Council Meeting
AGENDA

Members Crs K Mack (Chairperson), D Cameron, A Cohn, G Docksey, A Glachan, M King, J Stuchbery, D Thurley and H van de Ven

Staff General Manager

Apologies

Please be advised that the next **Council Meeting** will be held in the **Council Chambers**, AlburyCity Administration Building, Kiewa Street, Albury, **Monday 22 May 2017,** at **6.00pm**.

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Note *A light meal will be served at 5.15pm, at 'Charlies on Kiewa', for Councillors and staff required to attend the meeting.*

Frank Zaknich
General Manager

16 May 2017

CM1. OPENING PRAYER AND ACKNOWLEDGEMENT OF ORIGINAL CUSTODIANS OF OUR LAND

CM2. RECORDING AND WEBCASTING OF MEETING

In the spirit of open, accessible and transparent government, AlburyCity's Council and Committee Meetings are video recorded and webcast. By speaking at a Council or Committee Meeting, members of the public agree to being recorded and webcast. AlburyCity accepts no liability for any defamatory, discriminatory or offensive remarks or gestures that are made during the course of the Council or Committee Meeting. Opinions expressed or statements made by individuals are the opinions or statements of those individuals and do not imply any form of endorsement by AlburyCity.

Confidential meetings of Council will not be video recorded or webcast.

Recordings and webcasts are protected by copyright and owned by AlburyCity. No part may be copied, recorded, reproduced or transmitted without the prior written consent of the General Manager. Any recording or webcast is not, and shall not, be taken to be an official record of AlburyCity or discussion depicted therein. Only the official minutes may be relied upon as an official record of the meeting.

An audio recording of the Council or Committee Meeting will be taken for administrative and minute preparation purposes.

CM3. CONFLICT OF INTEREST DECLARATIONS RECEIVED BY THE CHAIR AND DISCLOSURE OF POLITICAL DONATIONS

CM4. APOLOGIES

CM5. MAYORAL MINUTE

CM6. ACTION PLANS

CM6.0. Nil

CM7. CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

CM7.1. Minutes of the Council Meeting held on Monday 24 April 2017 at 6.00pm

Present Crs K Mack (Chairperson), D Cameron, A Cohn, A Glachan, M King, J Stuchbery, D Thurley and H van de Ven

Apologies Cr G Docksey

Staff General Manager, Director Community & Recreation, Director Economic Development & Tourism, Director Engineering, Director Planning & Environment, Chief Financial Officer, Group Leader Communications, IT Network Administrator, Governance Officer

The Agenda for this meeting and Minutes of Committees included therein form part of these Minutes.

THE MEETING OPENED WITH THE PRAYER & ACKNOWLEDGMENT OF ORIGINAL CUSTODIANS OF OUR LAND

CM 2 RECORDING AND WEBCASTING OF MEETING

The Chairperson advised those present that the meeting is being being webcast and recorded. An audio recording will be made for administrative purposes.

CM 3 CONFLICT OF INTEREST DECLARATIONS RECEIVED BY THE CHAIR AND DISCLOSURE OF POLITICAL DONATIONS

3.1 Conflict of Interest Declarations

The Chairperson received the following Conflict of Interest Declarations:

- Cr Glachan declared a Non Pecuniary Less than Significant Conflict of Interest in relation to item CM14.2 Draft 2017/18 AlburyCity Community Fund Budget as she is an Ordinary Member of the Rotary Club of Albury Hume, and advised she would stay in the Chamber and participate in voting.
- Cr Stuchbery declared a Non Pecuniary Less than Significant Conflict of Interest in relation to item CM14.4 Draft 2017/18 Financial Assistance and Sponsorship Budget as his children attend the Scots School Albury, and advised he would stay in the Chamber and participate in voting.
- Mr James Jenkins declared a Non Pecuniary Less than Significant Conflict of Interest in relation to item CM14.8 Development Application 10.2016.34422.1 – 424 Lot Torrens Title Subdivision – 357 Kerr Road, Thurgoona as he is the Public Officer of an organisation that has made a submission to the Development Application, and advised he would leave the Chamber when the matter is discussed.

3.2 Disclosure of Political Donations and Requirements of the *Environmental Planning & Assessment Act 1979*

The General Manager advised those present, of the legislative requirement for Disclosure of Political Donations:

Advice to the Council Meeting

The Environmental Planning and Assessment Act 1979, Section 147 requires a person submitting planning applications or submissions regarding a planning application, to disclose any reportable political donation and/or gifts to any local Councillor or employee of Council. Reportable political donations include those of, or above, $1,000.

The Disclosure Statement forms are available on Council's website or from the Customer Service Centre and must be lodged in accordance with the Act. The forms are also available at the back of the Chamber during meetings.

In dealing with Development Applications, Councillors need to take into account specific matters contained in the Environmental Planning & Assessment Act 1979.

Accordingly, the provisions of Section 79C(1) of that Act are set out in the Council officers report detailing issues to be considered.

The Local Government Act 1993, section 375A requires that a division be called whenever a motion for a planning decision is put at a meeting of the council or a council committee.

Planning decision means a decision made in the exercise of a function of council under the Environmental Planning and Assessment Act 1979 including a decision relating to a development application, an environmental planning instrument, a development control plan or a development contribution plan under that Act, but not including the making of an order under Division 2A of Part 6 of that Act.
Matters appearing in the Planning and Development Committee Meeting minutes which require a planning decision to be made will be dealt with separately and immediately following the motion for the adoption of the Planning and Development Committee Meeting minutes. In respect to these matters, motions for a planning decision put before council will be considered a division and recorded in accordance with section 375A of the Local Government Act 1993.

There were no Disclosure Statements received by the Chairperson.

CM 4 APOLOGIES

Cr Stuchbery Moved, Cr Glachan Seconded
That Council receive, note and accept the apology of Cr G Docksey and grant leave of absence for the meeting.

CARRIED

CM 5 MAYORAL MINUTE

There was no Mayoral Minute.

CM 6 ACTION PLANS

6.1 Actions Complete – For Noting Only

6.2 Actions Awaiting Response from External Parties

6.3 Actions in Progress

6.4 Long Term Issues (more than three months)

Cr Thurley Moved, Cr Glachan Seconded
That Council receive, note and accept the Actions in Progress as listed in the Agenda.

CARRIED

CM 7 CONFIRMATION OF THE COUNCIL MINUTES

7.1 Minutes of the Council Meeting held on Monday 27 March 2017 at 6.00pm

Cr van de Ven Moved, Cr Glachan Seconded
That the Minutes of the Council Meeting held on Monday 27 March 2017, at 6.00pm, be confirmed.

CARRIED

CM 8 REPORTS FROM COUNCIL COMMITTEES

8.1 Report from the Planning & Development Committee Meeting held on Monday 10 April 2017 at 6.00pm

Cr Glachan Moved, Cr Thurley Seconded
That the recommendations included in the report from the Planning & Development Committee Meeting held on Monday 10 April 2017, at 6.00pm, be adopted.

CARRIED

8.2 Report from the Engineering & Works Committee Meeting held on Monday 10 April 2017 at 6.25pm

Cr van de Ven Moved, Cr Stuchbery Seconded
That the recommendations included in the report from the Engineering & Works Committee Meeting held on Monday 10 April 2017, at 6.25pm, be adopted.

CARRIED

CM 9 REPORT FROM THE COMMUNITY FORUM

There was no Community Forum.

CM 10 NOTICES OF MOTION/NOTICES OF RESCISSION

There were no Notices of Motion/Notices of Rescission.

CM 11 PRESENTATIONS & DEPUTATIONS

There were no Presentations or Deputations.

CM 12 REPORTS/MINUTES OF COMMITTEES & WORKING PARTIES

There were no Reports/Minutes of Committees and Working Parties.

CM 13 DOCUMENTS FOR SEALING

Cr Glachan Moved, Cr Stuchbery Seconded

That Council authorises its Seal to be affixed to the documents outlined below, in the presence of two signatories authorised to affix the Seal pursuant to Regulation 400 of the *Local Government (General) Regulation 2005* and the Use of the Council Seal Policy:

A. Certificate of Authority under the Swimming Pools Act 1992 for new starter – Lauren Angel.
B. AlburyCity lease to Adecco Group Australia – Suite 3, 3rd floor 553 Kiewa Street, Albury. 12 months commencing 27 March 2017.
C. AlburyCity lease to Albury 1908 Pty Ltd – Variation of Lease by minor change of core trading hours, extension of Lease term by five years and change of Guarantor of the Lease.
D. Loan agreement between AlburyCity and Albury Rugby League Football Club Inc. ($100,000) with a ten year payback period (interest free) for the Installation of sportsfield lighting at Greenfield Park, Albury.
E. Loan agreement between AlburyCity and New City Cricket Club Inc. ($50,000) with a ten year payback period (interest free) for the Sports Pavilion Construction at Urana Road Oval, Lavington.
F. Loan agreement between AlburyCity and Murray Magpies Football and Netball Club Inc. ($100,000) with a ten year payback period (interest free) for the Sports Pavilion Construction at Urana Road Oval, Lavington.

CARRIED

CM 14 OFFICERS REPORTS FOR CONSIDERATION

14.1 Draft Albury 2030 Community Strategic Plan

Cr Glachan Moved, Cr Thurley Seconded

That Council receives and notes the submissions received and changes to Albury 2030 resulting from the Public Exhibition period, and adopt the draft Albury 2030 Community Strategic Plan as final.

CARRIED

14.2 Draft 2017/18 AlburyCity Community Fund Budget

Cr Cohn Moved, Cr Cameron Seconded

That Council:

a. Adopt the following draft 2017/18 AlburyCity Community Fund projects outlined in the report and the budget allocations:
   i. Albury Hockey Centre Ground Improvements $34,726;
   ii. Albury Tennis Club Court Upgrade $43,000 - including a $10,000 interest free loan;
   iii. Albury Wodonga Table Tennis Association building extension $130,000 - including a $65,000 interest free loan;
   iv. JC King Park Sports Pavilion project $336,981 - including a $100,000 interest free loan;
   v. Rotary Club of Albury Hume reflection area at Browns Lagoon $6,500;
   vi. Thurgoona Community Centre $34,370; and
   vii. Defer funding to the Thurgoona Men's Shed for reconsideration in 12 months to allow them to seek additional funding sources and collaborate with similar community groups; and

b. Place the draft 2017/18 AlburyCity Community Fund Budget on public exhibition as part of Council's draft 2017/18 Operational Plan.

CARRIED

14.3 Draft Economic Development Policy

Cr Cohn Moved, Cr Thurley Seconded

That Council seek amendments to the draft Economic Development Policy and request that it be re-presented for further consideration.

CARRIED

14.4 Draft 2017/18 Financial Assistance and Sponsorship Budget

Cr Cohn Moved, Cr Cameron Seconded

That Council:

a. Adopt the draft 2017/18 Financial Assistance and Sponsorship Schedule (refer Attachment 1) with the exception of the proposed allocation to the Scots Schools Albury;

b. Provide the Scots School Albury with $5,574 of in-kind support for use of the Albury Entertainment Centre for a fundraising concert under AlburyCity's Financial Assistance and Sponsorship Program; and

c. Place the draft 2017/18 Financial Assistance and Sponsorship Schedule on public exhibition as part of Council's draft 2017/18 Operational Plan.

CARRIED

14.5 Draft 2017/18 Operational Plan, Draft 2017-2021 Four Year Delivery Program and Draft Long Term Financial Plan 2017-2027

Cr van de Ven Moved, Cr Thurley Seconded

That Council:

a. Adopt the draft 2017/18 Operational Plan, the draft 2017-2021 Four Year Delivery Program and the draft Long Term Financial Plan 2017-2027;

b. Place the draft plans on public exhibition for 28 days concluding on Friday 26 May 2017;

c. Consider any submissions received at an Extraordinary Meeting of Council to be held on Tuesday 13 June 2017, prior to final adoption of the plans; and

d. Accept the amendments as listed below:

1. That the fees and charges for the Lauren Jackson Sports Centre users be kept at 2016 levels for the 2017/18 financial year;
2. That a family fee be introduced for all sports at the Lauren Jackson Sports Centre, that would cap the price for participation in any sport at 250% of the adult fee for two adults and two or more children. This fee is to be introduced following further investigation by Council staff into the way it could be implemented into various sports;
3. That the Albury Wodonga Badminton Association be given a further $1,500 of in-kind or cash support for their Annual Tournament;
4. That the extension of screening on the fifth floor Volt Lane Carpark be brought forward to 2017-18;
5. That the Doctors Point Road Emergency Access be brought forward to 2017-18;
6. That the Monument Hill Landscape Plan improvements be brought forward to be done as soon as the detail design is completed;
7. That the Hovell Tree (Wood Fired Oven Area) Improvements be completed as one project;
8. In the Draft Schedule of Fees and Charges 14.5.20 att1 Nvi on page 33, change ‘amount for mixed waste up to 200kg’ from $15 to $5;
9. In the event that these amendments cause budgetary constraints in the year they are to be moved to, that other low priority/low impact projects be moved to accommodate these changes, and that any proposed moving of projects is ratified by Councillors through the Committee process; and
10. That Council staff prepare a comprehensive report on options for cemetery and crematoria fees as soon as practically available.

CARRIED

14.6 Albury Airport Terminal Upgrade Contract No. 16/01789

Cr Glachan Moved, Cr Thurley Seconded

That Council:

a. Accepts the tender from Southern Cross Developers for Contract No. 16/01789 - Albury Airport Terminal Upgrade Construction for the lump sum of $4,496,175.93 (including GST); and

b. Authorises the General Manager to negotiate a post award variation to include the café construction within the project scope, and that this information be communicated to Councillors as soon as possible.

CARRIED

14.7 Albury Waste Management Centre Bulk Earthworks Contract No. 16/02375

Cr van de Ven Moved, Cr Cameron Seconded

That Council accepts the tender received from DDT Liners (Australia) Pty Ltd trading as Teneo for Contract No. 16/02375 - Albury Waste Management Centre Bulk Earthworks in the lump sum amount of $292,078.93 (including GST).

CARRIED

James Jenkins left the Chamber at 7.34pm.

14.8 Development Application 10.2016.34422.1 - 424 Lot Torrens Title Subdivision - 357 Kerr Road, Thurgoona

Cr Cohn Moved, Cr Stuchbery Seconded

That Council defer decision making regarding Development Application 10.2016.34422.1 for 424 Lot Torrens Title Subdivision at 357 Kerr Road, Thurgoona until a further Councillor Workshop is held to discuss potential additional conditions regarding flooding, open space provisions and lot size.

In accordance with s.375A(2) of the Local Government Act 1993, a division was duly called. The following votes of the motion were recorded:

FOR	**AGAINST**
Cr Stuchbery	Cr van de Ven
Cr Cameron	Cr Glachan
Cr Mack	
Cr Cohn	
Cr King	
Cr Thurley	

CARRIED

Disclosure of Political Donations

There were no Disclosures of Political Donations received by the Chairperson.

James Jenkins returned to the Chamber at 7.54pm.

14.9 Draft Prevention of Family Domestic Violence Policy

Cr Thurley Moved, Cr Cohn Seconded

That Council:

a. Receive and note the contents of this report;
b. Endorse the draft Prevention of Family Domestic Violence Policy;
c. Place the draft Prevention of Family Domestic Violence Policy on public exhibition for 28 days; and
d. Receive a further report at the conclusion of the public exhibition period outlining the submissions received and any proposed amendments to the draft Prevention of Family Domestic Violence Policy.

CARRIED

14.10 Outdoor Basketball Courts Strategy - Public Exhibition Results

Cr van de Ven Moved, Cr Glachan Seconded

That Council:

a. Receive and note the contents of this report;
b. Endorse the proposed amendments to the draft Outdoor Basketball Courts Strategy;
c. Endorse the final version of the Outdoor Basketball Courts Strategy;
d. Include the Outdoor Basketball Courts Strategy on the strategic plan register and make it available on the website; and
e. Include additional funding for the implementation of various Strategy actions in the Council budget for Council's consideration.

CARRIED

CM 15 OFFICERS REPORTS FOR NOTING

15.1 Disability Inclusion Action Plan Community Engagement Process

Cr Thurley Moved, Cr Stuchbery Seconded

That Council receive and note the update on the development of the Disability Inclusion Action Plan (DIAP) and the associated Stakeholder Engagement Plan.

CARRIED

15.2 Investment Balances March 2017

Cr Cohn Moved, Cr Stuchbery Seconded
That Council:

a. Receive, note and accept the Investment Balances Report for the month of March 2017;
b. Amend AlburyCity's Investment Policy to invest with institutions that do not support the fossil fuel industry when they are offering an equivalent rate of return to an institution with a higher credit rating, when this does not breach AlburyCity's investment credit risk framework; and
c. Place the draft revised Investment Policy on public exhibition for a period of 28 days.

CARRIED

Cr Cameron left the Chamber at 8.13pm.

CM 16 DELEGATES REPORTS FOR NOTING

16.1 Smart Urban Futures Conference, Melbourne, March 2017

Cr Cohn Moved, Cr Thurley Seconded
That Council receive and note the Conference Report from Cr Amanda Cohn's attendance at the Smart Urban Futures Conference in Melbourne on 28 and 29 March 2017.

CARRIED

CM 17 NOTICE OF URGENT BUSINESS

NUB 1 Cr Thurley presented Council with a plate from Water Polo Australia as a token of their gratitude for hosting the U14 Boys National Water Polo Championship Finals.

NUB 2 Cr Glachan asked staff to advise a timeline for the implementation of CCTV cameras in the Albury CBD. Mr Jenkins advised that installation of CCTV in Volt Lane, Dean Street and QEII Square will commence in the next week and half, with the project expected to be completed by July 2017. The CCTV cameras will be operational by October 2017.

CM 18 CONFIDENTIAL ITEMS

There were no Confidential Items.

The Meeting closed at 8.16pm.

CM7.2. Minutes of the Extraordinary Council Meeting held Monday 8 May 2017 at 6.16pm

Present Crs K Mack (Chairperson), D Cameron, A Cohn, G Docksey, A Glachan, M King, J Stuchbery, D Thurley and H van de Ven

Apologies Nil

Staff General Manager, Director Engineering, Director Planning & Environment, Director Economic Development & Tourism, Director Community & Recreation, Chief Financial Officer, Team Leader Town Planning, IT Service Desk Coordinator, Governance Officer

The Agenda for this meeting and Minutes of Committees
included therein form part of these Minutes.

THE MEETING OPENED WITH THE PRAYER & ACKNOWLEDGMENT OF ORIGINAL CUSTODIANS OF OUR LAND

ECM 2 RECORDING AND WEBCASTING OF MEETING

The Chairperson advised those present that the meeting is being being webcast and recorded. An audio recording will be made for administrative purposes.

ECM 3 CONFLICT OF INTEREST DECLARATIONS RECEIVED BY THE CHAIR AND DISCLOSURE OF POLITICAL DONATIONS

3.1 Conflict of Interest Declarations

The Chairperson received the following Conflict of Interest Declarations:

- Mr James Jenkins declared a Non-Pecuniary Less than Significant Conflict of Interest in relation to item CM5.1 Development Application 10.2016.34422.1 – 424 Lot Torrens Title Subdivision, 357 Kerr Road, Thurgoona, as he is the Public Officer of an organisation who has made submissions to this Agenda item. He will leave the room when the matter is discussed.

3.2 Disclosure of Political Donations and Requirements of the *Environmental Planning & Assessment Act 1979*

The General Manager advised those present, of the legislative requirement for Disclosure of Political Donations:

Advice to the Council Meeting

The Environmental Planning and Assessment Act 1979, Section 147 requires a person submitting planning applications or submissions regarding a planning application, to disclose any reportable political donation and/or gifts to any local Councillor or employee of Council. Reportable political donations include those of, or above, $1,000.

The Disclosure Statement forms are available on Council's website or from the Customer Service Centre and must be lodged in accordance with the Act. The forms are also available at the back of the Chamber during meetings.

In dealing with Development Applications, Councillors need to take into account specific matters contained in the Environmental Planning & Assessment Act 1979.

Accordingly, the provisions of Section 79C(1) of that Act are set out in the Council officers report detailing issues to be considered.

The Local Government Act 1993, section 375A requires that a division be called whenever a motion for a planning decision is put at a meeting of the council or a council committee.

Planning decision means a decision made in the exercise of a function of council under the Environmental Planning and Assessment Act 1979 including a decision relating to a development application, an environmental planning instrument, a development control plan or a development contribution plan under that Act, but not including the making of an order under Division 2A of Part 6 of that Act.
Matters appearing in the Planning and Development Committee Meeting minutes which require a planning decision to be made will be dealt with separately and immediately following the motion for the adoption of the Planning and Development Committee Meeting minutes. In respect to these matters, motions for a planning decision put before council will be considered a division and recorded in accordance with section 375A of the Local Government Act 1993.

There were no Disclosures of Political Donations received by the Chairperson.

ECM 4 APOLOGIES

There were no Apologies received by the Chairperson.

ECM 5 OFFICERS REPORTS FOR CONSIDERATION

James Jenkins left that Chambers at 6.20pm.

5.1 Development Application 10.2016.34422.1 - 424 Lot Torrens Title Subdivision, 357 Kerr Road, Thurgoona

Cr Stuchbery Moved, Cr Docksey Seconded
That Council:

a. Receive and note the contents of this report; and
b. Grant consent to Development Application 10.2016.34422.1 for 424 Torrens Title Lots at 357 Kerr Road Thurgoona, subject to the conditions contained in the Draft Determination shown as Attachment 10 to this report.

In accordance with s.375A(2) of the Local Government Act 1993, a division was duly called. The following votes of the motion were recorded:

FOR	**AGAINST**
Cr Stuchbery	Cr Cohn
Cr Docksey	
Cr Cameron	
Cr Mack	
Cr King	
Cr Glachan	
Cr Thurley	
Cr van de Ven	

CARRIED

Disclosure of Political Donations

There were no Disclosures of Political Donations received by the Chairperson.

James Jenkins returned to the Chamber at 6.49pm.

The Meeting closed at 6.49pm.

CM8. REPORTS FROM COUNCIL COMMITTEES

CM8.1. Report from Planning & Development Committee Meeting held Monday 8 May 2017 at 6.01pm

DATE	11 May 2017		
CONFIDENTIAL	No		
FURTHER ENQUIRIES TO	Frank Zaknich Executive Services	**PHONE**	6023 8755

Introduction

On Monday 8 May 2017 the Planning & Development Committee met and a report from this meeting is attached.

Recommendation

That the recommendations included in the report from the Planning & Development Committee Meeting held on Monday 8 May 2017, be adopted.

Attachments

1. Report from the Planning & Development Committee Meeting held on Monday 8 May 2017.

Report from the Planning & Development Committee Meeting held on Monday 8 May 2017 at 6.01pm

Present Crs A Glachan (Chairperson), A Cohn, G Docksey, M King, K Mack (Ex Officio), J Stuchbery, D Thurley and H van de Ven

Apologies Nil

Staff General Manager, Director Engineering, Director Planning & Environment, Director Economic Development & Tourism, Director Community & Recreation, Chief Financial Officer, Team Leader Town Planning, IT Service Desk Coordinator, Governance Officer

PDC 1 RECORDING AND WEBCASTING OF MEETING

1.1 Recording and Webcasting of Meeting

The Chairperson advised those present that the meeting is being webcast and recorded for administrative purposes.

PDC 2 CONFLICT OF INTEREST DECLARATIONS RECEIVED BY THE CHAIR AND DISCLOSURE OF POLITICAL DONATIONS

2.1 Conflict of Interest Declarations

There were no Conflict of Interest Declarations received by the Chairperson.

2.2 Disclosure of Political Donations and Requirements of the *Environmental Planning & Assessment Act 1979*

The General Manager advised those present of the legislative requirement for Disclosure of Political Donations:

Advice to the Planning & Development Committee

The Environmental Planning and Assessment Act 1979, Section 147 requires a person submitting planning applications or submissions regarding a planning application, to disclose any reportable political donation and/or gifts to any local Councillor or employee of Council. Reportable political donations include those of, or above, $1,000.

The Disclosure Statement forms are available on Council's website or from the Customer Service Centre and must be lodged in accordance with the Act. The forms are also available at the back of the Chamber during meetings.

In dealing with Development Applications, Councillors need to take into account specific matters contained in the Environmental Planning & Assessment Act 1979.

Accordingly, the provisions of Section 79C(1) of that Act are set out in the Council officers report detailing issues to be considered.

The Local Government Act 1993, section 375A requires that a division be called whenever a motion for a planning decision is put at a meeting of the council or a council committee.

Planning decision means a decision made in the exercise of a function of council under the Environmental Planning and Assessment Act 1979 including a decision relating to a development application, an environmental planning instrument, a development control plan or a development contribution plan under that Act, but not including the making of an order under Division 2A of Part 6 of that Act.

Matters appearing in the Planning and Development Committee Meeting minutes which require a planning decision to be made will be dealt with separately and immediately following the motion for the adoption of the Planning and Development Committee Meeting minutes. In respect to these matters, motions for a planning decision put before council will be considered a division and recorded in accordance with section 375A of the Local Government Act 1993.

There were no Disclosures of Political Donations received by the Chairperson.

PDC 3 APOLOGIES

There were no Apologies received by the Chairperson.

PDC 4 CONFIRMATION OF MINUTES OF PREVIOUS MEETING

4.1 Minutes of the Planning & Development Committee Meeting held on Monday 10 April 2017 at 6.00pm

Cr Mack Moved, Cr Docksey Seconded

That the Committee recommends to Council that the Minutes of the Planning & Development Committee Meeting held on Monday 10 April 2017, at 6.00pm, be adopted.

CARRIED

PDC 5 MATTERS ARISING FROM PREVIOUS MINUTES

There were no Matters Arising from Previous Minutes.

PDC 6 REPORTS/MINUTES OF COMMITTEES AND WORKING PARTIES

There were no Reports/Minutes of Committees and Working Parties.

PDC 7 OFFICERS REPORTS FOR CONSIDERATION

7.1 Draft Albury Creative Economy Strategy

Cr Thurley Moved, Cr Cohn Seconded

That the Committee recommends to Council that Council:

a. Receive and note the draft Albury Creative Economy Strategy 2017 – 2021; and
b. Place the draft Albury Creative Economy Strategy 2017 – 2021 on public exhibition for a period of 28 days.

CARRIED

PDC 8 OFFICERS REPORTS FOR NOTING

There were no Officers Reports for Noting.

PDC 9 DELEGATES REPORTS FOR NOTING

There were no Delegates Reports for Noting.

PDC 10 NOTICE OF URGENT BUSINESS

There were no Notices of Urgent Business.

PDC 11 CONFIDENTIAL ITEM

There were no Confidential Items.

Meeting closed at 6.07pm.

CM8.2. Report from Engineering and Works Committee Meeting held Monday 8 May 2017 at 6.08pm

DATE	11 May 2017		
CONFIDENTIAL	No		
FURTHER ENQUIRIES TO	Frank Zaknich Executive Services	**PHONE**	6023 8755

Introduction

On Monday 8 May 2017 the Engineering & Works Committee met and a report from this meeting is attached.

Recommendation

That the recommendations included in the report from the Engineering & Works Committee Meeting held on Monday 8 May 2017, be adopted.

Attachments

1. Report from the Engineering & Works Committee Meeting held on Monday 8 May 2017.

Report from the Engineering & Works Committee Meeting held on Monday 8 May 2017 at 6.08pm

Present Crs H van de Ven (Chairperson), A Cohn, G Docksey, A Glachan, M King, K Mack (Ex Officio), J Stuchbery and D Thurley

Apologies Nil

Staff General Manager, Director Engineering, Director Planning & Environment, Director Economic Development & Tourism, Director Community & Recreation, Chief Financial Officer, Team Leader Town Planning, IT Service Desk Coordinator, Governance Officer

EWC 1 RECORDING AND WEBCASTING OF MEETING

1.1 Recording and Webcasting of Meeting

The Chairperson advised those present that the meeting is being webcast and recorded for administrative purposes.

EWC 2 CONFLICT OF INTEREST DECLARATIONS RECEIVED BY THE CHAIR

There were no Conflict of Interest Declarations received by the Chairperson.

EWC 3 APOLOGIES

There were no Apologies received by the Chairperson.

EWC 4 CONFIRMATION OF MINUTES OF PREVIOUS MEETING

4.1 Minutes of the Engineering & Works Committee Meeting held on Monday 10 April 2017 at 6.25pm

Cr Glachan Moved, Cr Thurley Seconded

That the Committee recommends to Council that the Minutes of the Engineering & Works Committee Meeting held on Monday 10 April 2017, at 6.25pm, be adopted.

CARRIED

EWC 5 MATTERS ARISING FROM PREVIOUS MINUTES

There were no Matters Arising from Previous Minutes.

EWC 6 REPORTS/MINUTES OF COMMITTEES AND WORKING PARTIES

6.1 Minutes of the Local Traffic Committee Meeting held on Thursday 30 March 2017

6.2 Minutes of the Hume Zone Liaison Committee Meeting held Thursday 9 February 2017

Cr Docksey Moved, Cr Thurley Seconded
That the Committee recommends to Council that the Minutes of the following Advisory Committees and Working Parties be received, noted and accepted:

1. Minutes of the Local Traffic Committee Meeting held on Thursday 30 March 2017; and
2. Minutes of the Hume Zone Liaison Committee Meeting held Thursday 9 February 2017.

CARRIED

EWC 7 OFFICERS REPORTS FOR CONSIDERATION

There were no Officers Reports for Consideration.

EWC 8 OFFICERS REPORTS FOR NOTING

8.1 2016/17 Works Program Status Report – March Quarter

Cr Thurley Moved, Cr Mack Seconded
That the Committee recommends to Council that the report on the status of the 2016/17 Works Program as at 31 March 2017 be received and noted.

CARRIED

EWC 9 DELEGATES REPORTS FOR NOTING

There were no Delegates Reports for Noting.

EWC 10 NOTICE OF URGENT BUSINESS

There were no Notices of Urgent Business.

EWC 11 CONFIDENTIAL ITEM

There were no Confidential Items.

Meeting closed at 6.15pm.

CM8.3. Report from Community and Cultural Committee Meeting held Monday 15 May 2017 at 6.00pm

DATE	16 May 2017		
CONFIDENTIAL	No		
FURTHER ENQUIRIES TO	Frank Zaknich Executive Services	**PHONE**	6023 8755

Introduction

On Monday 15 May 2017 the Community & Cultural Committee met and a report from this meeting is attached.

Recommendation

That the recommendations included in the report from the Community & Cultural Committee Meeting held on Monday 15 May 2017, be adopted.

Attachments

1. Report from the Community & Cultural Committee Meeting held on Monday 15 May 2017.

Report from the Community & Cultural Committee Meeting held on Monday 15 May 2017 at 6.00pm

Present Crs A Cohn (Chairperson), G Docksey, A Glachan, M King, K Mack (Ex Officio), J Stuchbery, D Thurley and H van de Ven

Apologies Nil

Staff General Manager, Director Economic Development & Tourism, Director Engineering, Director Community & Recreation, Director Planning & Environment, Chief Financial Officer, Community Development Officer, IT Network Administrator, Governance Officer

CCC 1 RECORDING AND WEBCASTING OF MEETING

1.1 Recording and webcasting of Meeting

The Chairperson advised those present that the meeting is being webcast and recorded for administrative purposes.

CCC 2 CONFLICT OF INTEREST DECLARATIONS RECEIVED BY THE CHAIR

There were no Conflict of Interest Declarations received by the Chairperson.

CCC 3 APOLOGIES

There were no Apologies received by the Chairperson.

CCC 4 CONFIRMATION OF MINUTES OF THE PREVIOUS MEETING

4.1 Minutes of the Community & Cultural Committee Meeting held on Monday 20 March 2017 at 6.00pm

Cr Thurley Moved, Cr Docksey Seconded

That the Committee recommends to Council that the Minutes of the Community & Cultural Committee Meeting held on Monday 20 March 2017, at 6.00pm, be adopted.

CARRIED

CCC 5 MATTERS ARISING FROM PREVIOUS MINUTES

There were no Matters Arising from Previous Minutes.

CCC 6 REPORTS/MINUTES OF COMMITTEES AND WORKING PARTIES

There were no Reports/Minutes of Committees and Working Parties.

CCC 7 OFFICERS REPORTS FOR CONSIDERATION

7.1 Draft Disability Inclusion Action Plan (DIAP)

Cr Mack Moved, Cr Thurley Seconded

That the Committee recommends to Council that Council:

a. Endorse the draft Disability Inclusion Action Plan (DIAP); and
b. Place the draft Disability Inclusion Action Plan (DIAP) on public exhibition for a period of 28 days.

CARRIED

CCC 8 OFFICERS REPORTS FOR NOTING

There were no Officers Reports for Noting.

CCC 9 DELEGATES REPORTS FOR NOTING

There were no Delegates Reports for Noting.

CCC 10 NOTICE OF URGENT BUSINESS

There were no Notices of Urgent Business.

CCC 11 CONFIDENTIAL ITEM

There were no Confidential Items.

Meeting closed at 6.13pm.

CM8.4. Report from Finance and Administration Committee Meeting held Monday 15 May 2017 at 6.13pm

DATE	16 May 2017		
CONFIDENTIAL	No		
FURTHER ENQUIRIES TO	Frank Zaknich Executive Services	**PHONE**	6023 8755

Introduction

On Monday 15 May 2017 the Finance & Administration Committee met and a report from this meeting is attached.

Recommendation

That the recommendations included in the report from the Finance & Administration Committee Meeting held on Monday 15 May 2017, be adopted.

Attachments

1. Report from the Finance & Administration Committee Meeting held on Monday 15 May 2017.

Report from the Finance & Administration Committee Meeting held on Monday 15 May 2017 at 6.13pm

Present	Crs D Thurley (Chairperson), A Cohn, G Docksey, A Glachan, M King, K Mack (Ex Officio), J Stuchbery and H van de Ven
Apologies	Nil
Staff	General Manager, Director Economic Development & Tourism, Director Engineering, Director Community & Recreation, Director Planning & Environment, Chief Financial Officer, Team Leader Leisure Facilities, IT Network Administrator, Governance Officer

FAC 1 RECORDING AND WEBCASTING OF MEETING

1.1 Recording and Webcasting of Meeting

The Chairperson advised those present that the meeting is being webcast and recorded for administrative purposes.

