

MINUTES OF THE ORDINARY MEETING OF THE COUNCIL OF THE SHIRE OF COOLAMON  
HELD IN THE COUNCIL CHAMBERS, COOLAMON ON THE 21<sup>ST</sup> DECEMBER 2023.

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**Meeting commenced at 3.00pm.**

**BUSINESS:**

- 1) Apologies.
- 2) Declarations of Interest.
- 3)
  - a. Confirmation of Minutes of the Meeting held 16<sup>th</sup> November, 2023.
  - b. Matters arising out of Minutes. (Not elsewhere reported)
- 4) Correspondence
  - a. Agenda A (Information Only)
  - b. Agenda B
- 5) General Manager's Report
  - 5.1 General Manager's Report
  - 5.2 Executive Manager, Corporate & Community Services' Report
  - 5.3 Executive Manager, Engineering & Technical Services' Report
  - 5.4 Executive Manager, Development & Environmental Services' Report
- 6) Recommendations of a Committee of a Whole Meeting held 21<sup>st</sup> December, 2023.
- 7) Reports: Delegates/Mayor/Councillors

**PRESENT:** Clr David McCann, Clr Alan White, Clr Bronwyn Hatty, Clr Wayne Lewis, Clr Colin McKinnon, Clr Garth Perkin, Clr Kathy Maslin, Clr Jeremy Crocker and Clr Bruce Hutcheon.

**STAFF:** Tony Donoghue, General Manager;  
Courtney Armstrong, Executive Manager, Corporate & Community Services;  
Tony Kelly, Executive Manager, Engineering & Technical Services.

**1) APOLOGIES**

There were no apologies.

**2) DECLARATIONS OF INTEREST**

Clr Crocker declared **pecuniary** interests in Report GM3 and a **non pecuniary** interest in HS4.

**3a) CONFIRMATION OF MINUTES OF THE MEETING HELD 16<sup>TH</sup> NOVEMBER 2023.**

**RESOLVED on the motion of Hatty and seconded by Clr White that the Minutes of the Meeting held 16<sup>th</sup> November 2023 as circulated be confirmed and adopted.** 213/12/2023

**3b) MATTERS ARISING OUT OF THE MINUTES**

RRL Advisory Committee Meeting Minutes held 18<sup>th</sup> October 2023 be endorsed

**RESOLVED on the motion of Clr Maslin and seconded by Clr McKinnon that the Minutes of the RRL Advisory Committee Meeting Minutes held 18th October 2023 be endorsed.** 214/12/2023

## 4) CORRESPONDENCE

### AGENDA A (FOR INFORMATION ONLY)

#### 1a) ACTIVITY REPORTS

- 1) Operating Statistics of the Coolamon Shire Library for November 2023.  
Attachment No: 1.1
- 2) Community Development Officer's Report for November 2023.  
Attachment No: 1.2
- 3) Tourism and Business Development Officer's Report for November 2023  
Attachment No: 1.3
- 4) Road Safety Officer's Report for November 2023. Attachment No: 1.4
- 5) Allawah Community Care Report for November 2023. Attachment No: 1.5

#### General Manager's Note

- ➔ The above reports are operating reports only for use by Senior Staff. They are submitted to Council as part of Agenda A for information only.

#### 2a) INFORMATION PAPERS

- ➔ The following papers have been **distributed** with Council's supplementary material as being matters of information/interest to Councillors. If Councillors desire any further information on the matters distributed, then that can be raised with the General Manager.

- 1) A copy of the Minutes of the General Meeting of the Country Mayors Association of New South Wales held 24<sup>th</sup> November 2023. Attachment No: 2.1
- 2) A copy of the Minutes of the AGM of the Country Mayors Association of New South Wales held 24<sup>th</sup> November 2023. Attachment No: 2.2
- 3) Minutes of the Advance Matong Committee meeting held 13<sup>th</sup> November 2023. Attachment No: 2.3
- 4) Minutes of the Advance Ganmain Committee Meeting held 6<sup>th</sup> December 2023. Attachment No: 2.4

- 5) Correspondence regarding the Rural Financial Counselling Service NSW  
Letter regarding Annual Report 2022-23. Attachment No: 2.5  
■ Annual Report 2022-23. Attachment No: 2.6

*Note: The Minutes of the Section 355 Committees are for notation only and this does not necessarily mean any action recommended has been endorsed by Council. The Section 355 Committee will need to follow the appropriate due process to action any recommendations.*

**RESOLVED on the motion of Clr Crocker and seconded by Clr Perkin that the Correspondence listed in Agenda A be received.** 215/12/2023

## **AGENDA B**

**1b) BUDGET ESTIMATES - 26 OCTOBER 2023 HEALTH, REGIONAL HEALTH & THE ILLAWARRA AND THE SOUTH COAST RESPONSES TO QUESTIONS ON NOTICE (H.03-04)**

- Please find attached posed question 37 from the Hon. Bronnie Taylor and response regarding funding allocation to the Coolamon-Ganmain MPS.  
Attachment No: 3

### Recommendation

For Council Information

**RESOLVED on the motion of Clr Maslin and seconded by Clr Hutcheon that the Correspondence be received.** 216/12/2023

**2b) REQUEST FOR MEETING – THE HON NATASHA MACLAREN-JONES MLC (P.06-01, SC310)**

Correspondence from the Hon Natasha Maclaren-Jones MLC, Shadow Minister for Families and Communities, Shadow Minister for Disability Inclusion, Shadow Minister for Homelessness, Shadow Minister for Youth.

### General Manager's Note

- A copy of the letter is attached to Councillors information papers. Attachment No: 4

Recommendation

That Council arrange to meet the Minister.

**RESOLVED on the motion of Clr Hutcheon and seconded by Clr Maslin that the Council arrange to meet the minister.** 217/12/2023

**3b) THE GEORGE INSTITUTE FOR GLOBAL HEALTH (R.08-01, SC335)**

- ➔ Please find attached correspondence from The George Institute for Global health regarding our regional participation in child safety. Attachment No: 5

Recommendation

For Council Information

**RESOLVED on the motion of Clr Crocker and seconded by Clr Perkin that the Correspondence be received.** 218/12/2023

**4b) LGNSW CONFERENCE (L.07-01, SC277)**

- ➔ Please find attached letter from the Mayor Dave McCann to LGNSW President Clr Darriea Turley AM regarding the most recent conference. Attachment No: 12

Recommendation

For Council Information

**RESOLVED on the motion of Clr Maslin and seconded by Clr White that the letter from the Mayor Dave McCann to LGNSW be endorsed.** 219/12/2023

## 5) GENERAL MANAGER REPORTS

### 5.1) GENERAL MANAGER REPORTS

#### GM1) ARBITRATION BETWEEN WAGGA WAGGA CITY COUNCIL AND REMAINING RRL MEMBER COUNCILS CONCERNING THE RRL DEED OF AGREEMENT 2018-2022 AND DISPUTE REGARDING DISTRIBUTION OF ASSETS (L.03-03, SC269)

##### RRL history

Wagga Wagga City Council (WWCC) was the foundation council when it collaborated with the shires of Coolamon, Kyeamba, Lockhart, Mitchell and Tumut to establish the Riverina Regional Library (RRL) on 13 July 1978. The organisation has been an incredible success story having experienced continued growth due to its propensity to aggregate capacity and achieve exceptional economies of scale. RRL has grown to become the largest regional library service in NSW in terms of member councils. RRL now serves the 19 library branches of 10 member councils of Bland, Coolamon, Cootamundra-Gundagai, Federation, Greater Hume, Junee, Leeton, Lockhart, Snowy Valleys and Temora.

RRL operates under the Library Act, 1939 and in accordance with s12(2) of the Act, WWCC was the appointed Executive Council since RRL's inception and continued to hold this position until WWCC withdrew from RRL on 30 June 2022. Coolamon Shire Council was appointed as Executive Council from 1 July 2022.

The RRL model is simple. The RRL Administration Centre (located in Wagga Wagga) undertakes the majority of support services including procurement and distribution of collections, provision and support of an automated library management system, creation of library programs, and a weekly delivery service to all council areas to maximise the resource sharing capacity of RRL. The RRL mobile library service is provided for six of the member councils and visits 21 communities.

The great majority of regional cities in NSW are part of a regional library collaborative for the political and financial advantages they provide including Lismore, Tamworth, Orange, Dubbo, Newcastle, Griffith and others.

WWCC made the decision to withdraw from RRL on 13 September 2021 in favour of a standalone library service. WWCC is seeking an unentitled share of RRL assets that have been accrued over many years through scrupulous financial oversight by both RRL management and the RRL Advisory Committee. This includes funds held in reserve on behalf of RRL for known future costs (eg, replacement of the mobile library vehicle and trailer, office equipment, and IT software/hardware).

### Background to arbitration

- WWCC provided a Notice of Intent (1) to the then Executive Director of the RRL on 26 June 2020 of its intention to withdraw from the RRL on 30 June 2022. This advice was provided in accordance with clause 11 of the RRL Deed of Agreement: Entry and Exit of Parties. [Attachment No: 6.1](#)

Although the Notice of Intent was provided using clause 11 Entry and Exit of Parties of the RRL Deed of Agreement, the General Manager of WWCC advised that he intended to apply a distribution of assets formula akin to clause 13 of the RRL Deed of Agreement: Dissolution.

Because the remaining RRL member councils and WWCC have a difference of opinion about how the assets of the organisation should be distributed upon the withdrawal of WWCC, RRL wrote to the Head of Public Library Services at State Library of NSW (SLNSW) seeking their assistance in clarifying the matter by means of advice from the Crown Solicitor. The Head of Public Library Services wrote in reply that: "...the questions are reasonably straightforward. I do not think at this stage that a referral to the Crown Solicitor is necessary... What happens after the expiry of the Deed of Agreement 2018-2022 is not set out in the Deed of Agreement. The State Library stands ready to assist all parties reach a satisfactory conclusion when the time comes."

At its meeting held on 30 March 2022, the RRL Advisory Committee authorised the General Manager of the incoming Executive Council, Coolamon Shire Council (CSC), to enter into an arbitration process under s12 of the RRL Deed of Agreement: Dispute Resolution, and to act on behalf of the remaining member councils in relation to the arbitration process and associated negotiations. Accordingly, a request that an arbitrator be appointed to consider the matter on behalf of RRL remaining councils was sent to SLNSW.

The dispute resolution process involved the appointment of legal representatives by both parties to compile a claim to be considered by an independent arbitrator appointed by the SLNSW in accordance with s12(5) of the NSW Library Act.

- The dispute resolution costs are shared by the parties to the dispute in accordance with the Arbitration Agreement (2) signed on 13 September 2022. RRL appointed Kell Moore Solicitors (Albury), acting on behalf of the remaining RRL member councils while WWCC appointed RGSLAW (Sydney). [Attachment No: 6.2](#)

### **Negotiation proposals prior to arbitration**

Since the Notice of Intent was issued in June 2020, RRL management worked with the RRL Advisory Committee through a series of working party meetings to review future operating models including membership contributions. The committee endorsed a revised operating model that reduced membership contributions for WWCC and removed the base contribution that had been in place since 2003 (originally \$100K) to recognise the benefits derived by WWCC as the Executive Council and its position as a regional and cultural centre.

