



**MINUTES ORDINARY MEETING**

**GWYDIR SHIRE COUNCIL**

**TUESDAY 11 JANUARY 2022**

**COMMENCING AT 9 AM**

**ROXY CONFERENCE ROOM, BINGARA,**

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**Present:**

**Councillors:** Cr. John Coulton (Mayor), Cr. Catherine Egan (Deputy Mayor), Cr Marilyn Dixon OAM, Cr. Jim Moore, Cr. Geoff Smith, Cr. David Coulton, Cr (Dr) Chris Matthews, Cr Tiffany Galvin and Cr Lyndon Mulligan

**Staff:** Max Eastcott (General Manager), Leeah Daley (Deputy General Manager), Helen Thomas (Manager, Finance), Alex Eddy (Manager, Engineering Services) and Ruby Mitchell (IT Administrative Assistant)

**Public:** Nil

**Visitor:** Nil

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Chairman .....

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**<https://www.gwydir.nsw.gov.au/>**

**OFFICIAL OPENING AND WELCOME – MAYOR**

**APOLOGIES** All Councillors Present

**CONFIRMATION OF THE MINUTES**

**COUNCIL RESOLUTION:**

**MINUTE 1/22**

**THAT the Minutes of the previous Council Meeting held on Thursday 25 November 2021 as circulated be taken as read and CONFIRMED.**

**(Moved Cr Dixon OAM, seconded Cr Galvin)**

**PRESENTATION Nil**

**CALL FOR THE DECLARATIONS OF INTERESTS AND CONFLICTS OF INTEREST**

**Cr (Dr.) Chris Matthews advised the Council that he is the current Treasurer of the Bingara Op Shop Committee.**

**ADDITIONAL/LATE ITEMS**

**COUNCIL RESOLUTION:**

**MINUTE 2/22**

**THAT the following item, namely:**

- 1. Election Outcome**
- 2. November Investment Report**
- 3. December Investment Report**

**is accepted as a late item onto this Agenda for discussion.**

**(Moved Cr Egan, seconded Cr D Coulton)**

**Item 1 Oath or Affirmation Declarations**

**FILE REFERENCE** 22/41

**DELIVERY PROGRAM**

**GOAL:** 5. Organisational Management

**OUTCOME:** 5.1 CORPORATE MANAGEMENT

**STRATEGY:** 5.1.3 Administrative functions - GM - internal

**AUTHOR** General Manager

**STAFF DISCLOSURE OF INTEREST** Nil

**IN BRIEF/ SUMMARY RECOMMENDATION**

Each elected Councillor must make either an Oath or Affirmation of office as a Councillor prior or at their first meeting.

**TABLED ITEMS** Nil

**STATUTORY ENVIRONMENT**

**Oath and affirmation for councillors**

**233A OATH AND AFFIRMATION FOR COUNCILLORS**

- (1) A councillor must take an oath of office or make an affirmation of office at or before the first meeting of the council after the councillor is elected.
- (2) The oath or affirmation may be taken or made before the general manager of the council, an Australian legal practitioner or a justice of the peace and is to be in the following form--

*Oath I [name of councillor] swear that I will undertake the duties of the office of councillor in the best interests of the people of [name of council area] and the [name of council] and that I will faithfully and impartially carry out the functions, powers, authorities and discretions vested in me under the [Local Government Act 1993](#) or any other Act to the best of my ability and judgment.*

*Affirmation I [name of councillor] solemnly and sincerely declare and affirm that I will undertake the duties of the office of councillor in the best interests of the people of [name of council area] and the [name of council] and that I will faithfully and impartially carry out the functions, powers, authorities and discretions vested in me under the [Local Government Act 1993](#) or any other Act to the best of my ability and judgment.*

- (3) A councillor who fails, without a reasonable excuse, to take the oath of office or make an affirmation of office in accordance with this section is not entitled to

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attend a meeting as a councillor (other than the first meeting of the council after the councillor is elected to the office or a meeting at which the councillor takes the oath or makes the affirmation) until the councillor has taken the oath or made the affirmation.

- (4) Any absence of a councillor from an ordinary meeting of the council that the councillor is not entitled to attend because of this section is taken to be an absence without prior leave of the council.
- (5) Failure to take an oath of office or make an affirmation of office does not affect the validity of anything done by a councillor in the exercise of the councillor's functions.
- (6) The general manager must ensure that a record is to be kept of the taking of an oath or the making of an affirmation (whether in the minutes of the council meeting or otherwise).

#### OFFICER RECOMMENDATION

THAT each elected Councillor makes the required Oath or Affirmation prior to or at the first meeting.

#### ATTACHMENTS


AT- Declarations

#### DECLARATIONS ATTACHED

**Councillor David Alan Coulton**

**Oath**

I **David Alan COULTON** swear that I will undertake the duties of the office of councillor in the best interests of the people of Gwydir and the Gwydir Shire Council and that I will faithfully and impartially carry out the functions, powers, authorities and discretions vested in me under the Local Government Act 1993 or any other Act to the best of my ability and judgment.



**Cr. David Alan COULTON**

I, Maxwell Thomas Eastcott-Layton, NSW JP Registration Number 168195 certify that the above Oath of Office was sworn before me by **David Alan COULTON** at **Bingara** on **Tuesday 11<sup>th</sup> January 2022**.



**Councillor John Bradley Coulton**


**Oath**

I **John Bradley COULTON** swear that I will undertake the duties of the office of councillor in the best interests of the people of Gwydir and the Gwydir Shire Council and that I will faithfully and impartially carry out the functions, powers, authorities and discretions vested in me under the Local Government Act 1993 or any other Act to the best of my ability and judgment.



**Cr. John Bradley COULTON**

I, Maxwell Thomas Eastcott-Layton, NSW JP Registration Number 168195 certify that the above Oath of Office was sworn before me by **John Bradley COULTON** at **Bingara** on **Tuesday 11<sup>th</sup> January 2022**.



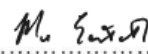
Councillor James Bernard MOORE

**Affirmation**

I **James Bernard MOORE** solemnly and sincerely declare and affirm that I will undertake the duties of the office of councillor in the best interests of the people of Gwydir and the Gwydir Shire Council and that I will faithfully and impartially carry out the functions, powers, authorities and discretions vested in me under the Local Government Act 1993 or any other Act to the best of my ability and judgment.

  
.....  
**Cr. James Bernard MOORE**

I, Maxwell Thomas Eastcott-Layton, NSW JP Registration Number 168195 certify that the above Affirmation of Office was sworn before me by **James Bernard MOORE** at **Bingara** on **Tuesday 11<sup>th</sup> January 2022**.

  
.....


Councillor Catherine Anne EGAN

**Oath**

I **Catherine Anne EGAN** swear that I will undertake the duties of the office of councillor in the best interests of the people of Gwydir and the Gwydir Shire Council and that I will faithfully and impartially carry out the functions, powers, authorities and discretions vested in me under the Local Government Act 1993 or any other Act to the best of my ability and judgment.

  
.....  
**Cr. Catherine Anne EGAN**

I, Maxwell Thomas Eastcott-Layton, NSW JP Registration Number 168195 certify that the above Oath of Office was sworn before me by **Catherine Anne EGAN** at **Bingara** on **Tuesday 11<sup>th</sup> January 2022**.

  
.....

**Councillor Marilyn Louise DIXON**

**Oath**

I **Marilyn Louise DIXON** swear that I will undertake the duties of the office of councillor in the best interests of the people of Gwydir and the Gwydir Shire Council and that I will faithfully and impartially carry out the functions, powers, authorities and discretions vested in me under the Local Government Act 1993 or any other Act to the best of my ability and judgment.



**Cr. Marilyn Louise DIXON**

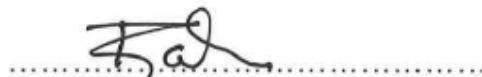
I, Maxwell Thomas Eastcott-Layton, NSW JP Registration Number 168195 certify that the above Oath of Office was sworn before me by **Marilyn Louise DIXON** at **Bingara** on **Tuesday 11<sup>th</sup> January 2022**.