FAC 2 CONFLICT OF INTEREST DECLARATIONS RECEIVED BY THE CHAIR

There were no Conflict of Interest Declarations received by the Chairperson.

FAC 3 APOLOGIES

There were no Apologies received by the Chairperson.

FAC 4 CONFIRMATION OF MINUTES OF THE PREVIOUS MEETING

4.1 Minutes of the Finance & Administration Committee Meeting held on Monday 20 March 2017 at 6.10pm

Cr Glachan Moved, Cr Docksey Seconded

That the Committee recommends to Council that the Minutes of the Finance & Administration Committee Meeting held on Monday 20 March 2017, at 6.10pm, be adopted.

CARRIED

FAC 5 MATTERS ARISING FROM PREVIOUS MINUTES

There were no Matters Arising from Previous Minutes.

FAC 6 REPORTS/MINUTES OF COMMITTEES AND WORKING PARTIES

There were no Reports/Minutes of Committees and Working Parties.

FAC 7 OFFICERS REPORTS FOR CONSIDERATION

7.1 Exhibited Draft Code of Meeting Practice

Cr Mack Moved, Cr Cohn Seconded

That the Committee recommends to Council that Council:

a. Adopt the Draft Code of Meeting Practice for Councillors, Staff and Delegates as attached;
b. Include the AlburyCity Code of Meeting Practice for Councillors, Staff and Delegates in the Public Policy Register; and
c. Place the document on the AlburyCity website.

CARRIED

FAC 8 OFFICERS REPORTS FOR NOTING

8.1 Investment Balances April 2017

Cr Glachan Moved, Cr Stuchbery Seconded

That the Committee recommends to Council that Council receive, note and accept the Investment Balances Report for the month of April 2017.

CARRIED

8.2 Corporate Health Indicators Report – March 2017

Cr Glachan Moved, Cr Stuchbery Seconded

That the Committee recommends to Council that Council receive and note the March 2017 Corporate Health Indicators Report.

CARRIED

8.3 Delivery Program Quarterly Progress Report – March 2017

Cr Mack Moved, Cr Stuchbery Seconded

That the Committee recommends to Council that Council receive and note the Delivery Program Quarterly Progress Report – March 2017.

CARRIED

FAC 9 DELEGATES REPORTS FOR NOTING

There were no Delegates Reports for Noting.

FAC 10 NOTICE OF URGENT BUSINESS

There were no Notices of Urgent Business.

FAC 11 CONFIDENTIAL ITEM

There were no Confidential Items.

Meeting closed at 6.25pm.

CM9. REPORTS FROM COMMUNITY FORUMS

CM9.1. Report from the Community Forum regarding Revised Planning Proposal - Willowbank Road - East Albury held Monday 1 May 2017 at 6.00pm

DATE	11 May 2017		
CONFIDENTIAL	No		
FURTHER ENQUIRIES TO	Frank Zaknich Executive Services	**PHONE**	6023 8755

Introduction

On Monday 1 May 2017 a Community Forum was held regarding Revised Planning Proposal - Willowbank Road - East Albury and a report from this meeting is attached.

Recommendation

That Council receive and note the report from the Community Forum regarding Revised Planning Proposal - Willowbank Road - East Albury held on Monday 1 May 2017.

Attachments

1. Report from the Community Forum held on Monday 1 May 2017.

Community Forum

Report from the Community Forum held on Monday 1 May 2017 in the Council Chambers at 6.00pm

Present	Crs K Mack (Chairperson), D Cameron, A Cohn, G Docksey, A Glachan, M King, J Stuchbery, D Thurley and H van de Ven
Apologies	Nil
Staff	General Manager, Director Engineering, Director Planning & Environment, Director Economic Development & Tourism (?), Director Community & Recreation (?),Chief Financial Officer (?), Group Leader Communications, Senior Strategic Planner, Town Planner, IT Officer, Governance Officer

Speaker key

MA	Mayor, Kevin Mack
GD	Cr Graham Docksey
AC	Cr Amanda Cohn
AG	Cr Alice Glachan
DC	Cr Darren Cameron
JS	Cr John Stuchbery
BF	Brad Ferris
MK	Michael Keys
DH	David Hunter
MN	Mark Norden
MC	Matthew Coulter
TH	Tim Hoffman
GR	Graham Richardson
KP	Katherine Pyle

MA Welcome to tonight's Community Forum Monday 1 May 2017. I must advise that this community forum is being audio recorded for administrative purposes, by speaking at the Community Forum you agree to being recorded. Please ensure that if and when you are speaking at this Community Forum that you are respectful to other people and use appropriate language. AlburyCity accepts no liability for any defamatory or offensive remarks or gestures made during the course of this Community Forum.

Further advice to the community forum the Environmental Planning Assessment Act 1979 Section 1474 requires people submitting planning applications and/or submissions regarding a planning application to disclose any reportable political donation and/or gift to any local councillor or employee of Council. Reportable political donations and gifts including those of or above $1,000 in value. The disclosure statement forms are available on council's website or from the Customer Service Centre and must be lodged in accordance with the Act. The forms are also available at the back of the chamber during meetings. CF3 the revised planning proposal Willowbank Road, East Albury. Mr Keys.

MK Thanks Mr Mayor. The purpose of the brief presentation tonight is just to give a quick overview of the planning proposal that's before us being considered at this Community Forum. Just a slight technical hitch but we're right to go. Just an overview of what I'm going to try and cover for you this evening is a bit of the history around the planning proposal that has been extended for a period of time. A summary of the revised planning proposal that was submitted and put on exhibition late last year and earlier this year as a result of the public exhibition some of the key issues and concerns that have been raised, and then where do we go to from here.

This is the timeline of the planning proposal and history going back in 2012 when there was initial support from council for a gateway determination, which is a referral to the Department of Planning. The gateway determination was issued subject to further information being provided, including detailed studies investigation. That was subsequently undertaken and took an extended period of time, and following receipt of that information and endorsement by Council, was placed on public exhibition in early 2016.

There were 45 submissions received from the general public as well as government agencies. However, as a result of issues that were raised and identified during that public exhibition, further information and investigation was requested from the applicant or proponent. Following that request this information was received in late October last year, and in November a report was presented to council, sorry, in December a report was presented to council where it was endorsed for public exhibition.

The proposal was exhibited during the period February and March earlier this year and as a result of it a further 21 submissions were received, including 18 from the general public and three from government agencies. Key elements of the revised planning proposal included the introduction of a IN2 light industrial zoning, an audit of the infrastructure requirements, revised traffic impact assessment report, as well as further detailed response to existing planning policies and clarification on land ownership or the history of land ownership as it related to the parcels subject to this planning proposal.

To give some context we've highlighted the site here in red as it appears in an aerial photograph relative to South Albury and East Albury in the context of the River Murray environs as well, further to that, land use Zoning as it applies and as it surrounds the site. Just of interest maybe if Councillors look on the far wall, we've got an adjoining site, the existing land is zoned RU2 rural landscape which extends right along through Doctors Point Road as well as around the areas of South Albury. To the north directly adjacent to the site is IN1 or industrial zone and to the North East we've got residential. Further to the east we've also got environmental living which is the Doctors Point area, and to the west on the other side of the freeway, special infrastructure zone through here is the freeway. To the west of that is continuation of industrial land, but also residential and mixed use zones in the southern fringes of the CBD.

In more context, this is the original planning proposal, so the site highlighted in red was entirely zoned RU2, and the original planning proposal when it came in was proposing to rezone parts of that land or a significant portion to IN1, directly adjacent to the existing area off Schubach Street to the north and adjacent to the SP2 or freeway area for special infrastructure.

Following further consideration and investigations following the public submissions received earlier last year, the applicant or proponent came back to Council with a proposal to include an area of IN2, in close proximity to the existing residential area to the north east and the existing public recreation as well as recognising the existing vegetation on the site. The IN2 was introduced on this area directly south of Schubach Street as a way of separating potential future uses for industrial land in close proximity to the residential.

Just to give some context again to that, the original proposal of 8.65 hectares for IN1 land has been reduced to 7.10 hectares and introduction of 0.87 hectares of IN2 which is 130 metres from the residential R1 to the north east, and the RU2 is 45 metres from the existing residential area and has an area of 0.63 hectares in addition to what was proposed.

Some of the key issues and concerns that were identified during public exhibition earlier this year relate to environmental impacts, traffic impacts, amenity and noise. We won't go into all of these, but they will certainly be covered off in future reports as well as health concerns, tourism impacts, outcomes that were inconsistent with existing planning policies, concerns over the decision-making process as well as infrastructure provision and cost impacts.

Where to from here? As we've highlighted we've had public exhibition and submissions have been received. We're currently working our way through those, and tonight is a further opportunity to consider public concerns and issues raised. Following the Community Forum this evening, depending on the issues that are raised, there'll be further analysis of that and ideally, a further report will be presented to Council in May or mostly likely June at this point in time given the timelines that are involved, and dependent again on the issues that maybe raised tonight. Thank you, Mr Mayor if there are any other questions I'll be happy to take them at this point.

MA Thank you, Mr Keys. Councillors are there any questions for Mr Keys at this point? Very good, thank you, Mr Keys for your presentation. We have several speakers speaking this evening. And the first speaker is Mr David Hunter, from Habitat Planning, David Hunter, thank you.

DH Thank you very much for the opportunity to speak to you tonight. My name's David Hunter, I'm from Habitat Planning, and tonight I'll be talking on behalf of the proponent, Mr Mario Riccardi. Mario's with me tonight in attendance to hear the proceedings and I'm happy to take any questions at the end of the presentation. We acknowledge a submission has been made by council staff in relation to the site context and the history, and I won't repeat too much of that other than to provide you with an overview of where the land is. We've overlaid it on top of the aerial as well to help provide a context of where that is.

I'd like to expand on what has been provided by the staff principally in relation to the changes between the initial submission and proposed submission. As a result of the initial submission process the applicant was able to review the submissions that were made, and consider a number of options as to how some of those submissions could be dealt with, and some of the concerns. Principally this was in relation to amenity and at the eastern end of the land.

So as was indicated before, the original submission for rezoning, which comprised entirely IN1 general industrial, and having regards to the submissions particularly from the residential end to the east, the applicant identified the opportunity to contract the overall industrial land and introduce the IN2 light industrial. So as has been indicated the IN2 light industrial comprises about 8,700 square metres of the initial area to be rezoned, and overall the total extent of rezoning is dropped about by 6,000 square metres. A number of additional details and technical documentation in relation to traffic, vegetation, heritage and flooding was provided and that was included in the revised planned proposal which has also been circulated with the agenda.

In relation to the zoning change itself the principle intention was to provide for an improvement to the amenity of the adjoining land by providing a buffer which included the vegetation that you can see but also, reducing the intensity of the industrial land that was occurring particularly as it got to the east. So, while they're both industrial zones and there are some subtle changes in terms of the objectives, the important consideration is the types of land uses that can occur in each of them. So, as the name suggests light industry is limited only to light industry and the definition in the LEP of that, of a light industry is an industrial use that does not impact, it does not interfere with the amenity of the neighbourhood. So, the decision by the proponent was that this gave additional clarity and additional opportunity for Council to properly consider amenity at the time of future development applications coming in.

So overall the changes that were provided by the proponent were considered to provide a number of improvements to the amenity, particularly by providing an additional 85 to 90 metres of separation distance from any industrial land uses along Doctors Point Road by pulling that land back, providing at least 190 metres further from the IN1 general industrial back to the end of Doctors Point Road, ensuring that only light industries could occur east of the Schubach Street intersection with the land. Retention of the patch of vegetation on the eastern part of the land which would provide for some additional screening purposes and also, to provide an additional buffer to Norman's Lagoon to the east. Thank you I'll leave it there. I'm happy to take any questions.

MA Thank you, David. Questions from councillors, thanks. Do we have any questions for David? No, you're all good. David, thank you.

DH Thank you.

MA We have Mark Norden present, and Mark I believe you're presenting on behalf of four or five proponents.

MN Eight.

MA Eight, so for that purpose you're being afforded latitude of 25 minutes I believe.

MN Thank you, thank you very much.

MA Thank you.

MN Okay, so as the Mayor mentioned, this presentation is a result of collaborative effort from a number of people who have been meeting over the weeks and particularly last week, including residents from Rainbow Ridge, Doctors Point and East Albury north of East Street and these views are representative of that collaborative effort. In particular, residents who have been involved and who I represent is Margaret Coulter, Brett Nicholson, Ann McCauley, Graham Richardson, Pat Gooding, Carolyn Whittle, Ulla Norden and Jacqui McBurnie as well as myself.

I would like to thank Council for giving us the opportunity to present to you, the Councillors, and I'd like to thank you very much for your time tonight. I am wary, I'm very cognisant of the fact that this is, I'm representing opposition to the proposal and I'm not, I do not, well, we do not have any issue with the actual proponent. A proponent has the right to request any sort of rezoning of their land, but the issues that we want to bring up today relate to more general issues particularly related to the environment.

So, there has been significant community interest. As we've already heard there's 45 regional submissions, of which 44 are against and one in favour of the proposal. At the time, I was not aware of the number of subsequent submissions or their breakup or breakdown. In addition, there's been over approximately 200 signatures on a petition that was sent to the Councillors last year, Director General of the Department of Planning and Infrastructure and the NSW Minister for Planning.

So, where are we at the moment? Council has endorsed this proposal and the revised proposal and Councillors are now being asked to agree or disagree with the proposal to rezone the land from rural to industrial but they're being asked, you're being asked to do so on the basis of a number of assumptions. Some of these assumptions may well appear to be and end up to be truths and some of them may well be false truths and today I wish to discuss five particular false truths.

The first being that the land was inadvertently changed from industrial to environmental protection zone in 1995 without the proponent's knowledge. The second false truth that there is a need for more industrial land close to Albury. Third that environmental impacts need only be considered at the developmental application stage. Four that the existing levy bank protects sensitive waterways from proposed industrial estate. And five that existing roads can handle an expected increase in traffic. At this point I'd like to apologise to my collaborative partners because I haven't been able to raise all of the other issues and had to bring things down a little bit.

The first one that land was inadvertently changed from industrial to environmental protection zone in 1995 without the proponent's knowledge. You need to look at the timelines here, certainly before 1995 the land was industrial. In 1995, it was changed to an environmental protection zone. The proponent would have us believe that this is due to a mistake or an error on behalf of AlburyCity Council. Just over a year later title transferred to the owner while the land was environmentally protected.

In 2006, the proponent purchased adjacent land at which time the proponent would be expected to know that zoning of the land that they were purchasing and also their own current land at that time. In 2010, the Albury ALP rezoned it as rural to represent the land use that was in place at the time mainly the orchard, and this was opposed by the owner.

On 8 November, the owner met with Council, at the direction of Council, on how to proceed to move from rural to industrial in 2010. In 2014, the proponent put in a development application on the change of use for a proposed fruit distribution centre. This enabled B-doubles 24-hour access up and down South Schubach Street, three weeks later all the fruit trees disappeared, but we had the development application on B-double use up and down Schubach Street.

And in 2015 and 2016 we hadn't had the original, sorry, the original now the revised planning proposal. So, the original planning proposal alleges that it was made in error in 1995 without the knowledge of the landowner, but Council itself in their report for your consideration noted that the public exhibition and eventual gazette of the ALP in 1995 was undertaken in accordance with the legislative requirements including notification.

The proponent has provided no evidence to suggest that AlburyCity Council made an error when rezoning the land and in fact, maybe it might have been for the reason that it's adjacent to the Murray River, it's on a flood plain and it's next to sensitive waterways. And at the time of the transfer of the land, it was already environmental protection and of concern obviously, the Council was aware of the proponent's desire to rezone the land at the time it granted B-double access for a fruit distribution centre or another purpose.

False truth two, is there a need for more vacant industrial land close to Albury? The proponent and with the council's endorsing as in June 2016 approximately 100 vacant industrial lots, in the past numbers of 151 have been bandied about but I'll accept 100. 87 lots north of the Riverina Highway we're told ten in South Albury and only three in East Albury. The inference in the advice to Council is that therefore there's a need for more industrial lots in East Albury. There's no industrial sites in Central Albury so perhaps there's a greater need for industrial sites in Central Albury.

Albury's Development Monitor in 2014 and 2015 states clearly that Albury has over 20 years supply of industrial land available, where is the need for this land as highlighted and directed through the gateway determination. It also ignores the following proposed industrial sites of another 16 lots in Schubach Street subdivision in 2017 and Council's own waterworks subdivision of 18 lots. Therefore, East Albury goes up to 37 lots not just three lots, which on my calculation means we now have 27 years of industrial land available to us in Albury. It also ignores AlburyCity Council's efforts to secure state funding of $6.8 million to develop an access to the industrial estate at Table Top, interestingly on the premise of providing adequate industrial allotments away from residential areas.

False truth three, environmental impacts need only be considered at the DA stage. Again, your report for consideration from November 2016 states a further consideration of significant environmental issues will be provided in the future, and it's anticipated the DA assessment process will ensure that appropriate consideration is given to potential impacts and to ensure that those impacts are mitigated.

But environmental issues in this situation need to be addressed now. This land is adjacent to the Murray River and Norman's Lagoon, the land is on a floodplain, a levy bank does not protect groundwater. We have an endangered species in Norman's Lagoon, the Southern Pigmy Perch, which Council is doing

its best to rehabilitate that lagoon, and if rezoning occurs then accidents or spillages are still going to happen.

Luckily the Director General in their gateway in their letter dated 6 March 2013 states pretty clearly that additional information regarding costs of infrastructure, impacts on water supply, groundwater systems, salinity, supply and demand for industrial land are required to support the planning proposal at the planning proposal stage. Prior to undertaking public exhibition, the planning proposal is to be of a manner to reflect the additional work undertaken. This has not happened.

Existing levy bank, false truth number four, protect sensitive waterways from the industrial estate. There's confusion here between groundwater and flood water, so here's my view. I'd rather have the other pictures but if I don't get this to work. Okay, well, you can see the Murray River, and you can see where the current revised industrial area there and we've got Norman's Lagoon comes into this area here. So, we're very close to the Murray River, okay, and this line here going down there, is the side of the current levy bank. So, good lines on a floodplain, okay, groundwater comes up from below. It's not flooded across the ground. It's closely proximate to the Murray River and we have the habitat of the native pigmy perch to consider.

The aquifers, in fact, is in direct communication with the Murray River and Norman's Lagoon. So, this diagram here I've taken from the environment defender's office shows your Murray River, let's say that's the Murray River here going along to there. This pale green area would be where the proponent's land is at the moment. Underneath here is an unconfined dark blue, unconfined aquifer which is in direct communication with the Murray River. The confined aquifer is a light blue and that's covered by an impermeable layer of earth or rock so it is not accessible. But because this is an unconfined aquifer the water table rises and falls with the height of the Murray River.

Now what about the height of the Murray River? This is November 2016 without floods. This is Doctors Point Road looking east you can see where the orange barriers are on the card that's where the flood is coming across Doctors Point Road from the Norman Lagoon area. Directly in front of that you can see some water coming up through the storm water drain because all the storm water on this side of the development and Schubach Street drain into Norman's Lagoon, but when it floods it can't drain. The water you see in front of you in the foreground is groundwater. Our water table is now above the level of the ground on the proposed industrial site.

So the advice you have received from Council is that the existing license levy will largely address concerns or larger impacts on groundwater, receiving waters and other environmental values. The levy bank is designed to protect the industrial estate from the river, not protect the river from the industrial estate. The groundwater is in direct communication connection with the Murray River and Norman's Lagoon.

So, what does this mean? If you look at the advice again you've been told that this can be developed at the time of the development, sorry, consider the time of the developmental application. We had direction from the Department of Planning, the Director General, that the groundwater system needs to

be dealt with at the time of the planning proposal and prior to exhibition. So, this means we need a groundwater impact assessment which has not been performed by the proponent.

This requires a hydro geologist. It's not a matter of simply putting a drain in and measuring what the water table is (totals around 1.5 metres) on that day. It should include a detailed description of the aquifer system, it's flows, gradients, connections with surface water and features. The chemical makeup of the groundwater needs to be analysed and it must incorporate the impacts on the local ecosystem particularly Norman's Lagoon.

Council has a number of responsibilities with regards to groundwater and I found six NSW government Acts in one policy that should direct your consideration to this matter. The Local Government Act 1993 responsibility to manage groundwater resources to protect environment sensitive areas and to prevent contamination and environmental degradation. The Contaminated Land Management Act of 1979 says that Council must regulate the management contaminated sites including groundwater that have been impacted by point source pollution. Their early copies report shows that there was point source pollution at the place of the workshop when it was used for agricultural use.

Regarding the EPA Act of 1979 New South Wales part four, states environmental impact assessment maybe required as part of the approval process which should include consideration of groundwater impacts of which there have been none. The Council responsibilities under the Threatened Species Conservation Act, National Parks and Wildlife Act, Fisheries Management Act require that native species particularly threatened species populations be protected unless otherwise authorised.

Is the groundwater dependent on the ecosystem connected to Norman's Lagoon actually listed under these acts, is Council aware of that? These are groundwater quality protection policies designed to protect groundwater against pollution and importantly, this is very important comment, the scale and scope of work required to demonstrate adequate groundwater protection shall be commensurate with the risk the development proposes to the groundwater system and the value of that resource.

This groundwater is valuable, it connects with the Murray River and Norman's Lagoon. The risk of development from an industrial estate is highly significant. So, the scale and the scope should be adequate to demonstrate that it will be protected and there is zip, no assessment of ground water impact. So, in summary, just on groundwater alone, Council should reject the proposal because it is an uncontained aquifer. It's a habitat endangered species, the Director General thinks we should and the absence of a detailed environmental statement includes a groundwater impact assessment, and council and councillors have an obligation under the New South Wales government acts and policies.

The last false truth, existing roads can handle expected increase in traffic volumes. Two traffic reports one in August 2013 and the Meredith in November 2016, interestingly both assume operating hours 7.00pm to 5.00pm five days a week. The proponent has 24-hour access up and down Schubach Street. Interestingly the Meredith report assumes IN2 development for the whole site, that's the most recent one, but it does state the traffic generation rates from the earlier report are considered valid and appropriate. So, looking at those in more detail.

It's predicted that traffic generation rates will increase as following. Willowbank Road from three vehicles per hour to 135. Schubach Street double, 108 to 218 vehicles per hour. Vehicle movement in the immediate areas as a result of the rezoning are projected to increase from 107 to 364 vehicles per hour, 340% increase. Heavy vehicles are 15% of the total that's 38 extra heavy vehicles per hour in the streets of that part of East Albury. Remember you've got, before a development application for 16 more allotments on Schubach Street. We can do the maths that's an extra 80 vehicles per hour on local roads mixed with 12 heavy vehicles per hour. So that's 444 and 50 heavy vehicles per hour. So just imagine 50 heavy vehicles every hour, okay, going around East Street and the problems we currently have with East Street.

But we're told it's all okay because the roads can handle 900 vehicles per hour, but that's actually one every four seconds for ten hours, and no distinction's being made between cars and heavy vehicles. Now if we had 50 heavy vehicles an hour, two of them just have to come into that intersection off the freeway where the two sets of traffic lights are and we've got mayhem. Your report for consideration from November 16 states very interestingly that in relation to East Street, Hume Highway interchange, it was observed that the number of traffic movements are either at or close to capacity.

East Street is not just a means for industrial estate and their vehicles to access the freeway, it is one of only two means for East Albury residents to access their city centre. We lost the most important one, the third one, with the freeway. But unlike Borella Road, it's a single lane road and we know the disaster Borella Road is at the moment. This is only a single lane and you're going to put in 50 heavy vehicles an hour.

So, in conclusion the proposed rezoning should not proceed as it lacks a demonstrated need for more industrial land in Albury, we have 27 years-worth by Albury's own reckoning. It's in proximity to very sensitive waterways and a threat to endangered species. There's a complete lack of any groundwater impact assessment and it is likely to have a significant adverse impact on residents from increased traffic flows, heavy vehicle movements and access to the city centre.

Should the rezoning proceed councillors may well be held accountable particularly for the content of the planning proposal and the quality of information provided in support of it, responsible for failing to discharge their responsibilities under a number of NSW government acts and policies and putting at risk the health of the Murray River, increasing the threat to an already endangered species and perhaps creating the only NSW industrial site on the banks of the Murray River for its entirety. I'm happy to take any questions.

MA Thank you, Mark.

MN Bearing in mind that I do represent a number of people so if somebody better in that group that I represent perhaps they may answer it.

MA Yes, that's fine, Mark. Thank you for your informative presentation. I have a question from Councillor Docksey.

GD Thank you, Mr Mayor, could I ask Mr Keys to address each of those false truths please to give some clarity?

MN I can go back if you like?

MA Mr Keys.

MK Sorry, Mr Mayor I'd rather take it on notice and we can address those in the detailed report. There's some detailed information being provided and they're not simple and easy answers that can be given at this point in time so if that's, okay, with Councillor Docksey?

MA Councillor Docksey?

GD Yes, thank you, Mr Mayor.

MA Thank you, Mr Keys and I think the forum really is about the presenters and the speakers. Councillor Cohn.

AC Thank you, Mr Mayor. I've also got questions for Mr Keys, not Mr Norden, thank you. My first question is regarding the allegation that the groundwater impact assessment hasn't been done, can I firstly clarify that that is the case?

MA Mr Keys.

MK Thank you, Mr Mayor, we have groundwater assessments that have been undertaken and provided and they are attached with the planning proposal information and we believe they're sufficient for the purposes of putting this proposal to council.

MN With permission can I reply to that comment?

MA Standby, Mark, Councillor Cohn, clarify that response.

AC I had a good read through the documents provided this afternoon, there were a number of statements made about the groundwater, but I couldn't find a separate groundwater impact assessment, is that in there?

MA Mr Keys.

MK The term groundwater impact assessment may not have been used, but there was a hydrology assessment provided with the report. We can take that on notice and provide that information to you after this.

MA Councillor Cohn, are you comfortable with that?

AC Yes, thank you. I have another question. In the response to this proposal from DPI Fisheries, they've requested 100m buffer zone from the river in order to protect Norman's Lagoon and the endangered fish species. This proposal at the moment I believe has a 70-metre buffer zone, not 100 metre buffer zone, why has the proponent currently ignored the recommendation for the 100-metre buffer zone?

MA Mr Keys.

MK Thank you, Mr Mayor the responses from DPI Fisheries at this point in time requesting that be considered by council, the proponent was not aware of that direct request from DPI Fisheries at the point in time when they prepared this information. So in terms of the report and the consideration of the issues that have been raised by Fisheries that will be put forward and addressed in the report to council.

AC Thank you, at this point in time is there scope for the proponent to amend the proposal again to take that request into account?

MA Mr Keys.

MK Thank you, Mr Mayor, I may preface an answer to that question with regards to other issues that maybe raised that at this point in time. The process has been extended for a long period of time, the community's been heavily involved, as well as the proponent's invested a lot of time and effort into this and Council. In terms of going back to the proponent and asking him to amend or change the proposal and then put it back out on exhibition I think is probably unnecessary. But there may be issues in regards to the submissions particularly so, for example, that one with regards to fisheries that Council could take onboard and make a recommendation to the Council that adjustments be made in reflection of issues raised in submissions or concerns particularly those from agencies. It can then be addressed in any further recommendation for endorsement and referral onto the Department of Planning for consideration.

AC Thank you, Mr Keys.

MA Thank you, Mr Keys. Mr Norden do you have a question for Mr Keys at any point during that discussion.

MN Just that related to any assessment of groundwater there has been no groundwater impact assessment. The assessment of groundwater was drilling down to find out a level of where the water table was and the point of the assessment was really to do with site contamination i.e. is the site having been of agriculture use and an orchard is it safe to have an industrial site there, and the answer was in the affirmative in that regard. But there has been no assessment of groundwater flows, where they flow, how they flow and nor its impact.

MA Yes, at this point in time we'll review the original assessment and certainly make the necessary adjustments based on what we read and thanks for that feedback. Councillor Cameron you have a question.

DC Thank you, can I apologise for having briefly ducked out it was unavoidable I'm afraid. If this project went ahead what affect do you think it would have on your property values and other people's property values in Rainbow Ridge and that area?

MN I think that's irrelevant to what I've discussed today. This is, I've discussed a number of false truths that I think the Council need to address and we could have talked about a lot of other things, but the most important thing are the issues that the group have elected to present today.

DC So your contention is that property values are irrelevant to this consideration?

MN I'm saying that property values haven't entered into the preparation of the discussion that we've had at all actually when the groups, the people that I've met with to prepare this presentation.

DC Okay, your contention that Council should take into consideration the lack of demand for industrial land or the surplus of industrial land certainly formed a substantive part of your report. Do you feel it's a role of Council, or that's a factor that Council should be influenced by or would you accept an alternate view or consider an alternate view that people have property rights and as long as they behave legally that they have a right to dispose of that property in the fashion that they think is appropriate? My question is to you, is it appropriate for Council to take that into consideration?

MN Yes, I do and I'll address that with this next slide if that's okay? I've gone too far. I'm sorry. No, I'm sorry I'll have to try and find it. Okay, well, without finding the slide, the slide that was, that the Acting Director General made it pretty clear in the Gateway Determination in the accompanying letter, that one of the things that has to be addressed by Council in determining whether it should go ahead is that there has been demonstrated to be an adequate need for more industrial land in Albury. It's almost the first part of the first sentence. So you have to, as Councillors need to determine that and take that into consideration when you make your decisions.

So, I'm just reflecting what the Acting Director General put in the Gateway Determination, as well as the impact on groundwater as well as storm water, costs for infrastructure, all of those things which were not available or done by the proponent in the original, some of which had been addressed from that time. But certainly, not the land issues satisfactorily nor the groundwater impact or environmental impacts that the Acting Director General stipulates should be addressed at the planning proposal stage for this particular land.

DC Do you have access to the original zoning map in your presentation I wonder?

MN Me?

DC Yes.

MN Oh, no, this is the only one I've got, David had a pretty good map if you wanted to, but I can only just show you the overlay of the land.

DC I guess I'll come to the question which I wanted to ask which was that, there's a good one.

MN It's the best one, the best one I could find.

DC That's fine, yes, so if we look at the top and if we imagine slightly above that there's an existing industrial estate that abuts the residential area.

MN Yes, I better use mine. So that's Schubach Street there, on this side that's been industrial, okay, the one just here about there where it says Doctors Point Road.

DC And a bit higher.

MN Yes, a bit above that, it was employment until 2010 Albury LEP and then it was changed to industrial, that's correct.

DC I guess I'd like your views as to why your group feels that this industrial land which is in terms of distance is further away than most of the residential areas in the existing industrial land, why is it of concern when you have existing industrial land even closer?

MN Well, nothing about my presentation has talked about the effect on the resident's land and the proximity to that, but if you'd like me to address that, then that is already industrial land. The community knows that they cannot undo that, Council knows that they cannot undo that. This is Council's opportunity to prevent something that we can't go back from, to stop industrial land on the banks of the Murray River, you know, very sensitive area on a floodplain with concerns about groundwater, okay. And also, the way all of you here today know and understand the difficulties we've got with crossing into East Albury into Albury whether it be East Street or Borella Road none of that's going to get better. How is this going to make anything better?

You put up the Willowbank, sorry, you put up the waterworks Councils adding sites at waterworks to get to the freeway they're going to go Borella Road or come through Mungab and get on through East Street. So, you're going to have all those trucks diverting that way as well, so how's any of this going to improve AlburyCity's amenity let alone half its resident's amenity. So, our concern is about amenity of access to our city and this is a disaster waiting to happen with the current traffic flows. I know it's not going to be 900 vehicles an hour every four seconds and I know if somehow that's acceptable I don't know whether the road can take the weight. I don't know what it means that it's weighted by 900 vehicles, but the city doesn't take into consideration that 15% of them are going to be B-doubles.

DC Given on that point given the indulgence, Mr Chairman, on that point on the vehicle movements which I think, you know, it is a very high figure, isn't it? How can we calculate the figure or how can the figure be calculated do you think when we don't know the nature of the future developments that might go there?

MN I'm just repeating what was in the two traffic assessments by the proponent that they have put forward.

DC Okay, to be fair that question should probably go to staff.

MN Well, I don't know I mean what they look at they look at traffic generation rates from the percentage of the land mass that's actually covered by buildings versus land and there're formulas that they used. They used slightly different ones, but they came up with similar agreements on the generation, so they're estimations that are tried and trusted I assume otherwise the proponent would not have put them up.

DC Thank you.

MA Any further questions councillors? Just one from me, Mark, in relation to the traffic movements, what, I know there's been some mention of the movements since the Fruit Distribution Centre was approved, what anecdotally is happening in that space for the residents of Rainbow Ridge and potentially that region?

MN So this is anecdotally in my own observations and not representative of the other people, I live in Alison Court which is on Rainbow Ridge, so it's the first street above the Schubach Street roundabout going up East Street. At 8.30am in the morning I can't get out of my road because the roundabout traffic is backed up past East Street getting out up Schubach Street and chock-a-block along East Street. Now that's not every day, it depends on which trucks coming down towards Fruit Distribution Centre or which truck is trying to get into Asahi Beverages, and whether there's more than two or three of them, but if there is everything stops.

So, I know that one of the things about traffic assessment, it depends on when you want to look at it. If you want to look at it on a public holiday or a Saturday or you know, everyone can make what figures they want out of it but anecdotally it's a problem now and this is not going to fix that problem. And you know, I don't know how you're going to address down the track getting East Albury residents into their city.

It's also Schubach Street happens to be school buses stop outside Schubach Street that we've got B-doubles parked along Schubach Street at the moment on occasion. You've also got this other proposed development which wants to exit onto Schubach Street where the bus stop is, to me it's a problem. If I could give Council some advice I would say after this is all done and dusted legislate so that you have a designated buffer zone between residential and industrial, and between residential and environmental that cannot be violated. And that can guide you going forward I think that's what happens with other councils or jurisdictions but that doesn't solve the problem that's facing you guys today.

