

Gundagai Council



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MINUTES

ORDINARY OPEN FORUM COUNCIL MEETING

**STEPHEN WARD ROOMS, COOTAMUNDRA
LIBRARY, WALLENDON ST,
COOTAMUNDRA
6.00PM, 20 JUNE 2016**

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ORDINARY OPEN FORUM COUNCIL MEETING 20 JUNE 2016

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CALENDAR OF EVENTS 2016

JULY		
6pm, Monday 4 th	IAG Meeting	Gundagai Council Chambers
6pm, Tuesday 5 th	LRC Meeting	Cootamundra Council Chambers
6pm, Monday 11 th	Council Meeting	Gundagai Council Chambers
7.30pm, Wednesday 20 th	Showground Users Committee	Ex-Services Club
6.00pm, Friday 22 nd	The Arts Centre AGM	The Arts Centre
6pm, Monday 25 th	IAG Meeting	Cootamundra Council Chambers
6pm, Tuesday 26 th	LRC Meeting	Gundagai Council Chambers
AUGUST		
5.30pm, Tuesday 2 nd	Budget Review Workshop	Council Chambers
10.00am, Thursday 4 th	Traffic Advisory Committee	Council Chambers
6pm, Monday 15 th	Council Meeting	Stephen Ward Rooms
7.30pm, Wednesday 17 th	Showground Users Committee	Ex-Services Club
6.00pm, Thursday 18 th	The Arts Centre Committee	The Arts Centre
Saturday 27 th	Cootamundra Development Corporation Annual Wattle Time Fair	Albert Park
6pm, Monday 29 th	IAG Meeting	Gundagai Council Chambers
6pm, Tuesday 30 th	LRC Meeting	Cootamundra Council Chambers
SEPTEMBER		
5.30pm, Tuesday 6 th	Corporate Services Workshop	Council Chambers
6pm, Wednesday 7 th	Sporting Groups Advisory Committee	Stephen Ward Rooms
6pm, Monday 12 th	Council Meeting	Gundagai Council Chambers
7.30pm, Wednesday 21 st	Showground Users Committee	Ex-Services Club
6pm, Monday 26 th	IAG Meeting	Cootamundra Council Chambers
6pm, Tuesday 27 th	LRC Meeting	Gundagai Council Chambers
OCTOBER		
Monday 3 rd	LABOUR DAY PUBLIC HOLIDAY	Office Closed
6pm, Monday 10 th	Council Meeting	Stephen Ward Rooms
7.30pm, Wednesday 19 th	Showground Users Committee	Ex-Services Club
6.00pm, Thursday 20 th	The Arts Centre Committee	The Arts Centre
Wednesday 26 th	RRL Advisory	Wagga
6pm, Monday 24 th	IAG Meeting	Gundagai Council Chambers
6pm, Tuesday 35 th	LRC Meeting	Cootamundra Council Chambers
NOVEMBER		
5.30pm, Tuesday 1 st	Budget Review Workshop	Council Chambers
10.00am, Thursday 3 rd	Traffic Advisory Committee	Council Chambers
6pm, Monday 14 th	Council Meeting	Gundagai Council Chambers
7.30pm, Wednesday 16 th	Showground Users Committee	Ex-Services Club
6pm, Monday 28 th	IAG Meeting	Cootamundra Council Chambers
6pm, Tuesday 29 th	LRC Meeting	Gundagai Council Chambers
DECEMBER		
6pm, Monday 12 th	Council Meeting	Stephen Ward Rooms
6pm, Thursday 15 th	The Arts Centre Committee	The Arts Centre
7.30pm, Wednesday 21 st	Showground Users Committee	Ex-Services Club

These are the Minutes to the Ordinary meeting of Gundagai Council
held on 20 June 2016

OPEN FORUM

Council conducts open forum sessions at the commencement of each ordinary meeting. During Open Forum sessions, members of the public are invited to address council on any local government issue.

Any general questions posed during the Open Forum section will be answered in writing, with these being uploaded to Council's website with other Frequently Asked Questions.

1) MRS MARY DONNELLY

Mrs Donnelly spoke against the existing Cootamundra tourism strategy to put the un-staffed visitors information service in the Heritage Centre and proposed that \$50,000 funding from the Stronger Communities Fund be used to construct a stand-alone centre in Albert Park.

Mrs Donnelly requested a copy of the minutes of the Gundagai Tourism Action Committee and recommended that this Committee be extended to include Cootamundra tourism.

2) MRS ROS WIGHT

Mrs Wight spoke against the recommendation of Item 14, *Hurley Street - Country Club Disabled Parking*. Mrs Wight requested that trees not be cut down.

Mrs Wight requested that copies of the Draft Riverina-Murray Regional Plan be made available in hard copy at the Council Offices and the Libraries.

Mrs Wight expressed her concerns about the 2015 NSW Biosecurity Act, including inadequate funding, inadequate response times for eradication compared to weed spread, and Fleabane not appearing as a declared noxious weed.

Mrs Wight congratulated the Cootamundra Development Corporation on a successful Business Awards Dinner on the weekend.

3) MR MIKE KINGWILL

Mr Kingwill requested an update on the meeting held between the Administrator and Ab McAllister, David Graham, and Peter Gain regarding representation on the LRC/ IAG Committees.

Christine Ferguson responded to advise that she had arranged meetings to be held with all three next week.

Mr Kingwill asked why there was a discussion about the option for a name change that includes "Cootamundra" at the Cootamundra public meeting, but not at the Gundagai public meeting.

Christine Ferguson responded that she received information from the Minister for Local Government on 9 June 2016, and therefore the option was not known at the first meeting held in Gundagai on Tuesday 7 June. She advised that all ratepayers and residents from across the Council area are entitled to vote on the four options for the new Council name.

Mr Kingwill asked that Council use the opportunity of posting voting slips to all ratepayers to also conduct a survey on their opinion about the Council Amalgamation options.

Christine Ferguson responded that Council is not in a position to conduct this survey.

THESE ARE THE MINUTES OF THE ORDINARY/OPEN FORUM MEETING OF GUNDAGAI COUNCIL HELD ON 20 JUNE 2016 IN THE STEPHEN WARD ROOMS COMMENCING AT 6.20 PM.

PRESENT

Administrator Christine Ferguson

Also Present

Interim General Manager, Interim Deputy General Manager, Director Engineering Services (Gundagai area), Acting Director Engineering Services (Cootamundra area), Director Corporate Services (Cootamundra area)

APOLOGIES

Nil

ADOPTION OF MINUTES

01/06/16 **RESOLVED – Moved: Ferguson Seconded: Ferguson**

That the Minutes of the Extraordinary Meeting of Council held on Monday 23 May 2016 be confirmed as a true and correct record of the meeting.

CONSIDERATION OF COMMITTEE REPORTS AND RECOMMENDATIONS

REPORT AND RECOMMENDATION OF THE COOTAMUNDRA SPORTING GROUP ADVISORY COMMITTEE MEETING HELD ON 8 JUNE 2016.

RECOMMENDATION

That the report and recommendations be received and adopted.

02/06/16 RESOLVED – Moved: Ferguson Seconded: Ferguson

That the report and recommendations be received and adopted.

REPORT AND RECOMMENDATION OF THE GUNDAGAI TOURISM ACTION COMMITTEE MEETING HELD ON 8 JUNE 2016.

RECOMMENDATION

That the report and recommendations be received and adopted.

03/06/16 RESOLVED – Moved: Ferguson Seconded: Ferguson

That the report and recommendations be received and adopted.

REPORT AND RECOMMENDATION OF THE YARRI SCULPTURE COMMITTEE MEETING HELD ON 1 JUNE 2016.

RECOMMENDATION

That the report and recommendations be received and adopted.

04/06/16 RESOLVED – Moved: Ferguson Seconded: Ferguson

That the report and recommendations be received and adopted.

