

# **COONAMBLE**

## SHIRE COUNCIL

### **BUSINESS PAPER**

## **Ordinary Council Meeting** **Wednesday, 12 July 2023**

**Date: Wednesday, 12 July 2023**

**Time: 10.00 AM**

**Location: Quambone Memorial Hall**

**Tim Horan**  
**Mayor**

**Notice is hereby given that an Ordinary Meeting of Council will be held in the Quambone Memorial Hall on Wednesday, 12 July 2023 at 10.00 AM.**

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**1 OPENING MEETING****2 ACKNOWLEDGEMENT OF COUNTRY**

We acknowledge the traditional custodians of this land on which we meet today, the Wailwan people and the Gamilaroi people and recognise their continuing connection to land, water and culture. We pay our respects to Elders past, present and emerging.

**3 COMMUNITY CONSULTATION****4 APOLOGIES/APPLICATIONS FOR LEAVE OF ABSENCE BY COUNCILLORS****5 DEPUTATION/DELEGATIONS****6 CONFIRMATION OF MINUTES****RECOMMENDATION**

That the minutes of the Ordinary Meeting of the Coonamble Shire Council held on Wednesday, 14 June 2023 be confirmed as a correct record of the proceedings of the meeting.



# **MINUTES**

**Ordinary Council Meeting  
Wednesday, 14 June 2023**

**MINUTES OF COONAMBLE SHIRE COUNCIL  
ORDINARY COUNCIL MEETING  
HELD AT THE SHIRE CHAMBER, COONAMBLE  
ON WEDNESDAY, 14 JUNE 2023 AT 4.30 PM**

**PRESENT:** Mayor Tim Horan, Cr Karen Churchill, Cr Adam Cohen, Cr Pat Cullen, Cr Barbara Deans, Cr Bill Fisher, Deputy Mayor Ahmad Karanouh, Cr Terence Lees, Cr Brian Sommerville

**IN ATTENDANCE:** Paul Gallagher (General Manager), Bruce Quarmby (Director Corporate Services), Kerrie Murphy (Director Infrastructure), David Levick (MED&G), Deborah Tatton (A/Manager Finance & Procurement), Marina Colwell (Executive Support Officer).

## **1 OPENING MEETING**

The Mayor opened the meeting at 4.30 pm, advising the attendees of the following:

The meeting is being livestreamed and/or recorded for on-demand viewing via Council's website and a person's image and/or voice may be broadcast;

- Attendance at the meeting is to be taken as consent by a person to their image and /or voice being webcast (time will be allowed by the Chairperson for people to leave the meeting before it starts);
- All speakers should refrain from making any defamatory comments or releasing any personal information about another individual without their consent;
- Council accepts no liability for any damage that may result from defamatory comments made by persons attending the meetings – all liability will rest with the individual who made the comments;
- The recording will be available on Council's website for a minimum of 12 months and retained as a Council record;
- Individuals acting in a disorderly manner can be asked by the Chairperson to leave the meeting under the Council's Code of Meeting Practice;
- The meeting must not be recorded by others without the prior written consent of the Council in accordance with the Council's Code of Meeting Practice.

## **2 ACKNOWLEDGEMENT OF COUNTRY**

We acknowledge the traditional custodians of this land on which we meet today, the Wailwan people and the Gamilaroi people and recognise their continuing connection to land, water and culture. We pay our respects to Elders past, present and emerging.

## **3 COMMUNITY CONSULTATION**

Coonamble CWA Evening Branch Representatives – Mrs Amanda Colwell and Mrs Sharon Single, spoke on the recent meeting "Home Gown – Coonamble".

Approximately 50 women attended the event with the outcomes being presented in a report comprising of the following plus many others:

- Ideas/issues affecting members of the Local Government Area (LGA),
- What can Council do for the community,
- The need for a Communication network hub,
- Issues relating to Childcare, among other topics.

#### **4 APOLOGIES/APPLICATIONS FOR LEAVE OF ABSENCE BY COUNCILLORS**

Nil

#### **5 DEPUTATION/DELEGATIONS**

Nil

#### **6 CONFIRMATION OF MINUTES**

##### **RESOLUTION 2023/96**

Moved: Deputy Mayor Ahmad Karanouh

Seconded: Cr Brian Sommerville

**That the minutes of the Ordinary Meeting of the Coonamble Shire Council held on Wednesday, 10 May 2023 be confirmed as a correct record of the proceedings of the meeting.**

In Favour: Crs Tim Horan, Karen Churchill, Adam Cohen, Pat Cullen, Barbara Deans, Bill Fisher, Ahmad Karanouh, Terence Lees and Brian Sommerville

Against: Nil

**CARRIED 9/0**

#### **7 DISCLOSURES OF CONFLICTS OF INTEREST**

Cr T Horan – Declared a Pecuniary Interest in Item 12.10 Tender – Domestic Kerbside Waste Collection as the contractor is his brother-in-law.

Cr B Deans – Declared a Non-Pecuniary Interest in Item 10.2 Council Resolutions Update – specifically Inland Rail, as her property is on the proposed corridor.

Cr B Deans – Declared a Non-Pecuniary Interest in Item 10.13 Tooraweenah Road Upgrade as her property is located on the Tooraweenah Road.

Cr B Sommerville – Declared a Non-Pecuniary Interest in Item 12.10 Tender - Domestic Kerbside Waste Collection as he his employee is related to the Contractor - Robbos Construction.

Cr T Lees – Declared a Pecuniary Interest in Item 12.10, Tender Domestic Kerbside Waste Collection as he is employed by Robbos Construction.

Cr A Cohen – Declared a Non-Pecuniary Interest in Item 10.8, Applications for Financial Assistance under Councils Donations Policy as he has a family member on the Coonamble Quota Club.

**8 MAYORAL MINUTE****MAYORAL MINUTE****RESOLUTION 2023/97**

Moved: Cr Karen Churchill

Seconded: Cr Pat Cullen

- 1. That the Mayoral Minute be received and noted.**
- 2. The Council change start times of the Ordinary monthly meetings to start at 3.30 pm with a Community Session from 3.00 pm.**

In Favour: Crs Tim Horan, Karen Churchill, Adam Cohen, Pat Cullen, Barbara Deans, Bill Fisher, Ahmad Karanouh, Terence Lees and Brian Sommerville

Against: Nil

**CARRIED 9/0**

**SECTION A - MATTERS FOR CONSIDERATION BY COUNCIL****SECTION B - MATTERS FOR INFORMATION ONLY****9 COMMITTEE REPORTS**

Nil

**10 REPORTS TO COUNCIL****10.1 CORRESPONDENCE****RESOLUTION 2023/98**

Moved: Cr Terence Lees

Seconded: Cr Bill Fisher

**That the correspondence listed in the body of the report be noted.**

In Favour: Crs Tim Horan, Karen Churchill, Adam Cohen, Pat Cullen, Barbara Deans, Bill Fisher, Ahmad Karanouh, Terence Lees and Brian Sommerville

Against: Nil

**CARRIED 9/0**

## 10.2 COUNCIL RESOLUTIONS UPDATE

### RESOLUTION 2023/99

Moved: Cr Terence Lees

Seconded: Deputy Mayor Ahmad Karanouh

**That Council notes the contents of Annexure 1 attached to the report on the status of Council resolutions.**

In Favour: Crs Tim Horan, Karen Churchill, Adam Cohen, Pat Cullen, Barbara Deans, Bill Fisher, Ahmad Karanouh, Terence Lees and Brian Sommerville

Against: Nil

**CARRIED 9/0**

## 10.3 STATUS OF INVESTMENTS - MAY 2023

### RESOLUTION 2023/100

Moved: Cr Bill Fisher

Seconded: Deputy Mayor Ahmad Karanouh

**That Council notes the list of investments from 1 May 2023 to 31 May 2023 and that these investments comply with section 625(2) of the *Local Government Act 1993*, Clause 212 of the *Local Government (General) Regulation 2005* and Council's Investment Policy.**

In Favour: Crs Tim Horan, Karen Churchill, Adam Cohen, Pat Cullen, Barbara Deans, Bill Fisher, Ahmad Karanouh, Terence Lees and Brian Sommerville

Against: Nil

**CARRIED 9/0**

## 10.4 RATES AND CHARGES COLLECTIONS - MAY 2023

### RESOLUTION 2023/101

Moved: Cr Pat Cullen

Seconded: Deputy Mayor Ahmad Karanouh

**That Council notes the information provided in the report.**

In Favour: Crs Tim Horan, Karen Churchill, Adam Cohen, Pat Cullen, Barbara Deans, Bill Fisher, Ahmad Karanouh, Terence Lees and Brian Sommerville

Against: Nil

**CARRIED 9/0**

**10.5 ECONOMIC DEVELOPMENT & GROWTH - PROGRESS REPORT****RESOLUTION 2023/102**

Moved: Deputy Mayor Ahmad Karanouh

Seconded: Cr Terence Lees

**That the contents of this report be noted.**

In Favour: Crs Tim Horan, Karen Churchill, Adam Cohen, Pat Cullen, Barbara Deans, Bill Fisher, Ahmad Karanouh, Terence Lees and Brian Sommerville

Against: Nil

**CARRIED 9/0**

**10.6 SALEYARDS REPORT- 31 MAY 2023****RESOLUTION 2023/103**

Moved: Cr Pat Cullen

Seconded: Cr Brian Sommerville

**That Council note the information provided in this report.**

In Favour: Crs Tim Horan, Karen Churchill, Adam Cohen, Pat Cullen, Barbara Deans, Bill Fisher, Ahmad Karanouh, Terence Lees and Brian Sommerville

Against: Nil

**CARRIED 9/0**

**10.7 ENVIRONMENT AND STRATEGIC PLANNING PROGRESS REPORT****RESOLUTION 2023/104**

Moved: Cr Bill Fisher

Seconded: Cr Terence Lees

**That Council note the information contained within the Environmental and Strategic Planning Progress Report.**

In Favour: Crs Tim Horan, Karen Churchill, Adam Cohen, Pat Cullen, Barbara Deans, Bill Fisher, Ahmad Karanouh, Terence Lees and Brian Sommerville

Against: Nil

**CARRIED 9/0**

**10.8 APPLICATIONS FOR FINANCIAL ASSISTANCE UNDER COUNCIL'S DONATIONS POLICY****RESOLUTION 2023/105**

Moved: Deputy Mayor Ahmad Karanouh

Seconded: Cr Barbara Deans

- 1. That Council notes the information contained within this report.**
- 2. That Council provides the following financial assistance.**
  - a. Coonamble Cottage Industries \$ 5,000.**
  - b. Coonamble Meals on Wheels \$ 5,000.**
  - c. Coonamble Quota Club \$ 3,000.**
  - d. Coonamble Neighbourhood Centre \$ 5,000.**
  - e. Gulargambone Campdraft Inc \$10,000.**
  - f. Coonamble Hack & Pony Club \$11,195.**
- 3. That Council resolves to request the Director Corporate Services to write the unsuccessful applicants and advise them of the outcome their request.**

In Favour: Crs Tim Horan, Karen Churchill, Adam Cohen, Pat Cullen, Barbara Deans, Bill Fisher, Ahmad Karanouh, Terence Lees and Brian Sommerville

Against: Nil

**CARRIED 9/0**

**10.9 COUNCILLOR FEES 2023/24 - LOCAL GOVERNMENT RENUMERATION****RESOLUTION 2023/106**

Moved: Deputy Mayor Ahmad Karanouh

Seconded: Cr Terence Lees

**That Council increases Councillor fees for the 2023 / 24 financial year by 3.0%, with effect from 1 July 2023, noting that the fees will be as follows:**

- Mayor: \$11,440 plus \$21,705 being a total of \$33,145 per annum.**
- Councillor: \$11,440 each per annum.**

In Favour: Crs Tim Horan, Karen Churchill, Adam Cohen, Pat Cullen, Barbara Deans, Bill Fisher, Ahmad Karanouh, Terence Lees and Brian Sommerville

Against: Nil

**CARRIED 9/0**

**10.10 ADOPTION OF THE 2023/24 OPERATIONAL PLAN.****RESOLUTION 2023/107**

Moved: Cr Barbara Deans

Seconded: Cr Pat Cullen

1. That Council notes the information contained in this report.
2. That the expenditure amounts set out in the 2023/24 draft Operational Plan and Budget as exhibited and amended as per this report and attached to the Business Paper as part of Annexure 1 relating to this report, be confirmed and voted for the carrying out of the various works and services of the Council for the 2023/24 financial year.
3. That the 2023/24 draft Operational Plan and Budget, as exhibited in accordance with the provisions of Section 405 of the Local Government Act 1993 and amended as per this report and attached to the Business Paper as part of Annexure 1 relating to this report, be adopted by Council as the 2023/24 Operational Plan.
4. That, in accordance with the provisions of Section 535 of the Local Government Act 1993 (NSW), Council makes, fixes, and levies the Rates and Charges for the 2023/24 financial year for the following rating categories:

**Residential – Coonamble:**

A Residential – Coonamble rate of 1.420 cents in the dollar on the current land values of all rateable land in the town of Coonamble, with a minimum rate of \$520.00 per annum;

**Residential – Gulargambone:**

A Residential – Gulargambone rate of 1.010 cents in the dollar on the current land values of all rateable land in the town of Coonamble, with a minimum rate of \$520.00 per annum;

**Residential – Village:**

A Residential – Village rate of 1.280 cents in the dollar on the current land values of all rateable land in the village of Quambone, with a minimum rate of \$510.00 per annum;

**Farmland:**

A Farmland rate of 0.230 cents in the dollar on the current land values of all rateable land in the Local Government Area being farmland, with a minimum rate of \$415.00 per annum;

**Small Rural Holdings:**

A Small Rural Holding rate of 0.700 cents in the dollar on the current land values of all rateable land in the Local Government Area being small rural holdings, with a minimum rate of \$540.00 per annum;

**Rural Residential:**

A Rural Residential rate of 0.600 cents in the dollar on the current land values of all rateable land in the Local Government Area being rural residential, with a minimum rate of \$510.00 per annum;

**Business:**

A Business rate of 2.000 cents in the dollar on the current land values of all rateable land in the Local Government Area being Business, with a minimum rate of \$570.00 per annum.

1. That the Schedule of Fees and Charges, exhibited as part of Council’s draft 2023/24 Operational Plan and attached to this Business Paper as part of Annexure 2 relating to this report be made, fixed and charged for the 2023/24 financial year.
2. That Council makes, fixes, and levies the following charges in accordance with the provisions of Section 552 and Section 501(1) and Section 502 of the *Local Government Act 1993* on such land which water is connected or able to be connected to for the year ending June 2024:

Town/Village	Access Charge (\$) 20mm	Usage Charge – 1st Tier (c/kl)	2nd Tier Pricing Limit (kl)	Usage Charge 2nd Tier (c/kl)
Coonamble	400	140	450	220
Gulargambone	500	120	450	185
Quambone	500	140	430	240

The Access Charges as above are for 20mm services, the charges below allow for the size of the water meters as required by best practice pricing. The resulting charges are shown in the table following:

Item	Coonamble (\$)	Gulargambone (\$)	Quambone (\$)
Access charge (20mm meter)	400	500	500
Access charge (25mm meter)	628	785	785
Access charge (40mm meter)	1,600	2,000	2,000
Access charge (50mm meter)	2,500	3,125	3,125
Access charge (75mm meter)	5,624	7,030	7,030
Access charge (100mm meter)	10,000	12,500	12,500

3. That Council makes, fixes and levies the following charges in accordance with the provisions of Section 501(1), Section 502 and Section 552 of the *Local Government Act 1993* on such land which sewer is connected or

able to be connected to for the year ending June 2024.

**Residential Sewerage – Coonamble**

Sewerage availability charge of \$750.00 per annum per assessment.

**Residential Sewerage – Gulargambone**

Sewerage availability charge of \$870.00 per annum per assessment.

**Sewerage – Coonamble Flats**

Sewerage availability charge of \$600.00 per annum per unit.

**Sewerage – Gulargambone Flats**

Sewerage availability charge of \$790.00 per annum per unit.

**Non-residential Sewerage - Coonamble**

Sewer charge for Non-residential Sewerage – Coonamble is not less than a minimum charge of \$750.00 per annum per assessment. Non-residential services are also subject to sewer discharge factor (usage charge) related to water consumption. The treatment charge to be applied is 270 cents per kilolitre.

**Non-residential Sewerage - Gulargambone**

Sewer charge for Non-residential Sewerage – Gulargambone is not less than a minimum charge of \$870.00 per annum per assessment. Non-residential services are also subject to sewer discharge factor (usage charge) related to water consumption. The treatment charge to be applied is 270 cents per kilolitre.

4. That Council makes, fixes and levies the following charges in accordance with the provisions of Section 496 and Section 502 of the *Local Government Act 1993* for the Waste Collection Services (with the understanding that one (1) Waste Collection Service entitles a property owner to a 240-litre weekly garbage service per assessment – unless otherwise indicated):

Particulars	2022/23 Charge per annum (\$)
Domestic – Coonamble Occupied	360.00
Domestic Coonamble – additional Service (per additional service)	200.00
Commercial – Coonamble Occupied	360.00
Commercial Coonamble – additional Service (per additional service)	200.00
Domestic – Gulargambone Occupied	380.00
Domestic Gulargambone – additional Service (per additional service)	200.00

<b>Commercial – Gulargambone Occupied</b>	<b>380.00</b>
<b>Commercial Coonamble – additional Service (per additional service)</b>	<b>200.00</b>
<b>Domestic – Quambone Occupied</b>	<b>360.00</b>
<b>Domestic Coonamble – additional Service (per additional service)</b>	<b>200.00</b>
<b>Commercial – Quambone Occupied</b>	<b>360.00</b>
<b>Commercial Quambone – additional Service (per additional service)</b>	<b>200.00</b>
<b>Coonamble/Vacant Land – within scavenging area</b>	<b>70.00</b>
<b>Gulargambone/ Vacant Land – within scavenging area</b>	<b>70.00</b>
<b>Quambone/Vacant Land – within scavenging area</b>	<b>70.00</b>

5. That Council, in accordance with the provisions of Section 566(3) of the *Local Government Act 1993*, determines that the extra interest charges on overdue rates and charges will be levied at the maximum rate allowable and as advised by the Office of Local Government on a daily simple interest basis for the financial year ending 30 June 2024. The rate of interest payable on overdue rates and charges for the 2023/24 financial year will be 9.0% per annum.
6. That Council, in accordance with the provisions of Section 405(6) of the *Local Government Act 1993*, places a copy of its adopted Operational Plan on its website within 28 days of it being formally adopted at the June 2021 Ordinary Meeting.

In Favour: Crs Tim Horan, Karen Churchill, Adam Cohen, Pat Cullen, Barbara Deans, Bill Fisher, Ahmad Karanouh, Terence Lees and Brian Sommerville

Against: Nil

**CARRIED 9/0**

**10.11 REVIEW LOCAL PREFERENCE PURCHASING POLICY****RESOLUTION 2023/108**

Moved: Cr Bill Fisher

Seconded: Cr Barbara Deans

- 1. That Council notes the information in this report.**
- 2. That Council places the revised Local Preference Purchasing Policy, as attached to the report, on public exhibition for a period of 28 days for the purpose of inviting submissions from the community.**
- 3. That, in the event of any submissions being received, that the Manager of Finance and Procurement presents a further report, together with the contents of those submissions received, to Council at the conclusion of the public exhibition period for Council's further consideration and adoption of the revised Local Preference Purchasing Policy (with or without changes) at its August 2023 Ordinary Meeting.**

In Favour: Crs Tim Horan, Karen Churchill, Adam Cohen, Pat Cullen, Barbara Deans, Bill Fisher, Ahmad Karanouh, Terence Lees and Brian Sommerville

Against: Nil

**CARRIED 9/0**

**10.12 MANAGEMENT OF CROWN RESERVE 96390 - LOT 244 DP44910****RESOLUTION 2023/109**

Moved: Cr Pat Cullen

Seconded: Cr Terence Lees

1. That Council notes the information contained within this report.
2. That Council resolves to formally request that the Department of Crown Lands formally appoint Coonamble Shire Council as the Crown Reserve Manager for the Reserve 96390.
3. That Council resolves that as the purpose for the Crown Reserve is for the provision of Emergency Services, that the Reserve is to be classified as Operational Land.
4. That following the appointment of Council as the Crown Reserve Manager for the Reserve 96390. That Council resolves to proceed with the compulsory acquisition of the Reserve 96390, being Lot 244 DP 44910 for the purpose of the provision of emergency services in accordance with sections 186 and 187 of the Local Government Act 1993 and in accordance with the Land Acquisition (Just Terms Compensation) Act 1991.
5. That Council makes an application to the Minister and the Governor for approval to acquire the land described as part Lot 244 by compulsory process under section 186(1) and 187 of the Local Government Act 1993 of provision of emergency services in accordance with the requirements of the *Land Acquisition (Just Terms Compensation) Act 1991*.
6. That Council does not acquire the mineral rights over the land to be acquired.
7. That Council resolves that the land is to be classified as operational land in accordance with section 31 (2) of the *Local Government Act 1993*.
8. That Council resolves for the purposes of section 30 of the *Land Acquisition (Just Terms Compensation) Act 1991*, that Council agrees to the land being acquired for compensation, set at the market value of the land, as agreed by the General Manager and the Department of Planning, Industry and Environment – Crown Lands.
9. That Council resolves.
  - a) to delegate to the General Manager or his delegate the power to do anything further as necessary to give effect to the compulsory acquisition including obtaining any necessary approvals and publishing any necessary notices in the Gazette.
  - b) That authority be granted to the General Manager to affix the Common Seal of the Council to any documentation required to give effect to this resolution.

In Favour: Crs Tim Horan, Karen Churchill, Adam Cohen, Pat Cullen, Barbara Deans, Bill Fisher, Ahmad Karanouh, Terence Lees and Brian Sommerville

Against: Nil

**CARRIED 9/0**

### **10.13 TOORAWEEAH ROAD UPGRADE - MONTHLY STATUS UPDATE**

#### **RESOLUTION 2023/110**

Moved: Deputy Mayor Ahmad Karanouh

Seconded: Cr Terence Lees

**That the information be received and noted.**

In Favour: Crs Tim Horan, Karen Churchill, Adam Cohen, Pat Cullen, Barbara Deans, Bill Fisher, Ahmad Karanouh, Terence Lees and Brian Sommerville

Against: Nil

**CARRIED 9/0**

### **10.14 INFRASTRUCTURE SERVICES - WORKS IN PROGRESS**

#### **RESOLUTION 2023/111**

Moved: Cr Terence Lees

Seconded: Cr Barbara Deans

**That the information be noted.**

In Favour: Crs Tim Horan, Karen Churchill, Adam Cohen, Pat Cullen, Barbara Deans, Bill Fisher, Ahmad Karanouh, Terence Lees and Brian Sommerville

Against: Nil

**CARRIED 9/0**

**10.15 SUPPLEMENTARY BUSINESS - ADMINISTRATIVE AFFAIRS -  
CASTLEREAGH MACQUARIE COUNTY COUNCIL****RECOMMENDATION**

That Council accepts the following item, 10.15 - Administrative Affairs - Castlereagh Macquarie County Council, as Supplementary Business.

**RESOLUTION 2023/112**

Moved: Deputy Mayor Ahmad Karanouh

Seconded: Cr Pat Cullen

1. That Council notes the information contained within this report.
2. That Council resolves to authorise the General Manager to liaise with representatives from the Castlereagh Macquarie County Council to provide the administrative support as requested for a period of 12 months, commencing 1 July 2023.
3. That prior to the completion of the 12-month period that review of the administrative support arrangement be conducted, and the findings from this review be reported back to Council for its consideration.

In Favour: Crs Tim Horan, Karen Churchill, Adam Cohen, Pat Cullen, Barbara Deans, Bill Fisher, Ahmad Karanouh, Terence Lees and Brian Sommerville

Against: Nil

**CARRIED 9/0**

**11 NOTICES OF MOTIONS/QUESTIONS WITH NOTICE/RESCISSION  
MOTIONS**

Nil

**12 CONFIDENTIAL MATTERS****RESOLUTION 2023/113**

Moved: Cr Bill Fisher

Seconded: Cr Barbara Deans

That Council considers the confidential report(s) listed below in a meeting closed to the public in accordance with Section 10A(2) of the Local Government Act 1993:

**12.1 Closed (Public Excluded) Council Meeting of the Coonamble Shire Council - 10 May 2023****12.2 TENDER T042324OROC SUPPLY AND DELIVERY OF BULK FUEL**

This matter is considered to be confidential under Section 10A(2) - d(i) of the Local Government Act, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with

commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it.

### **12.3 TENDER T052324OROC SUPPLY AND DELIVERY OF BULK WATER TREATMENT CHEMICALS**

This matter is considered to be confidential under Section 10A(2) - d(i) of the Local Government Act, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it.

### **12.4 TENDER T062324OROC PROVISION OF BITUMEN SPRAY SEAL**

This matter is considered to be confidential under Section 10A(2) - d(i) of the Local Government Act, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it.

### **12.5 TEN230517Ms Supply & Deliver of an Articulated Dump Truck 40Ton**

This matter is considered to be confidential under Section 10A(2) - d(i) of the Local Government Act, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it.

### **12.6 TEN230524MS Supply & Deliver Articulated Graders**

This matter is considered to be confidential under Section 10A(2) - d(i) of the Local Government Act, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it.

### **12.7 Offers to purchase Industrial Land at 2 Buckley Drive, Coonamble**

This matter is considered to be confidential under Section 10A(2) - d(i) of the Local Government Act, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it.

### **12.8 Castlereagh Highway Culverts - Tender - TEN230417BN**

This matter is considered to be confidential under Section 10A(2) - d(ii) of the Local Government Act, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with information that would, if disclosed, confer a commercial advantage on a competitor of the council.

### **12.9 Land for Housing Development**

This matter is considered to be confidential under Section 10A(2) - d(i) of the Local Government Act, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it.

**12.10 Domestic Kerbside Waste Collection - RFQ230529DJ**

This matter is considered to be confidential under Section 10A(2) - d(ii) of the Local Government Act, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with information that would, if disclosed, confer a commercial advantage on a competitor of the council.