This new member contributions model was endorsed by the RRL Advisory Committee in contrast to a proposed 'pick and mix' model suggested by WWCC. The 'pick and mix' model was unanimously rejected by the remaining member councils as it was considered that it would reduce service levels and increase costs due to loss of economies of scale – resulting in sub-optimal outcomes for RRL member councils and their libraries. WWCC did not accept the revised contributions model which provided a 15% reduction in membership contributions from 1 July 2022.

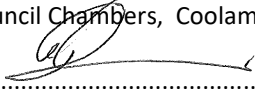
Further meetings were held with member council General Managers as late as October 2021 where agreement was reached to offer WWCC a substantial reduction in membership contributions in an effort to entice them to retain their membership. WWCC refused an offer from RRL to reduce their membership contributions by 36%. This offer saw each of the smaller member councils agreeing to pay a higher membership contribution to retain WWCC as a RRL member council.

### **Transfer of business**

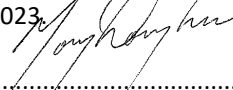
The RRL Advisory Committee, at its meeting held on 31 March 2021, received an RRL Member Councils' Position Statement endorsed by remaining councils as a record of their strong support for the organisation and an acknowledgement of its 40+ year history as an exemplar of local government collaboration.

The 4 November 2021 meeting endorsed the appointment of Coolamon Shire Council as Executive Council from 1 July 2022, and a future operating model under a renewed RRL Deed of Agreement 2022-2026 in substantially the same terms as the previous Agreement.

The financial, administration and governance functions of RRL were transferred to the new Executive Council on 1 July 2022. By this time, many of the systems and services provided or supported by WWCC (eg, email domain, telephony, server management) had already been moved 'in-house' to the RRL Administration Centre, making the separation and transfer seamless.



.....MAYOR.....



.....GENERAL MANAGER.



WWCC continues to hold the accumulated cash and equivalent assets on behalf of RRL pending the outcome of the dispute resolution process. The draft RRL Financial Statements prepared by WWCC as at 30 June 2022, set this amount at approximately \$3.4M.

This amount approximately represents:

- \$704K in ELE – this must be transferred with the employees
- \$201K in employee separation – this must be paid out to the employees
- \$519K building reserve – held for new/upgrade to building
- \$930K mobile reserve – for purchase of new mobile
- \$351K other – general operational needs
- \$743K unrestricted cash

A single payment of \$200K was transferred from WWCC to the CSC on 1 July 2022 to ensure continuity of business in the short term. Eight RRL staff were transferred over to the new Executive Council while six positions were made redundant under a new organisational structure.

The employee leave entitlements (ELE) required to be held in reserve for transferred staff amounts to approximately \$167K, leaving only \$33K for the continuity of business. RRL's legal representatives formally requested a further payment of funds from WWCC on 29 May 2023, but to date no response has been received.

On 1 July 2022, WWCC advised CSC that, as WWCC is the registered owner of the mobile library truck, they did not give authority for CSC to have possession or use of the truck and ordered it off the road immediately. The terms offered by WWCC to CSC to lease the truck and trailer at the rate of \$3,567.18 per month were not agreed to by the remaining member councils.

Correspondence between the parties' legal representatives followed, including a letter to the SLNSW from Kell Moore Solicitors urging that the arbitration matter be expedited. Further to this, a meeting organised by the Riverina Joint Organisation and RRL Advisory Committee, was held at The Rules Club, Wagga Wagga, on 13 July 2022 for the parties to state their respective positions on the matters of WWCC withdrawal from RRL, and the transfer of the mobile library from the previous Executive Council to the new Executive Council.

The meeting culminated in WWCC agreeing to lease the trailer to CSC for a nominal rate of \$10 per annum. This lease agreement was executed by the parties on 15 July 2022. An extraordinary meeting of the RRL Advisory Committee was held immediately after this meeting, whereupon a resolution to purchase a new

prime mover was endorsed. The mobile library returned to service on 25 July 2022 having been out of service for almost four weeks.

### **RRL Financial Statements 2021/22 and 2022/23**

The RRL Financial Statements for 2021/22 and 2022/23 remain in draft, pending the outcome of the arbitration process.

RRL have requested that WWCC provide the finalised financial statements for 2021/22, subject to some changes identified in the attached letters (6,7,8,) however the latest letter from RRL to WWCC dated 15 December 2022 remains unanswered. RRL has also sent numerous email requests to WWCC for financial information to assist with preparation of the 2022/23 Financial Statements. These requests have also been ignored by WWCC.

There are many financial unknowns related to RRL transactions since 1 July 2022 including payout of staff leave entitlements, interest earned, and other expenses. WWCC also sold the previous mobile library prime mover at auction on 15 November 2022 for \$80,000. WWCC are yet to provide details of the net proceeds of sale to RRL.

### **RRL Administration Centre and Mobile Library Storage**

RRL member councils lease the RRL Administration Centre building at 2 Galing Place from WWCC. The lease began on 21 April 2016 with options to renew for 2 further 5-year periods. The current 5-year lease is due to be renewed for its second and final 5- year period on 30 September 2026 – taking the final lease date to 30 September 2031.

In the interest of financial probity, the RRL Advisory Committee endorsed the transfer of \$500K from the unrestricted RRL reserve fund to the RRL building reserve on 31 March 2021 with a view to providing options for any future RRL accommodation needs that may arise beyond 30 September 2031, or sooner should the current lease arrangements be disputed by WWCC.

The mobile library is currently parked at a yard lot location in Copland Street - out in the open on a dirt platform. This is a far cry from the previous location at Glenfield Road where it was parked inside a storage shed with water facilities for cleaning the truck and trailer. The rental for the current location is \$190 per week. The location is not ideal, however, despite exhaustive attempts to find a more suitable location, this has so far been unsuccessful. The mobile library trailer (at 11 years of age) is also due for replacement now.

The above matters are included in this report to provide a picture of the organisation's known future costs and to highlight that the retention of reserve funds accrued over many years by and for RRL is critical to the future financial viability of the organisation.

### **Arbitration**

Since the initiation of proceedings before the SLNSW appointed arbitrator, the Hon. Arthur Emmett AO KC, a number of documents have been served between the parties.

The matter was set down for hearing beginning on 18 September 2023 at 3rd Floor Wentworth Selborne Chambers in Sydney, with all eleven witnesses for RRL required to attend and give evidence orally. The hearing began at 10:00am on Monday 18 September and concluded on Thursday 21 September 2023 at 11:30am.

Representatives for WWCC and RRL provided oral closing submissions on 24 October 2023.

### **Pre and Post Arbitration Settlement Offers**

Prior to the arbitration hearing, and following consultation with the General Managers of remaining RRL member councils, it was agreed that Coolamon Shire Council (acting on behalf of RRL) would extend a 'without prejudice' offer to settle the matter with WWCC.

A letter of offer (14) was forwarded to WWCC on 14 September 2023 submitting that WWCC retain an amount of \$670K in full and final settlement. This amount was determined as follows:

- \$280K – amount owed under clause 11 of the Deed of Agreement after liabilities are paid and employee leave entitlements are accurately dispersed
- \$250K – 48% of the building reserve (WWCC's RRL membership proportion)
- \$140K – 15% of the mobile library reserve (WWCC's mobile library membership proportion)

The deadline for WWCC to accept the offer on Friday 15 September 2023 passed without response.

Following the arbitration hearing, the same offer (15) was re-put to WWCC on 26 September 2023 in an effort to resolve the matter and reduce demands on the resources of both parties that could potentially be put toward a settlement. Again,

the deadline for WWCC to accept the offer on 3 October 2023 passed without response.

### **Partial Award**

The arbitrator handed down his decision or Partial Award<sup>18</sup> on 21 November 2023. The Partial Award declared that:

1. On its proper construction, the Disputed Document was not notice under clause 11.2 of the Library Agreement of the intention of Wagga Council to withdraw from the Library Agreement,
2. Clause 13 of the Library Agreement does not apply directly,
3. The Library Agreement does not contain an implied term that, upon its expiry on 30 June 2022, in circumstances where one or more of the Member Councils does not enter into a subsequent agreement in relation to the RRL, each Member Council as at 30 June 2022 would be entitled to share in the assets of the RRL and be liable for a portion of the liabilities and contingent liabilities of the RRL as if the RRL had been dissolved pursuant to clause 13 of the Library Agreement,
4. The Library Agreement does not contain an implied term that, upon its expiry on 30 June 2022, in circumstances where one or more of the Member Councils does not enter into a subsequent agreement in relation to the RRL, each Member Council as at 30 June 2022 would be entitled to share in the assets of the RRL and be liable for a portion of the liabilities and contingent liabilities of the RRL as on a dissolution of a partnership at general law.

Although the result rejects the relevant points of claim of both parties, the arbitrator has concluded that the distribution of assets is yet to be determined according to principles of general law, and it will be necessary to hear the parties further as to the final solution of all issues between them.

Whilst on first reading it can be concluded that there are no winners from this finding - as the dispute is no better off from its starting point, it can be asserted that the claims brought by WWCC against RRL remaining councils have been lost. WWCC was taking action against the remaining councils to divide the assets as per clause 13 (dissolution) of the agreement, and it was remaining councils' position that clause 11.2 (withdrawal) applied.

The finding is disappointing in that it does not provide any outcome and may require further submissions, but it vindicates the remaining councils' position that

RRL are a continuing entity (not dissolved) and WWCC are just choosing to no longer be a member.

**Where to from here?**

Following consultation with RRL's legal representatives, due consideration has been given to costs incurred so far and potential costs to progress this matter further before the arbitrator. It has been determined that the best way forward in the first instance is to re-put the settlement offer made to WWCC previously on 14 and 26 September 2023. On this occasion the offer will be open for a period of at least 28 days to allow due consideration and negotiation if necessary.

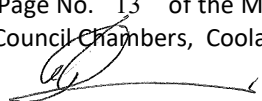
At this point in time RRL remaining councils have incurred legal costs in the vicinity of \$230K+ to defend this matter and it is suspected that WWCC's legal costs would be substantially more; given they engaged the services of two barristers and two lawyers to represent them.

It is the position of RRL remaining councils that this latest offer (based on the previous offers) is a generous one – especially given that the arbitrator has rejected all claims to WWCC's entitlements under clause 13 of the Agreement, and stated in his findings that: "... the situation is more comparable to one which a Member Council withdraws from the Library Agreement and accordingly the distribution in clause 11 may be a more obvious one to apply."

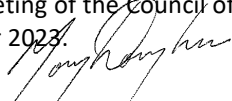
RRL member councils remain hopeful that this offer will be met with a willingness from WWCC to agree to an outcome, or at least a response. Throughout the entire process and well before arbitration proceedings commenced, RRL has always been willing to find a compromise in this matter without resorting to a legal stoush, but WWCC have not been receptive to reaching this point. Unfortunately, RRL has been left with little choice throughout, as WWCC holds the finances as per their previous Executive Council role.