CORRESPONDENCE (Information)

LG NSW (Information)

1. WEEKLY CIRCULARS

Circulated each Friday, the LGNSW weekly is available for download any time from <http://www.lgnsw.org.au/news/local-government-weekly>

OFFICE OF LOCAL GOVERNMENT (Department of Planning and Environment) (Information)

2. CIRCULARS

Published	Circular	Description
10 June 2016	16-15	2016/17 Determination of Local Government Remuneration Tribunal
09 June 2016	Media Release	Auburn Public Inquiry 8 June 2016
08 June 2016	Media Release	Working together for stronger councils
08 June 2016	Media Release	Joint Organisation – Call for Feedback
31 May 2016	Media Release	Strathfield, Burwood and Canada Bay Merger Proposal
26 May 2016	16-14	2016-17 Youth Opportunities funding now open

The Circulars to Councils are available for download any time from <http://www.olg.nsw.gov.au/publications>

RECOMMENDATION

That the information be noted.

05/06/16 RESOLVED – Moved: Ferguson Seconded: Ferguson

That the information be noted.

1. COMMUNITY STRATEGIC PLAN

1) DRAFT OPERATIONAL PLAN 2016/17 FOR EXHIBITION

Introduction

This report presents the draft Gundagai Council Operational Plan for the 2016/17 financial year, which is recommended for public exhibition prior to adoption in July. It includes the Council's budget and the proposed fees and charges and forms **SEPARATE TABLED DOCUMENT A JUNE 2016**.

The Gundagai Council Proclamation requires Council to publicly exhibit and adopt an Operational Plan by 1 August 2016. The two former Councils have prepared draft Operational Plans in readiness for public exhibition. In accordance with statutory requirements these draft Operational Plans have been combined to form the Gundagai Council Draft Operational Plan 2016/17. There are only minor changes to these documents that reflect the creation of the new Council.

Discussion

Council's operational activities are an important means of achieving a community's strategic objectives. Council prepares a detailed operational plan each year, including all operational and capital activities that Council will undertake during the year to achieve its goals. This operational plan consists of a detailed budget for the financial year from 1 July 2016 to 30 June 2017, and includes the Council's Revenue Policy and fees and charges.

Prior to the Proclamation, the Councillors and staff of the former Councils of Cootamundra Shire and Gundagai Shire were involved in the preparation of the Draft Operational Plan and associated budget discussions.

The Draft Operational Plan 2016/17 will allow Gundagai Council to deliver on its commitments as outlined in each of the former Councils' draft operational plans and is consistent with each former Council's Community Strategic Plans. The Draft Operational Plan 2016/17 does not introduce any additional financial changes to

residents of Gundagai Council: rates, fees and charges and levies are consistent with the draft Operational Plans of the former councils.

The Draft Operational Plan includes a detailed budget. The following budget summary has been produced from the two separate financial systems that currently exist at Cootamundra and Gundagai. These have been put together by staff from the two offices to provide a summary of the two budgets, and show the relative size and projected financial performance of the new Council.

Budget Income Statement

for the year ended 30 June 2017

	Cootamundra Area \$'000	Gundagai Area \$'000	Merger Funding \$'000	Total \$'000
Income from continuing operations				
Rates and annual charges	7,833	4,433	-	12,266
User charges and fees	3,601	2,330	-	5,931
Interest and investment revenue	439	282	-	721
Other revenues	221	380	-	601
Grants and contributions provided for operating purposes	4,438	3,723	5,000	13,161
Grants and contributions provided for capital purposes	931	154	10,000	11,085
Total Income	17,463	11,302	15,000	43,765
Expenses from continuing operations				
Employee benefits and on-costs	5,701	4,168	-	9,869
Borrowing costs	79	109	-	188
Materials and contracts	5,522	2,342	-	7,864
Depreciation and amortisation	4,434	3,740	-	8,174
Other expenses	1,847	1,855	5,000	8,702
Total Expenses	17,582	12,214	5,000	34,796
Net Operating Result	(119)	(912)	10,000	8,969
Net operating result before grants and contributions provided for capital purposes	(1,050)	(1,066)	-	(2,116)

Budget Cash Reconciliation for the year ended 30 June 2017	Cootamundra Area \$'000	Gundagai Area \$'000	Merger Funding \$'000	Total \$'000
Net operating result	(119)	(912)	10,000	8,969
Capital items				
Asset renewals & upgrades	(6,823)	(3,201)	(10,000)	(20,024)
New assets	(170)	(633)	-	(803)
Asset sales	830		-	830
Total capital items	(6,163)	(3,834)	(10,000)	(19,997)
Cash reconciliation items				
Add back depreciation	4,434	3,740	-	8,174
Loan repayments	(164)	(259)	-	(423)
Debtors paid	4	-	-	4
Total adjustments	4,274	3,481	-	7,755
Increase / (decrease) in cash	(2,008)	(1,265)	-	(3,273)
Funded from / to				
Funded by / (to) reserves	1,477	303	-	1,780
Funded by new loans	400	-	-	400
Funded by general revenues	131	962	-	1,093
	2,008	1,265	-	3,273

Budget Cash and Investment Balances As at 30 June 2017	Cootamundra Area	Gundagai Area
Externally restricted reserves	4,519,168	2,416,400
Internally restricted reserves	4,734,363	2,205,510
Unrestricted cash and investments	4,448,421	3,115,609
Total cash and investments	13,701,953	7,737,519

The Draft Operational Plan 2016/17 will be on public exhibition for the period 21 June 2016 to 19 July 2016. Consultation activities will include public notices in the Gundagai and Cootamundra newspapers, hardcopies of the document available for viewing at each of the Council offices and libraries and information and links to online documents on Council's websites. Community members will be encouraged to make a submission on the draft Plan. All submissions will be reported to Council upon close of the public exhibition period for consideration.

As the Draft Operational Plan will be on public exhibition until 19 July 2016, Council will need to approve a budget for the month of July 2016 and adopt the draft 2016/17 fees and charges to apply from 1 July 2016.

RECOMMENDATION

- 1. That the Draft Operational Plan 2016/17 is put on public exhibition for 28 days for the period from Tuesday 21 June to Tuesday 19 July 2016.**
- 2. That following the public exhibition period, a further report be brought to Council outlining any submissions received, and that an extraordinary Council meeting be held Monday 25 July 2016 for this purpose.**
- 3. That Council approves up to 15% of the draft Operational Plan budget for Operational Expenditure and up to 15% for Capital Expenditure for the period from 1 July 2016 until 31 July 2016 to allow appropriate time for the adoption of the 2016/17 Operational Plan.**
- 4. That the draft 2016/17 fees and charges that have been placed on public exhibition be applicable for the period 1 July 2016 to 31 July 2016.**

06/06/16 RESOLVED – Moved: Ferguson Seconded: Ferguson

- 1. That the Draft Operational Plan 2016/17 is put on public exhibition for 28 days for the period from Tuesday 21 June to Tuesday 19 July 2016.**
- 2. That following the public exhibition period, a further report be brought to Council outlining any submissions received, and that an extraordinary Council meeting be held at 9.00am on Monday 25 July 2016 for this purpose.**
- 3. That Council approves up to 15% of the draft Operational Plan budget for Operational Expenditure and up to 15% for Capital Expenditure for the period from 1 July 2016 until 31 July 2016 to allow appropriate time for the adoption of the 2016/17 Operational Plan.**
- 4. That the draft 2016/17 fees and charges that have been placed on public exhibition be applicable for the period 1 July 2016 to 31 July 2016.**

2. COUNCIL

2) COUNCIL SEAL

Introduction

The purpose of this report is to adopt a new Council Seal for the newly proclaimed Gundagai Council. The impression of the proposed Seal will be affixed in the margin of the signed copy of the meeting minutes.

Discussion

Councils are required to have a seal for the purposes of authenticating documents. A seal is like the signature of the council. It approves the content of the document and shows what the council has done or agreed to do. The seal should refer to the properly constituted name of the council.

The seal must be kept by the mayor or the general manager, as the council determines.

The seal of a council must not be affixed to a document unless the document relates to the business of the council and the council has resolved (by resolution specifically referring to the document) that the seal be so affixed. The seal may be affixed to a document only in the presence of:

- the mayor and the general manager, or
- at least one councillor (other than the mayor) and the general manager, or
- the mayor and at least one other councillor, or
- at least 2 councillors other than the mayor.

The affixing of a council seal to a document has no effect unless the persons who were present when the seal was affixed attest by their signatures that the seal was affixed in their presence.

