing application which:
 - 1) are prohibited under the provisions of any environmental planning instrument.
 - 2) do not comply with the statutory provisions of the

Environmental Planning and Assessment Amendment Act, 1997.

- 3) do not contain adequate information to enable assessment under the matters for consideration listed in Section 79C.
 - d. The authority to approve an extension of any development consent in accordance with the provisions of Section 95A.
 - e. The authority to determine any request for reconsideration or variation of a condition of development consent under Section 96.
 - f. The authority to revoke or modify a development consent under Section 96A.
 - g. The authority to determine, issue or revoke the following certificates in accordance with the provisions of:
 - a) Section 109C – Part 4
 - 1) Compliance Certificates
 - 2) Construction Certificates
 - 3) Occupation Certificates
 - 4) Subdivision Certificates
 - b) Section 149A
 - 5) Building Certificates
 - h. The function of the Council to determine in relation to Part 5A for an activity which is not a prescribed activity that is not likely to significantly affect the environment.
 - i. The function of the Council under Section 188A to authorise a person to enter any premises in accordance with Sections 118B – 118K.
 - j. The functions of the Council in the giving of orders to do or to refrain from doing such things as specified in the Table detailed in Section 121B if the circumstances specified opposite it in Column 2 of the Table exist and the person comes within the description opposite it in Column 3 of the Table.
 - k. The function of the Council to authorise an employee of Council to issue Penalty Notices in accordance with Section 127A.
- Government Information (Public Access) Act 2009
 - Food Act, 2003 & Regulations

- Heritage Act, 1977
- Impounding Act, 1993
- Independent Commission Against Corruption Act, 1998
- Noxious Weeds Act, 1993
- Work Health & Safety Act 2011 & Regulations
- Privacy and Personal Information Protection Act, 1998
- Protection of the Environment Operations Act, 1997 & Regulations
 - s.91 - Issue Clean Up Notices
 - s.92 - Undertake clean up and recover costs in relation to reasonable costs and expenses.
 - s.94 - Recover costs
 - s.96 - Issue Prevention Notices
 - s.98 - Take action where a person does not comply with Prevention Notice
 - s.187 - Appoint authorised officers
 - s.224 - Serve a Penalty Notice
 - s.264 - Issue Noise Control Notices
- Public Health Act, 2010 & Regulations
 - s.10 - Exercise Functions
 - s.10F - Power to Enter and Inspect Premises or a supplier of Water
 - s.10I - Closure of Water Supply
 - s.47 - Power of Authorised Officer under Part 4 – Microbial Control
 - s.51 - Power of Authorised Officer under Part 5 – Skin Penetration
 - s.70 - Inspection of Records
 - s.72 - Power of Entry
- Roads Act, 1993
- Rural Fires Act, 1997 & Regulations
 - s.66 - Issue notices requiring owners or occupiers (not being a public authority) of land to carry out bush fire hazard reduction work.
 - s.67 - Resolve objections to Section 66 Notices.
 - s.70 - Enter on land and carry out bush fire hazard reduction work.
 - Div2A - Investigate bush fire hazard complaints.
 - s.100D, 100E, 100F & 100G - Issue bush fire hazard certificates.

s.100H - Remedy and restraint for breaches under Sections 100F and 100G by bringing proceedings in the Land & Environment Court.

s.131 - To serve penalty notices on a person.

- State Emergency & Rescue Management Act, 1989
- State Records Act, 1998
- Swimming Pools Act, 1992
 - s.27 - Power to Appoint Inspector
 - s.28 - Power of Entry and Inspection
 - s.24 - Issue Compliance Certificates
 - s.34 - Serve Notices
 - s.35 - Issue Penalty Notices
- Water Management Act, 2010 & Regulations
- Workers Compensation Act, 1987

RESOLVED on the motion of Clr Maslin and seconded by Clr McCann that the following delegations be approved: 191/09/2016

DELEGATIONS FROM COUNCIL TO THE MAYOR

That subject to the requirements of the Local Government Act 1993 and regulations there under and any expressed policy of Council or the requirements or regulations under any other Act and pursuant to Section 377 of the Local Government Act 1993, the MAYOR, John Seymour be authorised to exercise or perform on behalf of the Coolamon Shire Council the following powers, authorities, duties and functions:

- **To carry out any function conferred on and duty imposed on the Mayor under any Act or regulation.**
- **To carry out the general supervision, control and direction of the General Manager.**
- **To approve Applications of Leave by the General Manager.**
- **To sign cheques drawn on Council's bank accounts in conjunction with the General Manager or any other Staff Member authorised by the General Manager.**

- To affix the Common Seal of Council in conjunction with the General Manager to any necessary document pursuant to or consequent upon any decision of Council.
- To respond to media publicity on Council matters and to issue media releases and make statements to the media on behalf of Council.
- Approve attendance by Elected Members and Senior Staff at Conferences and Seminars etc., within New South Wales and the ACT to a maximum of three days and within budget provisions.
- Authorise urgent works up to an amount of \$20,000.

DELEGATIONS FROM COUNCIL TO DEPUTY MAYOR

That subject to the requirements of the Local Government Act 1993 and regulations there under and any expressed policy of Council or the requirements or regulations under any other Act and pursuant to Section 377 of the Local Government Act 1993, the DEPUTY MAYOR, Bruce Hutcheon be authorised to exercise on behalf of Coolamon Shire Council the following powers, authorities, duties and functions:-

- To carry out the statutory functions of the Mayor and exercise the delegations conferred upon the Mayor whenever the Mayor is absent from the Council area or is otherwise unable to carry out his duties.
- To affix the Common Seal of the Council in conjunction with the General Manager to any necessary document pursuant to or consequent upon any decision of Council.

FUNCTIONS OF THE GENERAL MANAGER

In pursuance of Section 335 of the Local Government Act, 1993 the GENERAL MANAGER, Anthony Gerard Donoghue has the following functions:

- 1) The General Manager is generally responsible for the efficient and effective operation of the Council's organisation and for ensuring the implementation, without undue delay, of decisions of the Council.
- 2) The General Manager shall have the following particular functions:

- the day to day management of the Council;
- to exercise such of the functions of the Council as are delegated by the Council to the General Manager;
- to appoint staff in accordance within the organisation structure and resources approved by the Council provided the General Manager may appoint or dismiss Senior Staff only after consultation with the Council;
- to direct and dismiss staff; and
- to implement the Council's equal employment opportunity management plan.

3) The General Manager has such other functions as may be conferred or imposed on the General Manager by or under this or any other Act.

These functions include but are not limited to the following:

- To carry out the regular services and operations of the Council within the sums voted by the Council for expenditure thereon and in accordance with any policy or resolution of the Council.
- To perform or authorise any action necessary to comply with any decision, policy or code of Council, any statutory requirements of the Local Government Act or regulation or any other law, rule or regulation affecting Council.
- Reject any application within the prescribed period if it is not clear as to the approval sought or if it is not easily legible.
- Request any additional information that is reasonably necessary to determine any application.
- Authorise the purchase of stationery; seek quotes for office equipment and acceptance of quotes for amounts covered within the Budget.
- Letters of reference may be issued by the General Manager under Council's letterhead at his discretion.
- Grant the tenancy on behalf of Council to permanent residents of Kindra Lodge, Centenary Lodge, Ganmain Aged Persons Units, Ardlethan Aged Persons Units, Allawah Lodge, Allawah Village and other Council dwellings subject to such discussions on appropriateness of tenants with the Mayor.

- To sign purchase orders on Council's behalf.
- To determine the matters which are to be included in the Business Papers subject to the inclusion of the following items whenever they arise, namely:-
 - a) Reports on matters which cannot be determined under Delegated Authority.
 - b) Reports required to be submitted under any Act or regulation.
 - c) Reference to any deputations which the Council has agreed to receive.
 - d) Matters requiring a determination of policy.
 - e) Reports directed by Council to be submitted.
 - f) Matters essential for the Council's information.
 - g) Matters requiring a vote of money.
 - h) Matters where the General Manager is of the opinion that any application should be refused.
- To reply to all routine correspondence not involving a monetary vote by Council, not effecting Council policy and not requiring the consideration of Council.
- To authorise the payment of salaries and wages of the employees of the Council within the sums voted by the Council for expenditure thereon.
- To authorise payment of accounts in respect of works or votes authorised by Council or associated with the functions of Council.
- To approve applications for extension of time to pay accounts where acceptable case is made out.
- To sign cheques drawn on Council's bank account and authorise and transmit electronic transfers from Council's bank account in conjunction with any other person authorised to sign cheques or electronic transfers on Council's behalf.
- Refund of Trust Fund Deposits including Contract Deposits on the recommendation and certification of the appropriate servant.
- Accept quotations for the purchase of and replacement of light vehicles.

- To authorise approval of leave of absence for all Staff of the Council.
- To apply to wages and salaries any automatic award variations basic wage variation or cost of living adjustments subject to official notification from Local Government NSW or total financial resource allocation in Council's Operational Plan.
- To approve attendance by Council Officers and Staff at Conferences and Seminars which are conducted by or endorsed by the Office of Local Government and other relevant authorities and/or Local Government NSW.
- To approve attendance by Staff at training courses included in Council's Staff Training Programme together with associated User Group Meetings and for which funds are available in Council's Budget.
- To authorise Council Staff to attend Professional Conferences in accordance with Councils policy.

DELEGATIONS OF AUTHORITY TO THE GENERAL MANAGER

That pursuant to Section 377 of the Local Government Act, 1993, Council delegates to the GENERAL MANAGER, Anthony Gerard Donoghue the functions of Council under the Local Government Act, 1993 other than those functions which, pursuant to sub-section (1) of that section, cannot be delegated by the Council.

That pursuant to Section 381 of the Local Government Act, 1993, Council delegates to the GENERAL MANAGER, Anthony Gerard Donoghue the exercise of functions conferred or imposed on Council employees under other Acts.

The General Manager shall exercise the functions herein delegated in accordance with and subject to:-

- (i) the provisions of the Local Government Act, 1993 and other relevant legislation; and
- (ii) each and every policy of the Council adopted by resolution and current at the time of the exercise of the function herein delegated.

The delegations under Section 377 and 381 of the Local Government Act, 1993 include but are not limited to the following:

Local Government Act, 1993

- (a) Chapter 6 - Services Function**
- (i) PART 2 - PUBLIC LAND**
 - s.54 - Issue of Land Classification Certificates.**
- (b) Chapter 7 - Regulatory Function**
- (i) PART 1 - APPROVALS**
 - s.68 - Approval of activities specified in the table (Section 68 Local Government Act), except in so far as the Local Government Act, 1993, the regulations or a local policy adopted by the Council allows the activity to be carried out without approval.**
 - s.82 - To modify provisions of Clauses 54 and 55 of the (Approvals) Regulations.**
 - s.94 - Determination of Applications by granting approval, either conditionally or subject to conditions, or by refusing approval.**
 - s.95 - Exercising Council's power for deferred commencement of approvals.**
 - s.96 - Exercising Council's power to grant Staged Approval.**
 - s.97 - Exercising Council's power to apply Conditions concerning security.**
 - s.98 - Exercising Council's power to impose Other Conditions.**
 - s.99 - Giving of notice to applicants of determination of Applications.**
 - s.100 - Review of Determination where made by a delegation of Council.**
 - s.106 - Exercising Council's power to amend an approval, in accordance with the procedures outlined in Section 106.**

s.107 - Exercise Council's power to extend or review an approval.

s.108-109 - Exercise Council's power to revoke or modify an approval in any of the following circumstances:-

- (a) if the approval was obtained by fraud, misrepresentation or concealment of facts;**
- (b) for any cause arising after the granting of the approval which, had it arisen before the approval was granted, would have caused the Council not to have granted the approval (or not have granted it in the same terms);**
- (c) for any future failure to comply with a requirement made by or under the Local Government Act, 1993 relating to the subject of the approval; and**
- (d) for any failure to comply with a condition of the approval.**

(ii) PART 2 - ORDERS

s.124 - Order a person to do or refrain from doing a thing specified in Column 1 Table No.2 (Chapter 7 - Orders) if the circumstances specified opposite in Column 2 of the Table exists and the person comes within the description opposite it in Column 3 of the Table.

s.125 - Order a person responsible for a public nuisance to abate such nuisance.

s.132 - Give notices of an Order under Section 121.

(c) Chapter 8 - Ancillary Functions

(i) PART 1 - ACQUISITION OF LAND

s.186-187 - Negotiate on Council's behalf for the acquisition of land for the purpose of exercising any of the functions, up to the stage of presenting offers to Council for determination.

(ii) PART 2 - ENTRY ON TO LAND AND OTHER POWERS

s.191-192 - Authorise Council employees (or other persons) to enter any premises for the purpose of enabling the Council to exercise its functions.

s.194 - Authorise the use of force for the purposes of entering premises.

s.201 - Make application to an authorised Justice for the issue of a Search Warrant.

(d) Chapter 11 – How Are Councils Staffed

(i) PART 3 – PUBLIC OFFICER

s.342 - Designate a member of staff as a Public Officer.

s.353 - Prohibit staff from engaging in private employment or contract work outside Council.

(e) Chapter 12 - Operation of Councils

**(i) PART 3 - SALE OF COUNCIL PROPERTY - PLANT AND EQUIPMENT
To dispose of Council plant and equipment by way of sale at the best offer received when:**

(1) The sale of such item of plant and equipment is approved in the current year's annual operating plan and budget or approved by the Asset Management Committee; or

(2) The item of plant, equipment or material is obsolete, unserviceable and/or surplus to Council's requirements and the sale of such item of plant or equipment represents the most cost effective option.

(ii) PART 4 – INSURANCE

s.382 - Make arrangements for adequate insurance against public liability and professional liability.