In Favour: Crs Tim Horan, Karen Churchill, Adam Cohen, Pat Cullen, Barbara Deans, Bill Fisher, Ahmad Karanouh, Terence Lees and Brian Sommerville

Against: Nil

**CARRIED 9/0**

**12.1 TENDER T042324OROC SUPPLY AND DELIVERY OF BULK FUEL****RESOLUTION 2023/114**

Moved: Deputy Mayor Ahmad Karanouh

Seconded: Cr Terence Lees

- 1. That Council awards Tender T042324OROC Supply and Delivery of Bulk Fuel to the tenderer representing best value as a Panel Source Supplier for the period 1 July 2023 to 30 June 2025, and**
- 2. That a provision be allowed for a 12-month extension based on satisfactory supplier performance, which may take this contract through to 30 June 2026.**

In Favour: Crs Tim Horan, Karen Churchill, Adam Cohen, Pat Cullen, Barbara Deans, Bill Fisher, Ahmad Karanouh, Terence Lees and Brian Sommerville

Against: Nil

**CARRIED 9/0**

**12.2 TENDER T052324OROC SUPPLY AND DELIVERY OF BULK WATER TREATMENT CHEMICALS****RESOLUTION 2023/115**

Moved: Cr Bill Fisher

Seconded: Deputy Mayor Ahmad Karanouh

**1. That:**

- a. **Schedule A Chlorine – that Redox Limited be awarded this contract as the Single Source supplier to Coonamble Shire Council for the period 1 July 2023 to 30 June 2025, and**
- b. **Schedule A2 Chlorine Gas – that Ixom Operations Pty Limited be awarded this contract as the Single Source supplier to Coonamble Shire Council for the period 1 July 2023 to 30 June 2025, and**
- c. **Schedule B2 Aluminium Sulphate (kgs) – that Redox Limited be awarded this contract as the Single Source supplier to Coonamble Shire Council for the period 1 July 2023 to 30 June 2025, and**
- d. **Schedule G Hydrochloric Acid - that Ixom Operations Pty Limited be awarded this contract as the Single Source supplier to Coonamble Shire Council for the period 1 July 2023 to 30 June 2025, and**
- e. **Schedule I Dense Soda Ash - that Redox Limited be awarded this contract as the Single Source supplier to Coonamble Shire Council for the period 1 July 2023 to 30 June 2025, and**
- f. **Schedule K (1) Sodium Fluoride - that Redox Limited be awarded this contract as the Single Source supplier to Coonamble Shire Council for the period 1 July 2023 to 30 June 2025, and**
- g. **Schedule T Liquid Caustic Soda 50% - that BTX Group Pty Limited be awarded this contract as the Single Source supplier to Coonamble Shire Council for the period 1 July 2023 to 30 June 2025, and**

2. **That a provision be allowed for a 12-month extension based on satisfactory supplier performance, which may take this contract through to 30 June 2026.**

In Favour: Crs Tim Horan, Karen Churchill, Adam Cohen, Pat Cullen, Barbara Deans, Bill Fisher, Ahmad Karanouh, Terence Lees and Brian Sommerville

Against: Nil

**CARRIED 9/0**

**12.3 TENDER T062324OROC PROVISION OF BITUMEN SPRAY SEAL****RESOLUTION 2023/116**

Moved: Deputy Mayor Ahmad Karanouh

Seconded: Cr Terence Lees

- 1. That Council awards Tender T062324OROC Provision of Bitumen Spray Seal to the tenderer representing best value as a Panel Source Supplier be awarded this contract as the Panel for the period 1 July 2023 to 30 June 2025, and**
- 2. That a provision be allowed for a 12-month extension based on satisfactory supplier performance, which may take this contract through to 30 June 2026.**

In Favour: Crs Tim Horan, Karen Churchill, Adam Cohen, Pat Cullen, Barbara Deans, Bill Fisher, Ahmad Karanouh, Terence Lees and Brian Sommerville

Against: Nil

**CARRIED 9/0**

**12.4 TEN230517MS SUPPLY & DELIVER OF AN ARTICULATED DUMP TRUCK 40TON****RESOLUTION 2023/117**

Moved: Deputy Mayor Ahmad Karanouh

Seconded: Cr Pat Cullen

- 1. That Council resolves to award TEN230517MS for the supply and delivery of an articulated dump truck, to CJD Equipment for the supply and delivery of one Volvo A40G articulated hauler for the purchase price of \$805,200 (GST Inclusive).**
- 2. Council further resolves that should the Volvo A40G articulated hauler be no longer available from CJD Equipment, that Council will award Tender TEN230517MS Supply and Delivery of an Articulated Dump Truck to Komatsu for the supply and of one Komatsu HM400-5 truck articulated for the purchase price of \$765,347 (GST Inclusive).**

In Favour: Crs Tim Horan, Karen Churchill, Adam Cohen, Pat Cullen, Barbara Deans, Bill Fisher, Ahmad Karanouh, Terence Lees and Brian Sommerville

Against: Nil

**CARRIED 9/0**

**12.5 TEN230524MS SUPPLY & DELIVER ARTICULATED GRADERS****RESOLUTION 2023/118**

Moved: Cr Bill Fisher

Seconded: Cr Pat Cullen

- 1) That Council resolves to award Tender TEN230524MS Supply and Delivery of Articulated Graders to Westrac for the supply and delivery of four (4) Caterpillar 140 articulated motor graders.
- 2) That Council resolves to awards the sale of four (4) of Council's current graders to Nationwide Machinery and Sales upon delivery of the new graders.
- 3) That Council resolves to retain the fifth articulated grader within its fleet at this point in time to supplement the development of a plant operating school and infill of Councils works program.

In Favour: Crs Tim Horan, Karen Churchill, Adam Cohen, Pat Cullen, Barbara Deans, Bill Fisher, Ahmad Karanouh, Terence Lees and Brian Sommerville

Against: Nil

**CARRIED 9/0**

**12.6 OFFERS TO PURCHASE INDUSTRIAL LAND AT 2 BUCKLEY DRIVE, COONAMBLE****RESOLUTION 2023/119**

Moved: Cr Pat Cullen

Seconded: Cr Brian Sommerville

**That Council:**

1. Agree to the sale of Lot 1, DP262649 (2 Buckley Drive, Coonamble), and
2. Rejects all tenders received for the sale of the land,
3. Authorise the General Manager negotiate the sale of the land to the set price of Council with the three interested parties,
4. Failing the acceptance of any offer, no further action be taken.

In Favour: Crs Tim Horan, Karen Churchill, Adam Cohen, Pat Cullen, Barbara Deans, Bill Fisher, Ahmad Karanouh, Terence Lees and Brian Sommerville

Against: Nil

**CARRIED 9/0**

**12.7 CASTLEREAGH HIGHWAY CULVERTS - TENDER - TEN230417BN****RESOLUTION 2023/120**

Moved: Deputy Mayor Ahmad Karanouh

Seconded: Cr Pat Cullen

- 1. That the information be noted.**
- 2. That Tender TEN230417BN – Castlereagh Highway – Culvert Replacement be awarded to Mark Talle Concreting in the sum of \$460,914.00 ex GST.**

In Favour: Crs Tim Horan, Karen Churchill, Adam Cohen, Pat Cullen, Barbara Deans, Bill Fisher, Ahmad Karanouh, Terence Lees and Brian Sommerville

Against: Nil

**CARRIED 9/0**

**12.8 LAND FOR HOUSING DEVELOPMENT****RESOLUTION 2023/121**

Moved: Cr Pat Cullen

Seconded: Cr Terence Lees

- 1. That Council authorise the General Manager to negotiate the purchase of the parcel of land offered for sale, up to the maximum offer set by Council and provide a further report to Council on the negotiations, and**
- 2. That Council authorise the Mayor (or delegate) and General Manager to make representations to the Minister for Housing with the view of securing a partnership with Landcom for the development of the site as an urgently needed housing project.**

In Favour: Crs Tim Horan, Adam Cohen, Pat Cullen, Barbara Deans, Bill Fisher, Ahmad Karanouh, Terence Lees and Brian Sommerville

Against: Cr Karen Churchill

Cr Churchill recorded her vote against the resolution.

**CARRIED 8/1**

At 8.14 pm, Mayor Tim Horan vacated the chair and left the meeting.

At 8.14 pm, Cr Terence Lees left the meeting.

**12.9 DOMESTIC KERBSIDE WASTE COLLECTION - RFQ230529DJ****RESOLUTION 2023/122**

Moved: Cr Pat Cullen

Seconded: Cr Karen Churchill

- 1. That the information be noted.**

**2. That RFQ230529DJ – Domestic Kerbside Waste Collection – be awarded to Robo’s Construction and Earthworks in the sum of \$165,454.55 ex GST. For the period of 12 months from 1 July 2023 to 30 June 2024.**

In Favour: Crs Karen Churchill, Adam Cohen, Pat Cullen, Barbara Deans, Bill Fisher, Ahmad Karanouh and Brian Sommerville

Against: Nil

**CARRIED 7/0**

At 8.20 pm, Mayor Tim Horan returned to the meeting, Cr Karanouh vacated chair and Cr Horan took the chair.

At 8.20 pm, Cr Terence Lees returned to the meeting.

**RESOLUTION 2023/123**

Moved: Cr Bill Fisher  
Seconded: Cr Barbara Deans

**That Council moves out of Closed Council into Open Council.**

In Favour: Crs Tim Horan, Karen Churchill, Adam Cohen, Pat Cullen, Barbara Deans, Bill Fisher, Ahmad Karanouh, Terence Lees and Brian Sommerville

Against: Nil

**CARRIED 9/0**

**13 CONCLUSION OF THE MEETING**

**The Meeting closed at 8.40pm.**

**The minutes of this meeting were confirmed at the Council held on 12 July 2023.**

.....  
**CHAIRPERSON**

**7 DISCLOSURES OF CONFLICTS OF INTEREST**

## 8 MAYORAL MINUTE

### MAYORAL MINUTE

**File Number:** M3  
**Author:** Tim Horan-Mayor  
**Authoriser:** Tim Horan, Mayor  
**Annexures:** Nil

### MAYORAL MINUTE

I am pleased to present to you the Mayoral report for June 2023

The GM has advised Councillors of issues surrounding contracts with Council and has made a commitment to address the manner in which Council deals with its staff and external agents/officers in relation to procurement and tender processes.

At the June Council meeting the GM and Director Infrastructure made a statement concerning the cancellation of a contract based on written information that had been provided to them.

Trust and professionalism are paramount and in the opinion of the GM this information has misled the Council and misrepresented the contractor whose name was not mentioned within the public forum.

The GM has asked that the matter be placed in the open forum via my report and note that the GM has taken the appropriate internal action concerning this matter which will also include a written apology to the contractor .

3/7/23 – The GM, Director of Engineering, Clr Sommerville and I attended Quambone to meet with members of the Quambone Resources Committee. We were given a tour of town and some of the issues that Council may be able to assist with. The Committee and all the volunteers are to be congratulated for their efforts and dedication to their small community, they certainly make a huge difference. The Director of Engineering will work with the committee to assist with any works that council can.

22/6/23 – Inland Rail attended Coonamble and met with senior staff and Councillors. An update on the line was provided over a general discussion. The GM and I will speak further about this at the meeting.

#### **Coonamble Pioneer Park.**

The original Coonamble general cemetery was in operation from 1869 to 1912 located at the eastern end of Warren St. In 1912 the cemetery was deemed to be full and closed for further burials. In the early 90's council commenced to move the head stones from their current site to the new cemetery. Several headstones and a plaque which has the names of 611 people who were registered and presumed to be buried at the old site on it.

Around the same time, in 1993 the community came together mainly at the instigation of Max Philpott OAM to convert the old cemetery into an arboretum and as a memorial to the 600 odd pioneers buried at the site. A small memorial was erected, and the trees were planted however the historic site has received limited maintenance and attention by Council.

Angie Little who also has made a significant contribution to our cemeteries history and continues doing so to this date raised the old cemetery with me some time back and suggested the park be formally named in recognition of our founding pioneers. Angie also has custody of one of the two turnstile gates that were located at the old site and would like to see these refurbished and returned to the site.

Given this significant history of our cemeteries and the site I propose that the old cemetery site be formally named, the gates and plagues be refurbished, and the park be included in the parks and gardens operations to receive more planned regular maintenance to a higher standard for family, visitors, and historians to visit.

### **Brigidine Sisters 140 years.**

Six Brigidine sisters arrived Coonamble from Mountrath, Ireland on 21<sup>st</sup> June 1883. The trip had taken 3 months by sea and then 7 days by horse drawn coach from Newcastle. Inside 2 weeks they had set-up a school, both primary and secondary students, an evening school for business, sewing and music students followed by a boarding school just 4 months later (no feasibility studies required and no stress leave allowed!!!) This was the first of many schools in Australia, New Zealand and New Guinea set-up by the Brigidnes, and is still fondly known as the 'Cradle of the Institute'.

The sisters continued to provide education to the youth of Coonamble up until the 1990s, when their numbers declined and they became more involved in parish work, with our last sister (Sr Finian) passing away in 2013.

Over 130 years, the sisters contributed so much to the Coonamble community across many areas – faith, academia, sport, music, drama, art, embroidery and business. Their ethos is still very evident in the mission of St Brigid's School today, and the sisters still consider Coonamble their home.

This year it is 140 years since the Brigidines arrived in Coonamble and approximately 20 sisters will return to Coonamble for a special celebration to mark the milestone on September 14.

I recently met with Mary Skuthorp, who kindly provided me the above history and a committee member of the 140 Years of Brigidine Tradition in Coonamble committee. Mary and the committee are requesting council to construct/install a small memorial of some kind in remembrance and gratitude of the Brigidine Sisters in a prominent location in the main street.

At a recent Council meeting, Councillor Lees suggested better use of the small council owned land in the main street which included talks about a small garden area. As such and given the celebrations this year of the Brigidine Sisters 140 years in Coonamble, I propose the block of land in the main street be converted to a small garden/park area with a memorial of some kind in recognition and remembrance of the Brigidine Sisters.

## **RECOMMENDATION**

### **That Council;**

- 1 Receive and note the Mayoral Minute.**

- 2** Resolve that the park area at the eastern end of Warrena Street generally known as the Pioneer cemetery be formally named “Coonamble Pioneer Park” in remembrance and acknowledgement of the Coonamble pioneers and that the original turnstile gates be installed at the park with a plaque recognising Max Philpott and Angie Little for their efforts in our cemetery history.
  
- 3** Resolve that the council owned land located in Castlereagh Street be converted to a small garden/park and further, a plaque be installed onsite in recognition of the Brigidine Sisters in time for the 140 years celebrations in September 2023.

**SECTION A - MATTERS FOR CONSIDERATION BY COUNCIL**

**SECTION B - MATTERS FOR INFORMATION ONLY**

**9 COMMITTEE REPORTS**

Nil

## 10 REPORTS TO COUNCIL

### 10.1 COUNCIL RESOLUTIONS UPDATE

**File Number:** C17; C20

**Author:** Marina Colwell-Executive Support Officer  
Deborah Tatton-Acting Manager Finance

**Authoriser:** Paul Gallagher, General Manager

**Annexures:** 1. Council Resolutions July 2023 [↓](#) 

#### PURPOSE

The purpose of this report is to enable Council to keep track of important Council resolutions.

#### BACKGROUND

Important and significant Council resolutions will be added to the list of items below, and a monthly update on the status will be provided by the responsible officer.

**(a) Relevance to Integrated Planning and Reporting Framework**

Adopted Council resolutions should ideally link in with Council’s suite of Integrated Planning and Reporting Framework documents.

**(b) Financial Considerations**

The financial considerations relating to each item mentioned below would have been considered by Council as part of the original report that dealt with the matter.

#### COMMENTARY

A table with information about outstanding Council resolutions is attached as Annexure 1 to the report, in the following format:

Date	Resolution No.	Action Required	Responsible Officer	Status/Update

#### RECOMMENDATION

**That Council notes the contents of Annexure 1 attached to the report on the status of Council resolutions.**

**Council Resolutions Update - Annexure 1**

Date	Resolution No.	Matter Description	Action Required	Responsible Officer	Status/Update
11.1.22	2022/11	Priority Items to be Pursued	Review & Adoption of Approvals & Order Policies – within 12 months	Manex (Executive Management Team)	Progressing
11.1.22	2022/11	Priority Items to be Pursued	Review of Delegations – within 12 months	GM	Ongoing. <b>04.07.2023</b> GM to review delegations to staff in September 2023
9.2.22	2022/21	Youth Services in LGA	Determine current services, coordination and possible duplication and gaps analysis	ELESPC	Ongoing.
9.2.22	2022/29	LEP Amendments	Availability of suitable residential land – including small rural blocks, larger rural subdivisions, restrictions on acreage size in RU1 zoning	ELESPC	LEP Amendment for housekeeping amendments tabled at 13 May 2022 meeting
9.2.22	2022/30	CDEP-like community employment and training program	Discussions with Federal MP and other stakeholders	Mayor/GM	Redi.e are administrating similar funding and they have indicated that they are interested in applying for this funding for Coonamble – with a letter of support from Council  <b>04.07.2023</b> GM and Mayor have held further discussions with Redi.e and will be discussing opportunities with other providers in late July, also booked into see the Minister to see what Government funding is available

Date	Resolution No.	Matter Description	Action Required	Responsible Officer	Status/Update
9.2.22 14.8.22	2022/44 2022/225	Compulsory Acquisition of land – Bore Baths	Legal processes to be followed	MGR.EDG	Acquisition is in progress
9.3.22	2022/53	Report be prepared for Council's consideration – available Council owned or controlled land as well as information on the Native Title status of the land adjoining the Coonamble Jockey Club.	Report be prepared for Council's consideration, including the community feedback gathered, so that it can be used to inform the future direction and progress of the project	MGR.EDG	<b>04.07.2023</b> The report was considered and Council agreed to continue acquisition of the currently identified site (as in above resolutions and in Resolution 2023/69 at end of table) – This resolution no longer required.
15.6.22	2022/116	Plan of Management – Sports Oval	Inclusion of 'one off camping facility' at the sports oval - plan	DIR.CS MGR.US	Progressing – the inclusion of the ability for the Sportsground to act as a 'one off camping facility' has been included in the draft plan  <b>04.07.2023</b> Council trailed the primitive camping for the rodeo/campdraft in June opposite the showground.
15.6.22	2022/121	Review of Social Media Policy	Review the policy, place on public exhibition for required time inviting submissions from the community before adoption	MGR.EDG	Awaiting a suitable time for workshop with Councillors – Ongoing
15.6.22	2022/129	Draft Masterplan for the Coonamble Pool & McDonald Park Precinct	That Council places the Masterplan on public exhibition for required time inviting submissions from the community before adoption	MGR.US	Report to be prepared - Pending results back from structural engineer. Awaiting response.  <b>04.07.2023</b> A workshop with Councillors will be scheduled for August/September

Date	Resolution No.	Matter Description	Action Required	Responsible Officer	Status/Update
15.6.22	2022/136	Notice of Motion (Cr Churchill): 1. Collection of information regarding 'slow down signs' at Gulargambone	Meeting with Transport for NSW to be held regarding use of radar signage during harvest period.	MGR.RDS	Report to April Ordinary Meeting Waiting on TfNSW in order to report to council  <b>04.07.2023</b> Nil response received to date
15.6.22		2. Fence – Tully Park & Preschool	Meet with representatives to discuss the possibility of a new fence, prepare a report to be bought back to Council with estimated costs	DIR.CS	On Hold – meeting to be arranged between Council and Committee
15.6.22		3. Coonamble Men's Shed	Prepare a report to be bought back to Council with the estimated costs & likelihood of facilitating the following: *Improved security *Installation of Solar Panels	DIR.CS	<b>04.07.2023</b> - Funding has been allocated in the 2023/24 Operational budget to allow for the works to proceed.
13.7.22	2022/153	Industrial Land Review	Council to research the possibility of acquiring land for industrial use	MGR.EDG	Ongoing.  <b>04.07.2023</b> Land development and purchase of the SOT's in progress, further land has been identified and MUS is obtaining valuations with a report to be resented to Council

Date	Resolution No.	Matter Description	Action Required	Responsible Officer	Status/Update
10.8.22	2022/204	Substitute Area for local sporting clubs	Investigate alternative and appropriate area for substitute sports grounds	MGR.US	<p>Meetings being held with User Groups with preliminary findings indicating the issue is a scheduling challenge rather than a capacity issue. Unable to schedule meeting with Junior Rugby League as no committee. New committee has formed so a new meeting and time to be set.</p> <p><b>04.07.2023</b> Under investigation, but slow progress as staff have had other priorities, new management team reviewing suitable sites for consideration</p>
09.11.22	2022/264	Cemeteries Maintenance	Staff to develop a Plan of Management for the Cemeteries within the Shire	MGR.RDS MUS	<p>Plan of Management in development.</p> <p><b>04.07.2023</b> Waiting on a report from the consultant on the change in operation and reporting</p>
09.11.22	2022/267	Housing Strategy	Council to seek expressions of interest from persons with available land and or houses	GM DIR.CS	<p>Ongoing</p> <p><b>04.07.2023</b> Several residents have offer land for consideration MUS has been obtaining valuations for a report to be presented to council.</p>
09.11.22	2022/269	Warrena Weir Plan of Management (POM)	POM to be put on exhibition inviting community feedback	DIR.CS MGR.EDG	<p>Small amendments and corrections required in the plan before calling the public consultation.</p>

Date	Resolution No.	Matter Description	Action Required	Responsible Officer	Status/Update
					<b>04.07.2023</b> Nil progress at this point in time, a meeting is to be held with the stakeholders.
09.11.22	2022/291	Coonamble CBD	Investigations to be carried out on the development of the CBD	DIR.CS	Ongoing  <b>04.07.2023</b> Waiting on the outcome of the purchase of the SOT's
14.12.22	2022/289	Review of Signage (mining)	Review the signage at the entrances to the town	MGR.RDS MGR.EDG	Clarification on Signs meeting framework of LEP & DCP; draft signage being prepared
14.12.22	2022/290	Evaluation of 2022 Coonamble Street Carnival	Staff to gather feedback from the recent event for evaluation before the 2023 event takes place	MGR.EDG	Completed and to be handed to Coonamble Rotary Club for Christmas Street Party 2023
14.12.22	2022/300	<del>Resourcing Strategy</del>	<del>Workforce Management Strategy to be placed on public exhibition inviting submissions from the community</del>	<del>MGR.P&amp;C</del>	<del><b>04.07.2023</b> Completed — Policy adopted by Council.</del>
08.02.23	2023/9	Joint Organisation Membership	Council approach the FNWJO to become a member	GM	A letter of application has been forwarded to the FNWJO - waiting on a response. Advice has been received that FNWJO has accepted council, the chair is waiting on advice from the OLG  <b>04.07.2023</b> Report being presented to the July Council meeting.
08.02.23	Motion	Historian recognition	Angie Little to be added to Coonamble's Nick Name Hall of Fame	MGR.EDG	Ongoing; locating a caricaturist

Date	Resolution No.	Matter Description	Action Required	Responsible Officer	Status/Update
08.02.23	2023/22	Betterment Programme	Council endorse the submission to the OLG from NSW Local Government Recovery Grant	MGR.RDS	<p>Council endorse the submission to the OLG from NSW Local Government Recovery Grant</p> <p><b>04.07.2023</b></p> <p><b>Completed</b></p>
08.02.23	2023/32	ED&G – Progress report	That Council authorise the General Manager to prepare an Expression of Interest for the Growing Regional Economies Fund, centred on upgrading Coonamble’s CBD, with secondary components focused on housing, expanded pre-school/ childcare facilities and the airport.	GM	<p>Had discussions with the Deputy Director of the NSW Department of Regional NSW who advised Council that upgrading the CBD couldn’t be justified without growth in a particular industry; she recommended focusing on airport upgrades, justifying its relevance in improving access to health care as a key strategy of the Western Plains Regional Economic Development Strategy (REDS).</p> <p><b>04.07.2023</b></p> <p>Council submitted and EOI for the upgrade to the airport which fitted the criteria.</p>
08.02.23	Motion	Purchasing Policy	That a review be carried out on Council’s local performance purchasing Policy, with respect of the application of a Local Indexing factor applied for local contractors and the dollar value of the	DIR.CS MGR.F&P	<p><b>04.07.2023</b></p> <p>Progressing – The amended draft policy, as tabled to the June 2023 Council meeting has been placed on display for public comment.</p>

Date	Resolution No.	Matter Description	Action Required	Responsible Officer	Status/Update
			tender, Council staff also to review the Tender Process for receipt of tenders.		
08.02.23	2023/45	SOTS	<p>1. That authorises the Mayor and the General Manager to negotiate a purchase price with the owner of the SOTS and bring a report back to Council.</p> <p>2. That Council continue investigations to finance and redevelop the site – as well as the overall enhancement of the Coonamble CBD precinct – through either grant funding, a public-private partnership arrangement, purchase-then-lease model or other models yet to be identified.</p> <p>3. That Council prepare costings on the upgrades of the engineering section and on the current RMS building and a report be brought back to council for consideration.</p>	GM	<p>13/4/2023</p> <p>term 1; Confidential advice on the purchase of the SOTS was provided on 11 March to councillors.</p> <p>In accordance with the direction of Council that the upper limit for purchase was fixed an offer was made to the owner who has agreed to the price. There was a caveat that we had to report the matter back to Council, we had to seek approval from the OLG and undertake some more due diligence and we could be some time away before actually purchasing the site. Our next steps;</p> <p>Make contact with the OLG as we have a statutory requirement to report the business activity and gain OLG approval.</p> <p>We are sourcing quotes from a business analysis company that can do a business case study for the site with respect to more detailed options on the site, i.e. private partnerships, lease arrangements, suitable business lease to buy and overall financial</p>

Date	Resolution No.	Matter Description	Action Required	Responsible Officer	Status/Update
					<p>returns for the options available etc.</p> <p>A further report to Council re resolution on purchase etc once the due diligence has been completed.</p> <p>Item 2; Staff are in the progress of investigations to finance and redevelop the site</p> <p>Item 3; No action on this item, will be subject to the outcome of the SOTS, staff have investigated some alternative sites but nothing firm at this point in time</p>
12.04.23	2023/59	Draft Operational Plan Action Items	Council adopt 'in principle' the draft Operational Plan Action Items	DIR.CS	<b>04.07.2023 – Completed – Operational plan was adopted by Council at its June 2023 Council meeting</b>
	2023/62	Pool Operations	<ol style="list-style-type: none"> <li>1. Do not pursue unsupervised access to Coonamble &amp; Gular pools</li> <li>2. Seek tenders for management of both facilities</li> <li>3. Review Quambone pool operations – remote camera/security to linked on call staff</li> </ol>	MGR.US	<b>04.07.2023 – report to July Meeting</b>
	2023/63	Street Trees	Exhibit the Street Tree Plans, the time frame for the program be reduced by five (5) years, consider planting trees in the Main street where there are no awnings.	MGR.US	<b>04.07.2023 – report to July Meeting</b>
	2023/65	Wheel Stops	Seek quotations for replacement,	DIR.IF MGR.RDS	<b>04.07.2023</b> <b>RFQ currently being advertised</b>

Date	Resolution No.	Matter Description	Action Required	Responsible Officer	Status/Update
			Line-marking the bays, Councillors to inspect a sample of the proposed wheel stops prior to purchase		Sample wheel stopped placed, Council requested a longer wheel stop which will now be organised to be placed and line marking to follow thereafter.
	2023/68	Master Inland Rail Development Agreement (MIRDA)	That Council endorse the draft MIRDA	GM	Waiting on the agreement document to be provided to council for signing and execution
	2023/69	Site Considerations for Artesian Bath	Continue with Opt A (Golf Club Site) and continue with investigations of other possible sites.	MGR.EDG	Works in progress <b>04.07.2023</b> Mayor and GM to meet with the Minister in August to ascertain progress of the land claim
	2023/70	Waste Collection Contract	Council to call for quotations for waste collection to June 2024	DIR.IF	<del>04.07.2023</del> Complete Reported to June Council meeting
	2023/71	Waste Collection	Staff to investigate the possibility of operating the collection in-house	DIR.IF	<b>04.07.2023</b> Report received from Consultant. Report to Council August meeting
10.05.23	2023/61	Visual Improvements – Entrance CBD	Replanting Bougainvillea on trellis, investigate options for wall on council's vacant block	DIR.IF	<b>04.07.2023</b> Progressing. Looking at options for bougainvillea and trellis'. Investigations ongoing for the wall on Council's block

Date	Resolution No.	Matter Description	Action Required	Responsible Officer	Status/Update

**10.2 CORRESPONDENCE****File Number: C20****Author: Marina Colwell-Executive Support Officer****Authoriser: Paul Gallagher, General Manager****Annexures: Nil****CORRESPONDENCE**

Each month a list of correspondence is sent out in the Business Paper to Councillors to ensure that they have not missed any information since the last Business Paper was produced.

<b>Date</b>	<b>Information Sent</b>	<b>Author</b>	<b>In</b>	<b>Out</b>	<b>Sent</b>
09.06.2023	Progression of the staff probationary reviews	P Gallagher		✓	✓
13.06.2023	Draft Operational Plan and Budget Submission	B Quarmby	✓	✓	✓
13.06.2023	Coulton's Catch Up – M Coulton MP	M Coulton	✓	✓	✓
15.06.2023	Councillors Expenses Form	M Colwell		✓	✓
16.06.2023	Councillors – Confidential – Land For Housing Development	P Gallagher		✓	✓
16.06.2023	Coulton's Catch Up – M Coulton MP	M Coulton	✓	✓	✓
21.06.2023	Councillors – Confidential – Land for Housing Development update	P Gallagher		✓	✓
26.06.2023	Notice – Inland Rail visiting representatives	M Colwell		✓	✓
26.06.2023	Coulton's Catch Up – M Coulton MP	M Coulton	✓	✓	✓
26.06.2023	Notice – LGNSW Annual Conference Dates	M Colwell		✓	✓
29.06.2023	SES Building Company gone into voluntary receivership	P Gallagher		✓	✓
29.06.2023	Notification – new Manager People & Culture	P Gallagher		✓	✓
01.07.2023	Update on matters; meeting with Ministers, Membership to the FNWJO and Sister City reconnection.	P Gallagher		✓	✓
03.07.2023	Advice on the appointment details of the Administrator for the SES Building	P Gallagher		✓	✓

**RECOMMENDATION**

**That the report be received and noted.**

**10.3 STATUS OF INVESTMENTS - JUNE 2023****File Number:** Investments General - I5**Author:** Imogen Pawley-Finance Assistant**Authoriser:** Bruce Quarmby, Director Corporate Services**Annexures:** 1. Imperium Markets Portfolio Report June 2023 [↓](#) **PURPOSE**

The purpose of the report is for Councillors to note the status of its investment portfolio.

