



**FEDERATION  
COUNCIL**

# Minutes

Tuesday, 26 September 2017

Council Chambers, Corowa

Commenced 10:00 am



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## 1. MEETING OPENING

### Live Streaming of Council Meetings

Federation Council wishes to advise members of the public that Council meetings will be recorded and will be available after each meeting on Council's website [www.federationcouncil.nsw.gov.au](http://www.federationcouncil.nsw.gov.au)

All care will be taken to maintain the privacy of those in attendance, however as a visitor in the public gallery, your presence may be recorded. By remaining in the public gallery, it is assumed your consent is given in the event that your image is broadcast.

### Acknowledgement of Country

I would like to acknowledge the Traditional Custodians of the land on which we are meeting today, the Bpangerang people, and acknowledge the Aboriginal and Torres Strait Islander people who now reside in this area. I extend that respect to Elders – past and present of the Bpangerang nations.

### **PRESENT:**

Councillors PMJ Bourke, AC Kennedy, GJ Law, DS Longley, FT Longmire, PI Miegel, BJ Thomas, NW Wales APM and SM Whitechurch.

### **ALSO PRESENT:**

Mr C Gillard (General Manager), Ms KJ Kay (Director Corporate and Community Services), Mr KC Parker (Director Finance and Organisation Development) and Mrs K Larnach (A/Director Infrastructure and Environment).

### **APOLOGIES:**

The apology received from Mr P Gall (Director Infrastructure and Environment) was noted.

## 2. NOTIFICATION OF PECUNIARY/CONFLICTS OF INTEREST IN MEETING BUSINESS ITEMS

Councillor Longley declared a pecuniary interest in item 5.6 Cleanaway Proposal – Organic Waste Management and Composting Facility.

Councillor Thomas declared a pecuniary interest 8.5 Road Closures.

Councillor Kennedy declared a pecuniary interest 8.6 Development Application 2017/163 - 89 Hume Street Mulwala – Lonsdale Reserve.

## 3. CONFIRMATION OF MINUTES

128/17FC **RESOLVED** on the motion of Councillors Miegel and Longmire that the Minutes of the Ordinary Meeting held on 15 August 2017 be confirmed.

## 4. MAYORAL MINUTES

Nil.

## 5. GENERAL MANAGER REPORT

### 5.1 ELECTION OF MAYOR AND DEPUTY MAYOR

#### Summary

The *Local Government Act 1993* sets out the requirements for electing a Mayor following an election. Federation Council is required to elect a Mayor within 14 days of the result being declared following an election. This report outlines the requirements to elect a Mayor and the options for conducting the mayoral election which needs to be resolved by the council prior to holding the election.

#### Background

Section 290 1(c) of the *Local Government Act 1993* outlines the requirement for a mayor to be elected by the councillors and requires that this be conducted according to the following manner:

- (1c) *if it is the first **election** after the constitution of an area—**within 14 days after the appointment of a provisional council** or the first **election** of the council if a provisional council is not appointed,*
- (3) *For the purposes of this section, an **election** of councillors does not conclude until the declaration of **election** of all the councillors of the council concerned.*

Section 230 of the *Local Government Act 1993* outlines the term of office for a mayor.

- (1) *A mayor elected by the councillors holds the office of mayor for 2 years, subject to this Act.*
- (2) *A mayor elected by the electors holds the office of mayor for 4 years, subject to this Act.*
- (3) *The office of mayor:*
  - (a) *commences on the day the person elected to the office is declared to be so elected, and*
  - (b) *becomes vacant when the person's successor is declared to be elected to the office, or on the occurrence of a casual vacancy in the office.*
- (4) *A person elected to fill a casual vacancy in the office of mayor holds the office for the balance of the predecessor's term.*

Section 231 of the *Local Government Act 1993* outlines the election of the Deputy Mayor.

- (1) *The councillors may elect a person from among their number to be the deputy mayor;*
- (2) *The person may be elected for the mayoral term or a shorter term;*
- (3) *The deputy mayor may exercise any function of the mayor at the request of the mayor or if the mayor is prevented by illness, absence or otherwise from exercising the function or if there is a casual vacancy in the office of mayor;*
- (4) *The councillors may elect a person from among their number to act as deputy mayor if the deputy mayor is prevented by illness, absence or otherwise from exercising a function under this section, or if no deputy mayor has been elected.*

**The declaration was made on Wednesday, 13 September 2017 requiring the mayor to be elected no later than Wednesday, 27 September 2017.**

Schedule 7 *Local Government (General) Regulation 2005* (attachment 5.1.1) outlines the process for the nomination of the mayor and deputy mayor and the options for selecting a ballot process.

Financial Implications

Nil.

**RECOMMENDED:**

1. THAT the method of election for the Office of Mayor and Deputy Mayor be by way of secret ballot; and
2. THAT the term for which the Deputy Mayor is elected be determined as one year.

129/17FC **RESOLVED** on the motion of Councillors Miegel and Law that the method of election for the Office of Mayor and Deputy Mayor be by way of secret ballot.

**Election of Mayor**

Councillors will appear on ballot paper in the following order:

Bourke  
Miegel

The returning officer, Chris Gillard declared Councillor Patrick Bourke as the first Mayor of Federation Council for the ensuing two year term.

130/17FC **RESOLVED** on the motion of Councillors Kennedy and Wales that the term for which the Deputy Mayor is elected be determined as one year.

**Election of Deputy Mayor**

Councillors will appear on ballot paper in the following order:

Law  
Miegel  
Whitechurch

Councillor Law having the lowest number of votes was excluded.

Councillors will appear on the ballot paper in the following order:

Miegel  
Whitechurch

The Returning Officer, Chris Gillard declared Councillor Whitechurch as the Deputy Mayor of Federation Council for a one year term until September 2018.

Councillor Bourke occupied the chair.

Mayor Bourke thanked the Councillors who supported him in the Mayoral vote, and stated it is a privilege and honour to be elected as the first Mayor of Federation Council and would like to pay tribute to the former Councillors of Urana and Corowa Shires and the staff and volunteers across the communities. He very much looks forward to working in the community to understand issues and priorities, and lead to a united Council going forward. It has been a long journey from Fit for the Future process and through the merger and he would like to thank his family especially and to others for their support and the help he's had. It's no small feat to get elected onto Council and he congratulates all Councillors today and he's very much looking forward to the challenges ahead.

## 5.2 LOCAL GOVERNMENT REMUNERATION TRIBUNAL

### Summary

The Local Government Remuneration Tribunal has set the range of payments and fees for Councillors and Mayors in NSW for 2017/18.

The determination by the Tribunal provides for an increase of 2.5% or higher in fees for Councillors and Mayors effective from the 1 July 2017 with a number of changes to categories of councils.

### Background

Since the making of the 2016 determination a number of councils have been amalgamated resulting in the creation of 20 new councils. The impact of those structural changes is an overall reduction in the number of councils in NSW from 152 to 128. This significant change has prompted a review of the existing categories and the allocation of councils into each of those categories.

In undertaking the review the Tribunal examined the existing categories, a range of statistical and demographic data and considered the views of councils and Local Government NSW. Having regard to that information the Tribunal has determined a categorisation model which differentiates councils primarily on the basis of their geographic location. Other factors which differentiate councils for the purpose of categorisation include population, the sphere of the council's economic influence and the degree of regional servicing.

In accordance with section 239 of the Local Government Act 1993 (LG Act) the categories of general purpose councils are determined as follows:

#### Metropolitan

- Principal CBD
- Major CBD
- Metropolitan Large
- Metropolitan Medium
- Metropolitan Small

#### Non-metropolitan

- Regional City
- Regional Strategic Area
- Regional Rural
- Rural

Federation Council is categorised Rural with 57 other councils.

### Financial Implications

The new fees determined by the Remuneration Tribunal for this category is a minimum of \$8,750 to a maximum of \$11,570. Payment to the Mayor has been determined at a minimum of \$9,310 to a maximum of \$25,250.

**RECOMMENDED** that Council determine the payment of fees for 2017/18 to the Mayor and Councillors.

131/17FC **RESOLVED** on the motion of Councillors Law and Thomas that the Councillors payment is \$11,570 per annum.

132/17FC **RESOLVED** on the motion of Councillors Wales and Longley that the Mayor's payment is \$25,250 per annum. The Mayor also receives the Councillor payment making the total payment to the Mayor of \$36,820 per annum as well as the provision of a Council vehicle.

### 5.3 COUNCIL MEETINGS

#### Ordinary Council Meetings

Currently Council's Ordinary meeting commences at 10.00 am on the third Tuesday of each month. Business for the meeting is to be received on the Tuesday, one week prior to the Ordinary meeting.

**No action is required unless Council wishes to change this Committee structure.**

**FOR Council's Determination.**

133/17FC **RESOLVED** on the motion of Councillors Law and Kennedy that this item be determined at the next meeting.

### 5.4 RIVERINA WATER COUNTY COUNCIL - APPOINTMENT OF DELEGATE

#### Summary

Appointment of delegates, in accordance with section 377 of the Local Government Act 1993.

#### Background

The Riverina Water County Council (RWCC) distributes water within the Federation Council area to Urana, Boree Creek, Morundah, Oaklands, Rand and the rural properties in between.

RWCC, a body formed on 2nd May 1997 specifically for this purpose and operates under the provisions of the Local Government Act, 1993.

Council members consist of 5 elected members from Wagga Wagga City Council, and one each from Lockhart and Federation Councils, and two from Greater Hume Shire.

RWCC covering an area of 15,400 square kilometres supplying a population of 67,000 people through 30,000 service connections and also distributes water to Wagga Wagga and Greater Hume and Lockhart Shires.

The delegates need to be authorised by resolution to represent the Council on the Riverina Water County Council and are appointed for a 4 year term.

Meetings are held bi-monthly on the fourth Wednesday of the month in Wagga and once a year at one of the participating councils.

The RWCC is currently paying delegates \$482.50 per month and \$0.75 per km travel allowance.

#### Financial Implications

N/A



**RECOMMENDED** that Council determine a representative for the Riverina Water County Council for a 3 year term.

134/17FC **RESOLVED** on the motion of Councillors Miegel and Law that Mayor Bourke be Council's representative for the Riverina Water County Council for a 3 year term.