WWCC seems to be intent on not only withdrawing from RRL, but also disrupting the organisation's financial future in the process. This is as frustrating as it is disappointing for the continuing member councils. It is also discouraging for the surrounding councils to see WWCC turning its back on the very councils whose constituents sustain the Wagga Wagga economy through their support of retail, educational, sporting, cultural and recreational activities.

RRL will also be turning its head to future compositions of the RRL Deed of Agreement. Following the withdrawal of WWCC in June 2022, the current 2022-2026 iteration of the Agreement was strengthened to ensure that a council which withdraws from the agreement or does not continue its membership of the RRL at the conclusion of the Agreement is aware of their entitlements under clause 11.

  
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MAYOR.....

  
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.....GENERAL MANAGER.

However, the arbitration process has identified some further omissions and/or disparities in the Agreement that require further review. RRL will engage its legal representatives to assist in this regard.

Indeed, the Head of Public Library Services gave an address at the NSW Public Libraries Association Conference in November 2023 admitting that regional library agreements (upon which is the RRL Deed of Agreement is based) were deficient, and that the Crown Solicitor is currently drawing up a more robust agreement template.

Recommendation

That Council receive and note the report.

**RESOLVED on the motion of Clr Maslin and seconded by Clr Lewis that the report be received and noted.** 220/12/2023

**GM2) RATE PEG FOR THE 2024-25 FINANCIAL YEAR (R.04-05, SC325)**

IPART has now set the new methodology for determining the rate peg for Local Councils.

IPART went through a significant consultation and review during this last calendar year to seek improvements to the rate peg determination. This was an attempt to produce rate pegs that more accurately reflect the increasing costs for each Council.

Some of the wins that have now been included in the new rate peg were those that were raised by the RERO submission including such issues as, employee costs based on the award, forecast inflation and Council changes in the Emergency Service Levy contributions. In addition to the core rate peg there is now an additional population growth.

Coolamon Shire Council was determined under this methodology to have a rate peg of 5.5% for the next financial year.

Recommendation

For Council information.

**RESOLVED on the motion of Clr White and seconded by Clr Hutcheon that the report be noted.** 221/12/2023

*Clr Crocker declared an interest in GM3 and left the meeting room at 3.18pm*

**GM3) NSW BIODIVERSITY CONSERVATION TRUST FUNDING APPLICATION – MARRAR AND BERRY JERRY CEMETERIES (C.02-06, SC72,LD137, C.02-03, SC69, LD136)**

Coolamon Shire Council currently has two voluntary conservation agreements, that being both the Marrar and Berry Jerry Cemeteries.

Funding is currently available under the Biodiversity Conservation Trust to provide for works that protect their integrity as White Box Woodlands Ecosystems.

Council has previously undertaken works to protect these biodiversity assets and provide a tree corridor connecting these habitats.

Council has applied for funding to undertake works such as weed removal, vermin control and infrastructure related to current practices.

In order to proceed with the funding application Council is required to provide evidence of the Governing Body approving the application. Council can do this by way of resolution.

Recommendation

That Council resolve to submit an application to the Biodiversity Conservation Trust in relation to conservation works and habitat protection at the Marrar and Berry Jerry Cemeteries.

**RESOLVED on the motion of Clr Hatty and seconded by Clr McKinnon that Council resolve to submit an application to the Biodiversity Conservation Trust in relation to conservation works and habitat protection at the Marrar and Berry Jerry Cemeteries. 222/12/2023**

*Clr Crocker returned to the meeting room at 3.21pm.*

**GM4) UPDATE TO DELEGATIONS - CEMETERIES AND CREMATORIA. (C.11-01, SC137)**

The Interment Industry Scheme is being phased in from July 2023 to October 2024 for all cemetery and crematorium operators.

CCNSW has developed clear timeframes for licensing and compliance for operators to follow. Licensing of all cemeteries in NSW is expected to be completed by June 2024. Compliance of all the new cemetery and crematorium regulations is expected to be adhered to by October 2024. Areas of licensing conditions are:

- 1) Customer contracts
- 2) Cemetery Maintenance
- 3) Pricing transparency
- 4) Customer service
- 5) Religious, cultural and spiritual principles
- 6) Reporting obligations
- 7) Prohibition of internment services

Council now have to apply for a licence to operate the cemeteries, based on our interment numbers from 2021-22 we have been placed in licence application group 3, our licence application period is 1 January – 31 March 2024.

In order for these changes and to comply with legislation it is required that Council delegates to the General Manager the functions, powers, duties and authorities conferred upon it by the above:-

Recommendation

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

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

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

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

- Cemeteries and Crematoria Act 2013 and Cemeteries and Crematoria Regulation 2022

**RESOLVED on the motion of Cllr Crocker and seconded by Cllr Maslin that pursuant to Section 377 of the Local Government Act, 1993, Council delegates to the GENERAL MANAGER, Anthony Gerard Donoghue the functions of Council under the Local Government Act, 1993 other than those functions which, pursuant to sub-section (1) of that section, cannot be delegated by the Council, and,**



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

223/12/2023

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

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

- Cemeteries and Crematoria Act 2013 and Cemeteries and Crematoria Regulation 2022

#### GM5) AUSTRALIA DAY 2024 (A.13-18, SC1467)

Council has been provided with information relating to our Australia Day Ambassador, who will be Mrs Sandra Ireson.

- Sandra's Biography has been attached and we look forward to having a fun and successful day out at Matong celebrating Australia Day. Attachment No: 7

#### Recommendation

For Council information

**RESOLVED on the motion of Clr Maslin and seconded by Clr McKinnon that the report be noted.** 224/12/2023

#### GM6) CHRISTMAS AND NEW YEAR OPERATIONS (S.09-01, SC550)

The Council Offices, including the Library and Allawah Community Care will be closing on Friday, 22nd December 2023 at 5.00pm and reopening on Tuesday, 2nd January, 2024 at 8.30am.

The Coolamon Childcare Centre will close on Friday, 22<sup>nd</sup> December 2023 at 6.00pm and reopen on Monday, 8<sup>th</sup> January 2023 at 7.00am.

The Outdoor Works Staff will finish on Friday, 22<sup>nd</sup> December 2023 and will recommence duties on Tuesday, 2nd January, 2024.

Allawah Lodge will remain open – no change to operations at the facility. Families are being asked to plan and advise staff of proposed visits or day trips over the holiday period.

Garbage collection will remain unchanged as per the collection calendar schedule.

Landfill sites will be closed on Public Holidays including Tuesday, 26th December 2023 – operations remain generally unaffected/unchanged during festive period.

Recommendation

That Council note the report on operations for the Christmas and New Year period and provide details to the community.

**RESOLVED on the motion of Clr Hutcheon and seconded by Clr Hatty that the Council note the report on operations for the Christmas and New Year period and provide details to the community.** 225/12/2023

**GM7) JANUARY MEETING (C.11-04, SC140)**

Council normally at its December Meeting gives consideration to the holding of a January Meeting. This is generally the holiday time in this district with farmers, schools and families taking a break. In the past this has normally been cancelled on the basis that the Mayor or General Manager can convene a meeting if a matter of urgency arises.

Recommendation

That Council cancel the January Meeting.

**RESOLVED on the motion of Clr McKinnon and seconded by Clr White that Council cancel the January Meeting.** 226/12/2023

**GM8) NSW RURAL FIRE FIGHTING FUND – 2023-24 ALLOCATION (F.03-11, SC459)**

➔ Coolamon Shire Council has just recently received the bid application from the RFS for this financial year. Basically this is telling Councils what we are receiving for our payment in this financial year. Attachment No: 13.1

The total funding allocation to this region – which includes Wagga, Junee, Lockhart and Coolamon is:

Infrastructure	\$1,715,037
Appliances	\$1,836,030
Equipment	\$190,000
Maintenance/Repairs	\$533,000
<b>Total</b>	<b>\$4,274,067</b>

➔ By way of comparison, Last year this was a total of \$1,867,981. Attachment No: 13.2

The total funding model is such that this amount is added to each of the individual zone requirements which then makes up the State bid for funding with treasury. Whatever the final determination of the total State amount is, the Riverina Zone pay 2.37%.

This was the RFS method of removing the fluctuations associated with each zone when large infrastructure purchases were required.

One point of interest is the change in the way appliances are accounted for. We have previously questioned the method whereby vehicles roll down the rural hierarchy of locations and eventually roll out of the system for zero dollars.

We should question the terminology around this process because Council is unsure what is meant by refurbishment and what is meant by replaced? Does the refurbishment mean it has received upgrades to the exiting truck or is this the value that they give the second hand replacement.

Regardless of the advice we receive in their letter and how the process of calculating the amounts is determined, it has to be advised that Councils are yet to receive any amounts for this operational funding. What happens is that we are told in April 2023 what this amount for next year will be. We are told what it is paying for in December 2023, however we have to undertake all of the repairs/maintenance and preparation for this season (since July 2023) and only receive our payment for this work sometime in the second half of the financial year.

This continues to be a frustrating and convoluted method of budgeting and paying for an emergency service that is essential to public protection and safety. The commitments, improvements and work associated with this bid are quite extensive as can be seen from the details in the letter. This Council gets no say in what resources are funded or what the bid is made up of and therefore only re-enforces Council's lack of control over the RFS assets.