RECOMMENDATION

- 1. That the Gundagai Council Common Seal as submitted to this meeting be approved and adopted as the Common Seal of Gundagai Council.**
- 2. That the seal be kept by the General Manager in accordance with Clause 400 of the Local Government (General) Regulation 2005.**

07/06/16 RESOLVED – Moved: Ferguson Seconded: Ferguson

- 1. That the Gundagai Council Common Seal as submitted to this meeting be approved and adopted as the Common Seal of Gundagai Council.**
- 2. That the seal be kept by the General Manager in accordance with Clause 400 of the Local Government (General) Regulation 2005.**

3) POLICY FOR THE PAYMENT OF EXPENSES AND THE PROVISION OF FACILITIES FOR THE MAYOR AND COUNCILLORS (COMMITTEE MEMBERS)

Introduction

Council is required to prepare and adopt, on an annual basis, a policy for the payment of expenses and the provision of facilities for Mayors (Administrators) and Councillors (Committee Members). Both the former Cootamundra and Gundagai Shire Councils complied with this requirement, per Section 252 of the Local Government Act 1993, for the periods immediately leading up to the formation of the new Council.

In order to continue with the general framework provided by the former Shire Councils it is appropriate for the “new entity” to adopt a “new” policy. In preparing this “new” policy it is recognised the respective policies of the former Councils contained the same policy skeleton but with one significant difference and this related to the treatment of Councillors/Committee Members remuneration. This issue is expanded upon at a later stage of the report.

The Councillors/Committee Members covered under this policy are members of the recently created Implementation Advisory Group and the Local Representative Committee

Discussion

The legislative requirements relating to the adoption of a “new” policy are spelt out at Section 253 of the Local Government Act. In short the process is:

1. a Council adopts a “draft” policy and in doing so must give at least 28 days public notice of its intention in order to facilitate the lodgement of submission in respect of the intention
 - if the Administrator adopts the draft policy at the Meeting of 20 June 2016 the earliest close off date for submissions will be 18 July. Accordingly, the earliest possible time to formally adopt the policy will be 18 August.
2. prior to adopting a policy Council must consider any bona fide submissions,
3. within 28 days of adopting a policy Council is to provide the CEO Office of Local Government with advice on the adoption, submission and related responses and a copy of the notice of intention to adopt a policy.
 - The last day for submitting the material to the CEO becomes 12 September 2016.

A review of the current policies of the two former Councils follows:

- The Cootamundra policy document is more expansive than its Gundagai counterpart and includes a more complete coverage of the general issues. With this in mind, the use of the Cootamundra document to act as a general template for the adoption of a reviewed policy is favoured.
- The Gundagai policy contains an option for Councillors to contribute part of their Councillors remuneration to a trust account, with funds then being used to meet Councillor expenses. All but one of the previous Gundagai Shire Councillors contributed to the Trust Fund and the net result of this approach saw Councillors theoretically meeting \$8,400 of councillor expense in a year.

This is an approach unique to Gundagai and while not prohibited by the OLG, is clearly not supported by that Office. Further, it is believed the Cootamundra Councillors would not support a continuation of the Gundagai approach and with this in mind it is considered appropriate to discard the practice.

Comments / Suggestions

- P.1 Legal Requirement
 - Expand reference to the Local Government Act 1993, Sections 252 – 254, Section 232 and Section 428 (2) (f) of the Local Government Act 1993
- P.4 Provision of Insurance
 - (a) and (b): remove reference to “EMPLOYEES”
 - (c) after the words “Council shall provide” include “Councillors/Committee Members with....”
- P.7 Approval Arrangements
 - The existing clause identifies the following officers with the power to co-approve less significant expenditure:
“...the Mayor, Deputy Mayor, General Manager, Director of Engineering Services or Director Corporate Services.”
Given the new structure of Council it is suggested the authorisation provision read:
“...the Administrator, General Manager and respective Directors of Asset Management, Operations, Development and Corporate Services”
- Appendix A Table of Monetary Limit
 - Accommodation
 - Currently listed at \$260 per day. However, given the current tariffs charged by hotels in Sydney it is considered appropriate to increase the limit to at least \$300.
 - Meals and Incidental Expenses

- Currently listed at \$150 per day. However, given the high cost for such in Sydney it is considered appropriate to increase the limit to at least \$180.
- Travel Within Shire
 - Currently paid at rate of 68c per km. It is considered appropriate to reimburse Councillors/Committee Members at the same rate as that provided to employees under the Local Government Award, namely:
 - < 2.5ltr @ 68c/km
 - > 2.5ltr @ 78c/km
- Expenses for Spouses or partners
 - Currently listed at \$75 per function. Given the general increase in costs it is considered appropriate to increase the limit to \$85.

A policy document reflecting the comments / suggestions incorporated in the Report is **TABLED DOCUMENT 1 JUNE 2016 (Pages 1-7)**.

RECOMMENDATION

That Council adopt the former Cootamundra Shire Council's Policy for the Payment of Expenses and the Provision of Facilities for the Mayor (Administrator) and Councillors (Committee Members) subject to the suggested alterations identified in the report and that the revised policy be placed on public exhibition for a period of at least 28 days, with submissions being invited in respect of such.

08/06/16 RESOLVED – Moved: Ferguson Seconded: Ferguson

That Council adopt the former Cootamundra Shire Council's Policy for the Payment of Expenses and the Provision of Facilities for the Mayor (Administrator) and Councillors (Committee Members) subject to the suggested alterations identified in the report and that the revised policy be placed on public exhibition for a period of at least 28 days, with submissions being invited in respect of such.

4) APPOINTMENT OF DELEGATES

Introduction

At the extraordinary meeting of Gundagai Council held on 23 May 2016, Council appointed Former Councillor Dennis Palmer as delegate to Goldenfields Water County Council.

Discussion

Council has been advised by the Office of Local Government that the delegate to a County council cannot be a delegate of the Administrator. Section 390 (3) of the *Local Government Act 1993*, states:

(3) A member of a county council is to be elected from among the councillors of the constituent councils in accordance with the regulations.

Clause 12(3) of the *Local Government (Council Amalgamations) Proclamation 2016*, states:

(3) The Administrator of a new council has, during the initial period, the functions of the council and the mayor of the council. This subclause is subject to the provisions of this Proclamation and to any order appointing another Administrator.

Therefore, only Council's Administrator, Christine Ferguson, is entitled to be a council delegate to Goldenfields Water County Council, and Council needs to vary the delegation granted at the May meeting.

RECOMMENDATION

That Council withdraw the delegation of former Councillor, Dennis Palmer, as delegate to Goldenfields Water County Council, and appoint its Administrator, Mrs Christine Ferguson, as delegate to Goldenfields Water County Council.

09/06/16 RESOLVED – Moved: Ferguson Seconded: Ferguson

That Council withdraw the delegation of former Councillor, Dennis Palmer, as delegate to Goldenfields Water County Council, and appoint its Administrator, Mrs Christine Ferguson, as delegate to Goldenfields Water County Council.

3. COUNCIL SHARED ASSOCIATIONS

5) DRAFT RIVERINA-MURRAY REGIONAL PLAN

Introduction

On 20 April 2016 NSW Planning & Environment released the Draft Riverina Murray Regional Plan (the Plan). The Plan is open for comment until 21 July 2016.

The Plan was the subject of a report to the Extraordinary Council meeting held on 23 May 2016, where it was resolved that:

‘That Council formulate a response to the Plan for adoption at the 20 June 2016 Council meeting.’

The Plan is the first regional plan covering the Riverina and Murray regions and is designed to allow councils and the NSW Government to co-ordinate the delivery of infrastructure and services over the next 20 years. The Plan is primarily a land use plan.

Discussion

GUNDAGAI COUNCIL SUBMISSION TO THE DRAFT RIVERINA MURRAY REGIONAL PLAN (the Plan) June 2016

Council offers the following comments

Overall, whilst the Plan is a collection of reasonably sensible and obvious statements, with some good initiatives, and will not radically change or hinder the relationship of Council with NSW Planning & Environment or the State Government. The Plan as proposed will add additional considerations to the review of the LEP when undertaken each five years, but these are generally seen as being necessary inclusions in the overall planning process.

The vision of the Plan seems to be based on trickle-down economics with the concentration of effort on growing the regional cities of Wagga Wagga, Albury and Griffith which will ‘distribute benefits across the wider Riverina-Murray region’ (p.9). Council understands this concept but has not seen real practical benefit of this theory in relation to planning decisions in the past.