**Councillor Tiffany Galvin**

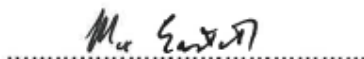
**Oath**

I **Tiffany GALVIN** swear that I will undertake the duties of the office of councillor in the best interests of the people of Gwydir and the Gwydir Shire Council and that I will faithfully and impartially carry out the functions, powers, authorities and discretions vested in me under the Local Government Act 1993 or any other Act to the best of my ability and judgment.



**Cr. Tiffany GALVIN**

I, Maxwell Thomas Eastcott-Layton, NSW JP Registration Number 168195 certify that the above Oath of Office was sworn before me by **Tiffany GALVIN** at **Bingara** on **Tuesday 11<sup>th</sup> January 2022**.

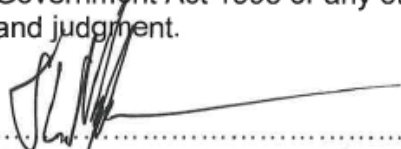




**Councillor James Lyndon MULLIGAN**

**Oath**

I **James Lyndon MULLIGAN** swear that I will undertake the duties of the office of councillor in the best interests of the people of Gwydir and the Gwydir Shire Council and that I will faithfully and impartially carry out the functions, powers, authorities and discretions vested in me under the Local Government Act 1993 or any other Act to the best of my ability and judgment.

  
.....  
**Cr. James Lyndon MULLIGAN**

I, Maxwell Thomas Eastcott-Layton, NSW JP Registration Number 168195 certify that the above Oath of Office was sworn before me by **James Lyndon MULLIGAN** at **Bingara** on **Tuesday 11<sup>th</sup> January 2022**.

  
.....

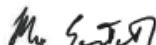
**Councillor Christopher Michael Matthews**

**Affirmation**

I **Christopher Michael MATTHEWS** solemnly and sincerely declare and affirm that I will undertake the duties of the office of councillor in the best interests of the people of Gwydir and the Gwydir Shire Council and that I will faithfully and impartially carry out the functions, powers, authorities and discretions vested in me under the Local Government Act 1993 or any other Act to the best of my ability and judgment.

  
.....  
**Cr. Christopher Michael MATTHEWS**

I, Maxwell Thomas Eastcott-Layton, NSW JP Registration Number 168195 certify that the above Affirmation of Office was sword before me by **Christopher Michael MATTHEWS** at **Bingara** on **Tuesday 11<sup>th</sup> January 2022**.

  
.....

**Councillor Geoffrey Kingsford SMITH**


**Oath**

I **Geoffrey Kingsford SMITH** swear that I will undertake the duties of the office of councillor in the best interests of the people of Gwydir and the Gwydir Shire Council and that I will faithfully and impartially carry out the functions, powers, authorities and discretions vested in me under the Local Government Act 1993 or any other Act to the best of my ability and judgment.



.....  
**Cr. Geoffrey Kingsford SMITH**

I, Maxwell Thomas Eastcott-Layton, NSW JP Registration Number 168195 certify that the above Oath of Office was sworn before me by **Geoffrey Kingsford SMITH** at **Bingara** on **Tuesday 11<sup>th</sup> January 2022**.



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**Item 2 Election of the Mayor****FILE REFERENCE** 21/31456**DELIVERY PROGRAM****GOAL:** 5. Organisational Management**OUTCOME:** 5.1 CORPORATE MANAGEMENT**STRATEGY:** 5.1.3 Administrative functions - GM - internal**AUTHOR** General Manager**STAFF DISCLOSURE OF INTEREST** Nil**IN BRIEF/ SUMMARY RECOMMENDATION**

The *Local Government Act* and Regulations provide that Councillors elect a Mayor from among their number; unless there is a decision in force that the Mayor is elected by the electors. The relevant process is outlined in the attached documentation.

Section 230(1) of the *Local Government Act, 1993*, provides that the Mayor is elected for a two year term.

**TABLED ITEMS** Nil**BACKGROUND**

Nominations may be received up until the election on the day of the Council's Meeting.

The Council has, in the past, not used 'open voting' nor has it used an 'ordinary ballot' when 3 or more candidates have nominated for the position.

In the past, as the Returning Officer it has also been my practice to request a person from the gallery to act as a scrutineer, if any members of the public are in attendance.

**RETURNING OFFICER'S RECOMMENDATION**

(If an election is required) either:

(Only 2 candidates nominating)

THAT the election for the Mayor be held with an ordinary ballot.

OR

(3 or more candidates nominating)

THAT the election for the Mayor be held with a preferential ballot.

AND

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FURTHER that the ballot paper are destroyed immediately following the declaration of the poll.

### **ATTACHMENTS**

**AT-** Election procedure

**AT-** Nomination Form

### **ELECTION RESULT**

**The Returning Officer announced that the following Councillor had been nominated for the position of Mayor:**

**Cr. J Coulton (Nominated by Cr Galvin and Cr Egan).**

**Cr J Coulton indicated his acceptance of the nomination.**

**The Returning Officer called for any further nominations.**

**There being no further nominations and following the nominee's acceptance of the nomination, Cr John Coulton was declared elected.**

**Following the declaration of the election Cr J Coulton thanked his fellow Councillors for their continuing confidence in his ability to perform the role and expressed his deep belief that holding the position of Mayor is a genuine privilege that he doesn't take for granted.**

**He also noted that he felt he worked with a fine group of Councillors who collectively made up a great team especially the way they publicly supported resolutions, which they may not have originally supported.**

**He welcomed the newly elected Councillors into the team.**

## Fact Sheet

# ELECTION OF MAYOR AND DEPUTY MAYOR BY COUNCILLORS



## Summary

Councillors must elect a mayor from among their number every two years unless they have a popularly elected mayor.

Councillors may also elect a deputy mayor. The deputy mayor may be elected for the mayoral term or a shorter term.

The election of the mayor and the deputy mayor must be conducted in accordance with clause 394 and Schedule 7 of the *Local Government (General) Regulation 2005* (the Regulation).

The purpose of this document is to assist councils to conduct mayoral and deputy mayoral elections in accordance with these requirements. It includes scripts for key activities to help returning officers exercise their functions. These scripts are provided in the text boxes inserted in the relevant parts of this document.

## How can councils use this document?

Electing a mayor is an important activity. It is vital that the process is smooth, open and easy to follow and not rushed or confusing. Where necessary, it may be appropriate to stop and provide clarification for the benefit of councillors, staff or the gallery.

Returning officers can circulate this document prior to the meeting to help councillors understand the election process.

## Election of a mayor after an ordinary election of councillors

An election for mayor must be held within three weeks of the declaration of the ordinary election at a meeting of the council.

The returning officer is to be the general manager or a person appointed by the general manager.

As no mayor or deputy mayor will be present at the start of the meeting, the first business of the meeting should be the election of a chairperson to preside at the meeting. Alternatively, the returning officer may assume the chair for the purpose of conducting the election.

## Mid-term election of a mayor

A mayor elected by councillors holds office for two years. A mid-term mayoral election must be held in the September two years after the ordinary election of councillors or the first election of a new council following its establishment.

## Procedures

### Prior to the meeting

Before the council meeting at which the election is to be conducted, the returning officer will give notice of the election to the councillors.

The notice is to set out how a person may be nominated as a candidate for election as chairperson.

*As returning officer, I now invite nominations for the position of mayor/deputy mayor for [name of council] for a two year period.*

*In accordance with the Local Government (General) Regulation 2005, two or more councillors may nominate a councillor (one of whom may be the nominee) for the position of mayor/deputy mayor. Nominations must be in writing and the nominee must consent to their nomination in writing.*

A councillor may be nominated without notice for election as mayor or deputy mayor. The nomination is to be made in writing by two or more councillors (one of whom may be the nominee). The nomination is not valid unless the nominee has indicated consent to the nomination in writing.

The returning officer checks the nomination forms and writes the nominees' names on a candidates' sheet.

### At the meeting

At the start of the first meeting after an ordinary election, in the absence of a chairperson, the returning officer assumes the chair and announces that the first item of business is to be the election of a mayor.

If a chairperson is present, they announce that the first item of business is the election of the mayor then vacates the chair for the returning officer who will then conduct the election.

The returning officer reads out the names of the nominees and seeks confirmation that the nominee has accepted the nomination.