#### Recommendation

For Council Information

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

- 1) Council note the report and:**
- 2) Council write to the RFS requesting information on how the refurbishment of trucks is treated. 227/12/2023**

***Clr Lewis excused himself and left the meeting room at 3.31pm***

## 5.2) EXECUTIVE MANAGER, CORPORATE & COMMUNITY SERVICES' REPORTS

### CS1) FINANCE REPORT AS AT 30<sup>TH</sup> NOVEMBER, 2023

COOLAMON SHIRE COUNCIL  
INCOME STATEMENT

for the period 1st July 2023 to 30th  
June 2024

	NOVEMBER 2023	OCTOBER 2023	SEPTEMBER 2023	2023/2024 ORIGINAL BUDGET	2022/2023 ACTUAL
<b>Income from continuing operations</b>					
Rates & annual charges	4,318,293.34	4,318,631.99	4,320,095.24	4,272,318.00	4,148,709.85
User charges & fees	2,791,678.68	2,145,631.91	1,611,181.48	6,855,626.77	5,846,808.28
Other revenues	198,668.08	169,476.48	87,529.50	417,818.84	458,659.60
Grants & contributions provided for operating purposes	4,509,079.07	867,917.69	181,780.94	8,950,627.74	11,873,448.50
Grants & contributions provided for capital purposes	167,084.37	158,566.08	55,873.67	3,379,682.21	2,323,859.66
Interest and investment revenue	184,409.62	5,933.23	(146,253.01)	773,622.30	761,695.85
Other income	179,438.45	152,109.63	118,635.94	394,859.64	383,364.53
Net gain from the disposal of assets	41,000.00	41,000.00	41,000.00	396,712.09	124,095.50
Internals	0.00	0.00	0.00		0.00
<b>Total income from continuing operations</b>	<b>12,389,651.61</b>	<b>7,859,267.01</b>	<b>6,269,843.76</b>	<b>25,441,267.59</b>	<b>25,920,641.77</b>
<b>Expenses from continuing operations</b>					
Employee benefits and on-costs	3,230,601.77	2,618,724.85	1,905,184.23	7,034,510.00	7,691,499.55
Materials & services	3,506,351.97	2,705,255.78	2,146,288.31	9,162,114.54	6,657,687.18
Borrowing costs	10.00	0.00	0.00	10,000.00	65,197.21
Depreciation, amortisation & impairment	0.00	0.00	0.00	4,807,353.10	4,528,903.07
Other expenses	257,833.68	257,833.68	184,697.94	462,597.25	475,405.71
Net loss from the disposal of assets					
<b>Total expenses from continuing operations</b>	<b>6,994,797.42</b>	<b>5,581,814.31</b>	<b>4,236,170.48</b>	<b>21,476,574.89</b>	<b>19,418,692.72</b>
<b>Operating result from continuing operations</b>	<b>5,394,854.19</b>	<b>2,277,452.70</b>	<b>2,033,673.28</b>	<b>3,964,692.69</b>	<b>6,501,949.05</b>
<b>Net operating result for the year before grants and contributions provided for capital purposes</b>	<b>5,227,769.82</b>	<b>2,118,886.62</b>	<b>1,977,799.61</b>	<b>585,010.48</b>	<b>4,178,089.39</b>

This is Page No. 21 of the Minutes of the Ordinary Meeting of the Council of the Shire of Coolamon held in the Council Chambers, Coolamon on the 21<sup>st</sup> December 2023.

..... MAYOR..... GENERAL MANAGER.

**COOLAMON  
SHIRE COUNCIL  
INCOME  
STATEMENT BY  
FUND**

**November 2024**

	<b>CONSOLIDATED GENERAL FUND</b>	<b>SEWERAGE FUND</b>	<b>TOTAL</b>
<b>Income from continuing operations</b>			
Rates & annual charges	3,573,330.89	744,962.45	4,318,293.34
User charges & fees	2,791,678.68	0.00	2,791,678.68
Other revenues	196,013.76	2,654.32	198,668.08
Grants & contributions provided for operating purposes	4,509,079.07	0.00	4,509,079.07
Grants & contributions provided for capital purposes	77,138.92	89,945.45	167,084.37
Interest and investment revenue	182,880.42	1,529.20	184,409.62
Other income	179,438.45		179,438.45
Net gain from the disposal of assets	41,000.00	0.00	41,000.00
Internals	20,513.00	(20,513.00)	0.00
<b>Total income from continuing operations</b>	<b>11,571,073.19</b>	<b>818,578.42</b>	<b>12,389,651.61</b>
<b>Expenses from continuing operations</b>			
Employee benefits and on-costs	3,157,874.95	72,726.82	3,230,601.77
Materials & services	3,397,788.59	108,563.38	3,506,351.97
Borrowing costs	10.00		10.00
Depreciation & amortisation	0.00	0.00	0.00
Other expenses	257,833.68	0.00	257,833.68
<b>Total expenses from continuing operations</b>	<b>6,813,507.22</b>	<b>181,290.20</b>	<b>6,994,797.42</b>
<b>Operating result from continuing operations</b>	<b>4,757,565.97</b>	<b>637,288.22</b>	<b>5,394,854.19</b>
<b>Net operating result for the year before grants and contributions provided for capital purposes</b>	<b>4,680,427.05</b>	<b>547,342.77</b>	<b>5,227,769.82</b>

COOLAMON SHIRE COUNCIL  
BALANCE SHEET

for the period 1st July 2023  
to 30th June 2024

	NOVEMBER 2023	OCTOBER 2023	SEPTEMBER 2023	2023/2024 ORIGINAL BUDGET	2022/2023 ACTUAL
<b>ASSETS</b>					
<b>Current assets</b>					
Cash and cash equivalents	8,052,481.32	3,605,354.65	3,267,383.87	6,717,652.68	6,379,157.77
Investments	21,751,512.33	22,751,512.33	22,751,512.33	18,501,512.33	20,501,512.33
Receivables	3,613,172.88	4,945,791.25	4,182,154.57	2,617,990.07	2,615,951.33
Inventories	5,219,721.42	5,210,000.55	5,210,185.52	4,234,861.38	5,205,458.88
Other					
<b>Total current assets</b>	<b>38,636,887.95</b>	<b>36,512,658.78</b>	<b>35,411,236.29</b>	<b>32,072,016.46</b>	<b>34,702,080.31</b>
<b>Non-current assets</b>					
Investments					
Receivables	280,092.35	280,092.35	280,092.35	239,087.35	280,092.35
Inventories	429,149.05	429,149.05	429,149.05	429,149.05	429,149.05
Infrastructure, property, plant & equipment	275,071,375.10	274,071,545.83	273,679,491.78	281,750,825.79	272,521,728.89
Accumulated Dep'n - Infrastructure, PP&E	(59,686,402.88)	(59,686,402.88)	(59,686,402.88)	(64,493,755.98)	(59,686,402.88)
Accumulated Imp't - Infrastructure, PP&E	0.00	0.00	0.00	0.00	0.00
<b>Total non-current assets</b>	<b>216,094,213.62</b>	<b>215,094,384.35</b>	<b>214,702,330.30</b>	<b>217,925,306.21</b>	<b>213,544,567.41</b>
<b>Total assets</b>	<b>254,731,101.57</b>	<b>251,607,043.13</b>	<b>250,113,566.59</b>	<b>249,997,322.67</b>	<b>248,246,647.72</b>
<b>LIABILITIES</b>					
<b>Current liabilities</b>					
Payables	8,138,848.74	8,254,746.70	7,853,170.74	9,492,636.94	7,988,636.94
Contract Liabilities	4,860,565.38	4,746,030.99	3,891,921.55	117,783.32	3,924,801.06
Borrowings	0.00	0.00	0.00	0.00	0.00
Employee benefit provisions	2,158,411.47	2,154,446.40	2,156,379.23	2,232,354.50	2,153,354.50
Provisions	31,445.95	31,445.95	31,445.95	0.00	31,445.95
Other	(0.05)	(0.05)	(0.05)	1,433.38	1,433.38
<b>Total current liabilities</b>	<b>15,189,271.49</b>	<b>15,186,669.99</b>	<b>13,932,917.42</b>	<b>11,844,208.14</b>	<b>14,099,671.83</b>
<b>Non-current liabilities</b>					
Payables	4,347.14	4,347.14	4,347.14	4,347.14	4,347.14
Borrowings	0.00	0.00	0.00	0.00	0.00
Employee benefit provisions	113,447.98	113,447.98	113,447.98	113,447.98	113,447.98
Provisions	535,030.89	535,030.89	535,030.89	545,030.89	535,030.89
<b>Total non-current liabilities</b>	<b>652,826.01</b>	<b>652,826.01</b>	<b>652,826.01</b>	<b>662,826.01</b>	<b>652,826.01</b>
<b>TOTAL LIABILITIES</b>	<b>15,842,097.50</b>	<b>15,839,496.00</b>	<b>14,585,743.43</b>	<b>12,507,034.15</b>	<b>14,752,497.84</b>
<b>Net assets</b>	<b>238,889,004.07</b>	<b>235,767,547.13</b>	<b>235,527,823.16</b>	<b>237,490,288.52</b>	<b>233,494,149.88</b>
<b>EQUITY</b>					
Retained earnings	118,608,879.58	115,491,478.09	115,247,698.67	117,210,164.03	113,214,025.39
Reserves	120,280,124.49	120,280,124.49	120,280,124.49	120,280,124.49	120,280,124.49
Internal Assets/Liabilities	0.00	0.00	0.00		0.00
Trust Transfer		(4,055.45)			
<b>Total equity</b>	<b>238,889,004.07</b>	<b>235,767,547.13</b>	<b>235,527,823.16</b>	<b>237,490,288.52</b>	<b>233,494,149.88</b>

This is Page No. 23 of the Minutes of the Ordinary Meeting of the Council of the Shire of Coolamon held in the Council Chambers, Coolamon on the 21<sup>st</sup> December 2023.

..... MAYOR..... GENERAL MANAGER.

**COOLAMON  
SHIRE COUNCIL  
BALANCE SHEET  
BY FUND  
November 2023**

	CONSOLIDATED GENERAL FUND	SEWERAGE FUND	COOLAMON SHIRE TOTAL
<b>ASSETS</b>			
<b>Current assets</b>			
Cash and cash equivalents	5,705,610.32	2,346,871.00	8,052,481.32
Investments	21,751,512.33		21,751,512.33
Receivables	3,255,506.54	357,666.34	3,613,172.88
Inventories	5,219,721.42		5,219,721.42
Other			0.00
<b>Total current assets</b>	<b>35,932,350.61</b>	<b>2,704,537.34</b>	<b>38,636,887.95</b>
<b>Non-current assets</b>			
Investments			0.00
Receivables	280,092.35		280,092.35
Inventories	429,149.05		429,149.05
Infrastructure, property, plant & equipment	251,391,201.72	23,680,173.38	275,071,375.10
Accumulated Depreciation	(50,972,651.13)	(8,713,751.75)	(59,686,402.88)
Accumulated Impairment	0.00		0.00
<b>Total non-current assets</b>	<b>201,127,791.99</b>	<b>14,966,421.63</b>	<b>216,094,213.62</b>
<b>Total assets</b>	<b>237,060,142.60</b>	<b>17,670,958.97</b>	<b>254,731,101.57</b>
<b>LIABILITIES</b>			
<b>Current liabilities</b>			
Payables	8,138,848.74	0.00	8,138,848.74
Contract Liabilities	4,860,565.38		4,860,565.38
Interfunding			0.00
Interest bearing liabilities	0.00		0.00
Employee benefit provisions	2,158,411.47		2,158,411.47
Provisions	31,445.95		31,445.95
Other	(0.05)	0.00	(0.05)
<b>Total current liabilities</b>	<b>15,189,271.49</b>	<b>0.00</b>	<b>15,189,271.49</b>
<b>Non-current liabilities</b>			
Payables	4,347.14		4,347.14
Interest bearing liabilities	0.00		0.00
Employee benefit provisions	113,447.98		113,447.98
Provisions	535,030.89		535,030.89
<b>Total non-current liabilities</b>	<b>652,826.01</b>	<b>0.00</b>	<b>652,826.01</b>
<b>TOTAL LIABILITIES</b>	<b>15,842,097.50</b>	<b>0.00</b>	<b>15,842,097.50</b>
<b>Net assets</b>	<b>221,218,045.10</b>	<b>17,670,958.97</b>	<b>238,889,004.07</b>
<b>EQUITY</b>			
Retained earnings	108,575,286.92	10,033,592.66	118,608,879.58
Reserves	112,642,758.18	7,637,366.31	120,280,124.49
Internal Assets & Liabilities	0.00		0.00
Trust Transfer			0.00
<b>Total equity</b>	<b>221,218,045.10</b>	<b>17,670,958.97</b>	<b>238,889,004.07</b>

This is Page No. 24 of the Minutes of the Ordinary Meeting of the Council of the Shire of Coolamon held in the Council Chambers, Coolamon on the 21<sup>st</sup> December 2023.