(f) Chapter 15 - Council Finances

(i) PART 3 - ORDINARY RATES

- s.514 - Determine and declare the categorisation of land for the purpose of making an ordinary rate.
- s.515 - Determine and declare the categorisation of land as farmland.
- s.516 - Determine and declare the categorisation of land as residential.
- s.517 - Determine and declare the categorisation of land as mining.
- s.518 - Determine and declare the categorisation of land as business.
- s.519 - Determine and declare the categorisation of vacant land.
- s.520 - Issue notices of categorisation of land.
- s.523 - Review determinations of categorisation of land.
- s.525 - Determine applications for change of categorisation of land.
- s.548A - Determine applications for aggregation of land values by Council and to adjust and re-levy accordingly.

(ii) PART 5 - LEVYING OF RATES AND CHARGES

- s.552 - Determination of what land may be subject to a water supply special rate or charge.
- s.553 - Determination of time at which land becomes subject to special rate or charge.

(iii) PART 6 - RATEABLE LAND

- s.555 - Determination of what land is exempt from all rates.
- s.556 - Determination of what land is exempt from all rates, other than water supply special rates and sewerage special rates.

(iv) PART 7 - PAYMENT OF RATES AND CHARGES

- s.564 - Approval of agreements as to periodical payment of rates and charges.
- s.567 - Write-off accrued interest on rates or charges payable by a rateable owner if, in the General Manager's opinion:-
- (a) the rateable owner is unable to pay the accrued interest for reasons beyond the rateable owner's control; or
 - (b) payment of the accrued interest would cause the rateable owner hardship. Section 569 - Issue and serve notices on occupiers for liability for payment of unpaid rates and charges.

(v) LOCAL GOVERNMENT GENERAL REGULATION (2005)

- cl.131 - To write off Rates and Charges in accordance with the regulation under this clause.
- To write off Rates and Charges up to \$10,000 in accordance with this clause (errors, at law or cost effectiveness).
 - To write off debts to Council up to \$500.00 in accordance with this clause.

(vi) PART 13 - INVESTMENTS

- s.625 - Arrange the investment of money that is not, for the time being, required by the Council for any other purpose.

Money may only be invested in the following:-

- (a) in any security authorised by the Trustee Act; or
- (b) in a form of investment notified by order of the Minister published in the Government Gazette.

(vii) **LOCAL GOVERNMENT GENERAL REGULATION, 2000**

cl.144 - To apply water restrictions under the terms of this clause.

Council delegates to the General Manager the functions, powers, duties and authorities conferred upon it by the following Acts:-

- Aged Care Act, 1997
 - Children and Young Persons (Care and Protection) Act, 1998
 - Companion Animals Act, 1998 & Regulations
Part 5 Division 1 relating to the declaration of dangerous dogs, the consideration of objections by owners of proposed dangerous dogs, revocation of dangerous dog declarations where it is appropriate to do so and to authorise persons for the purposes of that Act.
 - Contaminated Land Management Act, 1997 & Regulations
 - Environmental Planning and Assessment Act, 1979 & Regulations
- i) The authority to determine development applications lodged for consent under Part 4 of the Environmental Planning & Assessment Act, 1979 which:
- a) Comply with the provisions of any Environmental Planning Instrument;
 - b) Are consistent with relevant Development Control Plans, Codes or Policies adopted by the Council;
 - c) May be considered under Part 4 Division 2 (Existing Use) of the Environmental Planning & Assessment Act, 1979;
 - d) Are the subject of public submissions to which the objection relates;
 - (i) solely to the type of development proposed;
 - (ii) to possible market competition arising, if the development is approved;

- (iii) to a design standard contained within an adopted Development Control Plan, Code or Policy;
 - (iv) to an issue that may be reasonably alleviated by the imposition of a condition of development consent.
- ii) The authority to, on behalf of the Director-General, prepare Section 65 Certificates and Section 69 Reports to the Minister to approve such amendments.
(N.B. Council must still apply to the Director to complete the relevant documents under Sections 65 and 69 of the Act).
- iii) The authority to impose conditions on a development consent granted under Part 4 of the Environmental Planning & Assessment Act, 1979, which are:
 - (a) for a purpose identified in Section 80A of the Environmental Planning and Assessment Act 1979;
 - (b) in accordance with the terms of any environmental planning instrument;
 - (c) in accordance with any development control plan, code or policy adopted by the Council;
 - (d) requirements specified by any public authority or public undertaking.
- iv) The authority to refuse a development application which:
 - (a) is prohibited under the provisions of any environmental planning instrument;
 - (b) does not comply with the statutory provisions of the Environmental Planning & Assessment Act, 1979;
 - (c) does not contain adequate information to enable assessment under the relevant heads of consideration listed in Section 76(C) of the Environmental Planning & Assessment Act, 1979.
- v) The authority to determine any request for reconsideration or variation of a condition of development consent under Section 96 of the Environmental Planning & Assessment Act, 1979.
- vi) The authority to approve an extension of any development consent in accordance with the provisions of Section 95 of the Environmental Planning & Assessment Act, 1979.

- vii) The function of the Council in relation to Part 5 of the Environmental Planning & Assessment Act, 1979 for an activity which is not of a prescribed kind or an activity that is not likely to significantly affect the environment.
- viii) The authority to reject a development application within 7 days after its receipt if it is not clear as to the development consent sought or it is not easily legible.
- ix) The function of the Council under Section 118B of the Environmental Planning and Assessment Act 1979 to authorise a person to carry out inspections for the purposes of that Act, the regulations under that Act and any environmental planning instrument under that Act.
- x) The function of the Council under Section 123 of the Environmental Planning and Assessment Act 1979 to bring proceedings to remedy or restrain a breach of that Act.
- xi) Authority to forward a Draft Local Environmental Plan under Section 68 of the Environmental Planning & Assessment Act, 1979 to the Department of Planning where no public submissions are received as a result of the public exhibition required under Section 66 of the Act.
- xii) Authority to vary any numeric standard contained within any Council code, policy or development control plan by up to 10% provided the development still meets the objectives of the particular code, policy or development control plan.
- xiii) The authority to require the lodgement of a cash bond or bank guarantee for work outstanding in any partly completed development with the amount of the bond being sufficient to complete the approved work allowing for inflation and administration costs or as provided for in Council's policy.
- xiv) The authority to act on Council's behalf in relation to legal proceedings lodged with the Land & Environment Court as follows:
 - (a) To determine the nature of action to be taken to defend the appeal and thereafter institute any action deemed necessary in the circumstances.

- (b) To negotiate on matters in issue during conferences between parties when presided over by an assessor appointed by the Land & Environment Court and to delegate such authority to the Director - Works and/or the Director – Environmental & Community Services, where appropriate.

- xv) The function of the Council under Section 149, 149A, 149C and 149D.

- xvi) The authority to issue Certificates under Part 4A including Construction, Occupation, Compliance and Subdivision Certificates.

- xvii) Part 6 - Division 1A Power of Entry onto Land and Other Powers.

- xviii) Issue Notice of Intent under Section 21H for an Order under Section 121B.

- ixx) Issue Orders under Section 121B.

- Environmental Planning & Assessment Amendment Act, 1997
 - a. Approving application which:
 - 1. Comply with the provisions of an environmental planning instrument.
 - 2. Are consistent with relevant Development Control Plans, Codes or Policies adopted by Council.
 - 3. May be considered under Part 4, Division 10, Existing Uses.
 - 4. Are the subject of public submissions to which the objection relates:
 - i) solely to the type of development proposal.
 - ii) to possible market competition arising, if the development is approved.
 - iii) to a design standard contained within an adopted Development Control Plan, Code or Policy.
 - iv) to an issue that may be reasonably alleviated by the imposition of a condition of development consent.
 - (v) To make decisions on matters in issues during any mediation between parties whether presided over by a mediator appointed by the Court (Commissioner) or by a commercial mediator appointed to determine such matters.

- b. Imposing conditions on a development consent granted under Part 4 which are:**
 - 1) For a purpose identified in Section 80A.**
 - 2) In accordance with the terms of an environmental planning instrument.**
 - 3) In accordance with any Development Control Plan, code or policy adopted by Council.**
 - 4) Requirements specified by any public authority or public undertaking including a Commissioner appointed by the Land & Environment Court.**

- c. Refusing application which:**
 - 1) are prohibited under the provisions of any environmental planning instrument.**
 - 2) do not comply with the statutory provisions of the Environmental Planning and Assessment Amendment Act, 1997.**
 - 3) do not contain adequate information to enable assessment under the matters for consideration listed in Section 79C.**

- d. The authority to approve an extension of any development consent in accordance with the provisions of Section 95A.**

- e. The authority to determine any request for reconsideration or variation of a condition of development consent under Section 96.**

- f. The authority to revoke or modify a development consent under Section 96A.**

- g. The authority to determine, issue or revoke the following certificates in accordance with the provisions of:**
 - a) Section 109C – Part 4**
 - 1) Compliance Certificates**
 - 2) Construction Certificates**
 - 3) Occupation Certificates**
 - 4) Subdivision Certificates**
 - b) Section 149A**
 - 5) Building Certificates**

- h. The function of the Council to determine in relation to Part 5A for an activity which is not a prescribed activity that is not likely to significantly affect the environment.**

- i. The function of the Council under Section 188A to authorise a person to enter any premises in accordance with Sections 118B – 118K.
 - j. The functions of the Council in the giving of orders to do or to refrain from doing such things as specified in the Table detailed in Section 121B if the circumstances specified opposite it in Column 2 of the Table exist and the person comes within the description opposite it in Column 3 of the Table.
 - k. The function of the Council to authorise an employee of Council to issue Penalty Notices in accordance with Section 127A.
- Government Information (Public Access) Act 2009
 - Food Act, 2003 & Regulations
 - Heritage Act, 1977
 - Impounding Act, 1993
 - Independent Commission Against Corruption Act, 1998
 - Noxious Weeds Act, 1993
 - Work Health & Safety Act 2011 & Regulations
 - Privacy and Personal Information Protection Act, 1998
 - Protection of the Environment Operations Act, 1997 & Regulations
 - s.91 - Issue Clean Up Notices
 - s.92 - Undertake clean up and recover costs in relation to reasonable costs and expenses.
 - s.94 - Recover costs
 - s.96 - Issue Prevention Notices
 - s.98 - Take action where a person does not comply with Prevention Notice
 - s.187 - Appoint authorised officers
 - s.224 - Serve a Penalty Notice
 - s.264 - Issue Noise Control Notices
 - Public Health Act, 2010 & Regulations
 - s.10 - Exercise Functions
 - s.10F - Power to Enter and Inspect Premises or a supplier of Water

- s.101 - Closure of Water Supply
- s.47 - Power of Authorised Officer under Part 4 – Microbial Control
- s.51 - Power of Authorised Officer under Part 5 – Skin Penetration
- s.70 - Inspection of Records
- s.72 - Power of Entry

- **Roads Act, 1993**

- **Rural Fires Act, 1997 & Regulations**
 - s.66 - Issue notices requiring owners or occupiers (not being a public authority) of land to carry out bush fire hazard reduction work.
 - s.67 - Resolve objections to Section 66 Notices.
 - s.70 - Enter on land and carry out bush fire hazard reduction work.
 - Div2A - Investigate bush fire hazard complaints.
 - s.100D, 100E, 100F & 100G - Issue bush fire hazard certificates.
 - s.100H - Remedy and restraint for breaches under Sections 100F and 100G by bringing proceedings in the Land & Environment Court.
 - s.131 - To serve penalty notices on a person.

- **State Emergency & Rescue Management Act, 1989**

- **State Records Act, 1998**

- **Swimming Pools Act, 1992**
 - s.27 - Power to Appoint Inspector
 - s.28 - Power of Entry and Inspection
 - s.24 - Issue Compliance Certificates
 - s.34 - Serve Notices
 - s.35 - Issue Penalty Notices

- **Transport Administration Act 1988**

- **Water Management Act, 2010 & Regulations**

- **Workers Compensation Act, 1987**

7) SECTION 355 COMMITTEES

Council is required to reappoint its Committees that have been structured under Section 355 of the Local Government Act 1993. That particular Section allows Council to delegate authority to individuals or Committees to carry out functions on behalf of Council, or to take the care, control and management of various facilities. A number of these Committees are made up purely of citizen representation whilst others do have Council delegates. In a number of instances there may be a Councillor Representative on the Committee but that has been purely a personal choice rather than Council actually nominating them as a delegate or Council actually needing representation on that particular Committee. Council Staff do not need to be nominated as delegates to the Committees and they can attend the various meetings as and when required depending on the agenda for each particular meeting.

• Advance Ardlethan Committee

Committee Members:

Dell Garrett, Pauline Beard, Dianne McDermott, Aileen Bound, Jenny Kuemmel, Janice Lewis, Ann Popple, Karen Wood, Bessie Brill, Grant Beard, Lyn Litchfield, Jo Kuemmel, Kris Kuemmel, June Currie, Janet Popple, Fum Clark, Rex Brill, Denise Hollingsworth, Shirley Tyrell, Sandra Werner, Relle Miell, Neil Corey.

Objective:

- i) To control, manage and maintain the following assets on Council's behalf:-
 - Ardlethan Hall
 - ACDC Facility
 - Mullins Centre
- ii) To represent the Community of Ardlethan to consult, engage and work with Council to achieve outcomes identified for the Ardlethan Community included in Coolamon Shire's Community Strategic Plan or otherwise.
- iii) To carry out general promotional activities for the benefit of the Ardlethan Community.
- iv) To conduct fundraising activities within the Community on behalf of the Advance Ardlethan Committee.

• **Advance Ganmain Committee**

Committee Members:

Bernadette Bodel, Michael Quinn, Cathryn Booth, Val Brill, Peter Warran, Ray Cox, Jan Cox, Melissa Corbett, Ann Brill, Bronwyn Hatty, Rudi Linklater, Guy Purcell, Michael Ingrey, Renee Lucas.

Objective:

- i) To control, manage and maintain the following assets on Council's behalf:-
 - Ganmain Hall
 - Ganmain Haystack
- ii) To represent the community of Ganmain to consult, engage and work with Council to achieve outcomes identified for the Ganmain Community included in Coolamon Shire's Community Strategic Plan or otherwise.
- iii) To carry out general promotional activities for the benefit of the Ganmain Community.
- iv) To conduct fundraising activities within the Community on behalf of the Advance Ganmain Committee.

