

Meeting commenced at 2.00pm.

BUSINESS:

- 1) Apologies
- 2)
 - a. Confirmation of Minutes of the Meeting held 18th October, 2018.
 - 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 & Technical Services' Report
 - 4.4 Executive Manager, Development & Environmental Services' Report
- 5) Reports: Delegates/Mayor/Councillors

PRESENT: Clrs John Seymour, David McCann, Jeremy Crocker, Steven Jones, Colin McKinnon, Kathy Maslin, Bruce Hutcheon and Alan White.

STAFF: Tony Donoghue, General Manager;
Courtney Armstrong, Executive Manager, Corporate & Community Services;
Tony Kelly, Executive Manager, Engineering & Technical Services;
Colby Farmer, Executive Manager, Development & Environmental Services;
Samantha Jennings, Finance Manager.

APOLOGY: Clr Kerrilee Logan.

1) APOLOGY:

RESOLVED on the motion of Clr McCann and seconded by Clr Crocker that the apology of Clr Kerrilee Logan be accepted. 222/11/2018

2a) CONFIRMATION OF MINUTES OF THE MEETING HELD 18TH OCTOBER, 2018.

RESOLVED on the motion of Clr McCann and seconded by Clr Crocker that the Minutes of the Meeting held 18th October, 2018 as circulated be confirmed and adopted. 223/11/2018

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.

1) Minutes of the Advance Marrar Committee Meeting held 28th August, 2018. Attachment No. .1.1

2) Minutes of the Advance Ganmain Committee Meeting held 7th November, 2018. Attachment No. 1.2

2a) ACTIVITY REPORTS

1) Operating Statistics of the Coolamon Shire Library for October 2018. Attachment No. 2.1

2) Community Development Officer's Report for October 2018. Attachment No. 2.2

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.

3a) GOLDENFIELDS WATER (W.01-02, SC433)

Advising that Clr Dennis Palmer from Cootamundra-Gundagai Regional Council was elected as Chairperson and Clr David McCann from Coolamon Shire Council was elected as Deputy Chairperson.

AGENDA B

**1b) RIVERINA EASTERN REGIONAL ORGANISATION OF COUNCILS (REROC)
(R.06-01, SC329)**

Forwarding a copy of the 2017-2018 Annual Report.

General Manager's Note

- A copy of the Annual report will be **tabled** at the meeting and a copy will also be distributed to Councillors on meeting day.

2b) RIVERINA REGIONAL LIBRARY – ANNUAL REPORT (L.03-03, SC269)

Forwarding a copy of their 2017/18 Annual Report.

General Manager's Note

- A copy of the Annual Report will be **tabled** at the meeting.

3b) STEPH COOKE, MEMBER FOR COOTAMUNDRA (P.06-01, SC310)

Forwarding correspondence from Deputy Commissioner of the NSW Police Force, Gary Worboys in relation to Council's concerns regarding police numbers in the Temora cluster.

General Manager's Note

- ➔ A copy of the correspondence is attached to the information papers for the information of Councillors. **Attachment No. 3**

RESOLVED on the motion of Clr Jones and seconded by Clr White that the correspondence listed in Agenda A and Agenda B be received and noted.

224/11/2018

4) GENERAL MANAGER REPORTS

4.1) GENERAL MANAGER REPORTS

GM1) POPULATION PROJECTIONS (P.07-01, SC311)

- Information has been received from the population insights section of NSW Department of Planning indicating data on population projections for the Coolamon Shire. Attachment No. 4.1

It has long been the problem of Rural and Regional Councils that these statistics are considered negative and impact on strategic planning by State Government Agencies.

The open and transparent information of this new snapshot is appreciated, as is the ability to provide feedback.

As can be seen since about 2003/2004 there has been a steady growth of numbers within the Coolamon Shire.

These projections and this information will be used in making strategic planning decisions into the future by both State Government Agencies and Coolamon Shire Council.

- Council took the opportunity to provide feedback to the department in regard to the information provided and it is also attached. Attachment No. 4.2

Recommendation

For Council information.

GM2) COUNTRY MAYOR'S ASSOCIATION OF NSW MEETING (C.12-04, SC147)

At the Annual General Meeting of the Country Mayor's Association, Clr John Seymour was elected to be on the Executive for the 2018/2019 year.

This gives Councils in the south western region of the State, a representative, and John is to be congratulated on putting his hand up to be that voice.

Also at this meeting there was discussion around a contribution by all Councils to fund the 'Waste to Energy Feasibility Study'. It was resolved at Country Mayors, that a letter of correspondence be written to all Councils, however, this is yet to

be formally received. Once Council receives this request a full report will be presented to Council so that a decision can be made.

Recommendation

For Council information.

**GM3) COUNCIL'S AUDIT REPORT FOR THE YEAR ENDED 30TH JUNE, 2018
(A.12-01, SC34)**

- The General Purpose Financial Report, Special Purpose Financial Report and Special Schedules in respect of the financial year ending 30th June, 2018 are attached. Attachment No. 5

In accordance with Section 418(3) of the Local Government Act, 1993, Council has given Public Notice regarding the presentation of the Financial Statements and Auditor's Reports and has not yet received any submissions under Section 420 of the act with respect to the Statements or Auditor's Reports. The closing date for submissions is Thursday, 22nd November 2018.

Brad Bohun, Partner, Crowe Horwath Albury will attend at the Council Meeting to address the Audit reports.

Recommendation

That the report be noted.

RESOLVED on the motion of Clr Maslin and seconded by Clr White that the General Manager's Reports (GM1 to GM3) be received. 225/11/2018

GM4) IMPACT OF COST SHIFTING ON NSW (L.07-01, SC277)

- LGNSW has conducted a report into the impact of cost shifting to Local Government. A copy is provided for your information. Attachment No. 6

This report broke down this impact on the different types of Local Government (City, Regional and Rural) and the various levy's or financial impact that affected each type. Interestingly some of the issues that Coolamon Shire have previously raised are pretty high concerns across the State - namely the Emergency Service Levy, library funding and pensioner rebates.

LGNSW will use this information to lobby government to reduce this impact on Local Government.

Recommendation

That Council endorse the report and continue to support LGNSW in advocating in for a reduction in red tape.

RESOLVED on the motion of Clr White and seconded by Clr McKinnon that Council endorse the report and continue to support LGNSW in advocating in for a reduction in red tape. 226/11/2018

GM5) RIVERINA JOINT ORGANISATION DOCUMENTATION (R.06-05, SC1068)

The initial Meeting for the Riverina Joint Organisation (RivJO) was conducted on 19th October, 2018. This formally commenced the operation of the Riverina Joint Organisation. As part of this inaugural meeting a number of documents were developed that would provide the framework for the government's such organization. These were predominantly mandatory Government Governance documents.

As this is an organization that represents Coolamon Shire Council and in accordance with the formation of Joint Organisations, the following documents have been provided for consideration prior to formal endorsement by the Riverina Joint Organisation. These documents are:

- 1) The Charter Attachment No. 7.1
- 2) The Code of Meeting Practice Attachment No. 7.2
- 3) The Payment of Expenses and Provision of Facilities Policy. Attachment No. 7.3

➔ I have attached all of these documents for your information and seek Councils input or endorsement so that this can be expressed to the Riverina Joint Organisation.

Recommendation

That:

- 1) The Charter
- 2) The Code of Meeting Practice
- 3) The Payment of Expenses and Provision of Facilities Policy.

be endorsed by the Coolamon Shire Council.

RESOLVED on the motion of Clr Hutcheon and seconded by Clr Maslin that the Riverina JO Governance documents including The Charter, The Code of Meeting Practice and The Payment of Expenses and Provision of Facilities Policy be endorsed. 227/11/2018

GM6) DECEMBER COUNCIL MEETING (C.11-04, SC140)

The December Meeting is due to fall on Thursday, 20th December, 2018.

Council will be closing down its business operations on Friday, 21st December, 2018 and reopening on Wednesday, 2nd January, 2019.

As a result of these holiday periods it is thought appropriate that Council consider moving the December Meeting to Thursday, 13th December, 2018. This will allow adequate time to undertake all the administrative outcomes of such a meeting prior to the holiday break.

Similarly, Council historically have resolved not to hold the January Meeting due to the holiday season. It is always possible to call an emergency meeting should an issue of importance be presented to Council between the December and February Meetings.

Recommendation

- 1) That Council move the December Meeting to Thursday, 13th December, 2018.
- 2) That Council not hold the January Council Meeting.

RESOLVED on the motion of Clr Hutcheon and seconded by Clr McKinnon:
228/11/2018

- 1) **That Council move the December Meeting to Thursday, 13th December, 2018.**
- 2) **That Council not hold the January Council Meeting.**

GM7) NATIONAL SUMMIT ON DROUGHT (L.07-11, SC279)

- Council has received correspondence from the Australian Local Government Association (ALGA) on the outcomes of the National Summit on drought and the intention of ALGA moving forward in this regard. A copy is attached to Councillor's information papers. Attachment No. 11

It should be noted that Coolamon Shire Council has not been designated as being included in a Drought Community Programme.

Recommendation

For Council information.

RESOLVED on the motion of Clr Maslin and seconded by Clr White that the report be noted. 229/11/2018

4.2 EXECUTIVE MANAGER, CORPORATE & COMMUNITY SERVICES' REPORTS

CS1) FINANCE REPORT AS AT 31 OCTOBER 2018

RESOLVED on the motion of Clr Crocker and seconded by Clr McKinnon that the report be received. 230/11/2018

DATE INVESTED	INSTITUTION	RATING	INVESTMENT TYPE	AMOUNT INVESTED	TERMS (days)	RATE	MATURITY DATE
2/05/2018	Beyond Bank	A2/BBB	Term Deposit	\$ 1,000,000	184	2.60%	2/11/2018
10/11/2017	Beyond Bank	A2/BBB	Term Deposit	\$ 2,000,000	365	2.70%	10/11/2018
21/12/2017	Beyond Bank	A2/BBB	Term Deposit	\$ 1,700,000	365	2.75%	21/12/2018
19/06/2018	AMP	A1/A	Term Deposit	\$ 1,000,000	216	2.85%	21/01/2019
26/06/2018	AMP	A1/A	Term Deposit	\$ 500,000	210	2.85%	22/01/2019
8/05/2018	AMP	A1/A	Term Deposit	\$ 1,000,000	272	2.75%	4/02/2019
9/05/2018	Bankwest	A2/BBB	Term Deposit	\$ 1,000,000	271	2.70%	4/02/2019
15/06/2018	AMP	A1/A	Term Deposit	\$ 2,000,000	245	2.80%	15/02/2019
15/06/2018	Bankwest	A2/BBB	Term Deposit	\$ 1,000,000	270	2.80%	7/05/2019
24/09/2018	Bankwest	A2/BBB	Term Deposit	\$ 1,000,000	270	2.70%	21/06/2019
30/08/2018	NAB	A1+/AA-	Term Deposit	\$ 1,000,000	365	2.70%	30/08/2019
9/09/2018	Beyond Bank	A2/BBB	Term Deposit	\$ 1,000,000	365	2.70%	9/09/2019
14/09/2018	Beyond Bank	A2/BBB	Term Deposit	\$ 1,000,000	365	2.70%	14/09/2019
23/09/2018	Beyond Bank	A2/BBB	Term Deposit	\$ 1,000,000	365	2.70%	23/09/2019
24/10/2017	NAB	A1+/AA-	Term Deposit	\$ 1,000,000	365	2.70%	24/10/2019
TOTAL INVESTED				\$ 17,200,000			

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

EXTERNAL RESTRICTIONS AS AT 30TH JUNE, 2018

Allawah Lodge - Accommodation Bonds/Payments	\$ 4,049,012.71
Allawah Village - Loan-Licence	\$ 3,688,781.28
Developer Contributions	\$ 3,398.37
Specific Purpose Unexpended Grants & Contributions & Other Funding	\$ 559,206.24
Sewerage Fund	\$ 2,044,259.35
Waste Management	\$ 1,106,984.12
	<u>\$ 11,451,642.07</u>

INTERNAL RESTRICTIONS AT 30TH JUNE, 2018

Asset/Plant Replacement	\$ 1,000,000.00
Employees Leave Entitlements	\$ 1,160,000.00
Deferred Works	\$ 195,800.00
Ardlethan Preschool	\$ 47,101.19
Asset Management (inc. unrestricted cash)	\$ 2,083,751.22
Allawah Lodge Asset Mgt Reserve	\$ 536,927.45
Allawah Village Asset Mgt Reserve	\$ 325,655.84
CECC Asset Mgt Reserve	\$ 263,052.78
Financial Assistance Grant	\$ 1,766,160.00
Swimming Pools	\$ -
Rehabilitation of Gravel Pits	\$ 162,000.00
	<u>\$ 7,540,448.48</u>
	<u>\$ 18,992,090.55</u>

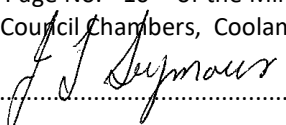
MINUTES OF THE ORDINARY MEETING OF THE COUNCIL OF THE SHIRE OF COOLAMON
HELD IN THE COUNCIL CHAMBERS, COOLAMON ON THE 15TH NOVEMBER, 2018.

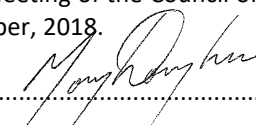
COOLAMON SHIRE COUNCIL
INCOME STATEMENT

for the period 1st July 2018 to 30th June 2019

	OCTOBER 2018	SEPTEMBER 2018	AUGUST 2018	2018/2019 BUDGET	2017/2018 ACTUAL
Income from continuing operations					
<i>Revenue:</i>					
Rates & annual charges	3,525,204.26	3,524,279.31	3,523,108.16	3,483,000.00	3,418,398.58
User charges & fees	1,291,864.62	925,835.34	619,632.05	3,473,000.00	3,571,344.54
Interest and investment revenue	(27,804.97)	(81,401.11)	(145,285.90)	463,000.00	447,205.86
Other revenues	202,384.95	145,615.12	108,102.19	780,000.00	834,547.58
Grants & contributions provided for operating purposes	1,261,376.54	936,330.70	817,205.93	6,054,000.00	6,592,101.64
Grants & contributions provided for capital purposes	294,512.18	287,472.18	65,802.00	6,047,000.00	2,408,411.30
Internals	0.00	0.00	0.00		
<i>Other income:</i>					
Net gain from the disposal of assets	344,423.03	344,423.03	344,423.03	145,000.00	258,633.44
Total revenues from continuing operations	6,891,960.61	6,082,554.57	5,332,987.46	20,445,000.00	17,530,642.94
Expenses from continuing operations					
Employee benefits and on-costs	2,033,727.74	1,565,997.94	970,057.05	5,977,000.00	5,571,764.55
Borrowing costs	6,009.98	6,009.98	2,001.50	21,000.00	5,848.71
Materials & contracts	1,232,467.75	887,209.07	592,819.49	3,071,000.00	3,410,283.95
Depreciation, amortisation & impairment	0.00	0.00	0.00	3,617,000.00	2,965,294.87
Other expenses	729,794.67	633,893.34	498,710.96	1,497,000.00	1,499,968.07
Net loss from the disposal of assets					
Total expenses from continuing operations	4,002,000.14	3,093,110.33	2,063,589.00	14,183,000.00	13,453,160.15
Operating result from continuing operations	2,889,960.47	2,989,444.24	3,269,398.46	6,262,000.00	4,077,482.79
Net operating result for the year before grants and contributions provided for capital purposes					
	2,595,448.29	2,701,972.06	3,203,596.46	215,000.00	1,669,071.49

This is Page No. 10 of the Minutes of the Ordinary Meeting of the Council of the Shire of Coolamon held in the Council Chambers, Coolamon on the 15th November, 2018.