Individual councils will not have a direct role in the governance arrangements for the Plan but will be represented through either a Joint Organisations (JO) or a Regional

Organisation of Councils (ROC) (p.13). This is essentially a State Government plan in which it appears local government is allocated tasks to achieve the State goals. Whilst this is the natural position of local government and is therefore to be expected, the difference is that previously the State would have dealt with each local government directly rather than through a representative organisation. Whilst this is potentially an easier route it may result in the nuances of the planning requirements of each council being missed, or at least given less importance than previously.

A Ministerial Direction will require all councils to implement and be consistent with the objectives and actions of the Plan in their LEPs (p.15). This will create a degree of uniformity and as such is welcomed, provided it does not create situations such as those created by the LEP standard definitions that are so rigid as to disallow sensible development decisions.

The Plan acknowledges in Goal 1 that agriculture is and will remain the primary driver of all growth in the region. As such the plan will require councils to identify impediments to agriculture and protect the agricultural supply chain (p.19). This is consistent with Council's position of protecting agricultural lands adopted in its Cootamundra and Gundagai LEP's and is to be applauded.

Similarly, the Government seeks to increase value adding to the agricultural product in the region and will collaborate with councils to remove any impediments in the planning system (p.20). Council is in full agreement with this goal.

In line with the desire to protect agricultural land, the Government proposes to map important agricultural land and require councils to protect this land (p.21). This will be an extension of the existing Biophysical Strategic Agricultural Land mapping, which identifies the most productive land, and includes the Wallendbeen district at present (p.25). Again, Council is in full agreement with this proposal. The Government is also proposing to increase its involvement in the management of this land and increase its direction of councils in the management of this land (p.21). There is no evidence in this council area to show that this is either necessary or helpful and it is hoped that it does not become a hindrance or encumbrance to the agricultural industries in the council area.

The Plan will require councils to review LEP land use planning and develop biosecurity risk plans in conjunction with buffer zones and zoning plans in the LEP (p.22). There is some validity in the proposals to include buffer areas in new developments but it is unclear what legislative capacity local government has to manage biosecurity risk in existing situations.

The Plan recognises the importance of water resources across the region and will require councils to adopt integrated water cycle management practices and take account of climate change (p.25). Interestingly, the Plan suggests that population and settlement growth, which account for less than 2% of water used in the region presently, will 'place pressure on the regions water resources' (p.26). There does not appear to be any serious attempt to reduce the use of water through irrigation and other extensive agricultural use.

The Plan proposes the protection of mineral and energy resources and recognises the potential for large scale wind and solar energy development (p.28). Councils will be required to protect these potential resources from conflicting development through the LEP. This will be an interesting discussion for council as the same areas are recognised as prime agriculture and potential mining in this council area.

Again councils will be required to quarantine agriculture and mining from urban or rural residential development (p.31). In this instance there will be a requirement for additional third party consultation during the LEP review process (p.32). The benefit of this approach will only be known with the detail but council has the same concern that this may prove more of a hinderance than help if not undertaken carefully.

The Plan proposes that the NSW Government will better co-ordinate and fund infrastructure development throughout the region (p.35). This will include requiring councils to protect existing and potential intermodal facilities from inappropriate encroachments (a la the recent Bomen incursion issues) via the LEP process (p.41). This is sensible and fully supported.

The Plan proposes better co-ordinating local road works to complement the State road network (p.42). This concept has been supported by Council and Federal and State governments in the recent Suttons Lane, Cootamundra upgrade, and continues to be supported by council.

The Plan commits the State to work with the Federal government to ensure the Melbourne Brisbane inland rail becomes reality (p.42). Council is in full support of this initiative.

The Plan concentrates on the regional cities (p.49) and proposes to work with smaller councils to 'build capacity and resilience' (p. 57). This capacity building will be achieved through the JO and resource sharing amongst councils, resulting in communities becoming more 'self sufficient'. If this results in improved health care services and access to tertiary education then the initiative will be fully supported by council..

The Plan recognises heritage, both Aboriginal and cultural, and suggests that Government will work with councils to undertake heritage studies, increase heritage protections, and protect heritage sites (p.58). These are admirable goals and are supported by Council.

The Plan acknowledges that there is an increasing need for public transport throughout the region and proposes investigating, developing strategies and working with local operators to, 'investigate a range of delivery models for flexible transport, to determine what works best for different areas' (p.60). The cynical might say this sounds like a very courageous idea from Sir Humphrey's civil service manual. Nevertheless, Council fully supports the need for improved public transport, particularly to those towns and villages that have limited or no public transport at present.

The Plan indicates that the region is aging with Cootamundra predicted to move from the present 26% over 65 to 32% over 65 by 2036, and Gundagai predicted to move from the present 22% over 65 to 31% over 65 by 2036 (p.63). This will require easier access to seniors housing and councils will be asked to identify any barriers and ensure allowances for this type of development in their LEPs. This is sensible and is supported.

The Plan proposes the development of settlement planning principles for rural residential development (p.65). These are in line with Councils development principles as embodied in both the Cootamundra and Gundagai LEPs.

The Plan acknowledges that climate change will bring a raft of challenges and risks to the regions ecosystems, agriculture and rural communities (p.75). The Riverina-Murray region has been identified as one of the areas likely to be the most severely affected by variations in the climate. The Government will require councils to update mapping of hazards such as flood and fire (p.76). This initiative is fully supported.

The Plan will require affected councils, including Gundagai Council, to manage naturally occurring asbestos (p.77).

Overall, the Plan is supported by council and will bring improvements to the coordination, planning and development of the region.

RECOMMENDATION

That Council make the above draft submission to the Draft Riverina Murray Regional Plan.

10/06/16 RESOLVED – Moved: Ferguson Seconded: Ferguson

**That Council make the above draft submission to the Draft Riverina
Murray Regional Plan.**

6) WORKS REPORT (COOTAMUNDRA AREA)Waste Management and Transfer Station – Cootamundra Area

287.58 tonnes of waste material was transferred from the Cootamundra Transfer Station to Bald Hill for the month of April 2016.

	Tonnes to Bald Hill 2013	Tonnes to Bald Hill 2014	Tonnes to Bald Hill 2015
January	299.34	289.06	282.12
February	251.52	234.86	270.92
March	262.42	269.16	276.74
April	280.86	266.16	287.58
May	275.36	264.50	
June	226.10	223.96	
July	273.36	258.02	
August	286.94	252.73	
September	284.00	245.88	
October	289.52	311.14	
November	286.58	225.52	
December	289.76	322.74	
Total	3305.76	3163.73	
Average YTD	275.48	263.64	

Water Deliveries – Cootamundra Area

There were Zero water deliveries for the month of May 2016.

Saleyards – Cootamundra Area

Additional work has been completed at the Cootamundra Saleyards to replace concrete edging around the sheep delivery yards. New guttering and repairs to the roof of the canteen and offices has also been completed.

Parks and Sporting Grounds – Cootamundra Area

During May staff completed the usual daily task involving CBD Street sweeping, litter removal, mowing, whipper snipping, edging, hand weeding and tree maintenance and actioning on customer requests.

The cutting, removal and poisoning the exotic trees growing in Muttama creek for the 2016 autumn/ winter period was commenced with staff undertaking the work to trees that were accessible from the creek banks.

New swing frames were installed at Jubilee Park and Nicholson Park along with fresh soft fall for the swing fall zones.

Private work was carried out at the old Ampol site including some brush cutting, cutting and removing fallen trees and locating the piezometers/wells that are used for testing the area.

Pruning of overhanging branches located in Cootamundra laneways has continued giving the garbage truck better access.

We finished planting and mulching the Wallendbeen Milestones garden.

Irrigation works were carried out at Nicholson Park, Country Club Oval and Bradman Oval.

Line marking was carried out at Country Club Oval for rugby union, Mitchell Park for junior soccer, Nicholson Park for rugby league and Albert Park for athletics.

The pot holes and hollows in the Fisher Park car park, Clarke Oval car park and entrance to Pioneer Park were filled in and levelled off.

Noxious Weeds – Cootamundra Area

This month saw a change in the weather pattern, with excellent rainfall received right across the district.