• **Advance Marrar Committee**

Committee Members:

David Fox, Collette Wallace, John Pattison, Ian Charlton, Joanne Langtry, Karen O'Donnell, Cathie Fox, Tom Pattison, Brendan Pattison, Kirsty McKelvie.

Objective:

- i) To control, manage and maintain the following assets on Council's behalf:-
 - Marrar Hall
 - Marrar Recreation Reserve
- ii) To represent the Community of Marrar to consult, engage and work with Council to achieve outcomes identified for the Marrar

Community included in Coolamon Shire's Community Strategic Plan or otherwise.

- iii) To carry out general promotional activities for the benefit of the Marrar Community
 - iv) To conduct fundraising activities within the Community on behalf of the Advance Marrar Committee.
-

- **Beckom Hall & Community Committee**

Committee Members:

Paul Bray, Marie Whyte, Janesse Bundy, Colin Thew, Errol Thomson, Julie Thomson, Linda Griffin, Paul Griffin, Anne Stewart, Jim Bundy, Paul Horan, Jim Gardner, Margie Rees, Mike O'Hare, Graham Maslin, Kathy Maslin, Leo Griffin, Stan Maslin, Judy Maslin, John O'Brien, Kevin Pople, Ellie Walton, Lyn Mason.

Objective:

- i) To control, manage and maintain the following assets on Council's behalf:-
 - Beckom Hall
 - Soldiers Memorial Hall
 - Beckom Community Park
 - ii) To represent the community of Beckom to consult, engage and work with Council to achieve outcomes identified for the Beckom Community included in Coolamon Shire's Community Strategic Plan or otherwise.
 - iii) To carry out general promotional activities for the benefit of the Beckom Community.
 - iv) To conduct fundraising activities within the Community on behalf of the Beckom Hall & Community Committee.
-

- **Ambulance Establishment Committee**

Committee Members:

Colin Patterson, Coolamon (Chair); Allan Patterson, Coolamon; John Pattison, Marrar; Sharon Walsh, Ganmain; Henk Hulsman, Coolamon; ~~Noelene Black, Coolamon~~; Mick O'Donnell, Marrar.

Objective:

To support Council with its efforts to have an Ambulance Station established in Coolamon and servicing the Southern Region of the Shire by gaining public support and promoting the cause.

- **Community Drug Action Team**

Committee Members:

John Piltz, Bill Thompson, Eileen Knox, Cationa Kendall, John Dean, Matt Dombrovski, Stephanie Perrot.

Council Delegates:

Clr Bruce Hutcheon, Clr Alan White, Tony Donoghue.

Objective:

- To work with all communities and all sections of those communities within the Coolamon Shire on Drug and Alcohol issues.
 - To liaise with the Drug and Alcohol Team from NSW Health on appropriate Drug and Alcohol Education Programs.
 - To manage and implement Drug and Alcohol Education Programs throughout the Community including but not limited to Schools and all Sporting Clubs.
 - To liaise with NSW Police on Drug and Alcohol issues within the Coolamon Shire Community on behalf of that Committee.
 - To conduct fundraising activities within the Coolamon Shire that support the above terms of reference.
-

- **Coolamon Shire Community Benefit Fund Committee**

Committee Members:

Bill Thompson; Grant Beard; Alan White; Terrey Kiss, Barrie Logan, Angela McCann.

Council Delegate:

Tony Donoghue

Objective:

The Coolamon Shire Community Benefit Fund Committee is to assess applications for funding from the Community Benefit Fund to assist residents of the Coolamon Shire with disaster situations such as:

- a. A natural disaster such as a fire, flood or storm,
- b. Serious illness or injury
- c. Financial assistance required due to a crisis situation

- **Coolamon Shire Photographic Competition**

Committee Members:

Shirley Frost, Daniel Smith, Bronwyn Hatty, Helen McLoughlin and Jodie Harris.

Council Delegate:

Jess Inch.

Objective:

To co-ordinate and manage the "Capture Coolamon Shire Photographic Competition"

- **Coolamon Showground Management Committee**

Committee Members:

Helen Turner, Vincent Leary, Wendy Dennis, Barry Brill.

Objective:

- i) The Committee is vested with general control over the Coolamon Showground Reserve and is responsible for the general maintenance of all assets contained within this Reserve area.
 - ii) To conduct fundraising activities within the Community on behalf of the Coolamon Showground Management Committee.
 - iii) To control and regulate the community use of the Showground Reserve including the collection of fees associated with the use and operation of the facility.
-

- **Friends of the Coolamon Up-to-Date Cultural Precinct**

Committee Members:

Margaret Furner, Sandra West, Fay Bocquet, Wayne Pearce, Mel Mayer, Peter Lucas, Jeanette Campbell, Bill Levy, Angela McCann, Ivan Furner.

Council Delegates:

Clr Bruce Hutcheon, Clr John Seymour, Clr Dave McCann.

Objective:

- i) To facilitate the operation of the Up-to-Date Store Precinct, and to develop a vibrant cultural and conference centre for the Shire.
- ii) To work alongside the Precinct Co-ordinator to implement regular and ongoing activities and events which raises the profile of the Coolamon Shire and the Precinct.
- iii) To research and recommend ideas and initiatives for the development and enhancements to the Up-to-Date Store Precinct.

- iv) To work co-operatively with the Precinct Co-ordinator to achieve the goals and objectives set out in the Strategic Plan.
-

• **Local Heritage Fund Committee**

Committee Members:

Pauline Beard, Rose Higgins, Cliff Hamilton, Guy Purcell.

Council Delegates:

Clr Kathy Maslin, Clr Bruce Hutcheon, Clr John Seymour, Clr Dave McCann, ~~Clr Dennis Brill~~ TBD

Objective:

To make recommendations for the disbursement of the Local Heritage Fund with the recommendations being submitted to Council for approval.

• **Multi-Purpose Trails (MPT) Management Committee**

Committee Members:

Ian Jennings, Terrey Kiss, Dick Jennings, Mick O'Neill.

Council Delegate:

Tony Kelly.

Objective:

- i) The Committee is vested with control over the licensed area of the Mountain Bike Track and is responsible for the general management and maintenance of all work associated with this track.
- ii) To conduct fundraising activities within the community on behalf of the Multi-Purpose Trails (MPT) Management Committee.
- iii) The authority to grant approval to events subject to the applicant providing Public Liability that meets the interest of Coolamon

Shire Council, the State Forests and the Wiradjuri Aboriginal Land Council.

- iv) In regard to any approvals the applicant must submit to the Committee the appropriate Risk Management Plans covering all Risk Management and Forest Management Plans.
-

• **Rannock Community Centre – Reserve No. 89397**

Committee Members:

Bruce Chant, Bruce Rollins, Barry Dennis, Royston Moncrieff, Murray Higman, Felicity Grinter, Merrill Rollins.

Objective:

- i) To provide management control over the Rannock Community Centre being responsible for the general maintenance of this asset.
- ii) To conduct fundraising activities within the Community on behalf of the Rannock Community Centre.
-

• **Volunteer Workers**

That the following persons be authorised to operate Council equipment on behalf of the following Communities:

Beckom: Natt Herden, Kevin Popple
Marrar: Steve Buttegieg, Ron Curtis, Roy Walker, Chris Nicholes
Matong: John Doherty

RESOLVED on the motion of Clr Logan and seconded by Clr Hutcheon that the Section 355 Committees listed below be appointed: 192/09/2016

• **Advance Ardlethan Committee**

Committee Members:

Dell Garrett, Pauline Beard, Dianne McDermott, Aileen Bound, Jenny Kuemmel, Janice Lewis, Ann Popple, Karen Wood, Bessie Brill, Grant Beard, Lyn Litchfield, Jo Kuemmel, Kris Kuemmel, June Currie, Janet Popple, Fum Clark, Rex Brill, Denise Hollingsworth, Shirley Tyrell, Sandra Werner, Relle Miell, Neil Corey.

Objective:

- i) To control, manage and maintain the following assets on Council's behalf:-
 - Ardlethan Hall
 - ACDC Facility
 - Mullins Centre
- ii) To represent the Community of Ardlethan to consult, engage and work with Council to achieve outcomes identified for the Ardlethan Community included in Coolamon Shire's Community Strategic Plan or otherwise.
- iii) To carry out general promotional activities for the benefit of the Ardlethan Community.
- iv) To conduct fundraising activities within the Community on behalf of the Advance Ardlethan Committee.

• **Advance Ganmain Committee**

Committee Members:

Bernadette Bodel, Michael Quinn, Cathryn Booth, Val Brill, Peter Warran, Ray Cox, Jan Cox, Melissa Corbett, Ann Brill, Bronwyn Hatty, Rudi Linklater, Guy Purcell, Michael Ingrey, Renee Lucas.

Objective:

- i) To control, manage and maintain the following assets on Council's behalf:-
 - Ganmain Hall
 - Ganmain Haystack
- ii) To represent the community of Ganmain to consult, engage and work with Council to achieve outcomes identified for the Ganmain Community included in Coolamon Shire's Community Strategic Plan or otherwise.
- iii) To carry out general promotional activities for the benefit of the Ganmain Community.

- iv) To conduct fundraising activities within the Community on behalf of the Advance Ganmain Committee.
-

• **Advance Marrar Committee**

Committee Members:

David Fox, Collette Wallace, John Pattison, Ian Charlton, Joanne Langtry, Karen O'Donnell, Cathie Fox, Tom Pattison, Brendan Pattison, Kirsty McKelvie.

Objective:

- i) To control, manage and maintain the following assets on Council's behalf:-
- Marrar Hall
 - Marrar Recreation Reserve
- ii) To represent the Community of Marrar to consult, engage and work with Council to achieve outcomes identified for the Marrar Community included in Coolamon Shire's Community Strategic Plan or otherwise.
- iii) To carry out general promotional activities for the benefit of the Marrar Community
- iv) To conduct fundraising activities within the Community on behalf of the Advance Marrar Committee.
-

• **Beckom Hall & Community Committee**

Committee Members:

Paul Bray, Marie Whyte, Janesse Bundy, Colin Thew, Errol Thomson, Julie Thomson, Linda Griffin, Paul Griffin, Anne Stewart, Jim Bundy, Paul Horan, Jim Gardner, Margie Rees, Mike O'Hare, Graham Maslin, Kathy Maslin, Leo Griffin, Stan Maslin, Judy Maslin, John O'Brien, Kevin Popple, Ellie Walton, Lyn Mason.

Objective:

- i) To control, manage and maintain the following assets on Council's behalf:-
 - Beckom Hall
 - Soldiers Memorial Hall
 - Beckom Community Park
 - ii) To represent the community of Beckom to consult, engage and work with Council to achieve outcomes identified for the Beckom Community included in Coolamon Shire's Community Strategic Plan or otherwise.
 - iii) To carry out general promotional activities for the benefit of the Beckom Community.
 - iv) To conduct fundraising activities within the Community on behalf of the Beckom Hall & Community Committee.
-

• **Ambulance Establishment Committee**

Committee Members:

Colin Patterson, Coolamon (Chair); Allan Patterson, Coolamon; John Pattison, Marrar; Sharon Walsh, Ganmain; Henk Hulsman, Coolamon; Mick O'Donnell, Marrar.

Objective:

To support Council with its efforts to have an Ambulance Station established in Coolamon and servicing the Southern Region of the Shire by gaining public support and promoting the cause.

• **Community Drug Action Team**

Committee Members:

John Piltz, Bill Thompson, Eileen Knox, Cationa Kendall, John Dean, Matt Dombrovski, Stephanie Perrot.

Council Delegates:

Clr Bruce Hutcheon, Clr Alan White, Tony Donoghue.

Objective:

- i) To work with all communities and all sections of those communities within the Coolamon Shire on Drug and Alcohol issues.
 - ii) To liaise with the Drug and Alcohol Team from NSW Health on appropriate Drug and Alcohol Education Programs.
 - iii) To manage and implement Drug and Alcohol Education Programs throughout the Community including but not limited to Schools and all Sporting Clubs.
 - iv) To liaise with NSW Police on Drug and Alcohol issues within the Coolamon Shire Community on behalf of that Committee.
 - v) To conduct fundraising activities within the Coolamon Shire that support the above terms of reference.
-

• **Coolamon Shire Community Benefit Fund Committee**

Committee Members:

Bill Thompson; Grant Beard; Alan White; Terrey Kiss, Barrie Logan, Angela McCann.

Council Delegate:

Tony Donoghue

Objective:

The Coolamon Shire Community Benefit Fund Committee is to assess applications for funding from the Community Benefit Fund to assist residents of the Coolamon Shire with disaster situations such as:

- a) A natural disaster such as a fire, flood or storm,
 - b) Serious illness or injury
 - c) Financial assistance required due to a crisis situation
-

- **Coolamon Shire Photographic Competition**

Committee Members:

Shirley Frost, Daniel Smith, Bronwyn Hatty, Helen McLoughlin and Jodie Harris.

Council Delegate:

Jess Inch.

Objective:

To co-ordinate and manage the "Capture Coolamon Shire Photographic Competition"

- **Coolamon Showground Management Committee**

Committee Members:

Helen Turner, Vincent Leary, Wendy Dennis, Barry Brill.

Objective:

- i) The Committee is vested with general control over the Coolamon Showground Reserve and is responsible for the general maintenance of all assets contained within this Reserve area.
 - ii) To conduct fundraising activities within the Community on behalf of the Coolamon Showground Management Committee.
 - iii) To control and regulate the community use of the Showground Reserve including the collection of fees associated with the use and operation of the facility.
-

- **Friends of the Coolamon Up-to-Date Cultural Precinct**

Committee Members:

Margaret Furner, Sandra West, Fay Bocquet, Wayne Pearce, Mel Mayer, Peter Lucas, Jeanette Campbell, Bill Levy, Angela McCann, Ivan Furner.

Council Delegates:

Clr Bruce Hutcheon, Clr John Seymour, Clr Dave McCann.