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 MAYOR

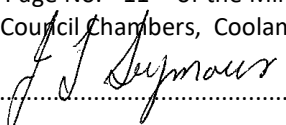
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 GENERAL MANAGER.

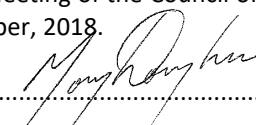
MINUTES OF THE ORDINARY MEETING OF THE COUNCIL OF THE SHIRE OF COOLAMON
HELD IN THE COUNCIL CHAMBERS, COOLAMON ON THE 15TH NOVEMBER, 2018.

COOLAMON SHIRE COUNCIL
INCOME STATEMENT BY FUND

October 2018			
	CONSOLIDATED		TOTAL
	GENERAL FUND	SEWERAGE FUND	
Income from continuing operations			
<i>Revenue:</i>			
Rates & annual charges	2,975,713.54	549,490.72	3,525,204.26
User charges & fees	1,283,332.62	8,532.00	1,291,864.62
Interest and investment revenue	(28,593.43)	788.46	-27,804.97
Other revenues	202,034.25	350.70	202,384.95
Grants & contributions provided for operating purposes	1,159,378.54	101,998.00	1,261,376.54
Grants & contributions provided for capital purposes	281,172.18	13,340.00	294,512.18
Internals	0.00		0.00
<i>Other income:</i>			
Net gain from the disposal of assets	344,423.03	0.00	344,423.03
Total revenues from continuing operations	6,217,460.73	674,499.88	6,891,960.61
Expenses from continuing operations			
Employee benefits and on-costs	1,979,007.40	54,720.34	2,033,727.74
Borrowing costs	6,009.98		6,009.98
Materials & contracts	1,065,224.99	167,242.76	1,232,467.75
Depreciation & amortisation	0.00	0.00	0.00
Other expenses	711,451.20	18,343.47	729,794.67
Total expenses from continuing operations	3,761,693.57	240,306.57	4,002,000.14
Operating result from continuing operations	2,455,767.16	434,193.31	2,889,960.47
Net operating result for the year before grants and contributions provided for capital purposes	2,174,594.98	420,853.31	2,595,448.29

This is Page No. 11 of the Minutes of the Ordinary Meeting of the Council of the Shire of Coolamon held in the Council Chambers, Coolamon on the 15th November, 2018.

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 MAYOR

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 GENERAL MANAGER.

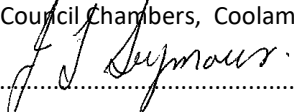
MINUTES OF THE ORDINARY MEETING OF THE COUNCIL OF THE SHIRE OF COOLAMON
HELD IN THE COUNCIL CHAMBERS, COOLAMON ON THE 15TH NOVEMBER, 2018.

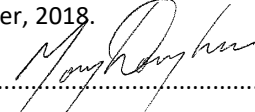
COOLAMON SHIRE COUNCIL
BALANCE SHEET

for the period 1st July 2018 to 30th June 2019

	OCTOBER 2018	SEPTEMBER 2018	AUGUST 2018	2018/2019 BUDGET (ADJ FOR OPENING BALS)	2017/2018 ACTUAL
ASSETS					
Current assets					
Cash and cash equivalents	2,117,190.58	1,863,613.87	2,579,994.98	2,985,638.30	2,792,090.55
Investments	17,200,000.00	17,200,000.00	17,200,000.00	15,200,000.00	16,200,000.00
Receivables	2,385,798.49	2,497,774.00	2,616,445.77	895,702.48	896,111.55
Inventories	594,748.54	593,627.23	585,467.24	1,520,583.28	605,810.67
Other					
Total current assets	22,297,737.61	22,155,015.10	22,981,907.99	20,601,924.06	20,494,012.77
Non-current assets					
Investments					
Receivables	0.00	0.00	0.00	294,231.87	0.00
Inventories	102,397.55	102,397.55	102,397.55	102,000.00	102,397.55
Infrastructure, property, plant & equipment	225,492,321.13	225,419,683.39	225,071,161.79	234,211,291.56	224,642,652.60
Accumulated Dep'n - Infrastructure, PP&E	(48,814,098.80)	(48,814,098.80)	(48,814,098.80)	(52,429,415.10)	(48,814,098.80)
Accumulated Imp't - Infrastructure, PP&E	(486,730.78)	(486,730.78)	(486,730.78)	(486,730.78)	(486,730.78)
Other					
Total non-current assets	176,293,889.10	176,221,251.36	175,872,729.76	181,691,377.55	175,444,220.57
Total assets	198,591,626.71	198,376,266.46	198,854,637.75	202,293,301.61	195,938,233.34
LIABILITIES					
Current liabilities					
Payables	7,843,049.28	7,523,759.50	7,721,314.76	8,069,457.89	8,072,600.76
Overdraft					0.00
Interest bearing liabilities	0.00	0.00	0.00	(1,157.00)	0.00
Provisions	1,575,168.99	1,579,614.75	1,578,160.93	1,658,910.58	1,582,184.61
Total current liabilities	9,418,218.27	9,103,374.25	9,299,475.69	9,727,211.47	9,654,785.37
Non-current liabilities					
Payables	1,603.25	1,603.25	1,603.25	1,612.34	1,603.25
Interest bearing liabilities	0.00	0.00	0.00	(291.86)	0.00
Provisions	1,127,803.39	1,127,803.39	1,127,803.39	1,149,849.63	1,127,803.39
Total non-current liabilities	1,129,406.64	1,129,406.64	1,129,406.64	1,151,170.11	1,129,406.64
TOTAL LIABILITIES	10,547,624.91	10,232,780.89	10,428,882.33	10,878,381.58	10,784,192.01
Net assets	188,044,001.80	188,143,485.57	188,425,755.42	191,414,920.03	185,154,041.33
EQUITY					
Retained earnings	91,669,918.05	91,769,401.82	92,049,356.04	95,041,296.02	88,779,957.58
Reserves	96,374,083.75	96,374,083.75	96,374,083.75	96,373,624.01	96,374,083.75
Internal Assets/Liabilities	0.00	0.00	0.00		0.00
Trust Transfer			2,315.63		
Total equity	188,044,001.80	188,143,485.57	188,425,755.42	191,414,920.03	185,154,041.33

This is Page No. 12 of the Minutes of the Ordinary Meeting of the Council of the Shire of Coolamon held in the Council Chambers, Coolamon on the 15th November, 2018.


..... MAYOR

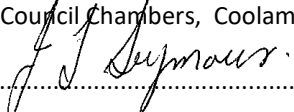

..... GENERAL MANAGER.

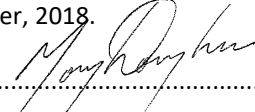
MINUTES OF THE ORDINARY MEETING OF THE COUNCIL OF THE SHIRE OF COOLAMON
HELD IN THE COUNCIL CHAMBERS, COOLAMON ON THE 15TH NOVEMBER, 2018.

COOLAMON SHIRE COUNCIL
BALANCE SHEET BY FUND

	October 2018		COOLAMON SHIRE TOTAL
	CONSOLIDATED GENERAL FUND	SEWERAGE FUND	
ASSETS			
Current assets			
Cash and cash equivalents	(10,994.40)	2,128,184.98	2,117,190.58
Investments	17,200,000.00		17,200,000.00
Receivables	2,041,202.50	344,595.99	2,385,798.49
Inventories	594,748.54		594,748.54
Other			0.00
Total current assets	19,824,956.64	2,472,780.97	22,297,737.61
Non-current assets			
Investments			0.00
Receivables	0.00		0.00
Inventories	102,397.55		102,397.55
Infrastructure, property, plant & equipment	209,068,251.56	16,424,069.57	225,492,321.13
Accumulated Depreciation	(42,190,169.12)	(6,623,929.68)	(48,814,098.80)
Accumulated Impairment	(486,730.78)		(486,730.78)
Other			0.00
Total non-current assets	166,493,749.21	9,800,139.89	176,293,889.10
Total assets	186,318,705.85	12,272,920.86	198,591,626.71
LIABILITIES			
Current liabilities			
Payables	7,843,049.28	0.00	7,843,049.28
Interfunding			0.00
Interest bearing liabilities	0.00		0.00
Provisions	1,575,168.99		1,575,168.99
Total current liabilities	9,418,218.27	0.00	9,418,218.27
Non-current liabilities			
Payables	1,603.25		1,603.25
Interest bearing liabilities	0.00		0.00
Provisions	1,127,803.39		1,127,803.39
Total non-current liabilities	1,129,406.64	0.00	1,129,406.64
TOTAL LIABILITIES	10,547,624.91	0.00	10,547,624.91
Net assets	175,771,080.94	12,272,920.86	188,044,001.80
EQUITY			
Retained earnings	85,041,331.46	6,628,586.59	91,669,918.05
Reserves	90,729,749.48	5,644,334.27	96,374,083.75
Internal Assets & Liabilities	0.00		0.00
Trust Transfer			
Total equity	175,771,080.94	12,272,920.86	188,044,001.80

This is Page No. 13 of the Minutes of the Ordinary Meeting of the Council of the Shire of Coolamon held in the Council Chambers, Coolamon on the 15th November, 2018.


..... MAYOR


..... GENERAL MANAGER.

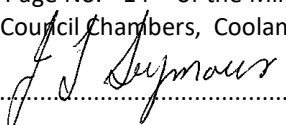
MINUTES OF THE ORDINARY MEETING OF THE COUNCIL OF THE SHIRE OF COOLAMON
HELD IN THE COUNCIL CHAMBERS, COOLAMON ON THE 15TH NOVEMBER, 2018.

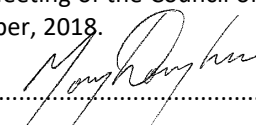
COOLAMON SHIRE COUNCIL
INTERNAL & EXTERNAL RESTRICTIONS

for the period 1st July 2018 to 30th June 2019

	2018/2019				
	OCTOBER 2018	SEPTEMBER 2018	AUGUST 2018	BUDGET (ADJ FOR OPENING BALS)	2017/2018 ACTUAL
GENERAL FUND					
<i>EXTERNALLY RESTRICTED</i>					
Grants & Susidies & Other	656,523.61	600,879.51	607,101.86	304,948.24	559,206.24
Developer Contributions	3,398.37	3,398.37	3,398.37		3,398.37
Waste Management	1,051,831.88	1,086,812.90	1,247,317.97	974,652.08	1,106,984.12
Allawah Lodge Accommodation Payments	4,221,184.02	3,923,035.85	4,099,326.20	4,045,371.71	4,049,012.71
Allawah Village Loan-Licence	3,556,407.28	3,556,407.28	3,688,781.28	3,688,781.28	3,688,781.28
	9,489,345.16	9,170,533.91	9,645,925.68	9,013,753.31	9,407,382.72
<i>INTERNALLY RESTRICTED</i>					
Plant Replacement Reserve	1,000,000.00	1,000,000.00	1,000,000.00	1,000,000.00	1,000,000.00
Employees Leave Entitlements Reserve	1,160,000.00	1,160,000.00	1,160,000.00	1,206,000.00	1,160,000.00
Stormwater Management Reserve				7,600.00	
Swimming Pools Reserve				0.00	
Deferred Works Reserve	150,000.00	172,950.00	172,950.00	85,800.00	195,800.00
Ardlethan Preschool	78,810.77	49,357.79	63,312.68		47,101.19
Financial Assistance Grant	0.00	0.00	0.00	0.00	1,766,160.00
Community Housing Programme Reserve				0.00	
Allawah Lodge Asset Mgt Reserve	534,266.98	528,377.33	411,571.95	730,505.37	536,927.45
Allawah Village Asset Mgt Reserve	264,561.30	286,531.59	288,113.46	321,449.13	325,655.84
CECC Asset Mgt Reserve	262,762.66	261,717.99	270,754.82	262,502.78	263,052.78
Gravel Pits Rehabilitation Reserve	162,000.00	162,000.00	162,000.00	192,000.00	162,000.00
	3,612,401.71	3,620,934.70	3,528,702.91	3,805,857.28	5,456,697.26
Asset Management/Available for Working Funds	4,087,258.73	4,120,368.88	4,465,275.24	2,016,061.75	2,083,751.22
Total Cash Balance - General Fund	17,189,005.60	16,911,837.49	17,639,903.83	14,835,672.35	16,947,831.20
SEWERAGE FUND					
Sewerage Fund	2,128,184.98	2,151,776.38	2,140,091.15	1,528,588.95	2,044,259.35
	2,128,184.98	2,151,776.38	2,140,091.15	1,528,588.95	2,044,259.35
Total Cash Balance - Sewerage Fund	2,128,184.98	2,151,776.38	2,140,091.15	1,528,588.95	2,044,259.35
TOTAL CONSOLIDATED CASH	19,317,190.58	19,063,613.87	19,779,994.98	16,364,261.30	18,992,090.55

This is Page No. 14 of the Minutes of the Ordinary Meeting of the Council of the Shire of Coolamon held in the Council Chambers, Coolamon on the 15th November, 2018.

.....

 MAYOR

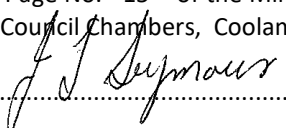
.....

 GENERAL MANAGER.

MINUTES OF THE ORDINARY MEETING OF THE COUNCIL OF THE SHIRE OF COOLAMON
HELD IN THE COUNCIL CHAMBERS, COOLAMON ON THE 15TH NOVEMBER, 2018.