MA Thanks, Mark, thanks for your informative presentation and I have no further questions.

MN Thank you very much for your time.

MA Thank you. We have Matthew Coulter with a power point presentation I believe, don't walk out with that in your hand Mark that's theft, I know you pay rates but… thank you Matthew.

MC Mr Mayor, fellow councillors and council staff thank you for allowing us this time. So, my presentation is a number of photos, so the first one is the Murray River. It is the number one tourist attraction in Central Albury and a jewel in Albury's crown. AlburyCity's document 'the Murray River Experience', highlights the importance of the Murray River to Albury and its future. It says, in many ways the river setting is the city's most outstanding attribute, but one that has not always been appreciated or integrated into the town planning and the way of the life of the city's residence. The Department of Primary Industries warns in a letter to Council planning that the intensification of land use, particularly close to the Murray River, has a potential to impact upon fish and fish habitat. The whole development site is right next to the Murray River.

This photo is one of industrial block on the causeway and its impact. I admit that this is Wodonga City Council, not AlburyCity Council. So, as you would be aware walking and cycle paths are planned by the Council to better link the community to the river, parklands and link one park with another. There is a planned track to Mungabareena Reserve between the river and this site at Willowbank Road. The nearby boat ramp is a major drop off point for those who navigate our river by craft. There is a real potential for sheds and industry to tower over this planned track and the river, and is in conflict with the Murray River experience. So, this photo is on the causeway with the cycle track just on the edge of the photo, and the river is pretty well adjacent to that cycle track.

This photo is a picture of trucks at the front of the current agricultural produce industry. This shot is taken from the front of the current business operating from the site. Council planning staff have dismissed a lot of our concerns relating to how a change of zoning will impact and say that our concerns will be handled at the DA stage. Council's own compliance staff have told us of the difficulties enforcing conditions put on DAs. This photo shows the impact post approval where conditions for use are not being met.

So this photo is Norman's Lagoon which is adjacent to the development. AlburyCity Council has received a grant to rehabilitate Norman's Lagoon, runoff from this planned industrial site will run directly into Norman's Lagoon. Page 11 of the proposal 4.1 says, it is acknowledged that the proposal has the potential to impact upon the river environment through future industrial development and activities on the land located in the proximity of the Murray River.

This photo is AlburyCity Council storm water drainage plan. This shows existing storm water drains running from the site to Norman's Lagoon. If I can get my little pointer to work that is the site in there with my shaky hand. The green line is the storm water drain into, hold my hand still, just there. The previous photo of the front of the existing approved business clearly shows the storm water pit with runoff directly from the site. Sorry, I've missed a photo here why have we not… so that little bit there is one that is on that green line.

So what current controls are in place to manage issues such as diesel spills from these trucks in the storm water let alone from future sites which will drain directly into the lagoon. The goal of the Murray River experience is to significantly improve the health and wellbeing of the Murray River. It outlines that treatment systems are proposed to improve the quality of storm water that flows through open spaces

and reserves to the Murray River. What storm water treatment system is in place in the current business and indeed the rezoning?

This is a picture of the point where the storm water drains into Norman's Lagoon. So, this is the storm water outlet into Norman's Lagoon, and it closes in flood to stop the floodwater from crossing under the levy bank and flooding the development area. This outlet carries a significant catchment from East Albury storm water of major concern when the river is in flood and the gate is then blocked. So, what happens when the river height rises that metal gate shuts to stop the floodwater from going under the levy bank and up and flooding the area.

So, a major concern when the river is flooding and the gate is then blocked is that whilst it stops the river going under the levy bank and overland water cannot escape, it is even contentious that the gate would even shut properly by example of the rubbish that's dammed in it. In correspondence from the Office of Environment and Heritage Council it warns of the site for rezoning being subject to overland flow flooding. So, the Office of Environment and Heritage has communicated to Council that it recommends further consideration and assessment of overland flooding and that the proponent says it is only minor significance.

This photo is an example of overland flooding recently. A prime example of mitigation required is South Albury where large retention basins were constructed to protect it from overland flooding. This photo was only a number of weeks, possibly a month ago in that last downpour, and adjacent to that water is actually rather large storm water channel. Now if that water couldn't go across and into that storm water channel, I think there's little hope for a large estate.

We had a discussion with Mr Cameron about traffic I think and the impact. So, this photo shows existing traffic congestion in the area unfortunately traffic studies are averaged out which doesn't represent the true impact of traffic flow. East Albury has already lost an access point to Central Albury with the freeway construction. A rezoning of Willowbank Road will add traffic volume to this critical intersection and its frequent bottlenecks. It will increase the volume of trucks and B-doubles. The gateway determination for cost to be outlined, what will the infrastructure cost and traffic and other mitigation to the people of Albury?

That's another shot up East Street up the hill of the traffic. My final statement, Councillors are the ones who need to feel comfortable in weighing up issues such as these. Thank you for letting me present just some of my concerns in the short time. Are there any questions?

MA Thank you, Mr Coulter. A question from Councillor Glachan.

AG Thank you, Mr Coulter, you showed a picture of the front of an existing development and some trucks in that development fairly early on, yes. Yes, that one there and you said that it's an example of conditions not being met following approval, or words to that effect. What's the condition, what's not being met, what's happening?

MC Well, if someone's got I think there are seven conditions so I haven't got the document in front of me.

AG All I can see is a yard with a lot of, with a couple of trucks and some…

MC One was that it was specified that truck parking was to be on the western side of the building there was no.

AG What side's this?

MC The western side, sorry, this is the northern side, the western side is here, I gather those conditions sort of related directly to amenity, so there was to be no truck parking or unloading on the front of the premises. The fence was to be in keeping with fences over the road or of Colorbond, I think the wording is of black or Colorbond nature. Actually one of the planning staff told me directly that wasn't to be a farm type of fence, that was her direct words. So, and I've been informed by the compliance officer that they have met down there and have had discussions about making the business comply. So, I don't know what those issues were, but I only know the ones about the parking and deliveries and the fencing.

AG The parking and the fencing, all right, thank you.

MA Thank you, Councillor Glachan. There appears to be no further questions from the councillors. I just have one and it probably explains a photograph you showed at the intersection of East Street or Bridge Street the freeway with the deluge a few weeks ago. It's for Mr Ferris, Mr Ferris it was my understanding that that was largely caused due to blockage in the storm water.

BF Good evening, Mr Mayor, not certain of the actual reasons for the water across the road in that particular location, but certainly under the underpass we had concerns with the pits being blocked. We'd had an extended dry period and therefore a lot of our pits around the city were blocked with debris which caused localised flooding on the roadways. Most of the drainage system in significant storms acts as a catchment or holds the storm water until the storm water can get away from the underground or the open channel system.

MA Thank you. Okay, Mr Coulter that's all the questions. Thank you for your presentation. And the next presenter is Tim Hoffman. Just a reminder that the presentations are for a five-minute duration. I was a little bit discrete and went for eight and a half minutes, Matt, but you're very passionate about your presentation.

MC Isn't that including the question points?

MA No, that was just your presentation. Thank you. Thanks Tim. Yes, that pointer I don't think you want to put a gun in your hand, mate. Thank you, Tim.

TH Thank you, Mr Mayor. Councillors should be aware that there are now at least 65 submissions opposing this rezoning application, although in the second public exhibition period there were some that were expanded upon the original. For example, the NSW Department of Primary Industries merely acknowledged in their email of the 13th March 2017 that they have no further comments on the proposal, but their initial proposal or submission stated, the intensification of land use particularly this close to the Murray River has the potential to significantly impact upon fish and fish habitat. Aquatic habitats differ from terrestrial habitats and are more susceptible to degradation and loss.

Further they say, the rezoning of the subject site will significantly increase the risks to the surrounding aquatic environment which consist of, not only of the Murray River, but also Norman's Lagoon. Both the Murray River and Norman's Lagoon at this location are known and/or potential habitat for several threatened species and endangered aquatic ecological community of fish. These include Murray cod, trout cod, southern pigmy perch, flat headed Galaxias and the lower Murray aquatic ecological community.

The Murray-Darling Basin's authority submission contained the following strong warnings. Initially they thanked Albury Council advising them of the proposed rezoning of three parcels of land on the River Murray floodplain. Their submission contained the following strong warnings. In responding to your letter, we take the opportunity to remind AlburyCity Council of the risks and potential liabilities associated with development on a floodplain. Following the 2010/11 Queensland floods, the Queensland Floods Commission of Enquiry considered the issues associated with floodplain management, development, planning and building controls.

The lessons learned from such events provide invaluable guidance in relation to floodplain management. It is important to understand that while the Hume Dam absorbs many of the smaller more frequent flood events, it has a limited impact on larger less frequent events. It will be unfortunate if the observed mitigation of the minor flood events led to complacency in a downstream community when planning for larger less frequent events. We trust that Albury Council is not complacent. If these opinions from these authorities aren't already well known to the Councillors through their briefings from the planning committee I'd encourage you all to read them in their entirety as to ensure that you do fully inform yourselves.

The Office of Heritage and Environment in both it's 2016 and 2017 submission notes has two main concerns. Firstly, standing here with the aboriginal flag, they have major concerns with aboriginal cultural heritage as highlighted in both its submissions. They state the planning proposal from the proponent states in relation to recognising, valuing and protecting the cultural and archaeological heritage values of the region that this is not relevant and the proposal does not relate to a cultural or archaeological heritage site.

The OEH state the land which is the subject of this planning proposal is in close proximity to an aboriginal culture heritage indicator, the Murray River, and to sites registered within the aboriginal heritage information management system with the closest being within 250 metres. OEH considers there is potential for unknown aboriginal sites or objects to be located within the subject land, and these

may be at risk from a change from horticultural to industrial use particularly if excavation of the ground surface is intended.

In 2017, they update that noting that the proposed rezoning of the subject land from RU2 to IN1 and IN2 will not in itself disturb the ground surface or harm aboriginal cultural heritage with potential to occur, but subsequent development of the site will result in ground disturbance. We observe that the location of proposed works has experienced prior disturbance. However, disagree with the due diligence process, Table 4 in the revised planning proposal, that there are no landscape features that would indicate presence of aboriginal objects.

They consider that despite prior disturbance at the site, there is potential for the occurrence of aboriginal cultural heritage with particular regard for indicative landscape feature, the Murray River, and known potential archaeological deposits across a similar landscape context within 500 metres of the site. They also note that numerous archaeological assessments have been undertaken across the subject site which have not been considered by the proponent. These include assessments by, associated with the proposed communications tower and Hume Highway upgrade.

The OEH recommend the proponent undertake an assessment in accordance with the due diligence code of practice for the protection of aboriginal objects in New South Wales. The results of the due diligence assessment can then be used to guide future development within the area, including identifying areas where aboriginal values will require further consideration. It is OEH's preference that this assessment be done at the rezoning stage to give future proponents certainty on any ACH constraints and legislative requirements prior to development applications being prepared.

The second concern, which has been covered to a degree, is in flooding. In response to this, they do have concerns regarding overland flooding. Although the major flooding mechanism as detailed in the planning proposal is from the Murray River, the site is also subject to overland flow flooding from the catchment draining towards the site from behind the levy. They state in their updated submission that the proposal does not address overland flooding and they recommend further consideration and assessment of overland flooding and demonstration of minor significance in accordance with the Minister's Section 117 directions.

They also, in their response to the revised proposal, refer to the recently finalised Albury flood risk management strategy. The eastern part of the site approximately east of Schubach Street is within the flood planning area for overland flooding. However, the proposal does not address overland flooding. I'm sure everyone who's seen the photos of the area will be aware of the storm water retention reservoir that's adjacent to both the site and the Hume Highway. Usually these reservoirs are aligned so that pollutants are trapped and do not enter underground water. In this instance that could not be done.

This storm water retention reservoir is actually groundwater that rises and falls with the Murray River. Storm water and other pollutants from the highway already seep into the Murray River from this source and with regard to the overland flooding risk that hasn't fully been assessed, this reservoir is actually inside the levy. Should this rezoning proposal be approved it will highly scrutinised by I expect the

Environmental Defender's Office, jointly by the NSW Ombudsman and NSW Office of Local Government and other authorities downstream who will likely be affected by the precedents set.

There was mention earlier about the 100-metre buffer zone that the Department of Primary Industries will enforce, and my understanding is that they will strictly enforce that area. Doing a simple search using the New South Wales government SIX map mapping tool does indicate that the southern boundary is approximately 75 metres from the high bank of the river and any future development application the entire southern boundary, per the option or the example shown in the proponent's proposal, the entire southern boundary would need to be amended.

MA Tim, we're gone eight minutes now, did you want to wind it up?

TH Yes, so I'd like to thank you for taking the time. Again, I expect Councillors to be fully informed when considering proposals such as this and the precedence that it sets, and remind you that you have responsibility to past, current and future generations, and if the recommendations of other authorities are ignored and you proceed with the rezoning as recommended by your planning department, you must be prepared to accept responsibility for that decision.

MA Thank you, questions, councillors. None forthcoming. Thanks Tim, thanks for your presentation. Graham Richardson I have you down for a verbal presentation, is that correct? You're up, thank you.

GR Are we going to work on five minutes or eight minutes?

MA Yes, well, we're a bit loose on that, but I suppose you only get one opportunity.

GR I'll try to stay with five minutes and see how I go.

MA So, just for clarification, Graham, Mark did indicate he was presenting on your behalf, is this a different presentation or the same presentation?

GR It's not the same presentation, this is more on process as it relates to the planning proposal. If you think I'm departing from that let me know.

MA Yes, five minutes, thanks, Graham.

GR Okay, thanks for the opportunity. So, I've taken some of this from a guide to preparing local environment plans and it says, the relevant planning authority must ensure that a planning proposal must/should be a concise document which justifies the proposals merit, and that the community has clear and evidence-based information available to assist the community to make informed comments on the proposal.

So, I then just want to refer to some correspondence that has come out from Council, 1st February 2017 key areas of revision to the planning proposal ordered that infrastructure requirements to confirm works, costs and sequencing with a provision of necessary infrastructure including reticulated water, sewer,

storm water and road network. But there isn't actually any costing that I can see within the planning proposal.

Now that conflicts within condition one of the gateway determination which notes, councils identified that additional information regarding the cost associated with provision of infrastructure and reticulated water and sewer impacts of the proposal and water supply, groundwater, etc etc is required. That information is to be obtained and the planning proposal is to be amended to reflect the outcomes of this work, I can't see the costing.

Then it talks about clarifications, then on the same date there is another letter which talks about clarification provided in relation to suppositions and assertions previously made on land ownership and zoning history on the subject land. Well, I'd have to say rather than clarify it actually misleads, because there're a few half-truths when the focus is directed on land ownership.

And then we have Council correspondence on 9th February 2017 which I'll just quote point three, in response to conjecture relating to the zoning of the subject land at the time of purchase the revised planning proposal provides a background audit confirming that at the time the Riccardi family purchased the subject land in the mid-1960s, note subject land, the applicable zoning was non-urban rural, again misleading when it's a reference to the subject land. So I then sent an email to the Council on 5th April 2017 which said Council has to be aware that there is a separate corporate entity involved. As such it is distinct from the Riccardi family, in brackets, shareholders from the company are separate entities to a company in which they hold shares.

Now that produced a response on the same day which threw a spanner in the works that all this land was purchased in the mid-1960s. What it said was that lot 37 last four digits of the DP7315 was purchased in 1968 by P. Riccardi. In 1995 or thereafter it evolved to M. Riccardi and M.T. Riccardi. We go to lot two with the last four numbers 9814, 1968 bought by P. Riccardi, something happened in 1976 but no one's got any information that they can give me on that that land, also reverted to M. Riccardi and M.T. Riccardi.

So, then we moved to lot 156 the last, sorry, 156 DP last four numbers 3326, that wasn't bought in the mid-1960s, that was bought in 2006. It was bought by South Albury Proprietary Limited of which M. Riccardi is a director and shareholder, that was the advice I got from Council. So, I think that revealed that within the planning proposal someone is trying to walk and chew gum at the same time.

Are the applicants to the planning proposal the holders of valid title to the subject land and what is the subject land? The narrative underpinning the planning proposal is not consistent or reliable. It states without any evidence whatsoever that the land owner was not advised of zoning changes. It needs to be noted that the present landowner or landowners didn't own the land at the time. The date of original purchase of land in the late 1960s up to the back zoning in the mid-1990s that land was according to Council's records owned by P. Riccardi.

In fact, if we go all the way back to the mid-1960s there are a couple of Riccardi's floating around who weren't born then. Even though according to the planning proposal it was zoned industrial, there is no

evidence contained in the planning proposal evidencing that it was used for industrial purposes. From what I can see it's never been used at any time, even though there were some industrial zoning it's never been used for industrial purposes. Is that a timer?

MA Yes, that is.

GR Can I go three more minutes then.

MA Thank you, Mr Richardson. Questions for Graham, councillors. Councillor Cameron.

DC If you were going to speak for three more minutes what would you have said?

GR I would have said, okay, what would I have said, do you want me to?

DC I'd like you to answer my question.

GR Okay, I would have said that one of the things I would have said that because this planning proposal is misleading there are some problems with Section 148B of the EP&A Act. I would have also said that there have been events that occurred which may in fact have breached the Crimes Act. I'll spell the contact out to you if you like.

DC Phone contact or parts of the description?

MA Another question clearly.

DC Thank you. I guess you're starting to come to the point of the next question I was going to ask you. You have a capacity that I respect to deal with extreme detail and to uncover extreme detail and you're to be commended on that. But I have to ask you how does that then go to the decision that Council's going to have to make because with the greatest respect sometimes the level of detail that you give to us as Councillors, and there is a huge volume of it, that's not a criticism you're entitled to do that, but it's sometimes it's difficult to draw nexus between the decision that's in front of us.

If I can specifically ask you, how is it relevant what the land was over the years zoned and rezoned other than what it is now and seeks to become now? And I say that as the only councillor here that was on the council in 95 and remember vaguely the decisions of the LEP then what was the equivalent of the development control plan at that time? So, I guess what I'm asking you in a very condensed form is, what's that got to do with the decision in front of us now?

GR Well, it's got everything to do with it because Council in making this decision have got to act in good faith. So here we have the Council as the relevant planning authority who are supposed to provide all the evidence and on this side, they are going to make a decision. So, Council are going to act as judge and jury, so they have to be very careful of the legalities here. But I don't want to see a situation where we get caught with traffic. We get the Murray River degraded based on information that where

there's a narrative that's just not true, and I think Council owe it to the people to give them the best information available, not to keep it out here where it's not cited.

Now I would make another point with traffic that when we look at traffic there was never any consultation about the extension of the B-double route. That was set to be for an orchard business, that was misleading because the people when they put that application they had to know that there was a planning proposal in existence at that time which was going to wipe out the orchard business and in fact those trees went after, before or after the B-double route was gazetted.

I'd also make another point that when we, just to answer what Alice, Councillor Glachan, sorry, had said, when she talked about the photo, she was looking at something that she shouldn't have been seeing because that was under the conditions that shouldn't have been there.

DC I have to say that I've got some quite a bit of familiarity with fruit packing and orcharding, and fruit packing in particular and it is, I don't think it's fully appreciated sometimes that that property has always packed fruit for other properties and the fact that it no longer operates its own orchard, I'm not sure that that's a sound argument.

GR Sorry, no, I disagree with you there, an orchard is different to a fruit packing venture. It is, you look up the definition of orchard.

DC I will, thank you.

MA It appears we have no further questions, Graham, thank you for your presentation.

GR Thanks.

MA And our final presentation is from Katherine Pyle, thanks Katherine.

KP Councillors, thank you, and audience. I have a story. When a farmer purchases suitable drinking water for his family the children understand the preciousness of this resource. To the children of this family it meant that 10cms of water in the old enamel bath was allowed to wash the entire family at the end of each day. Bathwater was always brown having been pumped to the house from the dam. It was darker than Murray River water of the 1970s and 80s. As the crow flies 30 kilometres to the south of this farm lay the Murray River, beaches east of Tocumwal are the playgrounds for this family, friends and local fishing groups. The children, the future inhabitants of this land, were taught respect for use of the river and its banks with seasonal visits.

It's summertime in 1983 and a 12-year old girl her siblings and friends stand thigh deep in the river at Smithers Beach. They can see their feet twist amongst the shimmer of gold flaky sediment in the river sand. The children can see their legs refracting in the water. They duck, dive and taste the minerally nothingness of the river water in their mouths. Fast-forward and the girl now in her 30s is upstream from here training in her kayak for the Murray River marathon between 2003 and 2005. On many paddles from how long to the Corowa Golf Club platypus duck in and out of the milky water beside her,12 years

she lives on the river and explores either side of Corowa, but knee deep in water she can barely see her feet in the water, it's just not the same.

Witnessing the change in 404 kilometres of river water from Yarrawonga to Swan Hill over five days of paddling reminded the woman of the purpose of this river. Besides feeding the country it's a drain for her country. This almighty drain contains everything on the land and underneath it that has washed or been filtered naturally or by pipe. She paddles past banks aware the extensive drainage of the Murray irrigation system does not allow farm runoff water to enter the river as it used to. The first runoff is to be stored and reused. Further runoff is allowed into the drainage system with controls. If toxic water enters the creek or river, efforts are made to trace the source and fines enforced.

She has learned that rice farmers, even if 25 kilometres from a critical river system, have to take, undertake, have to undertake extensive testing of subsoils to allow planting of rice crops. Without this testing in earlier years, rice farming was contributing to salinity and acidification of waterways.

Fast-forward to 2016 and we head upstream to Albury Wodonga, the girl is now 45. Moderate floodwater surrounds her dream in place of business on the river. Watching it is two and a half times wider and metres higher than usual. Her good sense of smell identifies petroleum and effluent as the river swells the catchments washed up fabricators, pollutants, chemicals and natures treasures that's all heading down the stream. The communities down there who support the city she lives in draw water from it, but they are the recipients of the consequences of toxic runoff from her city's storm water drainage entering the river.

Recently she visited the tourist haven of St. Kilda and had to leave after experiencing its stench. She won't go back until the city enforces change. Just as the EPA advises the public not to go swimming near any of the outlets in Port Phillip Bay due to toxic runoff after heavy rain, our communities will be told the same as they were along the river this time last year when being warned not to use it for recreation nor to feed livestock. The Hume weir near Lake Mulwala had an outbreak of blue green algae, the weir upstream from her city the major catchment for all was not healthy.

She learns about a man who wants to rezone his family orchard to industrial. She doesn't understand. Shouldn't all industrial areas be placed away from waterways just like the rice farmers? Isn't it her city's business to honour the same? Storm water drainage could be stored, treated and reused, placed into reforestation plantings for the production of pastures or a new futuristic idea, but just not on the river. For this site, it is a golden opportunity to look to the future health and wellbeing of the people and create an open parklike recreational area providing for tourism, sport, walking, cycling and for natural appreciation of wildlife.

The future will be glad that her city was a forward thinker because in the future behaviours such as zoning a beautiful space adjacent to the river industrial would not be tolerated. It would be deemed a crime. The parent city to the Murray-Darling Basin is her city with one third of what everyone eats coming from it. If water is sick then so is the community that she serves. If the environments surrounding her has a stench tourists will not return. Local business will suffer and industry will cease to invest here.

her city must set the example and act on this responsibly because of its major responsibility to the environmental welfare of the river.

This proposed industrial area poses every threat to this and total objection of those users downstream will be heard, as she speaks to people the rumble has already begun. This woman as a girl would visit Albury to shop in school holidays. She thought this perfect place was out of her reach. This place she thought was pristine, of good and honest history with a grand future with sound responsibility of its people and communities downstream. She worked hard to get here and worked hard in it. She thought it would head for the progressive stage. She and her peers are not so sure anymore. They are losing their trust and so is she. Thank you.

MA Thank you, Katherine, thank you for your story. And do we have any questions in relation to this story, councillors? Councillor Cameron.

DC From your presentation I take it that you've had experiences finding contaminated water in the area?

KP Yes, absolutely, well, yes, absolutely all along the river especially I guess in the last 20 years, yes, definitely.

DC Have you reported these incidents?

KP I guess I didn't know how to, no, I've just noticed. I've got a good sense of smell I guess so I've just noticed. And I guess growing up on a property that's what we were taught to do and be aware and I guess I'm having a say now. This is the start.

DC Thank you.

MA There're no further questions, Katherine, thanks for your presentation.

KP Thanks, Lucy did well tonight.

MA Thank you. So that completes the presentations. I want to ask Mr Keys whereto from here, and just to give us a timeline on what that looks like. Mr Keys.

MK Mr Mayor as suggested earlier we need to take into account the key points and issues that were raised tonight. There've been some very valid points that need some further consideration. We'll take those onboard and review those in consultation particularly with some of those agencies that have been referred to, and then we'll prepare a report for Council subsequent to those investigations and review with the issues raised.

MA Is there a timeline in relation to that?

MK Well, at this stage we are proposing to prepare a report and put it to the June meeting, but that will also be dependent on our further investigations and issues that come out of that and also discussions with those agencies.

MA Okay, Councillor Cameron you have a question.

DC Yes, to the most appropriate member of staff, probably Mr Keys I guess. One of the things that came up tonight was the methodologies for traffic movements. I'd be very interested in comparing those in your report if you could address that issue please.

MA Mr. Keys.

MK Sorry, Mr Mayor, could I just get some clarification around your question.

DC As quoted as I understand it in the application about traffic movements and as I articulated earlier in a question I'd be very interested to know how that can be done without knowing the nature of future developments and what methodology is applied, and where those figures and that methodology comes from?

MA Mr Keys.

MK Thanks, Mr Mayor, and thank you, Councillor Cameron for your clarification, we can certainly address that. There is some detailed information on how these traffic estimates are produced and considered and they relate to state wide standards and also historical data that's been used across the Albury area.

MA Councillor Cameron are you happy with that?

DC Yes, thank you.

MA Councillor Stuchbery you have a question?

JS Yes, this is a related question to the previous and it's to the most relevant member of staff. We've been presented with some pretty clear cut traffic problems in that area now existing, let alone what might happen in the future if this development is given approval. Can I just ask has any thought been put to what might be done about current traffic problems in that area now?

MK I might defer that to Mr Ferris if that's okay.

MA Mr Ferris.

BF Thank you, Mr Mayor, at the moment we're currently working through a traffic model with RMS with regard to a citywide model, in particular those interchanges are congested in their current form and we need to identify opportunities to alleviate some of that congestion just through natural growth that is

occurring across our network in particular our growth to the east of our city. So, we'll work through that. Once we've got some options available there we'll then develop a transport strategy as part of the works programme.

MA Councillor Stuchbery are you happy with that?

JS No, but I don't think there's much more that Mr Ferris can do at the moment.

MA Thank you. Just one question from myself to Mr Ferris. In relation to Bridge Road or East Street currently, and it would be quite clear that that land or the road reserve is landlocked by abutting development on both sides so there's no capacity to expand that particular roadway, is that correct?

BF Thanks, Mr Mayor, certainly the road reserve width is defined there'll be no opportunity to expand that. There is parking on either side of the road we can certainly look at those, but we'd need the model to understand the current condition versus future conditions. But as I say it's a bit of a product of the initial infrastructure that was placed there when the freeway was built, the capacity of it and then growth we'd had of our city to date which has increased the demand for that interchange and a number of interchanges along the freeway.

MA Thank you. Well, thank you everyone for tonight's forum and certainly the councillors, the new councillors and the previous, past councillors have certainly benefitted from community forums like this because it is a good opportunity for everyone to have an opportunity to speak to us and to voice your concerns. And your concerns are taken onboard and discussed and the report will reflect those concerns when it comes to council in a timely fashion.

We are now having a short adjournment. Following the adjournment, we'll have a workshop regarding Thurgoona Park North development and it is open to the public. Thank you very much.

The meeting closed at 7.35pm

CM10. NOTICES OF MOTION/NOTICES OF RECISSION

CM10.1. Alcohol Prohibited Area Extension

Cr King Moved

That Albury City Council establish an Alcohol Prohibited Area in the War Memorial Monument Hill precinct for the period midnight to midday on ANZAC Day each year.

CM10.2. Cities Power Partnership

Cr Cohn Moved

That AlburyCity joins the Cities Power Partnership, organised by the Climate Council, to celebrate, promote, and support AlburyCity's ongoing work in sustainability.

Background:

AlburyCity has been invited to join the first round of the Cities Power Partnership in recognition of our work in sustainability. There is no cost associated with joining the program. Attachment 1 from the Climate Council explains the program in detail.

Attachments

1. Cities Power Partnership – Information for councils
2. Cities Power Partnership – Summary Explainer

CITIES POWER PARTNERSHIP



CITIES POWER PARTNERSHIP

Information for councils



CLIMATE COUNCIL

CLIMATECOUNCIL.ORG.AU

Cities Power Partnership

cpp@climatecouncil.org.au
citiespowerpartnership.org.au (website launching July 2017)

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A National Program for 2017

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Executive Summary

Australia is on the frontline of climate change and its impacts.

We continue to swelter through record breaking heat, lengthening bushfire seasons, worsening coastal flooding and supercharged storms. Meanwhile, the national energy debate is reaching fever pitch, with renewable energy lambasted by our nation's political and industry leaders as unreliable and unaffordable, whilst "clean coal" technology and gas expansion is being promoted as Australia's future energy solution. As climate impacts worsen and government action stagnates, the window of opportunity to limit the warming of the planet is rapidly closing.

Throughout all of these challenges, local heros have quietly been getting on with the job. Cities and towns across Australia are surging ahead with emissions reduction plans, switching to cleaner energy and building greener, efficient and more resilient communities. The Cities Power Partnership (CPP) will elevate and accelerate this action across the country. We know that transforming the way cities use and generate energy alone has the potential to deliver 70% of the total emissions reductions needed to stay on track for the 2 degrees limit set under the Paris Agreement.

The CPP will engage with towns and cities, via local councils, throughout Australia and incentivise councils to increase renewable energy and energy efficiency, improve transport and engage in advocacy. Members of the partnership will also be given access to a national knowledge hub, buddied with cities to knowledge share, visited by domestic and international experts, connected with community energy groups and celebrated at events with other local leaders. We'll also showcase the incredible achievements of cities in national, local and social media to millions and and share their success with our community of over 200,000 members and supporters.

"Cities and towns across Australia are surging ahead with emissions reduction plans"

$72m

worth of media.

313m

cumulative audience.

76

reports.

The Climate Council

The Climate Council is Australia's leading climate communications organisation. To date the Climate Council has produced 76 reports on climate impacts and solutions and was the number one organisation communicating on climate change nationally in 2016.

The Climate Council brings a unique set of skills that enable us to build and deliver the Cities Power Partnership program and ensure that it differs from existing programs for local councils. The Climate Council has significant media reach, generating nearly $72 million worth of media, reaching a cumulative audience of 313 million. This media reach will be key as an incentive for cities to join the program as well as working to strengthen public support across the country for climate action at the local level.

In addition, the Climate Council hosts a wealth of leading experts in climate impacts and renewable energy solutions whose technical knowledge will be key to helping local councils to implement emissions reduction measures. The Climate Council will also use its national status and the credibility of its Climate Councillors to connect councils across the country with community energy groups and local organisations who can help councils to implement energy efficiency and renewable energy measures quickly and effectively, as well as getting sponsors on board who can provide incentives for councils to act.

The Challenge

Global heat records have been broken again, with 2016 declared the hottest for a third consecutive year. Australians continues to swelter through record breaking heat, lengthening bushfire seasons, worsening coastal flooding and supercharged storms.

The emission of greenhouse gases from the burning of fossil fuels like coal, oil and gas, are driving these dramatic changes of the climate system and need to be drastically reduced. However, the window of opportunity to limit the warming of the planet and its catastrophic impacts is rapidly closing and governments are struggling to meet this challenge at the pace required.

Local Champions

In the face of these challenges local champions have emerged.

Around the world and across Australia, towns and cities of all shapes and sizes are getting on with the job. They are surging ahead with emissions reduction plans, switching to cleaner energy and building greener, efficient and more resilient communities. From booming urban centres to small rural townships, local governments and groups of determined residents have been energy and climate trailblazers in many ways. Towns and cities can shape how land is used, investments are made and millions of dollars worth of renewable energy is rolled out. They can influence how new homes and business are built, determine the ways in which hundreds of thousands of residents will travel each day and band together to lobby for much needed state and federal policy change. Transforming the way cities use and generate energy alone has the potential to deliver 70% of the total emissions reductions needed to stay on track for the 2 degrees limit set under the Paris Agreement (IEA 2016).

"Local governments and groups of determined residents have been energy and climate trailblazers in many ways."


CITIES POWER
PARTNERSHIP
03/2017
5
CLIMATE
COUNCIL
Lectrum

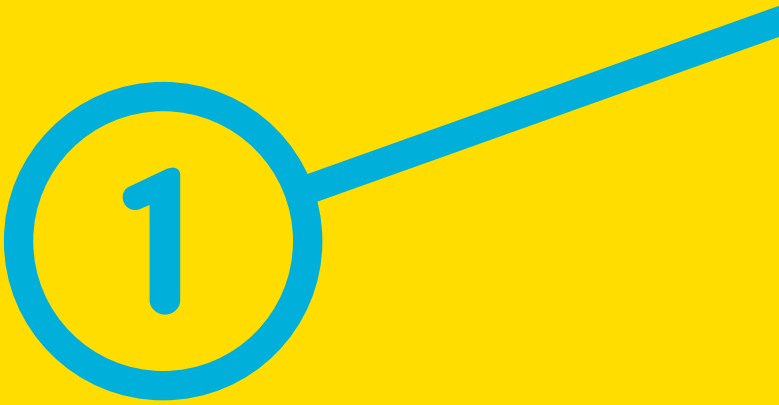


A Snapshot of the Cities Power Partnership

The Climate Council's Cities Power Partnership (CPP) seeks to celebrate and accelerate the emission reduction and clean energy successes of Australian towns and cities to date. We are calling on Mayors, councilors and communities to take the next step towards a sustainable, non-polluting energy future by joining the CPP. The CPP with launch mid 2017, along with a Climate Council cities report authored by some of Australia's leading experts, a brand new CPP website and a media campaign featuring trailblazing councils who have joined the partnership. The first year of the program will run from mid 2017-mid 2018.