## 5.5 ADMINISTRATOR'S END OF TERM REPORT

### Summary

This report summarises the achievements related to the implementation of the merger of two councils to form Federation Council.

### Background

On 12 May, 2016 the NSW Government announced its intention to merge a total of 41 existing councils into 24 new councils which resulted in the merger of Urana and Corowa Shire Councils.

By proclamation an Administrator was appointed for a period from 12 May, 2016 until such time as a newly elected council was appointed. The Administrator appointed was Mr Mike Eden who has fulfilled his role over a period of 16 months and now provides this report to the new council.

### Achievements

Phase 1 of the Implementation Plan focussed on establishing the legal entity and establishing Federation Council as an entity under many legislative frameworks.

Council successfully delivered business as usual while also attending to many activities to support the successful merger. Activities include, but were not limited to, the following reviews:

- Organisational and Staffing Structures
- Operational Plans
- Levels of Service and Delivery Plans
- Communications, medial, social media, website, visual entity, logo, signage
- Branding and marketing
- Policies procedures, strategies
- Governance, Delegations and Authorisations – for each legislation
- Appointment of services including Auditors, bankers, insurance providers, legal services
- Contracts, service provider arrangements for new entity, creditor liaison
- Ratepayer and all other stakeholder advice including taxation and other business activities
- Connectivity between offices – resulting in establishing a microwave link
- Systems to provide one platform for financial management, records management, asset management, customer service and other standard operating systems

Council received Stronger Communities Funding to kick start the delivery of projects to improve community infrastructure and services. A total of 31 community projects were awarded grants up to \$50,000. 15 major projects were also awarded.

The Stronger Communities Grants provides Council with the advantage of renewing and upgrading some Council assets which may have been on a backlog of projects to be funded through general revenue. A large

proportion of the major projects funding will be allocated to council wide roads and drainage to provide safe travel within our community.

Council is now moving into Phase 2 of the Implementation which will involve a large amount of work over the next 18 months. Projects identified include:

- Services reviews
- Integrated Planning and Reporting
- Continuation of harmonisation of financial management and reporting
- Asset management systems integration and long term financial planning

Supporting the health and well-being of our staff is high on our priority list. A cultural development program is being rolled out across the whole of the organisation. This program is designed to provide support and inspiration for our teams. Although this program is in its early stages the feedback from participants is very positive.

#### Conclusion

The implementation of the merger has progressed well in the short timeframe. Phase one activities have been successfully completed while managing to deliver business as usual. Phase two activities are well under way and we are comfortable the Implementation objectives will be completed within the prescribed timeframe of December 2019.

The success of the implementation to date is a credit to the Administrator, Mr Mike Eden and dedicated Council Management and Staff who have supported the activities over and above normal expectations.

#### Financial Implications

Implementation Plan Funding \$5M

Stronger Communities Grant Funding \$1M

Major Projects Funding \$9M

**RECOMMENDED** that the Administrators End of Term Report May, 2016 – September, 2017 be noted and Mr Eden be congratulated on undertaking a very complex and sensitive position that has supported the birth and growth of Federation Council tirelessly for the past 16 months. His leadership of the implementation and merger activities has contributed to creating a solid foundation to support the success of the new Council.

135/17FC **RESOLVED** on the motion of Councillors Law and Miegel that the Administrators End of Term Report May, 2016 – September, 2017 be noted and Mr Eden be congratulated on undertaking a very complex and sensitive position that has supported the birth and growth of Federation Council tirelessly for the past 16 months. His leadership of the implementation and merger activities has contributed to creating a solid foundation to support the success of the new Council.

Councillor Longley left the meeting at 10.22 am.

**5.6 CLEANAWAY PROPOSAL – ORGANIC WASTE MANAGEMENT AND COMPOSTING FACILITY**

**Summary**

The Council has entered into a Heads of Agreement with Cleanaway Pty Ltd on 24 June, 2016 to allow the company to apply for a planning permit for the development of an organic waste facility on council property (known as Howlong Landfill) situated at 142 Howlong-Goombargana Road, Howlong (Lot 7 DP 595806).

The Council has prepared a draft agreement to lease with an annual return of \$125,000 per annum.

**Background**

Heads of Agreement signed with Cleanaway Pty Ltd on 24 June, 2016.

The Development Application was lodged with Council on 7 December, 2016.

The application was referred to other state government agencies including:

- Roads and Maritime Services
- Office of Environment & Heritage and the Environment Protection Authority

The Joint Regional Planning Panel held a meeting on 15 August, 2017 at Howlong Golf Resort which resulted with the matter being deferred for a decision due to time constraints. Council received the notice of decision on 29 August, 2017. The application was approved with 130 conditions including a requirement to enclose a substantial part of the process within a shed.

**Financial Implications**

Current Financial Indicators:

**Waste Facility Operating Losses**

• Corowa	\$48,922	
• Howlong	\$50,691	
• Mulwala	\$63,000	
• Urana	\$39,000	
• Oaklands	<u>\$35,820</u>	
<b>Total Losses</b>		<b>\$237,433</b>

Waste Facility Levy income		
\$45 x 7,874 assessments		<u>\$352,000</u>

Operating Surplus \$114,567 per annum

The operating surplus is allocated to provide for the future rehabilitation costs of the landfills across the council area.

**Cost of reclamation of landfills**

The cost of reclaiming and closing landfills is significant.

• Corowa	\$800,000
• Others	Unknown (due to closure plans having not been prepared)

The council needs to build reserve funds over time to allow landfills to be closed in an appropriate manner. Council has a reserve of \$368,000 at this time which is highly likely to be insufficient to carry out necessary works.

The lease of land to Cleanaway would return \$125,000 per annum and allow council to consider a \$15 reduction in waste levy in the 2018/19 budget.

**Rationale for Council's current position.**

The Council has explored several options to support the processing of organic waste including allowing Cleanaway to continue to transport material to be processed in Wagga but these suggestions were not accepted.

When the abovementioned approach failed it was suggested to Cleanaway that the group should consider constructing a facility in the former Urana Shire. Cleanaway assessed this option and indicated that the group viewed Howlong as a feasible site. Council then agreed to an application being lodged for consideration by the Joint Regional Planning Panel.

Council has a formal commitment to allow Cleanaway to use the site subject to a permit. Cleanaway has a reasonable expectation that Council should honour a commitment particularly given it has a permit and the application would have cost approximately \$300,000 to prepare.

It is definitely tempting for Council to discontinue discussions with Cleanaway given local concerns by some members of the Howlong Community. There are however many persons in Howlong that do support the facility and many that are not at all phased either way.

The impact of a reversal in Council's position is a serious action given the strategic issues and the impact on Council's reputation. There is a strong argument that Council should proceed to lease land in the Howlong Landfill to Cleanaway given Council's previous direction and the fact Cleanaway has spent approximately \$300,000 to secure a permit.

If Council is of a mind to change direction it is recommended that Council advise its partner councils that it prefers to see the organic waste to be processed outside of the region until the possibility of a regionally owned facility can be explored. This would have the advantage of councils owning a processing facility would have some benefits but significant costs. It is likely this option would take years to achieve and the councils will face significant objection to any proposed new location.

Which groups and how to finance such a large piece of infrastructure are all issues to consider. If councils could own a facility there may be price advantages over time however the available skills to develop such a facility would largely exist in the private sector.

**RECOMMENDED** that Council has signed a Heads of Agreement with Cleanaway and Council proceed to allow Cleanaway to utilise land in the Howlong Landfill site for the purpose of an organic processing facility.

136/17FC **RESOLVED** on the motion of Councillors Whitechurch and Longmire that Council does not support Cleanaway's application.

**VOTING**

For: Councillors Kennedy, Law, Longmire, Miegel, Thomas, Wales, Whitechurch and Bourke.

Against: Nil.

Councillor Longley returned to the meeting at 10.24 am.

### **5.7 LOCAL GOVERNMENT NSW ANNUAL CONFERENCE 2017**

#### **Summary**

The Local Government NSW Annual Conference will be held in Sydney from Monday 4 December to Wednesday 6 December 2017. The venue for the Conference will be the Hyatt Regency, Sydney.

LGNSW is now calling on Councils to submit their Conference motions by COB Monday, 9 October 2017. In line with the LGNSW rules, the latest date motions can be accepted for inclusion in the Conference business paper is 12 midnight on Monday 6 November 2017.

#### **Background**

This Conference is the annual policy-making event for NSW general-purpose councils, our associate members and the NSW Aboriginal Land Council. It is the pre-eminent event of the local government year where local councillors come together to share ideas and debate issues that shape the way we are governed.

#### **Financial Implications**

Travel and accommodation cost will be under \$1,000 per person.

#### **RECOMMENDED:**

1. THAT the Mayor and General Manager attend the LGNSW Annual Conference in Sydney 4-6 December 2017; and
2. THAT the Mayor and General Manager be Council's nominated voting delegates.

137/17FC **RESOLVED** on the motion of Councillors Wales and Kennedy:

1. THAT the Mayor, Deputy Mayor, General Manager and a nominated Councillor attend the LGNSW Annual Conference in Sydney 4-6 December 2017; and
2. THAT the Mayor and General Manager be Council's nominated voting delegates.

### **5.8 COMMON SEAL – 11-17 PILBARA ROAD COROWA**

#### **Summary**

An offer has been received to purchase 11-17 Pilbara Road Corowa being lot 27, DP 1133854 for \$86,328. The offer has been accepted, and the following documents require the Common Seal of Council to be affixed:

- (a) Contract for sale of land 11-17 Pilbara Road Corowa being lot 27, DP 1133854.
- (b) Any associated documents related to the sale of 11-17 Pilbara Road Corowa being lot 27, DP 1133854

**RECOMMENDED** THAT the Council authorise the Common Seal of Council to be affixed to the following documents:

- (a) Contract for sale of land 11-17 Pilbara Road Corowa being lot 27, DP 1133854.
- (b) Any associated documents related to the sale of 11-17 Pilbara Road Corowa being lot 27, DP 1133854.

138/17FC **RESOLVED** on the motion of Councillors Law and Miegel that the Council authorise the Common Seal of Council to be affixed to the following documents:

- (a) Contract for sale of land 11-17 Pilbara Road Corowa being lot 27, DP 1133854; and
- (b) Any associated documents related to the sale of 11-17 Pilbara Road Corowa being lot 27, DP 1133854.