Objective:

- i) To facilitate the operation of the Up-to-Date Store Precinct, and to develop a vibrant cultural and conference centre for the Shire.
 - ii) To work alongside the Precinct Co-ordinator to implement regular and ongoing activities and events which raises the profile of the Coolamon Shire and the Precinct.
 - iii) To research and recommend ideas and initiatives for the development and enhancements to the Up-to-Date Store Precinct.
 - iv) To work co-operatively with the Precinct Co-ordinator to achieve the goals and objectives set out in the Strategic Plan.
-

• **Local Heritage Fund Committee**

Committee Members:

Pauline Beard, Rose Higgins, Cliff Hamilton, Guy Purcell.

Council Delegates:

Clr Kathy Maslin, Clr Bruce Hutcheon, Clr John Seymour, Clr Dave McCann, Clr Alan White.

Objective:

To make recommendations for the disbursement of the Local Heritage Fund with the recommendations being submitted to Council for approval.

• **Multi-Purpose Trails (MPT) Management Committee**

Committee Members:

Ian Jennings, Terrey Kiss, Dick Jennings, Mick O'Neill.

Council Delegate:

Tony Kelly.

Objective:

- i) The Committee is vested with control over the licensed area of the Mountain Bike Track and is responsible for the general management and maintenance of all work associated with this track.
 - ii) To conduct fundraising activities within the community on behalf of the Multi-Purpose Trails (MPT) Management Committee.
 - iii) The authority to grant approval to events subject to the applicant providing Public Liability that meets the interest of Coolamon Shire Council, the State Forests and the Wiradjuri Aboriginal Land Council.
 - iv) In regard to any approvals the applicant must submit to the Committee the appropriate Risk Management Plans covering all Risk Management and Forest Management Plans.
-

- **Rannock Community Centre – Reserve No. 89397**

Committee Members:

Bruce Chant, Bruce Rollins, Barry Dennis, Royston Moncrieff, Murray Higman, Felicity Grinter, Merrill Rollins.

Objective:

- i) To provide management control over the Rannock Community Centre being responsible for the general maintenance of this asset.
 - ii) To conduct fundraising activities within the Community on behalf of the Rannock Community Centre.
-

- **Volunteer Workers**

That the following persons be authorised to operate Council equipment on behalf of the following Communities:

Beckom: Natt Herden, Kevin Popple

Marrar: Steve Buttegieg, Ron Curtis, Roy Walker, Chris Nicholes

Matong: John Doherty

GM2) CHANGES TO THE LOCAL GOVERNMENT ACT (L.05-01, SC273)

→ Council has been advised via a Presentation from the Office of Local Government in regard to the changes around the Local Government Act. This is part of the larger Reform Agenda that incorporated the Fit for Future process that Councils have all been undertaking. A copy of the Presentation and Local Government Circular as provided has been attached for your information. Attachment No. 6

As indicated these changes are designed to modernize and streamline the Act and move away from prescriptive and statutory framework towards a principle based framework. There has been increased emphasis on Integrated Planning and Reporting and the role of both staff and elected officials has been explained better.

One of the important issues is the development of a professional induction programme and the extension of a Mayoral term to be for two years.

There will be additional requirements and guidelines around the operations of Council Meetings and the Community engagement between Councils and their constituents. Financial Management and Reporting will also see some indicators and benchmarks determined for Councils to report on.

Recommendation

For Council information.

RESOLVED on the motion of Clr Crocker and seconded by Clr White that the report be noted. 193/09/2016

GM3) GENERAL MANAGER'S LEAVE (SP42, PC27)

I wish to advise that I will be taking annual leave from 23rd September through to the 11th October, 2016. In accordance with the delegations this leave has been approved by the Mayor. During my absence Courtney Armstrong will be Acting General Manager.

Recommendation

That the matter be noted.

RESOLVED on the motion of Clr Hutcheon and seconded by Clr White that the report be noted. 194/09/2016

GM4) RURAL FIRE SERVICE (F.03-11, SC459)

- Council has received information from Local Government NSW advising that the rollout of the changes to the Rural Fire Fighting Fund (RFFF) Methodology were supported in principle by the industry body on the basis that consultation with Councils will occur. Attachment No. 7.1

It is obvious from the correspondence that LGNSW is not happy with the RFS treatment of this roll out and the implications this is having on Councils.

- In accordance with the last Meeting's resolution, Council has written to the Minister advising of our concerns. Attachment No. 7.2

Recommendation

That the report be noted.

RESOLVED on the motion of Clr Hutcheon and seconded by Clr McCann that correspondence be sent to the RFS enquiring as to the whereabouts of the utility purchased last year. 195/09/2016

GM5) MEDIA REPRESENTATION – COUNCIL ELECTIONS (E.01-07, SC597)

During the lead up to the Election, Council received several mentions in articles, particularly in regard to the declaration of an Uncontested Election.

- Whilst Coolamon Shire Council continued to indicate that this was a reflection of the community's confirmation that they were satisfied with both the

representation and actions of the Council, it was disappointing to see the negative aspects that the media tried to push. The relevant articles have been provided in the attachments. [Attachment No. 8](#)

Recommendation

That the report be noted.

RESOLVED on the motion of Clr McCann and seconded by Clr Maslin that the report be noted. [196/09/2016](#)

GM6) ARDLETHAN AND GANMAIN POOLS (S.19-02, SC404, S.19-04, SC406)

→ Council has received confirmation of the funding to be provided by the Community Development Grants Programme for the upgrade to the Ardlethan and Ganmain pools. [Attachment No. 9](#)

Council will now commence the process of planning for and acquitting this funding.

Recommendation

That Council endorse the grant funding and approve the appropriate signing and if required, the Seal of Council to be applied to any documents.

RESOLVED on the motion of Clr Logan and seconded by Clr Maslin that Council endorse the grant funding and approve the appropriate signing and if required, the Seal of Council to be applied to any documents. [197/09/2016](#)

GM7) CONTRACT FOR THE SALE OF LAND IN COUNCIL'S NEW HORNBY SUBDIVISION (S.16-03, SC499).

Commins Hendriks have forwarded a Contract for the Sale of Lot 18 in Council's new Hornby Subdivision to Meredith Joy Nash. The Contract is required to have the Seal of Council affixed to same.

Recommendation

✍ That the Seal of Council be affixed to the Contract for the Sale of Lot 18 in Council's new Hornby Subdivision to Meredith Joy Nash.

RESOLVED on the motion of Clr McCann and seconded by Clr Hutcheon that the Seal of Council be affixed to the Contract for the Sale of Lot 18 in Council's new Hornby Subdivision to Meredith Joy Nash. 198/09/2016

GM8) THE MAVIS FURNER COLLECTION – EXTENSION OF LICENCE AGREEMENT (LD177, LF462, H.04-12, SC237)

An Extension of Licence Agreement between Council and the Mavis Furner Committee for the Collection to be located in the Up-to-Date Store will require Council's Seal. This is in accordance with the Original Agreement that permitted a 5 year extension at the completion of a 10 year Lease.

This Collection and its location is in accordance with the Up-to-Date Store use and is considered a mere formality.

Recommendation

✍ That the Seal of Council be affixed to the Extension of Licence Agreement for the Mavis Furner Collection.

RESOLVED on the motion of Clr McCann and seconded by Clr Hutcheon that the Seal of Council be affixed to the Extension of Licence Agreement for the Mavis Furner Collection. 199/09/2016

GM9) JOINT ORGANISATIONS (L.05-05, SC275)

➔ The Office of Local Government has continued to provide information in regard to the Joint Organisation (JO) Model with an indication of the proposed timeline. At a recent presentation (attached) a Timeline of events was provided which indicates that the consultation on the final joint boundaries is being carried out currently with new legislation proposed to support these JO's in May 2016 with the implementation in early 2017. Attachment No. 10

This programme is also a part of the Local Government Reform process where strategic planning, advocacy and intergovernmental collaboration will be undertaken through a legally formed body representing the region as defined. This will mirror closely how the current REROc operates but is not required to have any operational component.

Coolamon Shire Council is conscious of the benefits that REROc provides to the region and has been repeatedly indicating that reform should improve on the existing services, not detrimentally affect them.

Recommendation

For Council information.

GM9) JOINT ORGANISATION OF COUNCIL (L.05.05, SC275) (CONTINUED)

Subsequent to the report that you have already received about Joint Organisations. Council has only recently been provided with the Joint Organisations boundaries. A copy of the information is provided and you will note that the proposed Riverina JO has Albury added to the existing boundaries.

Albury was previously in the RAMROC zone but has now been included into the Riverina Joint Organisation model. From a geographical perspective this makes sense and tightens up the regional boundaries to more appropriately reflect the communities of interest. Attachment No. 19

Recommendation

For Council information.

RESOLVED on the motion of Clr Hutcheon and seconded by Clr White that the report be noted. 200/09/2016

GM10) POLICY REGISTER REVIEW (P.12-01, SC316)

Under the provisions of the Local Government Act, Council must, within 5 months after the end of each year, adopt a policy concerning the payment of expenses incurred and the provision of facilities to the Mayor and Councillors in relation to their civic role.

The process requires that public notice be given of Council's intention to adopt the policy.

→ The existing policy, has been attached for Council's information. Attachment No. 11

Recommendation

That Council's intention to adopt the Payment of Expenses & the Provision of Facilities for Mayors & Councillors Policy be advertised.

RESOLVED on the motion of Clr White and seconded by Clr McCann that Council's intention to adopt the Payment of Expenses & the Provision of Facilities for Mayors & Councillors Policy be advertised. 201/09/2016

GM11) END OF TERM REPORT 2016 (S.10-04, SC387)

- ➔ The Coolamon Shire Council End of Term Report for 2016 has now been signed and endorsed by each of the outgoing Councillors and is presented here for the information of the new Councillors and also to formally acknowledge the document. [Attachment No. 12](#)

This information will now be sent to our Section 355 Committees that represent the communities that they are located in. This will commence the process of consulting with our communities in accordance with the IP&R Legislation.

Recommendation

That Council endorse the End of Term Report for 2016 and further that Council provide this report to the Community Committees.

RESOLVED on the motion of Clr McCann and seconded by Clr White that Council endorse the End of Term Report for 2016 and further that Council provide this report to the Community Committees. [202/09/2016](#)

GM12) LEASE TO MARRAR TENNIS CLUB (LD34/48 LF89)

Commins Hendriks have forwarded a Lease Agreement between Council and the Marrar Tennis Club Incorporated for lease of Part Crown Reserve No. 37447 being 7006/96255, 1/10/758650 and 1/7/758650 known as the Marrar Recreational Reserve. This document is now required to be signed under the Seal of Council.

Recommendation

- ✍ That the Seal of Council be affixed to the Lease Agreement between Coolamon Shire Council and the Marrar Tennis Club Incorporated for the land known as the Marrar Recreational Reserve.

RESOLVED on the motion of Clr White and seconded by Clr Hutcheon that the Seal of Council be affixed to the Lease Agreement between Coolamon Shire Council and the Marrar Tennis Club Incorporated for the land known as the Marrar Recreational Reserve. [203/09/2016](#)

GM13) RIVERINA REGIONAL TOURISM (T.06-03, SC427)

- ➔ Information has been received from Riverina Regional Tourism, indicating changes have been announced with the way Regional Tourism Organisations have been restructured and subsequently funded. This has implications for RRT and a letter explaining the situation has been attached. Attachment No. 13

Council is a member of this Organisation and will need to determine our position.

RRT already undertake some existing projects that will operate into the future, however, changes will need to be made in regard to the ongoing operations of this Organisation. RRT have indicated a wish to continue their operations, however, a meeting will be held with Member Councils in the coming weeks to discuss this matter.

Recommendation

For Council information.

RESOLVED on the motion of Clr Hutcheon and seconded by Clr McKinnon that the report be noted. 204/09/2016

GM14) LEASE OF THE COOLAMON POOL (LD8M, LF455)

At the August 2016 meeting of Council, the Lease of the Coolamon Pool for the 2016/2017 season was awarded to Nomalook Pty Ltd (Bill & Michelle Roberts). Council staff have arranged for the appropriate lease documents to be drawn up so that the Lease can be registered with the Department of Primary Industries.

Recommendation

- ✍ That the Seal of Council be affixed to the Lease Agreement of the Coolamon Pool between Council and Nomalook Pty Ltd.

RESOLVED on the motion of Clr Maslin and seconded by Clr Hutcheon that the Seal of Council be affixed to the Lease Agreement of the Coolamon Pool between Council and Nomalook Pty Ltd. 205/09/2016

GM15) NRMA SERVICES (I.03-01, SC487)

It has recently been brought to Council and the Communities attention that the NRMA services from Coolamon and Ariaiah Park will be removed. Whilst the Ariaiah Park service is located in the Temora Shire, it will have an impact on residents in the district.

Both these centres provide services to members of our community and the removal of them will only increase delays and response times in this locality.

Whilst this is a member based service that is now responsible to shareholders, it seems quite inappropriate that members who pay for, and are a part of this service are now receiving a reduced service.

As with any service to the region, Council should be proactive in maintaining the current level of business operations. Service. Another example of cost cutting that affects rural and regional areas.

Recommendation

That Council contact the Local Member to express its displeasure in the reduction of NRMA Services, namely the closure of the Coolamon and Ariaiah Park NRMA Offices.

RESOLVED on the motion of Clr McCann and seconded by Clr White that:

206/09/2016

- 1) **Council contact the Local Member to express its displeasure in the reduction of NRMA Services, namely the closure of the Coolamon and Ariaiah Park NRMA Offices.**
- 2) **Council write to Fiona Simpson as a Board Member of NRMA and former President of NSW Farmers, indicating dissatisfaction in the decision, and that her previous role should make her acutely aware of the impact this will have on regional services.**

GM16) OATH OR AFFIRMATION OF OFFICE (C.12-01, SC144)

As a result of amendments to the Local Government Act 1993 all Councillors are now required to take an oath of office as the first item of business of the newly elected Council.

A copy of the circular explaining has been attached for your information.

Recommendation

That all Councillors undertake an oath or affirmation of office.

RESOLVED on the motion of Clr Hutcheon and seconded by Clr McCann that all Councillors undertake an affirmation of office. 207/09/2016

Note: This was conducted as the first item of business of the new Council.