Participating councils who join the partnership will have 6 months to select 5 key actions from the partnership pledge ranging from renewable energy, efficiency, transport and advocacy *(see Appendix A for full pledge and Appendix B for pledge examples)*. Councils will receive access to a national knowledge hub to assist with the implementation of emissions reductions projects and will be buddied with other participating councils to knowledge share. Participants in the partnership will also have exclusive access to domestic and international experts, community energy groups, events with other local leaders and potentially exclusive access to small grants and renewable energy incentives. The clean energy successes of councils and their communities will be showcased in print and online media across Australia. These positive stories will also be shared through our social media platforms to millions of people and celebrated by our community of over 200,000 members and supporters.

The Three Phases of the Cities Power Partnership



Become a Power Partner

Act:
Councils sign up to be a Power Partner.

Knowledge:
Partners get exclusive access to the extensive online knowledge hub.

Connect:
Each partner is buddied with two other cities to knowledge share throughout the year.

Profile:
Power partners are profiled in national and local media, online and to our 200,000 members and supporters.

2

Power Up

Act:
Partners have 6 months to select 5 key actions from the partnership pledge ranging from renewable energy, efficiency, transport and advocacy. They must identify a point of contact within council who will liaise with the Climate Council and work to implement their actions. Pledges are submitted by each partner and profiled online.

Knowledge:
Partners will have ongoing access to the knowledge hub, webinars with domestic and international experts as well as communications and advocacy training where required.

Connect:
Power Partners can be connected with their local community energy group and relevant local organisations who can be contracted to help council begin or improve implementation of emission reduction actions. Councils who are already leading will play an important knowledge sharing role with other partners and will be profiled in the media to inspire others.

Incentives:
Cities who join the partnership earli may have access to exclusive grants and renewable energy incentives as they become available.

Profile:
Power partners and their local success stories will continue to be profiled in the media. Climate Councillors will travel to a range of communities across Australia to engage in community events and talk to councils.

3

Power On

Act:
Partners report on progress against key actions in a 6 monthly survey.

Knowledge:
Partners access local and international knowledge and inspiration at the 2018 Power Partners Summit.

Connect:
Partners will be brought together to celebrate the high achieving towns and cities at the Power Partners Summit.

Profile:
Success stories will continually be celebrated in the media, Climate Councillors continue to travel to a range of Australian communities, more towns and cities become Power Partners and lead the switch to non-polluting energy across the country.

What Does Success Look Like?

From mid 2017 to mid 2018, at least 50 councils will pledge to become Power Partners. Each council who becomes a power partner will identify 5 key actions from the Power Partner Pledge, ranging from renewable energy to transport, which they'll report on every 6 months via the Climate Council's online survey.

From mid 2017 to 2018 national public opinion will continually increase in support of the statement "I consider my council to a leader on emissions reduction".



Frequently Asked Questions

When is the Cities Power Partnership launching?

It's launching in July 2017. The launch will include the launch of the CPP website, a media and stakeholder launch which showcases towns and cities who have already pledged and a national media campaign.

Can the broader community nominate their town or city to be part of the Cities Power Partnership?

Yes. When the Cities Power Partnership website launches nominations can easily be made through the website. In the meantime if the general public want to recommend a town or city for the Cities Power Partnership they are invited to email the Climate Council telling us the name of the city and why they think it's a good fit.

How do community energy organisations get involved?

We are actively reaching out to community energy organisations across the country to get involved. The Cites Power Partnership wants to profile and connect community energy groups with councils involved in the partnership. This connection is vital to help councils achieve success as community energy groups and the community more broadly can provide on-the ground support, including workshops and modelling, to help councils achieve their energy and sustainability commitments.

What if a town or city is already leading in renewable energy and sustainability, what does their city get out of joining the partnership ?

Cities leading the way play an essential role in the partnership. They will share their knowledge with other cities, their successes will be celebrated to an audience of millions to inspire others and they will have access to resources and incentives to help them to continue to lead.

Many trailblazing cities who are already leading will have some of their existing initiatives counted towards their power partnership pledge.

Appendix

Appendix A: The Partnership Action Pledge

Participating councils who join the partnership will have 6 months to select 5 key actions from the options below.

Renewable Energy



1. Use strategic and statutory planning processes to promote renewable energy – both at the residential, commercial and larger scale.



2. Provide council resources to educate and support the uptake of renewable energy, such as by hiring an internal renewable energy support officer or establishing an independent body (such as the Moreland and Yarra Energy Foundations).



3. Install renewable energy (solar PV and battery storage) on council buildings for example childcare facilities, libraries, street lighting, recreation centres, sporting grounds, and council offices.



4. Support community facilities accessing renewable energy through incentives, support or grants.



5. Power council operations by renewables, directly (with solar PV or wind), or by purchasing Greenpower (from electricity retailers). Set targets to increase the level of renewable power for council operations over time.



6. Encourage local businesses and residents to take up solar PV, battery storage and solar hot water heating. This can be done through providing incentives (such as solar bulk buy schemes or flexible payment options) or streamlining approvals processes (such as removing planning and heritage barriers to solar PV).



7. Support community energy projects (with location and planning support) so that residents (such as renters) can band together and invest in community renewable energy projects.



8. Opening up unused council managed land for renewable energy, for example land fills, and road reserves.



9. Facilitate large energy users collectively tendering and purchasing renewable energy at a low cost.



10. Set minimum renewable energy benchmarks for new developments, for example Denman Prospect, ACT requires every new house to install a minimum solar PV system.



11. Electrify public transport systems (for example buses operated by council) and fleet vehicles and power these by 100% renewable energy.



12. Lobby electricity providers and state government to address barriers to renewable energy take up at the local level (whether these be planning, technical, economic or policy related).

Energy Efficiency



1. Set minimum energy efficiency benchmarks for all planning applications.



2. Adopt best practice energy efficiency measures across all council buildings, and support community facilities to adopt these measures.



3. Public lighting can use a large proportion of a city's energy budget – roll out energy efficient lighting (particularly street lighting) across the municipality.



4. Provide incentives (for example rate reductions) for best practice developments such as streamlined planning processes, and support for retrofitting energy efficiency measures for existing buildings.



5. Incentivise the deployment of energy efficient heating and cooling technologies.

Transport

1. Ensure Council fleet purchases meet strict greenhouse gas emissions requirements and support the uptake of electric vehicles.

2. Provide fast-charging infrastructure throughout the city at key locations for electric vehicles.

3. Encourage sustainable transport use (public transport, walking and cycling) through Council transport planning and design. Substantial savings in transport energy use can be achieved by designing more compact cities with access to high quality public and active transport services and facilities.

4. Ensure that new developments are designed to maximize public and active transport use, and are designed to support electric vehicle uptake.

5. Providing for adequate cycle lanes (both space and connectivity) in road design and supporting cyclists through providing parking, and end-of-ride facilities (covered, secure bike storage, showers, bicycle maintenance and incentives).

6. Reduce or remove minimum car parking requirements for new housing and commercial developments where suitable public transport alternatives exist.

7. Lobby state and federal governments for improvements to planning legislation to promote sustainable transport options, and increased investment in and provision of public transport services.

8. Consider disincentives for driving high emitting vehicles such as congestion pricing, or a tiered payment system for residential car parking permits where high emitting vehicles pay more.

Work Together and Influence

1. Set city-level renewable energy or emissions reduction targets and sustainable energy policies to provide a common goal and shared expectations for local residents and businesses.

2. Lobby state and federal government to address barriers to the take up of renewable energy, energy efficiency and/or sustainable transport, and to support increased ambition. For example working to lobby on the Smart Energy Communities policy.

3. Set up meetings and attend events, such as the Community Energy Congress or Ready for 100 Summit, where like-minded cities can address common concerns and learn from others' experience.

4. Implement an education and behavior change program to influence the behavior of council officers, local residents and businesses within the municipality to drive the shift to renewable energy, energy efficiency and sustainable transport.

5. For communities reliant on a local coal industry, local government can support the transition away from fossil fuels, by lobbying for state and federal support for a just transition for workers, families and the community and encouraging local economic development and opportunities based on a low carbon economy.

6. Ensure that the practices of local government contractors and financing such as banking, insurance, and super are aligned with council goals relating to renewable energy, energy efficiency and sustainable transport. Set appropriate criteria for council procurement.

7. Promote knowledge sharing and strengthen the local community's capacity and skills in renewable energy, energy efficiency and sustainable transport.

Sources: IEA 2016; IRENA 2016

Appendix

Appendix B: Pledge Examples

Examples: renewable energy action

Action		Examples	Link
Promote renewable energy - both at the residential, commercial and larger scale	Use land use planning measures to encourage uptake, such as streamlining approvals processes and removing barriers.	Moreland City Council, Victoria has a planning guide to protecting existing solar panels from overshadowing.	http://www.moreland.vic.gov.au/globalassets/areas/strategic-planning/solar-panels---advisory-note-as-endorsed-by-council-13-july-2016.pdf
	Set minimum renewable energy benchmarks for new developments.	Denman Prospect in the ACT requires every new house to install a minimum sized solar system. City of Nedlands, WA requires a minimum of 1.5kW onsite solar or wind for all new homes and renovations.	http://www.actewagl.com.au/About-us/Media-centre-and-reports/2015/10/09/Denman-Prospect.aspx http://reneweconomy.com.au/new-build-houses-must-install-solar-wind-in-wa-suburb-27550/
	Hire an internal renewable energy support officer or establish an independent body tasked with promoting renewable energy.	Examples include: Moreland Energy Foundation, Victoria. Yarra Energy Foundation, Victoria.	http://www.mefl.com.au/ http://www.yef.org.au/
	Encourage local businesses, community facilities and residents to take up renewable energy by providing incentives (such as grants, solar bulk buy schemes or flexible payment options).	Adelaide City Council in SA has a Sustainability Incentives Scheme for local residents.	http://www.adelaidecitycouncil.com/your-council/funding/sustainable-city-incentives-scheme/

Action		Examples	Link
Power council operations by renewable energy	Set targets to increase the level of renewable power for council operations and the broader community over time.	Australian Capital Territory set a goal for 100% renewable energy by 2020 delivered by a series of reverse auctions for renewable energy.	https://www.climatecouncil.org.au/act-report
	Power operations directly by renewable energy (with solar PV or wind).	Sunshine Coast Council in QLD developed the Valdora solar farm to power council operations. Cockburn in WA is using geothermal heating for its sporting complex.	https://www.sunshinecoast.qld.gov.au/Council/Planning-and-Projects/Major-Regional-Projects/Sunshine-Coast-Solar-Farm http://www.cockburn.wa.gov.au/Council_Services/Environment/Renewable_Energy/
	Install renewable energy (solar PV and battery storage) on council buildings for example childcare facilities, libraries, street lighting, recreation centres, sporting grounds, and council offices.	Bathurst in NSW installed solar systems across nine council buildings. Leichardt Council in NSW installed solar systems on 17 council buildings. Solar and battery storage installed on government buildings in Adelaide.	https://www.bathurst.nsw.gov.au/environment/energy-sustainability/solar-power-on-council-buildings.html http://www.leichhardt.nsw.gov.au/Environment---Sustainability/Projects-and-Programs/Council-Solar-Panels http://www.premier.sa.gov.au/index.php/tom-koutsantonis-news-releases/896-zen-energy-to-install-1m-battery-storage-on-government-owned-buildings
	Opening up unused council managed land for renewable energy.	Cambelltown in SA supporting a community owned solar project utilising the rooftops of local government buildings.	http://www.campbelltown.sa.gov.au/cos

Examples: renewable energy action

Action		Examples	Link
Collective tendering	Facilitate large energy users collectively tendering and purchasing renewable energy at a low cost.	The Melbourne Renewable Energy Project involves bringing together a number of large energy users to collectively tender for renewable energy.	http://www.melbourne.vic.gov.au/business/sustainable-business/Pages/melbourne-renewable-energy-project.aspx
Powering electric vehicles with renewable energy	Electrify transport systems such as council buses and fleet vehicles and power these by 100% renewable energy.	Adelaide, SA solar-powered "Tindo" bus. Moreland City Council in Victoria is integrating electric cars into council's fleet	http://www.adelaidecitycouncil.com/assets/acc/Environment/energy/docs/tindo_fact_sheet.pdf http://www.moreland.vic.gov.au/parking-roads/transport/electric-vehicles/
Lobby to address barriers	Lobby electricity providers and state government to address barriers to renewable energy take up at the local level (whether these be planning, technical, economic or policy related).	Victorian councils called for planning protection to prevent solar panels from overshadowing.	http://www.heraldsun.com.au/leader/east/calls-for-statewide-protection-of-solar-panels-from-overshadowing-from-multi-sto-rey-development/news-story/4f28125a5d0db4dc22c7200aed4e8736

Examples: energy efficiency actions

Action		Examples	Link
Promote energy efficiency - both at the residential, commercial and larger scale	Hire an internal energy efficiency support officer or establish an independent body.	Examples include: Moreland Energy Foundation, Victoria. Yarra Energy Foundation, Victoria.	http://www.mefl.com.au/ http://www.yef.org.au/
	Encourage local businesses, community facilities and residents to take up energy efficiency measures by providing incentives (such as grants, solar bulk buy schemes or flexible payment options).	Adelaide City Council in SA has a Sustainability Incentives Scheme for local residents.	http://www.adelaidecitycouncil.com/your-council/funding/sustain-able-city-incentives-scheme/
Energy efficiency in council operations	Adopt best practice energy efficiency in council buildings.	City of Gosnell's community facility incorporated environmentally sustainable design. City of Wollongong updated an ageing building to achieve a 5 Star Green Star rating.	http://new.gbca.org.au/showcase/projects/mills-park-community-facility/ http://new.gbca.org.au/showcase/projects/wollongong-city-council-administration-building/

Action		Examples	Link
	Public lighting can use a large proportion of a city's energy budget - roll out energy efficient lighting (particularly street lighting) across the municipality.	Victor Harbour, SA Hybrid (wind and solar) street lighting with battery storage, and potential to power gophers, solar bollards.	https://www.victor.sa.gov.au/solar

Examples: sustainable transport actions

Action		Examples	Link
Promote sustainable transport options in the community	Provide fast-charging infrastructure (powered by 100% renewable energy) throughout the city at key locations for electric vehicles.	City of Moreland has installed a network of public electric car charging stations.	http://www.moreland.vic.gov.au/parking-roads/transport/electric-vehicles/
Promote sustainable transport options within council	Ensure Council fleet purchases meet strict greenhouse gas emissions requirements and support the uptake of electric vehicles (powered by renewable energy).	Manningham's Climate 2020 action plan targets 100% of fleet cars to be green electric vehicles by 2020.	http://www.manningham.vic.gov.au/climate-and-energy
	Provide fast-charging infrastructure throughout the city at key locations for electric vehicles.	Cockburn, WA 100% solar powered electric vehicle charging stations.	www.cockburn.wa.gov.au/council_services/environment/renewable_energy/
	Provide for adequate cycle lanes (both space and connectivity) in road design and supporting cyclists through providing parking, and end-of-ride facilities (covered, secure bike storage, showers, bicycle maintenance and incentives).	Melbourne City Council has a detailed bicycle plan outlining a number of actions to increase cycling's mode share.	http://www.melbourne.vic.gov.au/SiteCollectionDocuments/city-of-melbourne-bicycle-plan-2016-2020.pdf

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Cities Power Partnership

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Cities Power Partnership

Snapshot summary for GMs

Cities Power Partnership (CPP) is a program of the Climate Council that is launching on July 18th 2017.

The CCP provides a coordinated vehicle to accelerate, celebrate and promote local government successes in achieving emission reductions and transitioning towards clean energy.

There are no costs for councils to join the Cities Power Partnership.

The CCP is a program run by the Climate Council which was launched after the abolition of the Climate Commission. It provides independent, authoritative climate change information to the Australian public that is based on the best science available.

The Climate Council was the number one organisation communicating on climate change nationally in 2016 and reaches 8 million people a month online.

When councils join the partnership councils will be required to:

• Identify 5 items in the Power Partners Pledge that councils will strive to achieve. Councils have 6 months from the sign up date to identify which pledge items these will be.

Note: *Projects already in the council pipeline can be included towards a council's pledge. There are 32 partnership pledge actions to choose from ranging from renewable energy, efficiency, transport and advocacy*

• Complete a 6 monthly online survey that provides the Climate Council with basic information on how councils are progressing on the 5 pledge items that councils have selected.

• Nominate a point of contact within council that the Climate Council can liaise with on CPP matters.

• Be buddied with two other local councils to knowledge share.

As power partners councils will receive:

• Invitations to participate in the media and stakeholder launch of the CPP in July.

• Promotion on the CPP website with a success profile specifically on the achievements and goals of our councils.

• Promotion through the Climate Council's social media and have your sustainability and renewable energy success stories shared with over 200,000 Climate Council supporters.

• Promotion in the media.

• Access to the CPP knowledge hub, webinars and where possible a visit from climate council experts in your council's region.

• Invitations to attend the 2018 CPP summit and awards ceremony with other councils across the country.

• Potential access to exclusive grants and incentives to support renewable energy, energy efficiency and sustainable transport goals as they become available.

- CPP is launching in July 2017.

More information about the program is in the attached brochure.

CM11. PRESENTATIONS AND DEPUTATIONS

CM11.0. Nil

CM12. REPORTS/MINUTES OF COMMITTEES AND WORKING PARTIES

CM12.0. Nil

CM13. DOCUMENTS FOR SEALING

Recommendation

That Council authorises its Seal to be affixed to the document outlined below, in the presence of two signatories authorised to affix the Seal pursuant to Regulation 400 of the Local Government (General) Regulation 2005 and the Use of the Council Seal Policy:

A. Lease between Albury City Council and Albury Tigers Club Ltd – Albury Sports Ground. Crown Reserve Lease for Term 2017-2039 in accordance with option for extension of original lease commencing May 1989.

CM14. OFFICERS REPORTS FOR CONSIDERATION

CM14.1. South Albury Levee Upgrade Feasibility Study Contract No. 17/00539

DATE	9 May 2017	**FIL REFERENCE**	FIL17/00539
CONFIDENTIAL	No		
FURTHER ENQUIRIES	Brad Ferris Engineering	**PHONE**	6023 8233
AUTHOR	Ian Redman		

Purpose of Report

To recommend a preferred contractor to carry out a feasibility study with recommendations for the upgrade of the South Albury Levee.

Background

Historically, Albury has experienced periodic flooding events due to significant rainfall and/or high river levels. A series of flooding events in the 1970s prompted the construction of the existing South Albury Levee (commissioned in 1976). Smaller events have occurred more recently in 2010 and 2016 and are estimated to be approximately a 20% Annual Exceedance Probability (AEP) and 10% AEP respectively.

The levee is predominately a 3.8km long earth embankment substantially located in South Albury. The South Albury Levee was built to protect a significant residential and industrial area of approximately 4.5km^2 of low lying areas from flooding during a 1% AEP flood event. The levee extends from Doctors Point Road in East Albury, crosses the Hume Highway and runs parallel to the Sydney to Melbourne rail corridor. There is then a short section (60m) of sheet pile walling along Oddies Creek located to the north of Abercorn Street Bridge before the levee traverses around South Albury, through the riverside parks adjacent to Wodonga Place and terminates at Smollett Street just west of Wodonga Place.

This project is a recommendation from the AlburyCity Floodplain Risk Management Study and Plan, which was adopted by Council in February 2016. The project was given a high priority rating in the plan due to the levee not meeting the current requirements for protection under a 1% AEP flood event. Upgrades to the levee will aim to provide adequate flood protection for this low lying area of the city.

The scope of works in this contract is summarised below:

- undertake detailed site survey and geotechnical survey of the existing levee;
- carry out a levee freeboard assessment;
- develop concept designs of the proposed levee upgrade;
- carry out a preliminary environmental and planning assessment;
- undertake economical analysis of concept design;
- carry out hydraulic modelling of concept design;
- finalise concept design; and
- finalise feasibility study and prepare a comprehensive study report.

Tenders were invited for Contract No. 17/00539 - South Albury Levee Upgrade – Feasibility Study, and advertised in the Border Mail, Sydney Morning Herald and placed on Tenderlink. Tenders closed at 12 noon on Tuesday 2 May 2017.

Council's total budget allocation for this project is $132,000 including GST, of which the NSW Government's Office of Environment and Heritage provided $88,000 including GST in financial assistance under the 2016-17 Floodplain Management Program.

A locality plan is *attached* for information.

Tender Evaluation

At the close of tenders, five submissions were received from the following companies:

- Water Technology Pty Ltd (Wangaratta, VIC);
- GHD Pty Ltd (Wodonga, VIC);
- Cardno Victoria Pty Ltd (Melbourne, VIC);
- Lyall & Associates Pty Ltd (North Sydney, NSW); and
- Pitt & Sherry Pty Ltd (Hobart, TAS).

All tenders were evaluated in accordance with Council's Procurement Policy and Guidelines.

The selection process must provide the best value for money when evaluated against the applicable assessment criteria. Best value does not necessarily mean 'lowest price'; it involves a comparative analysis of the benefits of the submission versus the cost of the procurement. Some of the benefits of a submission that are considered include resourcing and availability, performance history, planning and programming, work health and safety record, quality of work, and experience. Consideration may also be given to items external to the contract management requirements during the course of the contract.

The assessment panel for the tender comprised Team Leader Design – Ian Redman, Group Leader Engineering Services – Andrew Lawson, Procurement and Contract Management Coordinator – Gerard Coyle, and Senior Natural Resource Officer (Floodplain Management) - Ian Burns from NSW Government's Office of Environment and Heritage.

Conformity Check

A conformity assessment was undertaken to ensure all submissions received were in accordance with the contract documentation and specification.

Tenderer	Pricing Details	Supporting Information	WHS Documentation	Comment
Water Technology Pty Ltd	✓	✓	✓	Fully complies
GHD Pty Ltd	✓	✓	✓	Fully complies
Cardno Victoria Pty Ltd	✓	✓	✓	Fully complies
Lyall & Associates Pty Ltd	✓	✓	✓	Fully complies
Pitt & Sherry Pty Ltd	✓	✓	✓	Fully complies

As indicated above, all submissions were assessed as conforming tenders.

Qualitative Assessment

A qualitative assessment considered a range of issues including:

- Resources – availability and ability to complete projects within timeframes;
- Performance capability – including referee checks and comments;
- Methodology proposed – includes program of works, reporting and recording systems, management of traffic;
- Management systems – quality assurance/systems/programs/procedures; and
- Relevant experience – experience and reputation in carry out similar projects.

Tenderer	Resources (max 15)	Performance (Max 20)	Methodology (Max 20)	Management Systems (Max 10)	Experience (Max 25)	Local Benefit (Max 10)	Total (Max 100)
Water Technology Pty Ltd	10.5	16	16	8	17.5	2	70
GHD Pty Ltd	12	14	14	8	20	5	73
Cardno Victoria Pty Ltd	10.5	14	14	8	17.5	0	64
Lyall & Associates Pty Ltd	12	14	14	8	20	0	68
Pitt & Sherry Pty Ltd	12	16	12	8	20	3	71

Water Technology Pty Ltd is located in Wangaratta and has undertaken similar projects in both Victoria and New South Wales. Recently the company has undertaken a flood risk assessment and provided concept designs for two proposed levees in Wodonga. Water Technology Pty Ltd has also undertaken a number of flood studies and was engaged by WMA Water as a consultant on the recent Albury Floodplain Risk Management Study and Plan endorsed by Council in February 2016. Their current commitments include a flood study for the City of Wangaratta, flood mapping for the Upper Ovens Region and flood investigation works for the City of Ararat.

Referee information indicated that the company are good communicators, provide value for money and have willingly engaged Water Technology Pty Ltd to undertake numerous projects for their organisations.

Water Technology Pty Ltd has nominated Civil Test Pty Ltd based locally in Wodonga, as a sub-contractor to carry out the geotechnical investigation works within the project scope.

The company has nominated to complete the project within 24 weeks with a completion date in late October 2017.

GHD Pty Ltd has had a local regional office in Wodonga since 1975 and has undertaken similar projects in our region. Recently the company completed a condition assessment of Nathalia levee and prepared a remedial design. GHD has also undertaken a detailed design of flood mitigation works at Lockhart and completed Floodplain Risk Management Studies and Plans for Greater Hume and

Murrumbidgee Shire Councils. GHD Pty Ltd was also engaged by Council to conduct a Flood Study of the Murray River which they successfully completed in 2012.

Referee information indicated that GHD Pty Ltd is easy to deal with, they maintain a good working relationship with key stakeholders, but have had minor issues around project timeframes.

GHD Pty Ltd has also nominated Civil Test Pty Ltd, based locally in Wodonga as a sub-contractor to carry out the geotechnical investigation works within the project scope. All other works within the project scope will be carried out in-house at its regional office in Wodonga.

The company has nominated approximately 18 weeks to complete the works, but indicated that no allowance has been made for reviewing of each stage (nominated three stages) by Council.

Cardno Victoria Pty Ltd is based in Melbourne and has undertaken a number of similar projects in both Victoria and New South Wales. Recently the company has completed an investigation and design of seven sections of flood levee and creek works in Castlemaine, Victoria for Mount Alexander Council. The project is currently in detailed design phase. Cardno Victoria Pty Ltd is also currently completing a detailed design for a proposed levee in Charlton, Victoria for Buloke Shire Council.

Referee information indicated Cardno Victoria Pty Ltd as being very easy to deal with. They have been responsive to Council and Community requests and have completed projects with very few issues and an excellent final outcome.

The company has nominated approximately 12 weeks to complete the works.

Lyall & Associates Pty Ltd is based in North Sydney and has undertaken a number of similar projects throughout New South Wales. Recently the company has completed a flood study review and levee options assessment for Narrandera Shire Council as well as a levee options assessment and concept design of Baradine Town levee for Warrumbungle Shire Council. Lyall & Associates Pty Ltd is also currently completing a number of Floodplain Risk Management Studies and Plans for Orange, Forbes, Penrith and other local councils. Lyall & Associates Pty Ltd was also engaged by Council to conduct a Flood Study of Bungambrawatha Creek, Lavington, South Albury, and West Albury which they successfully completed in 2011.

Referee information indicated that Lyall & Associates Pty Ltd adopt a partnership approach, are easy to deal with and complete projects within time and budget.

The company has nominated approximately 38 weeks to complete the works.

Pitt & Sherry Pty Ltd is located in Hobart, Tasmania and have undertaken similar projects in Tasmania and Queensland. Recently the company has completed a feasibility study for the Emerald flood protection scheme for Central Highlands Regional Council and detailed design and documentation for an earthen flood levee for Launceston Flood Authority.

Referee information indicated that Pitt & Sherry Pty Ltd are easy to deal with, met required timelines and provide a professional service. Referees further indicated that they would not hesitate to use the company again.

Pitt & Sherry Pty Ltd have also nominated Civil Test Pty Ltd, based locally in Wodonga as a sub-contractor to carry out the geotechnical investigation works as well as the EDM Group, also based in Wodonga as a sub-contractor to carry out the site surveying works within the project scope.

The company has nominated approximately 42 weeks to complete the works, with a completion date of April 2018.

In summary, from the qualitative assessment it is concluded that all tenderers have the necessary experience, resources and management systems to satisfactorily undertake the project. From a local benefit perspective only Water Technology Pty Ltd, GHD Pty Ltd and Pitt & Sherry Pty Ltd demonstrated commitment to the region through business presence, local employment or engagement of local sub-contractors. However, no tenderers were able to demonstrate any broader community benefit outside of local supply in the region.

Quantitative assessment

Tenderer	Tendered price (including GST)	Rating (max 100)
Water Technology Pty Ltd	$98,389.50	100
GHD Pty Ltd	$109,915.30	89.5
Cardno Victoria Pty Ltd	$138,600.00	70.9
Lyall & Associates Pty Ltd	$142,373.00	69.1
Pitt & Sherry Pty Ltd	$219,612.80	44.8

The budget allocation for the project is $132,000 (including GST). Two of the submissions were within the budget provision.

As detailed above; the submission from Water Technology Pty Ltd was the most favourable, being $11.5K or 12% more favourable than GHD Pty Ltd, $40K or 41% more favourable than Cardno Victoria Pty Ltd, $44K or 45% more favourable than Lyall & Associates Pty Ltd and $121K or 123% more favourable than Pitt & Sherry Pty Ltd.

Summary

The scoring for the qualitative and quantitative assessment is summarised in the following table:

Tenderer	Quantitative ($) Assessment score	Qualitative Assessment score
Water Technology Pty Ltd	100	70
GHD Pty Ltd	89.5	73
Cardno Victoria Pty Ltd	70.9	64
Lyall & Associates Pty Ltd	69.1	68
Pitt & Sherry Pty Ltd	44.8	71

From the qualitative assessment all tenderers have the management systems, experience and resources to complete the works to a high standard. All of the submissions were of a high standard, however Water Technology Pty Ltd's submission was the most detailed and included discussion on existing issues.

From a quantitative perspective the submission from Water Technology Pty Ltd was considered the most advantageous being between 12% and 123% more favourable than the other submissions.

Conclusion

Council invited tenders for a feasibility study into the upgrade of the South Albury Levee. Five tender submissions were received for this project from Water Technology Pty Ltd, GHD Pty Ltd, Cardno Victoria Pty Ltd, Lyall & Associates Pty Ltd and Pitt & Sherry Pty Ltd.

The scope of the contract includes undertaking a detailed site survey and geotechnical survey of the existing levee, carrying out a levee freeboard assessment, developing and finalising concept designs and a comprehensive study report.

A quantitative and qualitative assessment indicated that Water Technology Pty Ltd was the most favourable submission. Their tendered price of $98,389.50 including GST is within the budget allocation of $132,000 including GST.

Recommendation

That Council accepts the tender from Water Technology Pty Ltd for Contract No. 17/00539 - South Albury Levee Upgrade – Feasibility Study, in the lump sum amount of $98,389.50 including GST.

- **Attachments**
  1. South Albury Levee Locality Plan (DOC17/69435).



SOUTH ALBURY LEVEE LOCALITY PLAN

SCALE 1 : 10 000

LEVEE BANK ALIGNMENT

DATE	AMENDMENT	INIT.

REVISIONS

SURVEY	SURVEY
FIELD BOOK	LEVEL BOOK
DATUM	AHD
GRID	MGA
SCALE	1 : 10 000
	A3
DESIGNED	DESIGNED
DRAWN	T.S.
VERIFIED	VERIFIED
APPROVED	APPROVED

PASSED ...../...../.....
TEAM LEADER - DESIGN

APPROVED ...../...../.....
GROUP LEADER - SERVICES

AlburyCity

SOUTH ALBURY LEVEE
LOCALITY PLAN

LEDGER No.	NILL		
FILE No.	No. of Sheets	Sheet No.	
	01	01	
DRAWING NUMBER		REV.	
NILL			

CM14.2. March Quarter Budget Review

DATE	4 May 2017	**FIL REFERENCE**	FIL15/03023
CONFIDENTIAL	No		
FURTHER ENQUIRIES	Frank Zaknich Executive Services	**PHONE**	6023 8755
AUTHOR	Justin Finlayson		

Purpose of Report

The report presents the revised estimate of Council's financial performance for the 2016/17 financial year as part of the quarterly review of Council's annual budget.

Background

Clause 203 of the *Local Government (General) Regulations 2005* requires that:

1. Not later than two months after the end of each quarter (except the June quarter), the responsible accounting officer of a council must prepare and submit to the council a budget review statement that shows, by reference to the estimate of income and expenditure set out in the statement of the council's revenue policy included in the operational plan for the relevant year, a revised estimate of the income and expenditure for that year.
2. A budget review statement must include or be accompanied by:
    a) a report as to whether or not the responsible accounting officer believes that the statement indicates that the financial position of the council is satisfactory, having regard to the original estimate of income and expenditure, and
    b) if that position is unsatisfactory, recommendations for remedial action.

This report summarises major forecast variations compared to the original budget for the 2016/17 financial year. Forecast variations that are expected to result in a net nil change between accounts have not been highlighted within this report. Council's financial results for the three months ended 31 March 2017 have been examined to identify possible savings to offset cost shifts.

Issues

Service and Efficiency Review Program

Budgeted Service and Efficiency Review Program savings of $379,007 within General Fund operations are still forecast to be achieved during the 2016/17 financial year.

Operating Budget

The consolidated full year operating result is now forecast to be an operating surplus of $12.08 million which is $2.6 million more than the December Quarter Budget Review. This is mainly due to a $1.2 million increase in water income estimates and $654,068 expenditure to be carried forward to future years.

Table 1 below summarises the forecast change in net operating result by fund, separating out the carry forward expenditure to future years.

Table 1

Net operating variations	Original Budget 2016/17 $ 000's	December Review 2016/17 $'000	Expenditure Carried Forward to next year $'000	Other Variations Mar Review $'000	Revised year end forecast 2016/17 $ 000's
General	(343)	355	(654)	(108)	(406)
Water	(3,035)	(3,215)	0	(1,446)	(4,661)
Sewer	(6,373)	(6,650)	0	(366)	(7,016)
(Surplus)/Deficit	(9,751)	(9,510)	(654)	(1,920)	(12,084)

Note: () indicates an improvement to budget

The forecast changes to the net operating result of each Fund is summarised below.

General Fund Operating Budget

The forecast is a favourable change to the budget of $761,581 including carry forward items of $654,068; other budget variations amount to $107,513.

Community and Recreation

The forecast is a favourable change to the budget of $217,002, including carry forward items of $124,068;

Improvements:
- $119,007 salaries and wages savings for vacant positions;
- $76,000 advertising budget savings in line with actual expenditure; and
- $124,068 Carry forward items.

Deteriorations:
- $79,000 water and sewer charges; and
- $23,073 other variations.