..... MAYOR..... GENERAL MANAGER.



GENERAL MANAGER'S REPORT TO MEETING HELD 21ST DECEMBER, 2023.

**COOLAMON  
SHIRE  
COUNCIL  
INTERNAL &  
EXTERNAL  
RESTRICTIONS**

for the period  
1st July 2023 to  
30th June 2024

	NOVEMBER 2023	OCTOBER 2023	SEPTEMBER 2023	2023/2024 BUDGET (ADJ FOR OPENING BALS)	2022/2023 ACTUAL
<i>EXTERNALLY RESTRICTED</i>					
Contract Liabilities	2,741,296.17	2,542,117.83	3,809,771.66	-8,077.62	3,798,939.85
Allawah Lodge Accommodation Payments	4,293,140.13	4,296,793.62	3,899,018.00	4,702,694.29	3,502,694.29
Allawah Village Loan-Licence	3,912,121.84	3,912,121.84	3,912,121.84	4,345,621.84	4,041,621.84
Home Care Packages	7,684.70	9,596.65	9,596.65	49,513.09	49,513.09
Developer Contributions	216,726.68	208,208.39	160,809.50	130,351.76	139,656.28
VPA Contributions					
Grant Revenues	5,196,438.18	1,583,647.24	2,350,903.85	2,653,181.85	2,653,181.85
Sewerage Fund	2,346,871.00	2,312,883.60	2,274,479.93	2,078,612.30	2,016,545.83
Waste Management	955,398.25	911,184.97	906,235.37	752,207.58	719,971.97
Stormwater Management Reserve	24,487.65	27,347.40	31,392.67	25,775.00	0.00
Other - Community Transport	329,945.75	341,166.06	341,166.06	315,144.82	315,144.82
	20,024,110.35	16,145,067.60	17,695,495.53	15,045,024.92	17,237,269.82
<i>INTERNALLY RESTRICTED</i>					
Plant Replacement Reserve	1,000,000.00	1,000,000.00	1,000,000.00	0.00	0.00
Employees Leave Entitlements Reserve	1,700,000.00	1,700,000.00	1,700,000.00	1,735,000.00	1,700,000.00
Deferred Works Reserve	250,472.69	301,887.81	301,887.81	300,825.63	358,615.63
Ardlethan Preschool	81,592.02	81,592.02	81,592.02	102,531.02	81,592.02
Asset Management	4,500,000.00	4,500,000.00	4,500,000.00	564,091.41	0.00
Financial Assistance Grant	0.00	0.00	0.00	4,762,788.00	4,762,788.00
Swimming Pools Reserve	75,000.00	75,000.00	75,000.00	75,000.00	75,000.00
Gravel Pits Rehabilitation Reserve	215,000.00	215,000.00	215,000.00	255,000.00	215,000.00
CECC Asset Mgt Reserve	276,374.84	248,364.48	254,003.12	217,713.09	234,788.87
Allawah Lodge Asset Mgt Reserve	486,806.85	449,165.96	808,537.91	946,515.52	946,927.52
Allawah Village Asset Mgt Reserve	348,549.22	369,216.89	379,638.01	429,681.61	457,619.43
	8,933,795.62	8,940,227.16	9,315,658.87	9,389,146.28	8,832,331.47
Unrestricted	846,087.68	1,271,572.22	(992,258.20)	811,068.81	811,068.81
<b>TOTAL CONSOLIDATED CASH</b>	<b>29,803,993.65</b>	<b>26,356,866.98</b>	<b>26,018,896.20</b>	<b>25,245,240.01</b>	<b>26,880,670.10</b>

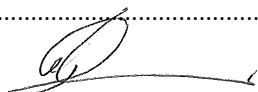
This is Page No. 25 of the Minutes of the Ordinary Meeting of the Council of the Shire of Coolamon held in the Council Chambers, Coolamon on the 21<sup>st</sup> December 2023.

..... MAYOR..... GENERAL MANAGER.

**RATE COLLECTIONS**

	ARREARS BFWD	LEVIES INC. INTEREST	TOTAL	COLLECTIONS TO DATE	% TO TOTAL	ADJUSTMENTS INC. PENS CONCESSIONS	ADJ TOTAL	% TO TOTAL	COLLECTABLE BALANCE
30/11/2003	280,098.47	2,036,142.89	2,316,241.36	1,089,119.45	47.02%	102,843.89	2,213,397.47	49.21%	1,124,278.02
30/11/2004	181,374.69	2,090,403.41	2,271,778.10	1,074,460.47	47.30%	106,390.81	2,165,387.29	49.62%	1,090,926.82
30/11/2005	163,566.58	2,163,126.88	2,326,693.46	1,101,089.93	47.32%	106,736.13	2,219,957.33	49.60%	1,118,867.40
30/11/2006	185,519.90	2,251,798.35	2,437,318.25	1,178,048.73	48.33%	107,541.24	2,329,777.01	50.56%	1,151,728.28
30/11/2007	236,912.33	2,414,655.78	2,651,568.11	1,243,662.62	46.90%	120,517.64	2,531,050.47	49.14%	1,287,387.85
30/11/2008	277,343.62	2,498,813.41	2,776,157.03	1,224,614.17	44.11%	120,416.67	2,655,740.36	46.11%	1,431,126.19
30/11/2009	239,371.45	2,601,394.29	2,840,765.74	1,337,017.30	47.07%	121,874.49	2,718,891.25	49.18%	1,381,873.95
30/11/2010	309,194.09	2,720,155.47	3,029,349.56	1,424,755.43	47.03%	170,316.60	2,859,032.96	49.83%	1,434,277.53
30/11/2011	239,162.46	2,863,766.54	3,102,929.00	1,433,328.88	46.19%	128,312.48	2,974,616.52	48.19%	1,541,287.64
30/11/2012	207,935.41	3,023,495.38	3,231,430.79	1,540,163.80	47.66%	127,488.05	3,103,942.74	49.62%	1,563,778.94
30/11/2013	230,807.22	3,138,630.79	3,369,438.01	1,532,060.19	45.47%	123,975.60	3,245,462.41	47.21%	1,713,402.22
30/11/2014	263,562.88	3,293,414.94	3,556,977.82	1,609,336.25	45.24%	121,405.48	3,435,572.34	46.84%	1,826,236.09
30/11/2015	335,520.44	3,409,409.08	3,744,929.52	1,847,652.99	49.34%	123,819.73	3,621,109.79	51.02%	1,773,456.80
30/11/2016	300,944.76	3,497,140.57	3,798,085.33	1,879,600.26	49.49%	123,339.76	3,674,745.57	51.15%	1,795,145.31
30/11/2017	303,728.87	3,565,800.57	3,869,529.44	1,927,430.49	49.81%	117,922.90	3,751,606.54	51.38%	1,824,176.05
30/11/2018	319,410.16	3,677,190.88	3,996,601.04	1,994,532.91	49.91%	115,488.11	3,881,112.93	51.39%	1,886,580.02
30/11/2019	368,193.86	3,785,534.13	4,153,727.99	2,044,361.24	49.22%	116,486.06	4,037,241.93	50.64%	1,992,880.69
30/11/2020	342,642.82	4,026,036.28	4,368,679.10	2,260,743.84	51.75%	123,316.92	4,245,362.18	53.25%	1,984,618.34
30/11/2021	190,868.79	4,108,690.93	4,299,559.72	2,337,839.98	54.37%	122,871.86	4,176,687.86	55.97%	1,838,847.88
30/11/2022	126,583.34	4,222,708.70	4,349,292.04	2,390,052.90	54.95%	123,208.90	4,226,083.14	56.55%	1,836,030.24
<b>2023/2024</b>									
31/07/2023	142,153.16	4,382,873.66	4,525,026.82	308,451.91	6.82%	120,099.99	4,404,926.83	7.00%	4,096,474.92
31/08/2023	142,153.16	4,383,909.09	4,526,062.25	1,515,924.65	33.49%	121,534.36	4,404,527.89	34.42%	2,888,603.24
30/09/2023	142,153.16	4,385,615.64	4,527,768.80	1,758,091.76	38.83%	122,018.73	4,405,750.07	39.90%	2,647,658.31
31/10/2023	142,153.16	4,390,966.56	4,533,119.72	1,851,869.09	40.85%	122,524.98	4,410,594.74	41.99%	2,558,725.65
30/11/2023	142,153.16	4,392,639.21	4,534,792.37	2,361,108.41	52.07%	122,863.63	4,411,928.74	53.52%	2,050,820.33

..... MAYOR.....GENERAL MANAGER.



GENERAL MANAGER'S REPORT TO MEETING HELD 21ST DECEMBER, 2023.

DATE INVESTED	INSTITUTION	RATING	INVESTMENT TYPE	AMOUNT INVESTED	TERMS (days)	RATE	MATURITY DATE
1/02/2023	NAB	A1/A+	Term Deposit	\$ 1,000,000	365	4.50%	1/02/2024
2/03/2023	Beyond Bank	A2/BBB	Term Deposit	\$ 1,001,512	366	4.20%	2/03/2024
2/11/2023	NAB	A1/A+	Term Deposit	\$ 500,000	154	5.10%	4/04/2024
26/07/2023	NAB	A1/A+	Term Deposit	\$ 1,000,000	273	5.40%	24/04/2024
24/07/2023	Bank of Queensland	A2/BBB+	Term Deposit	\$ 1,000,000	275	5.35%	24/04/2024
13/11/2023	NAB	A1/A+	Term Deposit	\$ 2,000,000	182	5.20%	13/05/2024
19/05/2023	AMP	A2/BBB+	Term Deposit	\$ 1,000,000	364	5.10%	17/05/2024
29/05/2023	AMP	A2/BBB+	Term Deposit	\$ 500,000	365	5.20%	28/05/2024
7/07/2023	AMP	A2/BBB+	Term Deposit	\$ 1,000,000	336	5.75%	7/06/2024
13/06/2023	AMP	A2/BBB+	Term Deposit	\$ 1,000,000	365	5.45%	12/06/2024
24/07/2023	AMP	A2/BBB+	Term Deposit	\$ 500,000	364	5.75%	24/07/2024
3/08/2023	AMP	A2/BBB+	Term Deposit	\$ 1,000,000	365	5.45%	2/08/2024
9/11/2023	Bank of Queensland	A2/BBB+	Term Deposit	\$ 1,000,000	273	5.30%	8/08/2024
9/09/2023	Beyond Bank	A2/BBB	Term Deposit	\$ 1,000,000	365	5.00%	9/09/2024
15/09/2023	Beyond Bank	A2/BBB	Term Deposit	\$ 1,000,000	365	5.20%	15/09/2024
14/09/2023	NAB	A1/A+	Term Deposit	\$ 1,000,000	365	5.15%	13/09/2024
23/09/2023	Beyond Bank	A2/BBB	Term Deposit	\$ 1,000,000	365	5.00%	23/09/2024
1/10/2023	Beyond Bank	A2/BBB	Term Deposit	\$ 1,000,000	365	5.00%	1/10/2024
4/10/2023	NAB	A1/A+	Term Deposit	\$ 1,000,000	365	5.20%	3/10/2024
12/10/2023	AMP	A2/BBB+	Term Deposit	\$ 1,000,000	365	5.10%	11/10/2024
19/10/2023	Beyond Bank	A2/BBB	Term Deposit	\$ 750,000	365	5.00%	19/10/2024
25/10/2023	AMP	A2/BBB+	Term Deposit	\$ 500,000	365	5.15%	24/10/2024
7/11/2023	AMP	A2/BBB+	Term Deposit	\$ 1,000,000	365	5.35%	6/11/2024
<b>TOTAL INVESTED</b>				<b>\$ 21,751,512</b>			

I hereby certify that the above investments have been made in accordance with Section 625 of the *Local Government Act 1993*, clause 212 of the *Local Government (General) Regulation 2021* and Council's Investment Policy.