If only one councillor has been nominated for the position of mayor/deputy mayor, the nominee is elected.

*As there is only one nominee for the role of mayor/deputy mayor, I declare that [name of successful candidate] is elected as mayor/deputy mayor for the ensuing two years.*

If more than one candidate has been nominated, the council must determine by resolution, the method of voting for the position of mayor/deputy mayor, by way of one of the following methods:

- Open voting – i.e. by show of hands
- Ordinary ballot – i.e. a secret ballot (place an "X" against the candidate of their choice)
- Preferential ballot – i.e. place 1, 2, 3 etc. against each candidate.

The returning officer must ask for a motion to be put to the meeting by one of the councillors on the preferred method of voting for the election of a chairperson. This must then be seconded and voted on by the councillors.

**Note:** In the event of a tie, if there is a chairperson, they may use their casting vote. If there is a tie and no chairperson, an election for the role of chairperson should be conducted. Then the election for mayor resumes.

### Open voting (show of hands)

Open voting is the most transparent method of voting. It is also the least bureaucratic method and reflects normal council voting methods.

The returning officer will advise the meeting of the method of voting and explains the process.

*It has been resolved that the method of voting for the position of mayor/deputy mayor will be by show of hands.*

*Each councillor is entitled to vote for only one candidate in each round of voting.*

*I will now write each candidate's name on a slip of paper and deposit it in a barrel. The first name out of the barrel will be written first on the tally sheet, with second name out being written second on the tally sheet, etc.*

When all candidates' names have been written on the tally sheet, the returning officer announces the names of the candidates and, commencing with the first candidate, states the following:

*Would those councillors voting for [name of candidate] please raise your hand.*

The returning officer records the number of votes for each successive candidate on the tally sheet and announces the number of votes received for each candidate.

The minute taker records the vote of each councillor.

The returning officer should check with the minute taker that each councillor has voted. If a councillor has not voted it should be confirmed that they are abstaining (an informal vote).

### Two candidates

If there are only two candidates for the position of mayor/deputy mayor and the voting is higher for one candidate than another (number of formal votes recorded on the tally sheet), the returning officer then announces the result.

*[Name of candidate] has the higher number of formal votes and as a result I declare that [name of candidate] is elected as mayor/deputy mayor for the ensuing two years.*

In the event of a **tied vote**, the returning officer will advise the meeting of the following process.

*In accordance with clause 12 of Schedule 7 of the Local Government (General) Regulation 2005, I will now write the*

*names of the candidates on similar slips of paper, fold them and place them in the barrel. Please note that the candidate whose name is drawn out will be declared as mayor/deputy mayor.*

It is appropriate to show the meeting the names and the barrel. Councillors may inspect but not touch the items.

The returning officer places the names of the candidates into the barrel and requests a staff member to shake the barrel.

The returning officer then draws a name out of the barrel and shows the meeting.

*I declare that [name of candidate] is elected as mayor/deputy mayor for the ensuing two years.*

The returning officer then draws out the remaining name and reads it for completeness. The second name should be shown to the meeting.

### Three or more candidates

If there are three or more candidates, the candidate with the lowest number of votes for the position of mayor/deputy mayor is excluded.

*[Name of candidate], having the lowest number of votes, is excluded.*

The voting continues as above until there are only two candidates remaining (see voting for **two candidates** above).

In the event that the **lowest number of votes are tied**, the returning officer advises the meeting of the following process:

*In accordance with clause 12 of Schedule 7 of the Local Government (General) Regulation 2005, I will now write the names of the candidates on similar slips of paper, fold them and place them in the barrel. Please note that the candidate whose name is drawn out will be excluded.*

It is appropriate to show the meeting the names and the barrel. Councillors may inspect but not touch the items.

The returning officer places the names of the candidates into the barrel and requests a staff member to shake the barrel.

The returning officer then draws a name out of the barrel and shows it to the meeting.

*I declare that [name of candidate] is excluded.*

The returning officer then draws out the remaining name and reads it for completeness. The second name should be shown to the meeting.

### Ordinary ballot – (secret ballot)

The returning officer advises the meeting of the method of voting and explains the process.

*It has been resolved that the method for voting for the position of mayor/deputy mayor will be by ordinary ballot, in other words by placing an "X" against the candidate of the councillor's choice.*

The returning officer announces the names of the candidates for mayor/deputy mayor and writes each name on a slip of paper and deposits it in a barrel.

The returning officer requests that a staff member shakes the barrel and advises that the order in which the names will appear on the ballot paper will be determined by a draw out of the barrel, i.e. first name out of the barrel is written first on the ballot papers and so on.

It will be necessary to have a number of blank papers as this process may require more than one round of voting.

The returning officer writes the names on one set of the ballot papers and initials the front of each ballot paper.

A staff member distributes the ballot papers and collects them into the ballot box when completed and gives it to the returning officer who counts the votes and records them on the tally sheet.

The returning officer announces the results.

*[Name of candidate], having the lowest number of votes, is excluded.*

In the event that the **lowest number of votes are tied**, the returning officer advises the meeting of the following process:

*In accordance with clause 12 of Schedule 7 of the Local Government (General) Regulation 2005, I will now write the names of the candidates on similar slips of paper, fold them and place them in the barrel. Please note that the candidate whose name is drawn out will be excluded.*

It is appropriate to show the meeting the names and the barrel. Councillors may inspect but not touch the items.

The returning officer places the names of the candidates into the barrel and requests a staff member to shake the barrel.

The returning officer then draws a name out of the barrel and shows it to the meeting.

*I declare that [name of candidate] is excluded.*

The returning officer then draws out the remaining name and reads it for completeness. The second name should be shown to the meeting.

The returning officer writes the names of the remaining candidates on a further set of the ballot papers and initials the front of each ballot paper.

The staff member distributes ballot papers listing the remaining candidates and collects them into the ballot box when completed and gives it to the returning officer who again counts the votes and records them on the tally sheet and announces the results.

The process continues until two candidates remain, where a final vote takes place.

*[Name of candidate] has the higher number of votes and I declare that [name of candidate] is elected as mayor/deputy mayor for the ensuing two years.*

In the event of a **tied vote** between the two remaining candidates, the returning officer makes the following statement and announces the process.

*The votes are tied between [name of candidate 1] and [name of candidate 2] having received [number] votes each, and, in accordance with clause 12 of Schedule 7 of the Local Government (General) Regulation 2005, I will now write the names of the candidates on similar slips of paper, fold them and place them in the barrel.*

*Please note that the candidate whose name is drawn out will be declared as mayor/deputy mayor.*

It is appropriate to show the meeting the names and the barrel. Councillors may inspect but not touch the items.

The returning officer places the names of the candidates into the barrel and requests that a staff member shakes the barrel.

The returning officer then draws a name out of the barrel and shows the meeting.

*I declare that [name of candidate] is elected as mayor/deputy mayor for the ensuing two years.*

The returning officer then draws out the remaining name and reads it for completeness. The second name should be shown to the meeting.



### Preferential ballot

The returning officer explains the process.

*It has been resolved that the method for voting for the position of mayor/deputy mayor will be by preferential ballot, i.e. placing 1, 2 and so on against the candidate of the councillor's choice in order of preference for all candidates.*

The returning officer announces the names of the candidates for mayor/deputy mayor and writes each candidate's name on a slip of paper and deposits it in a barrel.

The returning officer requests that a staff member shakes the barrel and advises that the order in which the names will appear on the ballot paper will be determined by a draw out of the barrel, i.e. first name out of the barrel is written first on the ballot papers and so on.

The returning officer writes the names on the ballot papers and initials the front of each ballot paper. This method of voting requires only one set of ballot papers.

A staff member distributes the ballot papers and collects them when completed and gives them to the returning officer who counts the first preference votes and records them on the tally sheet.

If a candidate has an absolute majority of first preference votes (more than half), the returning officer declares the outcome.

*[Name of candidate], having an absolute majority of first preference votes, is elected as mayor/deputy mayor for the ensuing two years.*

If no candidate has the absolute majority of first preference votes, the returning officer excludes the candidate with the lowest number of first preference votes.

*[Name of candidate], having the lowest number of first preference votes, is excluded.*

The preferences from the excluded candidate are distributed. This process continues until one candidate has received an absolute majority of votes, at which time the returning officer announces the result.