**C GILLARD**  
**GENERAL MANAGER**

## 6. DIRECTOR CORPORATE AND COMMUNITY SERVICES REPORT

### 6.1 COMMUNITY FACILITY STRATEGY

#### Summary

Federation Council is about to commence the development of a Community Facilities Strategy which will provide strategic direction for the future management and development of council owned community facilities.

#### Background

Federation Council owns and maintains a number of facilities that are used for the purpose of delivering important community services, encouraging social connections and driving community participation and ownership.

These facilities represent a significant proportion of Council's asset portfolio and demonstrate a financial commitment to building strong and sustainable communities that have the resources and infrastructure available to grow and prosper.

The Community Facility Strategy will provide a review and assessment of the current provision and operation of community facilities and recommend a strategic framework to guide decision-making about the future development and management of community facilities.

The strategy will aim to support a network of community facilities that are financially sustainable, meet the needs and expectations of the community, improve usage of community facilities and create better social connections.

To inform the development of the strategy, council will be conducting phone surveys with key stakeholders and user groups to capture feedback on usage and levels of service, and to identify strengths, weaknesses and gaps.

#### Financial Implications

This project will be completed using existing internal resources and will not require any additional budget.

**FOR Council's information.**

**INFORMATION was noted.**

### 6.2 AGEING WELL STRATEGY

#### Summary

Federation Council has commenced the development of an *AGEING WELL STRATEGY* to plan for the needs of our ageing population.

The strategy will document Council's vision for an age-friendly community where the physical, social, and mental well-being of older people is promoted and strengthened.

#### Background

Federation Council is committed to ensuring that senior residents are well supported and actively engaged in their communities. This project addresses a number of key areas that will ensure the Federation Council area is a liveable community for senior residents.

With a high proportion of residents aged over 60 years of age, this is a critical plan that will assist Council to meet the needs of an ageing population.

The Ageing Well project will be a collaborative approach to developing a long-term plan consisting of clear strategies and actions. It will identify needs and community priorities specific to senior residents that are closely aligned to Council's corporate planning framework.

Federation Council has been successful in securing a grant for \$30,000 through the NSW Government's Liveable Communities grant program to fund the community engagement process, development of the plan and some priority, short-term actions.

Key areas within the plan will include:

#### Health and wellbeing

- Active and healthy lifestyle choices for seniors wellbeing
- Adequate provision of health and home help services
- Promotion of local services and activities focused at seniors

#### Working and retiring

- Working beyond retirement
- Volunteer opportunities

#### Housing choices

- Local age care and supporting services
- Assisting residents to age in place
- Support for affordable housing

#### Getting around

- Local community transport options and information
- Promotion of services available
- Use of transport options for local events and activities
- Senior friendly public spaces

#### Inclusive communities

- Services and programs available to seniors
- Services and programs that might be needed, but currently not available
- Groups or people at risk of social isolation
- Building stronger local neighbouring connections

The project plans to utilise existing networks and people within the community to undertake the initial planning aspects of the project. This approach is more likely to achieve the desired outcome by developing strong partnerships and ensuring the needs and priorities are accurately reflected within the plan.

A steering committee of local senior residents will be established to drive the development of the plan and conduct the community engagement component. Members of the steering committee will be provided with the necessary training to equip them with the tools needed to facilitate focus groups and engagement opportunities with the community.



An expression of interest process will open in October and call for members of the community who are interested in being involved in the committee.

#### Financial Implications

A total budget of \$30,000 is available for the development of the Ageing Well Strategy and implementation of some priority actions. This funding has been secured through a grant from the NSW Government's Liveable Communities grant program.

**RECOMMENDED** that Council nominate a delegate to be involved in the Steering Committee for this project.

139/17FC **RESOLVED** on the motion of Councillors Law and Whitechurch that Council nominate a delegate to be involved in the Steering Committee for this project.

140/17FC **RESOLVED** on the motion of Councillors Longley and Kennedy that Council nominate Councillor Law as the delegate to be involved in the Steering Committee for this project.

### 6.3 COMMUNITY GRANTS AND SPONSORSHIP PROGRAM

#### Summary

Council is pleased to launch the Sponsorship & Community Grants program which is a new initiative aiming to empower groups to develop ideas, projects and events that can contribute to the vibrancy and well being of the community.

#### Background

In the past, council has facilitated the following grant programs to support initiatives that deliver a range of positive social and economic outcomes for communities across the council area;

- Small Community Grants Program (\$30,000 – two rounds per year)
- Tourism Events Grant Program (\$30,000 – one round per year)
- Free or Discounted Use of Community Facilities (\$5,000 – open year round)

A review of these programs has recently been completed to ensure the best outcomes are being achieved for the community with the available funds. A new framework has been developed that proposes a more streamlined approach that will reduce administration costs by combining the Small Community Grants and Tourism Events Program.

Two rounds will be facilitated each year, with the aim of supporting initiatives that;

- Promote a sense of community identity and pride.
- Stimulate economic growth within the community.
- Encourage wide participation in events and community projects.
- Promote Federation Council as a vibrant and diverse place to live and visit.
- Encourage and stimulate the growth of effective community development and cultural programs within Federation Council.
- Foster community partnerships.

An assessment panel will be established to review the applications received and determine successful applicants.

The introduction of a new sponsorship program is expected to attract larger events to the region that provide a significant return on investment for the community. The sponsorship program will operate year round for initiatives that can market Federation Council as a tourist destination and demonstrate a positive economic impact.

Proposals will be assessed against criteria that includes the ability of the event to draw visitation and overnight stays to the region, the economic impact the event will have and the social benefits delivered to the community.

The Free or Discounted Use of Council Facilities will continue to offer not for profit groups the opportunity to use community facilities for initiatives that deliver positive outcomes for the community. This program is also designed to encourage better utilisation of community facilities.

#### Financial Implications

The following budgets are available for each component of the program;

Sponsorship - \$20,000;

Community Grants - \$55,000; and

Free or Discounted Use of Community Facilities - \$5,000.

**RECOMMENDED** that Council adopt the new Community Grants and Sponsorship Program and call for applications under the first round of funding from 2 October 2017 until 3 November 2017.

141/17FC **RESOLVED** on the motion of Councillors Longmire and Wales that Council adopt the new Community Grants and Sponsorship Program and call for applications under the first round of funding from 2 October 2017 until 3 November 2017.

The delegates to the committee were then nominated as Councillors Longley, Kennedy and Wales.

## 6.4 PROPOSED ALCOHOL FREE ZONES AND PROHIBITED AREAS

### Summary

On 15 August 2017 following feedback from the local police that Rowers Park in Corowa should be considered as an Alcohol Prohibited Area on Australia Day each year, Federation Council resolved (motion 118/17FC) that Council would review its Alcohol Free Zones and ensure any future zones are in place by December 2017 and that Council consider Rowers Park Corowa for an Alcohol Prohibited Area from 6.00am - midnight on Australia Day.

Following this, Council has sought feedback from key stakeholders and statistical information which would help to inform the preparation of a formal proposal which will require further community consultation.

### Background

The Local Government Act 1993 (Section 644) enables Councils to develop a proposal to establish alcohol-free zones in accordance with the Ministerial Guidelines and requires Alcohol Free Zone must be either of the following:

- A public road or part of a public road
- A public place that is a car park or part of a car park

The principal object of an Alcohol Free Zone is to prevent disorderly behaviour caused by the consumption of alcohol in public areas in order to improve public safety. Therefore a proposal to establish an Alcohol Free Zone must be supported by evidence that the public's use of those roads, footpaths or public carparks has been compromised by street drinkers.

Please find attached to the agenda a formal proposal for formal endorsement by Council and further community feedback.

The proposal outlines the following scenarios:

- That existing zones for Corowa, Mulwala and Howlong be renewed for a period of four years from December 2017.
- An additional Alcohol Free Zone be implemented along Bridge Road (Sanger Street roundabout to John Foord Bridge including car park).
- The establishment of an Alcohol Prohibited Area at Rowers Park open space public recreation area adjoining Bridge Road and Bridge Road Car Park Corowa from 6.00am - Midnight on Australia Day.

The attached proposal (6.4.1) details that there is support for the extension of existing alcohol free area.

There is also strong support for the proposed Alcohol Prohibited Area in Rowers Park and the establishment of an additional Alcohol Free Zone along Bridge Road (Sanger Street roundabout to John Foord Bridge including car park).

#### Financial Implications

Existing signage will need renewal and some additional signage erected. This would require a total budget of less than \$5,000. Most of which has been budgeted for as part of the amalgamation budget.

#### **RECOMMENDED:**

1. THAT Council endorse the proposal subject to further community consultation to:
  - i. Reinstate its existing Alcohol Free Zones effective December 2017 for a period of four years;
  - ii. Implement a new Alcohol Free Zone along Bridge Road Corowa (Sanger Street roundabout to John Foord Bridge including car park);
  - iii. Implement an Alcohol Prohibited Area at Rowers Park Corowa from 6.00am - midnight on Australia Day each year for a period of four years; and
2. THAT this proposal be placed on public display for a minimum of 28 days prior to Council considering the final proposal.

#### **MOVED** on the motion of Councillors Miegel and Longley:

1. THAT Council endorse the proposal subject to further community consultation to:
  - i. Reinstate its existing Alcohol Free Zones effective December 2017 for a period of four years;
  - ii. Implement a new Alcohol Free Zone along Bridge Road Corowa (Sanger Street roundabout to John Foord Bridge including car park);

iii. Implement an Alcohol Prohibited Area at Rowers Park Corowa from 6.00am - midnight on Australia Day each year for a period of four years; and

2. THAT this proposal be placed on public display for a minimum of 28 days prior to Council considering the final proposal.

**Amendment to Motion**

142/17FC **RESOLVED** on the motion of Councillors Law and Longmire that:

The motion be amended - iii. Implement an Alcohol Prohibited Area at Rowers Park Corowa be for a 24 hour period from 6.00am on Australia Day each year for a period of four years

The amendment to the motion was put to the meeting.

The amendment to the motion was carried.

The amendment became the motion and was again put to the meeting and carried.