4.2 EXECUTIVE MANAGER, CORPORATE & COMMUNITY SERVICES' REPORTS

CS1) FINANCE REPORT

RESOLVED on the motion of Clr Hutcheon and seconded by Clr White that the report be received. 208/09/2016

DATE INVESTED	INSTITUTION	INVESTMENT TYPE	AMOUNT INVESTED	TERMS (days)	RATE	MATURITY DATE
8/03/2016	NAB	Term Deposit	\$ 1,000,000	182	3.05%	6/09/2016
23/03/2016	Beyond Bank	Term Deposit	\$ 1,000,000	184	3.10%	23/09/2016
26/04/2016	NAB	Term Deposit	\$ 1,000,000	181	3.05%	24/10/2016
4/05/2016	Beyond Bank	Term Deposit	\$ 1,000,000	180	3.10%	31/10/2016
10/05/2016	AMP	Term Deposit	\$ 1,000,000	181	3.00%	7/11/2016
11/05/2016	AMP	Term Deposit	\$ 2,000,000	180	3.00%	7/11/2016
21/03/2016	Beyond Bank	Term Deposit	\$ 1,700,000	275	3.10%	21/12/2016
11/07/2016	Bank of Queensland	Term Deposit	\$ 1,000,000	180	2.90%	7/01/2017
1/02/2016	Beyond Bank	Term Deposit	\$ 1,000,000	365	2.95%	1/02/2017
30/08/2016	AMP	Term Deposit	\$ 500,000	210	2.95%	28/03/2017
3/06/2016	AMP	Term Deposit	\$ 1,000,000	367	3.00%	5/06/2017
10/06/2016	AMP	Term Deposit	\$ 500,000	368	3.00%	13/06/2017
TOTAL INVESTED			\$ 12,700,000			

I hereby certify that the above investments have been made in accordance with Section 625 of the *Local Government Act 1993*, clause 212 of the *Local Government (General) Regulation 2005* and Council's Investment Policies.

(Samantha Jennings, Finance Manager)

RESTRICTED CASH, CASH EQUIVALENTS & INVESTMENTS

ESTIMATED EXTERNAL RESTRICTIONS AS AT 30TH JUNE, 2016

Allawah Lodge - Accommodation Bonds/Payments	\$	3,535,278.12	
Allawah Village - Loan-Licence	\$	3,041,106.00	
Section 94 Contributions	\$	-	
Specific Purpose Unexpended Grants & Contributions	\$	183,255.98	
Sewerage Fund	\$	1,648,498.00	
Waste Management	\$	760,898.52	\$ 9,169,036.62

ESTIMATED INTERNAL RESTRICTIONS & UNRESTRICTED AT 30TH JUNE, 2016

Asset/Plant Replacement	\$	1,121,854.93	
Employees Leave Entitlements	\$	1,008,000.00	
Deferred Works	\$	255,493.54	
Asset Management (inc. unrestricted cash)	\$	2,325,915.17	
Swimming Pools	\$	15,000.00	
Rehabilitation of Gravel Pits	\$	127,000.00	\$ 4,853,263.64
			<u>\$ 14,022,300.26</u>

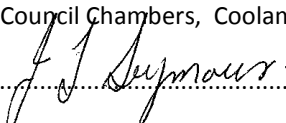
MINUTES OF THE ORDINARY MEETING OF THE COUNCIL OF THE SHIRE OF COOLAMON HELD IN
THE COUNCIL CHAMBERS, COOLAMON ON THE 22nd SEPTEMBER, 2016.

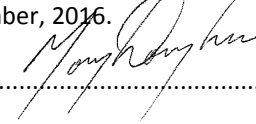
COOLAMON SHIRE COUNCIL
INCOME STATEMENT

for the period 1st July 2016 to 30th June 2017

	AUGUST 2016	JULY 2016	2016/2017 BUDGET	2015/2016 UNAUDITED ACTUAL
Income from continuing operations				
<i>Revenue:</i>				
Rates & annual charges	3,341,621.25	3,342,343.11	3,330,237.57	3,249,992.78
User charges & fees	491,081.94	276,909.32	2,622,318.40	2,609,049.90
Interest and investment revenue	(61,676.63)	(72,081.89)	404,252.27	477,341.01
Other revenues	81,439.05	31,165.89	550,113.75	686,523.90
Grants & contributions provided for operating purposes	1,151,461.48	33,315.98	5,874,025.74	6,560,417.76
Grants & contributions provided for capital purposes	1,455.40	0.00	684,068.00	719,787.80
Internals	1,000.00	800.00		0.00
<i>Other income:</i>				
Net gain from the disposal of assets	23,777.34	23,777.34	145,269.95	77,933.50
Total revenues from continuing operations	5,030,159.83	3,636,229.75	13,610,285.68	14,381,046.65
Expenses from continuing operations				
Employee benefits and on-costs	852,264.29	376,632.11	4,623,875.00	4,630,382.33
Borrowing costs	0.00	0.00	22,504.88	3,592.76
Materials & contracts	387,944.76	208,199.24	2,388,631.40	2,678,087.94
Depreciation & amortisation	0.00	0.00	2,802,634.00	2,525,257.03
Other expenses	379,005.83	316,395.68	1,660,208.24	1,376,316.98
Total expenses from continuing operations	1,619,214.88	901,227.03	11,497,853.52	11,213,637.04
Operating result from continuing operations	3,410,944.95	2,735,002.72	2,112,432.16	3,167,409.61
Net operating result for the year before grants and contributions provided for capital purposes	3,409,489.55	2,735,002.72	1,428,364.16	2,447,621.81

This is Page No. 71 of the Minutes of the Ordinary Meeting of the Council of the Shire of Coolamon held in the Council Chambers, Coolamon on the 22nd September, 2016.

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 MAYOR

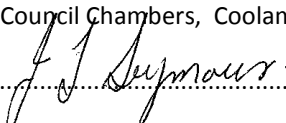
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 GENERAL MANAGER.

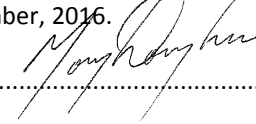
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COOLAMON SHIRE COUNCIL
INCOME STATEMENT BY FUND

August 2016			
CONSOLIDATED			
	GENERAL FUND	SEWERAGE FUND	TOTAL
Income from continuing operations			
Revenue:			
Rates & annual charges	2,851,877.20	489,744.05	3,341,621.25
User charges & fees	483,341.94	7,740.00	491,081.94
Interest and investment revenue	(62,011.75)	335.12	-61,676.63
Other revenues	80,823.65	615.40	81,439.05
Grants & contributions provided for operating purposes	1,151,461.48	0.00	1,151,461.48
Grants & contributions provided for capital purposes	0.00	1,455.40	1,455.40
Internals	1,000.00	0.00	1,000.00
Other income:			0.00
Net gain from the disposal of assets	23,777.34	0.00	23,777.34
Total revenues from continuing operations	4,530,269.86	499,889.97	5,030,159.83
Expenses from continuing operations			
Employee benefits and on-costs	829,983.84	22,280.45	852,264.29
Borrowing costs	0.00		0.00
Materials & contracts	379,277.51	8,667.25	387,944.76
Depreciation & amortisation	0.00	0.00	0.00
Other expenses	370,404.65	8,601.18	379,005.83
Total expenses from continuing operations	1,579,666.00	39,548.88	1,619,214.88
Operating result from continuing operations	2,950,603.86	460,341.09	3,410,944.95
Net operating result for the year before grants and contributions provided for capital purposes			
	2,950,603.86	458,885.69	3,409,489.55

This is Page No. 72 of the Minutes of the Ordinary Meeting of the Council of the Shire of Coolamon held in the Council Chambers, Coolamon on the 22nd September, 2016.

.....

 MAYOR

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 GENERAL MANAGER.

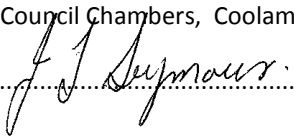
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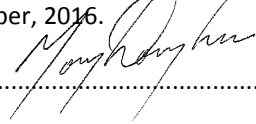
COOLAMON SHIRE COUNCIL
BALANCE SHEET

for the period 1st July 2016 to 30th June 2017

	AUGUST 2016	JULY 2016	2015/2016 UNAUDITED ACTUAL
ASSETS			
Current assets			
Cash and cash equivalents	1,959,745.61	769,666.99	1,322,300.26
Investments	12,700,000.00	12,700,000.00	12,700,000.00
Receivables	2,986,790.45	3,554,193.07	667,347.44
Inventories	424,933.83	429,534.67	444,221.63
Other			
Total current assets	18,071,469.89	17,453,394.73	15,133,869.33
Non-current assets			
Investments			
Receivables	4,407.20	4,407.20	4,407.20
Inventories	1,941.00	1,941.00	1,941.00
Infrastructure, property, plant & equipment	212,265,122.18	212,202,854.43	212,116,017.21
Accumulated Dep'n - Infrastructure, PP&E	(40,907,025.51)	(40,907,025.51)	(40,907,025.51)
Other			
Total non-current assets	171,364,444.87	171,302,177.12	171,215,339.90
Total assets	189,435,914.76	188,755,571.85	186,349,209.23
LIABILITIES			
Current liabilities			
Payables	6,869,819.20	6,824,688.24	7,193,989.38
Overdraft			
Interest bearing liabilities	1,157.00	1,157.00	1,157.00
Provisions	1,580,512.98	1,581,632.97	1,580,582.22
Total current liabilities	8,451,489.18	8,407,478.21	8,775,728.60
Non-current liabilities			
Payables	1,261.22	1,261.22	1,261.22
Interest bearing liabilities	3,120.32	3,120.32	3,120.32
Provisions	1,042,723.85	1,042,723.85	1,042,723.85
Total non-current liabilities	1,047,105.39	1,047,105.39	1,047,105.39
TOTAL LIABILITIES	9,498,594.57	9,454,583.60	9,822,833.99
Net assets	179,937,320.19	179,300,988.25	176,526,375.24
EQUITY			
Retained earnings	83,971,626.26	83,295,684.03	80,560,681.31
Reserves	95,965,693.93	95,965,693.93	95,965,693.93
Internal Assets/Liabilities	0.00	0.00	0.00
Total equity	179,937,320.19	179,261,377.96	176,526,375.24

This is Page No. 73 of the Minutes of the Ordinary Meeting of the Council of the Shire of Coolamon held in the Council Chambers, Coolamon on the 22nd September, 2016.

..... MAYOR

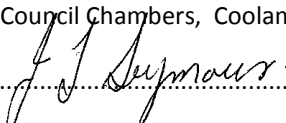
.....GENERAL MANAGER.

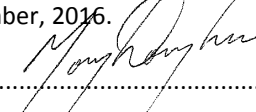
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THE COUNCIL CHAMBERS, COOLAMON ON THE 22nd SEPTEMBER, 2016.

COOLAMON SHIRE COUNCIL
BALANCE SHEET BY FUND

	August 2017		
	CONSOLIDATED GENERAL FUND	SEWERAGE FUND	COOLAMON SHIRE TOTAL
ASSETS			
Current assets			
Cash and cash equivalents	204,611.70	1,755,133.91	1,959,745.61
Investments	12,700,000.00		12,700,000.00
Receivables	2,588,846.22	397,944.23	2,986,790.45
Inventories	424,933.83		424,933.83
Other			0.00
Total current assets	15,918,391.75	2,153,078.14	18,071,469.89
Non-current assets			
Investments			0.00
Receivables	4,407.20		4,407.20
Inventories	1,941.00		1,941.00
Infrastructure, property, plant & equipmen	194,218,988.65	18,046,133.53	212,265,122.18
Accumulated Depreciation	(35,647,221.06)	(5,259,804.45)	(40,907,025.51)
Other			0.00
Total non-current assets	158,578,115.79	12,786,329.08	171,364,444.87
Total assets	174,496,507.54	14,939,407.22	189,435,914.76
LIABILITIES			
Current liabilities			
Payables	6,869,819.20	0.00	6,869,819.20
Interfunding			0.00
Interest bearing liabilities	1,157.00		1,157.00
Provisions	1,580,512.98		1,580,512.98
Total current liabilities	8,451,489.18	0.00	8,451,489.18
Non-current liabilities			
Payables	1,261.22		1,261.22
Interest bearing liabilities	3,120.32		3,120.32
Provisions	1,042,723.85		1,042,723.85
Total non-current liabilities	1,047,105.39	0.00	1,047,105.39
TOTAL LIABILITIES	9,498,594.57	0.00	9,498,594.57
Net assets	164,997,912.97	14,939,407.22	179,937,320.19
EQUITY			
Retained earnings	77,544,524.34	6,427,101.92	83,971,626.26
Reserves	87,453,388.63	8,512,305.30	95,965,693.93
Internal Assets & Liabilities	0.00		0.00
Total equity	164,997,912.97	14,939,407.22	179,937,320.19

This is Page No. 74 of the Minutes of the Ordinary Meeting of the Council of the Shire of Coolamon held in the Council Chambers, Coolamon on the 22nd September, 2016.

..... MAYOR

.....GENERAL MANAGER.