The detection of African lovegrass at three sites on roadsides (MR78 @ Frampton, MR84 west of Stockinbingal and near Cowcumbra on MR87) shows the need for regular inspections of designated high risk sites and pathways.

Although it is not a declared noxious weed in Gundagai Council, African lovegrass is a major weed of the tablelands region and is another unwanted weed in the area.

Red Guide Posts will be set up on these roads and landowners and agronomists have been notified.

Coolatai grass and Silverleaf nightshade control continued during the month.

Roadside spraying of some sections of Rosehill Rd was completed.

Inspections of biological control sites in the south-eastern section of the Shire were undertaken. Control of African boxthorn and Tree of heaven along roadsides in the Stockinbingal district was done.

DrumMUSTER collection saw 802 drums returned by farmers.

Companion Animals – Cootamundra Area

Council staff picked up a total of 16 dogs in May and 6 dogs remained in the pound from the previous month. The outcomes of these impoundments are as listed in the table below.

Action Taken	Totals
Impounded	8
Impounded & Rehomed	10
Impounded & Returned Home	4
Returned Home	0
Stolen / Escaped from Pound	0
Euthanased	0
Totals for May 2016	22

Unregistered Animals Audit – Cootamundra Area

In early May Council staff conducted an audit of the NSW Companion Animals Register searching for animals that had been microchipped in the previous four years and not registered. As a result it was noted that there were 1,036 animals that required registration.

A bulk mail out was conducted and Council received a 38% response, which exceeded all expectations. Between the 5th May and 31st May, 177 animals were registered as a result of this audit. Council was able to update 390 records in the NSW Companion Animals Register to reflect current owners' details.

In researching similar audits undertaken in other Shires it was discovered that most other Councils only received a 10% response. Council staff are planning to follow up the residents that did not respond to the audit by other methods.

Water and Sewer Management – Cootamundra Area

Water and sewer breaks and chokes as well as service failures have been attended to as required. Replacement of the old water main along Temora Street is well underway

with works nearing Murray Street after progressing along from Crown Street. Connection of the properties to this new main is expected in mid-June. Council is utilising Riverina Water to undertake this work.

Council has been advised of dirty water issue around the township. While some of these may be attributed to the main replacement in Temora Street, others may be as a result of main breaks, although it has been noted that a recent fire in Cowcumbra Street on Sunday 5th June required the fire trucks to pump directly from the main for a period of 4 hours, which would have resulted in extra flows around the reticulation system and probable water disturbance.

Water Main					Service			
Dirty water			Pipe break					
Main	Flush main	Flush service	Repair	Replace	Maintenance	Repair	Replace	New service
40	10	0	4	0	16	15	6	1
Sewer Main				Service				
Choke	Maint	Repair	Replace	Choke	Maintenance	Repair	Replace	New service
6	2	2	0	13	2	0	0	0

State Roads – Cootamundra area

Routine maintenance has been carried out where necessary on both State roads.

Work has been completed resurfacing the Wallendbeen railway over bridge on the Burley Griffin Way. This project as approved by RMS involved removing the top 200mm of road pavement from the bridge deck and replacing it with asphalt. A similar asphalt patch was also completed at the intersection of Hovell Street and Yass Road to remove a pavement defect.

Regional Roads – Cootamundra area

Routine maintenance has been carried out on both Regional Roads where necessary. A section of shoulder widening along Stockinbingal Road has now been primer sealed. Final tidy up of the shoulder and road verges will be undertaken once the area dries out.

Bitumen Shire Roads - Cootamundra area

Work on the reinstatement of the approaches to the new causeway on Old Cootamundra Road is again underway. Once this is backfilled and compacted, the road will be sealed.

Gravel Shire Roads - Cootamundra area

As weather conditions permit, work is progressing on Back Brawlin Road. Most of the new pavement material has now been placed and compacted. Work has also commenced on the reconstruction of Netherleigh Lane with initial reshaping of the existing road formation and some minor widening at the top of the hill. Both of these projects are being funded from the Roads to Recovery Program.

Gravel road maintenance has been completed on Back Brawlin, Brawlin Springs and Gilmore Roads.

Town & Village Streets/ Lanes/ Footpaths/ Cycleways - Cootamundra area

Routine maintenance has been completed around Cootamundra and villages as required.

ARTC have completed works on replacing the rail/road crossing on Dudauman Road at Stockinbingal. This involved ARTC slightly raising the tracks and then placing a new asphalt road surface.

RECOMMENDATION

That the information be noted.

11/06/16 RESOLVED – Moved: Ferguson Seconded: Ferguson

That the information be noted.

15. NOXIOUS WEEDS

7) WEEDS CONTROL UNDER THE 2015 NSW BIOSECURITY ACT

Introduction

The Biosecurity Act 2015 will repeal the Noxious Weeds Act 1993 when it commences in 2017.

The Weeds Supplementary Information Paper **TABLED DOCUMENT 2 JUNE 2016 (Pages 8-23)**, provides further details on how weeds will be managed in NSW after submissions from various stakeholder groups and Regional Weed Committees, including the Riverina RWC, which Gundagai Council is a part of.

Discussion

The new philosophy on weed management is that “biosecurity is a shared responsibility”.

The Biosecurity Act includes several new tools that can be used to manage weeds and are broadly categorised as:

1. Preventing new weeds from entering NSW
2. Having Control Orders to eradicate serious weeds already present in NSW
3. Effectively managing weeds on a regional basis
4. Ensuring there is a general biosecurity duty for all people to prevent, minimise or eliminate the risk of further weed spread through the development of Regional Strategic Weed Management Plans.
5. Mandatory regulations, emergency orders, biosecurity directions or undertakings will be other biosecurity tools used when needed.

RECOMMENDATION

That the information be noted.

12/06/16 RESOLVED – Moved: Ferguson Seconded: Ferguson

That the information be noted.

8) WEEDS METADATA STANDARD – BIOSECURITY INFORMATION SYSTEM (BIS)

Introduction

Local control authorities (LCAs) play a key role in the collection of weed management information that can be used for planning at the regional, state and national scale. This requirement is recognised in the NSW Biosecurity Act and is a key deliverable of the NSW Weeds Action Program.

The Department of Primary Industries (DPI) has been working closely with local government to finalise the capability to upload local weed information to the NSW Biosecurity Information System (BIS). This data, coupled with information provided by other land managers is critical to support decision making about enforcement activities and prioritising future investment.

Discussion

A key part of this process was the establishment of the NSW Weeds Metadata Standard **TABLED DOCUMENT 3 JUNE 2016 (Pages 24-36)** which is an agreed standard for the collection of weed data across NSW.

Data submitted using this standard will be captured in BIS and be used to prepare a variety of reports. These reports will ensure each stakeholder has access to coordinated mapping information for weed management undertaken in the regions and across the state.

Specifically, weed management data captured will be used to determine:

- Future NSW Weeds Action Program funding and resource allocation;
- Weed compliance standards across NSW
- Statutory plans for specific weeds under the Biosecurity Act.

The data specified in the NSW Weed Metadata Standard aligns to biosecurity activities such as inspections, compliance, extension and control activities. The use of the Metadata Standard provides a great deal of flexibility in how the data is captured in the field.

It is the individual LCAs discretion what system suits the needs of their region and there are a variety of existing systems or commercial options available.

Current situation at Gundagai Council

The BIS is now operational and LCAs can commence reporting biosecurity activities using the NSW Weeds Metadata Standard. As discussed above, this is a key requirement of the NSW Weeds Action Program and all regional projects have projected the costs of this capability into their programs.

Gundagai Council will need to establish a suitable system for local data capture and implementation. This will mean either:

1. Contacting third party vendors and giving them authority to upload weed metadata to BIS, or
2. Contacting the Department of Primary Industries by email admin.weeds@dpi.nsw.gov.au to set up a way to transfer data to BIS.

All LCAs must be providing compliant data by 5 August 2016.

RECOMMENDATION

That Council take the necessary measures to be compliant with the Weeds Metadata Standard by 5 August 2016.

13/06/16 RESOLVED – Moved: Ferguson Seconded: Ferguson

That Council take the necessary measures to be compliant with the Weeds Metadata Standard by 5 August 2016.