*[Name of candidate], having an absolute majority of votes, is elected as mayor/deputy mayor for the ensuing two years.*

In the event of a **tied vote** where there are only two candidates remaining in the election, the returning officer explains the process.

*The votes are tied between [name of candidate 1] and [name of candidate 2] having received [number] votes each, and, in accordance with clause 12 of Schedule 7 of the Local Government (General) Regulation 2005, I will now write the names of the candidates on similar slips of paper, fold them and place them in the barrel. Please note that the candidate whose name is drawn out will be declared as mayor/deputy mayor.*

It is appropriate to show the meeting the names and the barrel. Councillors may inspect but not touch the items.

The returning officer places the names of the candidates into the barrel and requests a staff member to shake the barrel. The returning officer then draws a name out of the barrel and shows the meeting.

*I declare that [name of candidate] is elected as mayor/deputy mayor for the ensuing two years.*

The returning officer then draws out the remaining name and reads it for completeness. The second name should be shown to the meeting.

In the event that the **lowest number of votes are tied** and where there are three or more candidates remaining in the election, the returning officer advises the meeting of the process.

*In accordance with clause 12 of Schedule 7 of the Local Government (General) Regulation 2005, I will now write the names of the candidates on similar slips of paper, fold them and place them in the barrel. Please note that the candidate whose name is drawn out will be excluded and their preferences distributed.*

It is appropriate to show the meeting the names and the barrel. Councillors may inspect but not touch the items.

The returning officer places the names of the candidates into the barrel and requests that a staff member shakes the barrel.

The returning officer then draws a name out of the barrel and shows the meeting.

*I declare that [name of candidate] is excluded and any votes cast for them will be distributed by preference.*

The returning officer then draws out the remaining name and reads it for completeness. The second name should be shown to the meeting.



## Schedule 7 - Election of Mayor by Councillors

### Part 1 Preliminary

#### 1 Returning officer

The general manager (or a person appointed by the general manager) is the returning officer.

#### 2 Nomination

- (1) A councillor may be nominated without notice for election as mayor or deputy mayor
- (2) The nomination is to be made in writing by 2 or more councillors (one of whom may be the nominee). The nomination is not valid unless the nominee has indicated consent to the nomination in writing.
- (3) The nomination is to be delivered or sent to the returning officer.
- (4) The returning officer is to announce the names of the nominees at the council meeting at which the election is to be held.

#### 3 Election

- (1) If only one councillor is nominated, that councillor is elected.
- (2) If more than one councillor is nominated, the council is to resolve whether the election is to proceed by preferential ballot, by ordinary ballot or by open voting.
- (3) The election is to be held at the council meeting at which the council resolves on the method of voting.
- (4) In this clause:  
*ballot* has its normal meaning of secret ballot.  
*open voting* means voting by a show of hands or similar means.

### Part 2 Ordinary ballot or open voting

#### 4 Application of Part

This Part applies if the election proceeds by ordinary ballot or by open voting.

#### 5 Marking of ballot-papers

- (1) If the election proceeds by ordinary ballot, the returning officer is to decide the manner in which votes are to be marked on the ballot-papers.
- (2) The formality of a ballot-paper under this Part must be determined in accordance with clause 345 (1) (b) and (c) and (6) of this Regulation as if it were a ballot-paper referred to in that clause.
- (3) An informal ballot-paper must be rejected at the count.

#### 6 Count—2 candidates

- (1) If there are only 2 candidates, the candidate with the higher number of votes is elected.
- (2) If there are only 2 candidates and they are tied, the one elected is to be chosen by lot.

#### 7 Count—3 or more candidates

- (1) If there are 3 or more candidates, the one with the lowest number of votes is to be excluded.
- (2) If 3 or more candidates then remain, a further vote is to be taken of those candidates and the one with the lowest number of votes from that further vote is to be excluded.
- (3) If, after that, 3 or more candidates still remain, the procedure set out in subclause (2) is to be repeated until only 2 candidates remain.
- (4) A further vote is to be taken of the 2 remaining candidates.
- (5) Clause 6 of this Schedule then applies to the determination of the election as if the 2 remaining candidates had been the only candidates.
- (6) If at any stage during a count under subclause (1) or (2), 2 or more candidates are tied on the lowest number of votes, the one excluded is to be chosen by lot.

### Part 3 Preferential ballot

#### 8 Application of Part

This Part applies if the election proceeds by preferential ballot.

#### 9 Ballot-papers and voting

- (1) The ballot-papers are to contain the names of all the candidates. The Councillors are to mark their votes by placing the numbers "1", "2" and so on against the various names so as to indicate the order of their preference for all the candidates.
- (2) The formality of a ballot-paper under this Part is to be determined in accordance with clause 345 (1) (b) and (c) and (5) of this Regulation as if it were a ballot-paper referred to in that clause.
- (3) An informal ballot-paper must be rejected at the count.

#### 10 Count

- (1) If a candidate has an absolute majority of first preference votes, that candidate is elected.
- (2) If not, the candidate with the lowest number of first preference votes is excluded and the votes on the unexhausted ballot-papers counted to him or her are transferred to the candidates with second preferences on those ballot-papers.
- (3) A candidate who then has an absolute majority of votes is elected, but, if no candidate then has an absolute majority of votes, the process of excluding the candidate who has the lowest number of votes and counting each of his or her unexhausted ballot-papers to the candidates remaining in the election next in order of the voter's preference is repeated until one candidate has received an absolute majority of votes. That candidate is elected.
- (4) In this clause, "**absolute majority**", in relation to votes, means a number that is more than one-half of the number of unexhausted formal ballot-papers.

#### 11 Tied candidates

- (1) If, on any count of votes, there are 2 candidates in, or remaining in, the election and the numbers of votes cast for the 2 candidates are equal—the candidate whose name is first chosen by lot is taken to have received an absolute majority of votes and is therefore taken to be elected.
- (2) If, on any count of votes, there are 3 or more candidates in, or remaining in, the election and the numbers of votes cast for 2 or more candidates are equal and those candidates are the ones with the lowest number of votes on the count of the votes—the candidate whose name is first chosen by lot is taken to have the lowest number of votes and is therefore excluded.

### Part 4 General

#### 12 Choosing by lot

To choose a candidate by lot, the names of the candidates who have equal numbers of votes are written on similar slips of paper by the returning officer, the slips are folded by the returning officer so as to prevent the names being seen, the slips are mixed and one is drawn at random by the returning officer and the candidate whose name is on the drawn slip is chosen.

#### 13 Result

The result of the election (including the name of the candidate elected as mayor or deputy mayor) is:

- a) to be declared to councillors at the council meeting at which the election is held by the returning officer, and
- b) to be delivered or sent to the Departmental Chief Executive and to the Chief Executive of Local Government New South Wales.

GWYDIR SHIRE COUNCIL  
NOMINATION FOR MAYOR

We hereby nominate:

Cr. John Coulton for  
the position of Mayor

Cr. Tiffany Galvin

Cr. Catherine F. Egan

I consent to the above nomination

Cr. John Coulton

**Item 3 Election of Deputy Mayor**

**FILE REFERENCE** 21/31466

**DELIVERY PROGRAM**

**GOAL:** 5. Organisational Management

**OUTCOME:** 5.1 CORPORATE MANAGEMENT

**STRATEGY:** 5.1.3 Administrative functions - GM - internal

**AUTHOR** General Manager

**STAFF DISCLOSURE OF INTEREST** Nil

**IN BRIEF/ SUMMARY RECOMMENDATION**

1. Section 231 of the *Local Government Act, 1993* provides that Council may elect a Deputy Mayor. If Council wishes to do so it should resolve accordingly
2. The same provisions apply for the election as for the Mayor except that the Term of Office may be determined by Council to be either the Mayoral Term or a shorter period. This has always been nominated as the Mayoral term of one year, which has now been increased to a two year term. It is recommended that the term of the Deputy Mayor remains as the same as the Mayoral term.

A nomination form is enclosed with this Agenda. Nominations may be received up until the election on the day of the Council's Meeting.

**OFFICER RECOMMENDATION**

THAT the Council elects a Deputy Mayor for the 2021/2023 Mayoral term.