(Samantha Jennings, Finance Manager)

This is Page No. 27 of the Minutes of the Ordinary Meeting of the Council of the Shire of Coolamon held in the Council Chambers, Coolamon on the 21<sup>st</sup> December 2023.

..... MAYOR..... GENERAL MANAGER.

**RESTRICTED CASH, CASH EQUIVALENTS & INVESTMENTS (as at 30 June 2023)**

**External Restrictions - included in liabilities**

Specific purpose unexpended grants	3,798,939.85
Allawah Lodge Bonds & Payments	3,502,694.29
Allawah Village Loan Licences	4,041,621.84
Home Care Packages	<u>49,513.09</u>
	<b>11,392,769.07</b>

**External Restrictions - other**

Developer contributions - general	139,656.28
Specific purpose grants (recognised as revenue)	2,653,181.85
Sewerage Services	2,016,545.83
Domestic Waste Management	719,971.97
Stormwater Management	-
Other - Community Transport	<u>312,753.25</u>
	<b>5,842,109.18</b>

**Internal Restrictions**

Plant & vehicle replacement	-
Employees Leave Entitlements	1,700,000.00
Deferred Works	358,615.60
Ardlethan Preschool (non-grant)	81,592.02
Asset management/replacement	-
Financial Assistance Grant Advance	4,762,788.00
Swimming Pools	75,000.00
Rehabilitation of Gravel Pits	215,000.00
Coolamon Early Childhood Centre	234,788.87
Allawah Lodge	946,927.52
Allawah Village	<u>457,619.43</u>
	<b>8,832,331.44</b>

<b>TOTAL RESTRICTIONS</b>	<hr/>	<b><u>26,067,209.69</u></b>
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Recommendation

That the Finance Report as at 30 November 2023 be received and noted.

**RESOLVED on the motion of Clr Crocker and seconded by Clr Hatty that the Finance Report as at 30 November 2023 be received and noted.** 228/12/2023

**CS2) COOLAMON SHIRE COUNCIL ANNUAL REPORT 2022-2023 (S.11-02, SC388)**

- A copy of Council's Annual Report for 2022-2023 has been previously distributed to Councillors and is tabled. It has been published on Council's website and the Office of Local Government has been notified that it has been published.

Recommendation

That the 2022-2023 Annual Report be endorsed.

**RESOLVED on the motion of Clr Maslin and seconded by Clr Hatty that the 2022-2023 Annual Report be endorsed.** 229/12/2023

**CS3) LOCAL ROADS & COMMUNITY INFRASTRUCTURE ROUND 4 (G.03-72-04)**

Council will recall reports presented to the July 2023 and November 2023 meetings where the projects were considered for nomination for Council's allocations under LRCIP4a and LRCIP4b.

Approval has been granted for the projects as follows:

LRCIP4a

1. Coolamon Showground Multipurpose Exhibition Building	\$500,000
2. Upgrading Library/Community Centre	\$120,000
3. Net Zero Projects – Coolamon & Ganmain Swimming Pools	\$52,445
4. CCTV	\$100,000
	772,445

LRCIP4b

5. Laneway Seals - Coolamon	70,000
6. Drainage – Mullins Street Ardlethan	20,000
7. Culvert replacement & reset Ardlethan Road	90,000
8. Seal/Reseal Coolamon & Ganmain Walking Tracks	200,000
9. Methul Street West Laneway Seal, Coolamon	31,500
10. Lewis Street West Laneway Seal, Coolamon	34,063

In addition to the substitution of the Coolamon Showground Multipurpose Exhibition Building for the Caravan Park Cabins, Councils staff also had to remove the Ganmain Sheaf of Hay artwork as it was deemed ineligible by itself and the Ford Street footpath construction was considered eligible under part A and not part B. Projects 9 & 10 were already approved town priorities for FY2024 and were substituted for the Ford Street footpath construction and the footpath will now be funded from internal sources.

Recommendation

For Council's information.

**RESOLVED on the motion of Clr McKinnon and seconded by Clr Perkin that the report be noted.** 230/12/2023

*Clr Lewis returned to the meeting room at 3.35pm.*

### **5.3 EXECUTIVE MANAGER, ENGINEERING & TECHNICAL SERVICES' REPORTS**

#### **ES1) SHIRE ROAD RESHEETING, STABILISATION AND MAINTENANCE**

The following roads have received maintenance attention over the past month:

- Pamandi Road (Boundary to Boundary)
- Harrisons Lane (Pamandi Road to Matong North Road)
- Mumbledoon Road (Boundary Street to Carrolls Lane)
- Bradshaws Lane ( Rannock Road to Lawrences Lane)
- McDougals Lane (Uley Lane to Irish Jims Lane)
- Uley Lane (Ardlethan Road to McDougals Lane)
- Kinilibah School Lane (Johnsons Hill Road to Lynham Lane)
- Stewarts Lane (Bygoo Road to Rayments Lane)

Council currently has two of its graders on unsealed maintenance addressing harvest issues.

The numerous rain events throughout harvest have been of benefit to Council with the unsealed network generally in good condition and a few issues noted.

#### **ES2) COOLAMON BUSINESS PARK (I.03-14, SC1066)**

Contractor has completed concreting of the main drainage channel. Council have also cleared the downstream channel north of the railway culvet to Mann Street resulting in elimination of any flow restrictions.

#### **ES3) FLR POTHOLE REPAIR & REGIONAL & LOCAL ROADS REPAIR PROGRAM (POTHOLES 1 & 2) (R.07-11, SC1256)**

Council have completed its heavy patch rehabilitation program across the sealed road network with 182 patches accomplished.

Contractor grader has continued smoothing with the following roads receiving attention:

- The Rocks Road (Roping Pole Road to The Rocks Road)
- Old Roping Pole Road (The Rocks Road To Roping Pole Road)
- Rands Tank Road (Gresham Street to Boundary)
- Brushwood North Road (Canola Way To Ardlethan Road)
- Muttons Lane (Canola Way to Last Property on Left)
- Tooyal Road (Coolamon Road to Parmenters Lane)

➤ Parmenters Lane (Coolamon Road to Tooyal Road)

Contractor grader works will be completed at Christmas break and unsealed maintenance will revert back to Councils third grader gang only.

Culvert clearing of the sealed road network will also continue up to the Christmas break. Early in the New Year a review of remaining funds and priority works will be determined for the remaining four years of the program.

**ES4) STINSON STREET (GREGOR) SUBDIVISION (S.16-05, SC1418, DA 2022/48)**

Contractors have commenced installation of the sewer. Electricity has been connected and is complete.

Council will construct kerb and gutter when all services are complete and is not expected to commence until late February 2024.

**ES5) URBAN REAR LANE SEALING (R.09-03, SC337)**

Under the funding programs of Roads to Recovery, Coolamon Town Works and Local Roads Community Infrastructure Program (LRCIP) the following rear lanes have received pavement development works in advance of seals scheduled for Council Meeting week:

- Cowabbie Street West (Douglas to Dunrobin)
- Wade Street South ( Bruce Street to Lewis Street) & Bruce Street East (Stinson Street Lane)
- Methul Street West ( Booth Street to Devlin Street)
- Lewis Street West (Booth Street to Devlin Street)
- Mirrool Street East ( Booth Street to Devlin Street)
- Methul Street West (Orr Street to Booth Street)
- Loughnan Street South (Loughnan Street to Iverach Street)

Recommendation

That Council note the reports ES1 to ES5.

**RESOLVED on the motion of Clr Lewis and seconded by Clr White that Executive Manager, Engineering & Technical Services' Reports (ES1 to ES5) be received and noted.** 231/12/2023



**ES6) BIOSECURITY WEEDS REPORT (N.02-01, SC284)**

- Junee/Marrar controlled, will need to re-establish the red guide post system in JSC.
- UGL regional rail have also sprayed the immediate track and any high spots, have advised that they will come back with a drone to spray the remainder.
- We may try to take advantage of this and organise a field day out of it, drone spraying and Coolatai with onsite viewing and a talk at the Old Junee or Marrar Hall, this will satisfy a WAP target.
- Serrated Tussock on Gundagai road controlled.
- Chilean Needle Grass at Wantabadgery controlled.
- Inspections – private property inspections on -going.
- A focus will be placed on Silverleaf nightshade.
- Silverleaf is germinating in high numbers, what we managed to avoid this year with wort will be there with SLN.
- High risk pathways patrolled and logged into Biosecurity information system.
- No new incursions of previously unknown weeds discovered.
- River inspection carried out in JSC, nothing major to report.
- Road shoulder spraying completed.
- Spraying of Landfills in CSC complete.
- Spraying of Cemeteries in CSC complete.
- Spraying of effluent ponds in CSC complete
- Attended all LLS regional weed committee meetings.
- Attended Griffith and Henty Machinery Field days.
- Attended a bio control workshop in Orange.
- RENWA staff will be on leave for the usual Council shut down over Christmas. Available for contact if necessary.

Recommendation

For Council Information.

**RESOLVED on the motion of Clr Hutchon and seconded by Clr Perkin that the report be received and noted.** 232/12/2023

## 5.4 EXECUTIVE MANAGER, DEVELOPMENT & ENVIRONMENTAL SERVICES' REPORTS

### HS1) DEVELOPMENT ACTIVITY REPORT FOR THE PERIOD ENDING 30<sup>TH</sup> NOVEMBER, 2023 (B.05-03, SC58)

#### Summary

This report advises of the Development Application activity for the month of November 2023.