Economic Development & Tourism

The forecast is a favourable change to the budget of $163,232, including carry forward items of $30,000;

Improvements:
- $86,820 commission on sales from Airside North Joint Venture;
- $63,570 additional real estate income; and
- $30,000 carry forward items.

Deteriorations:
- $17,158 other variations.

Engineering

The forecast is a favourable movement of $730,511, including carry forward items of $500,000.

Improvements:
- $500,000 carry forward for Storm Damage. These funds are provided by State Government for flood damage rectification works. Project delayed due to requirements for design and availability of resources;
- $100,000 increase in major plant hire income due to higher than anticipated plant usage;
- $70,000 increase in airport car parking income driven by higher passenger movements;
- $60,000 decrease in street lighting electricity expense in line with year to date actual expenditure; and
- $511 other variations.

Executive

The forecast is an unfavourable change to budget of $398,187, with no carry forward items.

Improvements:
- $170,000 salary and wages savings for vacant positions; and
- $54,820 other variations.

Deteriorations:
- $545,007 budgeted savings for vacant positions has been reallocated across groups; and
- $78,000 budgeted savings for communications has been reallocated across General Fund groups.

Planning & Environment

The forecast is a favourable movement of $49,023, with no carry forward items.

Water Fund Operating Budget

The forecast is a favourable change to budget of $1.4 million.

Improvements:
- $1.2 million increase in water income estimate; and
- $268,117 other variations.

Sewer Fund Operating Budget

The forecast is a favourable change to budget of $366,074.

Improvements:
- $275,215 increase in residential sewer income in line with additional services mainly due to subdivisions;
- $60,000 decrease in lab contract analysis expenditure due to a higher proportion of testing being conducted internally; and
- $50,000 increase in sewer fund investment income due to higher than anticipated investment balances.

Deteriorations:

- $19,141 other variances.

CAPITAL BUDGET

The net capital budget is forecast to decrease by $13.019 million to $29.669 million, which is mainly due to expenditure of $13.043 million to be carried forward to the next financial year.

Table 2 below summarises the forecast change in net capital results by fund separating out the impact of works carried forward to future years.

Table 2

Net capital variations	Original Budget 2016/17 $'000	December Review forecast 2016/17 $'000	Expenditure Carried Forward to next year $'000	Other Variations Mar Review $'000	Revised year end forecast 2016/17 $'000
General	28,539	32,033	(11,023)	8	21,018
Water	8,073	6,521	(520)	9	6,010
Sewer	10,495	4,133	(1,500)	7	2,641
Net cost	47,107	42,687	(13,043)	24	29,669

Note: () indicates a decrease to budget

General Fund

General Fund capital funding of $11,023 million to be carried forward to next financial year includes:

- $4,145,000 Nexus Industrial Precinct - Works delayed due to inclement weather, native title issues and the discovery of aboriginal artefacts which triggered an Aboriginal Heritage Assessment and restriction of access to a significant portion of the site;
- $1,372,930 Airport Terminal Upgrade - Project delayed due to extended design and tender assessment periods;
- $1,146,863 Kerr Road - Project start date delayed due to required alterations to project design;
- $835,770 Lavington Sports Ground Sports Precinct Redevelopment - Timing of expenditure delayed due to revisions to the planned method of contracting components of the project and associate changes to the planned commencement of stages of the project;
- $637,000 Resource Recovery Centre Push Pit and Weighbridge - Project delayed due to extended design phase and availability of resources;
- $580,331 JC King Park Sports Pavilion - Council and Albury Netball Association have been working on a funding strategy for the construction of a new sports pavilion. The final instalment of funding is included in the draft 2017-18 budget for Council consideration. Upon endorsement of the draft budget construction can be scheduled;
- $300,000 Administration Building Refurbishment - Project delayed due to extended design period and availability of contractors;
- $300,000 Lake Hume Village Toilet - Project delayed due to availability of design resources and conclusion of the Public Toilet Strategy;
- $270,000 Wonga Wetlands Product Development Masterplan implementation - Implementation to date has not required significant capital investment. Design and costing of Visitor Education and Experience Centre to commence in coming months. Note: funds are proceeds from sale of Ettamogah Sanctuary Site which Council committed to invest in Wonga Wetlands;

- $250,000 Noreuil Park Foreshore works - Detailed design works have been delayed with some works to be undertaken in winter. Major on ground works will be rescheduled into the 2017-18 works program;
- $200,000 AEC stage replacement and asbestos removal - Project delayed due to availability of site due to show bookings and opportunity to align with 2017/18 HVAC during venue closure in early 2018;
- $200,000 Urana Road Beautification and Blackspot (five ways to sanders) - Project delayed due to extended design and approval period for the alteration of the Urana/Griffith intersection and traffic light relocation;
- $130,000 Landfill Solid Waste Cell - Project delayed due to delays in design and availability of resources;
- $120,000 Yambla Place - Project delayed due to extended design period and availability of resources;
- $100,000 Glen Park disabled ramp and sports field fencing - This community fund project has been delayed due to Council not being provided with details for construction certificate. Works are due to commence when the construction certificate has been obtained;
- $100,000 Mungabareena Reserve - Mungabareena reserve has recently been gazetted as an Aboriginal Place. Prior to any significant works being undertaken a Management Plan needs to be developed. This has commenced however has been delayed. Onground works will be scheduled upon management plan endorsement; and
- $334,970 Other capital projects to be carried forward.

Water Fund

Water Fund capital funding of $520,000 to be carried forward to next financial year includes:

- $250,000 Water Pump Station Filter Gallery (Media Replacement) - Project timing was dependent on the completion of the DAFF upgrade, however delays in the finalisation of this project have pushed back the commencement date of the media replacement project;
- $150,000 Table Top Water Supply Augmentation - Project delayed due to extended design and approvals period. A tender for construction of the pipeline is currently being accessed, all pipework and fittings have been purchased; and
- $120,000 Table Top North Upgrade Water Mains - Project delayed due to extended design and approval period.

Sewer Fund

Sewer Fund capital funding of $1.5 million to be carried forward to next financial year includes:

- $600,000 Thurgoona/Wirlinga Precinct - Project delayed due to extended design period and land owner consultation/negotiation;
- $550,000 Ettamogah Sewerage Augmentation - Project delayed due to extended design and approvals period. All pipework and fittings have been purchased;
- $200,000 Softwood Plantation - Project delayed due to difficulties in harvesting on the site. Carry Forwards funds are required to re-establish irrigation and planting of native trees as per the 'Vegetation Master Plan'. Implementation of this plan is critical for the operation of the Wastewater Treatment Plant.
- $150,000 Waterview WWTP Investigation and Design - Design project to be undertaken over a number of budget years, a review of the funding profile requires the carry forward of funds.

A full listing of carry forward items are detailed within Attachment 8.

BUDGETED LOANS

Council budgeted to draw down new loans of $11 million during the 2016/17 financial year to support a number of General Fund capital projects, including $6 million which was not drawn down during the prior year, as shown by Table 4 below.

Table 4

Loan	Amount	10yr Term	20yr Term	Budgeted
SVR s508 Tranche 4 - 2016	$5.5M		$5.5M	2015/16
General Allocation 2015/16	$0.5M	$0.5M		2015/16
SVR s508 Tranche 5 – 2017	$5.0M		$5.0M	2016/17
Total	$11.0M	$0.5M	$10.5M	

As AlburyCity has now been assessed as Fit for the Future by the State Government, AlburyCity is able to access loan funding via the New South Wales Treasury Corporation (TCorp) at a lower cost than what is available from the banks. In June 2016, AlburyCity drew down a $7.95 million TCorp loan for a twenty year term at a fixed interest rate of 3.14%.

TCorp advise that their rates are based on the cost of funds plus 0.55% to recover their administrative costs. TCorp are able to finance loans at extremely competitive rates as the NSW Government is AAA rated. The indicative TCorp twenty year fixed interest rate is now 3.83%.

Section 377(1)(f) of the Act does not allow Council to delegate the borrowing of money to the General Manager. However, Council's Delegations of Authority to the General Manager does specifically include the delegated authority to authorise application for borrowings from financial institutions at the direction of Council and subject to a resolution of Council to approve this application.

As part of the September Quarter Budget Review Council resolved at its meeting in November 2016 to:

- authorise the General Manager to make application to the New South Wales Treasury Corporation for the budgeted credit foncier loan funding of up to $11 million;
- Assess the required amount of loan funding to be drawn down by 30 June 2017 as part of the March Quarter Budget Review; and
- Authorise the General Manager to approve the fixed interest rate period that represents best value for money.

The budgeted loans to be drawn down during the 2016/17 financial year were reduced by $2 million as part of the December Quarter Budget Review to offset the timing of projects that were re-profiled within the Four Year Delivery Program.

In prior years AlburyCity has not drawn down loans if not required from an overall cashflow perspective due to the timing of capital works. This has resulted in short term savings as the interest expense has not been incurred until the loans have been drawn down in future years.

It should be noted that when loans are drawn down by AlburyCity the actual loan interest rate may vary to the indicative interest rates as advised by TCorp due to movements in financial markets.

Due to the timing of capital expenditure it is not proposed that AlburyCity draw down any new loans during the 2016/17 financial year. If Council does not draw down the full amount of loan funding by 30 June 2017, any undrawn amounts can be included in a TCorp loan application for the next financial year.

UNRESTRICTED FUNDS

As a result of changes recognised as part of the March Quarter Budget Review it is projected that unrestricted cash and investments will be $5.6 million more than budgeted at 30 June 2017.

Table 5

Cash and Investments	Actual 2016 $'000	Original Budget 2017 $'000	Sep Review Changes 2017 $'000	Dec Review Changes 2017 $'000	Mar Review Changes 2017 $'000	Revised year end forecast 2017 $'000
Externally restricted	54,410	46,882	4,799	10,677	4,045	66,403
Internally restricted	17,290	6,938	1,088	0	2,677	10,703
Unrestricted	19,809	15,304	6,287	(764)	84	20,911
Total cash and investments	91,509	69,124	12,175	9,913	6,805	98,017

Note: () indicates a decrease to budget

Externally restricted cash and investments include Water and Sewer Fund balances, unexpended developer contributions, special purpose grants and domestic waste management funds.

Internally restricted cash and investments include employee leave entitlements, deposits retentions and bonds, prepaid burial contributions, landfill remediation, community fund and expenditure to be carried forward to the next financial year.

It is important that an appropriate level of unrestricted cash and investments are maintained to meet liabilities as and when they fall due.

The forecast increase in Council's unrestricted cash position of $84,000 is mainly due to the forecast General Fund operating result.

Risk

- Business Risk – Although Council is forecast to achieve an operating surplus during the 2016/17 financial year, financial challenges remain.
- Corporate Risk – Council continues to be proactive in managing its budget as part of its Service and Efficiency Review Program while working to maintain and improve infrastructure within AlburyCity.
- WHS and Public Risk – No risks identified.
- Delivery Program Risk – Some capital project funding originally budgeted in the 2016/17 financial year will now carried forward to the next financial year.

Community Engagement

The *Local Government (General) Regulations 2005* require that not later than two months after the end of each quarter (except the June quarter), a budget review statement must be submitted to the Council that shows a revised estimate of the income and expenditure for that year.

Options

The Quarterly Budget Review is presented for consideration. Options available include:

1. Adopt the revised budget estimates for the 2016/17 financial year as presented; or
2. Vary the proposed quarterly budget review estimates; or
3. Adopt no changes to the 2016/17 Budget.

Conclusion

The full year operating result is now forecast to be an operating surplus of $12 million which is $2.6 million more than the December Quarter Budget Review. Although Council is forecast to achieve an overall operating surplus during the 2016/17 financial year, financial challenges remain. The budgeted overall operating surplus is not a cash saving as positive operating cash flows are required to fund planned capital improvements and meet principal loan repayments which also supplement capital works program funding.

A small operating surplus of $406,434 is now forecast for the General Fund. Council continues to be proactive in managing its budget as part of its Service and Efficiency Review Program while working to maintain and improve infrastructure within AlburyCity.

The forecast net cost of the 2016/17 capital works program has decreased by $13 million to $29.7 million, which is mainly due to project expenditure to be carried forward to next financial year.

Due to the timing of capital expenditure it is not proposed that AlburyCity draw down any new loans during the 2016/17 financial year.

AlburyCity’s unrestricted forecast cash position is forecast to be $84,000 better than budget, which is mainly due to the forecast General Fund operating result.

The Quarterly Budget Review indicates that AlburyCity's financial position is satisfactory compared to Council's original 2016/17 Budget.

Recommendation

That Council:

a. Receive and adopt the revised budget estimates for the 2016/17 financial year; and
b. Note the supplementary reports including the Consultancy and Legal Expenditure and Contract Expenditure Listing.

- **Attachments**
    1. March Quarter 2016/17 Budget Review Operating Results Report Group Structure Format.
    2. March Quarter 2016/17 Budget Review Operating Results Report Statutory Accounts Format.
    3. March Quarter 2016/17 Budget Review Capital Results Report.
    4. Cash Flow.
    5. Cash and Investment Report.
    6. Consultancy and Legal Expenditure Report.
    7. Contract Expenditure Listing.
    8. 2016-2017 Carry Forward Listing.

9. Report by Responsible Accounting Officer.

AlburyCity

Budget review for quarter ended March-2017

Operating Results AlburyCity Group structure format: Consolidated to include ALL FUNDS. This report excludes Capital Income

		ORIGINAL Budget 2016-2017	Approved Changes		REVISED Budget as current	Recommended changes for Council resolution	Review Budget Carry Fwd Amount	PROJECTED year end result 2016-2017	ACTUAL YTD Mar-2017
			Sep Review	Dec Review					
		$	$	$	$	$	$	$	$
Community & Recreation	Operating Income	(6,326,545)	(193,610)	38,000	(6,482,155)	(103,000)	0	(6,585,155)	(4,790,736)
	Operating Expense	23,172,444	755,549	(50,003)	23,877,990	10,066	(124,068)	23,763,988	16,722,937
	Net Operating Result	16,845,899	561,939	(12,003)	17,395,835	(92,934)	(124,068)	17,178,833	11,932,201
Engineering	Operating Income	(37,005,070)	211,397	(1,133,078)	(37,926,751)	(470,500)	0	(38,397,251)	(29,004,716)
	Operating Expense	54,269,155	(358,822)	945,707	54,856,040	239,989	(500,000)	54,596,029	38,137,236
	Net Operating Result	17,264,085	(147,425)	(187,371)	16,929,289	(230,511)	(500,000)	16,198,778	9,132,520
Executive	Operating Income	(44,243,019)	(75,332)	(313,000)	(44,631,351)	0	0	(44,631,351)	(33,596,744)
	Operating Expense	(628,697)	89,300	102,425	(436,972)	398,187	0	(38,785)	(105,720)
	Net Operating Result	(44,871,716)	13,968	(210,575)	(45,068,323)	398,187	0	(44,670,136)	(33,702,465)
Planning & Environment	Operating Income	(2,345,338)	(30,000)	162,200	(2,213,138)	20,000	0	(2,193,138)	(1,611,911)
	Operating Expense	9,363,426	102,443	102,891	9,568,760	(69,023)	0	9,499,737	6,881,287
	Net Operating Result	7,018,088	72,443	265,091	7,355,622	(49,023)	0	7,306,599	5,269,376
Economic Development & Tourism	Operating Income	(3,180,175)	225,000	1,167,000	(1,788,175)	(257,235)	0	(2,045,410)	(1,453,672)
	Operating Expense	6,580,499	187,000	(1,236,600)	5,530,899	124,003	(30,000)	5,624,902	3,704,846
	Net Operating Result	3,400,324	412,000	(69,600)	3,742,724	(133,232)	(30,000)	3,579,492	2,251,174
Total: General Fund	Operating Income	(93,100,147)	137,455	(78,878)	(93,041,570)	(810,735)	0	(93,852,305)	(70,457,779)
	Operating Expense	92,756,827	775,470	(135,580)	93,396,717	703,222	(654,068)	93,445,871	65,340,585
	Total Net Operating Result	**(343,320)**	**912,925**	**(214,458)**	**355,147**	**(107,513)**	**(654,068)**	**(406,434)**	**(5,117,194)**
		Surplus	Deficit	Surplus	Deficit	Surplus	Surplus	Surplus	Surplus
Water Fund	Operating Income	(16,602,042)	(26,842)	11,000	(16,617,884)	(1,337,262)	0	(17,955,146)	(13,526,703)
	Operating Expense	13,567,502	(75,685)	(88,732)	13,403,085	(108,799)	0	13,294,286	9,620,903
	Net Operating Result	**(3,034,540)**	**(102,527)**	**(77,732)**	**(3,214,799)**	**(1,446,061)**	**0**	**(4,660,860)**	**(3,905,800)**
		Surplus	Surplus	Surplus	Surplus	Surplus		Surplus	Surplus
Sewer Fund	Operating Income	(21,642,752)	(27,163)	(53,162)	(21,723,077)	(335,914)	0	(22,058,991)	(16,550,306)
	Operating Expense	15,269,523	(123,882)	(72,838)	15,072,803	(30,160)	0	15,042,643	10,895,697
	Net Operating Result	**(6,373,229)**	**(151,045)**	**(126,000)**	**(6,650,274)**	**(366,074)**	**0**	**(7,016,348)**	**(5,654,609)**
		Surplus	Surplus	Surplus	Surplus	Surplus		Surplus	Surplus
Total: ALL FUNDS	Operating Income	(131,344,941)	83,450	(121,040)	(131,382,531)	(2,483,911)	0	(133,866,442)	(100,534,789)
	Operating Expense	121,593,852	575,903	(297,150)	121,872,605	564,263	(654,068)	121,782,800	85,857,186
	Net Operating Result	**(9,751,089)**	**659,353**	**(418,190)**	**(9,509,926)**	**(1,919,648)**	**(654,068)**	**(12,083,642)**	**(14,677,603)**
		Surplus	Deficit	Surplus	Surplus	Surplus	Surplus	Surplus	Surplus

Notes: > Figures in ( ) are Income or Surplus if in Net Result line
> ORIGINAL Budget plus or minus approved budget changes in previous quarters = REVISED Budget
> REVISED Budget plus or minus recommended changes this quarter = PROJECTED year end result
> The above Group format summarises all transactions including internal charges, these are between Groups and across Funds. Totals therefore include internal values and will not reconcile to statutory formats.
> This document forms part of AlburyCity's Quarterly Budget Review Statement (QBRS) for the quarter ended March-2017 and should be read in conjunction with other documents in the QBRS.

AlburyCity

Budget review for quarter ended March-2017

Income & Expenses result Statutory accounts format for ALL FUNDS: Includes Capital Income

	ORIGINAL Budget 2016-2017	Approved Changes		REVISED Budget as current	Recommended changes for Council resolution	Review Budget Carry Fwd Amount	PROJECTED year end result 2016-2017	ACTUAL YTD Mar-2017
		Sep Review	Dec Review					
	$	$	$	$	$	$	$	$
Income from Continuing Operations:								
Rates & Annual Charges	(63,313,228)	(90,000)	0	(63,403,228)	(285,695)	0	(63,688,923)	(47,721,395)
User Charges & Fees	(35,731,409)	(381,600)	(375,500)	(36,488,509)	(1,373,298)	0	(37,861,807)	(28,781,019)
Interest & Investment Revenue	(2,608,212)	(91,925)	(302,000)	(3,002,137)	(71,145)	0	(3,073,282)	(2,362,524)
Other Revenues	(4,587,146)	152,766	6,422	(4,427,958)	(315,926)	0	(4,743,884)	(3,449,480)
Grants and Contributions - Operating	(8,661,751)	17,455	(557,927)	(9,202,223)	(197,405)	0	(9,399,628)	(7,135,573)
Grants and Contributions - Capital	(1,711,770)	(1,030,124)	204,462	(2,537,432)	200,000	0	(2,337,432)	(3,648,760)
Profit from Disposal of Assets	(112,679)	0	(78,100)	(190,779)	(23,570)	0	(214,349)	(177,224)
Income from Joint ventures	0	0	0	0	0	0	0	0
Total Income from continuing Operations	(116,726,195)	(1,423,428)	(1,102,643)	(119,252,266)	(2,067,039)	0	(121,319,305)	(93,275,975)
Expenses from Continuing Operations:								
Employee costs	36,921,574	(546,722)	(43,405)	36,331,448	(282,159)	0	36,049,289	22,125,651
Borrowing costs	3,501,881	(176,671)	0	3,325,210	0	0	3,325,210	2,397,625
Materials and contracts	25,128,532	1,356,865	1,146,326	27,631,722	1,037,867	(624,068)	28,045,521	22,020,670
Depreciations and amortisation	26,912,085	0	0	26,912,085	172,837	0	27,084,922	20,352,613
Other Operating Expenses	12,799,264	419,185	(214,006)	13,004,443	(581,154)	(30,000)	12,393,289	8,053,053
Interest and Investment Losses	0	0	0	0	0	0	0	0
Losses from Joint ventures	0	0	0	0	0	0	0	0
Savings to be achieved	0	0	0	0	0	0	0	0
Total Expenses from continuing operations	105,263,336	1,052,657	888,915	107,204,908	347,391	(654,068)	106,898,231	74,949,612
Net Operating Result from continuing operations	(11,462,859)	(370,771)	(213,728)	(12,047,358)	(1,719,648)	(654,068)	(14,421,074)	(18,326,363)
	Surplus	Surplus	Surplus	Surplus	Surplus	Surplus	Surplus	Surplus
Net Operating Result before capital items	(9,751,089)	659,353	(418,190)	(9,509,926)	(1,919,648)	(654,068)	(12,083,642)	(14,677,603)
	Surplus	Deficit	Surplus	Surplus	Surplus	Surplus	Surplus	Surplus

Notes: > Figures in ( ) are Income or Surplus if in Net Result line

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> REVISED Budget plus or minus recommended changes this quarter = PROJECTED year end result

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AlburyCity

Budget review for quarter ended March-2017

Income & Expenses result Statutory accounts format for GENERAL FUND: Includes Capital Income

	ORIGINAL Budget 2016-2017	Approved Changes		REVISED Budget as current	Recommended changes for Council resolution	Review Budget Carry Fwd Amount	PROJECTED year end result 2016-2017	ACTUAL YTD Mar-2017
		Sep Review	Dec Review					
	$	$	$	$	$	$	$	$
Income from Continuing Operations:								
Rates & Annual Charges	(43,425,826)	(90,000)	0	(43,515,826)	(72,000)	0	(43,587,826)	(32,806,442)
User Charges & Fees	(21,729,923)	(381,600)	(417,500)	(22,529,023)	(162,239)	0	(22,691,262)	(17,108,221)
Interest & Investment Revenue	(1,017,416)	(41,925)	(190,000)	(1,249,341)	(21,145)	0	(1,270,486)	(959,466)
Other Revenues	(4,343,962)	179,608	6,422	(4,157,932)	(307,926)	0	(4,465,858)	(3,227,505)
Grants and Contributions (Operating)	(8,332,072)	17,455	(557,927)	(8,872,544)	(189,000)	0	(9,061,544)	(6,888,325)
Grants and Contributions - Capital	(418,970)	(1,030,124)	204,462	(1,244,632)	200,000	0	(1,044,632)	(2,044,314)
Profit from Disposal of Assets	(112,679)	0	(78,100)	(190,779)	(23,570)	0	(214,349)	(177,224)
Income from Joint ventures	0	0	0	0	0	0	0	0
Total Income from continuing Operations	(79,380,848)	(1,346,586)	(1,032,643)	(81,760,077)	(575,880)	0	(82,335,957)	(63,211,497)
Expenses from Continuing Operations:								
Employee costs	32,827,506	(532,722)	6,595	32,301,380	(310,159)	0	31,991,221	20,322,718
Borrowing costs	2,796,509	(176,671)	0	2,619,838	0	0	2,619,838	1,868,596
Materials and contracts	21,279,736	1,361,120	1,115,058	23,755,913	1,039,384	(624,068)	24,171,229	18,322,071
Depreciations and amortisation	16,822,300	0	0	16,822,300	55,909	0	16,878,209	12,666,526
Other Operating Expenses	4,892,507	577,660	(99,006)	5,371,161	(116,767)	(30,000)	5,224,394	2,870,078
Interest and Investment Losses	0	0	0	0	0	0	0	0
Losses from Joint ventures	0	0	0	0	0	0	0	0
Savings to be achieved	0	0	0	0	0	0	0	0
Total Expenses from continuing operations	78,618,558	1,229,387	1,022,647	80,870,592	668,367	(654,068)	80,884,891	56,049,989
Net Operating Result from continuing operations	(762,290)	(117,199)	(9,996)	(889,485)	92,487	(654,068)	(1,451,066)	(7,161,508)
	Surplus	Surplus	Surplus	Surplus	Deficit	Surplus	Surplus	Surplus
Net Operating Result before capital items	(343,320)	912,925	(214,458)	355,147	(107,513)	(654,068)	(406,434)	(5,117,194)
	Surplus	Deficit	Surplus	Deficit	Surplus	Surplus	Surplus	Surplus

Notes: > Figures in ( ) are Income or Surplus if in Net Result line

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> REVISED Budget plus or minus recommended changes this quarter = PROJECTED year end result

> This statutory format eliminates internals from income and expenses to the categories of Materials and Contracts and Other Expenses. Net operating result will however remain the same as shown in the group structure reporting format.

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Budget review for quarter ended March-2017

Income & Expenses result Statutory accounts format for WATER FUND: Includes Capital Income

	ORIGINAL Budget 2016-2017	Approved Changes: Sep Review	Approved Changes: Dec Review	REVISED Budget as current	Recommended changes for Council resolution	Review Budget Carry Fwd Amount	PROJECTED year end result 2016-2017	ACTUAL YTD Mar-2017
	$	$	$	$	$	$	$	$
Income from Continuing Operations:								
Rates & Annual Charges	(3,568,354)	0	0	(3,568,354)	(40,626)	0	(3,608,980)	(2,676,159)
User Charges & Fees	(10,834,210)	0	42,000	(10,792,210)	(1,082,969)	0	(11,875,179)	(9,035,390)
Interest & Investment Revenue	(795,505)	0	(36,000)	(831,505)	0	0	(831,505)	(655,069)
Other Revenues	(95,000)	(26,842)	0	(121,842)	(8,000)	0	(129,842)	(116,235)
Grants and Contributions - Operating	(165,990)	0	0	(165,990)	(4,349)	0	(170,339)	(124,488)
Grants and Contributions - Capital	(484,800)	0	0	(484,800)	0	0	(484,800)	(611,644)
Profit from Disposal of Assets	0	0	0	0	0	0	0	0
Income from Joint ventures	0	0	0	0	0	0	0	0
Total Income from continuing Operations	(15,943,859)	(26,842)	6,000	(15,964,701)	(1,135,944)	0	(17,100,645)	(13,218,985)
Expenses from Continuing Operations:								
Employee costs	1,674,967	0	(50,000)	1,624,967	36,000	0	1,660,967	845,972
Borrowing costs	0	0	0	0	0	0	0	0
Materials and contracts	1,196,284	8,315	51,268	1,255,867	21,420	0	1,277,287	1,174,434
Depreciations and amortisation	5,923,967	0	0	5,923,967	(22,482)	0	5,901,485	4,445,523
Other Operating Expenses	3,629,301	(84,000)	(85,000)	3,460,301	(345,055)	0	3,115,246	2,235,612
Interest and Investment Losses	0	0	0	0	0	0	0	0
Losses from Joint ventures	0	0	0	0	0	0	0	0
Total Expenses from continuing operations	12,424,519	(75,685)	(83,732)	12,265,102	(310,117)	0	11,954,985	8,701,541
Net Operating Result from continuing operations	(3,519,340)	(102,527)	(77,732)	(3,699,599)	(1,446,061)	0	(5,145,660)	(4,517,444)
	Surplus	Surplus	Surplus	Surplus	Surplus		Surplus	Surplus
Net Operating Result before capital items	(3,034,540)	(102,527)	(77,732)	(3,214,799)	(1,446,061)	0	(4,660,860)	(3,905,800)
	Surplus	Surplus	Surplus	Surplus	Surplus		Surplus	Surplus

Notes: > Figures in ( ) are Income or Surplus if in Net Result line

> ORIGINAL Budget plus or minus approved budget changes in previous quarters = REVISED Budget

> REVISED Budget plus or minus recommended changes this quarter = PROJECTED year end result

> This statutory format eliminates internals from income and expenses to the categories of Materials and Contracts and Other Expenses. Net operating result will however remain the same as shown in the group structure reporting format.

> This document forms part of AlburyCity's Quarterly Budget Review Statement (QBRS) for the quarter ended March-2017 and should be read in conjunction with other documents in the QBRS.

AlburyCity

Budget review for quarter ended March-2017

Income & Expenses result Statutory accounts format for SEWER FUND: Includes Capital Income

	ORIGINAL Budget 2016-2017	Approved Changes: Sep Review	Approved Changes: Dec Review	REVISED Budget as current	Recommended changes for Council resolution	Review Budget Carry Fwd Amount	PROJECTED year end result 2016-2017	ACTUAL YTD Mar-2017
	$	$	$	$	$	$	$	$
Income from Continuing Operations:								
Rates & Annual Charges	(16,319,048)	0	0	(16,319,048)	(173,069)	0	(16,492,117)	(12,238,794)
User Charges & Fees	(3,167,276)	0	0	(3,167,276)	(128,090)	0	(3,295,366)	(2,637,407)
Interest & Investment Revenue	(795,291)	(50,000)	(76,000)	(921,291)	(50,000)	0	(971,291)	(747,989)
Other Revenues	(148,184)	0	0	(148,184)	0	0	(148,184)	(105,741)
Grants and Contributions - Operating	(163,689)	0	0	(163,689)	(4,056)	0	(167,745)	(122,760)
Grants and Contributions - Capital	(808,000)	0	0	(808,000)	0	0	(808,000)	(992,803)
Profit from Disposal of Assets	0	0	0	0	0	0	0	0
Income from Joint ventures	0	0	0	0	0	0	0	0
Total Income from continuing Operations	(21,401,488)	(50,000)	(76,000)	(21,527,488)	(355,215)	0	(21,882,703)	(16,845,494)
Expenses from Continuing Operations:								
Employee costs	2,419,101	(14,000)	0	2,405,101	(8,000)	0	2,397,101	956,960
Borrowing costs	705,372	0	0	705,372	0	0	705,372	529,029
Materials and contracts	2,652,512	(12,570)	(20,000)	2,619,942	(22,937)	0	2,597,005	2,524,165
Depreciations and amortisation	4,165,818	0	0	4,165,818	139,410	0	4,305,228	3,240,565
Other Operating Expenses	4,277,456	(74,475)	(30,000)	4,172,981	(119,332)	0	4,053,649	2,947,363
Interest and Investment Losses	0	0	0	0	0	0	0	0
Losses from Joint ventures	0	0	0	0	0	0	0	0
Total Expenses from continuing operations	14,220,259	(101,045)	(50,000)	14,069,214	(10,859)	0	14,058,355	10,198,082
Net Operating Result from continuing operations	(7,181,229)	(151,045)	(126,000)	(7,458,274)	(366,074)	0	(7,824,348)	(6,647,412)
	Surplus	Surplus	Surplus	Surplus	Surplus		Surplus	Surplus
Net Operating Result before capital items	(6,373,229)	(151,045)	(126,000)	(6,650,274)	(366,074)	0	(7,016,348)	(5,654,609)
	Surplus	Surplus	Surplus	Surplus	Surplus		Surplus	Surplus

Notes: > Figures in ( ) are Income or Surplus if in Net Result line

> ORIGINAL Budget plus or minus approved budget changes in previous quarters = REVISED Budget

> REVISED Budget plus or minus recommended changes this quarter = PROJECTED year end result

> This statutory format eliminates internals from income and expenses to the categories of Materials and Contracts and Other Expenses. Net operating result will however remain the same as shown in the group structure reporting format.