**BACKGROUND****(a) Relevance to Integrated Planning and Reporting Framework**

L1.4.10 Maintain long term financial viability.

**(b) Financial Considerations**

Investment levels and interest rates are currently on par with the revised estimated calculations.

**COMMENTARY**

The format of the report has been configured to demonstrate Council's compliance with the relevant legislative requirements along with Council's own adopted Investment Policy.

The attached Investment Report was calculated on 30 June 2023 after all maturing dates for investments had passed.

The total Capital Value of investments at 30 June 2023 is \$31,250,000. This is a decrease of \$3,500,000 from \$34,750,000 at 31 May 2023.

**AVAILABLE WORKING FUNDS**

Restricted funds are set aside by Council and external parties for a particular purpose to meet future expenses. Unrestricted funds are available to be used to cover all other expenses of Council.

As at the 30 / 06 / 2022 the balance of unrestricted and unallocated cash (working funds) was \$2,642 million.

**(a) Governance/Policy Implications**

Monthly financial reporting ensures transparency of financial reporting to enable Councillors to make financially sustainable and accountable decisions.

**(b) Legal Implications**

All investments continue to be made in accordance with the requirements of the Local Government Act 1993 and Council's Investment Policy.

**(c) Social Implications**

Council funds are used to provide services and infrastructure to the community and, as a result, well managed funds maximise the level of financial resources available to support the community.

**(d) Environmental Implications**

There are no environmental implications arising from this report.

**(e) Economic/Asset Management Implications**

Sound economic management includes maximising Council's return on investment, and this is achieved by closely monitoring investments in line with Council's Investment Policy.

**(f) Risk Implications**

Sound economic management includes maximising Council's return on investment, and this is achieved by closely monitoring all investments in line with Council's Investment Policy.

**CONCLUSION**

Funds have been appropriately restricted to ensure all areas of Council can continue to operate in accordance with both the annual Operational Plan and the Long-Term Financial Plan. Further, all investments are continued to be made in accordance with the requirements of the Local Government Act 1993 and Council's Investment Policy.

**RECOMMENDATION**

**That Council notes the list of investments from 1 June 2023 to 30 June 2023 and that these investments comply with section 625(2) of the Local Government Act 1993, Clause 212 of the Local Government (General) Regulation 2005 and Council's Investment Policy.**



# Investment Report

01/06/2023 to 30/06/2023



### Portfolio Valuation as at 30/06/2023

Issuer	Rating	Type	Alloc	Interest	Purchase	Maturity	Rate	Capital Value	Accrued	Accrued MTD
IMB Bank	A-2	TD	GENERAL	At Maturity	02/02/2023	03/07/2023	4.1500	1,000,000.00	16,941.10	3,410.96
Commonwealth Bank	A-1+	TD	GENERAL	At Maturity	09/02/2023	10/07/2023	4.4300	1,000,000.00	17,234.52	3,641.10
NAB	A-1+	TD	GENERAL	At Maturity	13/03/2023	14/08/2023	4.5100	1,000,000.00	13,591.78	3,706.85
Westpac	A-1+	TD	GENERAL	At Maturity	20/02/2023	21/08/2023	4.5800	1,000,000.00	16,437.81	3,764.38
Commonwealth Bank	A-1+	TD	GENERAL	At Maturity	01/03/2023	01/09/2023	4.7000	500,000.00	7,854.79	1,931.51
Westpac	A-1+	TD	GENERAL	At Maturity	03/03/2023	04/09/2023	4.6500	2,000,000.00	30,575.34	7,643.84
NAB	A-1+	TD	GENERAL	Quarterly	10/03/2023	11/09/2023	4.6000	1,500,000.00	3,402.74	3,402.74
BOQ	A-2	TD	GENERAL	At Maturity	27/03/2023	27/09/2023	4.6000	1,000,000.00	12,098.63	3,780.82
NAB	A-1+	TD	GENERAL	At Maturity	05/04/2023	05/10/2023	4.4000	1,500,000.00	15,731.51	5,424.66
AMP Bank	A-2	TD	GENERAL	At Maturity	19/04/2023	16/10/2023	4.9000	2,000,000.00	19,600.00	8,054.79
NAB	A-1+	TD	GENERAL	At Maturity	24/04/2023	24/10/2023	4.5500	1,000,000.00	8,476.71	3,739.73
IMB Bank	A-2	TD	GENERAL	At Maturity	03/05/2023	01/11/2023	4.6400	2,500,000.00	18,750.68	9,534.25
Westpac	A-1+	TD	GENERAL	At Maturity	03/05/2023	03/11/2023	4.6400	1,000,000.00	7,500.27	3,813.70
NAB	A-1+	TD	GENERAL	At Maturity	08/05/2023	08/11/2023	4.7300	2,000,000.00	13,995.62	7,775.34
Unity Bank	Unrated	TD	GENERAL	Monthly	18/11/2022	18/11/2023	4.2000	250,000.00	345.21	345.21
BOQ	A-2	TD	GENERAL	At Maturity	29/05/2023	29/11/2023	4.9800	1,000,000.00	4,502.47	4,093.15
NAB	A-1+	TD	GENERAL	At Maturity	07/06/2023	07/12/2023	5.1500	1,000,000.00	3,386.30	3,386.30
NAB	A-1+	TD	GENERAL	At Maturity	13/06/2023	13/12/2023	5.2000	3,000,000.00	7,693.15	7,693.15



Issuer	Rating	Type	Alloc	Interest	Purchase	Maturity	Rate	Capital Value	Accrued	Accrued MTD
NAB	A-1+	TD	GENERAL	At Maturity	15/05/2023	15/01/2024	4.7500	2,000,000.00	12,232.88	7,808.22
BOQ	A-2	TD	GENERAL	At Maturity	25/05/2023	25/01/2024	4.9500	1,500,000.00	7,526.71	6,102.74
IMB Bank	A-2	TD	GENERAL	At Maturity	30/05/2023	28/02/2024	4.9000	500,000.00	2,147.95	2,013.70
AMP Bank	A-2	TD	GENERAL	At Maturity	17/04/2023	16/04/2024	4.9000	1,000,000.00	10,068.49	4,027.40
IMB Bank	BBB+	FRTD	GENERAL	Quarterly	04/08/2022	06/08/2024	4.3720	1,000,000.00	6,947.29	3,593.42
IMB Bank	BBB+	FRTD	GENERAL	Quarterly	17/01/2022	16/01/2025	4.1900	1,000,000.00	8,609.59	3,443.84
<b>TOTALS</b>								<b>31,250,000.00</b>	<b>265,651.53</b>	<b>112,131.78</b>

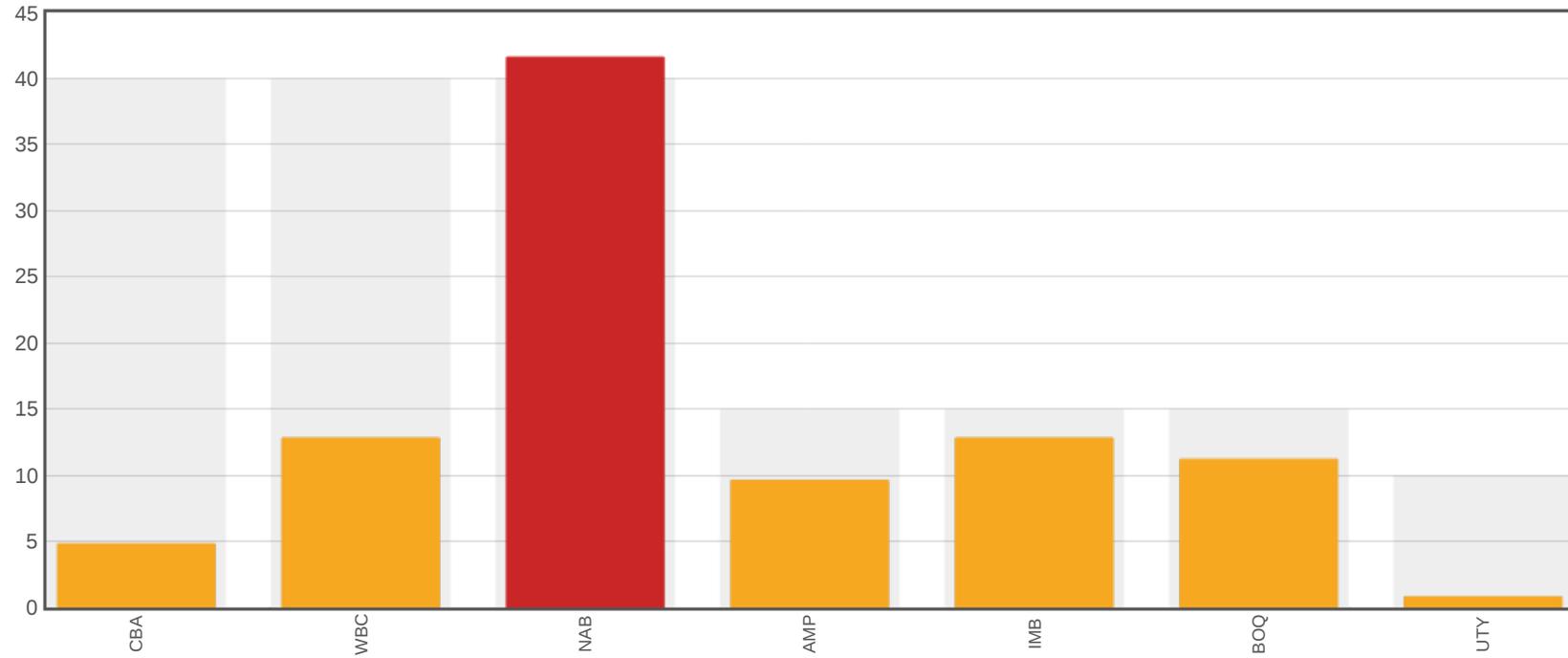


## Counterparty Compliance as at 30/06/2023

### Short Term Investments

Compliant	Bank Group	Term	Rating	Invested	Invested (%)	Limit (%)	Limit (\$)	Available
✓	Commonwealth Bank	Short	A-1+	1,500,000.00	4.80	40.00	-	11,000,000.00
✓	Westpac	Short	A-1+	4,000,000.00	12.80	40.00	-	8,500,000.00
✗	NAB	Short	A-1+	13,000,000.00	41.60	40.00	-	-500,000.00
✓	AMP Bank	Short	A-2	3,000,000.00	9.60	15.00	-	1,687,500.00
✓	IMB Bank	Short	A-2	4,000,000.00	12.80	15.00	-	687,500.00
✓	BOQ	Short	A-2	3,500,000.00	11.20	15.00	-	1,187,500.00
✓	Unity Bank	Short	Unrated	250,000.00	0.80	10.00	-	2,875,000.00
<b>TOTALS</b>				<b>29,250,000.00</b>	<b>93.60</b>			

**Counterparty Compliance - Short Term Investments**



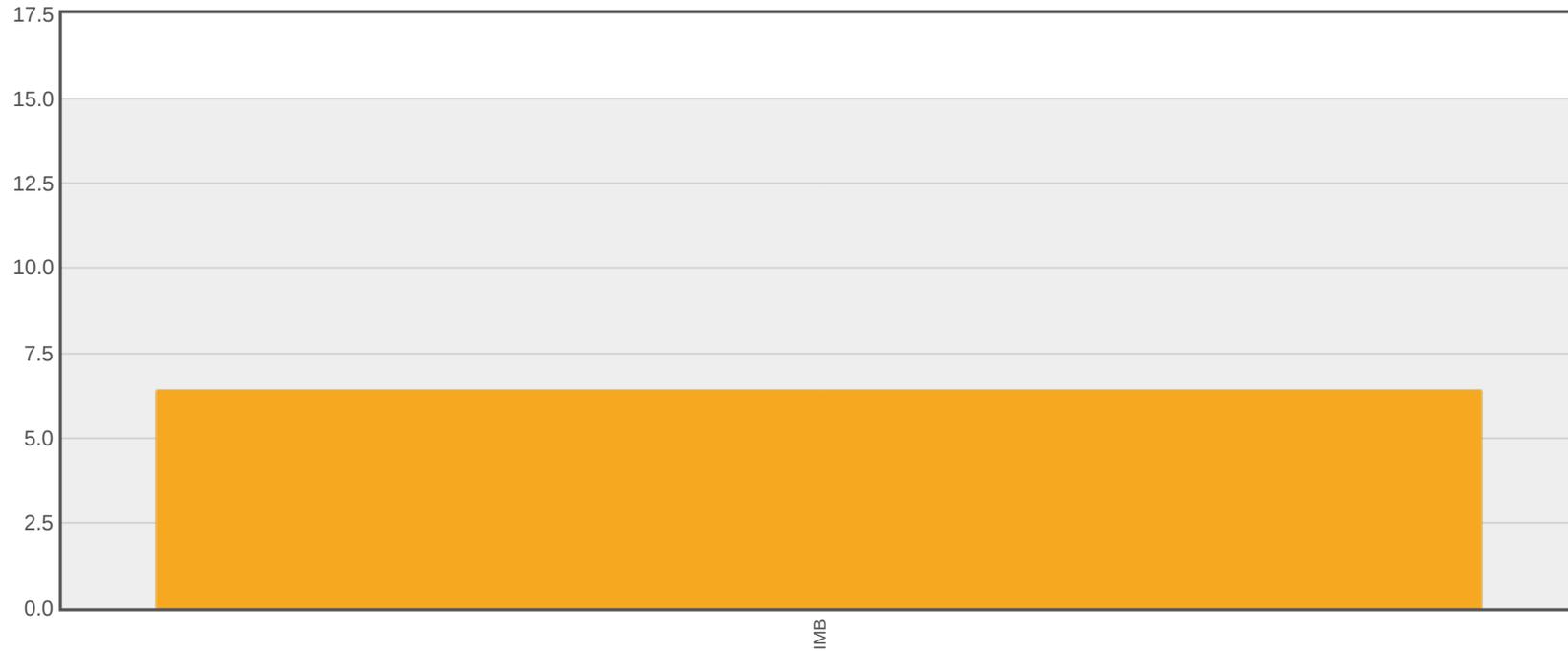


**Long Term Investments**

Compliant	Bank Group	Term	Rating	Invested	Invested (%)	Limit (%)	Limit (\$)	Available
✓	IMB Bank	Long	BBB+	2,000,000.00	6.40	15.00	-	2,687,500.00
<b>TOTALS</b>				<b>2,000,000.00</b>	<b>6.40</b>			



**Counterparty Compliance - Long Term Investments**



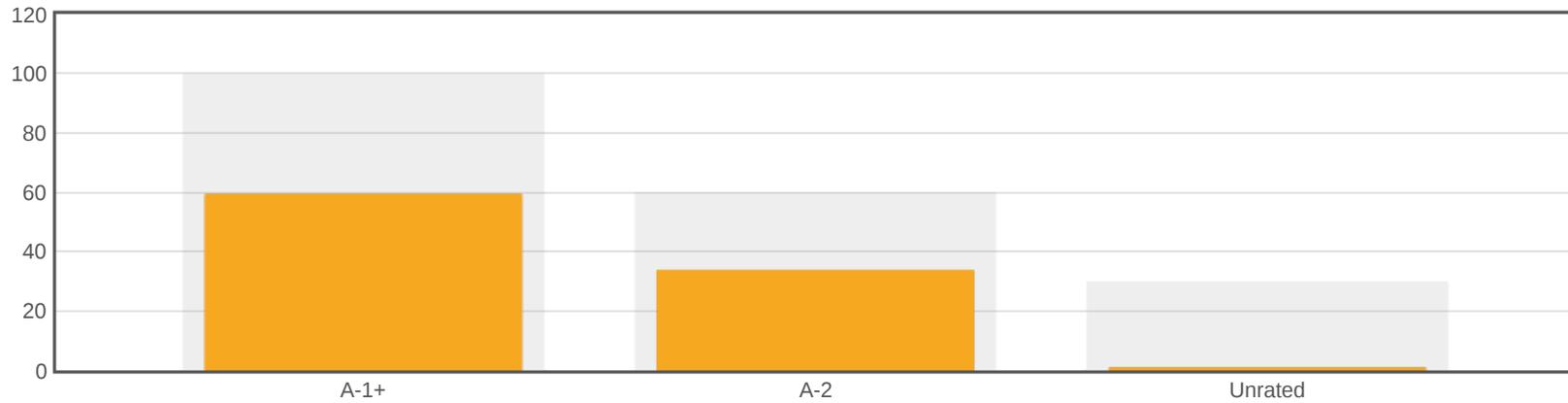


### Credit Quality Compliance as at 30/06/2023

#### Short Term Investments

Compliant	Rating	Invested (\$)	Invested (%)	Limit (%)	Available
✓	A-1+	18,500,000.00	59.20	100.00	12,750,000.00
✓	A-2	10,500,000.00	33.60	60.00	8,250,000.00
✓	Unrated	250,000.00	0.80	30.00	9,125,000.00
<b>TOTALS</b>		<b>29,250,000.00</b>	<b>93.60</b>		

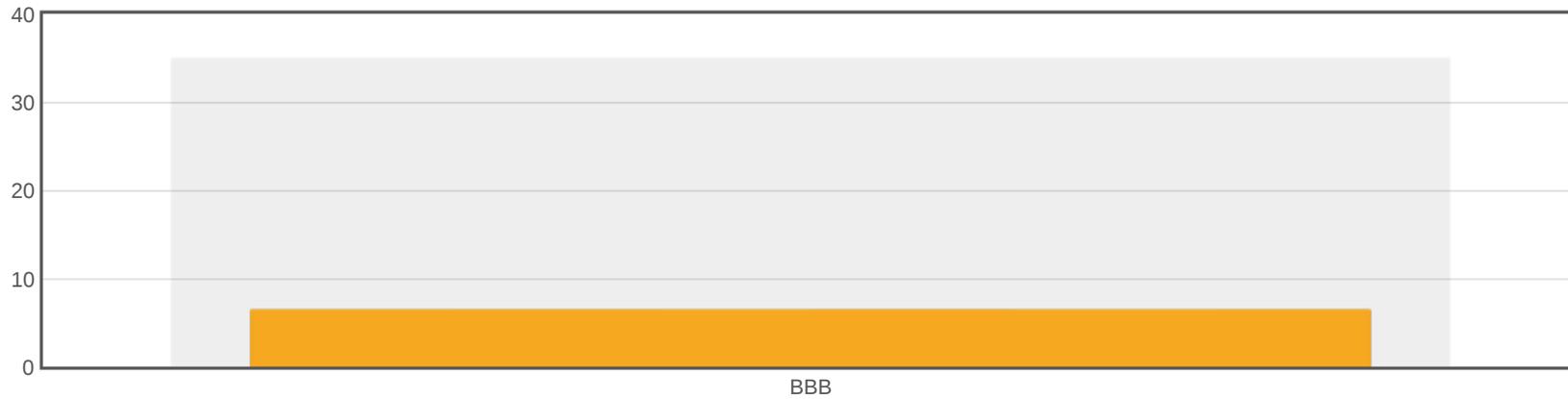
#### Credit Quality Compliance - Short Term Investments



**Long Term Investments**

Compliant	Rating	Invested (\$)	Invested (%)	Limit (%)	Available
✓	BBB	2,000,000.00	6.40	35.00	8,937,500.00
<b>TOTALS</b>		<b>2,000,000.00</b>	<b>6.40</b>		

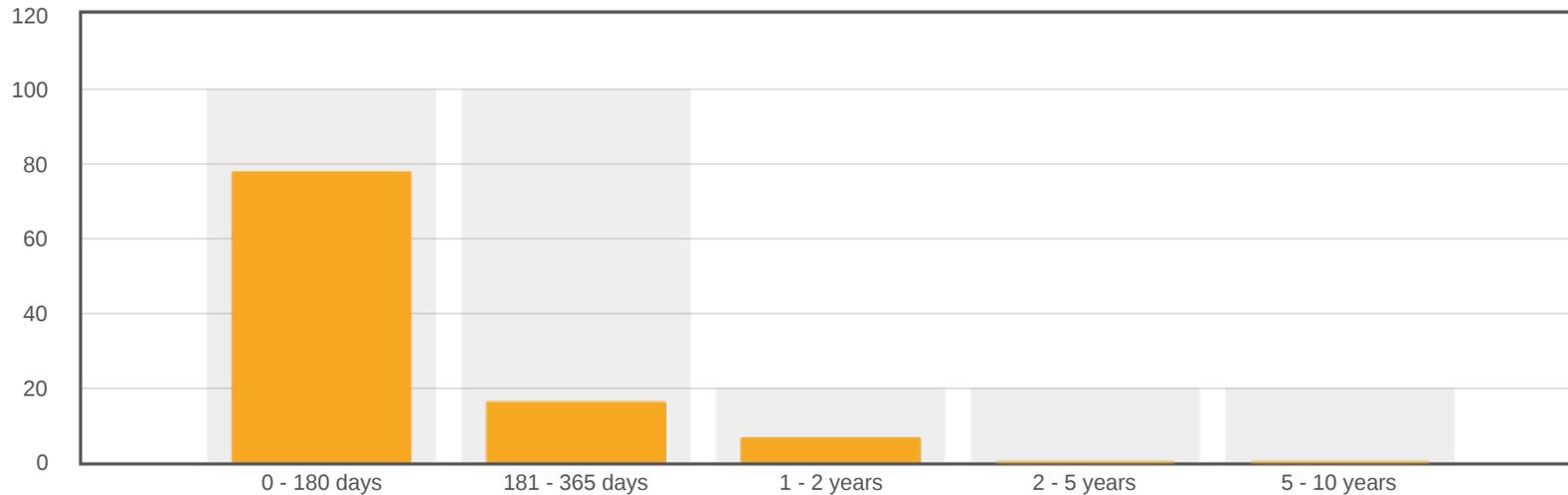
**Credit Quality Compliance - Long Term Investments**



### Maturity Compliance as at 30/06/2023

Compliant	Term	Invested	Invested (%)	Min Limit (%)	Max Limit (%)	Available
✓	0 - 180 days	24,250,000.00	77.60	0.00	100.00	7,000,000.00
✓	181 - 365 days	5,000,000.00	16.00	0.00	100.00	26,250,000.00
✓	1 - 2 years	2,000,000.00	6.40	0.00	20.00	4,250,000.00
✓	2 - 5 years	-	0.00	0.00	20.00	6,250,000.00
✓	5 - 10 years	-	0.00	0.00	20.00	6,250,000.00
<b>TOTALS</b>		<b>31,250,000.00</b>	<b>100.00</b>			

### Maturity Compliance



**10.4 SALEYARDS REPORT- 30 JUNE 2023****File Number: S1****Author: Deborah Tatton, Acting Manager Finance****Authoriser: Bruce Quarmby, Director Corporate Services****Annexures: 1. Saleyard Monthly Report - June 2023** [↓](#) **PURPOSE**

The purpose of this report is to keep Council informed of monthly income and expenditure associated with the saleyards.

**BACKGROUND**

The following information details income and expenditure associated with the Coonamble saleyards for the month of June 2023.

**(a) Relevance to Integrated Planning and Reporting Framework**

14.1 Ensure long term management and protection of our community assets.

**(b) Financial Considerations**

The Saleyards / Truck wash unit was originally set up as a business unit for Council.

**Saleyards Activities**

During the month of May, one (1) sale was held at the Coonamble Saleyards, with the sale held on 21 June 2023.

A Saleyard Committee meeting was held also held at the Saleyards canteen during the last week of June 2023.

The following maintenance was carried out during the month of June:

- Planned scheduled maintenance.
- The cleaning and backfill of two (2) dirt yards.

The following maintenance is planned to be carried out during the month of July:

- The cleaning and backfill of three (3) dirt yards.
- The replacement of two (2) troughs.
- The replacement/ repair of damaged internal yard fencing.
- The restocking of the first aid cabinet in the Saleyards Canteen.

**Truck Wash**

The following planned maintenance will be completed at the Truck wash facility, during the month of July 2023:

- The scheduled resetting of the pumps.
- General maintenance as required.

**SALEYARDS ACCOUNT 01/07/2022 - 30/06/2023**

**Saleyard Operations:**

Income	120,066.98
Expenditure	141,335.85
Deficit	-21,268.87

**Truck wash:**

Income	24,442.69
Expenditure	19,174.26
Surplus	5,268.43

**Summary:**

Income	144,509.67
Expenditure	160,510.11
Deficit	-16,000.44

**(c) Governance/Policy Implications**

Maintenance of Council’s infrastructure assets is carried out in accordance with Council’s adopted management plans.

**(d) Legal Implications**

There are no legal implications arising from this report.

**(e) Social Implications**

There are no social implications arising from this report.

**(f) Environmental Implications**

There are no environmental implications arising from this report.

**(g) Economic/Asset Management Implications**

Works are generally scheduled in accordance with Council’s adopted Operational Plan and Budget to ensure Council’s assets are maintained to an appropriate standard within budget limitations. This asset needs some major maintenance works but has been running at a financial deficit for years. More favourable seasonal conditions means that this asset is currently being used on a more frequent basis, but there are risks for Council involved with knowingly using an asset that does not comply with all legislative and other industry standards. Although a difficult situation to address, Council will have to objectively consider all facts surrounding the saleyards, and the most appropriate way forward with responsibly managing this facility into the future.

Council adopted the following resolution at its Ordinary Meeting held on 15 September 2021:

**RESOLUTION 2021/217**

Moved: Cr Bill Fisher Seconded: Cr Karen Churchill

**That Council pursues the development of an upgrade plan for the Saleyards facility to comply with the Environmental Protection Authority (EPA) and other Government Agencies' requirements and that the Executive Leader Environment, Strategic Planning obtains quotes in this regard for Council's consideration.**

CARRIED

**(h) Risk Implications**

Maintenance works are scheduled and carried out within budgetary constraints to reduce Council's overall risk exposure.

**CONCLUSION**

The saleyard operations are being closely monitored to ensure a more effective and sustainable strategy for the long term.