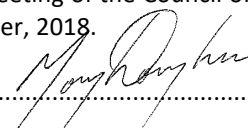
RATE COLLECTIONS

	ARREARS B/WD	LEVIES INC. INTEREST	TOTAL	COLLECTIONS TO DATE	% TO TOTAL	ADJUSTMENTS INC. PENS CONCESSIONS	ADJ TOTAL	% TO TOTAL	COLLECTABLE BALANCE
31/10/2003	280,098.47	2,027,632.31	2,307,730.78	857,746.23	37.17%	102,580.86	2,205,149.92	38.90%	1,347,403.69
31/10/2004	181,374.69	2,089,378.64	2,270,753.33	833,155.25	36.69%	106,390.81	2,164,362.52	38.49%	1,331,207.27
31/10/2005	163,566.58	2,161,087.40	2,324,653.98	854,022.98	36.74%	106,595.28	2,218,058.70	38.50%	1,364,035.72
31/10/2006	185,519.90	2,240,125.29	2,425,645.19	840,742.52	34.66%	106,570.62	2,319,074.57	36.25%	1,478,332.05
31/10/2007	236,912.33	2,413,436.48	2,650,348.81	954,343.56	36.01%	118,883.99	2,531,464.82	37.70%	1,577,121.26
31/10/2008	277,343.62	2,494,636.91	2,771,980.53	952,397.05	34.36%	120,425.91	2,651,554.62	35.92%	1,699,157.57
31/10/2009	239,371.45	2,597,036.84	2,836,408.29	987,381.20	34.81%	121,497.64	2,714,910.65	36.37%	1,727,529.45
31/10/2010	292,105.99	2,709,127.81	3,001,233.80	1,042,643.73	34.74%	125,062.93	2,876,170.87	36.25%	1,833,527.14
31/10/2011	239,162.46	2,859,628.99	3,098,791.45	1,119,459.58	36.13%	125,040.19	2,973,751.26	37.64%	1,854,291.68
31/10/2012	207,935.41	3,022,197.05	3,230,132.46	1,202,563.74	37.23%	127,580.85	3,102,551.61	38.76%	1,899,987.87
31/10/2013	230,807.22	3,134,372.75	3,365,179.97	1,208,882.77	35.92%	124,161.24	3,241,018.73	37.30%	2,032,135.96
31/10/2014	263,562.88	3,292,140.97	3,555,703.85	1,291,979.03	36.34%	121,405.48	3,434,298.37	37.62%	2,142,319.34
31/10/2015	335,520.44	3,407,861.74	3,743,382.18	1,408,399.46	37.62%	123,775.98	3,619,606.20	38.91%	2,211,206.74
31/10/2016	300,944.76	3,493,051.04	3,793,995.80	1,388,403.60	36.59%	124,149.25	3,669,846.55	37.83%	2,281,442.95
31/10/2017	303,728.87	3,562,633.59	3,866,362.46	1,444,201.69	37.35%	117,122.89	3,749,239.57	38.52%	2,305,037.88
2018-2019									
31/07/2018	319,410.16	3,661,117.73	3,980,527.89	321,821.40	8.08%	113,914.23	3,866,613.66	8.32%	3,544,792.26
31/08/2018	319,410.16	3,661,932.07	3,981,342.23	1,222,999.11	30.72%	114,757.98	3,866,584.25	31.63%	2,643,585.14
30/09/2018	319,410.16	3,664,590.37	3,984,000.53	1,417,736.71	35.59%	114,981.86	3,869,018.67	36.64%	2,451,281.96
31/10/2018	319,410.16	3,669,568.75	3,988,978.91	1,488,272.81	37.31%	115,319.36	3,873,659.55	38.42%	2,385,386.74

This is Page No. 15 of the Minutes of the Ordinary Meeting of the Council of the Shire of Coolamon held in the Council Chambers, Coolamon on the 15th November, 2018.



MAYOR



GENERAL MANAGER.

CS2) POLICY REGISTER REVIEW (P.12-01, SC316) (G.06-02, SC212)

Under the provisions of the Government Information (Public Access) Act 2009 (GIPA Act) Council must review and adopt a new agency information guide at intervals of not more than 12 months.

- Attached please find a draft Agency Information Guide for Council's perusal.
Attachment No. 8

Recommendation

That the Agency Information Guide 2018 be adopted by Council.

RESOLVED on the motion of Clr McCann and seconded by Clr Maslin that the Agency Information Guide 2018 be adopted. 231/11/2018

MINUTES OF THE ORDINARY MEETING OF THE COUNCIL OF THE SHIRE OF COOLAMON
HELD IN THE COUNCIL CHAMBERS, COOLAMON ON THE 15TH NOVEMBER, 2018.

Section 226 of the *Local Government Act* provides that the role of the Mayor is to:

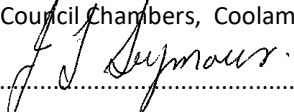
- Be the leader of the council and a leader in the local community;
- Advance community cohesion and promote civic awareness;
- Be the principal member and spokesperson of the governing body, including representing the views of the council as to its local priorities;
- Exercise, in cases of necessity, the policy-making functions of the governing body of the council between meetings of the council;
- Preside at meetings of the council;
- Ensure that meetings of the council are conducted efficiently, effectively and in accordance with this Act;
- Ensure the timely development and adoption of the strategic plans, programs and policies of the council;
- Promote the effective and consistent implementation of the strategic plans, programs and policies of the council;
- Promote partnerships between the council and key stakeholders;
- Advise, consult with and provide strategic direction to the general manager in relation to the implementation of the strategic plans and policies of the council;
- In conjunction with the general manager, ensure adequate opportunities and mechanisms for engagement between the council and the local community;
- Carry out the civic and ceremonial functions of the mayoral office;
- Represent the council on regional organisations and at inter-governmental forums at regional, State and Commonwealth level;
- In consultation with the councillors, lead performance appraisals of the general manager;
- Exercise any other functions of the council that the council determines.

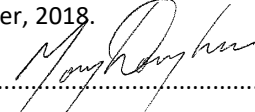
The General Manager is responsible for the efficient operation of Council as an organisation and for ensuring the implementation of the decisions of Council.

Section 335 provides that the General Manager has the following functions:

- To conduct the day-to-day management of the council in accordance with the strategic plans, programs, strategies and policies of the council;
- To implement, without undue delay, lawful decisions of the council;
- To advise the mayor and the governing body on the development and implementation of the strategic plans, programs, strategies and policies of the council;
- To advise the mayor and the governing body on the appropriate form of community consultation on the strategic plans, programs, strategies and policies of the council and other matters related to the council;
- To prepare, in consultation with the mayor and the governing body, the council's community strategic plan, community engagement strategy, resourcing strategy, delivery program, operational plan and annual report;
- To ensure that the mayor and other councillors are given timely information and advice and the administrative and professional support necessary to effectively discharge their functions;
- To exercise any of the functions of the council that are delegated by the council to the general manager;

This is Page No. 18 of the Minutes of the Ordinary Meeting of the Council of the Shire of Coolamon held in the Council Chambers, Coolamon on the 15th November, 2018.

.....

..... MAYOR

.....

..... GENERAL MANAGER.

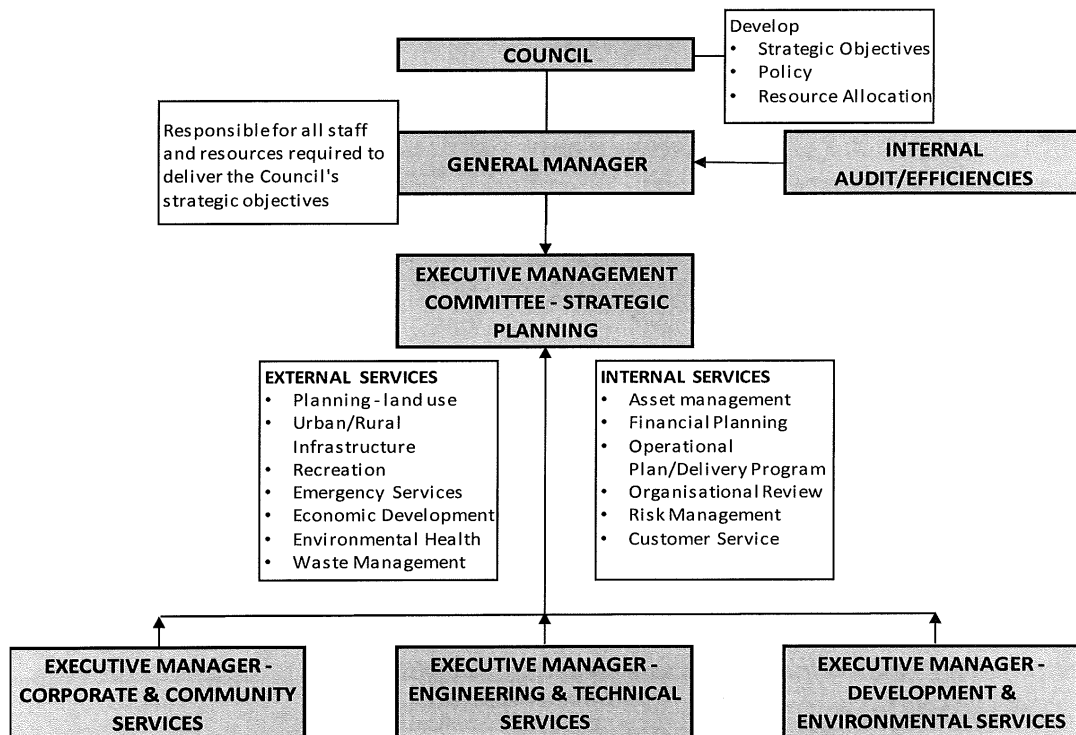
- To appoint staff in accordance with the organisation structure determined under this Chapter and the resources approved by the council;
- To direct and dismiss staff;
- To implement the council's workforce management strategy;
- Any other functions that are conferred or imposed on the general manager by or under this or any other Act.

To assist the General Manager in the exercise of these functions, there are 3 departments of Council. These departments are Corporate & Community Services, Development & Environmental Services and Engineering & Technical Services. Each of these departments is headed by an Executive Manager.

Within these departments, Council employs staff such as Engineers, Building Surveyors, Finance Officers, Rangers, Child-care and Aged-care workers who carry out the day-to-day operations of the Council and implement Council policies and other decisions as directed by the General Manager.

ORGANISATIONAL STRUCTURE

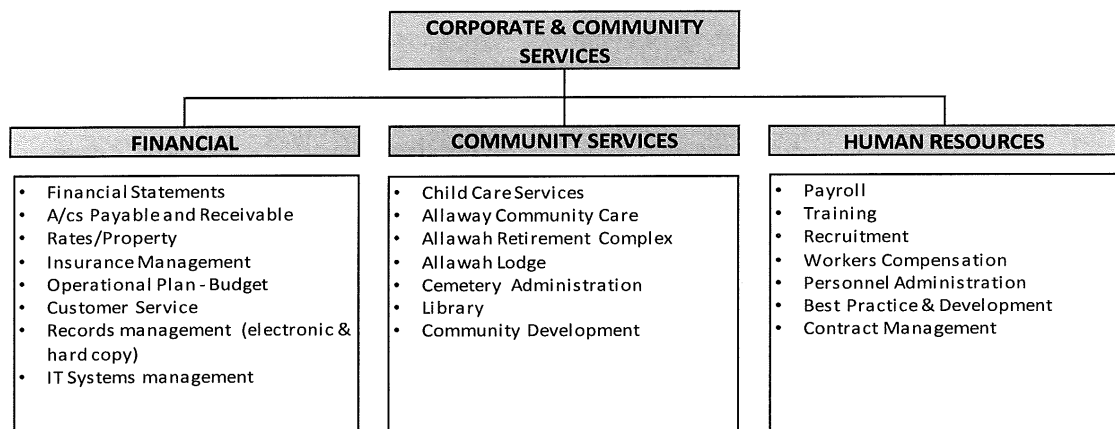
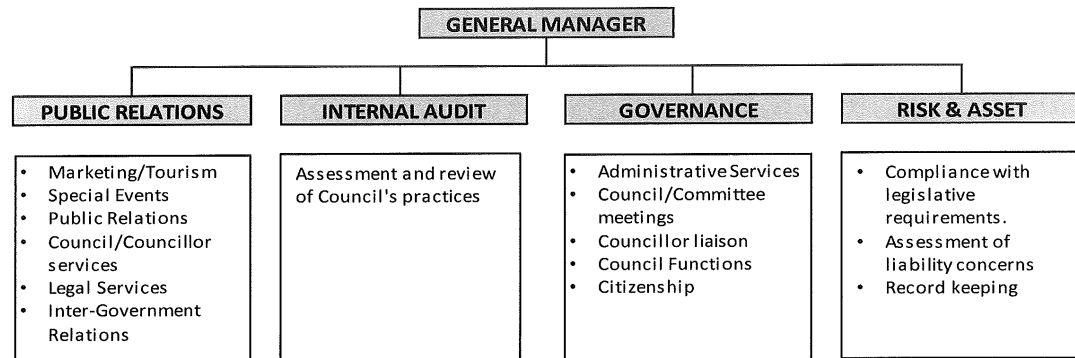
Council reviews and adopts its organisational structure as part of the annual review of the Delivery Program and development of the annual Operational Plan. Council adopted the structure on 21 June 2018.



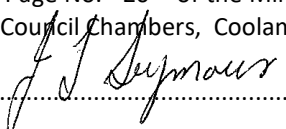
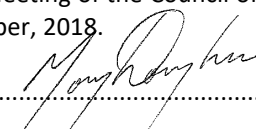
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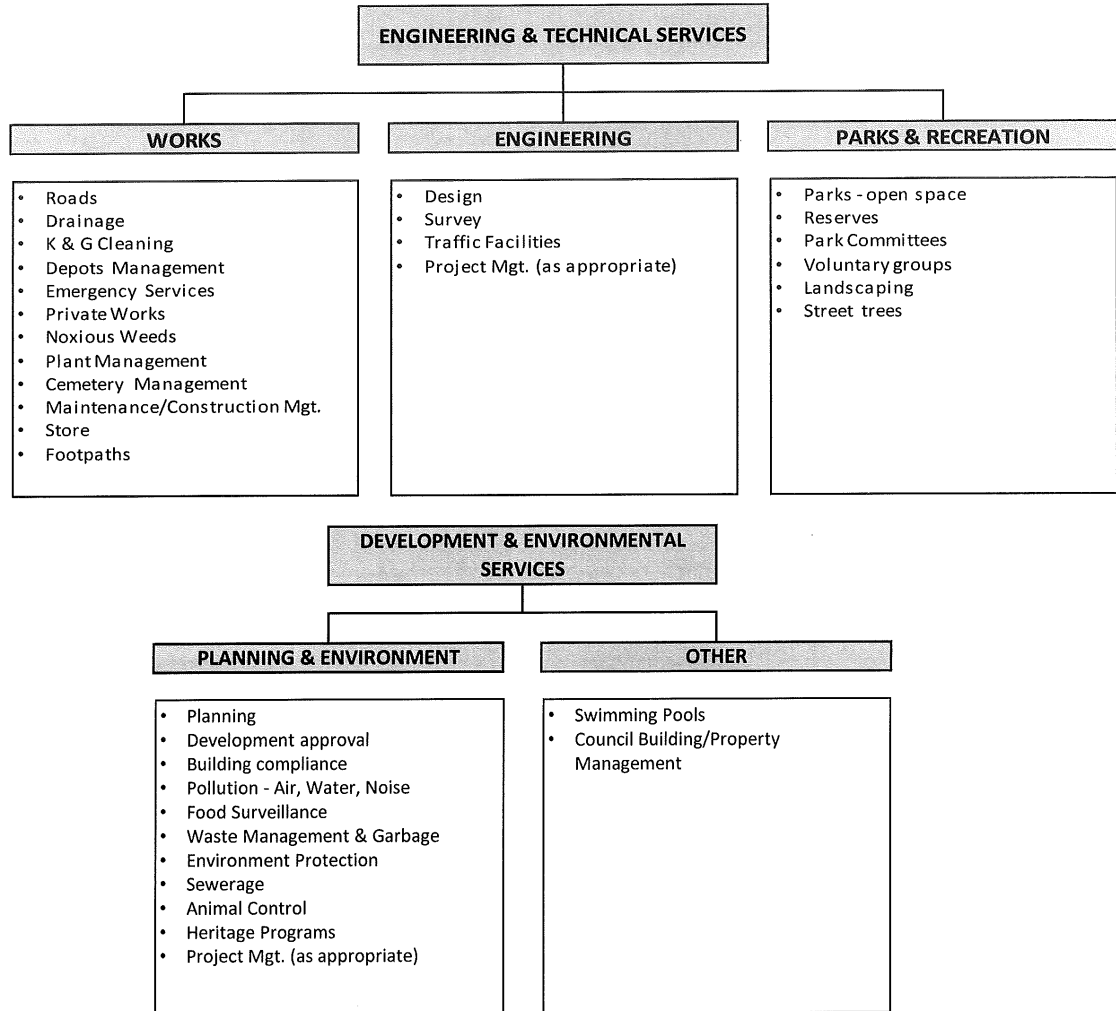
..... *J. J. Seymour* MAYOR *Ray Douglas* GENERAL MANAGER.