9) RIVERINA WEEDS ACTION PLAN FUNDING

Introduction

Prior to the establishment of the new Local Land Services Riverina and Murray region weeds committees the funding for the control of noxious weeds in the regions was managed by the Eastern Riverina Noxious Weeds Advisory Group and the Western Riverina Noxious Weeds Advisory Group.

Discussion

The Riverina Weeds Project Officer provided member councils of the funding allocations for the 2015/2016 financial year and the predicted allocations and individual council commitments for the 2016/2017 and the information is provided in **TABLED DOCUMENT 4 JUNE 2016 (Page 37)**.

The information shows that the allocations for 2016/2017 are again predicted to be reduced while individual member council commitments in the weeds function continues to increase. This is a worrying trend with the predicted NSW Department of Primary Industries (DPI) funding to continue to decrease over the Weeds Action Plan (WAP) 2015/2020.

The regional Weeds Action Plan has been developed using components extracted from NSW DPI 2015 provided information with the forecast for the WAP plan period being provided in **TABLED DOCUMENT 5 JUNE 2016 (Page 38)**.

The funding prediction shows substantial funding decreases over the next four years which will continue to put further financial burdens on all member councils. The funding reduction for noxious weeds control by the NSW DPI can be seen as another cost shifting exercise which will force Local Government to carry a larger financial burden for the provision of weed control education and services.

RECOMMENDATION

That the information be noted.

14/06/16 RESOLVED – Moved: Ferguson Seconded: Ferguson

That the information be noted.

21. STATE ROADS

10) SNOWY MOUNTAINS HIGHWAY – RMS COMPULSORY ACQUISITION

Introduction

The purpose of this report is for Council to provide concurrence to a request from Roads and Maritime Services (RMS) to the compulsory acquisition of surplus road and disposal of surplus road.

Discussion

Council has received a letter from RMS advising as part of a rehabilitation project being undertaken on the Snowy Mountains Highway by RMS discrepancies in the road reserve boundaries have been identified. RMS have written to Council requesting concurrence for the acquisition of land that is currently under the road which is currently on private property and the subsequent disposal of surplus land to one of the affected owners.

To facilitate this process RMS is seeking Council's concurrence to the following:

1. The acquisition of Lots 36 and 37 by the compulsory acquisition process as indicated in **TABLED DOCUMENT 6 JUNE 2016 (Pages 39-40)**, and
2. That council waive any compensation that may be payable to it for its interest in the disposal of the surplus land.

While the Snowy Mountains Highway is a State Road under the care and control of RMS, Gundagai Council is the road authority for the land enclosed in the road reserve as per the Roads Act 1993.

This process is quite usual and in the public interest to rectify an anomaly in the boundaries with the road reserve. RMS will handle the acquisition process and will be responsible for any costs including compensation applicable.

RECOMMENDATION

That Council advise RMS that:

- 1. It concurs with the acquisition of Lots 36 and 37 in RMS Plan 0004.178.SS.4012 by the compulsory acquisition process.**
- 2. Council waives any compensation that may be payable to it for its interest in the surplus road.**

15/06/16 RESOLVED – Moved: Ferguson Seconded: Ferguson

That Council advise RMS that:

- 1. It concurs with the acquisition of Lots 36 and 37 in RMS Plan 0004.178.SS.4012 by the compulsory acquisition process.**
- 2. Council waives any compensation that may be payable to it for its interest in the surplus road.**

23. BITUMEN SHIRE ROADS

11) WAGGA & DISTRICT CAR CLUB – MUNDARLO ROAD RALLYSPRINT

Introduction

The purpose of this report is to advise Council on the approval of this event by the Gundagai Director of Engineering Services and seek endorsement of this approval.

Discussion

A Special events application has been received from the Wagga & District Car Club to conduct a ralliesprint motor racing event on Saturday 27th August 2016.

The ralliesprint event requires the closure of Mundarlo Road from 7am to 6pm.

The partially completed Special Events application, risk assessment, Traffic Control Plans and other associated documents relevant to the event forms **TABLED DOCUMENT 7 JUNE 2016 (Pages 41-71)**.

The attached Traffic Control Plan for the closure of Mundarlo Road depicts the appropriate signage to undertake such a closure.

The NSW Police and Roads and Maritime Services representatives of the Gundagai Local Traffic Committee have no objection to the special event submission.

The event organiser has advised that the Certificate of Currency document will be provided to Council upon approval of the special event. The Confederation of Australian Motorsport (CAMS) manage the public liability insurance.

The event was approved by the Gundagai Director of Engineering Services (Ray Graham) under the following conditions, after concurrence with the Gundagai area Local Traffic Advisory Committee.

Conditions

That Council approve the closure of Mundarlo Road between 7am and 6pm of Saturday 27th August 2016 in support of the Wagga & District Car Club Mundarlo Road Rallysprint, subject to the event organiser complying with the following conditions:

1. *The arrangements regarding route, timing and other issues that are set out in the application documents are adhered to,*
2. *All provisions of Road Transport Legislation are complied with,*
3. *Under the Workplace Health and Safety Act 2011 the Event Organiser has a duty of care towards those persons who work at (including volunteers) or*

attend the Event and to ensure that they are not exposed to risks from a public liability perspective,

- 4. The Event Organizer shall indemnify and keep indemnified the Gundagai Council from and against all actions, suits, claims and demands of whatsoever nature and all costs, charges and expenses in respect of any accident or injury to any person or property which may arise out of the granting of permission to organise and hold subject event. This indemnity shall be in the form of a Public Liability Policy of insurance to the value of not less than \$20,000,000.*
- 5. Safety of all people involved in the event and other road users (pedestrians, etc) will not be compromised.*
- 6. The event organizer will ensure that the Special Event is conducted as described in the Special Event application received by Gundagai Shire Council*
- 7. Notification of the event must be given to the local Police, Fire brigade and Ambulance service and evidence of this notification supplied to Council.*
- 8. Adequate provision must be made for the access of emergency vehicles.*
- 9. All Traffic control plans comply with and are applied in accordance with the provisions of the most recent edition of the 'Traffic Control at Worksites' manual*
- 10. Authorised Traffic Control Plans to be implemented, monitored and removed by a person who holds the appropriate level of "Traffic Control at Worksites" certification*
- 11. Only qualified persons will undertake any associated traffic control and be appropriately attired with high visibility clothing.*
- 12. The rallysprint is to be conducted under the regulations and permit of the Confederation of Australian Motorsport (CAMS).*
- 13. The route and timing of the event must not be altered without Police or Gundagai Council approval.*
- 14. Approval pursuant to section 40 of the Road Transport (Safety and Traffic Management) Act, 1999 being given by the Commissioner of Police or his delegated officer.*
- 15. Any direction given by a member of the NSW Police that is pursuant to Road Transport Legislation is to be promptly complied with,*
- 16. Any reasonable direction that is given by an Officer of Gundagai Council is to be promptly complied with,*

17. *Racing should not commence or should immediately cease in the event that sight distance, due to weather or other conditions, does not render an adult person wearing dark clothing clearly visible at a distance of 200 metres.*
18. *Responsibility for sourcing signs, barriers and witches hats, required for implementation of the traffic control plans, lays with Wagga & District Car Club,*
19. *Appropriate roadside warning signs with black legend on yellow background and conforming with Australian Standards legend size are to be used to effect the road closures and subsequent detour routes.*
20. *The Event Organizer is to take all reasonable measures to advise Mundarlo Road resident's impacted by the event*
21. *Failure to comply with any of these conditions will immediately void approval for the event.*

RECOMMENDATION

That Council endorse the actions of the Gundagai Director of Engineering Services in approving the Wagga & District Car Club – Mundarlo Road Rallysprint event.

16/06/16 RESOLVED – Moved: Ferguson Seconded: Ferguson

That Council endorse the actions of the Gundagai Director of Engineering Services in approving the Wagga & District Car Club – Mundarlo Road Rallysprint event.

12) GRAIN HARVEST MANAGEMENT SCHEME

Introduction

In 2014 RMS implemented the Grain Harvest Management Scheme (GHMS) in NSW to improve efficiencies in grain transportation. The GHMS was approved by various Riverina councils, including Cootamundra, for the period October 2014 until 30 June 2016.

