

## COOTAMUNDRA-GUNDAGAI REGIONAL COUNCIL

### Expression of Interest - Independent Chair & Members Demerger Transition Disputes Resolution Panel

Applications are invited from suitably qualified individuals for the appointment to the position of Chair for the Demerger Transition Disputes Resolution Panel (DTDRP) for Cootamundra Gundagai Regional Council (CGRC). Expressions of interest are also sought from suitably qualified people who seek appointment as an Independent Panel Member.

The Minister for Local Government has accepted the recommendation of the Boundaries Commission and approved the demerger of CGRC back into its constituent councils, namely Cootamundra and Gundagai. The Minister has made it clear that the responsibility for all demerger planning and other matters rests with CGRC, including the resolution of any dispute.

The new Councils will commence operation on 1 July 2027.

CGRC has established a Demerger Transition Committee (DTC) to oversee the planning for the demerger and has appointed a Demerger Transition Manager (DTM) to assist with planning.

Given that there is no NSW template for demergers, and the sensitivity of some matters to be considered, CGRC has determined to establish a Demerger Transition Disputes Panel. The process for consideration of any dispute is outlined below.

There is unanimous Councillor support for the demerger backed by strong community support. It is therefore not anticipated that there will be many referrals to the DTDRP.

The selection of Chair and members will broadly follow the Office of Local Government's Guidelines for Risk Management and Internal Audit for Local Government in NSW (the Guidelines), with remuneration equivalent to the current ARIC Chair and members.

The DTDRP Chair and members should have no direct association with CGRC either in a professional or personal capacity.

The DTDRP will cease on 30 June 2027 after which the two successor Councils will determine any future dispute resolution process.

#### Appointment of Chair

The appointment panel will aim to ensure that the independent chair has recent and relevant experience in local government with particular emphasis on financial sustainability and operational effectiveness.

The Chair cannot be an employee of another local government entity, including a joint organisation.

The fees payable for the chair position will be \$1500.00, per dispute excl. GST (inclusive of all preparation time) plus expenses.

## **Appointment of Panel Members**

Panel members will have extensive local government experience and be capable of making informed decisions regarding potentially detailed matters affecting the financial sustainability and operational effectiveness of the proposed Cootamundra and Gundagai councils.

Given that the DTDRP will meet on an “as needs” basis, Council may choose to appoint more than 2 members to ensure that there will always be 3 members (Chair and 2 members) available to consider a disputed matter.

The fees payable for the members will be \$750.00, per dispute excl. GST (inclusive of all preparation time).

Employees of local government entities may be members but are not entitled to any payment other than expenses.

## **Superannuation and Insurances**

Superannuation is paid in addition to the above set fee in accordance with the requirements of the Superannuation Guarantee (Administration) Act 1992. DTDRP members will be covered under Council’s insurance policies for public liability and professional indemnity.

## **Eligibility Criteria:**

The chair and all members of the DTDRP must be independent to ensure they have no real or perceived bias or conflicts of interest that may interfere with their ability to act independently and can provide the Council with robust, objective and unbiased decisions regarding any dispute.

The chair and independent voting committee members must not:

- i. currently be a Councillor of any NSW Council
- ii. be a non-voting representative of the board of the joint organization
- iii. be the chair or a member of CGRC’s ARIC or any other Council committee including s.355 committees
- iv. be a candidate at the last election of Cootamundra-Gundagai Regional Council
- v. be a person who has held office with CGRC during the previous term
- vi. be currently employed by CRGC, or been employed during the last 12 months
- vii. conduct audits of CGRC on behalf of the Audit Office of NSW
- viii. have a close personal or business relationship with a councillor or a person who has a senior role at CGRC that may lead to a real or perceived conflict of interest
- ix. currently, or within the last three years, provided any material goods or services (including consultancy, legal, internal audit and advisory services) to CGRC
- x. be (or have a close family member who is) a substantial shareholder, owner, officer or employee of a company that has a material business, contractual relationship, direct financial interest or material indirect financial interest with CGRC or a related entity which could be considered a real or perceived conflict of interest, or
- xi. currently or have previously acted as an advocate of a material interest on behalf of CGRC or a related entity which could be considered a real or perceived conflict of interest.

*Current staff of another Council may serve as an independent member DTDRP but not as its Chair.*

## **Please Note:**

- A criminal record and financial status (bankruptcy) check of preferred applicants will also be undertaken before an appointment is made.
- Council will appoint the chair and members after consideration of a report and recommendation by the selection committee, following assessment of applications.

- Members of the DTDRP are subject to the Council's Code of Conduct.

## The Dispute Resolution Process

The resolution process is as follows:

1. Council establishes, after a public expression of interest (Eoi) process, a panel of 3 independent local government specialists to form the demerger transition dispute resolution panel (DTDRP). It may be beneficial to also nominate 2 or 3 alternates. Council shall appoint 1 of the members as Chair.
2. Remuneration of the Panel Chair and members would be equivalent to that of ARIC Chair and members.
3. Council will accept and implement the decisions of the DTDRP. This will maintain the independence of the process.
4. A matter is automatically referred to the DTDRP if 3 or more Councillors indicate their opposition to any demerger transition matter being considered by either the Demerger Transition Committee or by Council.
5. Councillors, jointly or separately, will submit their opposition to any matter to the Demerger Transition Manager (DTM) stating:
  - a. Why they dispute a particular demerger matter and
  - b. Their preferred alternative outcome.
6. If a complying submission is received the following process will be followed:
  - a. The DTM will refer all relevant documentation to the Chair and members for their review.
  - b. The TRDRP Chair and members may request additional information.
  - c. The TRDRP Chair will convene a meeting of the Panel, which may be conducted either in person or by audio-visual link.
  - d. The panel may receive representations from Councillors for and against the matter(s) under consideration.
  - e. Staff and contractors involved in the matter will be available to answer members' questions.
  - f. The Panel will then adjourn to allow members to more fully consider the matter and prepare a report outlining the Panel's decision and its reasoning.
  - g. The DTM will prepare a report for the next scheduled Council meeting presenting the Panel's decision.

## How to Apply

Expressions of interest can be submitted in the following manner: Completion of EOI form: OR

Email: [demerger@cgrc.nsw.gov.au](mailto:demerger@cgrc.nsw.gov.au)

### For further information:

Contact: Peter Bascomb – Demerger Transition Manager – by phone 0418 690 030 or email [peter.bascomb@cgrc.nsw.gov.au](mailto:peter.bascomb@cgrc.nsw.gov.au)

**Closing date: 7 April 2026**