**RECOMMENDATION**

**That the report is received and noted.**

ScreenName: Auto-saved screen  
 Data: General Ledger Data  
 Filter: All  
 Calendar: YTD for June 2022-23

Last Refreshed: Jun 30,  
 Hide Zero: Off

Account No	Annual Amended Budget	Jul MTH Actuals	Aug MTH Actuals	Sep MTH Actuals	Oct MTH Actuals	Nov MTH Actuals	Dec MTH Actuals	Jan MTH Actuals	Feb MTH Actuals	Mar MTH Actuals	Apr MTH Actuals	May MTH Actuals	Jun MTH Actuals	YTD Actuals
<b>5700-0002 - SALEYARDS</b>														
<b>05 - Revenue</b>														
5700-1150 - Saleyards Fees & Charges - Casual	(3,000)	.00	0	0	0	0	0	0	0	0	0	0	0	.00
5700-1152 - Saleyards Fees & Charges - Sale	(88,500)	-9,804.37	-9,432	-10,408	-10,666	-18,634	0	-7,105	-9,846	-20,416	-8,544	-6,881	-8,330	(120,066.98)
5700-1496 - Grants - Saleyards Safety Upgrade	0	.00	0	0	0	0	0	0	0	0	0	0	0	.00
<b>05 - Revenue Total</b>	<b>(91,500)</b>	<b>-9,804.37</b>	<b>-9,432</b>	<b>-10,408</b>	<b>-10,666</b>	<b>-18,634</b>	<b>0</b>	<b>-7,105</b>	<b>-9,846</b>	<b>-20,416</b>	<b>-8,544</b>	<b>-6,881</b>	<b>-8,330</b>	<b>(120,066.98)</b>
<b>06 - Expenditure</b>														
5700-2245 - Saleyards Insurances	10,980	10,977.73	0	0	0	0	0	0	0	0	0	0	0	10,977.73
5700-2255 - Saleyards Electricity Charges	6,580	.00	465	432	1,397	531	1,106	641	634	712	909	622	772	8,222.32
5700-2260 - Saleyards Telephone Expenses	630	60.00	52	54	0	0	104	102	2	102	2	104	0	572.00
5700-2270 - Saleyards Rates & Charges	10,615	5,237.58	0	210	1,925	77	1,369	0	55	0	0	0	1,443	10,315.82
5700-2330 - Saleyards Operating Expenses	11,505	196.67	0	2,353	1,537	2,164	212	327	104	314	392	0	0	7,600.22
5700-2335 - Saleyards Operating Expenses No GST	7,500	.00	937	0	0	831	1,854	0	811	1,691	1,308	811	1,479	9,722.91
5700-2340 - Saleyards Maintenance Expenses	78,770	1,866.88	2,120	9,161	3,219	6,118	14,809	21,515	3,520	6,561	10,353	4,557	10,065	93,924.85
5700-2925 - Saleyards Buildings Depreciation	11,038	.00	0	0	0	0	0	0	0	0	0	0	0	.00
5700-2930 - Saleyards Facilities Depreciation	2,744	.00	0	0	0	0	0	0	0	0	0	0	0	.00
<b>06 - Expenditure Total</b>	<b>140,362</b>	<b>18,348.86</b>	<b>3,574</b>	<b>12,210</b>	<b>8,078</b>	<b>9,721</b>	<b>19,454</b>	<b>22,585</b>	<b>5,126</b>	<b>9,400</b>	<b>12,964</b>	<b>6,094</b>	<b>13,779</b>	<b>141,335.85</b>
<b>5700-0002 - SALEYARDS Total</b>	<b>48,862</b>	<b>8,544.49</b>	<b>-5,858</b>	<b>1,802</b>	<b>-2,868</b>	<b>-8,913</b>	<b>19,454</b>	<b>15,480</b>	<b>-4,720</b>	<b>-11,016</b>	<b>4,420</b>	<b>-787</b>	<b>5,449</b>	<b>21,268.87</b>
<b>5750-0002 - TRUCKWASH</b>														
<b>05 - Revenue</b>														
5750-1150 - Truck Wash User Fees	(29,000)	-5,846.40	0	-2,341	0	-3,366	-2,621	-3,700	-1,250	0	-5,145	-174	0	(24,442.69)
<b>05 - Revenue Total</b>	<b>(29,000)</b>	<b>-5,846.40</b>	<b>0</b>	<b>-2,341</b>	<b>0</b>	<b>-3,366</b>	<b>-2,621</b>	<b>-3,700</b>	<b>-1,250</b>	<b>0</b>	<b>-5,145</b>	<b>-174</b>	<b>0</b>	<b>(24,442.69)</b>
<b>06 - Expenditure</b>														
5750-2245 - Truckwash Insurance	72	72.02	0	0	0	0	0	0	0	0	0	0	0	72.02
5750-2255 - Truck Wash Electricity Charges	2,790	.00	85	107	686	106	94	88	281	176	246	219	247	2,332.93
5750-2260 - Truck Wash Telephone Expenses	0	.00	0	0	0	0	0	0	0	0	0	0	0	.00
5750-2270 - Truckwash Rates & User Charges	13,565	.00	7	0	3,751	150	2,740	0	110	0	0	0	3,450	10,208.01
5750-2340 - Truck Wash Mntce & Repairs	16,020	.00	399	1,853	1,972	0	464	0	291	638	444	125	376	6,561.30
5750-2930 - Depn - Other Structures	10,400	.00	0	0	0	0	0	0	0	0	0	0	0	.00
<b>06 - Expenditure Total</b>	<b>42,847</b>	<b>72.02</b>	<b>491</b>	<b>1,960</b>	<b>6,409</b>	<b>256</b>	<b>3,298</b>	<b>88</b>	<b>682</b>	<b>814</b>	<b>690</b>	<b>344</b>	<b>4,073</b>	<b>19,174.26</b>
<b>5750-0002 - TRUCKWASH Total</b>	<b>13,847</b>	<b>-5,774.38</b>	<b>491</b>	<b>-381</b>	<b>6,409</b>	<b>-3,110</b>	<b>677</b>	<b>-3,612</b>	<b>-568</b>	<b>814</b>	<b>-4,455</b>	<b>170</b>	<b>4,073</b>	<b>(5,268.43)</b>
<b>Total</b>	<b>62,709</b>	<b>2,770.11</b>	<b>-5,367</b>	<b>1,421</b>	<b>3,621</b>	<b>-12,023</b>	<b>20,131</b>	<b>11,868</b>	<b>-5,288</b>	<b>-10,202</b>	<b>-35</b>	<b>-617</b>	<b>9,522</b>	<b>16,000.44</b>

## 10.5 STREET TREES STRATEGY

**File Number:** T6

**Author:** Mick Bell-Manager Parkes & Urban Services

**Authoriser:** Kerrie Murphy, Director Infrastructure Services

**Annexures:** Nil

### PURPOSE

This report is to inform Council on the outcomes of the public exhibition of the Coonamble Street Tree Transition Plan 2033.

### EXECUTIVE SUMMARY

Council has committed to a program for the enhancement and improvement to the amenity of the Shires towns by way of the Coonamble Street Tree Transition Plan. This plan will be used going forward as the basis for strategy street tree planning for Coonamble, Gulargambone and Quambone.

### BACKGROUND

Traditionally there has been an ad-hoc approach to Street Tree plantings in the past, with many inappropriate species being planted that eventually damage infrastructure or require continued trimming due to powerlines.

#### (a) Relevance to Integrated Planning and Reporting Framework

CSP P3.2 Improve the quality of our Parks, Open Spaces, Sporting and Recreation facilities, including McDonald Park.

CSP E1.2 Support Environmental initiatives which grow our contribution to broader environmental outcomes for future generations.

CSP L1.3 Deliver successful strategies and operations which increase the community's confidence in the Integrity and Capability of Coonamble Shire Council.

#### (b) Financial Considerations

Council will need to consider budgeting for this strategy going forward with an annual allocation towards street tree planting and improvements.

### COMMENTARY

To date there have been three submissions to the Draft Street Tree strategy from the community, they are as follows:

- Request that Council consider only two types of trees per township; Bottle trees and Black Cherry Plums for Coonamble and a selection of two other type of trees from the list of suitable trees for Gulargambone and Quambone.
- Request that Council consider that one species be planted in each street along the length and that Lemon Scented Myrtle, Weeping Myall or Wilga be the preferred species.

- Request that consideration be given to residents that have larger vehicles or caravans and that planting of new trees or garden beds will still allow them to be able to access their properties.

**(a) Governance/Policy Implications**

Reference to Council's Tree Management Policy & Procedure 2011

**(b) Legal Implications**

Nil

**(c) Social Implications**

Strategic tree planting encourages community input and enhances the residential environment, it further encourages exercise and creates a positive mental health benefit.

**(d) Environmental Implications**

Ensuring that there are a variety of tree species planted to not only mitigate the issues of endemic disease being transmitted throughout a particular plant.

Ensuring that the plant selection is appropriate for the location and climate.

**(e) Economic/Asset Management Implications**

All new tree plantings will be entered into Council's asset data base to allow for further strategic planning of Tree replacement as they come to their end of life.

**(f) Risk Implications**

Council needs to determine the most appropriate species for the location, considering the guidelines set out by Essential Energy for planting near electrical infrastructure.

Council needs to also consider the location of the new plantings to limit the possibility of damage to underground services.

Council will take into consideration the possibility of risks to the public both vehicular and pedestrian when planning the location of new trees.

## **CONCLUSION**

After public exhibition Council will meet with and discuss options with the people that have given submissions.

## **RECOMMENDATION**

**That Council adopt the Coonamble Street Tree Transition Plan 2033, note the submissions that have been lodged and carry out further consultation with the interested parties.**



**10.6 POOL OPERATIONS FOR 2023/24****File Number: S13****Author: Mick Bell-Manager Parkes & Urban Services****Authoriser: Kerrie Murphy, Director Infrastructure Services****Annexures: Nil****PURPOSE**

To inform Council on the upcoming works and proposed operation of the Public Swimming Pools for the 2023/24 Season.

**EXECUTIVE SUMMARY**

Council operates three (3) Aquatic facilities being Coonamble, Gulargambone, and Quambone.

All three (3) facilities were traditionally operated by Council with the use of internal staff and casuals for the swim season.

The last season 2022/23 the Coonamble and Gulargambone facilities were operated by a contractor and the Quambone facility was operated as a “non-Supervised” facility.

**BACKGROUND**

The following works will be complete during the facility closure for Winter:

Coonamble:

- Sandblasting of pool surfaces;
- Filling and repointing of joints;
- Repainting of the pool surfaces;
- Complete the gas compliance works including shed upgrade;
- High priority safety improvement works that have been identified in previous reports;
- Top dressing and fertilising the grounds.

Gulargambone:

- Sandblasting of pool surfaces;
- Filling and repointing of joints;
- Repainting of the pool surfaces;
- Top dressing and fertilising the grounds;
- Repairs to shade sails;
- Servicing of pumps and filters.

Quambone:

- Sandblasting of pool surfaces;
- Filling and repointing of joints;
- Repainting of the pool surfaces;
- Top dressing and fertilising the grounds;
- Servicing of pumps and filters;

- Repairs to buildings;
- Fencing repairs.

**(a) Relevance to Integrated Planning and Reporting Framework**

CSP P3.2 Improve the quality of our Parks, Open Spaces, Sporting and Recreation facilities, including McDonald Park.

CSP L1.3 Deliver successful strategies and operations which increase the community's confidence in the Integrity and Capability of Coonamble Shire Council.

**(b) Financial Considerations**

As Council's Aquatic facilities age, the required maintenance increases. This includes any regulatory changes and impacts as well, and therefore, Council's ability to fund the repairs and upgrades should be investigated further.

**COMMENTARY**

Council is required to undertake an assessment of the benefits of either having the operations of the pools, in particular Coonamble Aquatic facility, under contract or to bring the services back in-house.

It will be more effective for Council to bring the Gulargambone facility back in-house and to advertise the Coonamble operations under an expression of interest, to gauge the possibility of contracting out the Coonamble operations for the 2023/24 season.

Dependent upon the level of interest, Council then can decide to either pursue the contract or run the facility in-house. The in-house option would entail the additional recruitment of suitable qualified staff.

**(a) Governance/Policy Implications**

Nil

**(b) Legal Implications**

Pool Operations require compliance with various Acts and Regulations, such as Practice Note 15 Water Safety issued by the NSW Government, The Public Health Act 2012, Civil Liability Act 2002, and the Safework NSW Act 2011.

**(c) Social Implications**

Decisions made regarding the Aquatic facilities will impact the local communities. As such, there needs to be consideration regarding what is best for both the community, and Councils ability to continue to adequately fund these activities.

**(d) Environmental Implications**

The Coonamble Pool is operated under an NSW EPA Licence #3742

**(e) Economic/Asset Management Implications**

The age of the Aquatic facilities does impact Councils ability to maintain to a high standard. Rationalisation of services may have to be considered into the future by combining services or facilities to increase usage.

The Master Plan for McDonald Park and the Coonamble Aquatic facility needs to be considered in any forward planning.

**(f) Risk Implications**

The age of the swimming pools does carry some inherent risks associated with the possibility of infrastructure failure. These risks are regularly inspected and mitigated as required.

Aquatic environments are one of the highest risks for operators of these type of facilities and require constant monitoring to meet the current applicable standards.

**CONCLUSION**

It is anticipated that Council will put out the expression of interest for the operation of the Coonamble pool facility in July, for the 2023/24 season. The option of acceptance will then be explored in August 2023.

Council has already commenced discussions with staff that will be impacted by having the Gulargambone facility run in-house. This will also require the training and engagement of casual staff for lifeguarding duties which is a great opportunity for training and engagement of local youth.

**RECOMMENDATION****That Council**

- 1. Advertise for Expressions of interest from suitably qualified persons to operate the Coonamble Aquatic facility for the 2023/24 pool season.**
- 2. Bring the operation of the Gulargambone Aquatic facility back in-house to be operated by qualified internal staff for the 2023/24 pool season.**
- 3. Continue to monitor the utilisation of the Quambone Aquatic facility and improve the remote supervision capability by use of Security cameras and signage.**

**10.7 ROAD MAINTENANCE COUNCIL CONTRACT (RMCC)**

**File Number:** R8-2  
**Author:** Kerrie Murphy-Director Infrastructure Services  
**Authoriser:** Paul Gallagher, General Manager  
**Annexures:** Nil

**PURPOSE**

The purpose of this report is to provide Council with information regarding the renewal of the Road Maintenance Council Contract (RMCC) for another term

**BACKGROUND**

Council is currently a party to the RMCC which expired 30 June 2023. The renewal of the RMCC became effective from 1 July 2023 for an initial period of three (3) years.

**(a) Relevance to Integrated Planning and Reporting Framework**

11.1.1 Complete, adequately resource and deliver upon the road network's Asset Management Plan

11.1.2 Plan and achieve strategic and efficient roads programs and operation

11.1.4 Develop and deliver strategies for our road network which maximises external funding opportunities

**(b) Financial Considerations**

Nil

**COMMENTARY**

Coonamble Shire Council and Transport for New South Wales (TfNSW) are parties to an existing Road Maintenance Council Contract (RMCC). The RMCC is a contract that Council entered into as the Principal Contractor, which entitles Council to undertake work on the Castlereagh Highway on behalf of TfNSW. Council then claims this expenditure from TfNSW.

The previous RMCC expired 30 June 2023. The renewal of the RMCC will come into effect 1 July 2023 for an initial term of three (3) years. On the last day of this initial term, the Contract will be automatically renewed for successive one (1) year periods thereafter unless either party has given the other party written notice at least six (6) months prior to the expiration of the initial term.

In early 2023, TfNSW sought feedback, from Council, regarding the existing RMCC to make amendments and take the opportunity to revise the terms, if necessary, for the renewal Contract.

The final draft of the renewed RMCC was received by Council on 19 June 2023 and was signed by the General Manager as the Authorised Person.

**(a) Governance/Policy Implications**

Nil

**(b) Legal Implications**

Nil

**(c) Social Implications**

Nil

**(d) Environmental Implications**

Nil

**(e) Economic/Asset Management Implications**

Castlereagh Highway is a TfNSW Asset, so nil asset management implications for Council.

**(f) Risk Implications**

Nil

**CONCLUSION**

The previous RMCC expired 30 June 2023. The renewal of the RMCC came into effect 1 July 2023 for an initial term of three (3) years. On the last day of this initial term, the Contract will be automatically renewed for successive one (1) year periods thereafter unless either party has given the other party written notice at least six (6) months prior to the expiration of the initial term.

This invitation has been accepted, with the General Manager executing the Agreement on behalf of Coonamble Shire Council.

**RECOMMENDATION**

**That the report be received and noted.**

**10.8 INFRASTRUCTURE SERVICES - WORKS IN PROGRESS****File Number: R6****Author: Kerrie Murphy-Director Infrastructure Services****Authoriser: Paul Gallagher, General Manager****Annexures: 1. Monthly Works in Progress**  **PURPOSE**

The purpose of this report is to provide Councillors with information on the works in progress within Council's Infrastructure Services Directorate. Executive Summary

**BACKGROUND****(a) Relevance to Integrated Planning and Reporting Framework**

I1.1 Employ a strategic approach to the management of our critical road network.

I1.2 Strengthen our strategic approach to the management of our water infrastructure and services.

I1.3 Improve our strategic approach to the management of our sewerage infrastructure and services.

I1.4 Strengthen our strategic approach to the management of our urban drainage infrastructure and services.

I1.5 Adopt successful strategies which maximises our community's access to quality infrastructure and assets.

P3.1 Provide support to our sporting, recreation and community organisations which drives improved sporting and recreational opportunities for our community.

P3.2 Improve the quality of our parks, open spaces, sporting, and recreational facilities, including the MacDonald Park Masterplan Precinct.

**(b) Financial Considerations**

Provision is made within the 2022 / 2023 Operational Plan and Budget to fund the associated works and programs listed in this report.

**COMMENTARY**

This report aims to inform Councillors of the Works in Progress in the Infrastructure Directorate. Updates are provided for each Departmental area which includes Roads, Water and Sewer and Urban Services. Please note that the attachment is in an updated format with a view to provide additional information to that provided previously. The projects in this report will increase as time goes on, and more valuable information will be provided at that time.

**(a) Governance/Policy Implications**

Maintenance of Council's infrastructure assets is carried out in accordance with Council's adopted management plans.

**(b) Legal Implications**

There are no legal implications arising from this report.

**(c) Social Implications**

Maintenance works are programmed where practical, to minimise social impacts.

**(d) Environmental Implications**

There are no environmental implications arising from this report.

**(e) Economic/Asset Management Implications**

Works are scheduled in accordance with Council's adopted 2022/23 Operational Plan and Budget.

**(f) Risk Implications**

Maintenance works are programmed to minimise the risk to Council and the public.

**CONCLUSION**

This report provides updated information on the projects and planned works within the Infrastructure Department for Council's information.

**RECOMMENDATION**

**That the information be received and noted.**

	<p><b>MONTHLY WORKS REPORT</b></p> <p><b>30 June, 2023</b></p>	<p>Infrastructure Services Coonamble Shire Council Phone: 02 6827 1900 Fax: 02 6822 1626 <a href="mailto:council@coonambleshire.nsw.gov.au">council@coonambleshire.nsw.gov.au</a></p>
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Road and recreational area users are to proceed with caution at all work sites and observe signage to ensure safety.  
Speed zones are enforceable with possible short delays.  
For all enquiries, please contact Council's Infrastructure Services Department on 6827 1900.

**CAPITAL WORKS**

**ROADS - URBAN – COONAMBLE, GULARGAMBONE AND QUAMBONE**

<i>Project</i>	<i>Funding Source</i>	<i>Budget (\$)</i>	<i>Budget Variation (\$)</i>	<i>Total Budget (\$)</i>	<i>Expenditure YTD (\$)</i>	<i>Committed (\$)</i>	<i>Total YTD (\$)</i>	<i>% Completion</i>	<i>Comment</i>
Bertram Street Reconstruction	Loan	\$350,000	-	350,000	113,808.21	-	113,808.21	45	Open drain to be cleaned out. Concrete dimple mat to be placed

**ROADS - RURAL – UNSEALED ROAD NETWORK**

<i>Project</i>	<i>Funding Source</i>	<i>Budget (\$)</i>	<i>Budget Variation (\$)</i>	<i>Total Budget (\$)</i>	<i>Expenditure YTD (\$)</i>	<i>Committed (\$)</i>	<i>Total YTD (\$)</i>	<i>% Completion</i>	<i>Comment</i>
Rural Resheeting	Council	150,000	-	150,000	67,308.55	5786.19	73,094.74	65	Carinda, Walla Walla, Merri Merri

**ROADS - RURAL – SEALED ROAD NETWORK**

<i>Project</i>	<i>Funding Source</i>	<i>Budget (\$)</i>	<i>Budget Variation (\$)</i>	<i>Total Budget (\$)</i>	<i>Expenditure YTD (\$)</i>	<i>Committed (\$)</i>	<i>Total YTD (\$)</i>	<i>% Completion</i>	<i>Comment</i>
Warren Road Upgrade	HVSP	820,000	-	820,000	3,593.32	10,788.18	14,381.50	5	Milestone development underway
Box Ridge Road Reconstruction	LRCI	1,859,636	-	1,225,140	70,736	-	70,736	10	Tender currently being assessed.
Carinda Road Heavy Patching and Culvert upgrades	FLR	2,265,840	-	2,265,840	838,354.46	84,851.45	923,205.91	50	Works on site commencing 3 July
Tooraweenah Road Upgrade	ROSI							5	Refer to Specific Report

	<p><b>MONTHLY WORKS REPORT</b></p> <p><b>30 June, 2023</b></p>	<p>Infrastructure Services                  Coonamble Shire Council                  Phone: 02 6827 1900                  Fax: 02 6822 1626  <a href="mailto:council@coonambleshire.nsw.gov.au">council@coonambleshire.nsw.gov.au</a></p>
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<b>WATER</b>									
<i>Project</i>	<i>Funding Source</i>	<i>Budget (\$)</i>	<i>Budget Variation (\$)</i>	<i>Total Budget (\$)</i>	<i>Expenditure YTD (\$)</i>	<i>Committed (\$)</i>	<i>Total YTD (\$)</i>	<i>% Completion</i>	<i>Comment</i>
Coonamble Mains Replacement	Council	424,642	-	424,642	456,491.93	-	456,491.93	95	Sydney and Mundooren Streets complete. Broad Street 95% completed.
Gulargambone Mains Replacements	Council	317,893	-	317,893	238,420	-	238,420	75	Kirban, Muraiman and Munnell Streets complete
Gulargambone Chlorine Residual Monitors	Council	40,000	-	40,000	0	-	0	0	Quotations received and currently being evaluated
Quambone New Chlorine Storage	Council	45,000	-	45,000	2,356.64	34,535.80	36,892.44	15	Fencing to commence, development application in progress
Quambone Chlorine Residual Monitors	Council	20,000	-	20,000	0	-	0	0	Quotations received and currently being evaluated
Quambone Reservoir Improvements	Council	15,000	-	15,000	0	-	0	10	RFQ awarded, purchase order to be raised.

<b>SEWER</b>									
<i>Project</i>	<i>Funding Source</i>	<i>Budget (\$)</i>	<i>Budget Variation (\$)</i>	<i>Total Budget (\$)</i>	<i>Expenditure YTD (\$)</i>	<i>Committed (\$)</i>	<i>Total YTD (\$)</i>	<i>% Completion</i>	<i>Comment</i>
Coonamble Mains Relining	Council	535,000	-	535,000	72,536.71	-	72,536.71	80	Interflow cleaned mains ready for relining
Coonamble SPOS1 Vent Stack	Council	20,000	-	20,000	0	-	0	0	RFQ documents being prepared
Coonamble STP Upgrade – Concept Design	Council	250,000	-	250,000	0	162,338.80	162,338.80	10	Funding Deed accepted. Grant \$56,000 for the Options Study, meeting onsite conducted with PWA
Gulargambone Mains Relining	Council	325,000	-	325,000	72,536.71	2,396.25	74,932.96	80	Interflow cleaned mains ready for relining
Gulargambone STP Maturation Pond Relining	Council	60,000	-	60,000	50,806.08	3,336.32	54,142.40	0	Scope of works being developed by Public Works, however, scope far exceeds budget allocation. Reviewing available grant funding and achievable cost savings
Gulargambone STP Tertiary Pond Renewal	Council	200,000	-	200,000	0	-	0	0	Reviewing available grant funding in consultation with EPA
Gulargambone STP SCADA Upgrade	Council	100,000	-	100,000	0	-	0	0	Alliance Automation to be engaged via a Service Agreement

	<p><b>MONTHLY WORKS REPORT</b></p> <p><b>30 June, 2023</b></p>	<p>Infrastructure Services                  Coonamble Shire Council                  Phone: 02 6827 1900                  Fax: 02 6822 1626  <a href="mailto:council@coonambleshire.nsw.gov.au">council@coonambleshire.nsw.gov.au</a></p>
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URBAN SPACES									
<i>Project</i>	<i>Funding Source</i>	<i>Budget (\$)</i>	<i>Budget Variation (\$)</i>	<i>Total Budget (\$)</i>	<i>Expenditure YTD (\$)</i>	<i>Committed (\$)</i>	<i>Total YTD (\$)</i>	<i>% Completion</i>	<i>Comment</i>
Coonamble Sportsground	Council	119,450	-	119,450	0	-	0	95	Canteen upgrades nearing completion, water lines have been upgraded
Footpaths Reconstruction	Council	45,000	-	45,000	0	-	0	15	Being investigated
Street Tree Replacement Program	Council	100,00	-	100,00	62,747.19	545.33		5	To be programmed in accordance with new policy, to commence in July
Walking Loop Footpath Construction	Council	237,083	-	237,083	303,543.70	20,800		90	Path has been finished and Pram ramps being constructed
Coonamble Showground Upgrades	Council	25,000	-	25,000	0	27,343.68	27,343.68	20	New grandstand has been ordered

SWIMMING POOLS									
<i>Project</i>	<i>Funding Source</i>	<i>Budget (\$)</i>	<i>Budget Variation (\$)</i>	<i>Total Budget (\$)</i>	<i>Expenditure YTD (\$)</i>	<i>Committed (\$)</i>	<i>Total YTD (\$)</i>	<i>% Completion</i>	<i>Comment</i>
Coonamble Pool Upgrade Program	Council	466,957	-	466,957	0	-	0	25	Contractor being engaged to carry out sandblasting, joint sealing, and repainting of pools
					0	-	0	65	Contractor engaged to replace carry out repairs to the chemical dosing shed

AERODROME									
<i>Project</i>	<i>Funding Source</i>	<i>Budget (\$)</i>	<i>Budget Variation (\$)</i>	<i>Total Budget (\$)</i>	<i>Expenditure YTD (\$)</i>	<i>Committed (\$)</i>	<i>Total YTD (\$)</i>	<i>% Completion</i>	<i>Comment</i>

CEMETERIES									
<i>Project</i>	<i>Funding Source</i>	<i>Budget (\$)</i>	<i>Budget Variation (\$)</i>	<i>Total Budget (\$)</i>	<i>Expenditure YTD (\$)</i>	<i>Committed (\$)</i>	<i>Total YTD (\$)</i>	<i>% Completion</i>	<i>Comment</i>
Cemetery Improvement Program	Council	20,000	-	20,000	0	-	0	10	Contractor engaged to replace the Main water feed line within the Cemetery, which will include a water storage tank and pressure pump

**10.9 RATES AND CHARGES COLLECTIONS - JUNE 2023**

**File Number:** Rates - General - R4  
**Author:** Kylie Fletcher, Revenue Officer  
**Authoriser:** Bruce Quarmby, Director Corporate Services  
**Annexures:** Nil

**PURPOSE**

The purpose of this report is for Council to be updated with the most recent information pertaining to its rates and charges collections – as applicable to the month of June 2023.

**BACKGROUND****(a) Relevance to Integrated Planning and Reporting Framework**

The annual rate charges are set out within Council's 2022 / 23 Operational Plan.

**(b) Financial Considerations**

The annual rate charges are set out within Council's 2022 / 23 Operational Plan.

	30 June 2023	30 June 2022
Rates and Charges	956,777.09	1,271,478.23
Water & Sewer Consumption Charges	603,049.96	555,452.88
<b>Total</b>	<b>\$1,559,827.05</b>	<b>\$1,826,931.11</b>

**COMMENTARY****Rates and Charges**

	30 June 2023	30 June 2022
Rates and charges in arrears as at 30 June 2022	1,020,037.33	905,674.57
Rates/charges levied & adjustments for 2022/23	7,526,412.25	7,225,481.09
Pension Concession	-105,637.46	-109,291.12
Amounts collected as at 30 June 2023	-7,484,035.03	-6,750,386.31
<b>Total Rates and Charges to be Collected</b>	<b>\$ 956,777.09</b>	<b>\$1,271,478.23</b>

The amount levied for rates and charges for 2022 / 23 includes the current year's annual rates and charges and any interest added since the date the rates notices were issued. The amount received as of 30 June 2023 includes receipts for both arrears and the current year's amounts outstanding.

It should be noted that the rates and charges 2022 / 23 levied amount is reduced by the pensioner concession of \$105,637.46; reducing the amount of income derived from these rates and charges. Of this concession, Council's contribution is 41.63%, which represents an amount of \$43,985.96.

The rates and charges as of 30 June 2023 represent 11.20% of the total annual rates and charges levied and outstanding (compared with 15.64% on 30 June 2022).