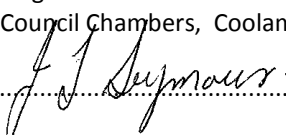
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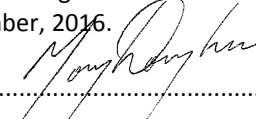
COOLAMON SHIRE COUNCIL
INTERNAL & EXTERNAL RESTRICTIONS

for the period 1st July 2016 to 30th June 2017

	AUGUST 2016	JULY 2016	2015/2016 UNAUDITED ACTUAL
GENERAL FUND			
<i>EXTERNALLY RESTRICTED</i>			
Grants & Subsidies	191,541.22	183,255.98	183,255.98
Waste Management	115,043.59	760,898.52	760,898.52
Allawah Lodge Accommodation Payments	3,751,688.12	3,535,278.12	3,535,278.12
Allawah Village Loan-Licence	3,195,773.00	3,041,106.00	3,041,106.00
	<u>7,254,045.93</u>	<u>7,520,538.62</u>	<u>7,520,538.62</u>
<i>INTERNALLY RESTRICTED</i>			
Plant Replacement Reserve	1,121,854.93	1,121,854.93	1,121,854.93
Employees Leave Entitlements Reserve	1,008,000.00	1,008,000.00	1,008,000.00
Stormwater Management Reserve		0.00	
Swimming Pools Reserve	15,000.00	15,000.00	15,000.00
Deferred Works Reserve	225,000.00	255,493.54	255,493.54
Community Housing Programme Reserve	0.00	0.00	0.00
Allawah Lodge Asset Mgt Reserve	-3,759,127.53	548,611.77	512,519.91
Allawah Village Asset Mgt Reserve	-3,198,126.19	370,402.76	377,365.58
CECC Asset Mgt Reserve	28,387.91	146,107.11	138,359.55
Gravel Pits Rehabilitation Reserve	127,000.00	127,000.00	127,000.00
	<u>-4,432,010.88</u>	<u>3,592,470.11</u>	<u>3,555,593.51</u>
Asset Management/Available for Working Funds	11,731,074.65	679,949.71	1,297,670.13
Total Cash Balance - General Fund	<u>14,553,109.70</u>	<u>11,792,958.44</u>	<u>12,373,802.26</u>
SEWERAGE FUND			
Sewerage Fund	106,635.91	1,676,708.55	1,648,498.00
	<u>106,635.91</u>	<u>1,676,708.55</u>	<u>1,648,498.00</u>
Total Cash Balance - Sewerage Fund	<u>106,635.91</u>	<u>1,676,708.55</u>	<u>1,648,498.00</u>
TOTAL CONSOLIDATED CASH	<u>14,659,745.61</u>	<u>13,469,666.99</u>	<u>14,022,300.26</u>

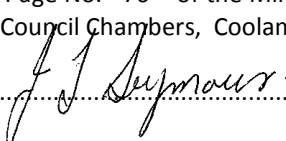
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..... MAYOR

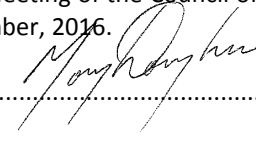
.....GENERAL MANAGER.

RATE COLLECTIONS

	ARREARS BFWD	LEVIES INC. INTEREST	TOTAL	COLLECTIONS TO DATE	% TO TOTAL	ADJUSTMENTS INC. PENS CONCESSIONS	ADJ TOTAL	% TO TOTAL	COLLECTABLE BALANCE
30/06/2003	306,605.81	1,898,703.89	2,205,309.70	1,835,999.04	83.25%	91,588.07	2,113,721.63	86.86%	277,722.59
2003-2004									
31/07/2003									
INFORMATION NOT AVAILABLE									
31/08/2003	280,098.47	2,030,567.42	2,310,665.89	552,682.60	23.92%	99,416.03	2,211,249.86	24.99%	1,658,567.26
31/08/2004	181,374.69	2,074,680.79	2,256,055.48	477,399.35	21.16%	105,671.55	2,150,383.93	22.20%	1,672,984.58
31/08/2005	163,566.58	2,150,297.78	2,313,864.36	703,888.31	30.42%	105,176.98	2,208,687.38	31.87%	1,504,799.07
31/08/2006	185,519.90	2,228,402.63	2,413,922.53	686,537.38	28.44%	106,058.44	2,307,864.09	29.75%	1,621,326.71
31/08/2007	236,912.33	2,410,090.04	2,647,002.37	670,180.72	25.32%	117,989.76	2,529,012.61	26.50%	1,858,831.89
31/08/2008	277,343.62	2,493,027.96	2,770,371.58	613,559.42	22.15%	117,339.70	2,653,031.88	23.13%	2,039,472.46
31/08/2009	239,371.45	2,566,302.58	2,805,674.03	782,339.20	27.88%	120,986.57	2,684,687.46	29.14%	1,902,348.26
31/08/2010	292,105.99	2,704,117.82	2,996,223.81	741,132.23	24.74%	123,252.92	2,872,970.89	25.80%	2,131,838.66
31/08/2011	239,162.46	2,851,336.37	3,090,498.83	782,158.97	25.31%	124,934.50	2,965,564.33	26.37%	2,183,405.36
31/08/2012	207,935.41	2,986,757.72	3,194,693.13	890,111.95	27.86%	126,528.35	3,068,164.78	29.01%	2,178,052.83
31/08/2013	230,923.44	3,129,180.21	3,360,103.65	922,713.93	27.46%	124,096.84	3,236,006.81	28.51%	2,313,292.88
31/08/2014	263,562.88	3,285,814.30	3,549,377.18	829,247.65	23.36%	119,661.73	3,429,715.45	24.18%	2,600,467.80
31/08/2015	335,520.44	3,394,298.07	3,729,818.51	1,091,402.37	29.26%	121,811.97	3,608,006.54	30.25%	2,516,604.17
2016-2017									
31/07/2016	300,944.76	3,485,872.63	3,786,817.39	216,116.30	5.71%	123,930.52	3,662,886.87	5.90%	3,446,770.57
31/08/2016	300,944.76	3,487,399.70	3,788,344.46	1,042,917.80	27.53%	124,652.38	3,663,692.08	28.47%	2,620,774.28



MAYOR



GENERAL MANAGER.

CS2) EMERGENCY SERVICES PROPERTY LEVY (E.03-01, SC163)

From 1 July 2017 an Emergency Services Property Levy will be levied on property owners and collected by councils via council rate notices. The new levy will replace the existing Emergency Services Levy that is currently collected on property-related insurance policies. Insurance companies will no longer be collecting this levy on insurance from 1 July 2017 and the NSW Government has introduced a monitor to ensure that the existing levy is removed from insurance policies.

At the moment, the legislation enacting the establishment of the levy has not been introduced to the NSW Parliament but Council staff have participated in a number of webinars to find out what the legislation is expected to include and how it will be applied.

The levy will be used to fund 81% of the operations of the NSW Fire and Rescue, NSW Rural Fire Service and the State Emergency Service. It will be combined with an 11.7% contribution from NSW Local Government and a 7.3% contribution from the State Government.

Council has been advised that the Emergency Property Services Levy will work as follows:

- Councils will collect the ESPL on behalf of the NSW Government
- The ESPL will be listed as a separate line item on rates notices
- Levy will be based on unimproved capital land values (similar to land rates)
- Different rates will apply to different ESPL classifications
- Revenue will be transferred to the Office of State Revenue within one month of the normal rates instalments falling due.

Councils are now being asked to provide classification information on all land within the local government area so that the NSW Government can determine the different charges that will ultimately apply to the different types of land classifications.

The classifications are as follows:

- Government – unleased federal, state or council land + NSW Government land lease for public housing and unincorporated land in the Western Division
- Public Benefit – including land operated for not-for-profit uses ie ambulance, cemeteries, childcare centres, hospitals, schools, churches, universities

- Farmland – the same as the Local Government Act farmland category
- Residential – vacant or occupied – the same as the Local Government Act residential category
- Industrial – vacant or occupied – land categorised as business under the Local Government Act will have to be compared to definition of Industrial Land that has been determined. Industrial land will be defined under the Emergency Services Property Levy as a list of specific industries including manufacturing and warehousing/distribution/storage. At the moment the definition includes 52 specific types of activities.
- Commercial – vacant or occupied – land categorised as business that cannot be classified as industrial will default to the commercial ESPL classification.

The State Government is proposing that Councils will be reimbursed for the costs of collecting the levy on its behalf. The State Government is offering reimbursement for “reasonable” set up costs and for ongoing costs. At the moment, Council has been offered \$8,342 to meet the costs associated with land classification with additional funding expected to be offered for implementation. Local Government NSW remain in talks with the State Government regarding the following issues:

- Debt recovery – who will be responsible to undertake the recovery of unpaid amounts, how will the receipt of money from property owners be applied to outstanding rates and the levy
- Land valuation – IPART’s draft report into the rating structure of NSW has suggested that the ESPL should be based on the capital improved value of land
- “reasonable” costs – what are reasonable costs
- Using different land classification categories to those used on rates ie. Properties that currently do not pay rates but will have to pay the ESPL – private schools
- The 11.7% contribution made by Local Government – the Local Government contribution to the Emergency Services fund should be abolished and the ESPL should be increased to include this amount.

Council staff believe that these issues along with ensuring that Councils are not required to forward funds that have yet to be collected should be addressed by the State Government prior to the legislation being enacted.

Recommendation

That Council make representation to the State Government regarding the enacting of the Emergency Services Property Levy through RERO to ensure that the

outstanding issues identified by Local Government NSW together with the requirement of Councils to forward funds to the State Government does not leave Councils unfairly impacted.

RESOLVED on the motion of Clr White and seconded by Clr McCann that Council make representation to the State Government regarding the enacting of the Emergency Services Property Levy through REROc to ensure that the outstanding issues identified by Local Government NSW together with the requirement of Councils to forward funds to the State Government does not leave Councils unfairly impacted. 209/09/2016

CS3) REVIEW OF THE LOCAL GOVERNMENT RATING SYSTEM (L.05-05, SC275)

The Independent Pricing and Regulatory Tribunal (IPART) released their draft report for the Review of the Local Government Rating System on 22 August 2016. Two public forums/hearings are to be held in Sydney and Dubbo with stakeholders invited to make submissions regarding the draft report by Friday 14 October.

The attached Fact Sheet, detailing a summary of the draft report, has been provided for Councillor information and a full copy of the report can be found on the IPART website
[http://www.ipart.nsw.gov.au/Home/Industries/Local Govt/Reviews/Review of Local Government Rating System](http://www.ipart.nsw.gov.au/Home/Industries/Local_Govt/Reviews/Review_of_Local_Government_Rating_System)

Council staff have read the draft report and the 34 recommendations can be grouped as follows:

Allow councils to use Capital Improved Value as an alternative to Unimproved Value in setting rates

Councils are currently provided with land valuation services by the Valuer General. The land values are the unimproved capital value meaning that they do not account for the buildings and structures located on the property. The draft recommendations are that Council's should be able to choose the between the Capital Improved Value and the Unimproved Value and that minimums rates should be removed.

Allow councils' general income to grow as the communities they serve grow

These recommendations have been made so that Councils can legally increase their rates beyond rate pegging. The would allow any increase in Capital Improved Value to also be reflected in an increase in rates revenue, the introduction of special infrastructure rates that wouldn't be considered as part of permissible income and that Councils could catch up any percentage increase that was not applied so that the income trajectory would be matched to what it would have been if the total increase was applied in the first place.

Give councils greater flexibility when setting residential rates

These recommendations were for the removal of the definition of a “centre of population” and replace it with “separate town or villages” or “a community of interest” and a specific recommendation for newly merged Councils and the application of the introduction of “separate town or village” or “community interest” to the newly merged area.

Better target rate exemption eligibility

These recommendations proposed exemptions to be based on use as opposed to ownership, whilst also removing some and retaining other specific exemptions provided under the current Act.

Replace the pensioner concession with a rate deferral scheme

The draft report proposed that the current pensioner concessions under the Act be replaced with a rate deferral scheme whereby the rates were not payable whilst a pensioner was the owner and lived at the property. The report also noted that the current pensioner concession have not increased since 1993 and that as it is a State Government welfare measure and as such Councils should not have to contribute to the concession.

Provide more rating categories

These recommendations proposed that additional rating categories should be allowed under the Local Government Act including Environmental Land and Vacant Land and subcategorization of business land as “industrial” or “commercial”.

Recovery of council rates

There recommendations proposed the use of the State Debt Recovery Office to recover outstanding rates and streamlining and clarifying the recovery process.

Other draft recommendations

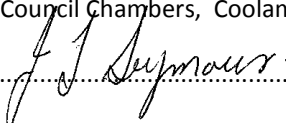
The final recommendations were associated with the proposed implementation of the Emergency Services Property Levy and that it should be based on the Capital Improved Value (once that data is widely available) and that Councils be given the choice to purchase land valuation data from certified valuers and not just the Valuer General.

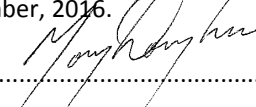
Council staff did not identify any serious issues with the draft recommendations apart from questioning the actual mechanics on how a pensioner rate deferral scheme would operate.

Recommendation

For Councillor information.

RESOLVED on the motion of Clr White and seconded by Clr McCann that the report be noted. 210/09/2016


..... MAYOR


.....GENERAL MANAGER.

4.3 EXECUTIVE MANAGER, ENGINEERING & TECHNICAL SERVICES' REPORTS

ES1) SHIRE ROAD RESHEETING, STABILISATION AND MAINTENANCE

The following roads have received attention:

1) MAINTENANCE

- Marrarvale Lane (Coolamon Road to Marrar South Road)
- Turnbulls Lane (Pamandi Road to Matong North Road)
- Curries Lane (Matong North Road to gate)
- Brangalgan Road (Matong North Road to Ardlethan Road)
- East West Road (Allens Lane to Old Wagga Road)
- Currajong Lane (Old Wagga Road to Rannock Road)
- Harrisons Lane (Matong North Road to Pamandi Road)
- Hawthorns Lane (Rannock Road to Stinsons Lane)

2) RESHEETING

- Boundary Lane (Millwood Road to Mowsers Lane)
- Parmenters Lane (Coolamon Road to Tooyal Road)
- Marrarvale Lane (Coolamon Road to Marrar South Road)
- East West Road (Rannock Road to English Lane)

Rainfall records obtained in the Coolamon Depot indicate the following rain received:

- May – 88.5mm
- June – 102.5mm
- July – 62.5mm
- August – 65mm
- September – 78mm (to date). ***(Received 136mm at date of meeting 22/9/16)***

This ongoing rain is not only having significantly detrimental impact on Council's Road Network but also on its ability to provide maintenance where required. Very little gravel road maintenance has been achieved over recent weeks as a consequence of the flooded roads and Council's responsibilities in notifying motorists of the hazards. If favourable weather is not achieved over coming weeks, Council will be required to revise its Reconstruction Works Programme in an effort to address the priority gravel road defects.