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Albury City

Budget review for quarter ended March-2017

Capital Results Albury City Group structure format: Consolidated result ALL FUNDS

		ORIGINAL Budget 2016-2017	Approved Changes		REVISED Budget as current	Recommended changes for Council resolution	Review Budget Carry Fwd Amount	PROJECTED year end result 2016-2017	ACTUAL YTD Mar-2017
			Sep Review	Dec Review					
		$	$	$	$	$	$	$	$
Community & Recreation	Capital Income	(1,208,048)	0	391,000	(817,048)	0	0	(817,048)	(536,397)
	Capital Expense	3,400,402	2,457,477	(448,032)	5,409,847	63,322	(2,201,071)	3,272,098	1,430,630
	Net Capital Result	2,192,354	2,457,477	(57,032)	4,592,799	63,322	(2,201,071)	2,455,050	894,233
Engineering	Capital Income	(2,874,138)	(1,030,124)	(186,538)	(4,090,800)	200,000	0	(3,890,800)	(1,507,917)
	Capital Expense	22,118,914	3,598,611	(1,650,505)	24,067,020	(271,583)	(4,406,793)	19,388,644	10,503,870
	Net Capital Result	19,244,776	2,568,487	(1,837,043)	19,976,220	(71,583)	(4,406,793)	15,497,844	8,995,953
Executive	Capital Income	0	0	0	0	0	0	0	0
	Capital Expense	0	0	0	0	0	0	0	0
	Net Capital Result	0	0	0	0	0	0	0	0
Planning & Environment	Capital Income	0	0	0	0	0	0	0	0
	Capital Expense	756,316	0	0	756,316	0	0	756,316	122,989
	Net Capital Result	756,316	0	0	756,316	0	0	756,316	122,989
Economic & Tourism	Capital Income	0	0	0	0	0	0	0	0
	Capital Expense	6,345,735	344,365	17,943	6,708,043	15,850	(4,415,000)	2,308,893	1,364,361
	Net Capital Result	6,345,735	344,365	17,943	6,708,043	15,850	(4,415,000)	2,308,893	1,364,361
Total: General Fund	Capital Income	(4,082,186)	(1,030,124)	204,462	(4,907,848)	200,000	0	(4,707,848)	(2,044,314)
	Capital Expense	32,621,367	6,400,453	(2,080,594)	36,941,226	(192,411)	(11,022,864)	25,725,951	13,421,850
	Total Net Capital Result	**28,539,181**	**5,370,329**	**(1,876,132)**	**32,033,378**	**7,589**	**(11,022,864)**	**21,018,103**	**11,377,536**
		Deficit	Deficit	Surplus	Deficit	Deficit	Surplus	Deficit	Deficit
Water Fund	Capital Income	(484,800)	0	0	(484,800)	0	0	(484,800)	(611,644)
	Capital Expense	8,557,500	1,560,315	(3,111,936)	7,005,879	8,791	(520,000)	6,494,670	4,616,458
	Net Capital Result	**8,072,700**	**1,560,315**	**(3,111,936)**	**6,521,079**	**8,791**	**(520,000)**	**6,009,870**	**4,004,815**
		Deficit	Deficit	Surplus	Deficit	Deficit	Surplus	Deficit	Deficit
Sewer Fund	Capital Income	(808,000)	0	0	(808,000)	0	0	(808,000)	(992,803)
	Capital Expense	11,303,000	1,389,932	(7,751,621)	4,941,311	7,620	(1,500,000)	3,448,931	1,868,353
	Net Capital Result	**10,495,000**	**1,389,932**	**(7,751,621)**	**4,133,311**	**7,620**	**(1,500,000)**	**2,640,931**	**875,550**
		Deficit	Deficit	Surplus	Deficit	Deficit	Surplus	Deficit	Deficit
Total: ALL FUNDS	Capital Income	(5,374,986)	(1,030,124)	204,462	(6,200,648)	200,000	0	(6,000,648)	(3,648,760)
	Capital Expense	52,481,867	9,350,700	(12,944,151)	48,888,416	(176,000)	(13,042,864)	35,669,552	19,906,661
	Net Capital Result	**47,106,881**	**8,320,576**	**(12,739,689)**	**42,687,768**	**24,000**	**(13,042,864)**	**29,668,904**	**16,257,901**
		Deficit	Deficit	Surplus	Deficit	Deficit	Surplus	Deficit	Deficit

Notes: > Figures in ( ) are Income or Surplus if in Net Result line
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Albury City Capital costs are funded from a composite of sources including loans, proceeds of asset sales, grants (from Federal and State Government) current year and past year operating cash surpluses.
Albury City funding position is evaluated using information sourced from its Cash and Investments position, Balance sheet and Cash flow status.

AlburyCity

Budget review for quarter ended March-2017

Cash Flow Results Consolidated result ALL FUNDS.

	ORIGINAL Budget 2016-2017	Approved Changes		REVISED Budget as current	Recommended changes for Council resolution	Review Budget Carry Fwd Amount	PROJECTED year end result 2016-2017
		Sep Review	Dec Review				
	$	$	$	$	$	$	$
CASH FLOWS FROM OPERATING ACTIVITIES:							
Receipts:							
Rates & Annual Charges	(63,306,539)	(90,000)	0	(63,396,539)	(285,695)	0	(63,682,234)
User Charges & Fees	(36,892,188)	(374,190)	(375,500)	(37,641,878)	(1,373,298)	0	(39,015,176)
Interest Received	(2,441,145)	(91,925)	(302,000)	(2,835,070)	(71,145)	0	(2,906,215)
Grants and Contributions	(13,929,409)	(1,012,669)	146,535	(14,795,543)	2,595	0	(14,792,948)
Other Revenues	(4,297,483)	145,356	(493,578)	(4,645,705)	(315,926)	0	(4,961,631)
Payments:							
Employee Benefits & On-Costs	36,619,770	(546,722)	(43,405)	36,029,644	(282,159)	0	35,747,485
Materials & Contracts	25,471,268	1,356,865	1,146,326	27,974,458	1,037,867	(624,068)	28,388,257
Borrowing Costs	3,344,044	(176,671)	0	3,167,373	0	0	3,167,373
Other Expenses	12,719,564	409,185	(214,006)	12,914,743	(581,154)	(30,000)	12,303,589
Savings to be achieved	0	0	0	0	0	0	0
Net Cash (Provided by) or Used in Operations	**(42,712,118)**	**(380,771)**	**(135,628)**	**(43,228,517)**	**(1,868,915)**	**(654,068)**	**(45,751,500)**
	Surplus	Surplus	Surplus	Surplus	Surplus	Surplus	Surplus
CASH FLOWS FROM INVESTING ACTIVITIES:							
Receipts:							
Proceeds from the sales of property, plant & equipment	(610,000)	0	0	(610,000)	0	0	(610,000)
Proceeds from the sales of real estate for resale	(1,474,900)	114,900	1,167,000	(193,000)	(63,570)	0	(256,570)
Payments:							
Purchase of property, plant & equipment	46,136,132	9,326,335	(12,962,094)	42,500,373	(191,850)	(8,897,864)	33,410,659
Purchase of real estate for resale	6,345,735	24,365	17,943	6,388,043	15,850	(4,145,000)	2,258,893
Net Cash (Provided by) or Used in Investing	**50,396,967**	**9,465,600**	**(11,777,151)**	**48,085,416**	**(239,570)**	**(13,042,864)**	**34,802,982**
	Deficit	Deficit	Surplus	Deficit	Surplus	Surplus	Deficit
CASH FLOWS FROM FINANCING ACTIVITIES:							
Receipts:							
Proceeds from borrowings and advances	(5,000,000)	(6,000,000)	2,000,000	(9,000,000)	9,000,000	0	0
Payments:							
Repayments of borrowings and advances	4,440,117	0	0	4,440,117	0	0	4,440,117
Net Cash (Provided by) or Used in Financing	**(559,883)**	**(6,000,000)**	**2,000,000**	**(4,559,883)**	**9,000,000**	**0**	**4,440,117**
TOTAL CASH FLOWS (ALL ACTIVITIES):	**7,124,966**	**3,084,829**	**(9,912,779)**	**297,016**	**6,891,515**	**(13,696,932)**	**(6,508,401)**
Net Total All Movements	**7,124,966**	**3,084,829**	**(9,912,779)**	**297,016**	**6,891,515**	**(13,696,932)**	**(6,508,401)**
	Deficit	Deficit	Surplus	Deficit	Deficit	Surplus	Surplus

Notes: > Figures in ( ) are Income or Surplus if in Net Result line

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Albury City funding position is evaluated using information sourced from its Cash and Investments position, Balance sheet and Cash flow status.

AlburyCity
Budget review for quarter ended March-2017
Cash and Investments Consolidated result ALL FUNDS.

	Opening Balance 1 July 2016	ORIGINAL Budget 2016-2017	Approved Changes		Recommended Changes for Council	PROJECTED year end result 2016-2017
			Sep Review	Dec Review		
	$	$	$	$	$	$
Unrestricted	19,808,606	15,304,000	6,287,413	(764,510)	83,834	20,910,737
Externally restricted						
Developer contributions-(Section 94)-General	531,218	523,000	8,218	0	0	531,218
Developer contributions-(Section 94)-Water	0	89,000	(89,000)	0	0	0
Developer contributions-(Section 94)-Sewer	0	124,000	(124,000)	0	0	0
Domestic waste management	1,631,584	1,000,000	1,259,753	(390,000)	112,000	1,981,753
Special Purpose Grants	453,205	0	0	0	0	0
Water	24,310,845	23,222,000	1,006,247	3,189,668	1,934,788	29,352,703
Sewer-lake Hume			0	0	0	0
Sewer	27,482,888	21,924,000	2,737,510	7,877,621	1,997,864	34,536,995
Total Externally Restricted	**54,409,739**	**46,882,000**	**4,798,727**	**10,677,289**	**4,044,652**	**66,402,668**
Internally restricted						
Employee Leave Entitlements	2,321,300	2,215,000	106,300	0	0	2,321,300
Pre Paid Burials	1,380,439	1,303,000	77,439	0	0	1,380,439
Landfill Risk Rehabilitation Reserve	2,155,508	2,130,000	183,345	0	0	2,313,345
Tabletop Community Centre	4,444	4,000	444	0	0	4,444
Deposits, Retentions, Bonds	1,717,162	884,000	833,162	0	0	1,717,162
Elections	237,100	65,000	0	0	0	65,000
AlburyCity Community Fund	257,815	337,000	(112,185)	0	0	224,815
Carbon Funds	2,724,994	0	0	0	0	0
Net Carry Forward Expenditure (Operating and Capital) - General	6,491,333	0	0	0	2,676,932	2,676,932
Total Internally Restricted	**17,290,094**	**6,938,000**	**1,088,504**	**0**	**2,676,932**	**10,703,436**
Total restricted	**71,699,833**	**53,820,000**	**5,887,231**	**10,677,289**	**6,721,584**	**77,106,104**
Total Cash and Investments	**91,508,439**	**69,124,000**	**12,174,644**	**9,912,779**	**6,805,417**	**98,016,840**
Available Cash	**19,808,606**	**15,304,000**	**6,287,413**	**(764,510)**	**83,834**	**20,910,737**
	Available	Available	Available	Deficit Funding	Available	Available

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AlburyCity available cash position excludes restricted funds. External restrictions are funds that must be spent for a specific purpose and cannot be used by council for general operations.
Internal restrictions are funds that council has determined will be used for a specific future use.
Albury City funding position is evaluated using information sourced from its Cash and Investments position, Balance sheet and Cash flow status.

AlburyCity
Budget review for quarter ended March-2017
Consultancy and Legal Expenditure result ALL FUNDS.

	ORIGINAL Budget 2016-2017	Approved Changes		REVISED Budget as current	Recommended changes for Council resolution	PROJECTED year end result 2016-2017	ACTUAL YTD Mar-2017
		Sep Review	December Review				
	$	$		$	$	$	$
Expenditure:							
Consultancies	185,600	40,000	(18,000)	207,600	110,000	317,600	95,113
Legal Fees	216,885	10,000	8,000	234,885	(740)	234,145	134,778

Notes: > Figures in ( ) indicate a Deficit

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> A consultant is a person or organisation engaged under contract on a temporary basis to provide recommendations or high level specialist or professional advice to assist decision-making by management. Generally it is the advisory nature of the work that differentiates a consultant from other contractors

Report by Responsible Accounting Officer

In accordance with the *Local Government (General) Regulations 2005* the Responsible Accounting Officer (RAO) is required to indicate whether or not they believe that the Quarterly Budget Review Statement shows that the financial position of council will be satisfactory at year end. Consideration having been given to the impact of changes to the original budget and the target financial position detailed in the management/operational plan.

The regulation further mandates that if the RAO believes that the "projected year end result" may result in a deterioration of councils original budgeted financial position that is considered to be unsatisfactory, then recommendations for remedial action are required to be made.

The following statement is made in accordance with Clause 203(2) of the Local Government (General) Regulations 2005.

It is my opinion that the Quarterly Budget Review Statement for AlburyCity Council for the quarter ended 31 March 2017 indicates that Council's projected financial position at 30 June 2017 will be satisfactory, having regard to the projected estimates of income and expenditure and the original budgeted income and expenditure.

Signed:  Date: 4 May 2017

Justin Finlayson
Responsible Accounting Officer, AlburyCity Council.

2016-17 Carry Forward List (Projects that will not be completed by June 2017(including unexpended Grant projects) therefore budgets withdrawn from current year for resubmission into 2017-18 budget as carry forwards)

Operating	**Subtotal**	**$ 704,020**	**$ 654,068**	**$ 49,952**	
Capital	**Subtotal**	**$ 22,232,990**	**$ 13,042,864**	**$ 9,190,126**	
All Items	**Grand Total**	**$ 22,937,010**	**$ 13,696,932**	**$ 9,240,078**	

Group	Operating or Capital	Description of Project	Project number if applicable	GL Account	Contract OR Internal works	2016-17 Budget ($)	Amount of Carry forward Sought ($)	2016-17 Final Budget ($)	Commencement Date	Completion Date	GROUP & TEAM LEADER explanation to why project not completed within 2016-2017 Financial Year as budgeted
Engineering Sewer	Capital	Softwood Plantation	0008.00211.453.000	13275.6120	Contract	300,000	200,000	100,000	March 2017	2018/19	Project delayed due to difficulties in harvesting on the site. Carry Forwards funds are required to re-establish irrigation and planting of native trees as per the 'Vegetation Master Plan'. Implementation of this plan is critical for the operation off the Wastewater Treatment Plant.
Engineering Sewer	Capital	Ettamogah Sewerage Augmentation	0008.00520.169.000	13275.6120	Contract	1,205,005	550,000	655,005	August 2016	2018/19	Project delayed due to extended design and approvals period. All pipework and fittings have been purchased.
Engineering Sewer	Capital	Thurgoona/Wirlinga Precinct	0008.00521.169.000	13275.6120	Contract	630,000	600,000	30,000	August 2016	2017/18	Project delayed due to extended design period and land owner consultation/negotiation.
Engineering Sewer	Capital	Waterview WWTP - Investigation & Design	0008.00540.453.000	13275.6120	Contract	201,000	150,000	51,000	January 2016	2021/22	Design project a to be undertaken over a number of budgets years, a review of the funding profile requires the carry forward of funds.
Engineering Water	Capital	Water Pump Station Filter Gallery - Media replacement	0007.00044.453.000	12275.6120	Contract	250,000	250,000	0	July 2017	September 2017	Project timing was dependent on the completion of the DAFF upgrade, however delays in the finalisation of this project have pushed back the commencement date of the media replacement project.
Engineering Water	Capital	Table Top Water Supply Augmentation	0007.00537.453.000	12275.6120	Contract	1,489,000	150,000	1,339,000	July 2016	2018/19	Project delayed due to extended design and approvals period. A tender for construction of the pipeline is currently being accessed, all pipework and fittings have been purchased.
Engineering Water	Capital	Table Top North - Upgrade Misc. Water Mains	0007.00643.171.000	12275.6120	Contract	200,000	120,000	80,000	January 2017	2017/18	Project delayed due to extended design and approvals period.
Economic Development & Tourism	Capital	Nexus Industrial Precinct		11115.5600	Contract	6,345,000	4,145,000	2,200,000	Sep-16	Oct-17	Works delayed due to inclement weather, native title issues and the discovery of aboriginal artefacts which triggered an Aboriginal Heritage Assessment and restriction of access to a significant portion of the site
Engineering General	Capital	Kerr Road - SVR	1937.04132.161.000	11291.6120	Contract	1,746,863	1,146,863	600,000	Apr-17	Aug-17	Project start date delayed due to some required alterations to project design.
Economic Development & Tourism	Capital	AEC - Stage Replacement & Asbestos Removal	0163.00360.173.000	11290.6120	Contract	250,000	200,000	50,000	Jan-18	Mar-18	Project delayed due to availability of site due to show bookings and opportunity to align with 2017/18 HVAC during venue closure in early 2018.
Engineering General	Capital	Administration Building Refurbishment	0139.00134.158.000	11290.6120	Contract	764,137	300,000	464,137	Mar-17	Aug-17	Project delayed to extended design period and availability of contractors
Engineering General	Capital	Airport Terminal Upgrade	0107.00014.173.000	14275.6120	Contract	1,572,930	1,372,930	200,000	Jul-16	Mar-18	Project delayed due to extended design and tender assessment periods
Engineering General	Capital	Urana Road Beautification & Blackspot - 5 Ways to Sanders	1829.01081.161.000	11291.6120	Internal	500,000	200,000	300,000	May-17	Jul-17	Project delayed due to extended design and approval period for the alteration of the Urana/Griffith intersection and traffic light relocation
Engineering General	Capital	Yambla Place - Yambla to End	1887.00855.161.000	11291.6120	Contract	450,000	120,000	330,000	Apr-17	May-17	Project delayed due to extended design period and availability of resources.
Economic Development & Tourism	Capital	Wonga Wetlands Product Development Masterplan implementation		11300.6115		320,000	270,000	50,000			Implementation to date has not required significant capital investment. Design and costing of Visitor Education and Experience Centre to commence in coming months. Note: funds are proceeds from sale of Ettamogah Sanctuary Site which Council committed to invest in Wonga Wetlands.
Economic Development & Tourism	Operating	City wide flags (Advertising)		00595.2000	Contract	20,000	10,000	10,000	1/01/2018	30/01/2018	Preserve funding for city-wide flags for 2017/18 - demand for replacement
Economic Development & Tourism	Operating	vAW Brand Extension		1402.2033	Contract	20,000	20,000	0	1/10/2017	30/12/2017	Resource constraints due to position vacancies and leave.
Community & Recreation	Capital	Lavington Sports Facility	0236.00695.175.000	11295.6120	Contract	1,235,770	835,770	400,000	Jul-16	Mar-19	Carry forward required due to some variation in expenditure profiling. Project on track.
Community & Recreation	Capital	Glen Park disabled ramp and sportsfield fencing	1.161.175	11295.6120	Community Grou	130,000	100,000	30,000			This community fund project has been delayed due to Council not being provided details for construction certificate. Works are due to commence when the Construction certificate has been obtained
Community & Recreation	Capital	Albury Sports Ground sportsfield lighting assessment	2.142.175	11295.6120	Contractor	10,000	10,000	0			Due to resourcing the project will be included into the 2017-18 works program. Funding will be used to review existing electrical assessment and commence design for upgrading sportsfield lighting.
Community & Recreation	Capital	West Albury Skate Park	2.177.175	11295.6120	Contractor	17,658	17,658	0			Funding from the two skate park projects (Albury and West Albury) will be diverted to developing a skate Park strategy and developing designs for upgrading Albury Skate Park. The project will be included into the 2017-18 works program
Community & Recreation	Capital	Noreuil Park Foreshore works	2.303.175	11295.6120	Contractor	302,614	250,000	52,614			Detailed design works have been delayed with some works to be undertaken in winter. Major on ground works will be rescheduled into the 2017-18 works program
Community & Recreation	Capital	National Foresters Grove	2.519.175	11295.6120	Contractor	15,990	10,000	5,990			SVR project which has been delayed due to resourcing. Information signage design and installation component to be included into 2017-18 works program.
Community & Recreation	Capital	Jelbart Park detail design	2.528.175	11295.6120	Internal	150,000	50,000	100,000			Design work is not completed due to resourcing. Project is to be included into Landscape Architects 2017-18 work plan.
Community & Recreation	Capital	Albury Skate Park	3.124.175	11295.6120	Contractor	32,312	32,312	0			Funding from the two skate park projects (Albury and West Albury) will be diverted to developing a skate Park strategy and developing designs for upgrading Albury Skate Park. The project will be included into the 2017-18 works program
Community & Recreation	Capital	Monument Hill Master Plan	3.150.175	11295.6120	Internal	70,000	50,000	20,000			The master plan was endorsed by Council in February. Funding will be used to undertake detailed design of roadways and retaining walls as well as upgrading some signage over the next 12 months.
Community & Recreation	Capital	Apex Park	3.213.175	11295.6120	Internal	60,429	40,000	20,429			A master plan is being developed for Apex Park through to the Resort boat ramp and beach area. Due to resourcing the project has been delayed and is scheduled to be undertaken in 2017-18 by the landscape architect. This project includes grant funding from NSW Roads and Maritime Services.
Community & Recreation	Capital	Hume Weir Parks	4.200.175	11295.6120	Contractor	75,000	75,000	0			A master plan is being developed for Apex Park through to the Resort boat ramp and beach area. Due to resourcing the project has been delayed and is scheduled to be undertaken in 2017-18 by the landscape architect. This project includes grant funding from NSW Roads and Maritime Services.

2016-17 Carry Forward List (Projects that will not be completed by June 2017(including unexpended Grant projects) therefore budgets withdrawn from current year for resubmission into 2017-18 budget as carry forwards)

Operating	**Subtotal**	**$ 704,020**	**$ 654,068**	**$ 49,952**	
Capital	**Subtotal**	**$ 22,232,990**	**$ 13,042,864**	**$ 9,190,126**	
All Items	**Grand Total**	**$ 22,937,010**	**$ 13,696,932**	**$ 9,240,078**	

Group	Operating or Capital	Description of Project	Project number if applicable	GL Account	Contract OR Internal works	2016-17 Budget ($)	Amount of Carry forward Sought ($)	2016-17 Final Budget ($)	Commencement Date	Completion Date	GROUP & TEAM LEADER explanation to why project not completed within 2016-2017 Financial Year as budgeted
Community & Recreation	Capital	Mungabareena Reserve	4.346.175	11295.6120	Internal	151,315	100,000	51,315			Mungabareena reserve has recently been gazetted as an Aboriginal Place. Prior to any significant works being undertaken a Management Plan needs to be developed. This has commenced however has been delayed . Onground works will be scheduled upon management plan endorsement. This project is SVR funded
Community & Recreation	Capital	Padman Park	5.145.175	11295.6120	Internal	73,703	50,000	23,703			Preliminary assessments have been undertaken to include into the revised Padman Park Management Plan. The updating the management plan has been delayed and scheduled to be completed in 2017-18. the plan will identify priority works. This is an SVR funded project
Community & Recreation	Capital	JC King Park Sports Pavilion	119.843.175	11295.6120	Contractor	614,633	580,331	34,302			Council and Albury Netball Association have been working on a funding strategy for the construction of a new sport pavilion. The final instalment of funding is included in the draft 2017-18 budget for Council consideration. Upon endorsement of the 2017-18 budget construction can be scheduled.
Community & Recreation	Capital	Lake Hume Village - Toilet	222.847.173	11290.6120	Contractor	300,000	300,000	0			Project delayed due to availability of design resources and conclusion of the Public Toilet Strategy. The most appropriate location for the toilet is also being considered as part of a master plan process. Construction of the public toilet will be included into the 2017-18 works program.
Community & Recreation	Operating	SLNSW Special Purpose Grant 2015	W29041	429.2040	Grant	14,716	14,716	0			unexpended grant funds
Community & Recreation	Operating	Arts Activation Albury	W39439	619.2040		30,000	20,000	10,000	May 2017	October 2017	Calendar year grant received
Community & Recreation	Operating	SLNSW Special Programs Grant 2017	W38657 & 34.19.573	429.2040		41,952	30,000	11,952	May 2017	December 2017	Calendar year grant received
Community & Recreation	Operating	Arts NSW 2017 Museum Programs Grant	W38658 & 35.96.573	357.2040		49,500	31,500	18,000	April 2017	December 2017	Calendar year grant received
Community & Recreation	Operating	Destination NSW Regional Flagship Grant fund	W39499 & 34.50.573	429.2040		20,000	20,000	0	July 2017	October 2017	Grant received for Write around the Murray Festival marketing.
Community & Recreation	Operating	Youth NSW Transport Grant	W26795	1340.2040		2,977	2,977	0	January 2017	December 2017	Calendar year grant

AlburyCity
Budget review for quarter ended March-2017
Contracts Listing

Contractor	Contract detail & purpose	Contract value as at 31/03/2017 inc GST $	Commencement date	Duration of contract	Budgeted (Y/N)
SNP Security	Security Screening Services at Albury Airport	5,513,404	16/01/2017	5 Years	Y
Mitchell Construction Pty Ltd	Mitchell Park Thurgoona Footpath Concreting	376,044	30/01/2017	3 Months	Y
Ried Constructions Pty Ltd	Albury Botanic Gardens Perimeter Fence	304,361	9/02/2017	4 Months	Y
City Smart Solutions	CCTV Equipment in Dean Street, Volt Lane Car park and QEII Square	483,912	9/02/2017	4 Months	Y
AP Delaney & Co Pty Ltd	Kerr Rd Reconstruction Stage 3	1,817,601	28/03/2017	4 Months	Y

Notes:
> Contracts for employment are not included
> Contracts listed are those entered into from December to March 2017 and have yet to be fully performed, excluding contractors that are on Council's Preferred Supplier List.
> This data is sourced from Albury City's Contract Register

CM14.3. CCTV Policy, Code of Practice and Standard Operating Procedure, and Signage

DATE	10 May 2017	**FIL REFERENCE**	FIL16/03079
CONFIDENTIAL	No		
FURTHER ENQUIRIES	James Jenkins Community & Recreation	**PHONE**	6023 8145
AUTHOR	Vanessa Evans		

Purpose of Report

To present the *draft* CCTV Policy, the *draft* CCTV Code of Practice and Standard Operating Procedure, and the *draft* CCTV signage to Council for consideration with a view to endorsement of these documents for public exhibition.

Background

AlburyCity successfully obtained grant funding for the installation and operation of Closed Circuit Television (CCTV) in the Albury CBD encompassing Dean Street, QEII square and the Volt Lane multistorey car park. The agreement between the Commonwealth Attorney General's Department and AlburyCity was signed in August 2016.

The *draft* CCTV Policy, *draft* CCTV Code of Practice and Standard Operating Procedure (*draft* Code), and the *draft* CCTV signage were endorsed by Manex on 9 May 2017.

Issues

Draft CCTV Policy and *draft* Code

The *draft* CCTV Policy (attachment 1 to this report) has been developed to provide details of the basis of CCTV in AlburyCity and is supported by the *draft* Code (attachment 2 to this report).

In drafting the documents, consideration has been given to AlburyCity's obligations under the *Privacy and Personal Information Protection Act 1998* (PPIP Act), and the NSW Department of Justice *NSW Government policy statement and guidelines for the establishment and implementation of closed circuit television (CCTV) in public places* (the Guidelines).

Research has also been conducted into the operation of CCTV within other NSW local government areas, including Shoalhaven City Council whose systems and processes were challenged at the NSW Administrative Decisions Tribunal (ADT) in 2013.

In addition to the introduction of CCTV in the Albury CBD, AlburyCity has a number of facilities which include existing CCTV. The *draft* Code has been written to incorporate CCTV at existing AlburyCity facilities, as well as encompass the CCTV which is soon to be introduced to the Albury CBD.

Internal consultation has been conducted in order to consider the impact of the draft documents on the various operational areas of AlburyCity.

Given the impact of the *draft* CCTV Policy and *draft* Code on the wider community, these documents are recommended to be publicly exhibited for a period of 28 days prior to consideration and final adoption. The completed documents would then be included on the Public Policy Register.

In order to obtain grant progress payments for the installation and operation of CCTV in the Albury CBD, certain milestones must be achieved within the timeframes designated by the grant agreement. A Memorandum of Understanding (MoU) regarding the sharing of CCTV data is required to be entered into by AlburyCity and NSW Police. The *draft* Code is included as an Annexure to the MoU and forms an important part of the agreement between AlburyCity and NSW Police.

Consultation with NSW Police to finalise the MoU and *draft* Code is expected to be undertaken during the public exhibition period, with any requested changes to be considered and incorporated into the *draft* Code prior to final adoption by Council. The MoU will be executed by the General Manager following negotiation with the NSW Police.

Draft CCTV Signage

The signage associated with CCTV in the Albury CBD will be installed to coincide with the commissioning of the CCTV system in the Albury CBD.

In order to simplify the signage requirements for CCTV, as well as enhance the visual amenity within the city, signage has been developed to incorporate the requirements of the Guidelines and the PPIP Act whilst also keeping excessive wording to a minimum.

Page 17 of the Guidelines states that:
"information provided on the signs should comply with section 10 of the PPIP Act, and include at a minimum: the contact details for the ownership of the scheme, the purpose of the scheme, and the hours of operation (e.g. when the area is monitored – continuous or random)".

Section 10 of the PPIP Act requires that:
"*the individual to whom the information relates is made aware of the following:*
(a) the fact that the information is being collected,
(b) the purposes for which the information is being collected,
(c) the intended recipients of the information,
(d) whether the supply of the information by the individual is required by law or is voluntary, and any consequences for the individual if the information (or any part of it) is not provided,
(e) the existence of any right of access to, and correction of, the information,
(f) the name and address of the agency that is collecting the information and the agency that is to hold the information."

The proposed signage includes the minimum requirements of the Guidelines, however, it is arguable as to whether the section 10 PPIP Act requirements have been adequately met. For example, *draft* CCTV signage proposed for the Albury CBD implies that images collected by CCTV cameras will be shared with NSW Police by the inclusion of the NSW Police logo rather than explicitly stating this fact

in words. Whilst the provisions of section 10 of the PPIP Act may not be explicitly met, the proposed signage has been developed to convey the intent of section 10 of the PPIP Act through the use of images. The use of images in signage is more universally accepted as the practice to convey meaning to a broader audience rather than simply using words that only those individuals that can read English may understand. The proposed signage is consistent with the CCTV signage used by other NSW councils including Wagga Wagga City Council and City of Sydney. It is proposed that more extensive wording to meet the requirements of the PPIP Act will be included on the AlburyCity webpage dedicated to CCTV and this webpage is referenced in the proposed signage.

Signage in the Albury CBD is proposed to be erected on the reverse side of existing parking signs where there are two parking signs side by side. Signage will be spaced intermittently throughout the area covered by the Albury CBD CCTV as well as at the perimeter of the area covered by CCTV in the Albury CBD. In line with the Australian Standard for warning signs, the background is proposed to be all yellow with black text and images. Further minor amendments, such as to the size of the text or images, may be required in order to meet the requirements of the Australian Standards.

Attachment 3 to this report shows the proposed layout, colouring and content to be used in the signage. It is proposed that the *draft* CCTV Signage be placed on public exhibition for 28 days seeking comment on the content of the signage.

Risk

- Business Risk – Failure to implement the required milestones under the grant agreement between the Commonwealth Attorney General's Department and AlburyCity may impact on progress payments being made to AlburyCity in order to fund the CCTV project. Finalisation and agreement of the *draft* MoU and associated documents with NSW Police, as well as completion of the signage requirements, will ensure that a number of milestones stipulated under the grant agreement are met.
  Signage requirements should reflect the minimum requirements listed in the Guidelines as well as address section 10 of the PPIP Act to ensure our legislative obligations are met.
- Corporate Risk – Implementation of the *draft* CCTV Policy, *draft* Code and *draft* CCTV signage will provide guidance and boundaries for the use of CCTV to ensure that inappropriate access, use and disclosure of information captured by the cameras is minimised and provides a mechanism for dealing with unauthorised access. Failure to have adequate controls in place to govern the use and application of CCTV could lead to inappropriate and unauthorised use of the information and expose AlburyCity to reputational risk.
  The Guidelines recommend independent oversight of the operation of CCTV to ensure the appropriate use of the system. The *draft* Code identifies the General Manager, or their delegate, as being responsible for evaluation of the CCTV system, and AlburyCity's Audit Committee as being responsible for overseeing this evaluation. A copy of the report will then be presented to Council annually for noting at the relevant Council meeting and made publicly available on the AlburyCity website. At the next review of the Audit Committee's Charter, the oversight of CCTV will be included as one of the Committee's functions.

Community Engagement

The *draft* CCTV Policy, the *draft* Code, and *draft* CCTV Signage are recommended for public exhibition for a period of 28 days following consideration by Council for endorsement as follows:

- Included as an item on the 'Have a Say' page of the AlburyCity website;
- An advertisement to be included in the Border Mail the first Saturday following endorsement by Council;
- Copies of the documents to be available at the Customer Service Centre at 553 Kiewa Street Albury, the Albury LibraryMuseum and the Lavington Library; and
- Direct consultation with NSW Police seeking feedback and agreement of the content of the *draft* Code.

Options

1. Endorse the *draft* CCTV Policy, the *draft* Code and the *draft* CCTV signage for public exhibition; or
2. Endorse the *draft* CCTV Policy, the *draft* Code and the *draft* CCTV signage with amendments for public exhibition.

Conclusion

The *draft* CCTV Policy, *draft* Code and *draft* CCTV signage have been developed to provide guidance and control for the implementation and operation of CCTV across AlburyCity facilities as well as the soon to be introduced CCTV in the Albury CBD. A MoU has been developed to assist AlburyCity and NSW Police agree on the roles and responsibilities of both parties associated with CCTV in the Albury CBD. The *draft* CCTV signage has been developed to consider the minimum requirements outlined in the Guidelines and section 10 of the PPIP Act. All presented documents are necessary for the introduction of CCTV in the Albury CBD and will assist with meeting specific milestones within the grant agreement between the Commonwealth Attorney General's Department and AlburyCity. These documents are presented to Council for their consideration.

Recommendation

That Council:

a. Endorse the *draft* CCTV Policy, *draft* CCTV Code of Practice and Standard Operating Procedure, and *draft* CCTV signage;
b. Place the *draft* CCTV Policy, *draft* CCTV Code of Practice and Standard Operating Procedure, and *draft* CCTV signage on public exhibition for a period of 28 days; and
c. If no submissions are received, that the *draft* CCTV Policy and *draft* CCTV Code of Practice and Standard Operating Procedure be adopted and placed on the Public Policy Register and the *draft* CCTV signage for the Albury CBD be implemented.

- **Attachments**
  1. Draft CCTV Policy – May 2017
  2. Draft CCTV Code of Practice and Standard Operating Procedure – May 2017
  3. Draft CCTV Signage – Council - May 2017

POLICY NAME	CCTV Policy
DIRECTORATE	Community & Recreation

PURPOSE

The purpose of this policy is to ensure the effective, appropriate and lawful use of Closed Circuit Television (CCTV) by AlburyCity in public areas, designated workplaces and AlburyCity facilities across the Albury local government area.

SCOPE

- This policy relates to CCTV and surveillance systems used and operated by AlburyCity.
- The cameras included under this policy are fixed and portable cameras that are part of a closed circuit and portable cameras that are not part of a closed circuit. Hand held devices that might also be used for surveillance, such as smart phones, tablet computers and dash cams are excluded from this policy.
- This policy applies to all AlburyCity Officers.

DEFINITIONS

AlburyCity Officers (also known as Public Officials) includes: full-time, part-time and casual staff members whether they are permanent or temporary employees; and contractors.

CCTV is a television system that transmits images within a closed system. Images are not openly transmitted but available to a specific location on a limited set of monitors. The CCTV system consists of cameras, monitors, recorders, interconnecting hardware and support infrastructure, and may be fixed or portable. For the purpose of this Policy, CCTV includes portable cameras that are not part of a closed circuit.