### Water Consumption Charges

	30 June 2023	30 June 2022
Water & Sewer Consumption Charges and arrears as at 30 June 2022	329,760.33	401,325.23
Water & Sewer Consumption charges & adjustments 2022/23 year to date	826,012.94	834,792.15
Amounts collected as at 30 June 2023	-552,723.31	-680,664.50
<b>Total Water &amp; Sewer Consumption Charges to be Collected</b>	<b>\$603,049.96</b>	<b>\$555,452.88</b>

The consumption charges as at 30 June 2023 represents 52.18% of the total water consumption charges outstanding (compared to 44.4% on 30 June 2022). Council should note at the time of writing this report, staff are in the process of finalising the 4<sup>th</sup> Quarter water meter reads. Once these are complete Council will levy the 4<sup>th</sup> and final quarter for the 2022/2023 financial year.

### Debt Recovery Agency

In accordance with its adopted Debt Recovery Policy, Council continues to work with its Debt Recovery Agency to recover monies owed to Council. All actions undertaken by Council, or its Agency are done so in accordance with the provisions within the *Local Government Act 1993* and Council adopted Debt recovery policy.

#### (a) Governance/Policy Implications

Council staff comply with the directions provided by Council's suite of policies that govern this function of Council.

#### (b) Legal Implications

The collection of rates and water charges does impact on the community. For this reason, Council is always willing to negotiate payment terms with outstanding debtors. Debtors are afforded several opportunities to contact Council regarding these matters.

#### (c) Social Implications

The collection of rates and water charges does impact on the community. For this reason, Council is always willing to negotiate payment terms with outstanding debtors. Debtors are afforded several opportunities to contact Council regarding these matters.

**(d) Environmental Implications**

There are no direct environmental implications arising from this report. However, it needs to be acknowledged that Reserve Bank interest rate increases with the additional increase in the cost of living could have an impact on Council's ability to collect its rates and charges.

**(e) Economic/Asset Management Implications**

If Council's rates and charges collection fall behind, it will have an impact on Council's ongoing ability to meet its operational costs and making adequate funding available for necessary asset maintenance and renewal projects.

**(f) Risk Implications**

As was stated above, the increase in living expenses, has impacted on Council's ability to collect its rates and charges as demonstrated by the increase in Council rates, annual charges, interest, and extra charges outstanding percentage. Strategies have been put in place to mitigate the risk of the further deterioration of this ratio. Council has been working closely with its Debt Collection agency to reduce the amount of debt outstanding from rates and water charges.

**CONCLUSION**

The rates and charges as at 30 June 2023 represent 11.20% of the total annual rates and charges levied and outstanding from previous years by Council (compared with 15.64% on 30 June 2022). The water consumption charges as of 30 June 2023 represent 52.18% of the total water consumption charges outstanding from previous years (compared to 44.4% on 30 June 2022).

**RECOMMENDATION**

**That the report be received and noted.**

**10.10 TOORAWEEAH ROAD UPGRADE - MONTHLY STATUS UPDATE****File Number:** R-8-32-1**Author:** Dirk Jol-Roads Manager**Authoriser:** Kerrie Murphy, Director Infrastructure Services**Annexures:** Nil**PURPOSE**

The purpose of this report is to provide Councillors a status update on the Tooraweenah Road Upgrade Project.

**EXECUTIVE SUMMARY**

In the month of June 2023, the final version of tender documents and a final version of the design was reviewed.

A supplementary review of environmental factors was completed and identified several additional locations for management during the project.

This project is anticipated to go to tender by no later than the 31 July 2023.

Milestones associated with the funding deed have been extended to accommodate the delays in the design program.

**BACKGROUND**

Tooraweenah Road is the most direct route from the town of Coonamble to the Warrumbungle's.

The section of road to be upgraded commences on the eastern outskirts of the Coonamble township and continues to the boundary with Gilgandra Shire Council.

The 56.8 km road currently consists of 30.1 km with a sealed pavement of varying width, followed by 26.7 km of unsealed earthen formation with an average width of 7m. The unsealed section includes two short-sealed sections that total 1.3km.

Most of the existing sealed length requires rehabilitation or heavy patching, however, some of the sections of the sealed pavement are in a serviceable condition and will be retained. Unsealed sections of Tooraweenah Road will be upgraded and sealed.

The project aims to provide 56.8 km of sealed road with a 9.9m wide pavement and 7.5m wide seal with guideposts, centreline and edge marking.

Council has resolved to complete the project in the shortest possible timeframe, preferably within a 12-month period from the time of project approval.

**(a) Relevance to Integrated Planning and Reporting Framework**

11.1.5 Complete the Tooraweenah Road upgrade project, on time and on budget.

**(b) Financial Considerations**

The capital cost of the project is funded by the Federal Government's Roads of Strategic Importance (ROSI) Program. The funded budget is \$22.96M.

**COMMENTARY**

Council's website has been updated following the Community Information Session in October 2022 and the provision of the issue for tender version of the design is available on Councils website for review.

An amended Review of Environmental Factors (REF) has been completed this was done to increase the road corridor from what was originally assessed, which will allow construction works to proceed without risk to flora or fauna.

There were a several additional scar trees identified along with two archaeological significant survey marks. These will be protected with construction fencing during the project.

Delivery of reinforced box culvert sections for the project will start arriving on site over the next few weeks to a lay down area 300m x 200m wide in the travelling stock route. The location has been approved by local land services.

The tender for section 2 of the Tooraweenah Road upgrade (reconstruction and sealing of the 28km unsealed section) is being advertised during July and closes 9 August 2023.

**RECOMMENDATION**

**That the report be received and noted.**

**10.11 ECONOMIC DEVELOPMENT & GROWTH - PROGRESS REPORT**

**File Number:** D5  
**Author:** David Levick-Manager Economic Development and Growth  
**Authoriser:** Paul Gallagher, General Manager  
**Annexures:** Nil

**PURPOSE**

The purpose of this report is to provide Council with an update on recent activities and the progress of projects which contribute to the economic development and growth of the Local Government Area (LGA).

**BACKGROUND**

The Economic Development and Growth function is tasked with providing effective and efficient delivery of a broader economic base for the LGA, enhancing business prospects, growth, and development. The function facilitates the development of programs and activities that will stimulate economic development by assisting growth and retention of businesses, as well as aiming to reduce barriers and attract diverse, sustainable, and responsible new industry development and improve the profile of the Coonamble LGA to attract investment, industry, new residents, and tourism.

**(a) Relevance to Integrated Planning and Reporting Framework**

- ED1.2 Develop our economy, including the visitor economy.
- I1.5 Adopt successful strategies which maximise our community’s access to quality infrastructure and assets (I1.5.2 – Coonamble Livestock Regional Market).

**(b) Financial Considerations**

Activities undertaken as described by this report are within approved operational budget allocations for tourism and economic development activities and capital projects or are funded through grant monies.

**COMMENTARY**

Coonamble Artesian Bathing Experience Land Acquisition Update

Step 5	Step 6	Step 7	Step 8	Step 9	Step 10
●	●	●	○	○	○
Survey to LRS	Application to OLG	Proposed acquisition notices	Approval	Acquisition	Title Creation

Council’s application to acquire the Crown Land near the Coonamble Jockey Club remains at Step 7 of the 10-step process, requiring sign-off by the relevant Minister and NSW Governor.

It is hoped a meeting with the relevant Minister can be organised this month to give this matter some forward momentum.

Once signed off, the proposed acquisition is placed on public display for three months, following which the remaining steps can progress, depending on submissions received and any Native Title claims made during the public exhibition period.

### Grants

Overview:

Status	This Month	Last Month	Year to Date
Grant-funded projects completed	1	2	33
Grants to be acquitted	7	5	
Grants in progress	20	19	
Grant submissions awaiting decision	2	2	
Successful grant applications	1	1	34

Detailed Status:

Grants completed & awaiting acquittal	Responsibility	Comment
Coonamble Community Recycling Centre	CPD	
Town Entrance Public Art (DSP)	CPD	
Youth Week 2023	CPD	
Leaps & Bounds at Coonamble Sportsground	CPD	
TARP41 Coming to Coonamble (TfNSW)	CPD	
TARP39 Community Resource (TfNSW)	CPD	
TARP38 Coonamble Kids (TfNSW)	CPD	

Grants in progress	Responsibility	Comment
Gulargambone Youth Centre external upgrades	CPD	Final stages underway.
Restore Trooper Stables at Museum	CPD	DA submission
Riverside Caravan Park Development	CPD	Ongoing
Youth Council re-establishment	CPD	Variation being drafted
Women's Change Rooms at Sportsground	CPD	Detailed design stage
Walking Loop around Sportsground	CPD	Nearing completion
Coonamble Family and Youth Fest	CPD	In progress
Pedestrian and Mobility Plan revision	INF	In progress
Cycleway Plan	INF	In progress
Limerick Street Footpath	INF	Tender being finalised
Coonamble Artesian Bathing Experience	CPD	Land acquisition
Coonamble Youth Empowerment Program	CPD	Tender advertised
Business Cases for Tourism Infrastructure	CPD	In progress
Gulargambone Sportsground Amenities	CPD	Funding Deed signed
Coonamble Region Art Trail	CPD	Funding Deed signed
Wanderers Tennis Club court upgrades	CPD	Funding Deed signed
Female Friendly Community Facilities	CPD	Funding Deed signed
Mosquito Management Plan	INF	In progress
Footpath design to Cble Showground	CPD	In progress
Winter Holiday Fun Program	CPD	In progress

*Successful applications:*

Council was successful in attracting a \$7,000 grant through the Regional Youth Holiday Break Program. This was utilised to provide a program of activities for children and youth of Coonamble, Gulargambone and Quambone during the recent school holidays.

*Grant submissions:*

In consultation with the Coonamble Chamber of Commerce, Council has applied for a \$2,500 Small Business Month grant to hold a workshop for local business owners in October.

Communications

Council continues to maintain its communication with the community through:

- 1 x weekly half-page advertisement, *Weekly Connect* in *The Coonamble Times*, with unique content – advertising Requests for Quotations, Tenders and Expressions of Interest, policies and other reports currently on public exhibition and upcoming events for the community.
- Paid classified advertising for current tenders, requests for quotations, expressions of interest and positions vacant.
- Posts in the News column on the homepage of Council’s website, on various topics as required.
- Posts in the Events Calendar hosted on Council’s website.
- Posts on Council’s Facebook page, on various topics as required.
- Council’s website – sharing all policies, plans and procedures, fees and charges, and documents for public exhibition, in the spirit of open and transparent governance.
- Media releases as required – on road conditions, water supply interruptions, etc.

Council’s website attracted 525 hits on its Call for Supply page during June 2023, indicating a healthy interest by local businesses in supply opportunities with Council. The Employment webpage attracted 464 hits, while the Contact Council page attracted 440 hits.

The Facebook posts that achieved the greatest reach during June related to the temporary speed restriction in place on the Castlereagh Highway for the Rodeo and Campdraft event, (reaching 2,542 people), the closure of the showground to RV camping for the Rodeo and Campdraft (reaching 1,880 people) drovers moving cattle on the Castlereagh Highway road reserve (with a reach of 1,708), and work opportunities with Council (a reach of 1,364).

*Social Media (Facebook) Summary*

<b>Measure</b>	<b>This Month</b>	<b>Last Month</b>	<b>Year to Date</b>
Number of posts	11	22	556
Increase in number of followers	+7	+19	+1,064

Total number of followers	2,834	2,827	
Reach	5,422	16,592	

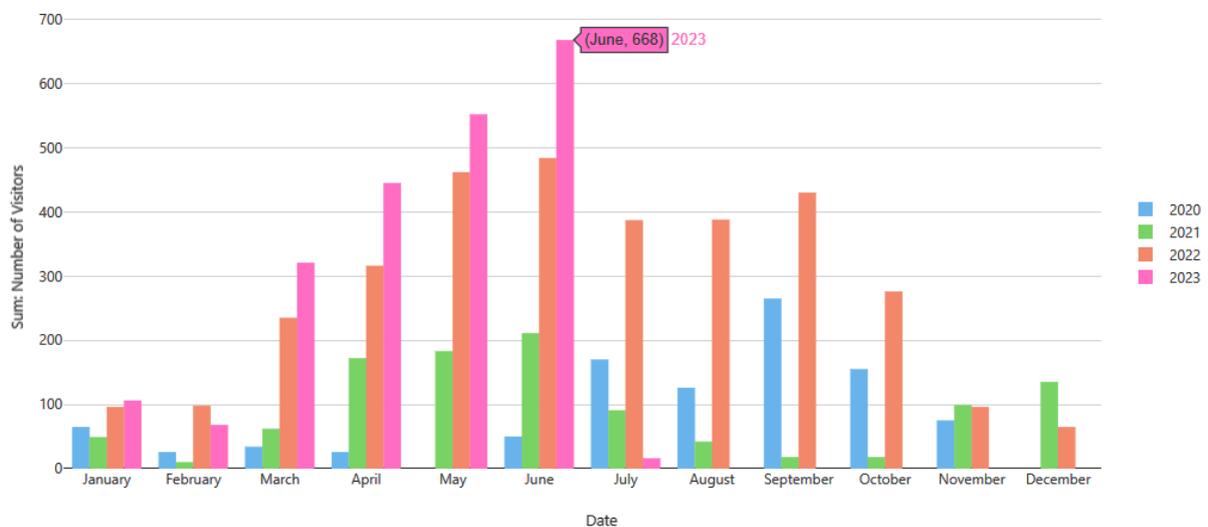
Industrial Land

Negotiations are ongoing with the parties interested in purchasing the small, vacant property at 2 Buckley Drive, Coonamble.

Meanwhile, the General Manager has signed a contract for the sale of 17 Hooper Drive, Coonamble, with settlement expected in the next month. This will leave three industrial blocks available at the far end of Hooper Drive for which there have been two inquiries in the past month.

Tourism Statistics

During June 2023, the Information and Exhibition Centre attracted 668 visitors – our highest monthly visitation to date, driven by the Coonamble Rodeo and Campdraft event which attracted excellent attendance.



Staff at the Information and Exhibition Centre put together information giveaway bags, for the June long weekend, which included local business opening hours, a ‘What’s On’ for the weekend’s events, a camping and event site map, a tourist experience survey, ‘Keep Coonamble Kicking’ magnet, a rodeo themed sticker and a discontinued tourism merchandise item. These were distributed to spectator campers upon their arrival at the campsite opposite the showground. The information flyers about the weekend’s events were also available at the Centre, which was open the entire long weekend, utilising staff and volunteers.



During the month, our Visitor Information Officer developed four (4) personalised itinerary plans for tourists planning a multi-night stay in the Coonamble Shire. These are proving a good starting point to encourage a deeper appreciation of the local area and increased visitation to local businesses.

On Monday, 5 June, 44 visitors stopped at the Centre travelling with Sexton Bus Tours, from Maitland. They enjoyed spending time outside at Smith Park, making use of the Information and Exhibition Centre’s facilities, purchasing souvenirs, and stocking up on information guides relevant to their next destinations. They were impressed with the ‘School Bus’ and emu sculptures surrounding the Centre.



Museum Statistics

Through June, 25 people visited the Museum Under the Bridge.

This number included a small tour group of 11 people from Nyngan, travelling with Live Better. They enjoyed their time, with some bringing research notes to learn more about local and family history.



This month minor repairs were carried out at the Museum, such as cleaning of walls, removing Blu-Tac™ and deep cleaning display information panels. This has had a great impact on the presentation of the Museum. There has also been cleaning and maintenance work carried out on the Cobb and Co coach. A volunteer has expressed interest in digitising the display information, which will begin next month. This will greatly help achieve the goals set out for the museum.

## Events

### Upcoming

- 8 July, Coonamble Bears Red White & Black Ball
- 21 July, Coonamble NAIDOC Ball
- 22 July, Coonamble Royal Far West Dinner and Auction.

#### **(a) Governance/Policy Implications**

Policies relevant to activities reported here include the Community Consultation Policy.

#### **(b) Legal Implications**

There are no legal implications directly associated to this report.

#### **(c) Social Implications**

Projects and initiatives described in this report are undertaken with the objective of delivering social benefits to the Coonamble LGA.

#### **(d) Environmental Implications**

There are no environmental implications directly associated to this report.

#### **(e) Economic/Asset Management Implications**

Development of the projects proposed for funding through available grants are initiatives to meet objectives of the Community Strategic Plan 2022-32, Delivery Program 2022-2026, Coonamble Shire Masterplan 2020, the Economic Development Strategy 2021 and the Coonamble Destination Management Plan 2020.

#### **(f) Risk Implications**

Regular reporting to Council provides an opportunity to communicate and manage any ongoing or unexpected related risks that may emerge.

## **CONCLUSION**

Economic Development and Growth activities and projects continue to progress according to the Economic Development Strategy 2021. Tourism activities and projects continue to progress according to the Economic Development Strategy 2021, and work towards achieving the goals of the Coonamble Destination Management Plan 2020.

## **RECOMMENDATIONS**

**That the report be received and noted.**

## 10.12 COMMUNITY SERVICES REPORT

**File Number:** C8  
**Author:** Raquel Pickering-Librarian  
**Authoriser:** Bruce Quarmby, Director Corporate Services  
**Annexures:** Nil

### PURPOSE

The purpose of this report is to provide information on the activities within Council's Community Services section for the month of April and May 2023.

### BACKGROUND

The Community Services section focuses on our community and our people and the support that Council offers in the delivery of positive outcomes. The following topics will be included into the Council Report where there is relevant information to report on. For the purposes of the new Council, a short description is provided for your reference for the key areas in the Community Services section:

- **Community Services**  
Reports on the number of services, programs, and strategies to support the community. This includes Council's involvement with the interagency meetings and committee meetings, cultural events, and activities and some events for our community (Tourism and Events will also cover other events not managed by the Community Services team.).
- **Library Services**  
Coonamble Shire Council is a member of the NorthWestern Library Service (NWLS). The Service covers four local government areas and encompasses the libraries therein, i.e: Bogan (Nyngan), Coonamble, Gilgandra and Warren (where the Manager is based). The Coonamble Library has two satellite branches located in the villages of Gulargambone and Quambone within the Coonamble Shire Local Government Area. The Librarian purchases stock that is rotated to all libraries and participates in book exchanges with Gulargambone and Quambone seven times per year. The Gulargambone Library is run under an agreement with the Gulargambone Rural Transaction Centre Committee. The Quambone Library is run by an employee of Council.
- **Children and Youth Services**  
Council provides services in after school activities in Gulargambone and Quambone. Council also delivers school holiday programs and the Youth Week Program. Council also operates a Youth Forum / Council.
- **Integrated Planning and Reporting (IP&R) Framework**  
Following the adoption of the Community Strategic Plan at the 15 June 2022 meeting, updates on the IP&R Framework will now be reported back in the Community Services Report.

**(a) Relevance to Integrated Planning and Reporting Framework**

The information contained in this report demonstrates the work carried out by staff in achieving the strategic objectives and delivery actions as outline in Council's recently adopted Community Strategic Plan 2032, Delivery Plan 2022-2026, and Operational Plan 2022 / 23.

**(b) Financial Considerations**

There are no financial considerations arising from this report.

**COMMENTARY**

In line with Council's 2022 / 23 Operational Plan, this report presents a summary of community service progress and activities for the period from February 2023.

**COMMUNITY SERVICES**

NIL

**LIBRARY SERVICES****• LIBRARY SHOW WRITING COMPETITION AT THE ANNUAL SHOW**

The Coonamble Show Society has taken the Library Show Writing Competition and made it a part of the Pavilion Schedule. This ensures that the competition will be an annual event and is now part of the show, hopefully encouraging more entrants. We had a number enter this year with six prizes overall awarded. We had infants, primary and high school entrants.

**• STOCKTAKE**

Weeding for our biennial stocktake has been completed. The Librarian has done the stocktake at both Coonamble and Gulargambone libraries. The stocktake will commenced 5 June. The Library will close 1pm Saturday 3 June and reopen 10.30am Tuesday 13 June (Monday being a public holiday), which was publicised in the Coonamble Times and on the Coonamble Library facebook page. In all, 27 boxes were sent onto Bogan Shire Library, the next in our rotation schedule and we received 20 from Gilgandra. The Library Management System (Spydus) was issued and upgrade during March. Spydus was unavailable for half a day, however, this did not interfere with operations as the staff recorded them manually, following up by entering them electronically after the upgrade was finished.

**• SIMULTANEOUS STORYTIME**

The Library was unable to host the National Simultaneous Storytime 2023 as it fell on the Coonamble Agricultural Show public holiday. In preparation, the Librarian purchased enough of the books to donate to childcare centres and preschools in the Coonamble LGA for their own use.

From Coonamble Pre School: The children of Coonamble Pre School would like to thank you very much for the donation of The Speedy Sloth. We have labelled the book so we always remember where the book came from. Some of us have prepared thank you cards.

From Gulargambone Pre School (photo attached): We received a lovely parcel in the mail this morning from the **Coonamble Shire Library**- a copy of The Speedy Sloth and some activities to go with it! It was perfect timing as today was National Simultaneous Storytime and we were able to read The Speedy Sloth at 11am.



- **Library Statistics** (30 March 2023 – 9 June 2023)

Service	Loans	New M/ships	Wi-Fi	Internet (hr)	Internet (ppl)	Kids Comp (children)	Junior Visits	Adult Visits
Coonamble	1029	11	75	9825	112	93	110	785
Gulargambone	99	1						

- **Manual Statistics** - Coonamble (numbers refer to people attending)

Library Visits	Reference Enquiries	Technology Enquiries	Local History	VIC Enquiries
895	18	89	12	14

- **Activity Statistics** - Coonamble (numbers refer to people attending)

Senior Craft	Pre-School Visits	Housebound	Meetings	Seniors Cinema	Other
32	48	12	15	21	4

**CHILDREN AND YOUTH SERVICES**

Council's Children and Youth Services have been impacted with staff shortages. We have been able to deliver the After School Care in Gulargambone and Quambone. Council's Casual Youth Workers have been instructed to partner with other service partners to deliver services.

**(a) Governance/Policy Implications**

The delivery of community development and integrated planning functions and activities are carried out in accordance with Council's Operational Plan and Integrated Planning and Reporting Framework.

**(b) Legal Implications**

There are no legal implications arising from this report.

**(c) Social Implications**

Council's community services section delivers a broad range of support services, activities, and opportunities to all age groups. These services assist in building social capital within the Shire.

**(d) Environmental Implications**

There are no environmental implications arising from this report.

**(e) Economic/Asset Management Implications**

The economic implications of community services are positive, in that these services provide employment opportunities, delivering a service to the community and support the local business sector.

**(f) Risk Implications**

There are no risk implications arising from this report.

## **CONCLUSION**

The updates provided in this report deliver information to Council on the key activities undertaken in Council's Community Services section for the month of April and May 2023.

## **RECOMMENDATION**

**That the report be received and noted.**

**10.13 ENVIRONMENT AND STRATEGIC PLANNING PROGRESS REPORT****File Number: E5****Author: Bruce Quarmby, Director Corporate Services****Authoriser: Paul Gallagher, General Manager****Annexures: Nil****PURPOSE**

The purpose of this report is to provide information on the activities within Council's Environmental Services section and Strategic Planning information for the month. This progress report considers town planning and strategic land use planning, compliance and regulation, environmental management, public health, and waste management matters as they arise.

**BACKGROUND**

The Environment Services section focuses on all town and environmental planning requirements including regulation and compliance, public health requirements, waste management, and environmental management considerations.

Strategic Land Use Planning refers to updates to Council's planning instruments and are also included. This report provides a summary of June 2023.

The following topics will be included into the Council Report where there is relevant information to report on. For the purposes of the new Council, a short description is provided for reference:

- Compliance and Regulation

The *Local Government Act 1993*, *Environmental Planning and Assessment Act 1979* ('EP&A Act') and *Protection of the Environment Operations Act 1997* are the main legislations providing provisions around environmental management. Compliance and regulation enforce individuals, organisations and businesses to comply with the relevant act or regulation. Environmental management can include, but is not limited to, atmosphere, built environment, heritage, land, and water.

- Development Application Information

Information on development applications lodged in the Coonamble local government area, however, the consent authority relates to another authority and not Council or its delegated staff/contractors. This can include the:

- Independent Planning Commission for state significant development,
- Regional planning panel for regionally significant development, or
- Public authority (other than council) depending on the type of development declared with an environmental planning instrument.

These types of development applications are rare.

- Strategic Land Use Planning

Matters relating to the potential amendments to Council's planning instruments such as the Coonamble Local Environmental Plan or Council's Development Control Plans. Council staff also attend forums, committees and workshops

around strategic land use planning, and this will be provided to Council for information.

- **Sustainability and Environmental Management**

Opportunities exist for Council to promote ecologically and environmentally sustainable land use and development, initiatives, and programs. Information under this topic will be reported when opportunities present itself and can come from government agencies, community groups and environmental champions.

- **Ranger's Monthly Report**

This report provides a summary of companion animals (cats and dogs) impounded and other animals. This includes information of how many animals were rehomed and euthanised. Information on dog attacks is also provided

**(a) Relevance to Integrated Planning and Reporting Framework**

P3.1.2. Inspection of Food Premises.

I3.3.1. Implementation Waste Management recommendations.

EN1.1.1. Enforcement of environmental regulations.

EN.1.1.2. Continue to review Local Environmental Plan.

EN.1.1.3. Ensure compliance with NSW Building Certification.

EN.1.1.4 Provide quality over counter, telephone, and email advice to customers.

EN.1.1.5 Approvals completed within timeframe required.

P2.2.4 Controlling straying animals.

**(b) Financial Considerations**

There are no direct financial considerations with this report.

## **COMMENTARY**

### **Compliance and Regulation**

#### **Overgrown blocks**

Inspections continue for overgrown properties in Coonamble, Gulargambone and Quambone since the commencement of a fulltime Regulatory Officer in November 2021. Since the last reporting period no new properties has been added to the register.

The total number of properties active on our Overgrown Block Register is 29

The split of the overgrown properties across the Shire is:

- Coonamble: 11
- Gulargambone: 10

- Quambone: 8

31 properties have complied with Council instructions and cleaned up their property, and Council has been in communication with the remaining property owners. Correspondence explains why owners must reduce excess vegetation because it causes concerns to surrounding residents and may become harbourage for vermin and other undesirable species and pose a fire risk.

Depending on the block, pigeons may also cause a health hazard issue. The correspondence explains the process of how Council as the Local Authority has responsibility to ensure that all land or premises are in a safe or healthy condition and explains this regulatory process.

#### Blocks with unsafe levels of waste:

Council has a register for properties found to have levels of rubbish or waste causing or likely to cause threat to Public Health or the health of an individual. Since the last reporting period no additional properties have been added to this register. For the three properties on the register Council staff have contacted the owner(s) regarding the condition of their block at the time of our inspection.

Correspondence explains why owners must reduce excess waste and rubbish because it causes concerns to surrounding residents and may become harbourage for vermin and other undesirable species and pose a fire risk. The correspondence explains the process of how Council as the Local Authority has responsibility to ensure that all land or premises are in a safe or healthy condition and explains this regulatory process.

The split of the properties with unsafe levels of waste across the Shire is:

- Gulargambone: 1
- Quambone: 2

As previously reported to Council, Council has issued an order to appropriately licenced and qualified contractor to carry out the demolition and clean-up of the block in Quambone. At the time of writing this report Council staff are in the process of following up with the contractor to ensure the completion of works.

#### Development Control Orders, Public Health Orders and Infringements

Since the last reporting period no new Orders have been issued.

#### **Development Application Under Delegated Authority**

Information provided in this section of the report, provides Council information on what has been determined for the month and not subject to the Council's endorsement or approval.

Individual development applications that require the elected Council's approval will be under its own separate Council business paper report with the recommendation to determine the application as approved or refused.

Under the *Government Information (Public Access) Act 2009* (GIPA Act), information in the form of Development Applications and its associated information is prescribed as ‘open access information’ by Clause 3 of Schedule 1 of the GIPA Act. This also includes staff’s development assessment report that is written prior to an application’s determination. This provides a high level of transparency.

Under delegated authority, the following is a summary of applications approved in June 2023.

<b>June 2023</b>			
<b>Application Number</b>	<b>Description of Works</b>	<b>Address of Proposed Works</b>	<b>Approved Date</b>
DA012/2023	Shade Structures	Gulargambone Pre-school 8 Yalcogrin Street Gulargambone	9/6/2023
LA007/2023	Food Van	Riverside Caravan Park 138 Castlereagh Street Coonamble	8/6/2023

**Ranger’s Report**

The Ranger’s report is provided for June 2023. The follow is a summary of companion animal statistics.