MINUTES OF THE ORDINARY MEETING OF THE COUNCIL OF THE SHIRE OF COOLAMON
HELD IN THE COUNCIL CHAMBERS, COOLAMON ON THE 15TH NOVEMBER, 2018.



This is Page No. 20 of the Minutes of the Ordinary Meeting of the Council of the Shire of Coolamon held in the Council Chambers, Coolamon on the 15th November, 2018.

.....  MAYOR  GENERAL MANAGER.



AFFECT OF COUNCIL FUNCTIONS ON MEMBERS OF THE PUBLIC

The Coolamon Shire Council is a governing body, therefore every decision it makes affects members of the public. Council is a planning body for the future that manages infrastructural and community services of past, current and future residents.

The functions imposed on Council by the *Local Government Act* are as follows:

- Service Functions - affect the public as Council provides services and facilities to the public. These include the provision of human services such as child care services and local libraries, halls and community centres, sport and recreation facilities and programs, infrastructure and the removal of garbage.
- Regulatory Functions - place restrictions on developments and buildings to ensure that they meet certain requirements affecting the amenity of the community and do not endanger the lives or safety of members of the public. Members of the public must be aware of, and comply with, such regulations.
- Ancillary Functions - affect only some members of the public. These functions include, for example, the resumption of land or Council's power to enter onto a person's land. In these circumstances, only the owner of the property would be affected.
- Revenue Functions - affect the public directly in that revenue from rates and other charges paid by the public is used to fund services and facilities provided to the community.
- Administrative Functions - do not necessarily affect members of the public directly but do have an indirect impact on the community through the efficiency and effectiveness of the services provided by Council.
- Enforcement Functions - only affect those members of the public who are in breach of certain legislation. This includes matters such as the non-payment of rates and charges, unregistered animals, and parking offences.
- Community Planning & Development functions - affect areas such as cultural development, social planning and community profile

In addition, various other Acts and associated Regulations confer or imposed functions on Council including (but not limited to):

- | | |
|--|---|
| • <i>Community Land Development Act 1989</i> | • <i>Biosecurity Act 2015</i> |
| • <i>Companion Animals Act 1998</i> | • <i>Privacy & Personal Information Protection Act 1998</i> |
| • <i>Contaminated Land Management Act 1997</i> | • <i>Protection of the Environment Operations Act 1997</i> |
| • <i>Conveyancing Act 1919</i> | • <i>Public Health Act 2010</i> |
| • <i>Environmental Planning and Assessment Act 1979</i> | • <i>Public Interest Disclosures Act 1994</i> |
| • <i>Food Act 2003</i> | • <i>Recreation Vehicles Act 1983</i> |
| • <i>Government Information (Public Access) Act 2009</i> | • <i>Roads Act 1993</i> |
| • <i>Heritage Act 1977</i> | • <i>State Emergency & Rescue Management Act 1989</i> |
| • <i>Impounding Act 1993</i> | • <i>State Emergency Service Act 1989</i> |
| • <i>Library Act 1939</i> | • <i>State Records Act 1998</i> |
| • <i>Noxious Weeds Act 1993</i> | • <i>Swimming Pools Act 1992</i> |
| | • <i>Unclaimed Money Act 1995</i> |

PUBLIC PARTICIPATION IN LOCAL GOVERNMENT

There are a number of ways in which the public may participate in the policy development and, indeed, the general activities of the Council. These are through representation and personal participation.

Representation

Local Government in Australia is based on the principle of representative democracy. This means that the people elect representatives to their Local Council to make decisions on their behalf. In New South Wales, Local Government elections are held every four years. The next general elections are to be held in September, 2020.

At each election, voters elect 9 Councillors for a four year term. All residents of the area who are on the electoral roll are eligible to vote. Property owners who live outside of the area and rate paying lessees can also vote, but must register their intention to vote on the non residential roll. Voting is compulsory.

Councillors are the elected representatives of the residents and ratepayers of a local government area and make decisions on behalf of their constituents. Residents are able to raise issues with, and make representations to, the elected Councillors. The Councillors, if they agree with the issue or representation, may pursue the matter on the resident's behalf thus allowing members of the public to influence the development of policy.

Personal Participation

There are also avenues for members of the public to personally participate in the policy development and the functions of the Council.

Council meetings are open to the public and are usually held in the Council Chambers on the third Thursday of each month. Business papers are available from Council before meetings and the minutes can be access on Council's website.

Public exhibitions are a key way for the community to participate in local government. Members of the community can submit feedback on proposed policies, plans, projects or development that Council is considering. Members of the public can, either personally or in writing, address any matter that falls within Council jurisdiction.

Information provided to Council in correspondence, submissions or requests, including personal information such as names and addresses, may be made publicly available in accordance with the GIPA Act.

MINUTES OF THE ORDINARY MEETING OF THE COUNCIL OF THE SHIRE OF COOLAMON
HELD IN THE COUNCIL CHAMBERS, COOLAMON ON THE 15TH NOVEMBER, 2018.

There are several Committees to which Council has delegated a function of Council to under Section 355 of the *Local Government Act* that allow direct community input into the decision making process. In performing their role on the Committees, members of the public exercise some of the functions of Council. These committees include

- Advance Ardlethan Committee
- Advance Ganmain Committee
- Advance Marrar Committee
- Beckom Hall & Community Committee
- Ardlethan Sewerage Community Committee
- Community Drug Action Team
- Coolamon Shire Community Benefit Fund Committee
- Coolamon Shire Photographic Competition
- Coolamon Showground Management Committee
- Friends of the Up-to-Date Cultural Precinct Committee
- Local Heritage Fund Committee
- Kindra Bike & Walking Trail-Management Committee
- Rannock Community Centre – Reserve 89397 Committee

INFORMATION HELD BY THE COOLAMON SHIRE COUNCIL

Council holds information in various formats in respect to the wide range of functions undertaken by it as well as information that is pertinent to different issues relating to the Coolamon Shire Local Government area.

The GIPA Act provides the public with a general right of access to information held by Council as long as it does not infringe privacy or other laws or there aren't public interest considerations against disclosure.

The following information is prescribed Open Access information in accordance with the GIPA Act and is available on Council's website:

- This information guide
- Documents (if any) tabled in Parliament on behalf of Council (will be available on Council's website if and when any information is tabled in parliament on behalf of Council)
- Council's Policy documents
- Council's Disclosure Log of Access Applications
- Council's Register of Government Contracts
- A record of open access information that is not made available to the public on the basis of an overriding public interest against disclosure.

Council holds a range of information in various formats that relate to a number of different issues concerning the Coolamon Shire Local Government Area. This information may be available on Council's website, via an Informal Access to Information request or a Formal Access to Information application. All requests for access to information held by Council will be determined in accordance with the requirements of the GIPA Act.

MINUTES OF THE ORDINARY MEETING OF THE COUNCIL OF THE SHIRE OF COOLAMON
HELD IN THE COUNCIL CHAMBERS, COOLAMON ON THE 15TH NOVEMBER, 2018.

In addition, pursuant to Schedule 1 of the *Government Information (Public Access) Regulation 2018*, all of Council's 'Open Access' information is required to be available via Council's website (unless there is an unreasonable additional cost to Council to publish these documents on the website). Where this is the case, the information will be available for inspection at Council offices. Any current (and the immediately preceding version of) documents of this type may be inspected by the public free of charge. Copies can be supplied for reasonable copying charges, in accordance with Council's Fees and Charges.

Open Access information includes:

Information about Council

- 1) Information contained in the current version and the most recent previous version of the following records is prescribed as open access information:
 - a) the model code prescribed under section 440 (1) of the *Local Government Act* and the code of conduct adopted under section 440 (3) of the *Local Government Act*,
 - b) code of meeting practice,
 - c) annual report,
 - d) annual financial reports,
 - e) auditor's report,
 - f) management plan,
 - g) Equal Employment Opportunity management plan,
 - h) policy concerning the payment of expenses incurred by, and the provision of facilities to, Councillors,
 - i) annual reports of bodies exercising functions delegated by Council,
 - j) any codes referred to in the *Local Government Act*.
- 2) Information contained in the following records (whenever created) is prescribed as open access information:
 - a) returns of the interests of Councillors, designated persons and delegates,
 - b) agendas and business papers for any meeting of Council or any committee of Council (but not including business papers for matters considered when part of a meeting is closed to the public),
 - c) minutes of any meeting of Council or any committee of Council, but restricted (in the case of any part of a meeting that is closed to the public) to the resolutions and recommendations of the meeting,
 - d) reports by the Chief Executive of the Office of Local Government presented at a meeting of Council in accordance with section 433 of the *Local Government Act*.
- 3) Information contained in the current version of the following records is prescribed as open access information:
 - a) land register,
 - b) register of investments,
 - c) register of delegations,
 - d) register of graffiti removal work kept in accordance with section 13 of the *Graffiti Control Act 2008*,
 - e) register of current declarations of disclosures of political donations kept in accordance with section 328A of the *Local Government Act*,
 - f) the register of voting on planning matters kept in accordance with section 375A of the *Local Government Act*.

Plans and Policies

Information contained in the current version and the most recent previous version of the following records is prescribed as open access information:

- (a) local policies adopted by Council concerning approvals and orders,
- (b) plans of management for community land,
- (c) environmental planning instruments, development control plans and contributions plans made under the *Environmental Planning and Assessment Act 1979* applying to land within the Coolamon Shire Local Government area.

Information about development applications

(1) Information contained in the following records (whenever created) is prescribed as open access information:

- (a) development applications (within the meaning of the *Environmental Planning and Assessment Act 1979*) and any associated documents received in relation to a proposed development including the following:
 - i. home warranty insurance documents,
 - ii. construction certificates,
 - iii. occupation certificates,
 - iv. structural certification documents,
 - v. town planner reports,
 - vi. submissions received on development applications,
 - vii. heritage consultant reports,
 - viii. tree inspection consultant reports,
 - ix. acoustics consultant reports,
 - x. land contamination consultant reports,
 - (b) records of decisions made on or after 1 July 2010 on development applications (including decisions made on appeal),
 - (c) a record that describes the general nature of the documents that Council decides are excluded from the operation of this clause by subclause (2).
- (2) However, this clause does not apply to so much of the information referred to in subclause (1) (a) as consists of:
- (a) the plans and specifications for any residential parts of a proposed building, other than plans that merely show its height and its external configuration in relation to the site on which it is proposed to be erected, or
 - (b) commercial information, if the information would be likely to prejudice the commercial position of the person who supplied it or to reveal a trade secret, or
 - (c) development applications made before 1 July 2010 and any associated documents received (whether before, on or after that date) in relation to the application.
- (3) Council must keep the record referred to in subclause (1) (c).

Approvals, orders and other documents

Information contained in the following records (whenever created) is prescribed as open access information:

- (a) applications for approvals under Part 1 of Chapter 7 of the *Local Government Act* and any associated documents received in relation to such an application,
- (b) applications for approvals under any other Act and any associated documents received in relation to such an application,

- (c) records of approvals granted or refused, any variation from local policies with reasons for the variation, and decisions made on appeals concerning approvals,
- (d) orders given under Part 2 of Chapter 7 of the *Local Government Act*, and any reasons given under section 136 of the *Local Government Act*,
- (e) orders given under the authority of any other Act,
- (f) records of building certificates under the *Environmental Planning and Assessment Act 1979*,
- (g) plans of land proposed to be compulsorily acquired by Council
- (h) compulsory acquisition notices,
- (i) leases and licences for use of public land classified as community land,
- (j) performance improvement orders issued to a council under Part 6 of Chapter 13 of the *Local Government Act*.

HOW TO ACCESS INFORMATION HELD BY COUNCIL

Under the GIPA Act there is an underlying rationale to encourage greater accessibility to government information for members of the public. A large amount of the information Council holds is made available on the Council's website. Information that is not published on Council's website may be requested via informal release or via a formal access application in line with sections 7 to 9 of the GIPA Act. There are four ways to obtain access to information held by Council:

Mandatory Proactive Release (open access)

- Under legislation Council must release certain information unless there is an overriding public interest against doing so.
- Council's website is the central reference point where members of the public can search for this information.
- This type of information includes Council policies, meeting agendas and minutes, media releases, annual reports, register of government contracts and disclosures log of access applications.

Authorised Proactive Release

- Council proactively releases information with a commitment to providing as much information as possible for free on Council's website, or in another appropriate manner and by the amount specified in Council's Fees and Charges.

Informal Access Applications

- Information that is not available by mandatory or authorised proactive release may be provided through informal release, subject to any reasonable conditions that Council may wish to impose, including deleting matter that would otherwise result in there being an overriding public interest against disclosure.
- Applications for informal release can be made in writing to the Access to Information Officer at council@coolamon.nsw.gov.au or PO Box 101, Coolamon NSW 2701.
- There is no fee required for an informal access application, however photocopying fees may apply as specified in Council's Fees and Charges.
- Informal requests will be processed in a timely manner and as soon as practical. Turnaround times will also depend on the volume of information sought and whether documents need to be retrieved from archives.