RELATED LEGISLATION / GUIDELINES

- Australian Standard 4806.1-2006. Closed circuit television (CCTV) part 1: Management and operation (reconfirmed 2015)
- *Government Information (Public Access) Act 2009*
- NSW Government policy statement and guidelines for the establishment and implementation of closed circuit television (CCTV) in public places (2014)
- *Privacy and Personal Information Protection Act 1998*
- *Surveillance Devices Act 2007*
- *Workplace Surveillance Act 2005*

DRAFT

CONTENT

AlburyCity recognises that effective community safety and crime prevention requires an integrated approach and advocates a partnership role, which includes other stakeholders working with AlburyCity in promoting community safety and crime prevention. Acknowledging that crime will never entirely be prevented, CCTV as part of a broader crime prevention and community safety strategy, can have a deterrent effect on crime by discouraging potential offenders from criminal activity and aid in the detection, investigation and prosecution of offenders. CCTV can also increase people's perceptions of safety.

This policy framework and associated documentation provides clear direction in the management of CCTV as one response to community safety concerns.

While there is no current legislative requirement for councils to implement a particular NSW or Australian Government policy statement on CCTV in public areas, the promotion of fairness, integrity, respect for human rights and administrative best practices in the management and operation of CCTV, provide the basis for developing this policy and associated documents. Additionally, the NSW Office of Local Government considers the *NSW Government Policy Statement and Guidelines for the Establishment and Implementation of Closed Circuit Television in Public Places* (the Guidelines) to represent best practice and AlburyCity has used these guidelines in developing this suite of CCTV documents.

In accordance with the Guidelines, AlburyCity has developed a CCTV Code of Practice and Standard Operating Procedure that underpins the management and operation of CCTV in the Albury local government area. A CCTV Memorandum of Understanding between AlburyCity and NSW Police has been developed to formalise the agreement between the two parties.

DOCUMENTATION

This Policy should be read in conjunction with the CCTV suite of documents:

- CCTV Code of Practice and Standard Operating Procedure
- CCTV Memorandum of Understanding

AUTHORISATION

Status	**Committee**	
	Manex	9 May 2017
	Council	22 May 2017
Owner	Community and Recreation – Community Safety Officer	
Compliance	Mandatory	
History	New Policy and Code – May 2017	
Register	This policy is included in the Public Policy Register.	
Last issued May 2017		**Review** May 2021
TRIM REFERENCE DOC16/227261		

PROCEDURE NAME	CCTV Code of Practice and Standard Operating Procedure
DIRECTORATE	Community and Recreation

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PURPOSE

The purpose of this Code of Practice and Standard Operating Procedure (Code) is to outline the basic standards under which Closed Circuit Television (CCTV) will be operated by AlburyCity. Further, it will give instructions on all aspects of the operation of CCTV, and guide the roles and responsibilities of the various stakeholders, to ensure the effective, appropriate and lawful use of CCTV by AlburyCity in public areas, designated workplaces and AlburyCity buildings across the Albury Local Government Area (LGA).

SCOPE

- This Code relates to CCTV and surveillance systems used and operated by AlburyCity. CCTV cameras installed from time to time by tenants and licensees of AlburyCity land or buildings in accordance with terms of leases and/or licences with AlburyCity, or as a separate safety measure by the tenant or licensee, lie outside the scope of this Code.
- All references to CCTV cameras in this Code refer only to cameras operated and monitored by or on behalf of AlburyCity.
- The cameras included under this Code are fixed and portable cameras that are part of a closed circuit and portable cameras that are not part of a closed circuit. Hand held devices that might also be used for surveillance, such as smart phones, tablet computers and dash cams are excluded from this Code.
- This Code applies to all AlburyCity Officers and designated officers of the NSW Police.
- Surveillance of AlburyCity Officers, including Councillors and volunteers, undertaken whilst they are in the workplace is covered by the Workplace Surveillance Procedure.
- Investigations undertaken as a function of AlburyCity activities is covered by the Internal Investigation Procedure.

DEFINITIONS

AlburyCity means Albury City Council.

Application Form is the application form used by Police to access recorded images and is attached to the Code as Appendix 1.

AlburyCity Officers (also known as Public Officials) includes: full-time, part-time and casual staff members whether they are permanent or temporary employees; and contractors.

Albury CBD means the area of the central business district that will be monitored by CCTV cameras including Dean Street, QEII square, and the Volt Lane and Kiewa Street multistorey car parks.

Authorised AlburyCity Officer means an AlburyCity Officer that has been granted delegated authority by the General Manager to undertake certain functions of AlburyCity.

CCTV is a television system that transmits images within a closed system. Images are not openly transmitted but available to a specific location on a limited set of monitors. The CCTV system consists of cameras, monitors, recorders, interconnecting hardware and support infrastructure, and may be fixed or portable. For the purpose of this Code, CCTV includes portable cameras that are not part of a closed circuit.

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CCTV Project means the *'A Safer CBD for Albury'* project which is supported by the Commonwealth through the Commonwealth Attorney General's Department.

Code is this Code of Practice and Standard Operating Procedure.

Control Room means a facility within a specific site where the day to day operations are monitored within the site by CCTV, internal alarm systems and security devices that are site specific.

Dummy Camera means equipment or housing that resembles or gives the illusion of a CCTV camera being in existence, without a CCTV camera being in operation.

Image Recording Equipment means the electronic equipment that records and stores all footage recorded by the CCTV camera(s).

Image Recording Point means the area of the Albury Police Station where the Image Recording Equipment is located and secured.

Licensed means holding an appropriate licence under the *Security Industry Act 1997* to undertake activities associated with CCTV.

Monitoring Equipment is the electronic equipment that live footage and Recorded Material may be viewed from.

Monitoring Point (Airport) means the area of the AlburyCity Airport where the Monitoring Equipment is located.

Monitoring Point (Admin) means the area of the AlburyCity Administration Building where the Monitoring Equipment is located.

Monitoring Point (Police) means the area of the Albury Police Station where the Monitoring Equipment is located.

Memorandum of Understanding *or* ***MoU*** means the agreement entered between AlburyCity and Police in accordance with the Code.

Police means the NSW Police Force.

Portable Camera means a camera that is not part of a closed circuit and whose location may change from time to time as operationally required.

Recorded Material means the footage recorded by the CCTV cameras.

Register of Authorised Persons is the register maintained by Police of registered officers. A template of the register is attached to the Code as Appendix 2.

Register of Access to CCTV Footage is the register maintained by AlburyCity detailing the circumstance under which CCTV is accessed. A template of the register is attached to the Code as Appendix 3.

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REFERENCES

Commonwealth Attorney-General's Department / Albury City Council (2016). Commonwealth grant agreement between the Commonwealth represented by the Commonwealth Attorney-General's Department and Albury City Council.
Government Information (Public Access) Act 2009 (GIPA Act)
NSW Department of Justice (2014). *NSW Government policy statement and guidelines for the establishment and implementation of closed circuit television (CCTV) in public places*
Privacy and Personal Information Protection Act 1998 (PPIP Act)
Security Industry Act 1997
Workplace Surveillance Act 2005

ACTIVITY

1. KEY PRINCIPLES

This Code is based on 10 key principles. These are:

Principle 1	CCTV will be operated fairly, within applicable law, and only for the purposes for which it is established or which are subsequently agreed in accordance with this Code.
Principle 2	CCTV will not limit the privacy and civil liberties of individual members of the public, including the right of freedom of religious and political expression and assembly.
Principle 3	AlburyCity has primary responsibility for the maintenance, management and security of CCTV, and the protection of the interests of the public in relation to CCTV.
Principle 4	The Police are a partner to CCTV in the Albury CBD and agree to act in accordance with the Code.
Principle 5	The public will be provided with clear and easily accessible information in relation to the operation of CCTV.
Principle 6	Regular review and evaluation of CCTV will be undertaken to identify whether the purposes and objectives of CCTV are being achieved.
Principle 7	Information recorded will be accurate, relevant and not exceed that necessary to fulfil the purposes of CCTV.
Principle 8	Recorded Material will be retained for 30 days unless it is required for law enforcement purposes or other lawful requirements.
Principle 9	Access to Recorded Material will only be provided in accordance with purposes provided by this Code.
Principle 10	All contact between AlburyCity and Police in relation to CCTV will be conducted strictly in accordance with the Code.

2. CODE

The only organisations and individuals who are involved in the operation of CCTV by AlburyCity are those who comply with this Code.

This Code is subject to state and federal law.

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3. SYSTEM DESCRIPTION

3.1. Albury CBD

CCTV in the Albury CBD incorporates cameras connected to the Albury Police Station.

Images from Albury CBD cameras are transmitted to a live observation monitor at the Monitoring Point (Police) which may be viewed and monitored by Police. The Monitoring Equipment at the Monitoring Point (Police) provides Police with the ability to review Recorded Material for a period of 30 days.

3.2. Albury Airport

Images from cameras at the Albury Airport are transmitted to a live observation monitor at the Monitoring Point (Airport) which may be viewed and monitored by authorised AlburyCity Officers. The Monitoring Equipment at the Monitoring Point (Airport) provides authorised AlburyCity Officers with the ability to review Recorded Material for a period of 24 hours.

3.3. All Cameras

CCTV in AlburyCity facilities, including the Albury CBD and Albury Airport, incorporate cameras connected to the AlburyCity Administration Building as well as Image Recording Equipment located in various AlburyCity facilities.

Images from cameras are transmitted to a live observation monitor at the Monitoring Point (Admin) which may be viewed by authorised AlburyCity Officers.

No sound will be recorded in public places and Dummy Cameras will not be used.

4. CAMERA DESIGN

The technology will be reviewed to ensure the equipment is fit for the purpose of CCTV.

5. CCTV LOCATION AND PURPOSE

CCTV cameras are installed at locations based on advice provided by the AlburyCity Crime Prevention Officer and crime figures for the Albury LGA, and include, but are not limited to, areas referred to as crime ‘hotspots’, licensed premises, ATMs and banking institutions, bus stops, taxi ranks, car parks, shopping centres, community facilities, and places frequented by at risk groups.

Other CCTV cameras, generally fixed cameras, are installed as part of AlburyCity assets, including AlburyCity facilities, to achieve the purposes listed below.

It is acknowledged that CCTV cameras installed in public place locations and as part of AlburyCity infrastructure may also capture AlburyCity Officers performing work tasks. CCTV that is subject to this Code is not designed to intentionally provide workplace surveillance. Where the purpose is to provide workplace surveillance, AlburyCity’s Workplace Surveillance Procedure must be complied with.

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The cameras will operate on a 24-hour basis. AlburyCity will make commercially reasonable attempts to maintain the continuous operation of CCTV.

The location of cameras will be reviewed as operationally required and, where necessary, consultation may be undertaken with Police and other stakeholders.

CCTV cameras have been installed in the following locations, for the purpose(s) listed below:

Location	Camera Type	Purpose
AlburyCity Administration Building and Car Park	Fixed	Crime prevention and security
Albury Airport	Fixed	Crime prevention and security, and/or operational requirements (such as ensuring boom gates are operating effectively)
Albury CBD	Fixed	Crime prevention and security, in particular, to enhance community safety and security, both in real terms by reducing street crime, violence, and anti-social behaviour, and through increased perception of safety in the community.
Albury Waste Management Centre	Fixed	Crime prevention and security, and/or waste identification, or operational requirements (such as ensuring boom gates are operating effectively)
Lavington Depot	Fixed	Crime prevention and security
Lavington Library	Fixed	Crime prevention and security
LibraryMuseum and Retro Lane Cafe	Fixed	Crime prevention and security
Monument Hill	Fixed	Crime prevention and security
Murray Art Museum Albury (MAMA)	Fixed	Crime prevention and security
Water Filtration Plant	Fixed	Crime prevention and security
Wodonga Place Depot	Fixed	Crime prevention and security
Portable Cameras	Mobile	Crime prevention and security, or fauna surveying.

6. OBJECTIVES OF CCTV IN THE ALBURY CBD

The CCTV Project is supported by the Commonwealth through the Commonwealth Attorney-General's Department. The objectives of CCTV in the Albury CBD, within the period of the CCTV Project, include:

- Decrease the Albury LGA's rate of criminal behaviour for assault (non-domestic violence), steal from retail, malicious damage, and resist or hinder officer;
- Increase Community Satisfaction Survey results relating to community safety;
- Decrease the incidence or malicious damage in the Volt Lane car park; and
- Support police operations through provision of live CCTV feed.

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7. OWNERSHIP

AlburyCity is the owner of the CCTV.

AlburyCity retains ownership of and has copyright in all documentation and other material related to CCTV within the Albury LGA.

The responsibilities of AlburyCity in relation to CCTV are outlined in part 10 of this Code.

8. PARTNERS IN CCTV IN THE ALBURY CBD

The Commonwealth represented by the Commonwealth Attorney-General's Department are partners in CCTV in the Albury CBD and have provided funding through the Safer Streets Programme to assist AlburyCity undertake the implementation and operation of the CCTV Project.

The Police are partners in CCTV in the Albury CBD.

The responsibilities of Police in relation to CCTV in the Albury CBD are outlined in part 11 of this Code.

9. INFORMATION ABOUT THE OPERATION OF CCTV

Clear and visible signage stating that CCTV cameras are operating will be displayed as follows:

- At the perimeter of the Albury CBD and spaced intermittently throughout the Albury CBD in areas being monitored; or
- At every entrance of an AlburyCity facility that has CCTV.

These signs will:

- Inform the public that cameras are continuously recording;
- Describe the primary purpose for which information is being collected;
- Identify AlburyCity as the owner and operator of the system;
- Identify any relevant partners to the system that will have access to the Recorded Material;
- Identify that further information regarding the system may be directed to AlburyCity and provide a web page and telephone number as methods of contact.

Copies of this Code will be made available to the public. The availability of this Code will be publicised in connection with any publicity arranged for CCTV.

A copy of the Privacy Notification will be made available to the public. The availability of the Privacy Notification will be publicised in connection with any publicity arranged for CCTV.

Inquiries in relation to CCTV and its operation can be made in writing to:
The General Manager
Albury City Council
PO Box 323
Albury NSW 2640

or, email to info@alburycity.nsw.gov.au

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AlburyCity will also establish a dedicated CCTV page on the AlburyCity website where information about CCTV will be made available.

10. RESPONSIBILITIES OF ALBURYCITY

AlburyCity will be responsible for the introduction and implementation of this Code and for ensuring compliance with the principles contained within this Code.

AlburyCity will consult with, and provide information to, the public about the operation of CCTV and about any proposed change to CCTV or this Code. This Code can only be changed in accordance with part 21 of this Code.

11. RESPONSIBILITIES OF POLICE

Police are a partner to CCTV Project in the Albury CBD.

An MoU in relation to CCTV Project has been agreed to by both AlburyCity and Police. The MoU outlines the respective roles of both parties.

Police are required to provide AlburyCity with crime statistics in relation to targeted offences identified in the MoU for the area of the Albury CBD captured by CCTV cameras in order for the CCTV Project to be reviewed, evaluated and audited.

12. OVERSEEING CCTV

AlburyCity will oversee the operation of CCTV and implementation of this Code. For CCTV in the Albury CBD, this will be conducted in consultation with Police.

AlburyCity will also maintain the equipment to ensure that CCTV is operating within parameters.

13. EVALUATION OF CCTV IN THE ALBURY CBD

AlburyCity is responsible for ensuring CCTV in the Albury CBD is subject to regular evaluation to identify whether its purposes are relevant and whether objectives are being achieved.

Resources committed to the system annually will include the cost of evaluation.

AlburyCity will produce an evaluation report at 12 monthly intervals within 3 months of the end of each financial year. The report will be presented to the General Manager. A copy of the report will then be presented to Councillors for noting at the relevant Council Meeting. The most recent report will be made available on the CCTV page of the AlburyCity website.

Evaluation will be conducted by the General Manager or their delegate, and overseen by the Audit Committee.

Evaluation of CCTV will include as a minimum:

i. Assessment of its impact upon CCTV Project objectives;
ii. Any views of the public on the operation of CCTV in the Albury CBD;
iii. Operation of the Code; and

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iv. Whether the purposes for which CCTV in the Albury CBD was established still exist.

The result of the evaluation will be considered in the future functioning, management and operation of CCTV in the Albury CBD.

Any reports prepared as part of the evaluation of CCTV Project in the Albury CBD will be provided to Police.

14. FUNCTIONS OF AUDIT COMMITTEE FOR CCTV IN THE ALBURY CBD

The functions of the Audit Committee will be:

i. To provide an independent and continuous review and checking mechanism for CCTV in the Albury CBD;
ii. To identify and report on any deviations from the Code that come to notice during the review;
iii. To recommend action that will safeguard CCTV in the Albury CBD from abuse; and
iv. To review the annual evaluation report prepared by AlburyCity.

The Audit Committee may, at their discretion, undertake their own independent evaluation of CCTV in the Albury CBD including its operation and the Code. Evaluation may include examination of records kept in accordance with the Code, data recording histories, and the content of Recorded Material.

15. IMAGE RECORDING POINT AND MONITORING POINT

15.1. Albury CBD

The following equipment is secured and located at the Image Recording Point:

i. Image Recording Equipment is located in an area that is secured from unauthorised access.

The following equipment is secured and located at the Monitoring Point (Police):

i. Monitoring Equipment is located in an area that is not accessible by the public.

This Code is endorsed by Police. This Code ensures that access to the Image Recording Point and Monitoring Point (Police) is restricted to Police and authorised AlburyCity Officers, and that the Image Recording Point and Monitoring Point (Police) is protected from unauthorised access.

The circumstances in which Police and authorised AlburyCity Officers are able to access the Monitoring Point and the Image Recording Point is outlined in this Code.

All efforts have been taken to avoid the inclusion of private property within the camera view of the monitored area. CCTV cameras are positioned so that no private property is filmed (unless it is not reasonably practicable to avoid filming the other land when filming the public space). Cameras will not be used to look into adjacent or nearby premises or buildings, unless it is explicitly for the purpose of following (in real time) participants in crime, which originated in a public place. Any misuse is to be treated as a breach of this Code and subject to disciplinary action by the respective partners to this Code.

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15.2. Albury Airport

AlburyCity has a Control Room located at the Albury Airport. CCTV captured at the Albury Airport is intermittently monitored by licensed and authorised AlburyCity Officers.

15.3. All Cameras

The following equipment is secured and located at the Monitoring Points (Police, Admin and Airport):

i. Monitoring Equipment is located in an area that is not accessible by the public.

AlburyCity has a Control Room located at the AlburyCity Administration Building at 553 Kiewa Street, Albury. Monitoring Equipment at the Monitoring Point (Admin) is used to review CCTV as the need arises by licensed and authorised AlburyCity Officers and is not actively monitored.

Access to the Monitoring Point (Admin) is restricted to authorised AlburyCity Officers and the Monitoring Point (Admin) is protected from unauthorised access.

Only authorised AlburyCity Officers will be able to control and operate the cameras and this will be undertaken in accordance with the purposes of CCTV outlined in this Code.

Operators of camera equipment will act in accordance with the highest standard of probity. AlburyCity Officers are reminded of their obligations under the AlburyCity Model Code of Conduct. Camera operators must be appropriately licensed as required under the *Security Industry Act 1997*.

Individuals with access to the Monitoring Point and Image Recording Point will be made aware that the Recorded Material and access to same is the subject to routine audit and that they may be required to justify their access to Recorded Material.

16. CONFIDENTIALITY

Information obtained using CCTV must be held in the strictest confidence. AlburyCity Officers involved in any aspect of CCTV will not disclose to any person or third party organisation, unless otherwise lawfully directed to do so, any information about any images which they observed generated by the CCTV cameras.

AlburyCity Officers are reminded of their obligations under the AlburyCity Adopted Model Code of Conduct.

17. ACCESS TO & USE OF RECORDED MATERIAL BY ALBURYCITY AND POLICE

Access to and use of Recorded Material will be facilitated by AlburyCity and will only take place:

i. During the operation of the CCTV Project, in accordance with the provisions contained in the grant agreement; or
ii. In compliance with the needs of Police, in connection with their law enforcement functions; or
iii. If necessary, for the purpose of legal proceedings; or
iv. For any other lawful requirement including internal investigations conducted by AlburyCity Officers.

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During the operation of the CCTV Project, AlburyCity will give the Commonwealth, or any persons authorised in writing by the Commonwealth, access to premises where the CCTV Project is being performed, and permit those persons to inspect and take copies of any material relevant to the CCTV Project. Persons authorised in writing by the Commonwealth include the Auditor-General and any Information Officer under the *Australian Information Commissioner Act 2010* (Cth) (including their delegate).

The process for access to copies of Recorded Material are detailed under part 23 of this Code.

Recorded Material will not be sold or used for commercial purposes or the provision of entertainment. Images from Recorded Material will not, under any circumstances, be used to publicise the existence or success of CCTV in the Albury CBD.

The display of Recorded Material to the public will only be allowed in accordance with the law enforcement functions of Police where there is a demonstrated overriding public interest for disclosure or in any other circumstances provided by the law. A copy of the Recorded Material can only be released in accordance with this Code.

Where display of Recorded Material occurs by Police in accordance with this Code, the recognisable characteristics of other people in the footage is to be obscured.

AlburyCity and Police will ensure that appropriate security measures are taken against unauthorised access, alteration, disclosure, accidental loss, or destruction of Recorded Material.

Police will not be permitted to remove or obtain copies of any Recorded Material unless in accordance with this Code. Any change to these arrangements will amount to a major change to this Code and must be agreed to in accordance with this Code before being implemented.

The operation of CCTV may be subject to random inspection by the Audit Committee.

18. STORAGE OF RECORDED MATERIAL

All Recorded Material will be retained for at least 30 days unless it is required in relation to the investigation of crime, for legal proceedings, or to meet other legal obligations.

19. PERSONAL INFORMATION RIGHTS OF INDIVIDUALS

A member of the public has the right to apply for access to personal information held by AlburyCity in the following ways:

i. A person can apply for the information under the PPIP Act by placing a written request with AlburyCity;
ii. A person can apply for information under the GIPA Act. A copy of an Informal Access to Information Request form can be obtained from AlburyCity.

A person can apply for their personal information to be altered (whether by way of corrections, deletions or additions) in accordance with the PPIP Act and AlburyCity's Privacy Management Plan. A written request should be made to AlburyCity.

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Any person applying for access to their personal information will be required to specify the following details:

i. Approximate location footage was taken from; and
ii. Approximate date and time footage was taken.

20. BREACHES OF THIS CODE

AlburyCity is responsible for ensuring compliance with this Code. AlburyCity is required to investigate any alleged breach of this Code. If a breach is found to have occurred, AlburyCity will remedy that breach to the extent possible under this Code and appropriate action will be taken.

Complaints in relation to any aspect of the management of CCTV may be made in writing to:
The General Manager
Albury City Council
PO Box 323
Albury NSW 2640

or, by email to info@alburycity.nsw.gov.au

The General Manager will inform the Audit Committee in writing of the nature of any complaint received.

A copy of AlburyCity's Complaints Management Policy can be obtained from AlburyCity.

Privacy complaints in relation to CCTV may be made to AlburyCity in accordance with AlburyCity's Privacy Management Plan. A copy of the Privacy Management Plan can be obtained from AlburyCity.

Privacy complaints in relation to CCTV may also be made to the NSW Privacy Commissioner. The PPIP Act authorises the NSW Privacy Commissioner to investigate complaints about alleged violations of privacy. Any member of the public is entitled to lodge a complaint with the NSW Privacy Commissioner through the Information and Privacy Commission (IPC). The contact details of the IPC are:
Information and Privacy Commission
GPO Box 7011
Sydney NSW 2001

or, by email to ipcinfo@ipc.nsw.gov.au

or, by telephone on 1800 472 679.

AlburyCity will cooperate with any complaint investigation undertaken by, or in association with, the IPC.

21. CHANGES THIS CODE

A minor change this Code may be made with the agreement of the General Manager of AlburyCity. Minor changes will be advised to Councillors.

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A minor amendment is a change to the existing document that is of an insubstantial nature, not affecting the meaning or intent of CCTV or this Code.

Amendments that are minor in nature include, but are not limited to, the following:

- Changes to the format;
- Changes to title or name of a position, Directorate, Group, Team, document, publication, address (including URL), or legislation referred to in the existing document;
- Correcting spelling or grammar;
- Editing for language consistency; and / or
- Changes to those responsible for implementing the document as a result of an organisational restructure or realignment.

An example of a minor change is a change to the wording of a particular section of this Code where its meaning might otherwise be ambiguous.

A major change to this Code can only be made after consultation with relevant stakeholders and upon the agreement of AlburyCity. Major changes must consider any requirements of the MoU. Where a major change affects aspects of the CCTV Project in the Albury CBD, written agreement will be sought from Police.

A major change is any change that will have significant impact upon the operation of CCTV or this Code. An example of a major change is a change to the purposes of the system or a proposal to install further permanent cameras.

The consideration and/or introduction of any major change to CCTV or to this Code will be included in the evaluation report detailed in part 13 of this Code.

22. STANDARD OPERATING PROCEDURE

22.1. Monitoring Equipment Usage

The Monitoring Equipment will be located at the Monitoring Point (Police) to enable Police to view the live images generated by the CCTV cameras located in the Albury CBD.

The Monitoring Equipment must be positioned so the public are not able to view it.

Police will not be able to control the operation of the cameras in the Albury CBD except for the selection of individual cameras for viewing purposes. Police have the ability to review Recorded Material for a period of 30 days.

Where Police observe outages of CCTV in the Albury CBD on the Monitoring Equipment, Police will, as soon as practicable, notify AlburyCity of this outage detailing the camera number and location. Notification may be made to the AlburyCity Customer Service Team on 02 6023 8111 or by email to info@alburycity.nsw.gov.au.

The Monitoring Equipment will only be used for the objectives detailed in part 6 of this Code.

The Monitoring Equipment must only be used by Police in the course of their duties.

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22.2. Image Recording Equipment Usage

The Image Recording Equipment will be located at the Image Recording Point.

The Image Recording Equipment will be operated by authorised AlburyCity Officers. Police will not have access to the Image Recording Equipment.

22.3. Access to Recorded Material

AlburyCity will be solely responsible for allowing access to Recorded Material in accordance with this Code. Those AlburyCity Officers authorised to access, review and disclose Recorded Material will be detailed in the Delegations of Authority from General Manager to Staff. Unauthorised access to Recorded Material by AlburyCity Officers may be subject to disciplinary action under AlburyCity's Disciplinary Procedure.

Police will be required to apply to AlburyCity for any recorded images using the application form attached to this Code as Appendix 1. Applications from Police must be emailed to info@alburycity.nsw.gov.au. The request will be directed to the Public Information Officer to action in line with any requirements detailed in the MoU.

Any application, by Police, for Recorded Images must be approved by an authorised Police Officer whose details appear on the Register of Authorised Persons.

Each authorised person is to be aware of and agree to abide by the Code and MoU.

All authorised person details must be entered onto the Register of Authorised Persons. Police will regularly review the Register of Authorised Persons, at a minimum of 12 month intervals, and provide a copy to AlburyCity to ensure requests for access to Recorded Material from CCTV cameras located in the Albury CBD are appropriately authorised.

The Register of Authorised Persons will be used to undertake audits and reviews as detailed in part 13 of this Code to ensure proper use is being made of the CCTV cameras.

When Recorded Material is accessed under this Code in response to an application by Police, an entry into the Register of Access to CCTV Footage is to be made by the Public Information Officer. The register is to be located in AlburyCity's document management system (TRIM).

DOCUMENTATION

AlburyCity CCTV Policy
Memorandum of Understanding between AlburyCity and Police
Appendix 1 – Application Form
Appendix 2 – Register of Authorised Persons
Appendix 3 – Register of Access to CCTV Footage
AlburyCity Privacy Management Plan
AlburyCity Complaints Management Policy

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AUTHORISATION

Status	**Committee**	
	Manex	9 May 2017
	Council	22 May 2017
Owner	Community and Recreation – Community Safety Officer	
Compliance	Mandatory	
History	New Policy and Code	
Register	This procedure is included in the Public Policy Register.	
Last issued May 2017		**Review** May 2021
TRIM REFERENCE DOC17/48574		

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APPENDIX 1 – Application Form

POLICE REQUEST FOR RECORDED MATERIAL FROM CCTV CAMERAS LOCATED IN ALBURY CBD

Applicant Details

Name and Police ID: .....

Rank: .....

Locations / Unit: .....

Phone: .....

Email: .....

Details of Request

I request a copy of images recorded by Albury City Council in the Albury CBD. The images I request relate to:

From (date and time): .....

To (date and time): .....

Location(s): .....

Camera ID(s): .....

Incident / COPS No: .....

I require a copy of the image for the purpose(s) of: .....

.....

.....

.....

.....

By submitting this form, I acknowledge that I am the applicant seeking access to the Recorded Material from CCTV Cameras located in Albury CBD and I will not make a copy of the images provided or disclose the images to any other individual unless lawfully required to do so.

I have included with this request, written authorisation from an Authorised Person*

(* Only those named on the Register of Authorised Persons provided to AlburyCity can authorise this request. Written authorisation may be in the form of an attached email from the Authorised Person.)

Privacy Notification: AlburyCity is required to comply with the provisions of the *Privacy and Personal Information Protection Act 1998* which regulates the collection, storage, use, and disclosure of personal information held by us. Any information you provide us will be used and disclosed for AlburyCity purposes, or a directly related purpose, unless you consent to another use or disclosure, in emergencies or as otherwise required or authorised by law. The provision of information to AlburyCity is voluntary; no law requires you to provide your personal information to AlburyCity, however, failure to provide certain personal information may inhibit our ability to provide you with the services you require. You have the right to access your personal information held by AlburyCity, without excessive delay or expense. You also have the right to have your personal information corrected in certain circumstances. Should you wish to access or correct your personal information, please make a written request to the Public Information Officer at AlburyCity by emailing info@alburycity.nsw.gov.au or post to PO Box 323, Albury NSW 2640.

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APPENDIX 2 – Register of Authorised Persons (Police)

CONFIDENTIAL

Name of Authorised Person and Individual Business Email Address	Rank of Authorised Person	Date Authorised	Authorised by (Name/Rank)	Date Authorisation Removed
e.g. John Smith jsmith@police.nsw.gov.au	Detective	30 June 2017	Evan Quarmby Albury Local Area Commander	

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APPENDIX 3 – Register of Access to CCTV Footage

Type of Application (Police, PPIP Act, GIPA Informal, GIPA Formal)	Date and Scope of Application & Details of Person / Organisation Applying	Period, Date and Time of Recorded Images Requested	Determination of Release, Date and Time Media (such as USB or DVD) Created	Person Who Copied Images to Media	Date Media Provided to Applicant	TRIM Reference for Copy of Recording

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Proposed Signage:
CCTV in Albury CBD

NSW Police Force



CCTV cameras are continuously recording in this area for public safety and security.

AlburyCity

For more information call **02 6023 8111**
www.alburycity.nsw.gov.au/CCTV

CM14.4. Review of Organisation Structure

DATE	12 May 2017	**FIL REFERENCE**	FIL16/03101
CONFIDENTIAL	No		
FURTHER ENQUIRIES	Frank Zaknich General Manager	**PHONE**	6023 8755
AUTHOR	Frank Zaknich		

Background

The *Local Government Act 1993* requires the governing body of council to determine an organisation structure, the senior staff positions within that structure and the resources to be allocated towards the employment of staff (Section 332 (1)).

The General Manager must, after consulting the council, determine the positions (other than senior staff positions) within the organisation structure of council (Section 332 (1A)).

Council, after consultation with the General Manager, must approve and adopt the organisation structure by council resolution.

Section 333 enables the council to re-determine that structure at any time and requires that this must be done within at least 12 months of an ordinary election.

The re-determination of Council's organisation structure becomes necessary when the way the organisation operates is proposed to be altered; that is, new positions are created, existing positions deleted, where various lines of responsibility are altered or Councils corporate or strategic objectives are reviewed.

Council last reviewed the organisation structure in April 2014 and resolved to:

a. Receive and note the report on the organisation structure (macro level) review and the ongoing staged implementation of service and efficiency review.
b. Adopt the revised organisation structure attached to the report for inclusion in the 2014/15 Operational Plan and 2014/2018 Delivery Program as a result of this review and to be given effect from 1 July 2014.
c. Receive and note the report on "senior staff" and determine the four (4) Director positions in the revised adopted organisation structure to be "senior staff" positions in accordance with Section 332 of the *Local Government Act 1993* (as amended) and give effect to these positions so determined effective from 1 September 2014.
d. Continue to receive on a six monthly basis a further report from the General Manager outlining progress with the service and efficiency reviews and as future opportunities for organisation structure change present.

Notwithstanding, future opportunities were at that time identified for organisation structural change implementation as circumstances and timing were appropriate.

This report provides Council with the outcomes of a subsequent further review of the organisation structure (macro level) by the General Manager and recommended organisation structure.

Managing business, corporate and public risk

Structure follows strategy

Council is obliged to ensure that the organisation structure in place gives effect to the strategic priorities and delivery program of the council (section 332 (1B)).

When considering the most appropriate organisation structure for Council to adopt, Council, in consultation with the General Manager, needs to consider what human resources are necessary to successfully achieve the goals articulated in Council's Community Strategic Plan – Albury 2030, Delivery Program and Resourcing Strategy. For this reason, Council's organisation structure should align and be designed to support its Delivery Program and the achievement of its Community Strategic Plan.

Albury 2030 themes include:

1. A Growing Sustainable Economy;
2. An Enhanced Natural Environment;
3. A Caring Community; and
4. A Leading Community.

The different functions and services that AlburyCity provides the community are represented under the Albury 2030 themes. Due the integrated nature of the Community Strategic Plan, some functions and/or services can be represented under more than one theme.

Structure and review objectives

The objectives and adopted recommendations from earlier organisation reviews undertaken remain relevant, continue to be implemented and have informed this process. The objectives of the organisation structure remain:

1. Delivers appropriate and timely information to Councillors to allow fully informed decisions to be made;
2. Delivers Council's identified priorities and enhanced customer service;
3. Achieves long term productivity gains and cost efficiencies;
4. Facilitates performance management and delivers career progression opportunities;
5. Facilitates continuous improvement and cultural change;
6. Delivers long term financial sustainability; and
7. Facilitates capable, sustainable and engaged workforce.