(If an election is required) either:

(Only 2 candidates nominating)

FURTHER that the election for the Deputy Mayor be held with an ordinary ballot.

OR

(3 or more candidates nominating)

FURTHER that the election for the Deputy Mayor be held with a preferential ballot.

AND

FURTHER that the ballot papers are destroyed immediately following the declaration of the poll.

This is page number 20 of the minutes of the Ordinary Meeting held on Tuesday 11 January 2022

Chairman .....

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**ATTACHMENTS**

**AT-** Nomination Form

**COUNCIL RESOLUTION:  
MINUTE 3/22**

**THAT the Council elects a Deputy Mayor for the 2021/2023 Mayoral term.**

**(Moved Cr Coulton, seconded Cr Smith)**

**ELECTION RESULT**

**The Returning Officer announced that the following Councillor had been nominated for the position of Deputy Mayor:**

**Cr. Egan (Nominated by Cr Galvin and Cr J Coulton).**

**Cr Egan indicated her acceptance of the nomination.**

**The Returning Officer called for any further nominations.**

**There being no further nominations and following the nominee's acceptance of the nomination, Cr Catherine Egan was declared elected.**

**Cr Egan thanked her fellow Councillors for their continuing confidence.**

GWYDIR SHIRE COUNCIL  
NOMINATION FOR DEPUTY MAYOR

We hereby nominate:

Cr. Catherine Egan for  
the position of Deputy Mayor

Cr. Tiffany Galvin

Cr. John Leeson

I consent to the above nomination

Cr. B. Egan

**Item 4 Proposed Meeting Cycle**

**FILE REFERENCE** 21/31467

**DELIVERY PROGRAM**

**GOAL:** 5. Organisational Management

**OUTCOME:** 5.1 CORPORATE MANAGEMENT

**STRATEGY:** 5.1.3 Administrative functions - GM - internal

**AUTHOR** General Manager

**STAFF DISCLOSURE OF INTEREST** Nil

This report recommends the adoption of the draft meeting cycle for 2022 up to the September 2022 Council Ordinary Meeting.

**BACKGROUND**

The following arrangements exist at present in respect of the Council's meeting cycle:

The Ordinary Council meetings are scheduled for the last Thursday of each month, usually commencing at 9am, unless there is a conflict with other events.

The Standing Committee meetings are scheduled for the second Thursday of each month, if required, and usually commence at 9am.

Manner of giving notice of Meetings:

The Business Papers and summons for the Ordinary Council and Committee Meetings are issued electronically no later than the close of business on the Friday prior to the meetings. Any Councillor may request a hard copy of the Business Paper.

It has been the practice to alternate the meeting venues monthly between Warialda and Bingara. The social distancing rules and Covid restrictions since March 2020 has meant meetings have been confined to the Roxy Meeting Room in Bingara.

There are planned renovations that are scheduled at the Warialda Council Chambers for the first three or four months of 2022. The renovations cannot commence until the Council secures an agreement with the Department of justice, which is being negotiated, for the toilets located at the rear of the Warialda Court House being available for use as public toilets. This will then allow the current public toilets at the rear of the existing Warialda council Chambers to be closed and form a component of the proposed renovations.

Once adopted the proposed meeting cycle must be advertised for the information of the public.

This is page number 23 of the minutes of the Ordinary Meeting held on Tuesday 11 January 2022

Chairman .....

The proposed meeting schedule is outlined below:

Suggested Meeting Cycle - 2022			
Date	Meeting/s	Location	Comments
9 am Thursday 14 and 15 February 2022	Councillor Induction	The Living Classroom	Presenter is Mr Stephen Blackadder
9 am Thursday 24 February 2022	Ordinary Council	Roxy Meeting Room Bingara	LG NSW Special Conference scheduled for 28 Feb to 2 March
9 am Thursday 10 March 2022	Standing Committee	Roxy Meeting Room Bingara	
9 am Thursday 24 March 2021	Ordinary Council	Roxy Meeting Room Bingara	
Thursday 14 April 2022	No Committee Meetings	Roxy Meeting Room Bingara	Easter 15-18 April
9 am Thursday 28 April 2022	Ordinary Council	Roxy Meeting Room Bingara	
9 am Thursday 12 May 2022	Standing Committee	To be advised	
9 am Thursday 26 May 2022	Ordinary Council	To be advised	
9 am Thursday 9 June 2022	Standing Committee	Roxy Meeting Room Bingara	
9 am Thursday 23 June 2022	Ordinary Council	Roxy Meeting Room Bingara	Possible clash with ALGA General Assembly TBC Adoption of 2022-2023 Budget
9 am Thursday 14 July 2022	Standing Committee	To be advised	
9 am Thursday 28 July 2022	Ordinary Council	To be advised	
9 am Thursday 11 August 2022	Standing Committee	Roxy Meeting Room Bingara	
9 am Thursday 25 August 2022	Ordinary Council	Roxy Meeting Room Bingara	
9 am Thursday 8 September 2022	Standing Committee	To be advised	
9 am Thursday 29 September 2022	Ordinary Council	To be advised	

#### OFFICER RECOMMENDATION

THAT the meeting cycle outlined is adopted for advertising.

#### ATTACHMENTS

There are no attachments for this report.

#### COUNCIL RESOLUTION: MINUTE 4/22

**THAT the meeting cycle outlined is adopted for advertising.**

**(Moved Cr Moore, seconded Cr (Dr.) Matthews)**

This is page number 24 of the minutes of the Ordinary Meeting held on Tuesday 11 January 2022

Chairman .....



**Item 5 Election Outcome****FILE REFERENCE** 21/33359**DELIVERY PROGRAM****GOAL:** 5. Organisational Management**OUTCOME:** 5.1 CORPORATE MANAGEMENT**STRATEGY:** 5.1.3 Administrative functions - GM - internal**AUTHOR** General Manager**STAFF DISCLOSURE OF INTEREST** Nil**IN BRIEF/ SUMMARY RECOMMENDATION**

This report recommends that the Council resolve and declare that any such casual vacancy occurring within 18 months of the election is to be filled by a countback of votes cast at the last election for that office.

**TABLED ITEMS** Nil**BACKGROUND**

The Local Government Elections were held on 4<sup>th</sup> December 2021.

The total of enrolled voters for Gwydir Shire at the closure of the roll on 25<sup>th</sup> October 2021 was 3,771. The number of ballot papers counted was 3,073 or 81.49%. Of the ballot papers counted, 2,940 were formal votes and there were 133 informal votes or 4.33%. The quota was 295.

The following candidates were declared elected:

Elected with a quota of first preferences

John Coulton  
Tiffany Galvin  
Chris Matthews

Elected after first preference distribution

Marilyn Dixon  
David Coulton

Elected after second preference distribution

Jim Moore  
Catherine Egan

Elected after third preference distribution

Lyndon Mulligan

This is page number 25 of the minutes of the Ordinary Meeting held on Tuesday 11 January 2022

Chairman .....

Elected after fourth preference distribution  
Geoff Smith

The full spreadsheet outlining the preference distribution flow is attached.

## COMMENT

Section 291 A (1) (b) allows the incoming Council to determine that a casual vacancy that occurs within 18 months of the last ordinary election (ie 4<sup>th</sup> December 2021) may be filled by a countback of votes cast at the last election for that office. This process is being recommended in the report.

## STATUTORY ENVIRONMENT

### 291A COUNTBACK TO BE HELD INSTEAD OF BY-ELECTION IN CERTAIN CIRCUMSTANCES

- (1) This section applies to a casual vacancy in the office of a councillor if--
  - (a) the casual vacancy occurs within 18 months after the date of the last ordinary election of the councillors for the area, and
  - (b) the council has at its first meeting following that ordinary election of councillors, by resolution, declared that any such casual vacancy is to be filled by a countback of votes cast at the last election for that office.
- (2) This section does not apply to a casual vacancy in the office of a councillor if the councillor who vacated office was elected--
  - (a) in an election using the optional preferential voting system (including the election of a mayor elected by the electors of an area), or
  - (b) in an election without a poll being required to be held.
- (3) A casual vacancy to which this section applies is to be filled by a countback election conducted in accordance with the regulations.
- (4) A countback election to fill a casual vacancy to which this section applies must be conducted--
  - (a) if the election at which the person whose departure created the casual vacancy was elected was administered by the Electoral Commissioner--by a returning officer appointed by the Electoral Commissioner, or
  - (b) if the election at which the person whose departure created the casual vacancy was elected was administered by a returning officer appointed by an

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Chairman .....

electoral services provider engaged by the council--by a returning officer appointed by the electoral services provider.