**6.5 COMMON SEAL - DELEGATIONS OF AUTHORITY**

**Summary**

Existing delegations of Authority under Section 27 of the Swimming Pool Act require renewal by Council.

**Background**

Section 27 of the Swimming Pools Act 1992 provides the powers for local authorities to appoint authorised officers to perform the functions as required under the act.

Section 27B of the Swimming Pools Act 1992, authorises officers that have been appointed by Council to enter any premises in or on which he or she suspects that a swimming pool is situated and to examine the premises and, in particular, any swimming pool, and any barrier or other means of restricting access to any swimming pool, situated in or on the premises.

Council currently has three authorised officers with delegated authority, whose certificates of authority are expiring. These officers include;

- Kate Larnach, Manager Planning and Environment
- Christopher Nevins, Health and Building Surveyor
- Stephen McHugh, Health and Building Surveyor

A new certificate of authority has been prepared for the three named officers in accordance with the legislation for the council to be able to perform its delegated functions under the Act.

This power may be exercised with the consent of the occupier of the premises or, if that consent cannot be obtained, at any time (between 9.00 a.m. and sunset) after 24 hours' notice of the proposed exercise of the power has been given to the occupier of the premises.

The holder of a Certificate of Authority is not empowered to enter such part of any building as is used for residential purposes, or any moveable dwelling, otherwise than with the consent of the occupier of the building or dwelling or under a search warrant.

The power delegated by the Council to the officers is required to be made by resolution of council. The certificate of authority requires the affixing of the Council Seal in accordance with clause 400(2) of the Local Government Regulations 2005.

#### Financial Implications

Nil.

#### RECOMMENDED:

1. THAT Council reappoint the officers for the purposes outlined under Section 27B of the Swimming Pool Act 1992; and
2. THAT Council authorise the Common Seal of Council to be affixed to the certificates of identification issued under s.27B of the Swimming Pools Act 1992, for the following Council staff:
  - a) Kate Larnach
  - b) Christopher Nevins
  - c) Stephen McHugh

143/17FC **RESOLVED** on the motion of Councillors Longmire and Law:

1. THAT Council reappoint the officers for the purposes outlined under Section 27B of the Swimming Pool Act 1992; and
2. THAT Council authorise the Common Seal of Council to be affixed to the certificates of identification issued under s.27B of the Swimming Pools Act 1992, for the following Council staff:
  - a) Kate Larnach
  - b) Christopher Nevins
  - c) Stephen McHugh

## 6.6 INTERNAL AUDIT PROGRAM

### Summary

An internal Audit Program has been prepared following the completion of an organisational risk review by Council's internal Auditor and endorsement of this by the internal Audit Committee.

Minutes of the internal Audit Committee (6.6.1) are attached to the agenda.

### Background

Council's internal audit program is an important initiative focused around driving operational best practice and ongoing improvement within the organisation.

The scope of service provided by the internal audit program is broad and priorities and is being informed by an overall organisational risk review conducted by the internal auditor.

The scope includes:

- The examination and evaluation of the adequacy and effectiveness of systems of internal control, risk management, governance, and the status of ethical behaviour.

- Ascertaining conformity with the goals and objectives of the Federation Council.
- Assessment of the economic and efficient use of resources.
- The examination of compliance with policies, procedures, plans and legislation.
- Assessment of the reliability and integrity of information.
- Assessment of the safeguarding of assets.
- Any special investigations as directed by the Audit Committee.
- All activities of the Federation Council whether financial or non-financial, manual or computerised.

Council has an adopted Audit Committee Charter and appointed both internal auditors and external Committee Members following an EOI application process.

The first Audit Committee Meeting was held on 7 September 2017 with the next scheduled for 14 December 2017. Please find attached the minutes of this meeting (attachment 6.6.1).

As per the Audit Committee Charter, a Councillor delegate and alternative delegate should be appointed to this committee.

Delegates to a number of Council committees are planned to be reviewed during the October Council meeting, therefore this can be considered then.

#### Financial Implications

The internal Audit Program has an annual budget allocation of \$32,000 as per Council's financial plan.

**RECOMMENDED** that the minutes of the internal Audit meeting dated 7 September 2017 be noted.

144/17FC **RESOLVED** on the motion of Councillors Law and Longley that the minutes of the internal Audit meeting dated 7 September 2017 be noted.

## 6.7 RECORDS MANAGEMENT POLICY

### Summary

Attached to the Agenda is the Federation Council 'Records Management Policy' (attachment 6.7.1). The purpose of this policy is to ensure that full and accurate records of the activities and decisions of Council staff are created, managed and disposed of appropriately to meet Council's organisational needs and to comply with NSW State Records and Archives legislation and standards.

### Background

A records management program has been established by Federation Council in accordance with Section 12 (2) of the *State Records Act 1998*. This policy document establishes the overarching framework for the records management program. This policy document provides the framework for any other corporate recordkeeping practices, systems or procedures and highlights the responsibilities and accountabilities of staff in complying with the *Act*. All practices, systems and procedures pertaining to recordkeeping are to be consistent with this policy.

Financial Implications

Nil.

**RECOMMENDED** that Council adopt the draft Records Management Policy.

145/17FC **RESOLVED** on the motion of Councillors Law and Miegel that Council adopt the draft Records Management Policy.

**6.8 BORDER TRUST – FOUNDATION BUILDER PROGRAM**

Summary

Federation Council has received a request from the Border Trust to support the Foundation Builder program with a contribution of \$1,000.

The contribution will support the capacity of the Border Trust to deliver the 2018 Community Grant and Back to School Program.

Background

Border Trust is a local, independent charitable organisation that was established in 2005 to create a strong, sustainable financial base that can be drawn on to meet the needs of the community.

Although based in Albury or Wodonga, many of the projects have a regional reach and offer direct benefit to the residents in the Federation Council local government area.

Council has previously supported the Border Trust and the Foundation Builder program for many years, by providing an annual contribution of \$1,000.

In 2017, the annual Back to School Program injected an additional \$1,400 to help families and students-in need meet some of the new school year costs through an allocation of 28 x \$50 Target vouchers at the start of the school year. These were distributed to six schools in the Federation Council area.

Financial Implications

The contribution of \$1,000 will be funded from Council's general fund.

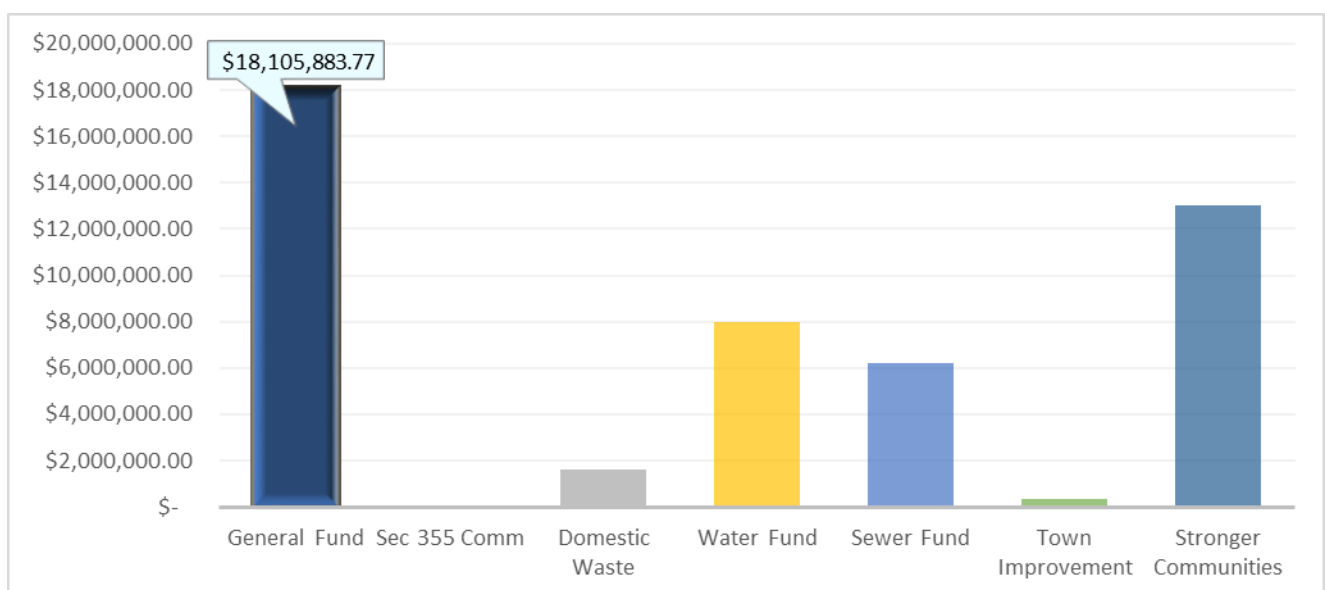
**RECOMMENDED** that Council support the Border Trust Foundation Builder Program with a \$1,000 contribution.

146/17FC **RESOLVED** on the motion of Councillors Kennedy and Thomas that Council support the Border Trust Foundation Builder Program with a \$1,000 contribution.

**7. DIRECTOR FINANCE AND ORGANISATION DEVELOPMENT REPORT**

**7.1 STATEMENT OF BANK BALANCES AND RECONCILIATION AS AT 31 AUGUST 2017**

General Account	0000 0022	823,020.47
General Account	1007 7409	71,547.18
Business Online Saver Account	1014 2522	5,773,175.07
Business Online Saver Account	1016 1811	105,000.00
Investments		40,472,912.83
	<b>Sub Total</b>	<b>47,245,655.55</b>
Plus Deposits not yet lodged:		
Mulwala	30 August 17	2,956.70
Corowa	31 August 17	38,381.42
Mulwala	31 August 17	525.00
Urana	31 August 17	5,156.25
	<b>Sub Total</b>	<b>47,292,674.92</b>
Less Unpresented Cheques:		1,794.25
Balance as per Ledger		47,290,880.67
Less External Restricted Funds		29,184,996.90
<b>Balance of General Fund Ledger</b>		<b>18,105,883.77</b>





**CERTIFICATE OF RECONCILIATION**

I CERTIFY THAT THE COUNCIL'S GENERAL LEDGER BANK ACCOUNTS HAVE BEEN RECONCILED WITH THE APPROPRIATE BANK STATEMENTS AS AT 31 AUGUST 2017.