Application Number	Type	Address	Determination	Value
CDC 2023/20	Swimming Pool	119 Gradys Lane, COOLAMON	Determined by Private Certifier 01/11/2023	\$47,265
DA 2023/57	Fertiliser Shed 45m X 26m	Lot D; Newell Highway, ARLDETHAN	08/11/2023	\$755,040
DA 2023/60	New Dwelling	66 Cains Lane, COOLAMON	30/11/2023	\$307,000
DA 2023/65	Shed with Awning	104 Iverach Street North, COOLAMON	08/11/2023	\$52,000
DA 2023/67	New Shed	13-15 Lewis Street, COOLAMON	20/11/2023	\$40,000
DA 2023/69	Swimming Pool	29 Davies Drive, COOLAMON	17/11/2023	\$62,870
DA 2023/73	Carport	82-84 Lewis Street North, COOLAMON	16/11/2023	\$6,000
<b>Total:</b>				<b>\$1,270,175</b>

#### Financial Implications

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

#### Consultation

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

#### Recommendation

That Council receive and note this report on development activity for the period up to 30<sup>th</sup> November, 2023.

**RESOLVED** on the motion of Clr Hatty and seconded by Clr Perkin that Council receive and note this report on development activity for the period up to 30<sup>th</sup> November, 2023. 233/12/2023

**HS2) TENDER REPORT MARRAR RURAL FIRE SERVICES SHED (RFT 2023/03, LF741)**

**Summary**

This report provides information and a recommendation to Council in regards to tenders received for a proposed new Rural Fire Services (RFS) Shed to be located, located at 12 Don Street, Marrar, NSW (Lot: B, DP: 940126).

**Background**

This land is owned by Coolamon Shire Council and contains an existing RFS shed, it is proposed to remove the existing shed and construct a new RFS shed on the site. Funding for the project is derived from the Emergency Services Levy and was allocated by the NSW State Government.

Council staff worked with the RFS and organised architectural plans for the project, obtaining required development and section 68 approvals.

The successful tenderer will be required to obtain engineers drawings and specifications and lodge a construction certificate application for the works. A tender for the construction of the shed was let by Council between 28th October and the 28th November 2023.

Four (4) tenders were received during the tender submission period.



Image 1: Locational Diagram – Development Site

The proposed shed will include an engine bay, multi-purpose room, accessible toilet, toilets and change rooms. The shed will be used to house the fire trucks and associated equipment.

The proposed structure will incorporate dimensions of 12.4 m wide x 18.5 m long x 6.0 m high. The total floor area of the structure will be 229.4 m<sup>2</sup>.

The structure will be erected on a concrete slab, incorporating steel framing, clad in colour bond or equivalent and provide for a 10 degree roof pitch.

The proposed building will house:

- Multipurpose room with dimensions of 6.05 m wide x 6.08 m long and floor area of 36.78 m<sup>2</sup>
- Accessible toilet facility with dimensions of 6.0 m wide x 6.0 m long and a floor area of 36m<sup>2</sup>
- 12 m wide x 12.4 m long and a floor area of 148.8 m<sup>2</sup>.

The proposed development will utilise a rainwater tank to capture roof water with overflow to be directed to the table drain in Don Street.

The development will be serviced by a new on site system of sewerage management, electricity, reticulated water and telecommunications.

Tender Submissions

Council received a total of four (4) tenders during the submission period. Tenderers and tender prices are listed in the following table from lowest to highest tender received.

Tenderer	Tender Price (GST Inc.)	Comments
Paul Tokley Constructions	\$523, 000.00	The tender submitted is a conforming tender and nominates that the project will be completed in full with hand over prior to the 27th May 2024.
Hurst Constructions	\$527, 060.00	The tender submitted is a conforming tender and nominates 120 working days working days for project completion.
Adaptive Interiors	\$548,075.00	The tender submitted is a conforming tender and nominates 12 weeks or 60 business days for project completion.

Hounsell and Sons Pty Ltd	\$577, 937.00	The tender submitted is a conforming tender and nominates 109 working days working days for project completion.
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Table 1: Tenderers and Tender Prices

### Tender Evaluation

Submitted tenders have been evaluated on the following criteria:

- Price
- Experience and
- Inclusions

All of the above contractors are considered to have relevant experience in both commercial and residential construction projects and it appears that all contractors have included all inclusions listed in plans and specifications for the project (either within lump sum or as separate component cost).

The preferred option of many organisations is the 'traditional working' process which involves sequential lowest price tendering.

Whilst price is one of the common criteria used in the assessment of quotations, it should not be considered as the key determining factor in quotation selection. The lowest quotation is not always necessarily the 'best'.

The use of lowest price quotation / tendering may seriously damage an organisations 'financial health and reputation' and may have undesirable and unexpected side effects in the event that a contractor has quoted too low which creates project management and adverse financial outcomes for an organisation. It is not suggested that if Council endorses the lowest tender referenced in this report that there will be adverse project management and financial outcomes for Council but it is suggested that as an organisation we need to consider the consequences during the decision making process.

After an assessment by Council staff and based on the tender assessment criteria it is recommended that Council accept the tender provided by Paul Tokley Constructions.

### Consultation

Internal consultation has been undertaken with relevant council staff and NSW RFS Staff.

The tender was advertised in the following mediums for the following dates:

- Daily Advertiser Wagga
  - 28th of October and
  - 4th & 11th of November 2023

Council also placed the tender advert on the Council Website and Facebook Page for the tender period.

All tenderers will be notified by telephone and in writing of Council's decision after the report has been determined by Council.

### **Financial Implications**

There is an available budget of \$610,000.00 for the project.

Reticulated water will also be extended to the site at a cost of \$16,125.00.

If Council endorses the Paul Tokley tender prices of \$523, 000.00, combined with water supply costs and site preparation costs (estimated at \$12,000.00), the total project cost will be circa \$551, 125.00.

➔ Architectural Plan Set. Attachment No: 8

### Recommendation

That Council:

- 1) Note the report titled 'Marrar RFS Tender Report' ; and
- 2) Accept the tender price from Paul Tokley Constructions for \$523,000.00 (GST Inc.).

**RESOLVED on the motion of Clr Maslin and seconded by Clr Perkin that Council:**

- 1) Note the report titled 'Marrar RFS Tender Report' ; and**
- 2) Accept the tender price from Paul Tokley Constructions for \$523,000.00 (GST Inc.).** 234/12/2023

**HS3) DRAFT COOLAMON SHOWGROUND HARNESS TRAINING & EQUINE PRECINCT MASTERPLAN (LF735, CONTRACT 2023/01)**

**Summary**

This report provides information and a recommendation to Council in regards to the completion of the draft Coolamon Showground Harness Training & Equine Precinct Masterplan.

**Background**

NGH Pty Ltd (NGH) was engaged by Coolamon Shire Council (Council) to prepare a masterplan for the Coolamon Showground, existing harness racing precinct and the establishment of an equine rural living precinct surrounding the showground.

Such a precinct would serve to promote investment in equine related industries and generate significant positive economic opportunities and employment within the Coolamon Local Government Area and wider region.

The proposed Coolamon Equine and Showground Precinct includes land at the Coolamon Showground and the surrounding rural area. This investigation area is defined by Canola Way to the south, Wildman Street to the east, and private rural holdings to the north and west. It is understood the Coolamon Showground is Crown land with CSC as the appointed Crown land manager; the remainder of the precinct is private land. The area of the precinct is approximately 400 hectares.

The intent is for Coolamon to provide a combined showground and equine precinct primarily for harness racing trainers and breeders. This precinct would support growth in the number of events held per year at the Riverina Paceway in Wagga Wagga, which will remain the premier harness racing facility within the region.

A draft masterplan has now been completed and is presented to Council for review.

**The Draft Masterplan**

The equine sector is recognised as a dynamic driver of economic growth and job creation both within Coolamon and the wider region.

The masterplan is particularly focused on attracting harness training and equine industry participants to Coolamon. The masterplan provides a conceptual framework to guide future growth and development for equine related pursuits, thus increasing the horse population and its diverse benefits.

At a local level, the groundwork to explore the potential the development of a harness training and equine precinct was initiated by the Coolamon Local Environmental Study and Planning Strategy 2010 and supported through subsequent strategies. These strategies underscored the importance of the equine industry to Coolamon in stimulating the local economy and highlighted the potential for community development through provision of dedicated lifestyle blocks dedicated to equine enthusiasts.

The core objectives of the creation of this masterplan include:

Understanding the precinct's strategic context and planning policies.

Defining the showground-centric precinct, adjoining future rural living area, community activities and current facilities' functionality.

Determining economic impacts in terms of equine industry, employment, and tourism (via preparation of a business case).

Identifying the position of the equine industry in NSW and regional catchment for the precinct and complementary precincts in the region.

Providing a strategic direction for the management of land uses within the precinct and land tenure arrangement, ensuring primacy for harness training.

Identifying opportunities for complementary activities including tourism, events, culture, and recreation.

### **Consultation**

Stakeholder workshops were conducted with the Project Steering Committee, Council staff, referral and utility authorities and affected landowners within and adjoining the investigation area and have shaped the formulation of the draft masterplan.

Discussions presented potential opportunities for the future direction and development of the precinct and sought details regarding infrastructure servicing requirements, compliance, and other relevant matters.

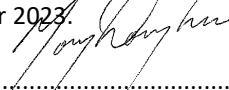
This draft masterplan will be exhibited by Council for a period of 28 days. Formal submissions will be invited from the community and will be made directly to Council.

Whilst on exhibition, key stakeholders will be targeted to present the draft masterplan for their insight, comment, and detailed feedback.

All submissions will be collated and considered. The outcomes of the community consultation will inform the final masterplan.



..... MAYOR.....



.....GENERAL MANAGER.



The final masterplan will be presented to Council for adoption.

### **Financial Implications**

The masterplan project was funded via a grant provided under the Regional NSW – Business and Strategy Development Fund.

There are no adverse financial implications to Council resulting from the creation of the masterplan.

If Council endorses the draft masterplan after public exhibition, staff will seek to implement the plan via a combination of external grant funding and the allocation of internal revenue sources.

- ➔ Draft Coolamon Showground Harness Training & Equine Precinct Masterplan.  
Attachment No: 9

### Recommendation

That Council note the report titled Draft Coolamon Showground Harness Training & Equine Precinct Masterplan and endorse the public exhibition of the document for a period of 28 days.

**RESOLVED on the motion of Clr White and seconded by Clr Crocker that Council note the report titled Draft Coolamon Showground Harness Training & Equine Precinct Masterplan and endorse the public exhibition of the document for a period of 28 days.** 235/12/2023

*Clr Crocker declared a non-pecuniary interest in HS4 and left the meeting room at 3.54pm.*

### **HS4) COMMUNITY TITLE SUBDIVISION AND ERECTION OF DWELLING HOUSES (DA 2023/71)**

Applicant	CK Design and Drafting Pty Ltd
Owner	Kyle North Flanagan
Development Cost	\$715,000.00
Development	The proposal involves a 3 lot community title subdivision of the

Description	land into 3 lots and the construction of 2 x 3 bedroom single storey, timber framed dwellings.
Amended Development Application Description	Not Applicable

**Key Considerations**

- The use is permitted in the RU5 (Village) Zone with Council consent and has an approved development consent.
- The Development does not comply with the required building setbacks for dwelling houses.