<b><u>CORRESPONDENCE</u></b>	<b><u>June</u></b>	<b><u>Year to Date 2022/2023 Total</u></b>
Infringements (Animals)	0	<b>0</b>
Infringements (Other)	0	<b>0</b>
Change of Details	5	<b>8</b>
Microchipped dogs	7	<b>130</b>
Registrations	0	<b>22</b>
Nuisance dog declaration	0	<b>0</b>
Dangerous dog declaration	0	<b>2</b>
Menace dog declaration	0	<b>0</b>
Seized Dogs	0	<b>3</b>
Notice of Possession	2	<b>2</b>

Impounded animals

During the month of June 2023, a total of fifteen (15) dogs and two (2) cats were impounded. The following provides a breakdown:

<b>April</b>	<b>Dogs</b>	<b>Cats</b>
Returned to owners	2	1
Rehomed	10	1
Euthanised	3	0
<b>Impounded*</b>	<b>15</b>	<b>2</b>

\*Of the total impounded during June, 12 dogs and 2 cats were surrendered from Coonamble, 1 dog from Gulargambone and 0 from Quambone.

Dog attacks

Nil (0) reported during the month of June was reported

For Council's information, at the time of writing this report management are currently in talks with an organisation, that provides contract ranger services, with a view to provide additional support for Council, until the current vacancy is filled.

Control of Pests

Following reports of the level of feral pigeons within the township of Coonamble becoming an issue, Council has taken the appropriate measures to reduce the number of feral pigeons.

**(a) Governance/Policy Implications**

The report provides Council with opportunities to understand governance and policy implications in the environment and strategic land use planning. There may be risk implications depending on the nature of the enquiry.

**(b) Legal Implications**

Whilst not yet formally received by Council, the EPA has indicated its intention to serve Council both a Clean-up and Prevention Notice in accordance with the provisions contained within the Protection of the Environment Operations Act 1997.

**(c) Social Implications**

Providing information that is open and transparent to the community will provide positive social implications for the community to understand the work that Council does.

**(d) Environmental Implications**

The progress report allows for environmental management to be an area of focus for Council and subsequently providing positive environmental benefits. This specifically relates to the area of public health, environmental sustainability, and waste management.

**(e) Economic/Asset Management Implications**

There may be risk implications depending on the nature of the enquiry.

**(f) Risk Implications**

There may be risk implications depending on the nature of the enquiry.

**CONCLUSION**

The Environment and Strategic Planning Progress Report has considered town planning and strategic land use planning, waste management, compliance and regulation, and environmental management and health since the last meeting.

**RECOMMENDATION**

**That the report be received and noted.**

## 10.14 RETURNS DISCLOSING PECUNIARY INTEREST

**File Number:** Councillors - C13

**Author:** Bruce Quarmby-Director Corporate Services

**Authoriser:** Paul Gallagher, General Manager

**Annexures:**

1. **Guide to completing returns of Interest.** [↓](#) 
2. **Information Access Guidline 1 - Disclosure of Interest Returns.** [↓](#) 

### PURPOSE

The purpose of this report is to convey to Councillors and designated persons, the requirement to lodge disclosure of interest returns with the General Manager.

### BACKGROUND

In accordance with Council's adopted Model Code of Conduct, following the completion of the financial year, being July to June, Councillors and designated persons are required to complete and lodge disclosure of interest returns by the 30 September. As such, the return for the period the 1 July 2022 to the 30 June 2023 is now due to be lodged with the General Manager.

Once completed these returns, in accordance with the provisions of the *Government Information (Public Access) Act 2009* (GIPA Act), constitute an open access document and as such subject to mandatory proactive release. This will be achieved by the provision of copies of these documents through Council's Website and a tabling of the completed returns at the October 2023 Council meeting.

In order to ensure that the disclosure of interest returns are received by the due date, a copy of the return form has been provided to both Councillors and the appropriate designated persons prior to the July Council meeting.

#### (a) **Relevance to Integrated Planning and Reporting Framework**

L1.4.4. Governance is open and transparent.

#### (b) **Financial Considerations**

There are no financial considerations for Council, however the required returns deal with the pecuniary interests of all Councillors and designated persons.

### COMMENTARY

As summarised above, Council's adopted Model Code of Conduct informs both Councillors and designated persons of their obligations regarding both the declaration of a pecuniary interest and the requirement to submit an annual return.

This information, in accordance with the provisions of the Model Code of Conduct and the GIPA Act is then made publicly available, in doing it seeks to ensure the ongoing openness and transparency of Council in all its actions.

Given the nature of information disclosed in the return, Council acknowledges that the returns may contain personal information about the person concerned, and, potentially, about third parties such as family members. This is information which

individuals may have concerns about disclosing publicly on a website and may object to publication following consultation under the GIPA Act.

Taking this into consideration, Councillors and designated persons should note that contained within the GIPA Act is the provision for Council to protect such “personal information”. Specifically, in accordance with *Section 6(4) of the GIPA Act, in which agencies are required to “facilitate public access to open access information contained in a record by deleting matter from a copy of record to be made publicly available, if inclusion of the matter would otherwise result in there being an overriding public interest against disclosure of the record, and it is practicable to delete the matter”*.

As such, once the completed returns are received by Council, prior to their publication, the information contained within the returns will be subjected to a “Public Interest test” and the information will be placed on display in accordance with the outcome of this test.

Whilst the report provides an overview of the subject, further information regarding both the completion of the disclosure of interest return and the publication of this information has been provided to Council in the annexures to this report.

#### **(a) Governance/Policy Implications**

The following extract from Coonamble adopted Model Coded of conduct outlines the requirement of a Councillor or designated person to complete and lodge a disclosure of interest return.

##### Disclosure of interests in written returns

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

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

The adopted Model Code of Conduct, specifically clause 4.15, then further outlines Council’s obligations in the publication of these returns in accordance with the GIPA Act.

#### **(b) Legal Implications**

The obligation to submit returns is with Councillors and designated persons. Over the past number of years, the emphasis being placed on this issue by the NSW Auditor-General, it is known that the annual audit of Council’s financial statements will include an audit of Councillors compliance with this requirement. Further, it now becomes a Code of Conduct issue if the returns are not completed and lodged within a timely manner.

#### **(c) Social Implications**

There are no social implications directly attached to this report.

**(d) Environmental Implications**

There are no environmental implications directly attached to this report.

**(e) Economic/Asset Management Implications**

There are no economic/asset management implications directly attached to this report.

**(f) Risk Implications**

The requirement for Councillors and designated persons, to complete and lodge a disclosure of interests acts as an important risk mitigation strategy. It assists with the identification and management of potential conflicts of interest that may arise in the operations of Council.

**CONCLUSION**

The requirement of Councillors and designated staff to annually complete disclosure of interest returns is outlined within Council's adopted Model Code of Conduct. The returns, once completed in accordance with the provisions of the both the Model Code of Conduct and the GIPA Act are to be made publicly available. In doing so, this action seeks to ensure the ongoing openness and transparency of Council.

**RECOMMENDATION**

**That all Councillors and designated persons provide duly completed disclosure of interest forms to the General Manager by the end of September 2023, for these returns to be publicly tabled at the October 2023 Council meeting.**

# MODEL CODE OF CONDUCT FOR LOCAL COUNCILS IN NSW

## A GUIDE TO COMPLETING RETURNS OF INTEREST

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### Introduction

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Under the *Model Code of Conduct for Local Councils in NSW*, certain council officials are required to disclose their personal interests in publicly available returns of interests.

These operate as a key transparency mechanism for promoting community confidence in council decision making, whether by councillors or by staff or others under delegation.

You must complete and lodge your return of interests in accordance with the requirements in the Model Code of Conduct.

You must not lodge a return that you know or ought to know is false or misleading in a material particular.

Complaints about breaches of these requirements are to be referred to the Office of Local Government (OLG) and may result in disciplinary action by the council, the Chief Executive of OLG or the NSW Civil and Administrative Tribunal.

### Important information

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#### Who must submit a return of interests?

You must complete and lodge a return of interests if you are a councillor or designated person.

Designated persons include:

- the general manager
- senior staff, and
- staff, delegates of councils or members of committees who the council identify as exercising functions that could give rise to a conflict of interest.

#### When must I submit a written return of interests?

You must submit a return of interests within three months of being elected or becoming a designated person and submit a new return annually (within three months of the start of each financial year).

You do not need to submit a return of interests if you have already submitted a return in the three months preceding 30 June, or if you ceased to be a councillor or designated person in the three months preceding 30 June.

If, at any time, you become aware of any new interests that need to be disclosed, you must submit a new return within three months of becoming aware of the interests.

#### Who must I lodge my return of interests with?

All returns of interests are to be lodged with the council's general manager.

A return lodged within 3 months of 30 June must be tabled at the first council meeting after the last day the return was required to be lodged.

A return lodged at any other time must be tabled at the first council meeting after the return was lodged.

**Must my return of interests be made publically available?**

Yes. Councils must make all returns of interests publically available in accordance with the requirements of the *Government Information (Public Access) Act 2009*, the *Government Information (Public Access) Regulation 2009* and any guidelines issued by the NSW Information Commissioner.

If you are concerned that your safety or the safety of your family may be put at risk if information about your home address is disclosed in your return of interests, you may request that the information be redacted under section 739 of the *Local Government Act 1993*.

Such a request should be made to the general manager in writing.

**Is there a standard form for submitting a return of interests?**

Yes. Written returns of interests are to be in the form set out in Schedule 2 of the Model Code of Conduct.

A copy is attached to this Guide.

**How do I complete a return of interests?**

**For those who are lodging their first return**

If you are lodging a return for the first time, you do not need to complete Parts C, D and I of the return.

All other parts should be completed with information based on your circumstances at the date when you became a councillor or designated person.

**Note:**

- **If you are lodging your first return:**
  - **the 'return date' is the date you became a councillor or designated person, and**

- **leave the return 'period' at the top of the form blank**

If you have acquired any new interests that need to be disclosed in the return in the period between the return date and the date on which you are completing a return for the first time, you should also disclose these in the return to avoid the need to complete a further return disclosing the new interests.

**For those who are lodging their annual return**

Complete all parts of the return if you are lodging a new return for the new financial year.

The return should be completed with information based on your circumstances for the 12-month period beginning on 30 June of the previous year to 30 June of this year.

**Note:**

- **If you are lodging your annual return:**
  - **the 'return date' is 30 June of the calendar year in which the return is made, and**
  - **the return 'period' is from 30 June of the previous year to 30 June of the current year.**

**For those who are disclosing new interests**

Complete all parts of the return if you are disclosing a new interest that was not disclosed in the last return you lodged with the general manager.

The form should be completed with information based on your circumstances from either 30 June of the previous financial year **or** the date you became a councillor or designated person (**whichever is later**), to the date you became aware of the new interest you are disclosing.

**Note:**

- **If you are disclosing new interests:**
  - **the 'return date' is the date you became aware of the interest(s), and**
  - **the return 'period' is from 30 June of the previous financial year, or the date on which you became a councillor or**

**designated person (whichever is later) to the date you became aware of the interest(s).**

## What interests do I need to disclose?

You must not lodge a return that you know or ought to know is false or misleading in a material particular.

In completing your return, you must disclose all relevant interests whether or not they are acquired or held in NSW or Australia.

In the case of interests in real property, you must disclose all interests in real property you hold in Australia.

### Part A – Real property

In this section, you must disclose the:

- street address of each parcel of real property you had an interest in:
  - on the return date, and
  - since 30 June of the previous financial year, and
- nature of the interest (eg freehold, lease, option to purchase etc).

You do not need to disclose an interest in a parcel of real property if you ceased to have the interest prior to becoming a councillor or designated person.

You also do not need to disclose an interest in a parcel of real property if your interest was:

- as executor of a will, or administrator of an estate, of a deceased person, **and** you were not a beneficiary under the will or intestacy, or
- as a trustee, if the interest was acquired in the course of an occupation that was not related to your duties as a councillor or designated person.

#### Note:

- **'Address' is defined in clause 1 of schedule 1 of the Model Code of Conduct**
- **'Real property' refers to any real property in Australia.**

### Part B – Sources of income

In this section you must disclose each source of income you:

- reasonably expect to receive from the first day after the return date to 30 June, and
- received in the period since 30 June of the previous financial year.

In disclosing sources of income from your occupation, you must disclose:

- a description of your occupation, and
- if you are employed or the holder of an office, the name and address of your employer, or a description of the office, and
- if you have entered into a partnership with other persons, the name (if any) of the partnership.

In disclosing sources of income from a trust, you must disclose the name and address of the settlor and trustee.

In disclosing the sources of any other income, you must provide a description that identifies the person you received or reasonably expect to receive the income from, or the circumstances in which you received or reasonably expect to receive the income.

You do not need to disclose a source of income if:

- it did not exceed, or you do not reasonably expect it to exceed, \$500
- you ceased to receive income from that source prior to becoming a councillor or designated person, or
- it is your fee as a councillor.

### Part C – Gifts

In this section, you must disclose all gifts you have received since 30 June of the previous financial year.

Gifts include any item, property or money you have been given without consideration or with inadequate consideration, unless it was received under a will.

You must provide a description of the gift and the name and address of the person/organisation that gave you the gift.

You do not need to disclose gifts if:

- they did not exceed \$500 in value, unless it was among gifts totalling more than \$500 from the same person/organisation within the last 12 months
- it was given to you by a relative (see below for a definition of "relative")
- it was a political donation that has been disclosed or is required to be disclosed under the *Electoral Funding Act 2018*, or
- it was received prior to you becoming a councillor or designated person (unless you have received a subsequent gift from the same person/organisation since becoming a councillor/designated person and within a 12 month period and the gifts total more than \$500).

**Note:**

→ **The amount of a gift (other than money) is equal to the monetary value of the gift**

→ **'Relative' is defined in clause 1 of schedule 1 of the Model Code of Conduct. Relatives include your:**

- **spouse or de facto partner**
- **parents, grandparents, brothers, sisters, uncles, aunts, nephews, nieces, lineal descendants or adopted children and any of those persons' spouses or de factor partners, and**
- **spouse's or de facto partner's parents, grandparents, brothers, sisters, uncles, aunts, nephews, nieces, lineal descendants or adopted children and any of those persons' spouses or de factor partners.**

### Part D – Contributions to travel

In this section you must disclose the:

- name and address of any person who has made a financial or other contribution to the expenses of any travel you have undertaken since 30 June of the previous financial year
- dates on which you undertook the travel, and
- names of the states and territories and of the overseas countries where the travel was undertaken.

You do not need to disclose a contribution to travel if:

- it was made from public funds
- it was made by a relative (see above for a definition of "relative")
- it was made in the ordinary course of your occupation that was not related to your functions as a councillor or designated person
- it was under \$250, unless it was among gifts totalling more than \$250 from the same person/organisation within the last 12 months
- it was a political donation that has been disclosed or is required to be disclosed under the *Electoral Funding Act 2018*
- it was made by a political party you are a member of and you undertook the travel for the purpose of political activity of the party in NSW, or to represent the party within Australia, or
- you received the contribution prior to becoming a councillor or designated person (unless you have received a subsequent gift or contribution from the same person/organisation since becoming a councillor/designated person and within a 12 month period and the gifts/contributions total more than \$250).

**Note:**

→ **The amount of a contribution (other than money) is equal to the monetary value of the contribution.**

### Part E – Interests and positions in corporations

In this section, you must disclose:

- the name and address of each corporation in which you held an interest or position (whether remunerated or not) on the return date and since 30 June of the previous financial year
- the nature of the interests or positions held in each corporation, and
- a description of the principal objects (if any) of each corporation, except if it is a listed company.

You do not need to disclose an interest or position in a corporation if the corporation:

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

You also do not need to disclose an interest in a corporation if it is a beneficial interest in shares in the corporation that does not exceed 10 per cent of the voting rights in the corporation.

You also do not need to disclose an interest or position in a corporation if you ceased to hold the interest or position prior to becoming a councillor or designated person.

### **Part F – Are you a property developer or close associate of a property developer?**

In this section, you must disclose if you are a 'property developer' or a close associate of an individual or corporation that is a 'property developer' for the purposes of the *Electoral Funding Act 2018*.

A person or a corporation is a 'property developer' if they carry out a business mainly concerned with the residential or commercial development of land, with the ultimate purpose of the sale or lease of the land for profit, **and** in the course of that business:

- one 'relevant planning application' has been made by or on behalf of the individual or corporation and is pending, or
- three or more 'relevant planning applications' made by or on behalf of the individual or corporation have been determined within the preceding seven years.

You will be a close associate of a person who is a property developer if:

- you are the spouse of the person, or
- where the person has made a 'relevant planning application' that is pending, you are in a joint venture or partnership with the person in connection with the 'relevant planning application' and you are likely to obtain a financial gain if it is approved or carried out.

You will be a close associate of a corporation that is a property developer if:

- you or your spouse are a director or officer of the corporation
- you or your spouse have voting power in the corporation or a related body corporate of the corporation that is greater than 20%
- where the corporation is a trustee, manager or responsible entity in relation to a trust, you hold more than 20% of the units in the trust (in the case of a unit trust) or you are a beneficiary of the trust (in the case of a discretionary trust), or
- where the corporation has made a 'relevant planning application' that is pending, you are in a joint venture or partnership with the corporation in connection with the 'relevant planning application' and you are likely to obtain a financial gain if it is approved or carried out.

#### **Note:**

→ **'Relevant planning application' is defined in section 10.4 (Disclosure of political donations and gifts) of the *Environmental Planning and Assessment Act 1979*.**

### **Part G – Positions in trade unions and professional or business associations**

In this section, you must disclose:

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

You do not need to disclose a position in a trade union or a professional or business association if you ceased to hold that position prior to becoming a councillor or designated person.

## Part H – Debts

In this section, you must disclose the name and address of each person you are/were liable to pay a debt to on the return date, and at any time since 30 June of the previous financial year.

You must disclose a liability to pay a debt whether or not the amount, or any part of the amount, to be paid was due and payable on the return date or at any time in the period since 30 June of the previous financial year.

You do not need to disclose a liability to pay a debt if:

- the debt arose from a loan you have with a deposit taking institution (eg a bank) or other authorised deposit taking institution which lends money, and the loan was part of the institution's ordinary course of business
- the amount to be paid did not exceed \$500, **unless** the debt was one of two or more debts owed to the same person, and the combined value of the debts exceed \$500.
- the debt was owed to a relative (see above for a definition of "relative")
- in the case of a debt for the supply of goods or services:
  - the goods or services were supplied to you within the 12 months before the return date, or at any time since 30 June of the previous financial year, or
  - the goods or services were supplied to you in the ordinary course your occupation that is not related to your duties as a councillor or designated person, or
- the debt was discharged prior to you becoming a councillor or designated person, unless the debt was one of two or more debts you owe to the same person, and the value of the combine debts exceeds \$500.

## Part I – Dispositions of real property

In this section you must disclose details of each disposition of real property by you (including the street address of the property) since 30 June of the previous financial year if you wholly or partly retained the use and benefit of the property, or the right to re-acquire it.

You must also disclose details of each disposition of real property to another person under an arrangement with you (including the street address of the property), since 30 June of the previous financial year under which you obtained wholly or partly the use of the property.

You do not need to disclose a disposition of real property if it was made prior to you becoming a councillor or designated person.

## Part J – Discretionary disclosures

In this section, you may voluntarily disclose any other interests, benefits, advantages or liabilities you may have, whether or not they are pecuniary, which you have not been required to disclose elsewhere in the return.

# DISCLOSURE OF INTERESTS FORM

REQUIRED TO BE LODGED UNDER CLAUSE 4.21  
OF THE MODEL CODE OF CONDUCT FOR  
LOCAL COUNCILS IN NSW



Disclosure of pecuniary interests and other matters by *[full name of councillor or designated person]*  
as at *[return date]* in respect to the period from *[date]* to *[date]*.

Signed: *[councillor's or designated person's signature]*

Date: *[date]*

## A. Real Property

Street address of each parcel of real property in which I had an interest at the return date and at any time since 30 June	Nature of interest
<i>[address]</i>	<i>[details]</i>

## B. Sources of income

1. Sources of income I:

- reasonably expect to receive from an occupation in the period commencing on the first day after the return date and ending on the following 30 June, and
- received from an occupation at any time since 30 June:

Description of occupation	Name and address of employer or description of office held (if applicable)	Name under which partnership conducted (if applicable)
<i>[description]</i>	<i>[name and address]</i>	<i>[name]</i>

2. Sources of income I:

- reasonably expect to receive from a trust in the period commencing on the first day after the return date and ending on the following 30 June, and
- received from a trust since 30 June:

Name and address of settlor	Name and address of trustee
<i>[name and address]</i>	<i>[name and address]</i>

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

Source	Amount
<i>[source]</i>	<i>[amount]</i>

**C. Gifts**

Description of each gift I received at any time since 30 June	Name and address of donor
<i>[details]</i>	<i>[name and address]</i>

**D. Contributions to travel**

Name and address of each person who made any financial or other contribution to any travel undertaken by me at any time since 30 June	Dates on which travel was undertaken	Names of states and territories of the Commonwealth and overseas countries in which travel was undertaken
<i>[name and address]</i>	<i>[dates]</i>	<i>[names]</i>

**E. Interests and positions in corporations**

Name and address of each corporation in which I had an interest or held a position at the return date and at any time since 30 June	Nature of interest (if any)	Description of position (if any)	Description of principal objects (if any) of corporation (except in case of listed company)
<i>[name and address]</i>	<i>[details]</i>	<i>[details]</i>	

**F. Property development**

Were you a property developer or a close associate of a property developer on the return date?

*[Yes/No]*

**G. Positions in trade unions and professional or business associations**

Name of each trade union and each professional or business association in which I held any position (whether remunerated or not) at the return date and at any time since 30 June	Description of position
<i>[name]</i>	<i>[details]</i>

**H. Debts**

Name and address of each person to whom I was liable to pay any debts at the return date and at any time since 30 June
<i>[name]</i>

**I. Disposition of property**

1. Particulars of each disposition of real property by me (including the street address of the affected property) at any time since 30 June as a result of which I retained, either wholly or in part, the use and benefit of the property or the right to re-acquire the property at a later time
<i>[details]</i>

2. Particulars of each disposition of property to a person by any other person under arrangements made by me (including the street address of the affected property), being dispositions made at any time since 30 June, as a result of which I obtained, either wholly or in part, the use and benefit of the property
<i>[details]</i>

**J. Discretionary disclosures**

*[details]*



information  
and privacy  
commission  
new south wales

**Guideline 1: For local councils on the disclosure of information contained in the returns disclosing the interests of councillors and designated persons developed under the *Government Information (Public Access) Act 2009 (NSW)***

September 2019

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## Guideline 1: For local councils on the disclosure of information contained in the returns disclosing the interests of councillors and designated persons developed under the *Government Information (Public Access) Act 2009 (NSW)*

The Information Commissioner is empowered under sections 12(3) and 14(3) of the *Government Information (Public Access) Act 2009 (NSW)* ("GIPA Act") to issue guidelines to assist agencies regarding the public interest considerations in favour of, or against, disclosure.

These Guidelines, made pursuant to those sections of the GIPA Act, are made to assist local councils to determine the public interest considerations for and against disclosure of information contained in the returns disclosing the interests of councillors and designated persons as required by clause 1(2)(a) of Schedule 1 of the *Government Information (Public Access) Regulation 2018 (NSW)* ('the GIPA Regulation').

These Guidelines supplement the provisions of the GIPA Act. Agencies must have regard to them in accordance with section 15(b) of the GIPA Act.

The Guidelines have been developed in consultation with the Office of Local Government, and the Privacy Commissioner.

The operation and effectiveness of the Guidelines will be reviewed after two years or as required by any intervening developments relevant to the Guideline.

Elizabeth Tydd

**IPC CEO, Information Commissioner  
NSW Open Data Advocate**

September 2019

## Overview

Part 4 of the *Model Code of conduct for Local Councils in NSW (2018)* (Model Code) requires a councillor or a designated person to complete and lodge with the general manager a return disclosing his or her pecuniary interests. That return may contain personal information about each councillor and designated person, including his or her name, address and signature, as well as information about property and share holdings, gifts received, debts owed, other sources of income, and positions held in a trade union or business or professional organisation. The form of the return is set out in Schedule 2 of the Model Code.

Mandatory proactive release, also known as open access information, is one of the four information access pathways under the GIPA Act. Proactive release advances the object of the GIPA Act to “maintain and advance a system of responsible and representative democratic Government that is open, accountable, fair and effective ...” The GIPA Act contributes to the building of an integrity culture through the establishment of a framework based around the principles of pro-active disclosure and a presumption in favour of public interest disclosure.

The mandatory proactive release provisions of the GIPA Act and the GIPA Regulation apply to the disclosure of information contained in returns disclosing the interests of councillors and designated persons. The combined effect of the GIPA Act and the GIPA Regulation is that the information in the returns needs to be disclosed on the website of each local council, unless to do so would impose unreasonable costs on the council, or if the council determined there was an overriding public interest against disclosing the information.

In order to decide whether there is an overriding public interest against disclosure, councils need to apply the public interest test, and weigh the public interest considerations in favour of and public interest considerations against disclosure.

This Guideline recognises that disclosing the information in the returns furthers openness, transparency and accountability in local government. It also facilitates the identification and management of potential conflicts of interest that might arise where councillors and other staff participate in decisions from which they may derive, or be perceived to derive, personal or financial benefit.

However, the returns may contain personal information about the person concerned, and, potentially, about third parties such as family members. This is information which individuals may have concerns about disclosing publicly on a website and may object to publication following consultation under the GIPA Act.

[Section 6\(4\)](#) of the GIPA Act requires agencies to “facilitate public access to open access information contained in a record by deleting matter from a copy of the record to be made publicly available, if inclusion of the matter would otherwise result in there being an overriding public interest against disclosure of the record, and it is practicable to delete the matter”.

## Guideline 1: For local councils on the disclosure of information

September 2019

The fact that information is open access information is an important factor in favour of disclosure which must be balanced against any applicable considerations against disclosure, as was noted by the NSW Civil and Administrative Tribunal Appeal Panel in two recent cases<sup>1</sup>. In *Webb v Port Stephens Council (No. 3)* [2018] NSWCATAP 286, the Appeal Panel stated at paragraph 77:

*Where the information in issue is in fact open access information, as noted by the Appeal Panel in McEwan, this is an "important factor in favour of disclosure" (in addition to other relevant factors in favour of disclosure, including the general public interest in favour of disclosure provided for in s12(1) of the GIPA Act) when it comes to determining whether the balance lies between a public interest consideration against disclosure and the public interest in favour of disclosure.*

Open access information should be available free of charge on a website maintained by the relevant agency. Open access information can also be made publically available in other ways, however at least one of the ways in which the information is accessible must be free of charge.<sup>2</sup>

Consequently, this Guideline provides that the requirement in Clause 1(2)(a) of [Schedule 1](#) of the GIPA Regulation, that returns of councillors and designated persons be released as part of local councils' open access information, should be interpreted as follows:

- The returns should be made publicly available on the council's website free of charge unless there is an overriding public interest against disclosure or to do so would impose unreasonable additional costs on the council
- The fact that a return of interests is open access information is a factor in favour of disclosure in balancing the public interest
- In the circumstances where council decides that there is an overriding public interest against disclosure of the return, consideration should then be given to whether it is practicable to release an edited copy of the return (for example redacting the individual's signature or residential address) in accordance with [section 6\(4\)](#) of the GIPA Act
- If it is practicable to do so, then the information should be deleted from a copy of the return and the remainder of the return made available on the council's website
- Where information is deleted from a return, council should keep a record indicating, in general terms, the nature of the information redacted in accordance with section 6(5) of the GIPA Act
- Copies of publicly available information about returns may be made in accordance with [clause 5\(1\)\(b\)](#) of the GIPA Regulation.

Releasing the information contained in the returns of councillors and designated persons in this manner facilitates the legitimate public interest in having access to the information, while protecting the individual's right to privacy and safety.