**S NORMAN**  
**MANAGER FINANCE**

**RECOMMENDED** the report on Statement of Bank Balances and Reconciliation as at 31 August 2017 be noted.

147/17FC **RESOLVED** on the motion of Councillors Miegel and Law the report on Statement of Bank Balances and Reconciliation as at 31 August 2017 be noted.

**7.2 SCHEDULE OF INVESTMENTS AS AT 31 AUGUST 2017**

The following list of investment securities is held as at 31 August 2017. Investment of funds on behalf of Council has been undertaken in accordance with the Local Government Act and Regulations.

**INVESTMENTS**

Investment Type	Institution	Amount Lodged	Date Lodged	Rate	Days	Maturity Date
Term Deposit	NAB	\$300,000.00	08/03/2017	2.55	181	05/09/2017
Term Deposit	NAB	\$200,000.00	08/03/2017	2.55	181	05/09/2017
Term Deposit	ANZ	\$1,000,000.00	17/02/2017	2.65	200	05/09/2017
Term Deposit	ANZ	\$1,000,000.00	17/02/2017	2.65	207	12/09/2017
Term Deposit	ANZ	\$1,000,000.00	17/02/2017	2.65	214	19/09/2017
Term Deposit	CBA	\$1,000,000.00	09/03/2017	2.61	201	26/09/2017
Term Deposit	CBA	\$507,958.36	21/03/2017	2.60	196	03/10/2017
Term Deposit	CBA	\$1,020,464.70	21/03/2017	2.60	203	10/10/2017
Term Deposit	Bendigo	\$2,042,548.39	17/03/2017	2.40	214	17/10/2017
Term Deposit	ANZ	\$2,161,125.92	25/07/2017	2.30	91	24/10/2017
Term Deposit	CBA	\$504,313.42	28/03/2017	2.59	210	31/10/2017
Term Deposit	CBA	\$1,060,154.25	28/03/2017	2.59	217	31/10/2017
Term Deposit	CBA	\$1,042,542.54	06/06/2017	2.49	153	06/11/2017
Term Deposit	CBA	\$504,400.68	04/04/2017	2.54	217	07/11/2017
Term Deposit	Westpac	\$513,167.70	08/08/2017	2.60	92	08/11/2017
Term Deposit	ANZ	\$1,053,793.24	08/08/2017	2.30	92	08/11/2017
Term Deposit	CBA	\$504,893.56	18/04/2017	2.51	210	14/11/2017
Term Deposit	NAB	\$1,226,971.74	02/05/2017	2.50	203	21/11/2017
Term Deposit	NAB	\$1,329,355.02	30/05/2017	2.47	182	28/11/2017
Term Deposit	NAB	\$2,548,947.97	30/05/2017	2.47	182	28/11/2017
Term Deposit	ANZ	\$1,055,277.91	29/08/2017	2.30	92	29/11/2017
Term Deposit	Westpac	\$612,592.87	23/05/2017	2.35	196	05/12/2017
Term Deposit	CBA	\$504,647.12	11/04/2017	2.54	245	12/12/2017

Term Deposit	CBA	\$405,225.64	13/06/2017	2.48	371	19/12/2017
Term Deposit	Bendigo	\$230,000.00	08/08/2017	2.25	153	08/01/2018
Term Deposit	NAB	\$710,000.00	14/06/2017	2.47	209	09/01/2018
Term Deposit	NAB	\$790,000.00	14/06/2017	2.47	216	16/01/2018
Term Deposit	NAB	\$3,087,900.60	27/06/2017	2.47	210	23/01/2018
Term Deposit	NAB	\$2,118,519.73	04/07/2017	2.47	210	30/01/2018
Term Deposit	NAB	\$2,595,012.66	11/07/2017	2.47	210	06/02/2018
Term Deposit	Westpac	\$511,713.23	25/07/2017	2.61	203	13/02/2018
Term Deposit	Westpac	\$513,334.30	15/08/2017	2.61	1.84	15/02/2018
Term Deposit	Westpac	\$514,980.00	01/08/2017	2.61	203	20/02/2018
Term Deposit	Bankwest	\$150,000.00	22/08/2017	2.45	182	20/02/2018
Term Deposit	NAB	\$1,381,097.12	21/08/2017	2.45	184	21/02/2018
Term Deposit	CBA	\$729,432.39	22/08/2017	2.45	210	20/03/2018
Term Deposit	CBA	\$280,000.00	11/07/2017	2.56	273	10/04/2018
Term Deposit	NAB	\$720,000.00	11/07/2017	2.56	273	10/04/2018
Term Deposit	Bendigo	\$2,000,000.00	20/06/2017	2.40	365	20/06/2018
		<b>\$40,472,912.83</b>				

#### CERTIFICATE OF RECONCILIATION

*I CERTIFY THAT THE INVESTMENTS HAVE BEEN MADE IN ACCORDANCE WITH SECTION 625 OF THE LOCAL GOVERNMENT ACT 1993, THE REGULATIONS AND COUNCIL'S POLICIES.*

**S NORMAN**  
**MANAGER FINANCE**

**RECOMMENDED** that Council note the report on the schedule of investments as at 31 August 2017.

148/17FC **RESOLVED** on the motion of Councillors Longmire and Law that Council note the report on the schedule of investments as at 31 August 2017.

### **7.3** WATER AND SEWERAGE STATUS OF WORKS

#### Summary

This report provides the Council and Community a summary of the status of the status of the Water and Sewerage functional areas of Council as at 15 September 2017, the last report was as at 30 April 2017 to the May Council Meeting.

#### Background

##### Planning

- Department of Primary Industries (DPI Water) has reviewed the Integrated Water Cycle Management (IWCM) Plan Issues report and Council's consultant Hunter H2O has reviewed the scope of work accordingly. DPI Water expectations are being worked through to align with Council's Plans. It has been difficult to define the tasks clearly that will allow the consultant to properly price the work. This is currently being addressed. A community consultation exercise will be required which will comprise Council representatives, regulating agencies and an invitation to the public to attend.

- Corowa Water Quality Investigation. This work has been completed. Trials of different process modifications have been undertaken by staff and a successful solution found. It is expected that this will overcome the recurrent dirty water conditions experienced in Corowa, especially South Corowa, every spring and summer. Implementation will require limited modifications to the plant. Once DPI approval has been received the plant upgrade will be undertaken. Funds have been provided in the budget for the work.
- Liquid Trade Waste. An investigation into trade waste problems across the council service area and in particular with Environmental Protection Authority (EPA) licence breaches at the Mulwala Sewerage Treatment Plant is being undertaken. An interim report has been received which reveals that contemporary design standards for commercial kitchens is inadequate to deal with the new age high temperature appliances and cooking emulsifying agents rendering grease trap performance substandard. This in turn limits Council's capacity to keep the sewerage treatment plants, Mulwala in particular with the 3 large clubs in town, within its licence constraints. Further investigation has indicated that EPA licence conditions for the Mulwala Sewerage Treatment Plant are higher than typical licences elsewhere. Actions will be implemented when the final report is received.
- Environmental Protection Authority (EPA) and DPI Water Regulators. Approval applications to these 2 agencies remain outstanding for effluent and sludge reuse being undertaken at the Corowa and Mulwala Sewerage Treatment Plants and the Corowa Saleyards.
- Load Based Licensing Reports. The annual licence reports for the Mulwala STW, Corowa STW and the Mulwala WTP have been submitted to the EPA.
- Mulwala Sewerage Treatment Plant Effluent Reuse. This project, between the Golf Club and the Council, for the reuse of sewage effluent on the golf course, has not progressed due to a number of issues. A stakeholder meeting is proposed to be organised between representative parties in October 2017.
- Performance Monitoring Report. The annual report has been submitted to DPI Water as required under the Best Practice Guidelines. This report is an exhaustive annual scorecard on performance of all water and sewerage operations and the results are published in a Statewide publication comparing and benchmarking all Local Water Utilities. Data includes measures on levels of service, water quality, and pricing.

#### Operational Matters

- a. Corowa Sewerage Treatment Plant Effluent Reuse . The irrigation lease has been finalised with Brindley and Wilson and commenced 1 January 2017 although registration of the lease has been held up due to issues over survey of the land and length of tenure. A proviso was included in the contract such that until the irrigation site is fully developed by Council then the lease payment will be factored accordingly. The Environmental Management Plan Annual Report was submitted as required.
- b. Balldale Bore. The new bore has been constructed and the pump installed and commissioned. Final pipe interconnection has been completed but the site hardstand work remains outstanding.
- c. Work Health & Safety (WHS). The safety audit undertaken by Lansdowne Consulting is being addressed and it is planned to have the requisite work completed by the end of the calendar year.
- d. Saleyards. The effluent being generated by the wash down and truck wash at the saleyards is overloading the wastewater irrigation system. Modifications to the current operation are necessary to manage this and prevent environmental problems.

**Capital works**

- e. Victoria Street Inlet Pump Station. Demolition of the old pump station has been undertaken and riverbank revetment work undertaken. Tenders are currently being called for the construction of the new pump station.
- f. Digital Water Meters contract. Computer interconnectivity is yet to be finalised on this contract whereby Council's computer and the data management service provider's computer are required to automatically communicate thus maintaining up to date information at all times, specifically when new meters are added into the system. Final quality control check on all data is outstanding. Final payments are yet to be made. Introduction of the Customer Portal allowing customers to access their own meter readings was planned for the commencement of the next billing period but this will be held over until the contractual work is finalised.
- g. Mulwala STW Sludge Lagoon. Tenders are currently being called for the construction of the new sludge lagoon.
- h. Netherby Water Supply Pump Station. Design of the upgrade of this building has been delayed by the necessity for a noise study to be made to determine building cladding material requirements due to the residential environment this pump station is located in. Acoustic testing is underway at present.
- i. Corowa and Howlong Water Treatment Plants (WTPs). Structural modifications to both plants are necessary and quotes are expected to be called next month.
- j. Howlong Water Treatment Plant Clear Well Reservoir. System design is underway and a preliminary report indicates that the problems caused by the small size of the reservoir, namely chlorine disinfection times and filter turbidity, may be better addressed by other works in lieu of reservoir augmentation. The final report from GHD, the design consultant, is expected this month.
- k. Sewer Main Relining. This contract has been completed.
- l. Other outstanding 2016/17 capital works comprising laboratory equipment supply, plant control system upgrades, chemical dosing systems, pump, switchboard, and telemetry upgrades, building, road and access infrastructure work, CCTV sewer main and sludge survey work, and odour and landscaping work has been completed.