Directorate structure

The Council's current structure of five (5) Directorates (including the General Manager) adopted in 2014 (Attachment 1) has to date been very effective and provides a high level of alignment with Councils revised Community Strategic Plan – Albury 2030 and subsequent 2017/2021 Delivery Program going forward.

This effectiveness and alignment ensures a high level of responsiveness, strategic and operational leadership and minimises the risk of not delivering on the plans that Council has adopted and committed to implement on behalf of the community.

Directorates work co-operatively and collaboratively across functions and projects and communication between teams is continuing to improve.

The fact that the structure is efficient, effective and responsive has been clearly demonstrated in very positive responses to the recent:

- Community Satisfaction Survey 2016;
- Fit for the Future - NSW Government determination 2015;
- AR Bluett Memorial Award 2016;
- NSW Business Chamber - Regional Employer of Choice Award and NSW Finalist 2015;
- Employee Opinion Survey 2016;
- Development Application processing times 2016;
- Councillor support survey 2016;
- Excellent performance in WHS including year on year reduction in LTIFR and Workers Compensation premiums;
- Significant improvement in financial performance resulting in operating surpluses in all Funds (General, Water and Sewer);
- Significant funding achievements from other levels of Government and external sources; and
- Council and regional responses to NSW and Australian Government Inquiries, Panels, Reports and White Papers.

For comparative purposes, the following information on other similar size NSW council's structures is provided:

Council	Employees FTE+	Estimated Resident Pop. #	Total Budget $+	Water & Sewer Provider+	Directorates (inc. GM)+	Senior Staff (exc. GM)+	Senior Staff TEP $M (inc. GM)+
Albury	*470**	*52092*	*132M*	*Yes*	*5*	*4*	*1.36*
Wagga Wagga	*456*	*64272*	*127M*	*Sewer only*	*6*	*5*	*1.69*
Dubbo	*330*	*43800*	*118M*	*Yes*	*7*	*6*	*1.58>*
Tamworth	*522*	*61800*	*156M*	*Yes*	*6*	*5*	*1.50*
Orange	*394*	*42356*	*113M*	*Yes*	*5*	*4*	*1.25*
Bathurst	*388*	*43080*	*102M*	*Yes*	*5*	*4*	*1.51*

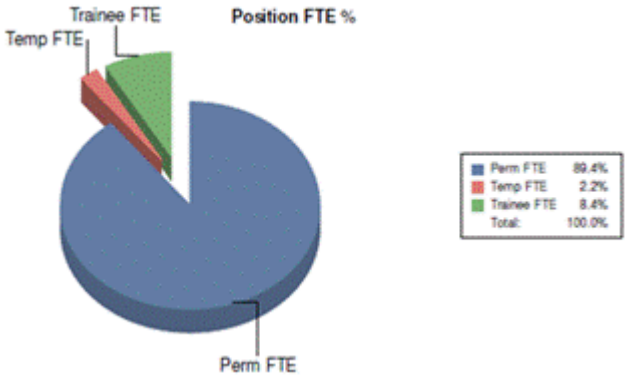
**permanent FTE - includes temporary contracts, apprentices and trainees as per Council 10% policy*
+source 2015/2016 annual reports >source 2014/2015 annual report
#source i.d.forecast - TEP – total employment package

AlburyCity is well placed when compared to the average benchmark with respect to FTE (426), average operating budget ($125M) and number of Directorates (6).

More broadly, recent participation in the Australasian Local Government Performance Excellence Program also indicates the relative effectiveness of AlburyCity's organisational design, workforce structure and cost impact compared to the median NSW and survey (AUS & NZ) population as detailed in Attachment 3 (Source ALGPEP FY14 – FY16).

Organisational Workforce FTE Profile 2017

Group	Permanent Staff	Temporary Contracts	Apprentices, Trainees & Graduates	Total
Community & Recreation	84.21	4.72	6.53	95.46
Engineering	224.15	0.51	27	251.66
Executive	36.56	3	1	40.56
Planning & Environment	55.62	1	5	61.62
Economic Development & Tourism	19.23	1	1	21.23
Total	**419.77**	**10.23**	**40.53**	**470.53**



The above table identifies that AlburyCity has a workforce of around 470 FTE, including temporary contracts and apprentices and trainees as per Council's 10% policy.

The range of employment types provides AlburyCity with a high level of flexibility within its workforce to ensure the necessary resources are available to meet the actions identified in the Four Year Delivery Program and in turn deliver the outcomes identified in Albury 2030.

Temporary positions make up a key element of our workforce and these roles are critical to Council delivering on specific projects and meeting short term resourcing needs. The significant number of apprentice/trainee roles (also temporary placements) is a direct reflection of the importance that AlburyCity places on our Grow Our Own program, while our part-time roles are a strong indicator of AlburyCity's approach to work/life balance.

Casual employees also form an important part of AlburyCity's workforce and their engagement is generally demand driven by business requirements, specific programs and seasonal or holiday requirements across specific areas such as child care, hospitality and event related activities. Recent casual employment ranges from 22.21 to 24.87 FTE.

External operating environment

Emerging issues in Council's external operating environment which will further potentially impact on the current structure include the NSW Governments Fit for the Future proposals for AlburyCity to take a greater key strategic regional capability building role in the new model/s for local government in the

region and state – primarily Joint Regional Organisations as part of a Riverina or Murray/Murrumbidgee council grouping.

The strategic relationship with City of Wodonga is another critical consideration, with greater collaboration, City Deals/Smart Cities model and one community – strategic models all currently being explored.

Proposed organisation structure changes

Re-alignment of reporting lines

Direct reports to the General Manager (GM)

In addition to the Directors (4), the Communications, CFO (Finance & Procurement) and Human Resources - Group Leaders (3), Corporate Planner and Executive Assistant - a total of nine positions currently report directly to the General Manager. The rationale for this at the time (July 2014) was the reduction in one directorate (Corporate Services) and that these Groups are key organisation wide strategic and operational functions.

Accordingly to more fully focus the General Manager on areas of activity and provide directorates with additional role diversity and succession planning, the number of direct reports to the General Manager is proposed to decrease by three (3) achieved with re-alignment of reporting lines as follows (Attachment 2):

1. The communications, marketing and integrated planning activity areas (key focus on community engagement and business improvement) will now report within the Economic Development and Tourism (ED&T) Directorate – aligning with commercial strategy.
2. The executive support function will now more formally align within the Human Resources Group including the existing good governance roles of Public Officer/public information.

Changes to the organisation structure will be dealt with in accordance with the requirements of the Local Government Award, contractual obligations and in consultation with the affected employees.

Foreshadowed opportunities

It is not proposed to reduce the number of Directorates from five (including the General Manager) at this time.

Following the July 2014 organisation structure review, no changes to the current Directorate structure were proposed until after the further regional initiatives are implemented by the NSW government and/or until a vacancy occurred (in terms of resignation, retirement or completion of contract/s of employment) in one or more of the Director positions - to trigger a further review.

The rationale for the foreshadowed change, notwithstanding the effectiveness of the current organisation structure, is to give even greater future strategic focus to the alignment of structure with the Albury 2030 Community Strategic Plan along key themes.

Senior Staff designated positions

Senior Staff are defined in the Local Government Act to mean the General Manager of the council and the holders of all other positions identified in the council's organisation structure as senior staff positions.

There are four (4) positions identified in the Council's organisation structure as senior staff positions other than the General Manager.

Since the organisation structure review in 2014, all current Directors are employed under the standard Office of Local Government (OLG) senior staff contract with review and completion dates of June 2018 and June 2019 respectively.

Senior staff contract conditions are provided for within the Operational Plan and are reported annually in Council's Annual Report.

Service and efficiency reviews

The 2017/2018 Operational Plan (Budget), identifies further savings targets to be achieved to sustain the General Fund in an operating budget surplus over the Four Year Delivery Program.

Service and efficiency reviews have been commenced and/or scheduled across Council's operations over the Four Year Delivery Program. The outcomes and recommendations of these reviews and where these recommendations would impact significantly on either service delivery or service levels will be reported to Council on an ongoing basis. Six (6) monthly reports are being submitted to Council as resolved in July 2013.

The proposed changes to reporting lines in Directorates will not generate savings at the macro level.

Potential savings are yet to be determined as the proposed changes in reporting lines and positions within the revised Directorates are determined and finalised.

In the meantime, the ongoing strategy and policy of reviewing all vacant positions will continue as to need and justification and accordingly, the impact on existing employees and service levels are acknowledged, however in the overall organisational context, is considered to be minimal at this stage.

Community Engagement

The review of the organisation structure is the prerogative of Council in accordance with the provisions of the Local Government Act.

In this instance there is in place a detailed community engagement process during the development, discussion and adoption by Council of the 2017/18 Operational Plan, the current service levels and organisation structure at the macro level has not been altered prior to this report. It is intended that any proposed changes to organisation structure are included in the 2017/2021 Delivery Program and Operational Plan and take effect from 1 July 2017.

Service and efficiency reviews have been commenced and/or scheduled across Council's operations over the Four Year Delivery Program. The outcomes and recommendations of these reviews and where these recommendations would impact significantly on either service delivery or service levels will be reported to Council and the community on an ongoing basis.

Options

Having regard to legislative requirements and principle of structure following strategy Council's options include:

1. Adopting the recommendations of the review report; or
2. Adopting additional or other recommendations as Council determines within the context of the review objectives; or
3. Retaining the current organisation structure; or
4. Requesting a further review following the service and delivery review report outcomes to Council as recommended in this report.

Conclusion

Section 332 of the *Local Government Act 1993* requires Council to determine an organisation structure. Section 333 enables the Council to re-determine that structure at any time and requires that this must be done at least within 12 months of an ordinary election. Council's most recent review occurred in April 2014 and was implemented from July 2014.

The re-determination of Council's organisation structure becomes necessary when the way the organisation operates is proposed to be altered, that is, new positions are created, existing positions deleted, where various lines of responsibility are altered or Councils corporate or strategic objectives are reviewed.

The proposed revised organisation structure (macro level) will remain efficient and effective as detailed in this review report.

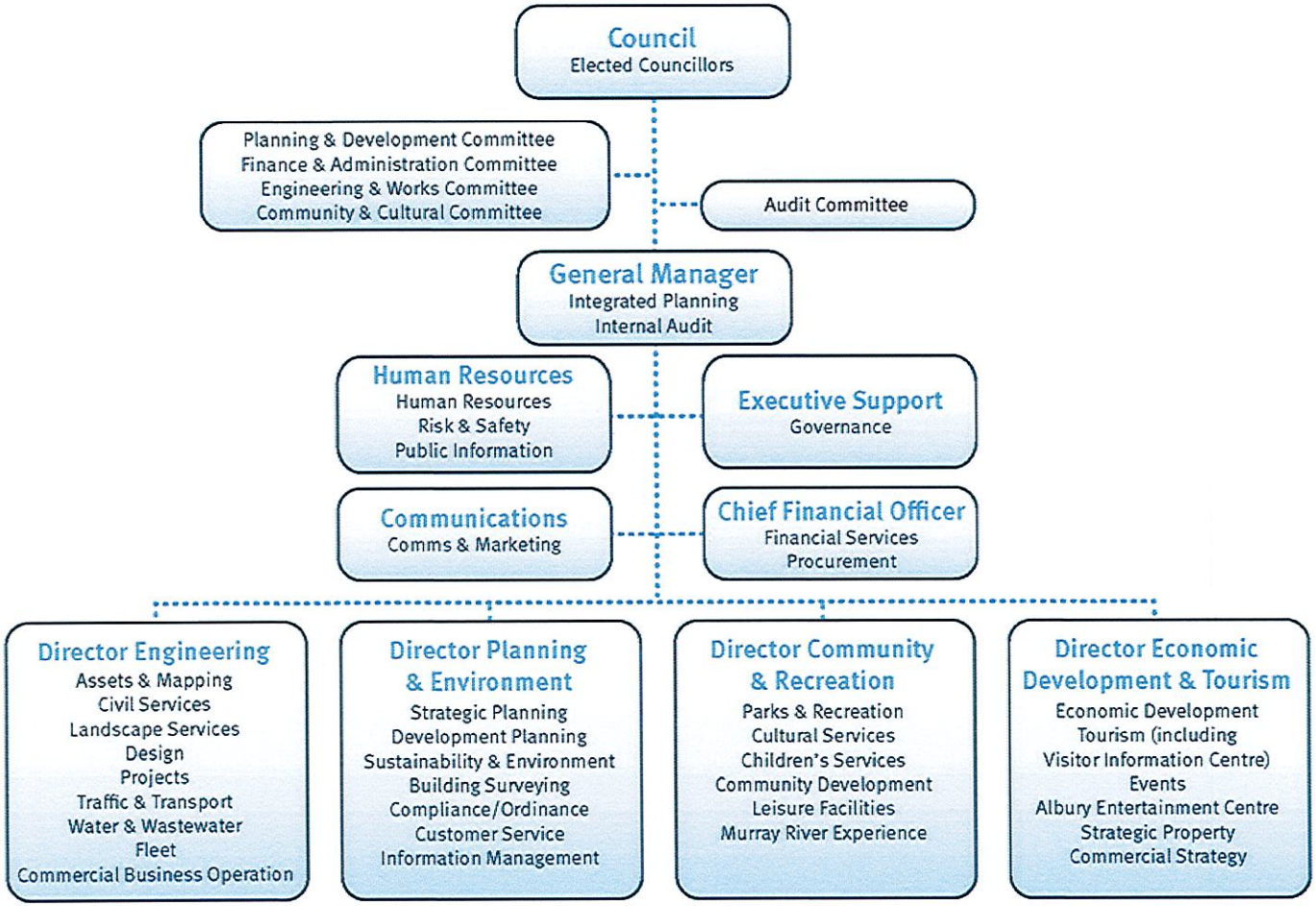
Recommendation

That Council:

a. Receive and note the report on the organisation structure (macro level) review and the ongoing staged implementation of service and efficiency review;
b. Adopt the revised organisation structure attached to the report for inclusion in the 2017/18 Operational Plan and 2017/2021 Delivery Program as a result of this review and to be given effect from 1 July 2017; and
c. Continue to receive on a six monthly basis a further report from the General Manager outlining progress with the service and efficiency reviews and as future opportunities for organisation structure change present.

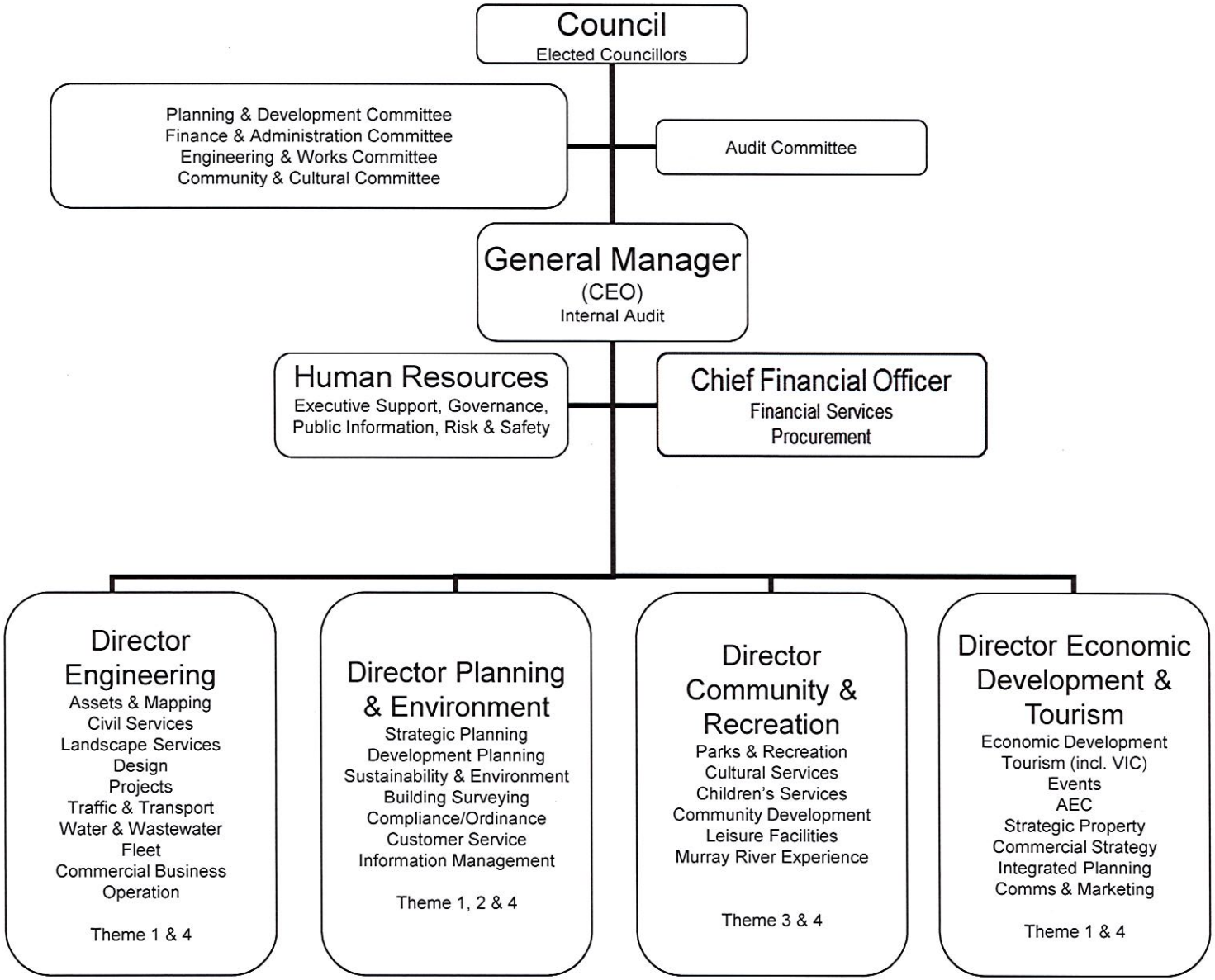
- **Attachments**
  1. AlburyCity current organisation structure 2014
  2. AlburyCity revised organisation structure 2017
  3. Australasian LG Performance Excellence Program – Workforce Benchmark extract FY2016

Directorate structure adopted 2014



AlburyCity

Directorate structure proposed 2017



Disclaimer (3 following pages of this attachment)

The information, statements, statistics and commentary contained in this report are of a general nature and have been prepared from data provided by Participating Councils. The reliability, accuracy or completeness of this information has not been independently verified. Accordingly, whilst the statements made in this report are given in good faith, no one should act on the basis of this report without obtaining specific advice and PwC does not accept any responsibility for the consequences of any person's use of or reliance on the report (in whole or in part) or any reference to it.

Organisational design

Span of control

'Span of control' can be used to monitor management overhead, as it measures the number of employees ('other staff' in our survey) as a ratio to the management population ('supervisors and above' in our survey). A higher span of control indicates reduced layers of management, giving staff more autonomy and better career development opportunities.

Our survey reveals that the overall median span of control has contracted suggesting increased layers of management. In FY15, there were 3.6 'other staff' per supervisor and above, but this has now shifted slightly downwards to 3.1.

Our survey results across the different sized councils vary considerably.

We continue to see large councils leading the way to flatter structures, taking advantage of their geographic location and scale of operations, with a median result of 4.3 'other staff' per supervisor and above. WA large councils specifically have a median of 4.9, compared to 4.3 in large NSW and 3.1 in large NZ councils.

While narrower spans of control still exist in small councils, we are observing a decrease in the gap between large and small councils. Small councils have focused on their staff mix and started to reduce layers of management by increasing the number of 'other staff' per supervisor and above to a median of 2.7 (up from 2.5 in the prior year).

As NSW councils make up 76% of the small–sized council survey population, this change has been largely driven by small NSW councils, with a median of 3.2, compared to 2.8 in small WA councils.

A higher overall median span of control of 3.7 in NZ councils, compared to 3.0 in NSW and 3.3 in WA councils, is being driven by NZ medium–sized councils (which make up 80% of the NZ sample size). Interestingly and uniquely, a span of control of 3.8 for NZ medium–sized councils is higher than NZ large councils, with a median of 3.1 'other staff' per supervisor and above.

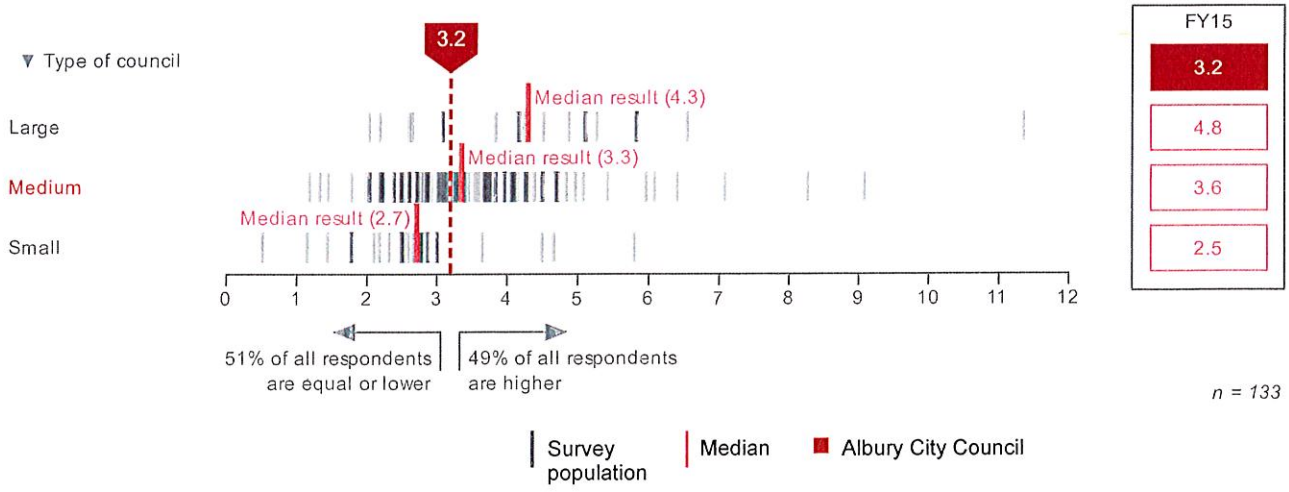
The optimal size of management remains an important area of focus when structuring workforce requirements. Local government will be looking to carefully manage costs, improve the speed of decision making, support staff development and, importantly, enhance responsiveness to market changes by having the right skills in place.

Definition

Span of control: Total number of 'other staff' per manager (defined as supervisors and above)



Figure 1.7: Span of control ('other staff' per manager)



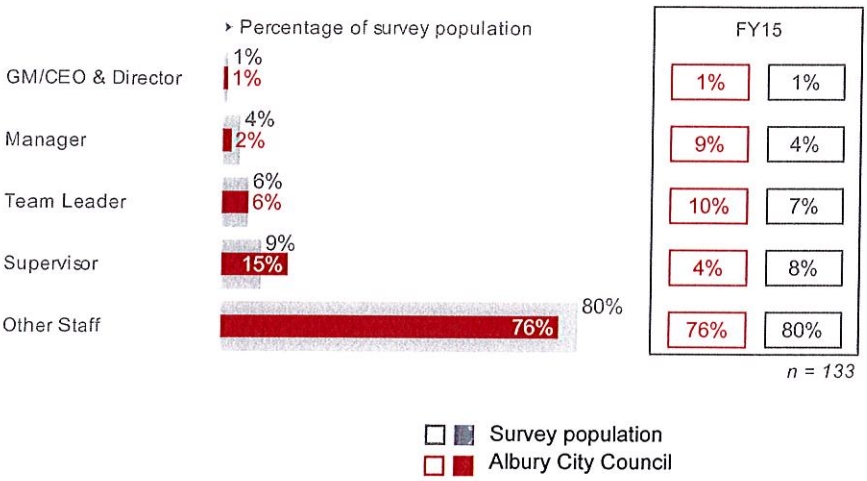
Organisational design

Staff level mix

The charts on this page further explain span of control and enable councils to better understand how their staff level mix compares to the survey population, as well as size of council.

Definitions for the staff levels used in our study are located in the final section of this report.

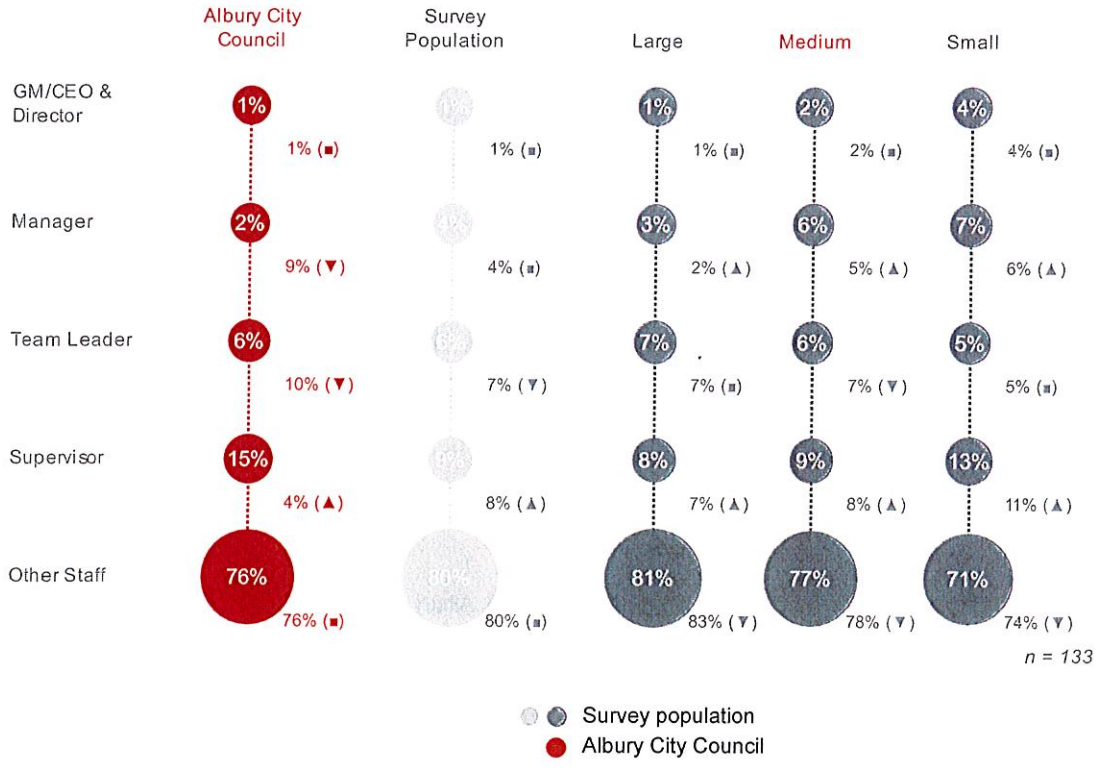
Figure 1.8: Staff level split



Key considerations

- Are ambitious and talented staff able to navigate a clear pathway to senior management?
- Are you building an adequate pool of talented managers who can be used across your organisation to manage larger groups of staff and give you more flexibility in your resourcing?
- Does your council have adequate specialist staff members to deliver the services you have committed to?
- Are there opportunities to broaden the roles of managers so they can operate at a high capacity across a range of areas, while strengthening career paths and skills?

Figure 1.9: Staff level split, by size of council



Workforce Structure and cost impact

Employee costs

In a service-based organisation, such as local government, the engagement and passion of your people is a critical success factor. Investing in people, by fostering a culture of innovation to maintain high engagement levels, can deliver a wide range of benefits. People represent the largest expenditure area, and the most important productive asset, of every council.

Our findings show that the overall median council total employee costs remain constant, comprising 36% of total operating expenses. There is a slight increase in metro (40%, up from 39%) and regional councils (34%, up from 33%), however rural councils remain unchanged at 36%.

It is interesting to note the vast difference between Australian and New Zealand councils. While the median council employee costs in NSW represents 37% of total operating expenses (down from 38% in the prior year), and 40% for WA councils, it represents only 22% for NZ councils (up from 21%).

Both the greater extent of outsourcing of council services in NZ, and the different scope of services delivered (for example provision of water by some councils in NZ), are factors driving this difference.

Our 'employee cost share of total expenses' result links to the higher full-time equivalent (FTE) per 1,000 residents in NSW councils (9.3 FTE), and 6.5 FTE in WA councils, compared to 5.3 FTE in NZ councils.

When looking at the median headcount movement between 1 July 2015 and 30 June 2016, interestingly NZ councils have grown by 3.6%, yet the employee cost percentage has only increased marginally, from 21% to 22%.

NSW councils have managed to decrease the employee cost percentage from 38% to 37%, while the median headcount has remained constant.

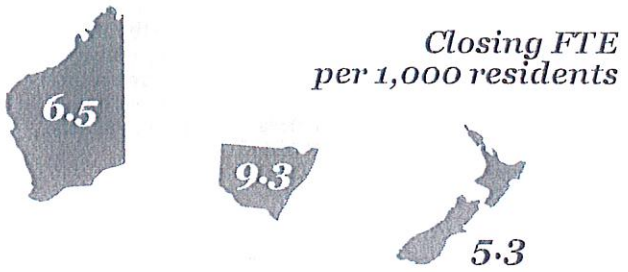
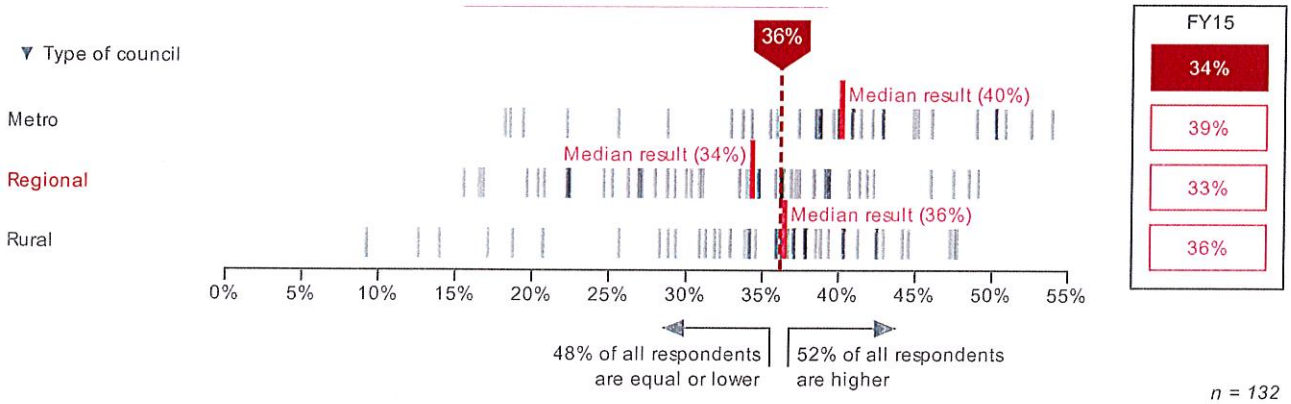
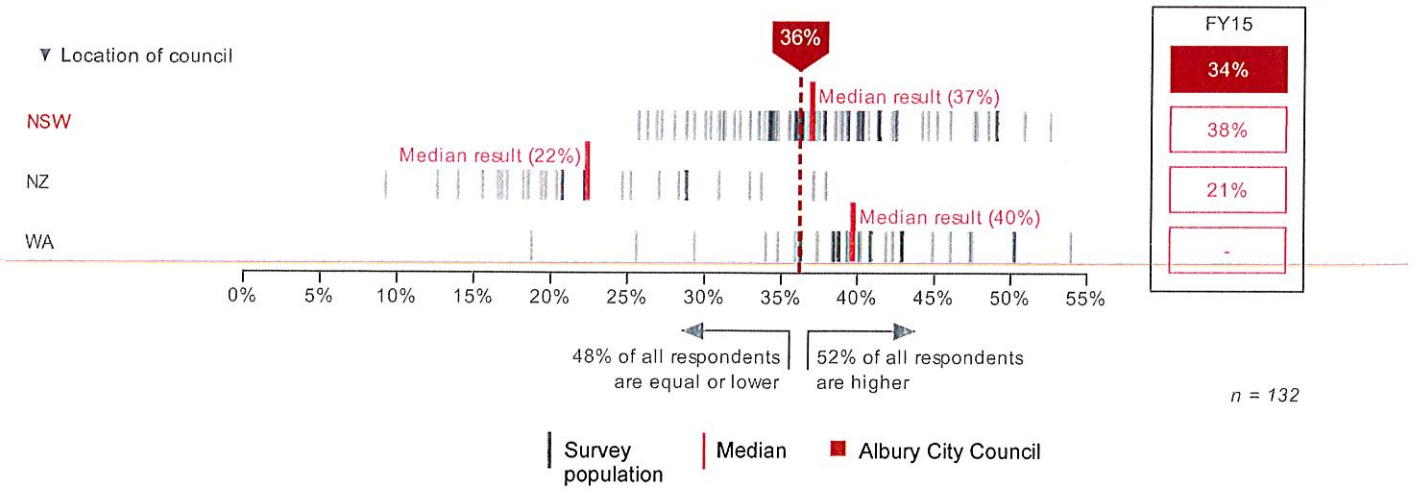


Figure 1.1: Employee costs as a percentage of total operating expenses, by type of council



n = 132

Figure 1.2: Employee costs as a percentage of total operating expenses, by location of council



n = 132

CM15. OFFICERS REPORTS FOR NOTING

CM15.0. Nil

CM16. DELEGATES REPORTS FOR NOTING

CM16.0. Nil

CM17. NOTICE OF URGENT BUSINESS

CONFIDENTIAL MATTERS

ITEM NO. 18.1	**Kerbside Waste Collection Contract Update** *Confidential item, exclusive of press or public on the grounds that the matter relates to:* *Information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business.* *[Local Government Act 1993 No. 30 Section 10A2c]*

CM18. CONFIDENTIAL MATTERS

CM18.1. Kerbside Waste Collection Contract Update

Confidential Item, exclusive of press or public on the grounds that the matter relates to:

Information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business.

[Local Government Act 1993 No. 30 Section 10A2c]