- (5) If a countback election fails or the returning officer is otherwise unable to fill the casual vacancy by a countback election--
  - (a) the returning officer must notify the general manager of the council concerned, and
  - (b) a by-election in accordance with this Part must be held to fill the casual vacancy.
- (5A) If an electoral services provider engaged by the council is unable to appoint a returning officer for the purposes of subsection (4)(b), a by-election in accordance with this Part must be held to fill the casual vacancy.
- (6) This section does not apply to a casual vacancy in the office of a councillor if the vacancy occurs before the day prescribed for the purposes of this section by the regulations.

#### OFFICER RECOMMENDATION

THAT the Council resolves and declares that any casual vacancy occurring within 18 months of the ordinary election held on 4<sup>th</sup> December 2021 is to be filled by a countback of votes cast at the last election for that office.

#### ATTACHMENTS

AT- Preference Flow

#### COUNCIL RESOLUTION: MINUTE 5/22

**THAT the Council resolves and declares that any casual vacancy occurring within 18 months of the ordinary election held on 4<sup>th</sup> December 2021 is to be filled by a countback of votes cast at the last election for that office.**

**(Moved Cr Egan, seconded Cr Galvin)**

Count	Description	Type	Ballot Paper B/P (BP)	Transfer Value B/P (TV)	Surplus (\$)	Surplus Fraction (SF)	Continuing Transfer Value (CTV)	Votes To Be Transferred	DIXON Marilyn				MOORE Jim(Cumy)			
1	First Preference	F							BPs	Cand. Votes	DF		BPs	Cand. Votes	DF	
1			2,940					2,940.000000	293	293	0.000000		236	236	0.000000	
1	Total		2,940					2,940.000000	293	293	0.000000		236	236	0.000000	
1	First Preference	Progressive Total							293	293			236	236		
2	COULTON John	\$	617		322	0.521880										
2.1			617	1.000000			0.521880		24	12	0.525122		85	44	0.359066	
2	Total		617					322.000000	24	12	0.525122		85	44	0.359066	
2	COULTON John	Progressive Total							317	305			321	280		
3	GALVIN Tiffany	\$	449		154	0.346067										
3.1			449	1.000000			0.346067						71	24	0.570787	
3	Total		449					154.000000					71	24	0.570787	
3	GALVIN Tiffany	Progressive Total							317	305			392	304		
4	MATTHEWS Chris	\$	381		86	0.265432										
4.1			381	1.000000			0.265432									
4	Total		381					86.000000								
4	MATTHEWS Chris	Progressive Total							317	305			392	304		
5	COULTON David	\$	512		97	0.139855										
5.1			512	1.000000			0.139855									
5.2.1			250	0.521880			0.175276									
5	Total		512					66.835117								
5	COULTON David	Progressive Total						97.157857	317	305			392	304		

COLLTON David			YOUNG Frances			EGAN Catherine			GALVIN Tiffany		
BPs	Cand. Votes	DF	BPs	Cand. Votes	DF	BPs	Cand. Votes	DF	BPs	Cand. Votes	DF
262	262	0.00000	84	84	0.00000	200	200	0.00000	449	449	0.00000
262	262	0.00000	84	84	0.00000	200	200	0.00000	449	449	0.00000
262	262		84	84		200	200		449	449	
262	262		84	84		200	200		449	449	
250	130	0.470016	15	7	0.828201	113	58	0.972447			
250	130	0.470016	15	7	0.828201	113	58	0.972447			
512	392		99	91		313	258		449	449	
			84	29	0.069663	208	71	0.982022			
			84	29	0.069663	208	71	0.982022			
512	392		183	120		521	329		0	295	
			133	35	0.302469						
			133	35	0.302469						
512	392		316	155		521	329		0	295	
			68	22	0.838130						
			46	8	0.067694						
			114	30	0.900824						
0	295		430	185		521	329		0	295	

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Chairman .....

Chairman .....

**Item 6 November Investment Report****FILE REFERENCE** 22/264**DELIVERY PROGRAM****GOAL:** 5. Organisational Management**OUTCOME:** 5.1 CORPORATE MANAGEMENT**STRATEGY:** 5.1.1 Financial management and accountability systems -  
CFO - internal**AUTHOR** Manager, Finance**STAFF DISCLOSURE OF INTEREST** Nil**IN BRIEF/ SUMMARY RECOMMENDATION**

At each monthly Ordinary Meeting, the Council is presented with the schedule relating to Investments, as at the end of the previous month.

**TABLED ITEMS** Nil**BACKGROUND**

In accordance with Clause 19(3) of the Local Government (Financial Management) Regulation 1993, the following information provides details of Council's funds invested as at 30<sup>th</sup> November 2021.

Direct Investments							
Broker	ID	Investment Name	Rating	Type	Next Rollover	Yield	Current Value
NAB	2021.10	NAB	AA	TD	24/01/2021	0.26%	\$1,000,000.00
NAB	2021.2	NAB	AA	TD	24/01/2021	0.26%	\$1,000,000.00
NAB	2021.3	NAB	AA	TD	24/01/2021	0.26%	\$1,000,000.00
Grand Total							\$3,000,000.00

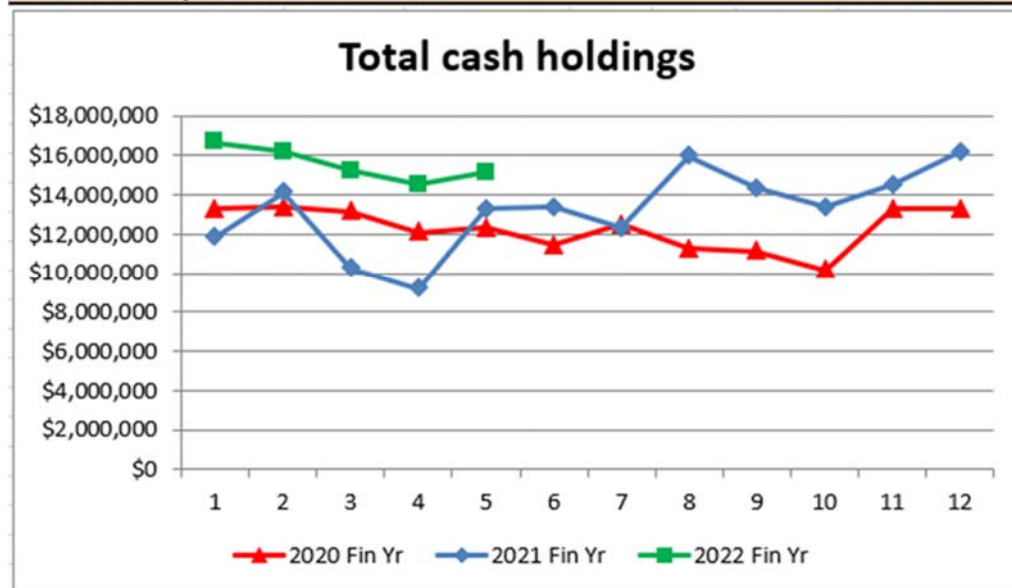
Managed Funds					
Fund	Investment Horizon	Type	3 Mth Avg Yield	Current Value	
Regional Australia Bank	At Call	Cash	See report	\$406,849.48	
Tcorp Cash Fund	At Call	Cash	See report	\$8,596,611.41	
Tcorp Medium Term Fund	At Call	Cash	See report	\$1,475,771.84	
Grand Total					\$10,479,232.73

Total Investments	
Direct Investments	\$3,000,000.00
Managed Funds	\$10,479,232.73
Grand Total	\$13,479,232.73