Major works carried over from last financial year are:

- m. Victoria Street Pump Station – tenders and completion.
- n. Mulwala Sludge Lagoon – tenders and completion.

**Financial Implications**

N/A.

**RECOMMENDED** that Council note the report on the Water and Sewerage Status of Works as at 15 September 2017.

149/17FC **RESOLVED** on the motion of Councillors Kennedy and Law that Council note the report on the Water and Sewerage Status of Works as at 15 September 2017.

**7.4 PROGRESS ON COMPLETION OF ANNUAL FINANCIAL STATEMENTS FOR FEDERATION COUNCIL AS AT 30 JUNE 2017**

**Summary**

Council's external auditors Crowe Horwath Albury are expected to be visiting Council during the period Tuesday 3 October through to 6 October 2017 to audit the sets of Annual Financial Statements as at 30 June 2017 for the Federation Council. At the time of writing this report, is expected to be tabled to the October Council Meeting. Once the External Audits have occurred, a representative of Crowe Horwath will attend a future Council meeting, to present their audit report.

**Background**

In accordance with legislation and accounting standards, Council is required to sign a declaration, (see attachments), stating the following and to pass a resolution confirming the same. The signatories to this declaration are the General Manager, Council's responsible Accounting Officer, the Mayor and another Councillor. This resolution is normally considered to be of a procedural nature, however, Council will be provided with copies of the draft Primary Financial Statements including Note 13 the Local Government Industry Indicators and Graphs at the time the draft accounts are provided to Council's External Auditor.

If workload goes to schedule it is expected that a draft set of Annual Financial Statements for Federation Council, as at 30 June 2017, will be not be available for the perusal of Councillors and the Internal Audit Committee until after the Council Meeting of the 26 September 2017.

**Financial Implications**

N/A.

**RECOMMENDED:**

1. THAT the report on progress of completion of the Annual Financial Statements as at 30 June 2017 for Federation Council be noted; and
2. THAT Council authorise the signing of the declaration as follows:-

The General Purpose Financial Report has been prepared in accordance with:

- The Local Government Act 1993 (as amended) and the Regulations made thereunder,
- The Australian Accounting Standards and professional pronouncements, and
- The Local Government Code of Accounting Practice and Financial Reporting.

To the best of our knowledge and belief, this Report:

- Presents fairly the Council's operating result and financial position for the year, and
- Accords with Council's accounting and other records.

The Special Purpose Financial Reports have been prepared in accordance with:

- The NSW Government Policy Statement "Application of National Competition Policy to Local Government".
- The Department of Local Government Guidelines "Pricing & Costing for Council Businesses - A Guide to Competitive Neutrality".
- The Local Government Code of Accounting Practice and Financial Reporting.
- The Department of Water and Energy Best-Practice Management of Water and Sewerage Guidelines.

To the best of our knowledge and belief, these Reports:

- Present fairly the Operating Result and Financial Position for each of Council's declared business Activities for the year, and
- Accord with Council's accounting and other records.

150/17FC **RESOLVED** on the motion of Councillors Law and Whitechurch:

1. THAT the report on progress of completion of the Annual Financial Statements as at 30 June 2017 for Federation Council be noted; and
2. THAT Council authorise the signing of the declaration as follows:-

The General Purpose Financial Report has been prepared in accordance with:

- The Local Government Act 1993 (as amended) and the Regulations made thereunder,
- The Australian Accounting Standards and professional pronouncements, and
- The Local Government Code of Accounting Practice and Financial Reporting.

To the best of our knowledge and belief, this Report:

- Presents fairly the Council's operating result and financial position for the year, and
- Accords with Council's accounting and other records.

The Special Purpose Financial Reports have been prepared in accordance with:

- The NSW Government Policy Statement "Application of National Competition Policy to Local Government".
- The Department of Local Government Guidelines "Pricing & Costing for Council Businesses - A Guide to Competitive Neutrality".
- The Local Government Code of Accounting Practice and Financial Reporting.
- The Department of Water and Energy Best-Practice Management of Water and Sewerage Guidelines.

To the best of our knowledge and belief, these Reports:

- Present fairly the Operating Result and Financial Position for each of Council's declared business Activities for the year, and
- Accord with Council's accounting and other records.

KC PARKER

DIRECTOR FINANCE AND ORGANISATION DEVELOPMENT

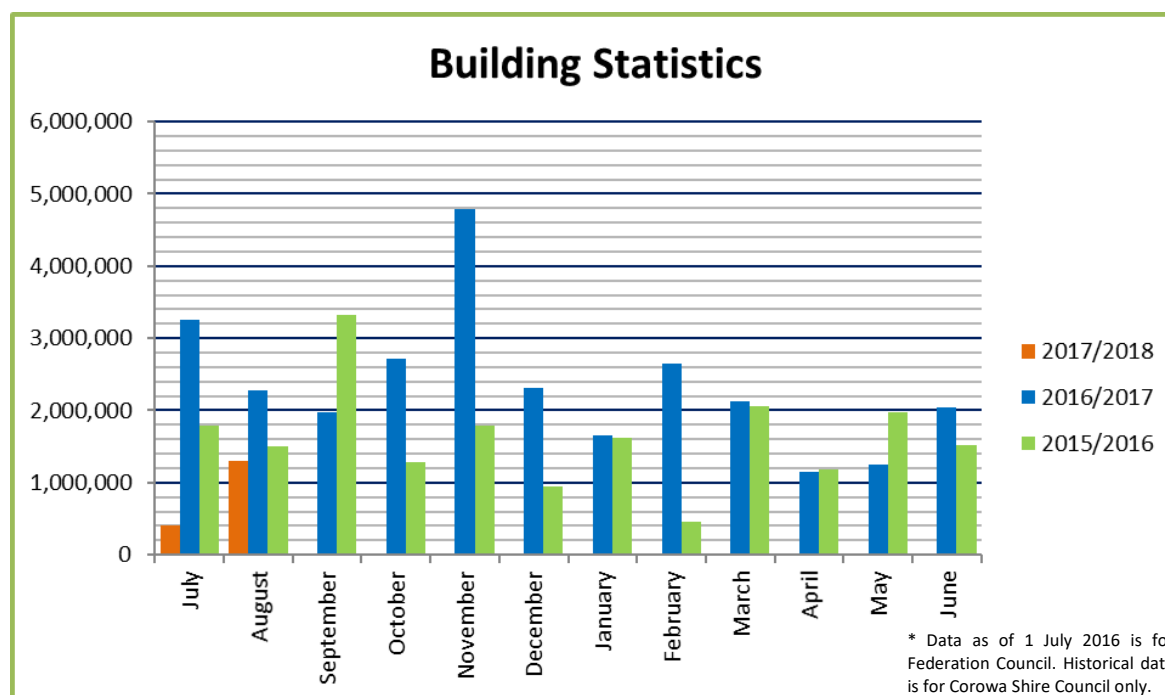
## 8. DIRECTOR INFRASTRUCTURE AND ENVIRONMENT REPORT

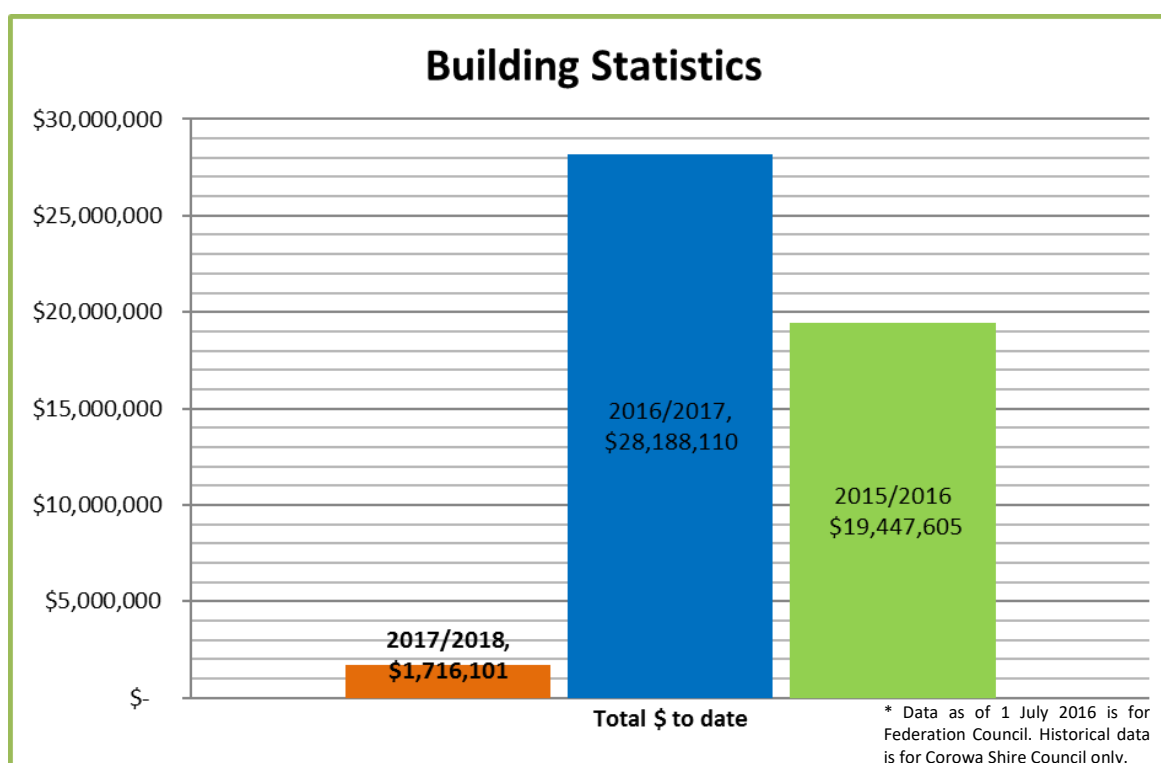
### 8.1 BUILDING APPROVALS – COMPLYING AND CONSTRUCTION CERTIFICATES APPROVED

This report provides for Council’s information, the construction and complying development certificates issued since the report prepared for the August 2017 Council meeting. The report also includes graphs on the value of works approved, over the last three financial years (NB. Data as of 1 July is for Federation Council. Historical Data is for Corowa Shire Council only). These graphs show that building activity is continuing to grow each year, which is a positive indicator for the local economy and developer confidence.