<sup>1</sup> *McEwan v Port Stephens Council [2018] NSWCATAP 211, Webb v Port Stephens Council (No. 3) [2018] NSWCATAP 286*

<sup>2</sup> GIPA Act sections 6(2);6(3)

## Part 1: Returns disclosing the interests of councillors and designated persons

### What is a return?

- 1.1 Part 4 of the [Model Code](#) establishes the requirements for the disclosure of pecuniary interests by councillors and designated persons. This includes disclosures of interests in written returns (returns of interests) and disclosures of pecuniary interests at meetings. This Guideline deals only with requirements in relation to written returns of interests and does not affect the obligations of councillors or committee members to disclose pecuniary interests at meetings.
- 1.2 The Model Code is made under section 440 of the *Local Government Act 1993* (NSW) (LGA) and Part 8 the *Local Government Regulation 2005*. Part 4 of the Model Code replicates and replaces the requirements previously set out in sections 441- 449 of the LGA.
- 1.3 Clause 4.21 of the Model Code requires that councillors and designated persons prepare and submit written returns of interest within three months after:
  - becoming a councillor or designated person, and
  - 30 June of each year, and
  - becoming aware of an interest they are required to disclose.
- 1.4 A 'designated person' is defined in clause 4.8 of the Model Code as:
  - *the general manager*
  - *other senior staff of the council*
  - *a person (other than a member of the senior staff of the council) who is a member of staff of the council or a delegate of the council and who holds a position identified by the council as the position of a designated person because it involves the exercise of functions under the LGA or any other Act (such as regulatory functions or contractual functions) that, in their exercise, could give rise to a conflict between the person's duty as a member of staff or delegate and the person's private interest*
  - *a person who is a member of a committee of the council identified by the council as a committee whose members are designated persons because the functions of the committee involve the exercise of the council's functions (such as regulatory functions or contractual functions) that, in their exercise, could give rise to a conflict between the member's duty as a member of the committee and the member's private interest.*
- 1.5 Clause 4.1 of the Model Code defines a 'pecuniary interest' as one involving a "reasonable likelihood or expectation of appreciable financial gain or loss to the person". Clause 4.2 provides that a person "will not have a pecuniary interest in a matter if the interest is so remote or insignificant that it could not reasonably be regarded as likely to influence any decision you might make in relation to the matter, or if the interest is of a kind specified in clause 4.6" (which are interests that do not have to be disclosed).

## Guideline 1: For local councils on the disclosure of information

September 2019

- 1.6 For the purposes of the Model Code, a pecuniary interest is one held by the councillor and designated person, or his or her spouse, de facto partner, relative, partner or employer, or a company or other body of which the person, or a nominee, partner or employer of the person, is a shareholder or member.<sup>3</sup> However, a person is not taken to have a pecuniary interest in a matter:
- a) *if the person is unaware of the relevant pecuniary interest of the spouse, de facto partner, relative, partner, employer or company or other body; or*
  - b) *just because the person is a member of, or is employed by, a council or a statutory body or is employed by the Crown; or*
  - c) *just because the person is a member of, or a delegate of a council to, a company or other body that has a pecuniary interest in the matter, so long as the person has no beneficial interest in any shares of the company or body.*<sup>4</sup>
- 1.7 The returns are designed to promote openness and transparency in local government, and to avoid a conflict of interest on the part of councillors and senior council staff who exercise decision-making functions.

**What information do the returns contain?**

- 1.7 Part 2 of Schedule 1 of the Model Code sets out the matters that must be disclosed in the returns of interests in the following categories:
- interests in real property: clauses 5 - 8
  - gifts: clauses 9-11
  - contributions to travel: clauses 12-14
  - interests and positions in corporations: clauses 15-18
  - interests as a property developer or a close associate of a property developer: clauses 19-20
  - positions in trade union and professional or business associations: clauses 21-22
  - dispositions of real property: clauses 23-25
  - sources of income: clauses 26-30
  - debts: clauses 31 - 33
  - discretionary disclosures: clause 34 (A person may voluntarily disclose in a return any interest, benefit, advantage or liability, whether pecuniary or not, that is not required to be disclosed under another provision of the Schedule).
- 1.8 The form of the return is provided in Schedule 2 of the [Model Code](#).

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<sup>3</sup> Clause 4.4 of the Model Code

<sup>4</sup> Clause 4.5 of the Model Code

### Disclosure under the LGA now replaced with the GIPA Act and Regulations

- 1.9 The LGA previously required that the current version of the return of interests of councillors and designated persons was to be made available for public inspection free of charge.
- 1.8 In 2009, the GIPA Act replaced section 12 of the LGA with the mandatory proactive release provisions in [sections 6](#) and [18](#) of the GIPA Act, and the GIPA Regulation (see [Part 2](#)).

## Part 2: Disclosure requirements under the GIPA Act and the public interest test

### Mandatory disclosure requirements

- 2.1 [Section 6](#) of the GIPA Act requires agencies to make certain information publicly available. This information is known as open access information. [Section 18](#) contains a list of the open access information that all agencies must make publicly available. Schedule 1 to the GIPA Regulation lists additional open access information relevant only to local councils. This includes the returns of the interests of councillors and designated persons (see [clause 1\(2\)\(a\)](#) of Schedule 1).
- 2.2 The GIPA Act requires under section 6 that open access material must be made publicly available unless there is an overriding public interest against disclosure. Section 6(2) provides that the information is to be made publicly available free of charge on a website maintained by the agency (unless to do so would impose unreasonable additional costs on the agency) and can be made publicly available in any other way that the agency considers appropriate.
- 2.3 Section 6(4) requires agencies to facilitate public access to open access information by deleting matter (content) if it is practicable to do so. This facilitates the release of open access information by enabling any matter subject to an overriding public interest against disclosure to be deleted so that the remainder of the information can be released. In circumstances where council determines that there is an overriding public interest against disclosure of open access information, section 6(4) may operate to require public release of the remaining open access information which is not subject to the overriding public interest against disclosure. Where information is deleted in accordance with section 6(4), the agency is required to keep a record indicating, in general terms, the nature of the information that has been redacted (see section 6(5)).
- 2.4 [Part 2](#) of the GIPA Regulation also provides that local councils must provide a copy of a record containing the information (or providing the facilities for making a copy of a record containing the information) to any person either free of charge or for a charge not exceeding the reasonable cost of photocopying.
- 2.5 The combined effect of these provisions is that information in the returns of the interests of councillors and designated persons needs to be made available on a council's website, unless there is an overriding public interest against such disclosure, or if placing it on the web would impose unreasonable costs on a council.

## Guideline 1: For local councils on the disclosure of information

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**The public interest test**

- 2.6 The GIPA Act provides that there is a presumption in favour of disclosure of government information unless there is an overriding public interest against disclosure (section 5). In order to determine if there is an overriding public interest against disclosing information in the returns of the interests of councillors and designated persons, councils need to apply the public interest test under [Part 2](#) of the GIPA Act.
- 2.7 The fact that a return of interests is open access information is an important factor in favour of disclosure which must be balanced against any applicable considerations against disclosure. In balancing the public interest decision makers should have regard to the intent of the legislature and apply the Act consistent with the objects of section 3(2) of the GIPA Act.
- 2.8 The public interest test is described in [section 13](#) of the GIPA Act as “[t]here is an overriding public interest against disclosure of government information for the purposes of this Act if (and only if) there are public interest considerations against disclosure and, on balance, those considerations outweigh the public interest considerations in favour of disclosure”.
- 2.9 In applying the public interest test factors such as privacy may be considered. While the note to [section 12](#) provides a non-exhaustive list of examples of factors that may be considered in favour of disclosing information, only those considerations listed in the Table in [section 14](#) may be taken into account in deciding that information should not be disclosed. The considerations against disclosure must be such that they outweigh those in favour, overturning the general presumption in the GIPA Act in favour of disclosure (see [section 5](#)).
- 2.10 The Information Commissioner has published the following resources to assist agencies to apply the public interest test:
- [Guideline 4: Personal information as a public interest consideration under the GIPA Act](#)
  - [What is the public interest test?](#)

**Part 3: How the information on returns should be disclosed****Public interest considerations in favour of disclosure**

- 3.1 The note in [section 12](#) of the GIPA Act contains a number of factors that favour disclosure of information, including the following:
- (a) Disclosure of the information could reasonably be expected to promote open discussion of public affairs, enhance Government accountability or contribute to positive and informed debate on issues of public importance.*
  - (b) Disclosure of the information could reasonably be expected to inform the public about the operations of agencies and, in particular, their policies and practices for dealing with members of the public.*
  - (c) Disclosure of the information could reasonably be expected to ensure effective oversight of the expenditure of public funds.*
  - (d) The information is personal information of the person to whom it is to be disclosed.*
  - (e) Disclosure of the information could reasonably be expected to reveal or substantiate that an agency (or a member of an agency) has engaged in misconduct or negligent, improper or unlawful conduct.*

## Guideline 1: For local councils on the disclosure of information

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- 3.2 Disclosure of the returns of the interests of councillors and designated persons promotes some of these public interest considerations in favour of disclosure (see (a), (b), (c) and (e)). It furthers openness, transparency and accountability in local government. Disclosing the returns also protects the integrity of councils' decision-making processes by allowing scrutiny of potential conflicts of interests that would arise where councillors or staff participate in decision making from which they or their close associates may derive, or be perceived to derive, personal or financial benefit.
- 3.3 To assist members of the public to have confidence that potential conflicts of interest are avoided, they should have sufficient information about the areas of conflict. In this respect, disclosure of the information contained in the returns is an important element in promoting public accountability.

**Public interest considerations against disclosure**

- 3.4 Councillors and designated persons may be required to disclose personal information in the returns. In addition to their names and addresses, the returns include details about each of their property and share holdings, debts and family business interests, as well as their signatures.
- 3.5 Clause 3 in the Table in [section 14](#) of the GIPA Act lists as a consideration against disclosure the fact that information may reveal someone's personal information, or would contravene an information privacy principle under the *Privacy and Personal Information Protection Act 1998* (NSW) (PPIP Act). An individual has a right to protect the privacy of their personal information. Given the amount of personal information that may be contained in the returns, special care should be taken to protect this right.
- 3.6 The balancing of public interest considerations may necessitate consideration of privacy protection principles and the interaction between the GIPA Act and the PPIP Act is well established within both statutes. While a return may reveal personal information, which is a public interest consideration against disclosure, this is not a conclusive presumption against disclosure. It is just one of the relevant factors that need to be weighed against other factors for and against disclosure. In this regard the considerations must be weighed in conducting the public interest test and this balancing should be informed by section 5 and section 20(5) of the PPIP Act which provide that the GIPA Act is not limited by the PPIP Act.
- 3.7 A further consideration against disclosure listed in clause 3 of the Table in [section 14](#) is where release of the information may expose a person to a risk of harm or of serious harassment or serious intimidation. It is foreseeable that disclosing the type and combination of information contained in the returns on a council's website could expose a person to harassment and intimidation, and potentially serious harm or identity theft.
- 3.8 In *Pallier v NSW State Emergency Service* [2016] NSWCATAD 293, the NSW Civil and Administrative Tribunal indicated that the intimidation or harassment needs to be heavy, weighty or grave and not trifling or transient.<sup>5</sup> The risk needs to be considered objectively. Any evidence of the risk should be as it currently stands, rather than evidence of past actions.<sup>6</sup>

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<sup>5</sup> *Pallier v NSW State Emergency Service* [2016] NSWCATAD 293, paragraph 81

<sup>6</sup> *Ibid*, paragraph 85.

## Guideline 1: For local councils on the disclosure of information

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**Application of section 6(4) of the GIPA Act**

- 3.9 In circumstances where council determines that there is an overriding public interest against disclosure of a return of interest, council may still be required to release an edited copy of the return.
- 3.10 [Section 6\(4\)](#) of the GIPA Act requires agencies 'must facilitate public access to open access information contained in a record by deleting matter from a copy of the record if disclosure of the matter would otherwise be prevented due to an overriding public interest against disclosure, and it is practicable to delete the matter'.
- 3.11 The type of matter which might be deleted from a return in these circumstances will vary depending on the public interest considerations applied. However, examples might include the signatures or residential address of the individual making the return.
- 3.12 Where information is deleted from a return, council should keep a record indicating, in general terms, the nature of the information redacted in accordance with section 6(5) of the GIPA Act

**Conclusion**

- 3.13 Disclosure of information contained in the returns of the interests of councillors and designated persons is an important public accountability measure. Open access information should be treated as a special class of information when determining information access. Accordingly, the threshold to displace Parliament's intent that it is open access is set at a high level.
- 3.14 The requirement in clause 1(2)(a) of [Schedule 1](#) of the GIPA Regulation that returns of councillors and designated persons be released as part of local councils' open access information should be interpreted as follows:
- The returns should be made publicly available on the council's website unless there is an overriding public interest against release or to do so would impose unreasonable additional costs on council.
  - The fact that a return of interests is open access information is a factor in favour of disclosure in balancing the public interest.
  - In the circumstances where council decides that there is an overriding public interest against disclosure, consideration should then be given to whether it is practicable to release an edited copy of the record (for example redacting the individual's signature or residential address) in accordance with [section 6\(4\)](#) of the GIPA Act.
  - If it is practicable to do so, then the information should be deleted from a copy of the record and the remainder of the return made available on the council's website.
  - Where information is deleted from a return, council should keep a record indicating, in general terms, the nature of the information redacted.
  - Copies of publicly available information about returns may be made in accordance with [clause 5\(1\)\(b\)](#) of the GIPA Regulation.
- 3.15 Releasing the information contained in the returns of councillors and designated persons in this manner facilitates the legitimate public interest in having access to the information, while respecting other considerations against disclosure including privacy.

**Guideline 1: For local councils on the disclosure of information**

**September 2019**

**Document information**

<b>Title:</b>	Guidelines for local councils on the disclosure of information contained in the returns disclosing the interests of councillors and designated persons developed under the Government Information (Public Access) Act 2009 (NSW)
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<b>Author:</b>	Legal Counsel and Regulatory Advice
<b>Approver:</b>	Information Commissioner
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1.1	July 2014	Accessibility update
2	May 2019	Review of content

**10.15 2022-2023 RELATED PARTY DISCLOSURE RETURNS**

**File Number:** Policies - P15  
**Author:** Bruce Quarmby-Director Corporate Services  
**Authoriser:** Paul Gallagher, General Manager  
**Annexures:**

1. **Related Party Disclosures Policy** [↓](#) 
2. **Rekated Party Disclosure - KMP Form - Attachment A** [↓](#) 
3. **Related Party Disclosure - Privacy Collection Notice - Attachment B** [↓](#) 

**PURPOSE**

The purpose of this report is to convey Councillors and designated persons, the requirement to lodge Disclosure by Key Management Personnel forms with the General Manager.

**BACKGROUND**

Effective for annual periods beginning on or after 1 July 2016, Council must disclose certain related party relationships and related party transactions together with information associated with those transactions in its general-purpose financial statements, in order to comply with *Australian Accounting Standard AASB 124 Related Party Disclosures July 2015 (AASB 124)*.

Related parties include Council's Key Management Personnel (KMP), their close family members, and any entities that they or any of their close family members control or jointly control.

A related party transaction is any transaction (whether a transfer of resources, services or obligations) between the reporting local government and any of the related parties, whether monetary or not.

If there is a related party transaction with Council applicable to a reporting financial year, AASB 124 requires Council to disclose in the financial statements the nature of the related party relationship and information about the transaction, including outstanding balances and commitments associated with the transaction. Disclosure in the financial statements may be in the aggregate and/or made separately, depending on the materiality of the transaction.

Each KMP must provide a Related Party Disclosure, in the approved form, notifying any existing or potential related party transactions between Council and any related parties of the KMP, to the Executive Leader Corporate and Sustainability by no later than the following periods during a financial year:

- 30 days after the commencement of the application of this policy.
- 30 days after a KMP commences their term or employment with Council.
- 30 November (each year); and
- 30 June (each year).

**Who are KMPs?**

KMPs are persons having authority and responsibility for planning, directing and

controlling the activities of Council, directly or indirectly.

For Council, KMPs include the:

- Mayor.
- Councillors.
- General Manager.
- Executive Leaders.
- Public Officer.

Who are close family members of a KMP Person?

Close family members, or close members of the family of a KMP, are family members who may be expected to influence, or be influenced by that person in their dealings with Council and include:

- (a) That person’s children and spouse or domestic partner.
- (b) Children of that person’s spouse or domestic partner.
- (c) Dependants of that person or that person’s spouse or domestic partner.

Under AASB 124, close family members could include extended members of a family (such as, without limitation, a parent, grandparent, siblings, etc) *if* they could be expected to influence, or be influenced by, the KMP in their dealings with Council.

The following table may assist you in identifying your close family members:

Definitely a close family member	Maybe a close family
Your spouse/domestic partner	Your brothers and sisters, if they could be expected to influence, or be influenced by, you in their dealings with Council.
Your children	Your aunts, uncles, and cousins, if they could be expected to influence, or be influenced by, you in their dealings with Council.
Your dependants	Your parents and grandparents, if they could be expected to influence, or be influenced by, you in their dealings with Council.
Children of your spouse/domestic partner	Your nieces and nephews, if they could be expected to influence, or be influenced by, you in their dealings with Council.
Dependants of your spouse/domestic partner	Any other member of your family if they could be expected to influence, or be influenced, by you in their dealings with Council.

**(a) Relevance to Integrated Planning and Reporting Framework**

L1.4.4. Governance is open and transparent.

**(b) Financial Considerations**

There are no direct financial considerations for Council, however, the policy and subsequent declarations required are necessary to ensure Council's compliance with the accounting standard AASB 124.

**COMMENTARY**

Given the nature of information disclosed in the return, Council acknowledges that the returns may contain personal information about the person concerned, and, about third parties such as family members.

Whilst the report provides an overview of the subject, further information regarding the completion of the disclosure of KMP return has been provided to Council in the annexures to this report.

**(a) Governance/Policy Implications**

Provision of the requested information is in accordance with Council's adopted Related Party Disclosure Policy.

**(b) Legal Implications**

The obligation to submit returns is with Councillors and other Key Management Personnel. It is known that the annual audit of Council's financial statements will include an audit of Councillors compliance with this requirement.

**(c) Social Implications**

There are no social implications directly attached to this report.

**(d) Environmental Implications**

There are no environmental implications directly attached to this report.

**(e) Economic/Asset Management Implications**

There are no economic/asset management implications directly attached to this report.

**(f) Risk Implications**

The requirement for Councillors and other Key Management Personnel to complete and lodge a Related Party Disclosure assists as an important risk mitigation strategy. It assists with the identification and management of potential conflicts of interest that may arise in the operations of Council.

**CONCLUSION**

Councillors and designated persons must provide a duly completed related party disclosure in the form set out in Attachment A, notifying any existing or potential related party transactions between Council and either themselves, their close family members, or entities controlled or jointly controlled by them, or any of their close family members.

**RECOMMENDATION**

**That all Councillors and designated persons provide the General Manager with their duly completed “Related Party Disclosure by Key Management Personnel” forms by the end of August 2023.**

## 1. BACKGROUND

Related party relationships are a normal feature of commerce and business. Council is committed to responsible corporate governance, including compliance with laws and regulations governing related party transactions.

## 2. PURPOSE

This Policy has been developed to provide guidance in complying with the *Local Government Act 1993*, section 413(3), which requires Council to prepare its General-Purpose Financial Statements in compliance with Australian Accounting Standards. The relevant standard for the purpose of this Policy is *AASB 124 Related Party Disclosures*, July 2015 (AASB 124).

## 3. POLICY OBJECTIVE

The objective of the Policy is to ensure that the existence of certain related party relationships, related party transactions and information about the transactions, necessary for users to understand the potential effects on the Financial Statements are properly identified, recorded in Council's systems, and disclosed in Council's General Purpose Financial Statements in compliance with AASB 124, the *Privacy and Personal Information Protection Act 1998* [PPIPA] and the *Government Information (Public Access) Act 2009* [GIPAA].

## 4. LEGISLATION

This policy is to be read in conjunction with the following:

- *Australian Accounting Standards AASB124 Related Party Disclosures.*
- *Australian Accounting Standards AASB10 Consolidated Financial Statements.*
- *Local Government Act 1993.*
- *Local Government (General) Regulation 2005*
- *Privacy and Personal Information Protection Act 1998 (PPIP Act)*
- *Government Information (Public Access) Act 2009 (GIPA Act)*

## 5. APPLICATION/SCOPE

This policy relates only to relationships with persons and entities identified as Related Parties under the definitions provided within this policy. As such this policy shall be applied in:

- Identifying related party relationships; related party transactions, and ordinary citizen transactions concerning Key Management Personnel [KMP], their close family members and entities controlled or jointly controlled by any of them.
- Identifying information about the related part transaction for disclosure.
- Establishing systems to capture and record related party transactions and information about those transactions.
- Identifying the circumstances in which disclosure of the of related party relationships and related party transactions is required.
- Determining the disclosures to be made about those items in Council's General Purpose Financial Statements for the purpose of complying with *AASB124*.

## 6. POLICY

### 6.1 ETHICS AND CONFLICTS OF INTEREST

Officers shall refrain from personal activities that would conflict with the proper execution and management of Council's Related Party Disclosure Policy. Council's Code of Conduct provides guidance for recognising and disclosing any conflicts of interest.

### 6.2 PRIVACY OBLIGATIONS

The following information is classified as confidential and is not available for inspection by or disclosure to the public, including through a GIPAA application:

- (a) Information (including personal information) provided by a KMP in a related party disclosure; and
- (b) Personal information contained in a register of related party transactions.

#### 6.2.1 When Consent is Required.

Except as specified in this Policy, Council and other permitted recipients will not use or disclose personal information provided in a related party disclosure by a KMP or contained in a register of related party transactions for any other purpose or to any other person except with the prior written consent of the subject KMP.

### 6.2.2 Permitted Recipients.

The following persons are permitted to access, use and disclose the information (including personal information) provided in a related party disclosure or contained in a register of related party transactions for the purposes specified in Section 6.2.3:

- The General Manager.
- The Responsible Accounting Officer, Executive Leader of Corporate and Sustainability, Manager of Finance and Procurement.
- An Auditor of Council (including an Auditor from the NSW Auditor General's Office).
- Other Officers as delegated by the General Manager.

### 6.2.3 Permitted Purposes.

A person specified in Section 6.2.2 may access, use and disclose information (including personal information) in a related party disclosure or contained in a register of related party transactions for the following purposes:

- To assess and verify a notified related party transaction.
- To reconcile identified related party transactions against those notified in a related party disclosure or contained in a register of related party transactions.
- To comply with the disclosure requirements of AASB 124.
- To verify compliance with the disclosure requirements of AASB 124.

An individual may access their personal information provided by a KMP in a related party disclosure or contained in a register of related party transactions in accordance with *Council's Privacy Management Plan*.

### 6.2.4 Government Information (Public Access) (GIPA) Status.

The following documents are not open to or available for inspection by the public:

- Related party disclosure provided by a Key Management Personal.
- The register of related party transactions.

This is in accordance with the provisions set out within Section 14 Public interest considerations against disclosure of *the GIPA Act*.

## 6.3 AASB 124 DISCLOSURE REQUIREMENTS

### 6.3.1 Disclosures.

To comply with AASB 124, for annual periods beginning on or after 1 July 2016, Council will make the following disclosures in its General-Purpose Financial Statements:

- (a) Relationships between Council and its subsidiaries, irrespective of whether there have been transactions between them.
- (b) Key Management Personnel (KMP) compensation in total and for each of the following categories:
  - (i) Short-term employee benefits.
  - (ii) Post-employment benefits.
  - (iii) Other long-term benefits; and
  - (iv) Termination benefits.
- (c) Amounts incurred by Council for the provision of KMP services that are provided by a separate management entity.
- (d) The information specified in Section 1.2 for related party transactions with the following persons during the periods covered by the Financial Statement:
  - (i) Council subsidiaries.
  - (ii) Entities who are associates of Council or of a Council subsidiary.
  - (iii) Joint ventures in which Council or a Council subsidiary is a joint venture party.
  - (iv) Council's KMP.
  - (v) Other related parties, comprising:
    - (a) A close family member of a KMP of Council.
    - (b) Entities controlled or jointly controlled by a KMP of Council.
    - (c) Entities controlled or jointly controlled by a close family member of a KMP of Council.
    - (d) Other entities as specified in AASB 124, paragraph 9(b)(iii), (iv), (v) and (viii),

### 6.3.2 Disclosed Information.

For each category of related party transactions specified in section 6.3.1 (d), Council will disclose the following information in Council's General Purpose Financial Statements:

- The nature of the related party relationship.
- The amount of the transactions.
- The amount of outstanding balances, including commitments, and:
  - their terms and conditions, including whether they are secured, and the nature of the consideration to be provided in settlement; and
  - details of any guarantees given or received.
- Provisions for doubtful debts related to the amount of outstanding balances; and
- The expense recognised during the period in respect of bad or doubtful debts due from related parties.

### 6.3.3 Disclosed in Aggregate or Separate Information.

For each related party category specified in section 6.3.1(d), Council will disclose information specified in section 6.3.2 for related part transactions of a similar nature in aggregate, except when separate disclosure is necessary for an understanding of the effects of related party transactions on the General-Purpose Financial Statements of Council, having regard to the following criteria:

- The nature of the related party relationship.
- The significance of the transaction (individually or collectively) in terms of size or value (including where the materiality arises due to the fact that no consideration for the transaction is given or received by Council).
- Whether the transaction is carried out on non-arm's length terms.
- Whether the nature of the transaction is outside normal day-to-day business operations, based on the factors and thresholds determined by the Responsible Accounting officer in consultation with the Executive Leader of Corporate and Sustainability, the General Manager and Council's external auditor.

## **6.4 IDENTIFYING COUNCIL RELATED PARTY RELATIONSHIPS AND TRANSACTIONS**

### **6.4.1 Identification.**

The Responsible Accounting Officer is responsible for identifying Council subsidiaries, associates and joint ventures (incorporated and unincorporated) from the Related Entities Register, a document which is prepared to substantiate Note 19 of the Financial Statements "Interests in Other Entities".

### **6.4.2 Control or Joint Control.**

To determine whether Council has control or joint control of an entity, the Responsible Accounting Officer is responsible for applying Australian Accounting Standards AASB 10 Consolidated Financial Statements and AASB 11 Joint Arrangements.

### **6.4.3 Associate or Joint Venture.**

To determine whether an entity is an associate of, or in a joint venture with, Council or a Council subsidiary the Responsible Accounting Officer is responsible for applying AASB 128 investments in associates and joint ventures.

### **6.4.4 Electronic Investigation.**

The Responsible Accounting Officer is responsible for investigating through Council's business system whether any identified Council subsidiaries, associates or joint ventures have an existing related party transaction with Council.

### **6.4.5 Information Extraction.**

The Responsible Accounting Officer is responsible for identifying and extracting information specified in Section 6.3.2 against each existing related party transaction in Council's business systems for the purpose of recording the related party transactions and associated information in a register of related party transactions.

#### **6.4.6 Manual Investigation and Recording of Information.**

For related party transactions that are not captured by Council's business systems, the Responsible Accounting Officer is responsible for manually reviewing the transactional documentation and record the information specified in Section 6.3.2 for the subject transaction in the register of related party transactions.

### **6.5 IDENTIFYING RELATED PARTY TRANSACTION WITH KMP AND THEIR CLOSE FAMILY MEMBERS**

#### **6.5.1 Related Party Disclosures.**

KMP must provide a related party disclosure in the form set out in Attachment A, notifying any existing or potential related party transactions between Council and either themselves, their close family members or entities controlled or jointly controlled by them or any of their close family members, subject to Section 3.5, to the Executive Leader of Corporate and Sustainability by no later than the following periods during a financial year (specified notification period):

- 30 days after the commencement of the application of this Policy.
- 30 days after a KMP commences their term or employment with Council.
- 30 November each year.
- 30 June each year.

#### **6.5.2 Related Party Disclosure Form.**

At least 30 days before a specified notification period, the Executive Support Officer will provide each KMP with a Related Party Disclosure Form (Attachment A) and a Privacy Collection Notice (Attachment B).

#### **6.5.3 Suspected Related Party Transaction.**

If a KMP suspects that a transaction may constitute a related party transaction, the KMP should provide a related party disclosure to the Executive Leader of Corporate and Sustainability for consideration and determination.