Cash and Investments	
Total Investments	
Direct Investments	\$3,000,000.00
Managed Funds	\$10,479,232.73
<b>Grand Total Investments</b>	<b>\$13,479,232.73</b>
Total Cash and Investments	
Investments	\$13,479,232.73
Cash at bank	\$ 2,067,507.75
<b>Grand Total Cash and Investments</b>	<b>\$15,546,740.48</b>
General Fund Cash	
<b>Total cash and investments</b>	<b>\$15,546,740.48</b>
<b>LESS:</b>	
Water fund*	-\$833,049.90
Sewer fund*	-\$2,829,240.86
Waste fund*	-\$3,512,625.05
<b>Other restrictions:</b>	
Employee leave entitlements*	-\$900,000.00
Carry over works in progress*	-\$5,034,350.00
Asset replacement*	-\$954,000.00
Bonds and deposits	-\$1,182,486.12
Developer contributions	-\$200,000.00
*These figures may change with end of year processing	
<b>Discretionary General Fund Cash</b>	<b>\$100,988.55</b>

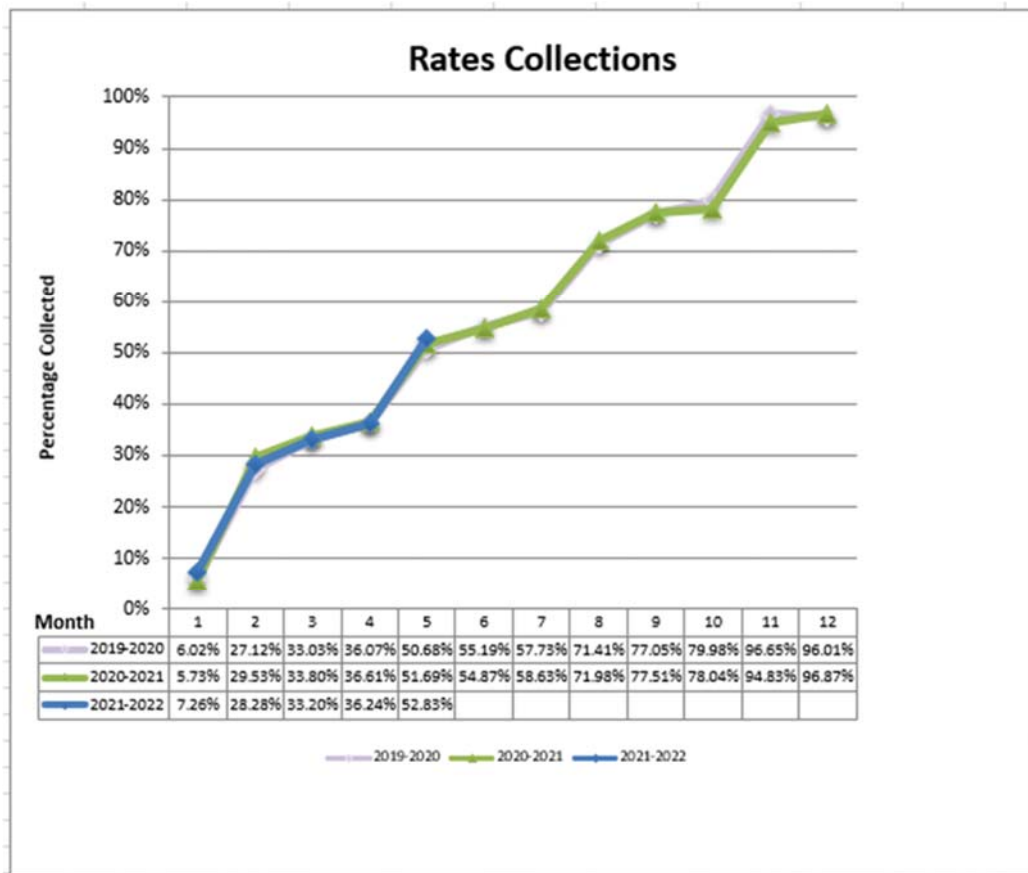


I, Helen Thomas, CFO and Responsible Accounting Officer for Gwydir Shire Council, certify that the Council's investments have been made in accordance

with the Local Government Act 1993, Local Government (General) Regulation 2005 and Council's Investment Policy, as amended.

## RATES COLLECTIONS

The graph below represents a comparative of the percentage collections for the current year against the two previous rating years. The current years collections are up to 30<sup>th</sup> November 2021.



## OFFICER RECOMMENDATION

THAT the November Investment report be received

## ATTACHMENTS

There are no attachments for this report.

## COUNCIL RESOLUTION: MINUTE 6/22

THAT the November Investment report be received.

(Moved Cr D Coulton, seconded Cr Egan)

**Item 7 December Investment Report**

**FILE REFERENCE** 22/266

**DELIVERY PROGRAM**

**GOAL:** 5. Organisational Management

**OUTCOME:** 5.1 CORPORATE MANAGEMENT

**STRATEGY:** 5.1.1 Financial management and accountability systems -  
CFO - internal

**AUTHOR** Manager, Finance

**STAFF DISCLOSURE OF INTEREST** Nil

**IN BRIEF/ SUMMARY RECOMMENDATION**

At each monthly Ordinary Meeting, the Council is presented with the schedule relating to Investments, as at the end of the previous month.

**TABLED ITEMS** Nil

**BACKGROUND**

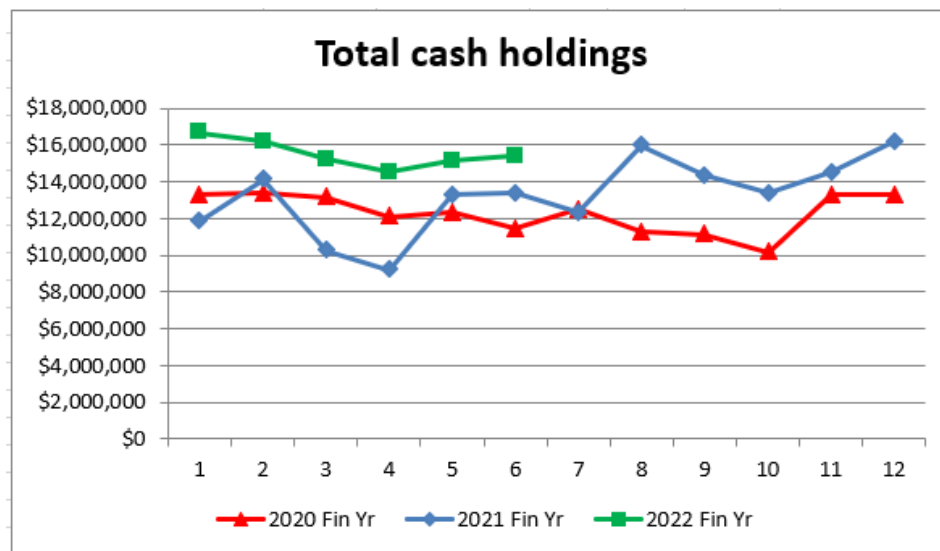
In accordance with Clause 19(3) of the Local Government (Financial Management) Regulation 1993, the following information provides details of Council's funds invested as at 31<sup>st</sup> December 2021.

Direct Investments							
Broker	ID	Investment Name	Rating	Type	Next Rollover	Yield	Current Value
NAB	2021.10	NAB	AA	TD	24/01/2021	0.26%	\$1,000,000.00
NAB	2021.2	NAB	AA	TD	24/01/2021	0.26%	\$1,000,000.00
NAB	2021.3	NAB	AA	TD	24/01/2021	0.26%	\$1,000,000.00
Grand Total							\$3,000,000.00
Managed Funds							
Fund	Investment	Horizon	Type	3 Mth Avg Yield	Current Value		
Regional Australia Bank		At Call	Cash	See report	\$406,849.48		
Tcorp Cash Fund		At Call	Cash	See report	\$8,598,452.01		
Tcorp Medium Term Fund		At Call	Cash	See report	\$1,490,629.09		
Grand Total							\$10,495,930.58
Total Investments							
Direct Investments							\$3,000,000.00
Managed Funds							\$10,495,930.58
Grand Total							\$13,495,930.58

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Chairman .....