2017/101	38-40 Poseidon Road Corowa	Storage Sheds
2017/120	Lot 2 Spring Drive Mulwala	Farm Shed / Machinery Depot
2017/139	284-290 Bayly Street Mulwala	Garage
2017/148	1279 Merton Road Mulwala	3 Hay Sheds
2017/156	59-61 Ward Street Mulwala	Relocated Shed, 2 Carports and New Verandah
2017/168	7 Rose Drive Mulwala	Dwelling
2017/53	17 Gray Street Corowa	Garage and Carport
CDC2017/37	39 Gilson Place Howlong	Dwelling with Garage

**TOTAL \$1,306,508**





**FOR Council's information.**

**INFORMATION was noted.**

## 8.2 DEVELOPMENT APPLICATIONS APPROVED UNDER DELEGATED (STAFF) AUTHORITY SINCE LAST ORDINARY COUNCIL MEETING

This report provides for Council's information, the Development approvals that have been determined under delegated authority by the granting of consent subject to conditions, since the last ordinary Council meeting.

### DEVELOPMENT APPLICATION REGISTERED NO. 2017/133

Application for a Dwelling on General Residential Land being Lot 3; DP 1205036; 192 Jude Street, Howlong.

### DEVELOPMENT APPLICATION REGISTERED NO. 2017/140

Application for a Verandah on General Residential Land being Lot 2; DP 1172631; 27 Betterment Parade, Corowa.

### DEVELOPMENT APPLICATION REGISTERED NO. 2017/143

Application for a Shed on Low Density Residential Land being Lot 85; DP 26024; 23 Sauvignon Drive, Corowa.

### DEVELOPMENT APPLICATION REGISTERED NO. 2017/144

Application for a Dwelling on Low Density Residential Land being Lot 38; DP 1202116; 17 Kingfisher Drive, Mulwala.

### DEVELOPMENT APPLICATION REGISTERED NO. 2017/154

Application for a Carport on Low Density Residential Land being Lot 45; DP813251; 8 Matthew Court, Corowa.



DEVELOPMENT APPLICATION REGISTERED NO. 2017/155

Application for a Demolition on Local Centre Land being Lot 3; Section 3; DP 978429; 15 River Street, Corowa.

DEVELOPMENT APPLICATION REGISTERED NO. 2017/167

Application for Laundry and Bathroom Facilities on Primary Production Land being Lot 371; DP 753734; 368 Jamiesons Road, Redlands.

DEVELOPMENT APPLICATION REGISTERED NO. 2017/170

Application for a Fence on General Residential Land being Lot 111; DP 630098; 7 Ashford Road, Howlong.

DEVELOPMENT APPLICATION REGISTERED NO. 2017/171

Application for Alterations and Additions to Dwelling on Low Density Residential Land being Lot 2; DP225829; 49 Lang Street, Mulwala.

DEVELOPMENT APPLICATION REGISTERED NO. 2017/99

Application for a Garage on General Residential Land being Lot 5; DP 1048175; 72 Jude Street, Howlong.

**FOR Council's information.**

**INFORMATION was noted.**

### 8.3 REPORT ON THE PROGRESS OF THE WORKS PROGRAM

#### Summary

The following activities were undertaken within the month of September 2017 by the Infrastructure team. A summary of the activities is provided below for information.

#### Customer requests

Council maintenance crews completed the following works following on from a customer request.

Grade SR 56 Harbingers Road – 7.00Km - gravel resheet also undertaken over a 1.50Km section of the same road.

#### Capital Works Program

Project	Description	Budget	Progress %	Progress Comment
Urana Adventure Park	Skate Park, Basketball ring & Scooter track	\$76,000	75%	Works have commenced on site with the completion of main Skate Park slab, Basketball slab & near complete scooter track. Works are progressing well and at a very good standard.

Daysdale-Walbundrie Floodway	Concrete Pavement construction to replace existing conventional road construction	\$213,000	0%	Contractor selected and Letter of acceptance issued, Contract Agreement scheduled for signing 18/9/17 Works due to commence end of September.
Back Berrigan Road Reconstruction	3km of road widening and reconstruction	\$1,065,000	5%	Works have commenced with Traffic management in place, Grass removed, Borrow Pit secured and Materials being delivered.

### Maintenance Grading and Gravel Patching completed in September

#### Maintenance Grading

- SR 56 Harbingers Road - 7.0 km
- SR 73 Kerrs Road - 6.0 km
- SR 98 O,Bryan Road - 2.0 km
- SR 86 Edwards Road - 2.4 km
- SR 85 Stevens Road 1.5 km
- SR 84 Kellys Road - 2.5 km
- SR 78 Mallons Road - 3.1 km
- SR 37 Thatchers Road - 3.1 km
- SR 115 Crightons Road - 2.4 km
- SR 31 Urquharts Road - 3.0 km
- SR28 Golders Road - 2.2 km
- SR 108 Hewsons Road - 3.5 km
- SR 29 Snarvil Road - 9.0 km
- SR 32 Extons Road - 7.5 km
- SR30 Stokes Road - 3.6 km
- SR27 Vurdons Road - 2.0 km
- SR 23 Barragunda Road - 11 km

#### Gravel Patching

- SR 73 Kerrs Road
- SR 56 Harbingers Road
- SR 32 Exton Road

### Plant Replacement Program

- New possitrack loader and attachments including milling head delivered.

### Road network review

Council has been undertaking a review of all Federation major roads. The purpose is to establish compliance to the Hierarchy and establish a 5 – 10 Year Capital works program which will begin to bring the existing network up to standard.

The Capital works program will enable Council to establish projects that can be submitted for grant funding in a timely manner. (ongoing)

**FOR Council's information.**

**INFORMATION was noted.**

#### 8.4 FLOOD STUDY FOR THE TOWNS OF URANA MORUNDAH BOREE CREEK OAKLANDS AND RAND

##### Summary

The purpose of this report is to present the draft Flood Study Reports to the Federation Council for consideration. This report also seeks council endorsement for the documents to be released for public review.

##### Background

The former Urana Shire Council received a Floodplain Management grant (FMG) from the NSW Government Office of Environment & Heritage (OEH) in 2013/2014. The grant was intended to undertake flood studies for the towns of Urana, Morundah, Boree Creek, Oaklands and Rand. The project had a total budgeted value of approx. \$200,000 and was based on a 6:1 funding ratio OEH to Council.

The FMG contract involved engaging a floodplain specialist to collect local rainfall data and develop appropriate models that would enable the preparation of flood depth, hazard and flood planning maps. After a tender process, the contract was awarded to the Jacob's Group in 2014.

There were 6 stages within this contract. Stages 1 to 4 have now been completed.

- a. Stage 1 – Data collection
- b. Stage 2 – Hydrologic and Hydraulic modelling
- c. Stage 3 – Design Flood estimation & Mapping
- d. Stage 4 – Draft Flood Study Report
- e. Stage 5 – Public Exhibition & Final Report
- f. Stage 6 – Completion data release

Stage 5 requires the public exhibition of the draft Flood Study Reports for the five towns involved. There is no OEH requirement for the period of exhibition; however, a three-week period is recommended to enable council to meet grant deadlines. The exhibition period is proposed to commence on 27 September 2017 and run until 20 October 2017. For the project to proceed to stage 5, Federation Council is required to authorise the release of the draft Flood Study Reports for public exhibition and review.

The proposed public exhibition stage involves inviting residents to review and comment on the draft reports. Public consultation regarding the project will involve:

- g. Public access to the draft reports via the Federation Council website;
- h. Public access to hard copies of the reports at both the Corowa and Urana council offices;
- i. Pamphlets sent to properties impacted by the flood mapping, inviting occupants to comment on the reports;
- j. An evening community meeting on 12 October 2017 at Urana. A consultant from the Jacob's Group will attend the meeting to present the findings and respond to questions from the public.

After the exhibition period, all comments will be reviewed in conjunction with the contractor. On resolution of all outstanding issues, the final Flood Study Report will be prepared.

The final reports are scheduled for presentation to council at its November meeting.

##### Financial Implications

The grant does not allow for the cost of advertising or the hosting of meetings. Council is expected to cover these costs. An estimate of this cost is \$800.

**RECOMMENDED** that Council approve the release of the draft Flood Study Reports for the five affected towns to allow for commencement of stage 5 public exhibitions.

151/17FC **RESOLVED** on the motion of Councillors Law and Miegel that Council approve the release of the draft Flood Study Reports for the five affected towns to allow for commencement of stage 5 public exhibitions.

Councillor Thomas left the meeting at 10.52 am.

## 8.5 ROAD CLOSURES

### Summary

This report provides discussion and recommendations on requested road closures for;

1. Lambruk Lane, Mulwala
2. Un-named road (between East Gums Road and West Gums Road), Urana
3. Pell Street, Howlong
4. Un-named road, in the vicinity of Narrow Plains Road, Claremont Road and Dalitzs Road, Oaklands

### Background

Council has received requests for the closure of:

1. Lambruk Lane, Mulwala
2. Un-named road (between East Gums Road and West Gums Road), Urana
3. Pell Street, Howlong

Road locations are shown in red on the plans and photographs included below.

#### *Lambruk Lane, Mulwala*

Lambruk Lane, Mulwala is between the Tocomwul Road and Savernake Road. The road reserve is unconstructed and services land that is wholly owned by the same land owner.



The proposed road closure will not impact on Councils assets, emergency vehicle access or adjoining landowners.

*Un-named Road, Urana*

The un-named road (between East Gums Road and West Gums Road), Urana is to the north east of Urana by approximately 14kilometres. The road reserve is unconstructed and services land that is wholly owned by the same land owner.



The proposed road closure will not impact on Councils assets, emergency vehicle access or adjoining landowners.