#### **6.5.4 Other Notification.**

The notification requirements in Section 3 are in addition to the notifications a KMP must make to comply with:

- Council's adopted Code of Conduct; and
- The disclosure of interests in a written return pursuant to section 450A of the Local Government Act 1993 and Local Government (General) Regulation 2005.

### **6.5.5 Exclusions.**

The notification requirements in Section 3 do not apply to:

- Related party transactions that are ordinary citizen transactions not assessed as being material as determined under Section 4; and
- The Mayor and Councilors' expenses incurred, and facilities provided during the financial year under Council's Payment of Expenses and Provision of Facilities to Mayor and Councilors' Policy, the particulars of which are contained in Council's Annual Report pursuant to the Local Government (General) Regulation 2005, clause 217.

### **6.5.6 Information Extraction.**

The Responsible Accounting Officer is responsible for identifying information specified in Section 1.2 against each notified related party transaction in Council's business systems for the purpose of recording the related party transactions and associated information in the register of related party transactions.

### **6.5.7 Other Sources of Information.**

To ensure all related party transactions are captured and recorded, the Responsible Accounting Officer is responsible for reviewing, if required, other sources of information held by Council including, without limitation:

- A prior year register of related party transactions.
- The minutes of Council and committee meetings.
- Council's Contracts Register.

### **6.5.8 Manual Investigation and recording of Information.**

For notified related party transactions that are not captured by Council's business systems, the Responsible Accounting Officer is responsible for manually reviewing the transactional documentation and record the information specified in Section 6.3.2 for the subject transaction in the register of related party transactions.

## **6.6 ORDINARY CITIZEN TRANSACTIONS**

### **6.6.1 Non-material in Nature.**

A KMP is not required to notify in a related party disclosure and Council will not disclose in its Financial Statements, related party transactions that are ordinary citizen transactions assessed to be not material in nature.

### **6.6.2 Material in Nature.**

A KMP is required to notify in a related party disclosure and Council will disclose in its Financial Statements in accordance with Section 6.3, related party transactions that are ordinary citizen transactions assessed to be material in nature.

### **6.6.3 Materiality Assessment.**

The Responsible Accounting Officer is responsible for reviewing and assessing the materiality of related party transactions that are ordinary citizen transactions to determine whether the disclosure of such transactions are necessary for an understanding of the effects of the related party transactions on the Financial Statements having regard to the criteria specified in Section 6.3.3.

As a general rule, Council will utilise \$10,000 as the threshold for materiality.

### **6.6.4 Information Extraction.**

The Responsible Accounting Officer is responsible for identifying information specified in Section 6.3 against each notified related party transaction that is an ordinary citizen transaction assessed as being material in nature in Council's business systems for the purpose of recording the related party transactions and associated information in a register of related party transactions.

## **6.7 REGISTER OF RELATED PARTY TRANSACTIONS**

### **6.7.1 Maintain a Register**

The Responsible Accounting Officer is responsible for maintaining and keeping up to date a register of related party transactions that captures and records the information specified in Section 6.3.2 for each existing or potential related party transaction (including ordinary citizen transactions assessed as being material in nature) during a financial year.

### **6.7.2 Contents of Register.**

The contents of the register of related party transactions must detail for each related party transaction:

- The description of the related party transaction.
- The name of the related party.
- The nature of the related party's relationship with Council.
- Whether the notified related party transaction is existing or potential.
- A description of the transactional documents the subject of the related party transaction.
- The information specified in Section 6.3.2.

The Responsible Accounting Officer is responsible for ensuring that the information specified in Section 6.3.2 is disclosed in Council’s Financial Statements to the extent, and in the manner stipulated by AASB 124, subject to Section 6.3.3.

**7 DEFINITION**

<b>Term</b>	<b>Definition</b>
<b>Act</b>	<i>Local Government Act 1993.</i>
<b>Council</b>	Coonamble Shire Council.
<b>Arm’s length terms</b>	Terms between parties that are reasonable in the circumstances of the transaction that would result from: (a) Neither party bearing the other any special duty or obligation; and (b) The parties being unrelated and uninfluenced by the other; and each party having acted in its own interest.
<b>Associate</b>	In relation to an entity (the first entity), an entity over which the first entity has significant influence.
<b>Close family member or close members of the family</b>	In relation to a KMP, family members who may be expected to influence, or be influenced by that KMP in their dealings with Council will include: (a) That person’s children and spouse or domestic partner. (b) Children of that person’s spouse or domestic partner; and (c) Dependants of that person or that person’s spouse or domestic partner. For the purpose of AASB 124, close family members could include extended members of a family (such as, without limitation, parents, siblings, grandparents, uncles/aunts or cousins) if they could be expected to influence, or be influenced by, the KMP in their dealings with Council.
<b>Control</b>	Control of an entity is present when there is: (a) Power over the entity; and (b) Exposure or rights to variable returns from involvement with the entity; and (c) The ability to use power over the entity to affect the amount of returns received as determined in accordance with AASB 10 Consolidated Financial Statements,

	Paragraphs 5 to 18, Appendices A (Defined Terms) and B (Application Guidance).
<b>Joint control</b>	The contractually agreed sharing of control of an arrangement, which exists only when decisions about the relevant activities require the unanimous consent of the parties sharing control.
<b>Joint venture</b>	An arrangement of which two or more parties have joint control and have right to the net assets of the arrangement.
<b>Joint venture party</b>	A party to a joint venture that has joint control of that joint venture.
<b>Key management personnel (KMP)</b>	Person(s) having authority and responsibility for planning, directing and controlling the activities of Council. Specifically, KMP of Council are the: (a) Mayor. (b) Councillors. (c) General Manager. (d) Executive Leaders. (e) Public Officer.
<b>KMP Compensation</b>	All forms of consideration paid, payable or provided in exchange for services provided and may include: <ul style="list-style-type: none"> <li>• Short-term employee benefits, such as wages, salaries and social security contributions, paid annual leave and paid sick leave, profit sharing and bonuses (if payable within 12 months of the end of the period) and non-monetary benefits (such as medical care, housing, cars and free and subsidised goods or services) for current employees.</li> <li>• Post-employment benefits such as pensions, other retirement benefits, post-employment life insurance and post-employment medical care.</li> <li>• Other long-term employee benefits, including long service leave or sabbatical leave, jubilee or other long service benefits, long-term disability benefits and, if they are not payable wholly within 12 months after the end of the period, profit sharing, bonuses and deferred compensation.</li> <li>• Termination benefits; and</li> <li>• Share-based payment.</li> </ul>
<b>Materiality</b>	The assessment of whether the transaction, either individually or in aggregate with other transactions, by omitting it or misstating it

	could influence decisions that users make on the basis an entity's financial statements.
<b>Ordinary citizen transactions</b>	<p>Transactions that an ordinary citizen would undertake with Council, which are undertaken on arm's length terms and in the ordinary course of carrying out Council's functions and activities.</p> <p>Examples of ordinary citizen transactions assessed to be not material in nature are:</p> <ul style="list-style-type: none"> <li>(a) Paying rates and utility charges.</li> <li>(b) Using Council's public facilities after paying the corresponding fees.</li> </ul>
<b>Ratepayer</b>	The person liable for payment of Rates and Charges for the property in accordance with <i>section 560 of the Local Government Act, 1993</i> .
<b>Related party</b>	<p>A person or entity that is related to Council pursuant to the definition contained in AASB 124, Paragraph 9. Examples of related parties of Council are:</p> <ul style="list-style-type: none"> <li>(a) Council subsidiaries.</li> <li>(b) KMP.</li> <li>(c) Close family members of KMP.</li> <li>(d) Entities that are controlled or jointly controlled by KMP or their close family members.</li> </ul>
<b>Related party transaction</b>	<p>A transfer of resources, services or obligations between the Council and a related party, regardless of whether a price is charged.</p> <p>Examples of related party transactions are:</p> <ul style="list-style-type: none"> <li>(a) Purchases or sales of goods.</li> <li>(b) Purchases or sales of property and other assets.</li> <li>(c) Rendering or receiving of services.</li> <li>(d) Rendering or receiving of goods.</li> <li>(e) Leases.</li> <li>(f) Transfers under licence agreements.</li> <li>(g) Transfers under finance arrangements (example: loans).</li> <li>(h) Provision of guarantees (given or received).</li> <li>(i) Commitments to do something if a particular event occurs or does not occur in the future.</li> <li>(j) Settlement of liabilities on behalf of Council or by Council on behalf of that related party.</li> </ul>

<p><b>Related party disclosure</b></p>	<p>A document entitled Related Party Disclosure by Key Management Personnel in the form set out in Attachment A.</p>
<p><b>Significant influence</b></p>	<p>The power to participate in the financial and operating policy decisions of another entity but is not control or joint control of those policies, as determined in accordance with Australian Accounting Standard AASB 128 Investments in Associates and Joint Ventures, Paragraphs 3, 5 and 6.</p>

<b>Title: Related Party Disclosure Policy</b>		
<b>Department: Corporate and Sustainability</b>		
<b>Version</b>	<b>Date</b>	<b>Author</b>
1	February 2017	B Quarmby
2	July 2021	B Quarmby
<b>Review Date: 2024</b>		
<b>Amendments in the release:</b>		
<b>Amendment History</b>	<b>Date</b>	<b>Detail</b>
Included: Statement of Ethics Update: Position Titles following organisational restructure	July 2021	
<b>Annexure Attached:</b> Attachment A – Related Party Disclosure Attachment B – Related Party Disclosure KMP		
<b>Hein Basson</b> <b>General Manager</b>		



**Attachment A – Related Party Disclosure by Key Management Personnel**

Private and Confidential	
Related Party Declaration by Key Management Personnel (KMP)	
Name of Key Management Person:	
Position of Key Management Person:	
<p><b>List details of close family member, entities that are controlled/jointly controlled by you and entities that are controlled/jointly controlled by close family members</b></p> <p><i>(Please refer to definitions in Related Party Disclosures Policy and consider the additional guidance provided in the Privacy Collection notice for KMP)</i></p>	
Name of person or entity	Relationship
<p>I ..... <i>(insert full name)</i>, ..... <i>(insert position)</i> declare that that the above list includes all my close family members and the entities controlled, or jointly controlled, by myself or my close family members. I make this declaration after reading the Council's Related Party <b>Disclosures</b> Policy which details the meaning of the words 'close family members' and 'entities controlled, or jointly controlled, by myself or my close family members'.</p>	
Declared at:	<i>(insert place)</i>
on the	<i>(insert date)</i>
Signature of <b>KMP</b> :	



**Attachment A – Related Party Disclosure by Key Management Personnel**

**RELATED PARTY TRANSACTIONS**

**NOTIFICATION BY**

**KEY MANAGEMENT PERSONNEL**

Name of Key Management Person: \_\_\_\_\_

Position of Key Management Person: \_\_\_\_\_

*Please read the Related Party Disclosure Policy which explains what a related party transaction is and the purposes for which Council is collecting, and will use and disclose, the related party information provided by you in this notification.*

*Please Complete either Section 1 or Section 2*

**Section 1 (Please tick if applicable)**

No related party transactions have been carried out in the past 6-month period and I am not aware of any related party transactions anticipated in the future.

**Section 2**

Please complete the table attached for each related party transaction with Council that you, or a close member of your family, or an entity related to you or a close member of your family:

- a) has previously entered into and which will continue in the future, or
- b) has entered into, or is reasonably likely to enter into, in the future.

**Notification**

I, (Name) \_\_\_\_\_, (Position) \_\_\_\_\_ notify that, to the best of my knowledge, information, and belief, as at the date of this notification, the above list and attachments, if any, includes all existing and potential related party transactions with Council involving myself, close members of my family, or entities controlled or jointly controlled by me or close members of my family, relevant to the reporting period.

I make this notification after reading the Related Party Disclosure Policy provided by Coonamble Shire Council, which details the meaning of the words "related party", "Related party transaction", "close members of the family of a person" and, in relation to an entity, "control" or "joint control" and the purposes for which this information will be used and disclosed.

I permit access to this information for the purpose of compliance with Council's legal obligations and disclosure.

**Signature:** \_\_\_\_\_

**Date:** \_\_\_\_\_





**PRIVACY COLLECTION NOTICE**  
**RELATED PARTY DISCLOSURES BY KEY MANAGEMENT PERSONNEL**  
**Attachment B**

**Purpose of Collection, Use and Disclosure**

Effective for annual periods beginning on or after 1 July 2016, Council must disclose certain related party relationships and related party transactions together with information associated with those transactions in its general-purpose financial statements, in order to comply with *Australian Accounting Standard AASB 124 Related Party Disclosures July 2015 (AASB 124)*.

Related parties include Council's Key Management Personnel (KMP), their close family members, and any entities that they or any of their close family members control or jointly control.

A related party transaction is any transaction (whether a transfer of resources, services or obligations) between the reporting local government and any of the related parties, whether monetary or not.

If there is a related party transaction with Council applicable to a reporting financial year, AASB 124 requires Council to disclose in the financial statements the nature of the related party relationship and information about the transaction, including outstanding balances and commitments associated with the transaction. Disclosure in the financial statements may be in the aggregate and/or made separately, depending on the materiality of the transaction.

For more information about Council's disclosure requirements under AASB 124, please refer to Council's Related Party Disclosure Policy.

**Notifications by Key Management Personnel**

To comply with AASB 124, Council has adopted a policy that requires all members of its KMP to periodically provide notifications to the Executive Leader Corporate and Sustainability of any existing or potential related party transactions between Council and any of their related parties during a financial year, and any changes to previously notified related party relationships and transactions relevant to the subject financial year.

To this end, each KMP must provide a Related Party Disclosure, in the approved form, notifying any existing or potential related party transactions between Council and any related parties of the KMP, to the Executive Leader Corporate and Sustainability by no later than the following periods during a financial year:

- 30 days after the commencement of the application of this policy.
- 30 days after a KMP commences their term or employment with Council.
- 30 November (each year); and
- 30 June (each year).

Note, these related party disclosure requirements are in addition to the notifications KMPs are required to make to comply with Council's adopted Code of Conduct.

This includes disclosures relating to Conflicts of Interest (Pecuniary and Non-Pecuniary) and Gifts and Benefits. Council's Auditors may audit related party information as part of the annual external audit.



For privacy and right to information status of this information, please refer to Council's Related Party Disclosure Policy.

**Who are KMPs?**

KMPs are persons having authority and responsibility for planning, directing and controlling the activities of Council, directly or indirectly.

For Council, KMPs include the:

- Mayor.
- Councillors.
- General Manager.
- Executive Leaders.
- Public Officer.

**Who are close family members of a KMP Person?**

Close family members, or close members of the family, of a KMP are family members who may be expected to influence, or be influenced by, that person in their dealings with Council and include:

- (a) that person's children and spouse or domestic partner.
- (b) children of that person's spouse or domestic partner; and
- (c) dependants of that person or that person's spouse or domestic partner.

Under AASB 124, close family members could include extended members of a family (such as, without limitation, a parent, grandparent, siblings, etc) *if* they could be expected to influence, or be influenced by, the KMP in their dealings with Council.

The following table may assist you in identifying your close family members:

Definitely a close family member	Maybe a close family member
Your spouse/domestic partner	Your brothers and sisters, if they could be expected to influence, or be influenced by, you in their dealings with Council.
Your children	Your aunts, uncles, and cousins, if they could be expected to influence, or be influenced by, you in their dealings with Council.
Your dependants	Your parents and grandparents, if they could be expected to influence, or be influenced by, you in their dealings with Council.
Children of your spouse/domestic partner	Your nieces and nephews, if they could be expected to influence, or be influenced by, you in their dealings with Council.
Dependants of your spouse/domestic partner	Any other member of your family if they could be expected to influence, or be influenced, by you in their dealings with Council.

**What is an entity that I, or my close family member, control or jointly control?**

Entities include companies, trusts, incorporated and unincorporated associations such as clubs and charities, joint ventures, and partnerships.

**Control**

You control an entity if you have:

- (a) Power over the entity.
- (b) Exposure, or rights, to variable returns from your involvement with the entity; and
- (c) The ability to use your power over the entity to affect the amount of your returns.

**Example of control**

Fred is the Mayor of Sunny Shire Council and owns 100% of the ordinary shares in Sunny Development Company Pty Ltd (the company). The ordinary shares are the only shares in the company that have voting rights.

Fred controls the company because he has the power to affect the company's decisions and the return that he will get from the company.

Fred will need to include the company on his related party disclosure.

**Joint control**

To jointly control an entity there must be contractually agreed sharing of control of the entity, which exists only when decisions about the relevant activities require the unanimous consent of the parties sharing control.

**Example of joint control**

Fred is the Mayor of Sunny Shire Council and owns 50% of the ordinary shares in Sunny Development Company Pty Ltd (the company). Fred's brother Stan owns the other 50% of the ordinary shares. Fred and Stan are the only Directors of the company and have equal voting rights on the board.

Fred and Stan have joint control of the company because any decisions require the unanimous consent of them both.

Fred will need to include the company on his related party disclosure and the entity's related party relationship with Fred and Stan.

In some cases, it will be obvious that you or a family member control or have joint control over an entity. In other cases, it will be less clear.

If you are unsure whether you, or a close family member, has control or joint control of an entity then you should contact the Responsible Accounting Officer for a confidential discussion.

*[End of Privacy Collection Notice]*

**10.16 GULARGAMBONE LIONS REQUEST FOR REIMBURSEMENT****File Number:** Parks & Reserves P-1**Author:** Bruce Quarmby-Director Corporate Services**Authoriser:** Paul Gallagher, General Manager**Annexures:** 1. Gulargambone Lions Club - Request for reimbursement.**PURPOSE**

The purpose of this report is to table for Council's consideration a request for reimbursement of expenses incurred by the Gulargambone Lions Club. These expenses were incurred as part of capital upgrades carried out at Lions Park Gulargambone.

**BACKGROUND**

As part of the 2<sup>nd</sup> round of the Stronger Country Community grant program, Council included upgrades to the Lions Park in Gulargambone. These upgrades included the installation of playground equipment and the construction of permanent shelter complete with concrete flooring. For Council's information the total allocation of grant funding channelled towards these projects totalled \$190,755 with \$139,724 allocated to the installation of the gym/playground equipment and \$51,031 allocated to the costs of the permanent shelter.

During the planning and construction stages of the project, representatives from Council and the Gulargambone Lions club met at regular intervals to discuss / plan the works being carried out. This consultation was undertaken not only to ensure the planned facilities met the needs of the community, but to also ensure that Council wasn't placing an undue burden on the Gulargambone Lions Club. The last factor is especially important as the Gulargambone Lions club maintain all facilities within the park on a volunteer basis.

Due to the budgetary constraints associated with the project at the time there was insufficient funds to allow for the installation of BBQ's and seating under the new shelter. As a result, the Gulargambone Lions Club funded the costs of these works themselves. A photo of the shelter including the BBQ is attached for Council's information.



*Figure 1 Shelter at Lions Park*

Moving forward to recent events, at meeting between Council representatives and representatives from various community groups from Gulargambone, Council received a written request from the Gulargambone Lions club seeking reimbursement for the purchase of BBQ and seating installed under the shelter. A copy of this request along with copies of the invoice has been attached as an annexure to this report.

**(a) Relevance to Integrated Planning and Reporting Framework**

L1.4.4 Governance is open and transparent.

**(b) Financial Considerations**

Council has received a request totalling \$23,702.80 from the Gulargambone Lions club seeking reimbursement for the cost of the capital upgrades to the shelter in Lions Park, Gulargambone.

Should Council resolve to accede to the request, these funds could be potentially sourced Council's Internal General Reserve.

**COMMENTARY**

As mentioned earlier in the body of this report, members of the Gulargambone Lions Club have on a voluntary basis maintained the grounds and facilities contained within the park. The Park and its facilities are always well maintained.

The grant funded upgrades that were completed at the end of 2020, were a result of community consultation and were carried out to increase the functionality and utilisation of the park as a community asset. Whilst at the time of construction, funding constraints did not allow the installation of BBQ's and seating, it can be only said that these additions have further improved the facilities in the park. This evidenced not only by the increased usage by local community members, but also by the park hosting various community events as Welcome to Gulargambone BBQ and Australia Day celebrations.

Moving to the request received by Council for reimbursement of the purchase price of the BBQ's and seating, the central issue to be considered is who is responsible for funding the upgrades.

On one hand, following the meeting with Council representatives, the Gulargambone Lions Club and its members have taken the initiative and purchased and installed the BBQ's and seating at the club's own cost, to further improve the facilities at the park for the members of the community. Preliminary investigations have not uncovered any prior commitment/ undertaking from Council to fund these further upgrades.

The other view that may be taken is that the Park and its facilities are part of Council's suite of recreational assets, which are "owned" by Council and provided for the benefit and use of the community. As such Council is then responsible for funding the ongoing operations and renewal of these assets, this is done through the consideration and adoption of Council's Annual Operational Plan and Budget. As mentioned earlier in the body of this report, at the time of the works being funded there was insufficient funding available to carry out all the desired works: ie the installation of BBQ's and seating. As such Council did not fund these works at the time

One final consideration for Council to bear in mind, is that it needs to be mindful of the potential setting of a perceived “precedent”. As with this request, all future requests for assistance of a similar nature will need to be assessed on individual merit.

**(a) Governance/Policy Implications**

L1.4.4 Governance is open and transparent.

**(b) Legal Implications**

There are no legal implications directly attached to this report.

**(c) Social Implications**

Should Council resolve to accede to the request for the reimbursement of costs to the Gulargambone Lions Club it will potentially have a positive impact on the community.

**(d) Environmental Implications**

There are no environmental implications directly attached to this report.

**(e) Economic/Asset Management Implications**

The Park and its facilities are assets of Council.

**(f) Risk Implications**

There are no risk implications directly attached to this report.

## **CONCLUSION**

Council has received a request for the reimbursement of the cost of upgrades carried out to the facilities in the Lions Park Gulargambone to the amount of \$23,702.80. The request has come from the Gulargambone Lions club and only includes the purchase price of the additional facilities, not the installation cost.

## **RECOMMENDATION**

- 1. That the report be received and noted.**
- 2. That Council resolves to refund the Gulargambone Lions club the purchase price of the BBQ's and seating, being \$23,702.80 from its Internal General Reserve**
- 3. That Council resolves to request the General Manager to write to the Gulargambone Lions club, to thank them for their ongoing volunteer contribution to the operations and upkeep of the Lions Park, whilst also advising that their request has been granted on this occasion.**

**Gulargambone Lions Club**

To the Manager

Paul I'm writing to you on behalf of the Gulargambone Lions Club. Late in 2020 A Karanouh ( as Major) an members of the Coonamble Shire staff had a meeting in Gulargambone to see and help the Gulargambone community.

Finances were put to the Lions Park in building a new shedder area with BBQ's and seating. At the time funds were short on the BBQ & seating so the Lions Club purchased these and were hoping the Shire would reimburse them (attached are 2 invoices).

The Park now with the playground next door is a great benefit to Gulargambone & the Shire in general. So if the shire had any left over funds and would like to reimburse the Lions Club it would be greatly appreciate.

Regards Ian Lambell

Treasurer

COONAMBLE SHIRE COUNCIL  
 FILE NO: P1-9

19 JUN 2023

DOC NO: 103065  
 ASSIGNED: Quarmby  
 OPENED: MR ACTION: Y

**QUOTE**

QUOTE NUMBER : Q-212600

**PARKQUIP**

PO Box 906, Bulimba, QLD Australia 4171  
 T: +61 7 3399 8770  
 E: sales@parkquip.com.au  
 W: www.parkquip.com.au

QUOTE DATE : 24 Feb 2021

QUOTE FOR :  
 Lions Club of Gulargambone  
 Coonamble Street  
 Gulargambone, NSW 2828

ITEM & DESCRIPTION	POWER	CLAD FINISH	CLAD COLOUR	QTY	RATE	AMOUNT
SCPC-KP-LPG Park Pro Single Powder-Coated Cabinet with King Size Plate LPG Gas BBQ - PUSH BUTTON Operated	LPG	Standard P/Coated	Hawthorn Green	2 each (ea)	5,520.00	11,040.00
SS-LD Stainless Steel Locking Door & Frame, Keyed to Match BBQ	N/A	Stainless Steel		2 each (ea)	295.00	590.00
BHP4-CAB-LPG Island Style Powder-Coated Cabinet with 1 x Hercules LPG BBQ	LPG	Standard P/Coated	Deep Ocean	1 each (ea)	3,023.00	3,023.00
LID-SS Lockable Heavy Stainless Steel Locking Lid to suit Hercules Hotplate BBQ	N/A	N/A		1 each (ea)	350.00	350.00
<b>SUBTOTAL</b>						15,608.00
<b>GST (10%)</b>						1,560.80
<b>TOTAL</b>						<b>\$17,168.80</b>

**TERMS & CONDITIONS :**

This quote is valid for 30 days and any lead times provided are estimates only.

Delivery is using standard trucks, if you do not have lifting equipment an additional charge may apply for a tailgate drop. Please see our price list for sizes to ensure you have sufficient access.

All sales are subject to PARKQUIP'S Terms & Conditions of Sale attached with this Quotation. A copy can also be obtained upon request.

*Paid 25-2-21  
 CL 452747*

**PAYMENT OPTIONS :**

Cheque: Payable to PARKQUIP Credit Card: 1.5% Surcharge Applies

PARKQUIP is a subsidiary of Freedom Investments Trust (ABN 65 034 252 031)



Felton International Group Pty Ltd  
 ABN: 17 130 687 240  
 PO Box 235, CONDOBOLIN NSW 2877  
 P: 1800 22 00 55 | E: accountsreceivable@felton.net.au

**Tax Invoice**

**00030114**

Invoice Date: 16/07/2021  
 Order No: REDINGTON  
 Dispatch Date: 16/07/2021  
 Due Date: 30/07/2021  
 Contact: WILLIAM REDINGTON

**INVOICE ADDRESS**

GULARGAMBONE LIONS CLUB  
 4 EVERLYN SIMPSON AVE  
 GULARGAMBONE NSW  
 Australia

**DELIVERY ADDRESS**

GULARGAMBONE LIONS CLUB  
 4 EVERLYN SIMPSON AVE  
 GULARGAMBONE, NSW, 2828  
 AUSTRALIA

QTY	CODE	DESCRIPTION OF GOODS	UNIT PRICE	AMOUNT
1	FELIWS	WHEELCHAIR SETTING INTERACTIVE	\$1,980.00	\$1,980.00
2	FELIPS	PARK SETTING JUMBO 4 SIDED	\$1,980.00	\$3,960.00
1	DELIVERY	DELIVERY COST		

**PAYMENT TERMS:** Net 14

**PAYMENT OPTIONS:**

**Cheques:** PO Box 235, CONDOBOLIN NSW 2877

**Credit Card:** VISA & MasterCard Accepted

Subtotal:	\$5,940.00
GST:	\$594.00
Total (Inc. GST)	\$6,534.00
Amount Paid:	4,534
<b>Balance Due:</b>	<b>\$6,534.00</b>

14-9-21  
 13-9-21  
 EFT

**PAYMENT DUE DATE**  
 30/07/2021

Terms and Conditions: The property of the goods shall not transfer to the Purchaser until payment has been received in full. Felton International Group Pty Ltd reserve the rights to recover the goods which the buyer has defaulted in payment. The purchaser acknowledges that the transaction is according to the Felton International Group Pty Ltd terms and conditions <https://felton.net.au/terms-and-conditions/>

**11 NOTICES OF MOTIONS/QUESTIONS WITH  
NOTICE/RESCISSION MOTIONS**

Nil

## **12 CONFIDENTIAL MATTERS**

### **RECOMMENDATION**

That Council considers the confidential report(s) listed below in a meeting closed to the public in accordance with Section 10A(2) of the Local Government Act 1993:

#### **12.1 Closed (Public Excluded) Council Meeting of the Coonamble Shire Council - 14 June 2023**

#### **12.2 TEN230531MS Supply & Delivery of a Padfoot Roller**

This matter is considered to be confidential under Section 10A(2) - d(i) of the Local Government Act, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it.

#### **12.3 Land for Housing Development**

This matter is considered to be confidential under Section 10A(2) - d(i) of the Local Government Act, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it.

**13 CONCLUSION OF THE MEETING**