Formal Access Applications

A formal access application may be required where the information requested is not available by proactive or authorised release or informal access, and the information sought:

- Is of a sensitive nature that requires careful consideration of the public interest test;
 - Contains confidential information;
 - Contains personal information of third parties who must be consulted;
 - Contains business information of third parties who must be consulted; or
- Would involve a significant diversion of Council resources
- Formal access applications must be made in writing by completing a Formal Access Application form which is available on Council's website.
- Processing charges as outlined in Division 5 of the GIPA Act apply to formal access applications, and additional processing costs, such as photocopying costs, may apply as outlined in Council's Fees and Charges.
- Formal access applications will be acknowledged and determined within the statutory periods prescribed by section 57 of the GIPA Act, which includes making a determination and notifying the applicant of the decision within 20 working days, unless the applicant agrees to extend the time. Council may also extend the time by up to 15 working days when consultation with a third party is required or if Council needs to retrieve records from archives.

ADDITIONAL INFORMATION

Copyright

Some information may be subject to copyright laws and the consent of the copyright owner will be required before releasing copies of such information. Alternatively, Council may grant 'view only' access to such material.

Council will advise if the information is subject to copyright.

Privacy and Personal Information Protection

Access to certain information may be limited in accordance with the *Privacy and Personal Information Protection Act 1998* (PIIP Act) and the *Health Records and Information Privacy Act 2002* (HRIP Act).

The PIIP Act and HRIP Act provide for the protection of personal and health information and for the protection of the privacy of individuals generally.

In accordance with the PIIP Act and the HRIP Act, Council has adopted a Privacy Management Plan which outlines Council's practice for dealing with privacy and personal information in accordance with Information Protection Principles contained within the PIIP Act and the Health Protection Principles contained within the HRIP Act.

Public Interest Considerations in Favour of Disclosure

The GIPA Act provides a presumption in favour of disclosure of government information but allows for consideration of any public interest in favour of disclosure.

The GIPA Act lists the following examples of interests Council might consider (but is not limited to):

- Promoting open discussion of public affairs
- Enhancing Government accountability or contributing to positive and informed debate on issues of public importance
- Informing the public about the operations of Council and, in particular, policies and practices for dealing with members of the public
- Ensuring effective oversight of the expenditure of public funds
- The information is the personal information of the person to whom it is to be disclosed
- Revealing or substantiating that an agency (or member of an agency) has engaged in misconduct, or in negligent, improper, or unlawful conduct

Public Interest Considerations Against Disclosure

The GIPA Act provides an exhaustive list of public interest considerations against disclosure under s 14. These are the only considerations against disclosure that Council may consider in applying the public interest test.

Considerations are grouped under the following headings:

- Responsible and effective government
- Law enforcement and security
- Individual rights, judicial processes, and natural justice
- Business interests of agencies and other persons
- Environment, culture, economy, and general matters
- Secrecy provisions
- Exempt documents under interstate freedom of information legislation

Review of Decisions

Where an applicant is refused access to information under a formal application pursuant the GIPA Act, Council will provide details of the reasons for refusal in writing. If the applicant is dissatisfied with Council's determination of their application, they may seek to have the decision reviewed either by:

- Internal review - this is a review by a Council officer more senior than the original decision maker. Applicants have 20 working days from receiving notice of a decision to ask for a review, and a \$40 fee is payable by the applicant.
- External Review by the Information Commissioner - the applicant has eight weeks from receiving notice of a decision to ask for a review.
- External Review by NSW Civil Administration Tribunal – the applicant has eight weeks from receiving notice of a decision from Council to ask for a review, or four weeks after the completion of a review by the Information Commissioner.

Third Party Consultation

In accordance with section 54 of the GIPA Act, Council must consult where the information requested concerns:

- Personal information
- Business interests
- Research that has been carried out; or
- The affairs of another state or the Commonwealth government

Consultation must take place if the information is such that the person may have reasonable concerns about disclosure and those concerns are relevant to the public interest test.

Disclosure Log

Council's Disclosure Log lists information released under a formal access application under the GIPA Act that is considered to be of interest to the wider public.

It should be noted that applicants can object to inclusion in Council's Disclosure Log.

Public Officer

The *Local Government Act* requires Council to appoint a Public Officer. The Public Officer may:

- Deal with requests from the public concerning Council's affairs;
- Accept service of documents on behalf of Council;
- Receive submissions made to Council;
- Assist the public to gain access to public documents.

NSW Information and Privacy Commission

The NSW Information and Privacy Commission is responsible for overseeing the application of the PPIP Act, HRIP Act and the GIPA Act.

Further information about the right to information can be sourced from the Information & Privacy Commission New South Wales:

Freecall: 1800 472 679
Email: ipcinfo@ipc.nsw.gov.au
Website: www.ipc.nsw.gov.au

MINUTES OF THE ORDINARY MEETING OF THE COUNCIL OF THE SHIRE OF COOLAMON
HELD IN THE COUNCIL CHAMBERS, COOLAMON ON THE 15TH NOVEMBER, 2018.

ASSOCIATIONS & RELATIONSHIPS

Legislation	<i>Government Information (Public Access) Act 2009 Government Information (Public Access) Regulation 2018 Privacy & Personal Information Protection Act 1998 Privacy & Personal Information Protection Regulation 2014 Health Records & Information Privacy Act 2002 Health Records & Information Privacy Regulation 2012 Local Government Act 1993 Graffiti Control Act 2008</i>
Policies	<i>Coolamon Shire Council Records Management Policy Coolamon Shire Council Privacy Management Plan Coolamon Shire Council Community Engagement Strategy</i>
Procedures/Protocols, Statements, Documents	

REVIEW

This guide may be reviewed at any time or as required in the event of legislative changes. Council is required to review and adopt a new agency information guide at intervals of not more than 12 months.

2018 Version Adopted: Council Meeting held 15 November 2018 (Minute 231/11/2018)

2017 Version Adopted: Council Meeting held 21 September 2017 (Minute No 175/09/2017)

2015 Version Adopted: Council Meeting held 15 October, 2015 (Minute No. 231/10/2015)

CS3) COUNCIL'S ANNUAL REPORT FOR 2017/2018 (S.11-02, SC388)

- A copy of Council's Annual Report for 2017/2018 has been attached.
Attachment No. 9

Recommendation

That the 2017/2018 Annual Report be endorsed and submitted to the relevant bodies.

RESOLVED on the motion of Clr White and seconded by Clr Jones that the 2017/2018 Annual Report be endorsed and submitted to the relevant bodies.

232/11/2018

CS4) QUARTERLY BUDGET REVIEW AS AT 30TH SEPTEMBER 2018 (F.02-02, SC178)

- Enclosed with the attachments is the Quarterly Budget Review Statements to the 30th September 2018 for Council's information. The Review reveals a change in Council's anticipated operating result after capital amounts from a surplus of \$6,261,655 to a surplus of \$4,284,955. Attachment No. 13

Council's anticipated nett cash position has decreased from a deficit of \$806,290 to a deficit of \$2,449,123 being an unfavourable variance of \$1,642,833.

The following items have been subject to material forecast changes:

All Functions
Expenditure

Item	Original Budget	YTD 30/09/18	Amended Budget	Variance (\$)	Variance (%)
Depreciation	3,615,584		3,881,434	265,850	7.35 U

- **Depreciation** – following the revaluation of the Buildings asset class in 2017/2018 additional depreciation will be charged based on the higher valuations.

General Purpose Revenues
Income

Item	Original Budget	YTD 30/09/18	Amended Budget	Variance (\$)	Variance (%)
Grant – Financial Assistance	3,407,465	459,455	1,837,302	-1,570,163	46.08 U

- **Financial Assistance Grant** – Following the prepayment of one half of the 2018/2019 Financial Assistance Grant in June 2018, this year's budget will be affected by an unfavourable variance. The funds

**Sewerage
Income**

Item	Original Budget	YTD 30/09/18	Amended Budget	Variance (\$)	Variance (%)
Restart NSW – Coolamon STW	40,000	0	125,213	85,213	213.03 F

- **Restart NSW – Coolamon STW** – Council was required to resubmit its application for a business case for the Coolamon STW and was further advised that the funding available was up to 75%.
- **PRMFP Coolamon Sewerage** – Council did not make application for an extension to the effluent reuse within Coolamon, therefore this project has been removed from the budget.

Expenditure

Item	Original Budget	YTD 30/09/18	Amended Budget	Variance (\$)	Variance (%)
Coolamon STW Business Case	40,000	0	166,950	126,950	317.38 U

- **Coolamon STW** – Council has reapplied for funding for the business case with Council's expected contribution to be 25%.

**Transport & Communication
Income**

Item	Original Budget	YTD 30/09/18	Amended Budget	Variance (\$)	Variance (%)
Roads to Recovery Grant	572,461	5,003	715,717	143,256	25.02

- **Roads to Recovery Grant** – This is the final year of the current round of Roads to Recovery. At the time the budget was formulated it was expected that Council would only have the budgeted income available but some works have been carried over to complete in the current financial year. This additional income is offset by additional capital expenditure.

Economic Affairs
Income

Item	Original Budget	YTD 30/09/18	Amended Budget	Variance (\$)	Variance (%)
Coolamon Caravan Park Fees	79,636	7,780	32,000	-47,636	59.82 U
Allawah Lodge Subsidy	1,330,000	347,341	1,449,500	119,500	8.98 F

- **Coolamon Caravan Park Fees** – The income has been adjusted down to reflect usage since the completion of the upgrade.
- **Allawah Lodge Subsidy** – the ongoing review of resident care needs is anticipated to result in addition subsidy income being received.

Expenditure

Item	Original Budget	YTD 30/09/18	Amended Budget	Variance (\$)	Variance (%)
Allawah Lodge – operating costs (excl Dep'n)	2,113,854	522,521	2,192,273	-78,419	3.71 U

- **Allawah Lodge Operating Costs** – Council's requirement to continue to engage agency staff to fill staff vacancies, additional medical expenditure and interest payable on refunds of accommodation payments have contributed to the increase in operating costs. These are offset by the increase in subsidy but Allawah Lodge's operations have been significantly affected by an increase in building depreciation of \$115,700

Capital Incomes & Gains/(Losses)

Item	Original Budget	YTD 30/09/18	Amended Budget	Variance (\$)	Variance (%)
Gain/Loss on Property	81,001	344,423	60,187	-20,814	25.70 U
PRMFP – Coolamon Caravan Park	110,715	0	0	-110,715	100.00 U
SCCF – Round 1	379,302	0	125,044	-254,258	67.03 U
SCCF – Round 2	385,240		533,542	148,302	38.49 F
Active Transport	13,953	0	5,500	-8,453	60.58 U
PRMFP – Coolamon Sewerage	50,000	0	0	-50,000	100 U
Ardlethan Sewerage Scheme Contributions	29,400	0	88,200	58,800	200.0 F

- **Gain/Loss on Sale of Property**– the sale of 10 Wright Street resulted in a loss that was not included in Council's original budget

- **Caravan Park PRMFP, Coolamon Sewerage PRMFP, Active Transport** – unsuccessful grant applications
- **SCCF – Round 1** – Council received an initial payment in the 2017/2018 financial year that was not expected. The funds were held in reserve at the end of the financial year.
- **SCCF – Round 2** – Council’s original budget was formulated prior to the Round 2 applications being finalized. Council has amended the income and capital expenditure to reflect the projects as submitted.
- **Ardlethan Sewerage Capital Contributions** – Council’s original budget allowed for the payment of the capital contributions relating to Council property but not for the receipt of the income.

Investing Activities
Expenditure

Item	Original Budget	YTD 30/09/18	Amended Budget	Variance (\$)	Variance (%)
Other Building Renewal	51,150	0	21,150	-30,000	58.65 F
Kindra Lodge Fire Partitions	40,000	0	0	-40,000	100.00 F
Coolamon Caravan Park Camp Kitchen	132,715	0	50,000	-82,715	62.33 F
SCCF Round 1	593,961	69,564	566,232	-27,729	4.68 F
SCCF Round 2	385,240	0	578,477	193,237	50.16 U
Roads to Recovery	572,461	9,419	715,717	143,256	25.02 U
Town Works	242,396	0	225,490	-16,906	6.97 F
Effluent Reuse	68,000	0	0	-68,000	100.00 F

- **Other Building Renewal** – This budget allocation has been reduced to transfer money to complete the Coolamon Caravan Park Camp Kitchen as the application for PRMFP funding was unsuccessful. The works proposed in the application have been scaled back to \$50,000.
- **Kindra Lodge Fire Partitions** – These works were completed in the previous financial year.
- **Coolamon Caravan Park Camp Kitchen** – Works have been scaled back to \$50,000 following unsuccessful PRMFP grant application.
- **SCCF Round 1** – expenditure in the current year has been reduced as a result of some works being undertaken in the previous financial year.
- **SCCF Round 2** – The proposed works have been adjusted to reflect the lodge applications and are offset by additional capital income
- **Roads to Recovery** – Works have been carried over and additional expenditure is offset by additional income.
- **Town Works** – Council was unsuccessful for one project under Active Transport and the budget has been reduced to reflect this.

- **Effluent Reuse** – an application was not lodged to extend the effluent reuse scheme.

Responsible Accounting Officer Statement

It is my opinion that the Quarterly Budget Review as presented to Council for the quarter ended 30th September 2018 indicates that Council's projected financial position at 30th June 2019 will be satisfactory, having regard to the projected estimates of income and expenditure and the original budgeted income and expenditure.

Recommendation

That the Quarterly Budget Review Statements as at 30th September 2018 be received and noted and the revised budgeted income and expenditure be voted.

RESOLVED on the motion of Clr Hutcheon and seconded by Clr Maslin that the Quarterly Budget Review Statements as at 30th September 2018 be received and noted and the revised budgeted income and expenditure be voted. 233/11/2018

4.3 EXECUTIVE MANAGER, ENGINEERING & TECHNICAL SERVICES' REPORTS

ES1) SHIRE ROAD RESHEETING, STABILISATION AND MAINTENANCE

The following roads have received maintenance attention:

MAINTENANCE

- Brushwood North Road (Canola Way to Ardlethan Road)
- Murphys Lane (Brushwood North Road to Dullah Road)

ES2) REPAIR PROGRAMME 2018/2019

CANOLA WAY WEST (0.65 TO 1.65KMS) 1.0KM

Reconstruction works involving formation corrections and impartation of suitable material have commenced on this section of Council's Regional Road Network. Stabilisation works are to follow in the coming week with anticipated sealing date of 12th November, 2018.

ES3) TOWN WORKS

1) METHUL STREET (134M FROM MANN STREET)

Reconstruction works have commenced on this section of Council's Urban Seal Network. The formation has been modified to improve graded and travel path through the concrete dish at the southern end of the project, stabilization works are to occur in the coming week with a seal scheduled for 13th November, 2018 and open for pool season.

2) KINGDON DRIVE (END SEAL FOR 25M)

Impartation of suitable gravel has occurred to form a base foundation ready for sealing. A bitumen seal is scheduled for 13th November, 2018.

Recommendation

That the Executive Manager, Engineering & Technical Services' Reports (ES1 to ES3) be noted.