As this period is about to end, RMS has now requested an extension of the scheme until June 2021. **TABLED DOCUMENT 8 JUNE 2016 (Pages 72-73).**

Discussion

This scheme allowed loads up to 5% over the General Mass Limit (GML), for travel from the farm to the first participating receival point across regional NSW for use within participating Council areas only. Certain conditions are required for the grain receiver to participate with all such loads being monitored. Detailed reports were available at the end of each season to determine the practicality of the scheme.

For the upcoming approval period, it has been recommended that the all approved routes will be available via an interactive map on the RMS website, and that two additional vehicle configurations be included being 5 axle semi-trailer and 3 axle truck with 4 or 5 axle dog trailers.

While Council can approve the GHMS within its Council boundaries, there is availability to restrict access on roads that are not suitable.

Having this extra allowance available has made it easier for trucks to be loaded in the paddock to run legally to their weights limits, it is therefore recommended that Council continue to participate in the scheme within the Cootamundra area and that approval be sought for approval in the Gundagai area.

RECOMMENDATION

That Council consent to the continued participation in the NSW Grain Harvest Management Scheme until 30 June 2021.

17/06/16 RESOLVED – Moved: Ferguson Seconded: Ferguson

That Council consent to the continued participation in the NSW Grain Harvest Management Scheme until 30 June 2021.

13) ROADS TO RECOVERY UPDATE

Introduction

The purpose of this report is to advise Council on recent changes to the Roads to Recovery program allocations.

Discussion

On 26 May 2016 the Federal Department of Infrastructure and Regional Development, released circular 2016/3. **TABLED DOCUMENT 9 JUNE 2016 (Page 74)**. This circular contains advice on the Roads to Recovery allocation that Council will receive over the life of the current program.

The previous advice Council had received was that the allocation for the 16/17, 17/18 and 18/19 financial years was as follows:

Area	16/17	17/18	18/19
Cootamundra	\$1,079,539	\$326,300	\$326,300
Gundagai	\$1,210,224	\$365,801	\$365,801

However in response to feedback received from Council's regarding the pressure to expend the extras funds in the years 15/16 and 16/17 the allocation for 16/17 has been redistributed as follows:

Area	16/17	17/18	18/19
Cootamundra	\$753,239	\$652,600	\$326,300
Gundagai	\$844,423	\$731,601	\$365,801

There has been no overall change in the total program allocation.

In September 2015, Cootamundra Council approved a full list of projects for the 2015-2019 Roads to Recovery Program. This program of works will now have to be relooked at with a view of redistributing the approved 16/17 projects across 16/17 and 17/18. A further report will be presented to the July Council meeting with the proposed changes.

Gundagai staff have proposed to use part of the previous Gundagai allocation to undertake the Gundagai Main Street bitumen resealing and reconstruction roadworks. This will need to be discussed with the Roads to Recovery co-ordinator prior to any action being taken.

RECOMMENDATION

That Council receive and note the information.

18/06/16 RESOLVED – Moved: Ferguson Seconded: Ferguson

That Council receive and note the information.

25. TOWN & VILLAGE STREETS / LANES / FOOTPATHS / CYCLEWAYS

14) HURLEY STREET- COUNTRY CLUB DISABLED PARKING

Introduction

Correspondence was recently received from the Cootamundra Country Club regarding the state of the road pavement in the parking areas in front of the club. **TABLED DOCUMENT 10 JUNE 2016 (Page 75).**

Discussion

Engineering staff recently inspected the area concerned with the club manager and noted that these parking areas are severely deformed due to tree roots from the nearby trees. There are also signs the tree roots are lifting the existing kerb as well as the footpath.

While the trees are rather large and do add to the streetscape, advice from the Manager of Facilities and Services suggest that the best way to resolve the problem would be to remove the two trees and reconstruct the parking/pavement area. This would ultimately reduce any further impact these trees would have on the road surface, footpath and kerb.

Consideration was given to relocating the parking areas, but this would involve the construction of new pathways and associated pedestrian ramps and not address the potential further damage to the kerb and footpath.

An estimate to remove the trees and reconstruct the road pavement is \$8000.00 which could be funded from town street and street tree maintenance.

RECOMMENDATION

That the trees be removed and the pavement be reinstated.

19/06/16 RESOLVED – Moved: Ferguson Seconded: Ferguson

That the trees not be removed, and that a further report be presented to the July ordinary meeting of Council.

CORPORATE SERVICES DIVISION**DEVELOPMENT GROUP****30. DEVELOPMENT CONTROL****15) DEVELOPMENT APPLICATIONS APPROVED (COOTAMUNDRA AREA)**

The following development applications were approved in May:

APP. NO.	PROPOSED BUILDING	STREET NAME
10.2016.36	Change of Use to allow Earthmoving Business	Conkey Drive
10.2016.37	Industrial Shed	Conkey Drive
10.2016.38	Garage	Sutton Street
10.2016.39	Meatworks - Extension to Lamb Killing Floor	Stockinbingal Road
10.2016.40	Garage	Hovell Street
10.2016.41	Dwelling Additions	Cooper Street
10.2016.42	New Dwelling and Garage	Mary Angove Cres
10.2016.43	Awning	Warralong Road
18.2016.1	Inground Pool	Barana Road
10.2016.45	Rural Outbuilding	Burley Griffin Way
10.2016.46	Commercial Building Additions	Gundagai Road

VALUE OF WORK REPORTED TO THIS MEETING:

\$1,351,344.00

VALUE OF WORK REPORTED YEAR TO DATE:

\$10,720,077.00

THIS TIME LAST YEAR:

VALUE OF WORK – MAY 2015

\$1,520,768.00

VALUE OF WORK – YTD 2015

\$9,409,955.00

RECOMMENDATION:

That the information be noted.

20/06/16 RESOLVED – Moved: Ferguson Seconded: Ferguson

That the information be noted.

16) DEVELOPMENT APPLICATION DA2016/50 FOR INDUSTRIAL SUBDIVISION AT TURNERS LANE / MUTTAMA ROAD, COOTAMUNDRA

Introduction

The purpose of this report is to give consideration to a development application for an industrial subdivision at Turners Lane / Muttama Road Cootamundra.

Applicant

Ken Trethewey
Interim General Manager
Gundagai Council
PO Box 420
Cootamundra NSW 2590

Owner

Gundagai Council
PO Box 420
Cootamundra NSW 2590

Property Description

The subject land comprises Lot 1 in DP11352919 Turners Lane, Cootamundra and is situated on the north eastern corner of the intersection of Muttama Road and Turners Lane at Cootamundra. A location plan of the property is provided as **TABLED DOCUMENT 11 JUNE 2016 (Page 76)**.

Zoning

Zone IN3 "Heavy Industrial" in the Cootamundra Local Environmental Plan 2013.

Existing Use

The property is currently undeveloped rural land which is used for grazing purposes.

Proposal

To subdivide the property into 4 lots as shown in **TABLED DOCUMENT 12 JUNE 2016 (Pages 77-78)**, and to create a new 25 metre wide road off Turners Lane.

Discussion

Site history

The land was purchased by the former Cootamundra Shire Council in 2008/2009 specifically to facilitate industrial development.

Cootamundra LEP 2013

The proposed subdivision is permissible with Council's consent under the land use table to the IN3 Heavy Industrial Zone under the LEP. There is no Minimum Lot Size for the subdivision of industrial land in the LEP.

Purpose of subdivision

The objective of the subdivision is to create two new lots for industrial development (proposed Lots 2 and 4) with proposed Lots 1 and 3 being set aside for further subdivision at a later date. Council has been negotiating with a prospective purchaser of proposed Lot 4. Proposed lot 2 may also be further subdivided at later date, depending on the individual requirements of the intended development.

Site access

A new 25 metre wide road will be constructed from the Turners Lane site frontage to provide access to the subdivision. At this stage, it is not intended to construct the road as all access to proposed Lot 4 will be from Turners Lane. The naming of the proposed road will occur at a later date.

A 6 metre wide strip of land will be created in the subdivision (proposed Lot 6) to ensure that no access will be available to the Gundagai Road.

Services

There are currently no services available to the land (water, sewer, gas, and telecommunications). These services will be required to be provided to proposed Lot 4 in accordance with the "Contract of Sale". The remaining land will be provided with all required services at later stages of subdivision.