**Assessment**

**Criteria for the Development Application Report**

**Determination Body Reason**

The application has been referred to Council for determination as the development does not comply with Councils building setback requirements provided for under Section C of the Coolamon Development Control Plan 2015.

The DCP requires that buildings are to be setback a minimum 8m from the primary road frontage, 3m from a secondary road frontage, 3m from a rear property boundary and 900mm from a side property boundary.

The front setback for proposed dwelling 1 is at 6.0 metres = a 2.0 metre deviation.

The front setback for proposed dwelling 2 is at 6.1 metres = 1.99 metre deviation.

**Consultation**

The application was notified to adjoining land owners for 14 days in accordance with Section 14.3 of the CDCP 2015. The development was notified to adjoining residents from the 22nd November 2023 until the 7th December 2023.

No submissions were received in relation to the proposed development at the time of the compilation of this Council report.

### Reasons for Approval (Summary)

The applicant has provided the following justification for the proposed deviations to the front setback controls for both dwellings:

- The proposed dwelling setbacks whilst not being 8m as required by Coolamon Council are of a similar nature to other dwellings surrounding the development & are set back as far or further than the current 2 Units being constructed to the west of the subject Site.
- It must be noted that under a CDC application the dwellings would be compliant and no variation required to the CDC guidelines.

It is noted that the development has not been applied for as a CDC and it could be easily argued that the applicant has created a development that is not suitable for the site. The development could be designed /redesigned to achieve the required setback.

Council's assessment has identified that:

- There will be no adverse streetscape impacts created if the development is approved and as such a recommendation of approval is provided to Council.
- The development is permitted with consent in the RU5 Village Zone.
- It is considered that impacts identified during the assessment process are acceptable and can be addressed via conditions of development consent.
- It is considered that the potential benefits of the proposed development will outweigh any potential negative impacts associated with subject approval.
- It is considered that the proposed development has the potential to positively contribute to the social and economic viability of the locality.
- The development complies with the requirements of the Environmental Planning and Assessment Act 1979 and will not compromise the outcomes sought for the Coolamon Local Environmental Plan 2011 and Coolamon Development Control Plan 2015.

### Site Location

The subject land is known as Lot 3 DP 1293148, 92 Wallace Street North, Coolamon NSW 2701 and has an area of 1203m<sup>2</sup> with a street frontage to both Wallace Street North & Mann Street.

The site has minimal fall and no retaining walls are proposed or required as part of the development.

The site is currently vacant and devoid of vegetation.

The block has no easements located on it, however there is a sewer & stormwater easement located behind the site to the west.

All services, sewer-stormwater-electricity-gas-telephone-NBN have been provided to the site.

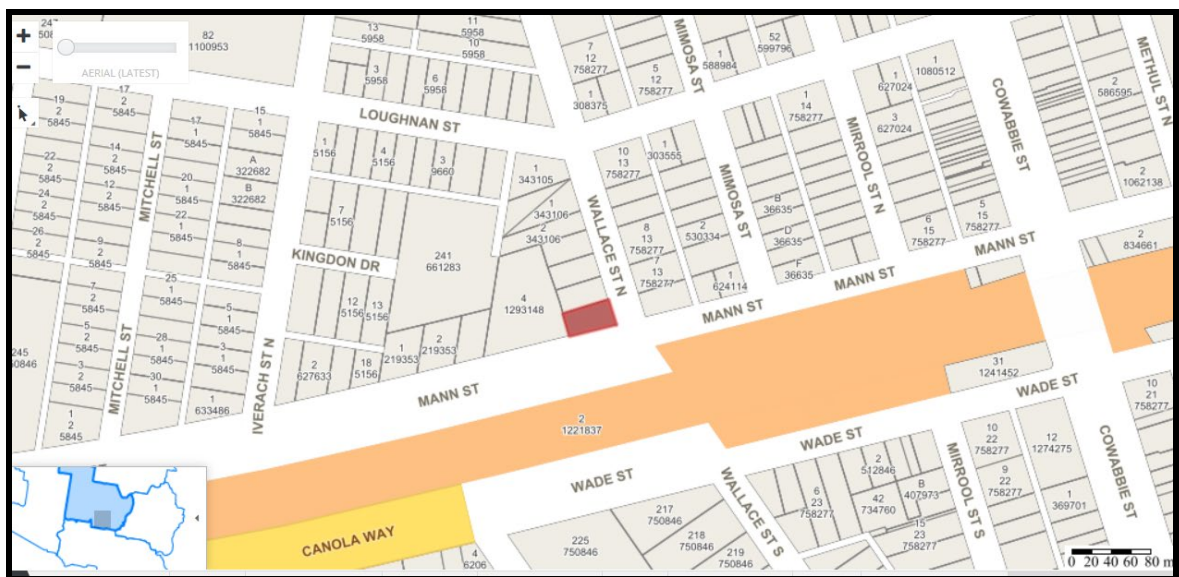
The allotment to the north is currently vacant, whilst a unit development to the west is currently under construction.

The site is not mapped as Bushfire or Flood prone land.

The site is located on RU5 zoned (Village) land.

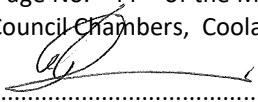
There are no impacts on water, soil erosion, Aboriginal heritage, European heritage, waste management, or flora and fauna as part of this development.

**Diagram: Site and Locality Plan:**

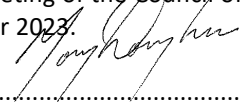


**Policy**

- Coolamon Local Environmental Plan 2011
- Coolamon Development Control Plan 2015



.....MAYOR.....



.....GENERAL MANAGER.....

### **Quadruple Bottom Line Analysis**

For a complete analysis of the governance, social, environmental and economic considerations please refer to s4.15 Report, attached.

### **Risk Management Issues from the Council**

Refusal of the application on unjustified grounds or approval of the application without adequate statutory planning or impact considerations may result in an appeal process in the Land and Environment Court which will have to be defended by Council.

### **Internal / External Consultation**

➔ See the Section 4.15 Evaluation report for full details of all consultation.

1. Section 4.15 Assessment Report. Attachment No: 10.1
2. Plans. Attachment No: 10.2
3. Statement of Environmental Effects. Attachment No: 10.3

### Recommendation

That Council approve Development Application 2023/72 for a Community Title Subdivision and Erection of Two (2) Dwelling Houses located at 92 Wallace Street, Coolamon (Lot 3, DP 1293148), subject to the conditions listed in the attached 4.15 Evaluation Report.

**RESOLVED** on the motion of Clr Hutcheon and seconded by Clr White that Council approve Development Application 2023/72 for a Community Title Subdivision and Erection of Two (2) Dwelling Houses located at 92 Wallace Street, Coolamon (Lot 3, DP 1293148), subject to the conditions listed in the attached 4.15 Evaluation Report. 236/12/2023

*The Mayor called for a division*

*Those voting in favour of the motion: All those present*

*Those voting against the motion: Nil*

*Clr Crocker returned to the meeting room at 4.01pm.*

**HS5) AMENDED ON-SITE SEWAGE MANAGEMENT SYSTEM CLASSIFICATION AND INSPECTION POLICY (P.12-01, SC316)**

**Summary**

This report presents to Council draft amendments proposed to the Councils On-Site Sewage Management System Classification and Inspection Policy.

**Background**

The Councils On-Site Sewage Management System Classification and Inspection Policy was first adopted by Council on the 17th March 2022.

The recent inclusion of a new land use zone, the R5 Large Lot Residential Zone, within the Coolamon Local Environmental Plan 2011, has resulted in a need to update relevant policy's to include land that now resides within this new zone.

**Proposed Amendments**

The proposed amendments to the DCP, as identified above relate to:

- Introduction of R5 Large Lot Residential Zone to the Policy

➔ The draft amended Policy is attached to this report. Attachment No: 11

**Legislative Implications**

The Amendments to the Councils On-Site Sewage Management System Classification and Inspection Policy has been undertaken in line with the applicable legislative provisions of the Local Government Act 1993.

**Financial Implications**

There are no adverse financial implications to Council or the community resulting from this report.

**Consultation**

In accordance with the Local Government Act 1993, the amended Policy must be exhibited for a period of 28 days with a 42 day period provided for submissions.

This report requests the Councils endorsement to publicly exhibit the draft Policy. At completion of exhibition period a report will be presented to Council to

consider any submissions made and prior to considering adoption of the draft policy.

Recommendation

That Council:

1. Note the Report titled 'Amended On-Site Sewage Management System Classification and Inspection Policy'; and
2. Endorse the public exhibition of the draft Policy, for a period of 28 days, providing for a 42 day submission period.

**RESOLVED on the motion of Clr Hutcheon and seconded by Clr Maslin that Council:**

1. Note the Report titled 'Amended On-Site Sewage Management System Classification and Inspection Policy'; and
2. Endorse the public exhibition of the draft Policy, for a period of 28 days, providing for a 42 day submission period. 237/12/2023

↑ **ADJOURNMENT**

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

**Council adjourned at 4.03pm into Committee of a Whole and reconvened at 4.27pm.**

**6) RECOMMENDATIONS OF A COMMITTEE OF A WHOLE MEETING HELD 21<sup>ST</sup> DECEMBER 2023.**

**RESOLVED on the motion of Clr Lewis and seconded by Clr Maslin that the Recommendations of a Committee of a Whole Meeting held 21<sup>st</sup> December 2023 be received and adopted.**

**7) Minutes from RRL, this matter was considered and a resolution determined in item 3(b) of this report.**

**8) REPORTS: DELEGATES/MAYOR/COUNCILLORS**

- Clr McCann reported on the meeting of the PAC. Mental health was raised as an issue at the PAC and the conflict between farmers declaring issues with mental health and then the confiscation of firearms.
- Clr McCann reported on a meeting held with Hon Safran raising issues with emergency services, RFS and ESL.
- Clr McCann reported meeting with Michael McCormack re MPS upgrade and Equine Project.
- Clr McKinnon reported attending the Matong Hall meeting, the first in the new hall.
- Clr Hatty highlighted problem with Coolamon-Ganmain MPS providing reduced emergency room hours over the festive season.
- Clr Hatty reported on the Eastern Riverina Arts touring show and the benefits of Council membership.
- Clr Hutcheon wanted to thank staff for the response to request for the personal use of the UTDS.
- Clr McCann thanked
  - staff for the hard work undertaken over the past 12 months and extended appreciation of the Council to staff.
  - The Councillors for their support and work in ensuring a very productive year.
  - Wished everyone a happy and safe Christmas and New Year.

***Meeting Closed at 4.37pm***

Confirmed and signed during the Meeting held this

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**MAYOR**

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MAYOR.....

.....  
GENERAL MANAGER.