RESOLVED on the motion of Cllr Hutcheon and seconded by Cllr Jones that the Executive Manager, Engineering & Technical Services' Reports (ES1 to ES3) be noted. 234/11/2018

ES4) ARDLETHAN SEWERAGE SCHEME – PROJECT STATUS REPORT TO 7TH NOVEMBER, 2018 (S.03-02, SC361)

Project Status

The detailed design for the Ardlethan Sewerage Scheme was completed on 15 August 2018. A comprehensive review was undertaken by Council and the NSW Department of Industry Water (DoI Water). A number of opportunities to reduce construction costs and improve functionality of the design were identified by Council and DoI Water. These potential improvements were raised with the design consultant Cardno. After detailed discussion on the relative merits of pursuing these improvements, a final set of feedback was provided to Cardno for incorporation prior to finalisation of the design. The following is a summary of the main items for inclusion in the design prior to finalisation.

- Further refinements to the sewer treatment plant were requested to simplify the design, improve functionality and reduce construction costs.
- A reduction to the pump station capacity was requested to align better with DoI Water's historic observations of the performance of small village sewerage schemes and reduce construction costs (while still retaining the ability to increase capacity in the future should significant growth occur in Ardlethan).
- Additional information was sought from Goldenfields Water County Council (GWCC) on the locations of some of their underground assets to reduce construction risk and the potential need to redesign parts of the sewer scheme during construction.
- Termination points for the gravity reticulation system and method of termination have been identified to reduce construction costs but allow for future extension of the network as growth occurs.

As a result of these improvements, considerable redesign was required for some elements of the sewer treatment plant, the pump station, rising main and a small length of gravity mains. There is a cost associated with some of this redesign work, however, it will be more than offset by the reduction in construction, operation and maintenance costs. The time required for redesign and for GWCC to locate their infrastructure has resulted in a delay in finalisation of the detailed design. The detailed design is expected to be finalised by 9 November 2018.

Preparation of tender and contract documentation is nearing completion with several tender and contractual preferences requiring finalisation. Once these

details have been finalised, the tender and contract documentation will be ready for incorporation of the REF, detailed design and technical specifications on completion. This will allow Council to request tenders for construction shortly after the detailed design has been finalised and issued for tender/construction. Council staff have prepared correspondence to DoI Water formally requesting a Section 60 approval on the basis of incorporation of DoI Water feedback into the design and are currently awaiting a response.

Geotechnical investigation was undertaken and completed in March 2018.

Detailed survey was undertaken and completed in April 2018.

The Review of Environmental Factors (REF) was completed on 28 August 2018.

Time

Changes to the detailed design prior to finalisation have required an amount of redesign and the physical location of some of GWCC's water mains. This has delayed finalisation of the detailed design somewhat. It is expected that the design will be finalised by 9 November 2018 with tenders for construction to be requested shortly after.

The following are some estimated key milestone dates.

Detailed design amended, finalised and issued for tender/construction	mid November 2018
Tender for construction awarded	end December 2018
Payment of capital contribution by ratepayers	end May 2019
Construction completed	end August 2019
Ardlethan Sewerage Scheme completed and commissioned	end September 2019

Quality

The design for the Ardlethan Sewerage Scheme has been based on the applicable Water Services Association Codes, Australian Standards, contemporary best practice and Council standards. These requirements have been incorporated into the design and technical specification. It will be a requirement of the construction contract(s) that the contractor prepare a comprehensive Project Quality Plan reflecting these requirements and inclusive of an Inspection and Test Plan. Some elements of compliance testing will be undertaken by Council via independent specialists as required.

Risk

Issues Register	
Issue	S60 Approval
Actions to Date	Contact made with NSW DOI Water Manager Water and Sewerage and Regional Manager Water and Sewerage Nil feedback or input provided to date despite numerous attempts to make further contact S60 approval process requirements incorporated into design brief Relevant NSW DPI Water contact details provided to the design consultant Concept design forwarded to DoI Water Positive contact made with DoI Water confirming receipt of concept design Feedback received from DoI Water on the concept design Detailed design forwarded to DoI Water Discussions held with DoI Water on the detailed design and opportunities for improvements Feedback received from DoI Water on the detailed design
Further Actions	Prepare correspondence to DoI Water formally requesting S60 approval on the basis of incorporation of DoI feedback into the detailed design
Issue	Rail Crossing
Actions to Date	Contact made with John Holland Rail regarding requirements for rail line service crossings Engineering standards provided to the design consultant John Holland Rail contact details provided to the design consultant
Further Actions	Obtain 3rd Party Application Form and provide to design consultant for reference Ongoing liaison between design consultant, project manager and John Holland Rail Apply for in principal approval for the rail crossing on DoI Water approval of the concept design
Issue	Burley Griffin Way Crossing(s)
Actions to Date	Contact to be made with NSW Roads and Maritime Services to ascertain engineering standards and requirements
Further Actions	Apply for in principal approval for the road crossing(s) on DoI Water approval of the concept design

MINUTES OF THE ORDINARY MEETING OF THE COUNCIL OF THE SHIRE OF COOLAMON
HELD IN THE COUNCIL CHAMBERS, COOLAMON ON THE 15TH NOVEMBER, 2018.

Issue	Acquisition of Land for Pump Station
Actions to Date	Critical dates for finalisation of pump station location incorporated into design brief The proposed location of the pump station site has been amended to refine the design, reduce cost and use already available land negating the requirement for further acquisition
Further Actions	Confirm site and Council ownership
Issue	Bygoo Road Realignment Project
Actions to Date	Design requirements around the road realignment project, including critical dates, incorporated into design brief Image of road realignment plan overlaid on aerial imagery incorporated into the design brief Project deferred due to land acquisition issues Refinements made to the concept design to minimise the number of crossings of the new road alignment
Further Actions	Design to be reviewed progressively during its development to ensure that the sewer is set at a level so that it does not clash with the road or table drains and so that it does not impact unduly on constructability of the road
Issue	Flood Works Approval for Treatment Plant
Actions to Date	Research requirements for flood works approval Local analysis of flood extent and depth at treatment plant location Advice obtained from GHD regarding flood behaviour at treatment plant site (flood fringe low hazard and flood free) Concept process design and layout indicate that the treatment plant can be accommodated on the available land outside of the 1 in 100 year flood extent Concept design layout completed confirming that the treatment plant lies outside of the 1 in 100 year flood extent Council resolution obtained confirming the floodplain extent for the purposes of project planning and environmental impact assessment
Further Actions	No further action
Issue	Availability of Suitable Contractors
Actions to Date	Contact made with potential design consultants to ascertain interest in bidding for and completing the work Design contract awarded to a suitably qualified and experienced consultant.

Further Actions	Contact to be made with potential construction contractors to gauge interest, capability and capacity on completion of the detailed design Consider the possibility of splitting the construction contract into a number of separable portions to match typical industry capabilities
Issue	Construction Cost vs Available Budget
Actions to Date	Discussions held with DoI Water on opportunities to reduce cost
Further Actions	Provide feedback to the design consultant to reduce complexity and construction cost of treatment plant and reduce capacity of pump infrastructure and rising main Identify elements of the sewerage scheme that can be deferred until growth occurs Separate the construction contract into separable portions and identify areas where Council can provide materials and services more efficiently than external contractors that specialise in the construction of sewerage infrastructure

Procurement

Tender and contract documentation is currently being prepared so that Council may request tenders for construction on finalisation of the detailed design.

The tender will be split into a number of separable portions to allow contractors to bid for work that they are more specialised in and to allow Council to award the contract(s) to the contractor(s) that provide best value for money. Additional separable portions may be incorporated into the tender to allow Council to defer some elements if this becomes necessary due to budgetary constraints.

Council will request tenders for the supply of a packaged pump station and require the installation of the pump station as part of the reticulation separable portion.

Items where it is believed that Council may provide materials and services more cost effectively due to internal resources or existing arrangements/relationships with contractors and service providers will be identified and removed from the main construction contract.

Activities Since Last Report

- Further review of the detailed design and identification of final improvements to be incorporated into the design.
- Physical location of GWCC underground assets.

- Design refinements for the sewer treatment plant, pump station, rising main and gravity reticulation system.
- Development of tender/contract documentation.

Upcoming Activities

- Finalise detailed design
- Complete tender/contract documentation
- Invite tenders for the construction of the Ardlethan Sewerage Scheme
- Commence construction

Project Management Hours

Since last report

57.5

Total

347.5

Recommendation

That the report be noted.

RESOLVED on the motion of Clr Maslin and seconded by Clr Jones that the report be noted. 235/11/2018

ES5) NOXIOUS WEEDS OFFICER'S REPORT (N.02-01, SC284)

Noxious Weeds Officer Reports

REPORT FOR NOVEMBER 2018

- No announcements regarding 2018/19 funding as yet.
- Currently surveying the Shire to understand the level of St John's Wort germination prior to providing control expenditure options.
- Roadside inspections ongoing.
- Gravelled Rural lanes inspections underway.
- Known Spiny Burrgrass areas inspected and controlled where necessary.

Recommendation

For Council information.

RESOLVED on the motion of Clr White and seconded by Clr Hutcheon that the report be received. 236/11/2018

ES6) DISASTER RECOVERY FUNDING ARRANGEMENTS (DRFA) (R.07-09, SC334)

The Commonwealth is replacing the existing Natural Disaster Relief and Recovery Arrangements (NDRRA) with the Disaster Recovery Funding Arrangements (DRFA) on 1st November, 2018. Councils have the option of opting into the new DRFA or remain in the NDRRA. The DRFA establishes a framework for the Commonwealth to share the cost of disasters with the NSW Government, local Councils and other Stakeholders. The revised arrangements were largely prompted by Councils, with Coolamon Shire Council one of the Pilot Councils involved in the NDRRA Audit.

- ➔ Financial benefits of the DRFA vary from Council to Council, are dependent on the rate revenue of the particular Council, and their ability to provide a greater contribution. Attached are Fact Sheets provided by the Office of Emergency Management (OEM) for Councils. Attachment No. 10

In Coolamon's case, when comparing identical Natural Disaster Funds under NDRRA and DRFA, the figures presented below indicate that Council are in a far better financial position under the new DRFA.

Rate Revenue - \$2,239,000

	DRFA	NDRRA
Activation Threshold 0.75%	\$16,793	\$116,000
Maximum Annual Co-funding 2%	\$44,780	\$58,000
Actual Restoration Costs	\$1,600,000	
Co-funding:		
1) Threshold or	\$16,793	\$29,000
2) 25% of works	\$400,000	
whichever is the lower		

The other major benefit of the DRFA is that Councils are eligible to claim costs relating to day labour including internal plant and equipment hire during normal hours. Under NDRRA arrangements Council were only permitted to use its plant and labour outside of normal hours (ie. overtime) or contractors to accomplish the natural disaster defects. The new arrangements are considered practical and economical for both Council and the Office of Emergency Management (OEM).

Another of the key changes under the DRFA is the requirement to provide evidence of damaged essential public assets:

- a) pre-disaster condition
- b) scope of damage
- c) evidence that damage is a direct result of the eligible disaster and
- d) photographic evidence demonstrating the completion of works.

Within Council's existing Asset Management processes these requirements are able to be satisfied.

Whilst the DRFA imposes some additional administrative requirements on Council, they are far outweighed by the financial benefits of lower activation threshold, maximum annual co-funding and event co-funding amounts whilst permitting Council to utilize its plant and labor in normal hours.

Recommendation

That Council reply to the Office of Emergency Management advising that they wish to opt-in to the Interim NSW Day Labour Co-Funding Arrangements.

RESOLVED on the motion of Clr McCann and seconded by Clr Hutcheon that Council advise the Office of Emergency Management that it wishes to opt-in to the Interim NSW Day Labour Co-Funding Arrangements. 237/11/2018

ES7) ACTIVE TRANSPORT 2019-2020 (R.07-08, SC333)

Council has received notification from the Roads & Maritime Services (RMS) that the 2019-2020 Active Transport (Walking and Cycling) Programme portal is now open and will close on Friday, 14th December, 2018.

The aim of the programme is to support more accessible, livable and productive towns, cities and centres by:

- Reducing congestion.
- Free up capacity on public transport system for those that need to travel further.
- Encourage walking and cycling to be the mode of choice for short local trips.

Funding is provided under a 50-50 RMS/Council partnership arrangement. Council's 2018-2019 Cycleway Submission – Gresham Street, Ganmain (Waterview to Langham Street) was unsuccessful and is proposed that it be submitted again. Other projects identified in Council's Town Priorities and Pedestrian Access and Mobility Plan (PAMP) include:

Cycleways	Wade Street Coolamon Path (Cowabbie Street to Lions Park Toilets)	\$24,500
	Ganmain Rail Crossing Path – Derry Street (Hannah-Deacon Street) and crossing (Derry-Lake Street)	\$39,690
	Marrar Rail Crossing Path – Marrar North Road (York Street-Hodges Lane)	\$18,100

MINUTES OF THE ORDINARY MEETING OF THE COUNCIL OF THE SHIRE OF COOLAMON
HELD IN THE COUNCIL CHAMBERS, COOLAMON ON THE 15TH NOVEMBER, 2018.

Walking	Various Streets – Coolamon – Replace substandard kerb ramps (13 off)	\$6,500
	Various Streets – Ardlethan/Beckom – Replace substandard kerb ramps (7 off)	\$3,500
	Various Streets – Marrar – Replace substandard kerb ramps (3 off)	\$2,000

Recommendation

That Council submit the following projects under the Active Transport 2019/2020 Programme:

Cycleways	Wade Street Coolamon Path (Cowabbie Street to Lions Park Toilets)	\$24,500
	Ganmain Rail Crossing Path – Derry Street (Hannah-Deacon Street) and crossing (Derry-Lake Street)	\$39,690
	Gresham Street, Ganmain Path (Waterview to Langham Street)	\$16,900
	Marrar Rail Crossing Path – Marrar North Road (York Street-Hodges Lane)	\$18,100
Walking	Various Streets – Coolamon – Replace substandard kerb ramps (13 off)	\$6,500
	Various Streets – Ardlethan/Beckom – Replace substandard kerb ramps (7 off)	\$3,500
	Various Streets – Marrar – Replace substandard kerb ramps (3 off)	\$2,000

RESOLVED on the motion of Clr Maslin and seconded by Clr Crocker that Council submit the following projects under the Active Transport 2019/2020 Programme: [238/11/2018](#)

Cycleways	Wade Street Coolamon Path (Cowabbie Street to Lions Park Toilets)	\$24,500
	Ganmain Rail Crossing Path – Derry Street (Hannah-Deacon Street) and crossing (Derry-Lake Street)	\$39,690
	Gresham Street, Ganmain Path (Waterview to Langham Street)	\$16,900
	Marrar Rail Crossing Path – Marrar North Road (York Street-Hodges Lane)	\$18,100
Walking	Various Streets – Coolamon – Replace substandard kerb ramps (13 off)	\$6,500
	Various Streets – Ardlethan/Beckom – Replace substandard kerb ramps (7 off)	\$3,500
	Various Streets – Marrar – Replace substandard kerb ramps (3 off)	\$2,000

4.4 EXECUTIVE MANAGER, DEVELOPMENT & ENVIRONMENTAL SERVICES' REPORTS

HS1) DEVELOPMENT ACTIVITY REPORT FOR THE PERIOD ENDING 31ST OCTOBER, 2018 (B.05-03, SC58)

Summary

This report advises of the Development Application activity for the month of October 2018.