ES2) NATURAL DISASTER RELIEF PROGRAME – FLOOD OF SEPTEMBER 2016 (R.07-09)

- Council is in receipt of correspondence from NSW Government – Public Works advising the Flood Events of September 2016 have resulted in Coolamon Shire Council being declared a Natural Disaster. Council Staff are performing an assessment of its assets to identify emergency repair and restoration works required and will be submitting a detailed submission on completion.

Attachment No. 14

This declaration permits private landholders affected by flood damage to apply for assistance also. This information will be included in the next Newsletter.

ES3) HORNBY SUBDIVISION

Additional tree clearing of primarily small pines has occurred, the stockpiled trees will be chipped and stockpiled for use by Council's Parks & Gardens Staff. The tree clearing has opened up the Subdivision and will make it more attractive to purchasers. Again due to the ongoing wet weather no progress has been made to the shared service trenching.

ES4) TOWN WORKS

- 1) Coolamon Skate Park nature strip landscaping/steps
Concrete Contractors have commenced construction at the steps at the entrance to the Skate Park and infill to the nature strip between the path and kerb and gutter. These works will remove the trip hazards and erosion issues that presently exist in addition to beautifying the area.
- 2) Dunrobin Street Drainage Works
Contractors have completed the installation of two drainage crossings and stormwater pits to the southern side of Dunrobin Street at the intersection of Iverach Street and Mimosa Street. During recent rain events the extended stormwater networks has performed well and resolved the erosion issues previously experienced along Dunrobin Street.
- 3) Victory Gardens, Ganmain
Quotations have been received for a number of options to renew the playground equipment within Victory Gardens. Council's preferred options have been forwarded to the President of the Advance Ganmain Committee for comment.

RESOLVED on the motion of Clr Hutcheon and seconded by Clr Maslin that the Executive Manager, Engineering & Technical Services Reports (ES1 to ES4) be received. 211/09/2016

ES5) ROADS & MARITIME SERVICES – SPEED ZONE AUTHORISATION (R.10-01, SC351)

- Council has been notified by the Roads & Maritime Services (RMS) that it will be delegating the issuing of speed zone authorisations (SZA) to the relevant local Councils for roads not classified as State Roads. SZAs are generally issued by RMS on submission of application for a speed reduction during extended periods of roadworks. Attachment No. 15

Under the new arrangements, Council will no longer be required to submit an application with RMS and can administer it themselves essentially reducing administrative works and a favourable outcome for Council. Responsibility for this will be delegated to Council's General Manager and sub-delegated to the Executive Manager, Engineering & Technical Services.

Recommendation

For Council information.

ES6) NOXIOUS WEEDS OFFICER'S REPORT (N.02-01)

Noxious Weeds Officer Reports

CSC MONTHLY WEEDS REPORT AUGUST 2016

- At this time, I am in the final stages of negotiations with Leeton Shire Council regarding the provision of weed management services to their Shire area.
- If and when negotiations are successfully concluded, I will report to RENWA Councils regarding any organisational changes that may occur. There will be no effect on RENWA service levels.
- I have received training regarding the sections of the NSW Biosecurity Act 2015, that are relevant to weeds and Local Control Authority activities. Core business remains the same, mechanisms and terminology will change. We are still expecting that the new legislation will be enabled by mid-2017.

Coolamon:

- All sealed roads inspected for new and emerging weeds, with persistent wet weather off seal work has been limited.
- Much time has been spent developing and testing the new BIS compliant mapping and recording system, we are nearing completion of testing phase and the system should be live before the end of September.
- Attended a meeting with Regional Landcare coordinator Maddy Gorham and Coolamon Landcare Chairman Bill Pippen and Secretary Jeanette Campbell regarding a couple of grant applications and other projects that may contain a weed control component, no costs to Council are envisaged at this point.
- Some minor spraying of African Boxthorn has been undertaken on the limited days of good weather.
- Jeremy attended the Ganmain show with the regions weed display trailer and preparations for Councils and RENWA's commitment for Henty Machinery Field Days are well progressed.

ES7) FACILITIES MAINTENANCE OFFICER'S REPORT (P.01-01)

Facility Maintenance Officer Reports

The wet weather has obviously hindered operations throughout the Shire but Staff are undertaking tasks such as pruning and spraying where possible.

1) CEMETERIES

Ardlethan Cemetery was inundated on the 10th and 11th September and as a result most plots in the Lawn Cemetery have collapsed to some extent. Staff and Contractors have undertaken work to repair damage.

Works scheduled for the recently extended section of Ardlethan will be delayed.

All monumental sections of the Cemeteries have been sprayed for weeds and will no doubt require extra maintenance this season.

Staff have struggled to undertake mowing on our high profile lawn areas as the soil is too soft to allow machines on.

Mowing will begin in earnest as soon as possible and will require the three gardening staff to work extra hours over this Spring.

2) TREE REMOVALS/PLANTINGS

Works scheduled for Ardlethan to facilitate kerb and gutter replacement will commence in coming weeks. This includes tree removal and replacement planting.

3) MAINTENANCE

Several building assets have received attention recently, these include:

- Coolamon Early Childhood Centre
- Council Residence
- Allawah Lodge
- Various units at Allawah Village
- Ardlethan Toilets
- Handrail at Community Centre

Ongoing inspections undertaken include:

- Skate Park
- Playgrounds

Recommendation

For Council information.

RESOLVED on the motion of Clr McCann and seconded by Clr Hutcheon that the Executive Manager, Engineering & Technical Services Reports (ES5 to ES7) be received. 212/09/2016

ES8) PEDESTRIAN ACCESS AND MOBILITY PLAN (PAMP) AND BIKE PLAN (R.07-08, SC333)

Council's last PAMP and Bike Plan was developed in 2009. Since that time the priority items identified have been completed and for Council to identify and provide infrastructure that services the needs of the community a review of the programmes was required.

- ➔ The review process commenced in 2014 with the assistance of Peter Meredith Consulting. The attached Plans detail the objectives, methodology, process, funding and priority projects for 2015-2020. [Attachment No. 16.1](#)
[Attachment No. 16.2](#)

Recommendation

That Council adopt the Coolamon Shire Pedestrian Access and Mobility Plan 2015-2020 and Bike Plan 2015-2020.

RESOLVED on the motion of Clr McCann and seconded by Clr McKinnon that Council adopt the Coolamon Shire Pedestrian Access and Mobility Plan 2015-2020 and Bike Plan 2015-2020. [213/09/2016](#)

ES9) ARDLETHAN RAIL LEASE (R.03-01, SC319)

- ➔ Following the success of the Ardlethan Short Stay Caravan Park area, development of the Men's Shed and proposed Cultural Centre, Council has explored the option of extending the John Holland Rail (JHR) Lease area. The extended lease area would encompass the existing Short Stay area and the Men's Shed which are currently outside the existing lease area. See attached plan. [Attachment No. 17](#)

Council have eventually been able to locate the correct contact within JHR, a site meeting has occurred and determined that the following options are available to Council:

- 1) Request an alteration to the lease area to include the extended identified area. Council do not currently pay fees for the existing lease area but anticipate a fee to be implemented once JHR become aware of the shortcoming. Council's current lease fee with JHR for access to dams near the Ganmain Walking Trails is \$240.00 per annum.
- 2) Obtain a temporary lease with intent to purchase extended area within the following 12 months. This option would allow Council to commence works in an accelerated timeframe with intent to purchase at a later date.
- 3) Straight out purchase of land under a compulsory acquisition process. Purchase of land would be by way of compulsory acquisition which will mean that Council will be required to compensate Transport for NSW in accordance with the Just Terms Legislation. Utilising existing Valuer General rates for Ardlethan, it is estimated the extended area totaling 16452m² results in a potentially significant purchase price.

JHR have advised that the land is considered surplus to their needs and have no objection to Council either purchasing or extending the lease area. Land use is restricted to community purposes which is the intent of Council. Considering the significant estimated purchase price and currently no lease fee over the existing area, it would be prudent of Council to pursue a variation to the existing lease as per the proposed plan.

Recommendation

That Council negotiate a lease variation with John Holland Rail as per the proposed plan for community purposes.

RESOLVED on the motion of Clr McCann and seconded by Clr White that Council negotiate a lease variation with John Holland Rail as per the proposed plan for community purposes. 214/09/2016

ES10) RFQ 2016/03 – SPRAYED BITUMINOUS SURFACING (T.03-04, SC419)

Six quotations were received under the Local Government Procurement Tender Panel for the above Contract ranging from \$1,882,440 to \$2,782,730. The attached sheet provides a detailed breakdown of the quotations. This is a schedule of rates quotation.

The request for Quotation (RFQ) was a group quotation between Coolamon, Junee and Temora Shire Councils in an effort to achieve efficiencies of scale. Coolamon and Junee are seeking full supply of services Contract with Temora a supply and spray contract only.

COST

All tenders have provided rise and fall tenders for the twelve month period. Taking into consideration the volatility of the current market, no tenderer was willing to give a fixed rate for the term of the contract. Of all the tenderers, State Asphalt Services has tendered the lowest tender overall, with the next tender from Downer \$22,316 higher. In comparison to 2015/2016 contract rates, the Downer lump sum figure represents a saving of \$77,000 to Coolamon Shire.

PERFORMANCE

Downer has been Coolamon and Temora Council's Contractor in recent years and demonstrated they are capable of performing supply and spray and full service works to Council's satisfaction. Boral has been Junee's Contractor in recent years

and are equally capable. State Asphalt Services have not been engaged by any of the three Councils.

AVAILABILITY

State Asphalt Services is a Sydney based Company with no depots located in the region. A large number of establishment are required which can be on short notice and is thought that a Sydney based Company would not be able to service the needs of the Councils with the large number of establishments required. State Asphalt Services would implement an establishment fee for volumes under 20,000 litres which would soon evaporate any savings that are currently displayed. Downer have no establishment fee.

Downer has a spray sealing crew based in Narrandera along with additional crews in Wodonga, Forbes, Mogo and Hume. During the recent years this service to Council was considered to be satisfactory. Boral has crews based in Wagga Wagga and are equally available.

Recommendation

That the quotation from Downer EDI Works Pty Ltd be accepted for a twelve month period.

RESOLVED on the motion of Clr Hutcheon and seconded by Clr White that the quotation from Downer EDI Works Pty Ltd be accepted for a twelve month period. 215/09/2016

ES11) COOLAMON TRAVELLING STOCK ROUTE (TSR) / GOVERNMENT DAM

- ➔ Coolamon Shire Council has been approached by the Coolamon Landcare Group to support a proposal to develop a wetlands precinct at the Coolamon TSR/Government Dam. (See Attachments). Attachment No. 18.1

The project involves the fencing of a section of the TSR, re-vegetation works and weed removal. The subject land is currently leased for stock grazing and Council have approval to access the water reserves. The water reserves are crucial to Council operations and has seen it invest considerable plant and labour to increase the dam capacity during the most recent drought.

Due to the importance of Council requiring access to the water, a number of issues will require clarification/conditioning prior to it providing support and are as follows:

- Grazing Lease Agreement

There is a current lease Agreement in place between P & W Dennis and LLS and Council may not wish to influence the arrangements of this lease. Mark Leary of LLS has advised that there are provisions to vary the conditions of lease. (See attachments). Attachment No. 18.2

- Site Access

Is public access to be permitted to the proposed site, and if so, how is this to be achieved? Council currently provide and maintain the internal access road to the dams and require this road and access to be retained.

- Site Security

Currently Council and the lessee have locks on the entrance gate and it is imperative that security of the TSR is retained. What additional gates are proposed, what are their locations and what security will be provided? Again is the proposal intended for public access/recreational use and how will this be addressed?

- Natural Water Flows

As the water reserves are a valuable resource to Council, it is essential that the proposal does not restrict or divert existing natural flows. Correspondence from Coolamon Landcare have advised that the proposal will have no interruption to natural flows and if anything a bottleneck created by weed matter will be removed.

Summary

In principle, council support the concept of a wetland and as the land is owned and managed by LLS, they have the ultimate say. Coolamon Shire needs to be comfortable that the approval and subsequent conditions of use do not affect Council's access to water.

Recommendation

That Council endorse the project under the following conditions:

- 1) LLS liaise with Lessee to arrange alteration of Lease.
- 2) Council's right and access to the water reserves is not affected.

- 3) Current access road is retained and not affected.
- 4) If public access is desired, it is to be achieved and separated from outside the LLS grazing lease area, (via Bredins Lane).
- 5) Site to remain secure, no public access to LLS grazing lease area, all gates to be locked.
- 6) Existing water flows to be retained, no restricted or diverted of flows is to occur as a consequence of the development.

Clr Crocker declared a non-pecuniary interest as a result of being a member of Coolamon Landcare.

RESOLVED on the motion of Clr Hutcheon and seconded by Clr White that Council endorse the project under the following conditions: 216/09/2016

- 1) **LLS liaise with Lessee to arrange alteration of Lease.**
- 2) **Council's right and access to the water reserves is not affected.**
- 3) **Current access road is retained and not affected.**
- 4) **If public access is desired, it is to be achieved and separated from outside the LLS grazing lease area, (via Bredins Lane).**
- 5) **Site to remain secure, no public access to LLS grazing lease area, all gates to be locked.**
- 6) **Existing water flows to be retained, no restricted or diverted of flows is to occur as a consequence of the development.**

ES12) STABILISATION PAVEMENT CONTRACT 2016/03 (T.03-07 SC422)

Five quotations have been received via the Local Government Procurement Vendor Panel ranging from \$566,141 to \$719,960. Whilst StabilFix has provided the lowest of the quoted prices they are a small private operation with concerns over their ability to service Council's heavy works program when required, any delays in servicing would soon evaporate any small savings that are currently perceived. Stabilised Pavements Aust (SPA) are a large national operation, have been Council's contractors for the last 24 years and proved to be a reliable, efficient contractor that works well with Council staff and to a satisfactory standard. Attachment No. 20

Recommendation

That Council accept the quotation from Stabilised Pavements of Australia for the 2016/2017 financial year.