*Pell Street, Howlong*

Pell Street, Howlong is between Read Street and Holbeach Street. The road reserve contains an open drainage channel which collects water from Holbeach Street, then discharges to currently vacant land and is then collected and channelled to the retention basin at the corner of Townsend Street and Emily Court. The section of road is adjacent to the proposed development currently being processed a subdivision.



The request to close the road is from the subdivision developer (Read Street) and is for the purpose of providing an improved drainage channel, retention basin for the subdivision and one additional allotment.

The drainage channel and retention basin will become Council assets on completion of the development. Closure of the road may restrict future development of adjoining land which under different ownership.

The proposed road closure will impact Councils access to the drainage channel and adjoining landowners, as such closure of the road reserve is not a benefit to the Council or the community.

#### *Un-named road, Oaklands*

The un-named road is South West of Oaklands by approximately 5.5km. The road reserve is unconstructed and services land that is owned by 3 different land owners. The closure of the roads will not impact the access to the properties as all properties have primary access points from other formed roads. There are formed farm access tracks within the road reserves. These tracks are not Council assets.



#### Road Closure Process

The road closure process is a function of the Department of Primary Industries (Lands) and varies depending on the status of the road. In all three requests the roads are unconstructed.

Under the Roads Act 1993, unconstructed Crown and Council Roads will vest in the Crown upon closure. Where road closure applications are initiated by a third party, for unconstructed Council Roads, the Road Closure: Public Road Closure application (general) may be lodged by the third party with written consent from Council. The consent should acknowledge the road will vest in the Crown upon closure and that the department may deal directly with the third party through the private treaty sale process.

#### Community Implications

The proposed road closures of Lumbuk Lane and un-named road do not impact the community in general.

The proposed road closure of Pell Street impacts the ability of the adjoining owners to develop their land in the future.

#### Environmental Implications

In all three cases there are no environmental impacts expected due to the proposed road closures.

#### Strategic Implications

The proposed road closures of Lumbuk Lane and the un-named road do not have any foreseeable strategic implications for Council.

The proposed road closure of Pell Street will impact Councils Asset Management Strategy through the road reserve becoming a privately owned parcel of land with Council assets protected by easements only.

#### Financial Implications

There is no financial impacts expected due to the proposed road closures.

#### RECOMMENDED:

1. THAT Council consent to the closure of Lumbruk Lane, Mulwala and provide a letter of consent to the landowner;
2. THAT Council consent to the closure of the un-named road, Urana and provide a letter of consent to the landowner;
3. THAT Council not consent to the closure of Pell Street, Howlong; and
4. THAT Council consent to the closure of the un-named road, Oaklands and provide a letter of consent to the landowner.

152/17FC **RESOLVED** on the motion of Councillors Longmire and Wales that this item be deferred to a future meeting and consideration be given to the formation of a road closure committee.

Councillor Thomas returned to the meeting at 10.57 am.

Councillor Kennedy left the meeting at 10.58 am.

### **8.6 DEVELOPMENT APPLICATION 2017/163 - 89 HUME STREET MULWALA – LONSDALE RESERVE**

#### Summary

Property: 89 Hume Street Mulwala – Lonsdale Reserve  
Applicant: David Carroll, Federation Council  
Proposal: Demolition and Removal of the Building known as “Bay 13”

#### Background

The condition of the building known as “Bay 13” has deteriorated over the years to the point where a determination has to be made as to its future and the continuation of the implementation of the \$600K master plan for Lonsdale Reserve.

The Mulwala Progress Association and the Lonsdale Recreation Reserve Committee have both made submissions to the Council prior to the lodgement of this development application. Their suggestions involved the repair and renovation of the existing structure.

Copies of the submission are attached at Schedule 1 and 2.

The Council had the following options:

1. Do nothing.
2. Renovate and repair Bay 13 in accordance with previous discussions at a cost of approximately \$250,000.
3. Demolish the existing structure and erect a modern replacement for an outlay of approximately \$175,000.

The decision to proceed with option 3 was made by Council on 29 June 2017.

#### Proposed Works

It is proposed to:

1. Replace the existing building with a new toilet block and storage shed.
2. Complete the designed roadway and drainage strategy.
3. Enable the Lonsdale Reserve user groups and general public to have the effective use of a modern facility which replaces a termite damaged building which has been out of operation for the past two years.

#### Financial Implications

N/A



## Schedule 1

MULWALA PROGRESS ASSOCIATION  
PO Box 9  
MULWALA NSW 2647



FEDERATION COUNCIL	
TRIM NO:	
REC'D:	18 AUG 2017
CONTAINER NO:	SC675
ACTION:	Peter Gall,

8<sup>th</sup> August 2017

Mr Mike Eden  
Administrator  
Federation Council

Dear Mike,

**Re: Bay 13 Lonsdale Reserve, Mulwala**

The members of the Mulwala Progress Association were very disappointed to read in the local paper about the proposed demolition of Bay 13 at Lonsdale Reserve.

Some 25 years ago, the Mulwala Progress Association along with other community organisations such as the Mulwala Tennis Club, Mulwala Cricket Club, Mulwala Apex Club, Mulwala Football and Netball Club along with the Corowa Shire, came together and contributed alot of money, time and effort to build a community facility with public toilets and showers for sporting groups and tourists to use.

The idea of demolishing Bay 13 without the publics regard is very disappointing to many, as people believe that it can be restored and become usable again.

At this stage, no alternative has been offered as far as type of facility, and time line as to when it would be built.

We would like the decision to demolish Bay 13 to be held off until the September elections, so as the new council made up of elected representatives of the community can make the decision on it future or its replacement.

Kind regards

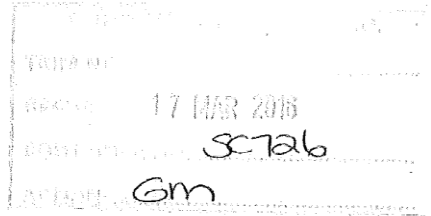
Stephen Flanagan  
Secretary Mulwala Progress Association

President: Mr. Robert Purdie Ph: 03 57443277  
Secretary: Mr. Steve Flanagan Ph: 0407 824 026

Schedule 2

11<sup>th</sup> March 2016

To Corowa Shire Council  
Attention Chris Gillard



From Lonsdale Recreation Reserve Committee

Re: Bay 13 Building

Reference to your phone call with Robert Purtle on the 9<sup>th</sup> March, we would like the Corowa Council approval to strip Bay 13 building using workforce from the Lonsdale Recreation Reserve Committee, Mulwala Football Netball Club and the Mulwala Progress Association.

The Mulwala Football Netball Club has Public Liability cover and volunteer Insurance. This group would be supervised by myself and Robert Purtle. The idea is to remove all plaster and wood framing, so that the building can then be assessed and propose a plan and consultation with the Shire and other users.

This primarily means repairing the toilets and showers that would also be necessary to provide external public access to toilets.

Looking forward to hearing from you.

Rod Slssons.

**RECOMMENDED** that the application be approved subject to the following conditions:

1. **HOURS OF WORK:** All works are restricted to the following times: Monday to Friday: 7am to 6pm. Saturday, Sunday and Public Holidays: 8 am to 6 pm. Noise from the site on Saturdays, Sundays and Public Holidays shall not exceed 5dB(A) above the background noise level when measured at the property boundary.
2. **PROTECTION OF PUBLIC PLACE:** If the building or demolition work is likely to effect pedestrian or vehicle traffic in a public place a hoarding or fence is to be provided.
3. The services to the property are to be safely disconnected and capped off. The sewer is to be capped off and location identified for future connection.
4. **ASBESTOS:** Development involving bonded asbestos material and friable asbestos material.
  - (a) Work involving bonded asbestos removal work (of an area of more than 10 square metres) or friable asbestos removal work must be undertaken by a person who carries on a business of such removal work in accordance with a licence under clause 318 of the Occupational Health and Safety Regulation 2001.
  - (b) Work involving bonded asbestos removal work of an area less than 10 square metres may be undertaken by a person who complies with (a) above or who complies with the requirements of WorkCover. Contact WorkCover Assistance on 131050 or visit the WorkCover website at [www.workcover.nsw.gov.au](http://www.workcover.nsw.gov.au).
  - (c) The person having the benefit of the construction certificate must provide the principal certifying authority with a copy of a signed contract with such a person before any development pursuant to the construction certificate commencing.
  - (d) Any such contract must indicate whether any bonded asbestos material or friable asbestos material will be removed, and if so, must specify the landfill site (that may lawfully receive asbestos) to which the bonded asbestos material or friable asbestos material is to be delivered.

In this clause, ***bonded asbestos material, bonded asbestos removal work, friable asbestos material and friable asbestos removal work*** have the same meanings as in clause 317 of the Occupational Health and Safety Regulation 2001.

- Note 1.** Under clause 317, removal work refers to work in which the bonded asbestos material or friable asbestos material is removed, repaired or disturbed.
- Note 2.** The effect of subclause (1) (a) is that the development will be a workplace to which the Occupational Health and safety Regulation 2001 applies while removal work involving bonded asbestos material or friable asbestos material is being undertaken.
- Note 3.** Information on the removal and disposal of asbestos to landfill sites licensed to accept this waste is available from the Department of Environment, Climate Change and Water.
- Note 4.** Demolition must be carried out in accordance with Australian Standard AS 2601-2001, *Demolition of Structures*.

153/17FC **RESOLVED** on the motion of Councillors Thomas and Longmire that Council consider option two in the report and in consultation with user groups, prepare a delivery program for Bay 13 with consideration towards the Lonsdale Reserve Master Plan and available funding.

Councillor Kennedy returned to the meeting at 11.06 am, before the motion was put but did not vote.

P GALL

DIRECTOR INFRASTRUCTURE AND ENVIRONMENT

**9. NOTICE OF MOTION / QUESTION WITH NOTICE**

NO ITEMS

**10. REPORTS FROM COMMITTEES**

NO ITEMS

**11. PRÉCIS OF CORRESPONDENCE REQUIRING COUNCIL ACTION/FOR INFORMATION**

NO ITEMS

**12. CONFIDENTIAL ITEMS**

NO ITEMS

**13. CLOSURE OF MEETING**

The meeting terminated at 11.12 am.

**CONFIRMED:** 17 OCTOBER 2017

**THE MAYOR:** \_\_\_\_\_