Development Activity Table

Application Number	Type	Address	Determination	Value
DA 2018/82	Extension to Entertainment Area	93 Campbells Lane, Coolamon	Approved	\$9,500.00
DA 2018/80	New Carport & Verandah	119 Mirrool Street North, Coolamon	Approved	\$19,650.00
CDC 2018/15	New In Ground Swimming Pool	93 Campbells Lane, Coolamon	Approved	\$30,383.00
DA 2018/78	New Single Dwelling	25 Davies Drive, Coolamon	Approved	\$215,392.00
CDC 2018/77	New Single Dwelling	2 William Kelly Drive, Coolamon	Approved	\$335,206.00
DA 2018/73	Secondary Dwelling (Installation of Manufactured Home)	67 Learys Lane, Coolamon	Approved	\$129,425.00
DA 2018/72	Subdivision of 1 Allotment into 14 Residential Allotments	119 Rannock Road, Coolamon	Approved	N/A
TOTAL: 7			7	\$739,556.00

Financial Implications

There are nil financial implications to Council as a result of this report.

Consultation

Applications have been notified and exhibited in accordance with Council's Development Control Plan as required.

Recommendation

That Council receive and note this report on development activity for the period up to 31st October, 2018.

RESOLVED on the motion of Clr McCann and seconded by Clr Crocker that Council receive and note the report on development activity for the period up to 31st October, 2018. 239/11/2018

HS2) DRAFT URBAN DESIGN GUIDE FOR REGIONAL NSW (P.03-01, SC297)

Summary

This report provides information to Council on the draft Urban Design Guide for Regional NSW: A Guide for Creating Healthy Built Environments in Regional NSW ("Guide") which has been prepared by the Government Architect NSW in collaboration with the Department of Planning & Environment and placed on public exhibition up until 31 October 2018.

The Guide

The Guide acknowledges that design is integral to creating healthy, happy and prosperous communities in regional NSW with a high quality of life.

It builds on the objectives and values of Better Placed: An Integrated Design Policy for the Built Environment of NSW ("Better Placed ") which describes the process to achieve good urban design and to assess built environment outcomes in NSW.

Purpose of the Guide

The Guide aims to:

- foster better urban design methods through the objectives and processes of Better Placed;
- address the conditions that characterise regional NSW;
- promote well-designed and healthy built environments;
- create clear and workable guidelines for a broad range of users;
- address the identified regional urban design priorities; and
- support and complement the regional plans.

The Guide is not a statutory document however it supports the new object of the Environmental Planning and Assessment Act 1979 to 'promote good design and amenity of the built environment.'

The Guide also seeks to implement the 9 regional plans for NSW by responding to actions to prepare regional urban design guidelines for planning, designing and developing healthy built environments.

It provides support to local and state government, design practitioners and the public by explaining the processes and steps required for good urban design in regional NSW.

It responds to an identified urban design resource gap in NSW, the recognition of the impact of good quality design on regional communities, and the need for targeted practical assistance.

Seven urban design priorities for NSW

The Guide identifies the following 7 urban design priorities for creating well-designed built environments which need to be addressed through implementing good design at all levels:

- leveraging the historical and cultural assets of places;
- integrating with the natural environment and landscape;
- revitalising main streets and regional town centres;
- improving connectivity, walkability and cycling;
- balancing urban growth;
- increasing options for diverse and healthy living; and
- responding to climate impacts.

The Guide also demonstrates how the urban design priorities should be applied to the typical urban design project types in rural NSW which are: public realm and open space; town centres and main streets; infill development in existing neighbourhoods and greenfield development in new neighbourhood.

A complete copy of the Guide can be accessed at the following link:

<http://www.planning.nsw.gov.au/~media/Files/DPE/Guidelines/draft-urban-design-guide-for-regional-nsw-2018-10-02.ashx>

The consultation period on the Guide ended on 31 October 2018 and Coolamon Shire Council made an online submission in support of the guidelines on the basis that they are a non-statutory guidance document for four main project types being public realm and open space; town centres and main streets; infill development in existing neighbourhoods and greenfield development in new neighbourhood. The guidelines have the potential to serve as a valuable resource to promote good urban design outcomes when considering relevant project and application types.

Consultation

The Department of Planning and Environment placed the Draft Guidelines on public exhibition from 2 October – 31 October 2018.

Internal consultation has been undertaken with relevant Council Staff.

Recommendation

That Council note the Report titled “Draft Urban Design Guide for Regional NSW”.

RESOLVED on the motion of Clr White and seconded by Clr Maslin that Council note the Report titled “Draft Urban Design Guide for Regional NSW”. 240/11/2018

HS3) NSW CONTAINER DEPOSIT SCHEME (G.01-13, SC799)

Summary

The NSW Container Deposit Scheme, Return and Earn, began rolling out across NSW on 1st December 2017. Return and Earn is the largest litter reduction scheme introduced in NSW, and will help meet the Premier's goal of reducing the volume of litter in the state by 40% by 2020.

This report advises Council of the establishment of an over the counter collection point at the Mobil Service Station in Coolamon.

Features of Return and Earn

Most NSW beverage containers between 150 millilitres and 3 litres in volume are eligible for a 10-cent refund with some exceptions.

Beverage suppliers (manufacturers, importers, wholesalers or retailers) that first supply eligible drink containers in NSW are responsible for funding refunds and associated Scheme costs.

More than 500 collection points will be established by the Network Operator, TOMRA Cleanaway, and rolled out across the State, including priority collection areas in metropolitan and regional locations.

The state has been divided into seven zones, and the Network Operator is responsible for meeting collection targets in each zone.

Collection points will include more than 800 reverse vending machines, and may also include local shops, depot sites and recycling centres.

Eligible drink containers

Under Return and Earn, most empty 150-millilitre to 3-litre drink containers are eligible for a 10-cent refund when presented to an approved NSW collection point. Container materials that may be eligible for a refund include:

- PET
- HDPE
- glass
- aluminium
- steel
- liquid paperboard

Containers should be empty, uncrushed, unbroken and have the original label attached. Wine, spirits, cordial and plain milk containers are generally not eligible.

Eligible containers in kerbside recycling bins are also redeemable. Return and Earn will allow recycling facilities to use an EPA-approved method for accurately estimating the number of containers recovered in the facility claiming the refund from the Scheme Coordinator.

The recycling facility will only receive the refund amount. They will not be able to claim a handling fee, but they will also not need to separate out containers or substantially change their existing recovery processes.

Containers not eligible for a refund

Containers that are not included in the Scheme and, therefore, do not qualify for a refund are:

- plain milk or milk substitute containers
- flavoured milk containers of 1 litre or more
- pure fruit or vegetable juice containers of 1 litre or more
- glass containers for wine and spirits
- casks (plastic bladders in boxes) for wine and casks for water of 1 litre or more
- sachets for wine of 250 millilitres or more
- containers for cordials, or concentrated fruit and vegetable juices
- registered health tonics

Return & Earn Location

Up until recently, the Coolamon Local Government area did not have a collection point. This has recently changed with the establishment of an over the counter collection point at the Mobil Service Station located on the corner of Cowabbie and Wade Streets Coolamon.

People are encouraged to take these containers to the facility to receive the 10c refund per container.

Recommendation

That the report be noted.

RESOLVED on the motion of Clr Crocker and seconded by Clr McCann that the report be noted and that Council advise in the newsletter the existence of the over-the-counter collection point. 241/11/2018

HS4) INLAND CODE FOR EXEMPT AND COMPLYING DEVELOPMENT (P.03-01, SC297)

Introduction

The NSW Department of Planning & Environment ('DPE') has announced that in Regional NSW, approvals for new homes, home renovations and farm buildings will be made easier and faster when the Inland Code commences on 1st January 2019.

The DPE aims to simplify the complying and exempt development rules in residential and rural areas of inland NSW by putting all development standards in the Inland Code which will become Part 3D of the *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* (the '**Codes SEPP**').

When does the Inland Code commence?

The Inland Code will commence on 1st January 2019.

Until 1st January 2021 the Housing Code, Rural Housing Code and the Inland Code continue to apply to the same land and development may be carried out under any of those Codes. After 1st January 2021 the Housing Code and Rural Housing Code will not apply to land to which the Inland Code applies.

The Transitional Housing Code will also continue to apply until 13th July 2019.

Land to which the Inland Code will apply

The Inland Code will apply in the 69 local government areas shown on the [Inland Code Map](#) and listed in cl 3D.1 (4) of the Inland Code (the 'inland local government areas'). Coolamon Shire Council is deemed an inland local government area for the purpose of the Code.

The Inland Code will not apply to land to which the Greenfield Housing Code applies (cl 3D.1 Codes SEPP).

The Inland Code will apply to specified development on land in Zones RU1, RU2, RU3, RU4, RU5, RU6, R1, R2, R3, R4 and R5 in the inland local government areas.

Exempt Development

The Inland Code creates new categories of exempt development and development standards for stock holding yards that are not used for the sale of stock, grain silos and grain bunkers (Subdivision 16A and Subdivision 16B cl 2.32A to cl 2.32F Codes SEPP).

Complying Development

The Inland Code specifies development that is complying development for dwelling houses, attached development and detached development (cl 3D.3 to cl 3D.53 Codes SEPP).

It also specifies development that is complying development for farm buildings (other than stock holding yards, grain silos and grain bunkers) in zones RU1, RU2, RU3, RU4, RU6 and R5 (cl 3D.54 to cl3D.60 Codes SEPP).

The terms 'farm building', 'landholding' and 'detached development' are defined. It also prescribes development standards for works associated with complying development such as excavation, fill, retaining walls, structural supports, drainage and protection of adjoining walls (cl 3D.61 to cl3D.64 Codes SEPP).

Recommendation

For Council information.

RESOLVED on the motion of Clr McKinnon and seconded by Clr White that the report be received. 242/11/2018

**HS5) ARDLETHAN, COOLAMON AND GANMAIN SWIMMING POOLS (S.19-01,
SC556)**

Summary

Council has received the proposed opening dates, opening hours and fees for the upcoming 2018-19 public swimming pool season.

Background

1) Ardlethan Swimming Pool

Council has received advice from Donna Horan indicating the proposed opening hours of the Ardlethan Swimming Pool, which are as follows:

- 3.00pm to 7:00pm, Monday to Friday
- 12.00pm to 7:00pm, Saturday and Sunday
- 1.00pm to 7:00pm, Monday to Sunday, throughout school holidays
- 6.00am to 8:00am, Monday, Wednesday and Friday

Mrs Horan has proposed the entry fees as follows:

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

The proposed season ticket prices as:

- Family - \$150.00
- Adult - \$80.00
- Child - \$60.00

Mrs Horan is proposing to open the Ardlethan Swimming Pool on the weekend of the 11th November 2018.

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.

The opening hours proposed by Mrs Horan do not satisfy the minimum opening hours for Monday to Friday outside of school holidays specified in the Deed of Agreement. It should be noted that the pool is proposed to be open for longer than required on Saturdays, Sundays and public holidays. Therefore, the proposed opening hours are considered satisfactory.

2) Coolamon Swimming Pool

Council has received advice from Bill and Michelle Roberts indicating the proposed opening hours of the Coolamon Swimming Pool, which are as follows:

- 10.00am to 6:00pm, Monday to Sunday
- 10.00am to 7:00pm, Monday to Sunday, throughout school holidays
- 6.30am to 8:30am, Sunday to Friday

Mr and Mrs Roberts have proposed the entry fees as follows:

- Adult – \$3.00
- Student - \$2.00
- Non-Swimmer - \$1.00

The proposed season ticket prices as:

- Family - \$250.00
- Adult - \$120.00
- Student (10-17yrs) - \$100.00

Mr and Mrs Roberts are proposing to open the Coolamon Swimming Pool on the weekend of the 17th of November 2018.

The proposed opening times of the swimming pool are considered to be compliant with the Deed of Agreement.

3) Ganmain Swimming Pool

Council has received advice from Bruce Tenhave indicating the proposed opening hours of the Ganmain Swimming Pool, which are as follows:

- 2.00pm to 7:00pm, Monday to Friday
- 10.00am to 7:00pm, Saturday and Sunday
- 10.00am to 7:00pm, Monday to Sunday, throughout school holidays
- 6.30am to 8.30am, Wednesday, Saturday and Sunday
- 6.30am to 7.30am, Monday, Tuesday, Thursday and Friday

Mr Tenhave has proposed the entry fees as follows:

- Adult – \$3.00
- Child - \$2.00

The proposed season ticket prices as:

- Family - \$220.00
- Adult - \$110.00
- Child - \$90.00

Mr Tenhave is proposing to open the Ganmain Swimming Pool on the weekend of the 17-18th of November 2018.

The proposed opening times of the swimming pool are considered to be compliant with the Deed of Agreement.

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.

Recommendation

That Council note the report and endorse the proposed opening hours and fees for the Ardlethan, Coolamon and Ganmain Swimming Pool Facilities for the 2018/19 season.

RESOLVED on the motion of Clr White and seconded by Clr Maslin that Council note the report and endorse the proposed opening hours and fees for the Ardlethan, Coolamon and Ganmain Swimming Pool Facilities for the 2018/19 season. 243/11/2018

HS6) MATONG HOTEL UPDATE REPORT NOVEMBER 2018 (SC1029)

Summary

This report presents an update report to Council on the status of the Matong Hotel.

The Site

The site is known as the Matong Hotel and is located at Lot 4, Section 6, DP 758657, Matong Street, Matong.

Background

Council will recall, a number of reports on the Matong Hotel have been presented to Council since 2017, the most recent report being presented to the June 2018 Council Meeting. The report was titled MATONG ENGINEERS REPORT the report presented a structural engineers report and recommendations to Council on the Matong Hotel.