RESOLVED on the motion of Clr McCann and seconded by Clr McKinnon that Council accept the quotation from Stabilised Pavements of Australia for the 2016/2017 financial year. 217/09/2016

4.4 EXECUTIVE MANAGER, DEVELOPMENT & ENVIRONMENTAL SERVICES' REPORTS

HS1) DEVELOPMENT APPLICATIONS (B.05-01)

The following applications have been approved:-

DEVELOPMENT APPLICATIONS

16/2016	28//750846 – 89 Campbells Lane, Coolamon – Subdivision.
22/2016	1//917512 – 96 Cowabbie Street, Coolamon – Use of Front Courtyard of School of Arts for Pop-up Markets.
29/2016	2//1098537 – 20 Gibbons Lane, Coolamon – Carport and Verandah.
18/2016	5/16/758428 – 17 Park Street, Ganmain – Shed.
34/2016	159//750834 – Coxs Lane, Ganmain – Single Dwelling.
2016/06	282//750829 – 60 Cains Lane, Coolamon – Carport.
2016/08	94//750853 – 1400 Marrar South Road, Marrar – Inground Swimming Pool.
2016/07	2//1214527 – 1 Coopers Lane, Coolamon – Single Dwelling.
26/2016	14/23/758428 – 60 Langham Street, Ganmain – Shed.
25/2016	11/36/758428 – 10 Devlin Street, Ganmain – Shed for use as a Base for Electrical Contracting Business.
38/2016	3//1214527 – 3117 Coolamon Road, Coolamon – New Single Dwelling and Shed.

Recommendation

For Council information.

RESOLVED on the motion of Clr Logan and seconded by Clr White that the report be received. 218/09/2016

HS2) CONTAMINATED LAND MANAGEMENT POLICY (P.12-01, SC316)

As Council may be aware RAMROC and REROC (Regional Organisations of Councils) made a joint application to the Regional Capacity Building Program, under the Contaminated Land Management Program which is administered by the New South Wales Environmental Protection Authority (EPA) and funded by the NSW Environmental Trust.

The key objectives of the Regional Capacity Building Program are:

1. To improve the management of non-regulated contaminated sites in regional NSW.
2. To improve accessibility to contaminated sites expertise and increase the technical capacity of local government in regional areas.

A report was previously presented to Council in July 2016 requesting that Council review the draft policy and endorse the public exhibition of the draft policy.

Council's Contaminated Land Responsibilities

Effective management of contaminated land in land-use planning is necessary in the context of managing the risk of harm that land contamination potentially poses to human health and the environment.

Council has responsibilities under the Environmental Planning and Assessment Act (EP&A Act) in regard to the early identification of contaminated sites, the consideration of land contamination issues in planning functions, data and information management regarding land contamination, and in informing the public on contamination matters (e.g. section 149 planning certificates).

Under the Contaminated Land Management Act (CLM), the Environmental Protection Authority regulates contaminated sites where the contamination is significant enough to warrant regulation. Contaminated sites that are not regulated by the EPA are managed by Local Councils through the land-use planning processes.

Contaminated Land Management Project

The project that Council has been involved in aims to develop the capacity of Councils within the region to develop a regulatory framework that underpins the management of non-regulated contaminated sites, and that promotes the development of expertise and technical capacity to carry out regulated functions under the CLM Act in regards to managing land contamination in planning functions. Developing a contaminated land management policy and procedures as well as a contaminated land site register is expected to enable Council to become better equipped and empowered to confidently ensure that decisions are made in "good faith" and in accordance with regulatory requirements.

Consultation

The Draft Contaminated Land Management Policy was placed on public exhibition for 28 days in Council's newsletter and website with exhibition ending on 26 August 2016.

- There were no submissions received throughout the exhibition period. A copy of the Draft Policy is **tabled**.

Summary

This report presents information to Council on the draft Coolamon Shire Council Contaminated Land Policy and requests that Council consider the adoption of the draft Policy.

Recommendation

That Council adopt the draft Coolamon Shire Council Contaminated Land Policy.

RESOLVED on the motion of Clr McCann and seconded by Clr Hutcheon that Council adopt the draft Coolamon Shire Council Contaminated Land Policy.

219/09/2016

HS3) OPENING TIMES & FEES FOR ARDLETHAN AND COOLAMON SWIMMING POOLS (S.19-02 SC404, S.19-03 SC405)

Ardlethan Swimming Pool

Council has received advice from Mrs Donna Horan indicating that she would be willing to continue her lease of the Ardlethan Swimming Pool for the 2016/17 season.

Mrs Horan has proposed the opening hours as:

- 2.00pm to 7:00pm, Monday to Friday
- 12.00pm to 7:00pm, Saturday and Sunday
- 12.00pm to 7:00pm, throughout school holidays
- 7.00am to 8:00am, Monday, Wednesday and Friday

Mrs Horan proposed the entry fees as follows:

- Adult - \$3.00
- Students – \$2.00
- Non Swimmers - \$1.00

The proposed season ticket prices as:

- Family - \$150.00
- Adult - \$80.00
- Student (10yrs-17yrs) - \$50.00

The Deed of Agreement between Council and Donna Horan specifies that the tenant must ensure that the pool is open:

- Monday – Friday outside of school holidays between 2.00pm to 7.00pm.
- Saturday, Sunday, Public Holidays and School Holidays between 1.00pm to 7.00pm.
- At such times during school hours as are required by the Central School and other Government Bodies to run swimming programs.

Therefore the opening hours proposed by Mrs Horan satisfy the minimum opening hours specified in the Deed of Agreement.

The Deed of Agreement also specifies extra hour's provisions, which is as follows:

- Opening the pool for a minimum of three mornings per week for at least two hours prior to 9.00am being in addition to the minimum weekly operating hours listed above.

The proposed hours that Mrs Horan has specified in her correspondence does not meet the extra hour's provisions. However, it should be noted that this is not a compulsory requirement, rather it is an incentive for the operator to generate additional income.

Coolamon Swimming Pool

As Council are aware Expressions of Interest were sought for the leasing of the Coolamon Swimming Pool for the 2016/17 season. The recipients of the lease, Bill and Michelle Roberts, have advised Council staff of the following proposed opening hours:

- 6.30am to 8.30am and 10.00am to 6.00pm, Monday to Friday
- 7.00am to 9.00am and 10.00am to 6.00pm, Saturday and Sunday

Mr and Mrs Roberts advised Council staff that the proposed fees are:

- Adult - \$3.00
- Child - \$2.00
- Non Swimmer – Free

The proposed season ticket prices are:

- Family - \$220.00
- Adult - \$100.00
- Child - \$80.00

Past Deed of Agreements between Council and past pool operators specifies that the tenant must ensure that the pool is open:

- Monday – Friday outside of school holidays between 2.00pm to 6:00pm.
- Saturday, Sunday, Public Holidays and School Holidays between 10.00am to 12.30pm and 1.00pm to 6.00pm.

Therefore the opening hours proposed by Mr and Mrs Roberts satisfy the minimum opening hours specified in past Deed of Agreements.

Past Deed of Agreements have also specified extra hour's conditions, which is as follows:

- Opening the pool for a minimum of three mornings per week for at least two hours prior to 9.00am being in addition to the minimum weekly operating hours listed above.

The proposed opening times also satisfy this condition.

Ganmain Swimming Pool

At the time of the creation of this report there had been no arrangements made with potential operators for the operation of the Ganmain Swimming Pool for the 2016/17 season.

Consultation

Consultation was between internal Council staff and the swimming pool operators.

It is proposed to also notify the general community of proposed opening hours and fees in the Council newsletter once the report is endorsed by Council.

Summary

This report presents information to Council on the proposed opening times and fees for the Ardlethan and Coolamon swimming pools and requests that Council consider the adoption of the proposed opening hours and fees.

Recommendation

That Council endorse the proposed opening hours and fees for the Ardlethan and Coolamon Swimming Pools.

RESOLVED on the motion of Clr Maslin and seconded by Clr Crocker that Council endorse the proposed opening hours and fees for the Ardlethan and Coolamon Swimming Pools. 220/09/2016

↑ **ADJOURNMENT**

RESOLVED on the motion of Clr McCann and seconded by Clr Maslin that Council resolve into Committee of a Whole for the purpose of considering confidential matters as listed in the Committee of a Whole agenda for the reason that such matters are considered to be of a confidential nature and in accordance with Council's policy thereto. 221/09/2016

Council adjourned at 4.20pm into Committee of a Whole and reconvened at 4.45pm.

5) RECOMMENDATIONS OF A COMMITTEE OF A WHOLE MEETING HELD 22ND SEPTEMBER, 2016.

RESOLVED on the motion of Clr White and seconded by Clr Maslin that the Recommendations of the Committee of a Whole Meeting held 22nd September, 2016 be adopted. 222/09/2016

6) REPORTS: DELEGATES/MAYOR/COUNCILLORS

There were no Reports.

Meeting Closed at 4.55pm.

Confirmed and signed during the Meeting held this 20th day of October, 2016.

.....
MAYOR

.....
J. J. Seymour
..... MAYOR

.....
M. J. ...
..... GENERAL MANAGER.

**ATTACHMENTS FOR THE MEETING HELD
22ND SEPTEMBER, 2016**

ITEMS DISTRIBUTED WITH THE AGENDA

- 1) INFORMATION PAPERS
 - 1) Local Government NSW Weekly Circulars 32, 33, 34, 35 and 36.
 - 2) Minutes of the Advance Ganmain Committee Meeting held 7th September, 2016.
 - 3) Minutes of the Advance Ardlethan Committee Meetings held 2nd May 2016, 6th June 2016, 4th July 2016, 1st August 2016 and 6th September 2016.
Refer Correspondence Item (1a).
- 2) ACTIVITY REPORTS
 - 1) Allawah Community Care Coordinator's Report for the month of August 2016.
 - 2) Operating Statistics of the Coolamon Shire Library for August 2016.
 - 3) Community Development Officer's Report for August 2016.
Refer Correspondence Item (2a).
- 3) Correspondence from Faye Irvine expressing her concerns about Premier Baird's decision to Ban Greyhound Racing.
Refer Correspondence Item (1b), [File No. A.08-01].
- 4) Correspondence from the NSW Local Government Grants Commission regarding the 2016-17 Financial Assistance Grants.
Refer Correspondence Item (2b) [File No. G.03-02].
- 5) Nomination forms for use in respect of the election of the Mayor and Deputy Mayor.
Refer General Manager's Report (GM1), [File No. P.12-01].
- 6) Correspondence from the Office of Local Government regarding the Changes to the Local Government Act.
Refer General Manager's Report (GM2), [File No. L.05-01].
- 7) Correspondence from Local Government NSW regarding changes to the Rural Fire Fighting Fund (RFFF).
Refer General Manager's Report (GM4), [File No. F.03-11].
- 8) Media articles in regard to the declaration of an Uncontested Election for Coolamon Shire Council.
Refer General Manager's Report (GM5), [File No. E.01-07].
- 9) Correspondence confirming funding to upgrade the Ardlethan and Ganmain Swimming Pools.
Refer General Manager's Report (GM6), [File No. S.19-04].
- 10) Correspondence from the Office of Local Government regarding Joint Organisations.
Refer General Manager's Report (GM9), [File No. L.05-05].
- 11) A copy of the Payment of Expenses & and the Provision of Facilities for Mayors & Councillors Policy.
Refer General Manager's Report (GM10), [File No. P.12-01].

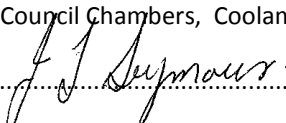
MINUTES OF THE ORDINARY MEETING OF THE COUNCIL OF THE SHIRE OF COOLAMON HELD IN THE COUNCIL CHAMBERS, COOLAMON ON THE 22nd SEPTEMBER, 2016.

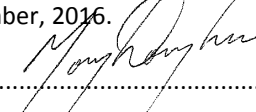
- 12) A copy of the Coolamon Shire Council End of Term Report for 2016.
Refer General Manager's Report (GM11), [File No. C.11-01].
- 13) Correspondence from Riverina Regional Tourism advising that changes have been announced with the way Regional Tourism Organisations have been restructured.
Refer General Manager's Report (GM13), [File No. T.06-03].
- 14) Correspondence from the NSW Government – Public Works regarding the Natural Disaster Relief Programme.
Refer Executive Manager, Engineering & Technical Services' Report (ES2), [File No. R.07-09]
- 15) Correspondence from the Roads & Maritimes Services regarding Speed Zone Authorisations.
Refer Executive Manager, Engineering & Technical Services' Report (ES5), [File No. R.10-01]
- 16) A copy of the Coolamon Shire Pedestrian Access and Mobility Plan (PAMP) 2015-2020. and also a copy of the Coolamon Shire Bike Plan 2015-2020.
Refer Executive Manager, Engineering & Technical Services' Report (ES8), [File No. R.07-08]
- 17) Correspondence regarding the Ardlethan Rail Lease.
Refer Executive Manager, Engineering & Technical Services' Report (ES9), [File No. R.03-01]
- 18) Correspondence regarding a proposal to develop a wetlands precinct at the Coolamon TSR/Government Dam.
Refer Executive Manager, Engineering & Technical Services' Report (ES11), [File No. S.13-01]
- 19) Office of Local Government consultation paper *Joint Organisations: Getting the boundaries right*.
Refer General Manager's Report (GM9) [File No. L.05-05]
- 20) RFQ 2016/03 Insitu Pavement Stabilisation – Schedule of Rates
Refer Executive Manager, Engineering & Technical Services' Report (ES12) [File T.03-07]
- 21) Office of Local Government Circular 16/32 – Oath or Affirmation of Office by Councillors
Refer General Manager's Report (GM16) [File No. C.12-01]

ITEMS TABLED AT THE MEETING

- 1) A copy of the Contaminated Land Management Policy.

This is Page No. 100 of the Minutes of the Ordinary Meeting of the Council of the Shire of Coolamon held in the Council Chambers, Coolamon on the 22nd September, 2016.

.....

..... MAYOR

.....

..... GENERAL MANAGER.