Cash and Investments	
Total Investments	
Direct Investments	\$3,000,000.00
Managed Funds	\$10,495,930.58
<b>Grand Total Investments</b>	<b>\$13,495,930.58</b>
Total Cash and Investments	
Investments	\$13,495,930.58
Cash at bank	\$ 2,296,529.37
<b>Grand Total Cash and Investments</b>	<b>\$15,792,459.95</b>
General Fund Cash	
<b>Total cash and investments</b>	<b>\$15,792,459.95</b>
<b>LESS:</b>	
Water fund*	-\$833,049.90
Sewer fund*	-\$2,829,240.86
Waste fund*	-\$3,512,625.05
<b>Other restrictions:</b>	
Employee leave entitlements*	-\$900,000.00
Carry over works in progress*	-\$5,034,350.00
Asset replacement*	-\$954,000.00
Bonds and deposits	-\$1,182,486.12
Developer contributions	-\$200,000.00
*These figures may change with end of year processing	
<b>Discretionary General Fund Cash</b>	<b>\$346,708.02</b>



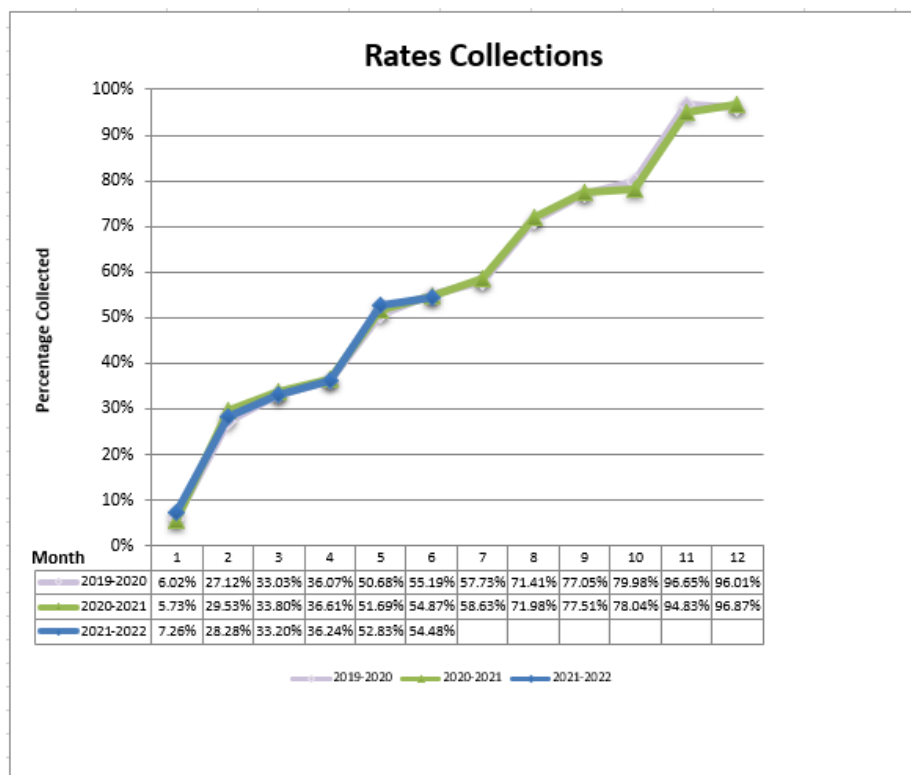
This is page number 36 of the minutes of the Ordinary Meeting held on Tuesday 11 January 2022

Chairman .....

I, Helen Thomas, CFO and Responsible Accounting Officer for Gwydir Shire Council, certify that the Council's investments have been made in accordance with the Local Government Act 1993, Local Government (General) Regulation 2005 and Council's Investment Policy, as amended.

## RATES COLLECTIONS

The graph below represents a comparative of the percentage collections for the current year against the two previous rating years. The current years collections are up to 31<sup>st</sup> December 2021.



## OFFICER RECOMMENDATION

THAT the December Investment report be received

## ATTACHMENTS

There are no attachments for this report.

## COUNCIL RESOLUTION: MINUTE 7/22

**THAT the December Investment report be received.**

**(Moved Cr D Coulton, seconded Cr Egan)**

This is page number 37 of the minutes of the Ordinary Meeting held on Tuesday 11 January 2022

Chairman .....

**Cr Tiffany Galvin**

**Gravesend Tip (Ref: 8/22)**

Cr Galvin advised the meeting that she has been advised that the Gravesend Tip is in need of maintenance as it is very untidy.

The need for maintenance will be addressed.

**Cr Jim Moore**

**Dawson Lots - development potential (Ref: 9/22)**

Cr Moore advised the meeting that Mr Dawson is endeavouring to put together the information he needs to move forward on possibly selling the 5 lots he has available. He has heard from Mrs Cox, Council's Planning Officer, but is yet to hear from the person responsible for Water and Sewerage availability to the land parcels.

The meeting was advised that the matter would be followed up and that Mr Dawson should seek an appointment with the planning staff to progress his potential application.

**Cr Lyndon Mulligan**

**Storm Damaged Roads (Ref: 10/22)**

Cr Mulligan asked several questions concerning road matters and after receiving a response from the Manager, Engineering Services, pointed out that it would be beneficial for the Council to be more active in promoting the issues faced in maintaining the Council's road network especially after the recent severe storm events.

Cr Mulligan advised the meeting that the Croppa Creek Tip also would benefit from some maintenance attention.

**Cr Catherine Egan**

**Road Closures (Ref: 11/22)**

Cr Egan asked whether the Council should consider closing Council's black soil roads during any significant storm events?

The general view was that the Council relies on the common-sense of its residents during storm events.

Cr John Coulton

**Various matters (Ref: MINUTE 12/22)**

1. Cr Coulton reminded the staff that he is keen to host a future meeting of the New England Joint Organisation at the Warialda Chambers and that the renovations should be seen as urgent as the proposed meeting date is approaching;
2. The Mayor confirmed that each town, Warialda and Bingara, both had Australia Day Ambassadors;
3. The Mayor advised the meeting that Australian Local Government Association's General Assembly will be held in Canberra from 19<sup>th</sup> to 22<sup>nd</sup> June 2022. Council endorsed motions may be lodged by 11:59pm on Friday 25 March 2022;
4. The meeting was reminded of the upcoming Local Government NSW Special Conference being held in Sydney from 28<sup>th</sup> February to 2<sup>nd</sup> March 2022. Any Councillor who has not, as yet, advised that they would like to attend should contact the office;
5. The meeting was advised that the General Manager authorised the acceptance of a quote of \$150,000 for urgent drainage works on I B Bore Road during the caretaker period; and;
6. The Mayor referenced the following letter which was received by all Councillors, other than Cr Mulligan, from J and J Tesoriero:

We operate a farming enterprise on 42 Wyanbah Road, WHITLOW, NSW 2404

We spoke to Peter Kennedy late 2015 early 2016 about the condition of Whitlow Road, Upper Whitlow Road and Michels Lane and was promised that the road was scheduled for major re-sheeting in 2018.

To date none of that re-sheeting has been done. The roads have got to the stage now that a livestock transport company will not come to our property if there has been rain or rain pending. We recently out loaded grain and when the truck drove out onto Michels Lane it could not get traction on the hill approaching the Upper Whitlow Road intersection. We had to organize two neighbours' tractors to pull him up onto some stable ground. It has got to the stage where we cannot effectively run our business.

Wyanbah Road and the road into our property has been resurfaced by ourselves and vehicles have no trouble getting in and out. Whitlow Road, Upper Whitlow Road and Michels Lane are the roads that let us down.

Council's grader came out in early November, whereby he skimmed his blade over the road. Each gateway including our main entrance on Michels Lane had a drain put in front of it. Any bog holes in the three roads named were graded up to each side and the holes were not repaired causing them to become water holes within the road. Concrete causeways on said roads had dirt graded over the top of them causing them to become slippery, sloppy crossings with the recent rain. We do not understand Council's thinking here.

Whitlow Road, Upper Whitlow Road and Michels Lane are a disgrace and dangerous. We believe that Council has received, several complaints about the condition of the roads, and it is only a matter of time that there will be a major accident, possibly causing fatality and Council is responsible.

A third party has advised us that Council is in receipt of flood funding from State Government to repair these roads. Our question is when as it is a matter of urgency.

The Council's Manager Engineering addressed the points raised in the letter and advised the meeting that a response will be forwarded to the complainants.

**Meeting closed 9.51 am**

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Chairman .....