The report resulted in the following Council resolution (129/06/2018):

- 1) Note the report 'Matong Hotel Engineers Report';**
- 2) Note that Council Staff in consultation with Councils Legal Representatives will seek a meeting with the owners of the Matong Hotel and respective legal representatives to discuss the findings of the engineer's report and commitment from the owner to make the building structurally sound; and**
- 3) Endorse the initiation of the order process under the provisions of the Environmental Planning and Assessment Act 1979 by issuing a notice of intention to issue an order under Schedule 5 Part 1 of the Act (Order No. 5) that requires the owner to repair or make structural alterations to a building for those items identified in the structural engineers report as requiring immediate action.**

In accordance with the resolution of the Council, Staff proceeded to initiate the order process with a Notice of Intention to Issue an Order. A Notice of Intention to issue an order was issued to the owner of the premises on 28 August 2018 that communicated Councils intention of issuing a 'Repair' and 'Public Safety' Order that would require the following actions to be undertaken:

Repair Order

1. Carry out repair work to the following building components as described and as recommended by the Structural Inspection Report dated 18th May 2018:

(a) Roof structure – Main building

Strengthen the roof structure so as to render it compliant to AS1684 (Residential Timber Framing Code) and AS1270 (Timber Structures Code) by attending to the following:

- (i) install tie-downs to roof structure to ensure compliance with AS1684 (Residential Timber Framing Code) and AS1270 (Timber Structures Code)
- (ii) remove existing underpurlin members and install members appropriate in size in accordance with the requirements of AS1684 (Residential Timber Framing Code) and AS1270 (Timber Structures Code)
- (iii) remove existing roof strutting and install strutting that is appropriate in size supported by strutting beams and in accordance with the requirements of AS1684 (Residential Timber Framing Code) and AS1270 (Timber Structures Code)
- (iv) install roof sheeting where missing behind the front façade
- (v) install cross bracing to roof rafters
- (vi) install supports to all roof beams.

(b) Level 1 Balcony and associated Awning

Strengthen the timber balcony structure so as to render it compliant to AS1270 and the BCA, and resistant to wind loads, by attending to the following:

- (i) install tie-down anchors to balcony and awning structure to ensure compliance with the relevant provisions of AS1684 (Residential Timber Framing Code) and AS1270 (Timber Structures Code)
- (ii) ensure connection to building façade at required locations in accordance with AS1684 (Residential Timber Framing Code) and AS1270 (Timber Structures Code)
- (iii) ensure awning cover integrity and fastening to timber structure.
- (iv) Replace the balcony columns and timber beams located at various locations and ensure all columns and beams are

structural sound and sized in accordance with the relevant provisions of AS1684 (Residential Timber Framing Code) and AS1270 (Timber Structures Code)

- (v) Repair the decking throughout the balcony floor structure and make safe and structurally sound.

(c) Rear courtyard Pergola

Strengthen the timber structure in order to achieve compliance with AS1270 by attending to the following:

- i) Replacing all timber work on the pergola structure that is severely degraded by weathering and incapable of sustaining standard service loads
- ii) Restraining steel profiled sheeting cover by ensuring corrugated steel sheeting cover is properly secured against wind loads.

All replacement or new timber work required to ensure that the rear pergola framework is structurally sound shall be installed and sized in accordance with the requirements of AS1684 (Residential Timber Framing Code) and AS1270 (Timber Structures Code).

(d) Level 1 South side Window

Replace all damaged brickwork above and below the subject window and replace the damaged timber window.

(e) Main entrance decorative archway – Matong Street façade

Remove and replace damaged arched wall section.

2. Provide structural certification to Council confirming that all matters described above as identified in the Structural Inspection Report have been satisfactorily addressed.

Public Safety Order

3. Install perimeter safety fencing around the premises so as to adequately prevent access to the premises and access to Council's footpath adjoining the premises.

In accordance with relevant legislative provisions the owner was provided 14 days to make representations as to why the order should not be issued – no representations were received.

The Order

Council then proceeded to issue the 'Repair' and 'Public Safety' Order on the 5 October 2018 providing 30 days for the terms of the Order to be complied with, the Order was required to be complied with by 5th November 2018. The order was not complied with.

Public Safety Concerns

On Friday 2nd November 2018 there was a high wind event in Matong which caused significant damage to the second storey roof and parapet. The south west corner of the roofing of the premises was lifted and folded over to the eastern side of the building, whilst the roofing iron was still attached, it was at significant risk of becoming unattached, as it was only resting on the parapet which had also been dislodged during the wind event. The roof was at significant risk of further deterioration and would have likely separated from the building which presented obvious public health and safety concerns.

Council lodged a incident report with the NSW State Emergency Services (SES) after it has received a call from a concerned community member. The NSW SES and NSW Fire and Rescue attended the site in response to Councils telephone call on 2nd November 2018.

Emergency Services were reluctant to send staff onto the site and secure the roof due to the unstable and dangerous position of the roofing. The section of roofing and parapet were located alongside the main power lines and transformer on Deepwater Road and concerns were expressed verbally by Emergency Services as to the potential further danger that this situation posed.

Council emailed the owner on 5th November 2018 advising the of the wind damage (and that Emergency Services had attended the site in response) and reminding them of the need to comply with the 'Repair' and 'Public Safety' Order and received no reply.



Image 1: Roof Damage after wind event

Fire Event

A significant fire event occurred in the early morning at approximately 5.00am at the premises on the 7th November 2018 this contributed to the further structural deterioration of the building and which ensured that the building existed in a state of potential collapse which posed a safety risk to members of the public.

The proximity of the building to Canola Way and Deepwater Road meant traffic had to be managed due to the potential for outward collapse onto the public thoroughfare. In addition, there was still the concern of the location of the power lines combined with the potential collapse of the building.

Emergency Services (SES, RFS, NSW Fire and Rescue and NSW Police) attended the scene and were unable to subdue the fire due to its intensity and inability to access the building to due structural concerns.

Council Staff attend the site and engaged a structural engineer (Mr. Rodney Kendall) who attended the site at approximately 9.00am on 7th November 2018, the Structural Engineer provided the following advice:

'I now confirm that I have inspected the Matong Home Hotel this morning.

This building has been subjected to a fire event today.

At the time of my inspection the fire continued to burn.

Firefighting had ceased due to the dangers of structural collapse. I confirmed my agreement that access to further extinguish the fire posed a very significant risk to firefighting personnel.

There has been total collapse of the roof structure and much of the first floor structure.

A large amount of loose debris now exists throughout the site all of which poses significant ongoing risk to the public. There is no safe opportunity for removal of debris.

I am of the firm opinion that this building should be demolished in order to complete the fire extinguishing work and to make the area safe.

Demolition

As a result of the above assessment and in conjunction with information from Emergency Services it became obvious that Council needed to act.

Council staff issued an Emergency Demolition Order to the owner of the premises both via email and post at 12.00pm after receiving the Engineer's advice on the morning of the 7th November 2018.

After no response was received and given the public safety concerns communicated by both emergency services and a structural engineer, Council engaged a demolition contractor to undertake the demolition of the building. The fire had continued since the 9.00am assessment and at approximately 1.30pm the demolition of the building commenced.

The demolition of the structure was completed at approximately 6.30pm on 7th November 2018.



Image 2: Demolition Works

Financial Implications

The cost of the demolition works (which excludes the removal of demolition waste from the site) is estimated to be between \$20,000.00 and \$40,000.00.

The cost of engaging a Structural Engineer is estimated at \$3,500.00.

Under the provisions of Schedule 5, Clause 34 of the Environmental Planning and Assessment Act 1979, Council may attempt to recover the costs associated with the works from the owner. The clause provides:

'34 Recovery of expenses by relevant enforcement authority for carrying out work

- (1) *If a relevant enforcement authority takes action under clause 33 to give effect to a development control order by demolishing a building, the authority may remove any materials concerned.*

- (2) *The relevant enforcement authority may sell those materials but only if the relevant authority's expenses in giving effect to the terms of the development control order are not paid to the authority within 14 days after removal of the materials.*
- (3) *If the proceeds of such a sale exceed the expenses incurred by the relevant enforcement authority in relation to the demolition and the sale, the relevant authority:*
- (a) *may deduct out of the proceeds of the sale an amount equal to those expenses, and*
 - (b) *must pay the surplus to the owner on demand.*
- (4) *If the proceeds of sale do not exceed those expenses, the relevant enforcement authority:*
- (a) *may retain the proceeds, and*
 - (b) *may recover the deficiency (if any) together with the authority's costs of recovery from the owner as a debt.*
- (5) *Materials removed that are not saleable may be destroyed or otherwise disposed of.*
- (6) *A relevant enforcement authority that carries out work under clause 33 in relation to development for which an amount of security has been provided to the authority:*
- (a) *may be recompensed for the work from the security if the security is more than the costs of carrying out the work, and*
 - (b) *must pay any surplus remaining to the person entitled to it on demand.*
- (7) *Any expenses incurred under this clause by a relevant enforcement authority that gave a development control order, together with all associated costs, may be recovered by the authority in any court of competent jurisdiction as a debt due to the authority by the person required to comply with the order.*
- (8) *The expenses are to be reduced by the amount of any proceeds of any sale under this clause or the amount of any security provided in respect of development to which the order relates.*
- (9) *Nothing in this clause affects the owner's right to recover any amount from any lessee or other person liable for the expenses concerned.*

- (10) *The recovery of costs and expenses by a relevant enforcement authority under this clause does not include the costs and expenses of court proceedings, but nothing in this clause prevents the authority from receiving costs as between party and party in respect of those proceedings’.*

Once Council receives the invoice for demolition works from the demolition contractor it will send correspondence to the owner of the building seeking the costs of the work.

Future Actions

Council will need to follow up on the emergency order with the owner and require that they remove all the demolition waste from the site. Failure to remove the waste from the site will require Council to consider compliance options which include:

- Initiating Class 4 Proceedings the NSW Land and Environment Court;
- Issuing Penalty Infringement Notices
- Issuing a Court Attendance Notice;
- Undertaking the work at a cost to council and applying the costs to the land.

It is recommended, that Council, in the first instance, pursue the owner for compliance with the site clean-up component of the emergency order. What the owner does in response with these directions will determine Council's next course of action.

Consultation

Consultation has been undertaken with internal Council Staff, externally with Emergency Services, Council's Solicitor with and Rod Kendall (Structural Engineer).

Financial Implications

As mentioned above the estimated costs associated with this report are:

- Demolition: between \$20,000.00 and \$40,000.00.
- Structural Engineer: estimated at \$3,500.00.
- Legal Advice : estimated at \$2,500.00

Future Costs may include:

- Legal Fees in initiating Cost Recovery and Clean Up Compliance (if Council seeks to pursue this option) up to \$50,000.00
- Clean Up Costs - \$40,000.00 - \$50,000.00.

Recommendation

That Council:

- 1) Note the report on the status of 'Matong Hotel';
- 2) Endorse the actions of staff in issuing an Emergency Demolition Order upon the advice from a practicing Structural Engineer and Emergency Services Staff and then proceeding to demolition due to the infrastructure and public safety concerns of Emergency Services and the General Public; and
- 3) Endorse that, Staff request via written correspondence to the owner, that the owner pay for demolition costs and that all demolition waste be removed within 30 days from the date of the correspondence to a licensed waste facility.

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

244/11/2018

- 1) **Note the report on the status of 'Matong Hotel';**
- 2) **Endorse the actions of staff in issuing an Emergency Demolition Order upon the advice from a practicing Structural Engineer and Emergency Services Staff and then proceeding to demolition due to the infrastructure and public safety concerns of Emergency Services and the General Public; and**
- 3) **Endorse that, Staff request via written correspondence to the owner, that the owner pay for demolition costs and that all demolition waste be removed within 30 days from the date of the correspondence to a licensed waste facility.**
- 4) **That staff be commended for their actions on the day of the fire.**

HS7) 2017-2018 FINANCIAL YEAR DEVELOPMENT STATISTICS (B.05-03, SC58)

- ➔ Attached with Councillors information papers is a summary of development activity undertaken in the Coolamon Shire Council area throughout the 2017-2018 financial year. A summary of the development activity in the Council area for the 2016-2017 financial year is also attached for comparison. Attachment No. 12

Recommendation

For Council information.

RESOLVED on the motion of Clr Hutcheon and seconded by Clr McKinnon that the report be received. 245/11/2018

5) REPORTS: DELEGATES/MAYOR/COUNCILLORS

There were no reports.

Meeting Closed at 4.58pm.

Confirmed and signed during the Meeting held this 13th day of December, 2018.

.....
MAYOR

ATTACHMENTS FOR THE MEETING HELD 15TH NOVEMBER, 2018

ITEMS DISTRIBUTED WITH THE AGENDA

- 1) Information Papers:
 - 1) Minutes of the Advance Marrar Committee Meeting held 28th August, 2018.
 - 2) Minutes of the Advance Ganmain Committee Meeting held 7th November, 2018.Refer Correspondence Item (1a).
- 2) Activity Reports:
 - 1) Operating Statistics of the Coolamon Shire Library for October 2018.
 - 2) Community Development Officer's Report for October 2018.Refer Correspondence Item (2a).
- 3) Correspondence from Steph Cooke regarding Council's concerns in relation to police numbers in the Temora cluster.
Refer Correspondence Item (3b), [File No. P.06-01].
- 4) Correspondence from the NSW Department of Planning on population projections for the Coolamon Shire.
Refer General Manager's Report (GM1), [File No. P.07-01].
- 5) A copy of the General Purpose Financial Statements for the year ended 30th June, 2018.
Refer General Manager's Report (GM3), [File No. A.12-01].
- 6) A copy of the report from LGNSW on the Impact of Cost Shifting to Local Government.
Refer General Manager's Report (GM4), [File No. L.07-01].
- 7) A copy of the documentation in relation to the Riverina Joint Organisation.
Refer General Manager's Report (GM5), [File No. R.06-05].
- 8) A copy of the Draft Agency Information Guide 2018.
Refer Executive Manager, Corporate & Community Service' Report (CS2), [File No. P.12-01].
- 9) A copy of Council's Annual Report for 2017/2018.
Refer Executive Manager, Corporate & Community Service' Report (CS3), [File No. S.11-02].
- 10) A copy of the Fact Sheets provided by the Office of Emergency Management (OEM) in regard to the Disaster Recovery Funding Arrangements (DRFA).
Refer Executive Manager, Engineering & Technical Services' Report (ES6), [File No. R.07-09].
- 11) Correspondence from the Australian Local Government Association regarding the National Summit on Drought.
Refer General Manager's Report (GM7), [File No. L.07-11].

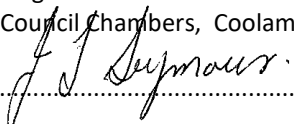
MINUTES OF THE ORDINARY MEETING OF THE COUNCIL OF THE SHIRE OF COOLAMON
HELD IN THE COUNCIL CHAMBERS, COOLAMON ON THE 15TH NOVEMBER, 2018.

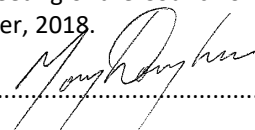
- 12) A summary of development activity undertaken in the Coolamon Shire Council area for the 2017-2018 and 2016-2017 financial years.
Refer Executive Manager, Development & Environmental Services' Report (HS7), [File No. B.05-03].
- 13) A copy of the Quarterly Budget Review as at 30th September, 2018.
Refer Executive Manager, Corporate & Community Services' Report (CS4), [File No. F.02-02].

ITEMS TABLED AT THE MEETING

- 1) A copy of the REROc Annual Report for 2017-2018.
- 2) A copy of the Riverina Regional Library Annual Report for 2017-2018.

This is Page No. 69 of the Minutes of the Ordinary Meeting of the Council of the Shire of Coolamon held in the Council Chambers, Coolamon on the 15th November, 2018.


..... MAYOR


..... GENERAL MANAGER.