Environmental Planning & Assessment Act 1979

Council must consider all of the matters referred to in sections 5, 5A, 5B and 70C of the *Environmental Planning and Assessment, 1979* before making an assessment of a development application. All of these sections have been duly taken into account in making the following recommendation.

RECOMMENDATION

Part One

That Council approve the Development Application DA2016/50 to subdivide Lot 1 in DP1135219, Gundagai Road Cootamundra, subject to the following conditions:

GENERAL CONDITIONS

(1) GEN Condition - Compliance with Council

The Development being completed in accordance with plans and specifications stamped by Council, and the Statement of Environmental Effects, except where varied by conditions of this consent.

Reason: To confirm the details of the application as submitted by the applicant and as approved by Council.

PRIOR TO ISSUE OF SUBDIVISION CERTIFICATE

(1) PSC Condition – Formal Plan of Subdivision

A formal Plan of Subdivision being prepared and submitted generally in accordance with the plan submitted with the development application DA2016/50, dated 2 June 2016 and prepared by the applicant.

Reason: To confirm the details of the application as submitted by the applicant and as approved by Council.

(2) PSC Condition – Seal of Council

That Council be authorised to undertake all necessary documentation involved in the subdivision and subsequent sale of the land executed under the Seal of Council.

Reason: To comply with the requirements of the Local Government Act, 1993.

(3) PSC Condition – Subdivision Plan Release – Other Authorities

The requirements of other public authorities shall be satisfied prior to Council releasing the Subdivision Plan

Reason: To ensure that the requirements of public authorities are met prior to work commencing.

(4) PSC Condition – Subdivision Access

The provision of a separate vehicular access to proposed Lot 4 on the plan submitted with the application from Turners Lane at a site separately approved by Council and constructed to a standard suitable to Council, at the full cost of the developer. The new driveway shall be constructed with a piped culvert entrance off Turners Lane and sealed from the edge of the bitumen to the boundary fence of proposed Lot 4.

Reason: To ensure that traffic movement generated by the development does not adversely affect the road system in the locality.

(5) PSC Condition – Registration of Subdivision Plan

In accordance with section 109C of the Environmental Planning & Assessment Act, 1979, the applicant is required to obtain a Subdivision Certificate from the consent authority that will authorise the registration of the plan of subdivision under Division 3 of Part 23 of the Conveyancing Act, 1919. The Subdivision Certificate is in the format supplied to the consent authority upon the plan acceptable to the Registrar General.

Reason: To ensure that the requirements of public authorities are met prior to work commencing.

Part One

That Council approve the Development Application DA2016/50 to subdivide Lot 1 in DP1135219, Gundagai Road Cootamundra, subject to the following conditions:

GENERAL CONDITIONS

(1) GEN Condition - Compliance with Council

The Development being completed in accordance with plans and specifications stamped by Council, and the Statement of Environmental Effects, except where varied by conditions of this consent.

Reason: To confirm the details of the application as submitted by the applicant and as approved by Council.

PRIOR TO ISSUE OF SUBDIVISION CERTIFICATE

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Reason: To confirm the details of the application as submitted by the applicant and as approved by Council.

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The provision of a separate vehicular access to proposed Lot 4 on the plan submitted with the application from Turners Lane at a site separately approved by Council and constructed to a standard suitable to Council, at the full cost of the developer. The

new driveway shall be constructed with a piped culvert entrance off Turners Lane and sealed from the edge of the bitumen to the boundary fence of proposed Lot 4.

Reason: To ensure that traffic movement generated by the development does not adversely affect the road system in the locality.

(5) PSC Condition – Registration of Subdivision Plan

In accordance with section 109C of the *Environmental Planning & Assessment Act, 1979*, the applicant is required to obtain a Subdivision Certificate from the consent authority that will authorise the registration of the plan of subdivision under Division 3 of Part 23 of the *Conveyancing Act, 1919*. The Subdivision Certificate is in the format supplied to the consent authority upon the plan acceptable to the Registrar General.

Reason: To ensure that the requirements of public authorities are met prior to work commencing.

VOTING RECORD for Minute 21/06/16 - DEVELOPMENT APPLICATION DA2016/50 FOR INDUSTRIAL SUBDIVISION AT TURNERS LANE / MUTTAMA ROAD, COOTAMUNDRA	
FOR RESOLUTION	AGAINST RESOLUTION
Christine Ferguson	Nil
ABSENT	DECLARED INTEREST
Nil	Nil

31. LAND AND ECONOMIC DEVELOPMENT

17) LOCALITY RENAMING – JONES CREEK TO RENO

Introduction

The purpose of this report is to provide comments on the submissions received by Geographical Names board (GNB) for its decision making under Section 9(3) of the Geographical Names Act 1996.

Discussion

The Gundagai Shire Council resolved at its Ordinary Meeting of 10 November 2015 to submit a proposal to include Reno as a locality to the Geographical Names Board (GNB). This followed careful consideration of a petition received and signed by Reno residents. The petition letter is **TABLED DOCUMENT 13 JUNE 2016 (Pages 79-80)**.

Nil submissions were received during the public consultation and the proposal was forwarded to the GNB. At its board meeting held on 15 March 2016 the GNB approved that the name *Reno* was to be advertised for public comment. PURSUANT to the provisions of Section 8 of the *Geographical Names Act 1966*, the board placed the advertisement of the proposal for public comments with a map GNB 3768-2-A for a period of a month from Thursday 21 April until Friday 20 May 2016.

GNB received one submission during the exhibition period which has been forwarded to Council with a request for Council's comments, which will be considered at the GNB board meeting on 19 July 2016. A copy of the submission received is **TABLED DOCUMENT 14 JUNE 2016 (Pages 81-85)**.

To summarise, the submission partially supports the historic significance of Reno but fears losing the significance and important reference of Jones Creek for all current and future generations. The submission further suggests to keep the Jones Creek locality situated between West Street and the Burra- Reno intersection and to nominate Reno as the higher country beyond that intersection.

Currently, there are two localities; Gundagai and Jones Creek. Gundagai locality covers east of the Burra Rd – Punch St intersection including West Street, whereas Jones Creek covers west of the Burra Rd- Punch St intersection. The map is **TABLED DOCUMENT 15 JUNE 2016 (Pages 86-87)**.

To consider this submission, a new locality needs to be created which will further require preparation and resubmission of a new proposal incorporating the objections (if any) after public consultation to the Geographical Names Board. Hence, this will be a repeated process, costly, time consuming exercise requiring boundary change. Moreover, there is no certainty of acceptance of this new proposal by the wider community.

Based on this fact as well as NIL submissions received during Gundagai Shire Council's previous exhibition of the proposal, it is recommended to adopt the proposed name without modification.

RECOMMENDATION

It is recommended that Council provide comments regarding the objection received, and recommend adopting the proposed name without modification in order for the Geographical Names Board to prepare a report for the upcoming Board meeting.

22/06/16 RESOLVED – Moved: Ferguson Seconded: Ferguson

It is recommended that Council provide comments regarding the objection received, and recommend adopting the proposed name without modification in order for the Geographical Names Board to prepare a report for the upcoming Board meeting.

VOTING RECORD for Minute 22/06/16 - LOCALITY RENAMING – JONES CREEK TO RENO	
FOR RESOLUTION	AGAINST RESOLUTION
Christine Ferguson	Nil
ABSENT	DECLARED INTEREST
Nil	Nil

18) PLANNING PROPOSAL TO AMEND THE GUNDAGAI LOCAL ENVIRONMENTAL PLAN 2011

Introduction

The purpose of this report is to:

- (a) satisfy the requirements of Section 57(8) of the Environmental Planning and Assessment Act 1979, which requires Council to consider any submissions made during the public exhibition of the Planning Proposal; and
- (b) resolve to forward the PP to Parliamentary Counsel for its opinion and to draft the instrument.

Discussion

The Gundagai Shire Council resolved at its Ordinary Meeting of 8 March 2016 to prepare a planning proposal to amend the Gundagai LEP 2011 to rezone specified land in the Coolac locality to create a Tourist Zone and to amend the land use table under the SP3 Tourist Zone to introduce some additional permitted uses to allow a broader range of activities that may facilitate tourism development.

The planning proposal would amend the Gundagai LEP in the following manner:

- (i) Amend the land use table for the SP3 Tourist zone by including in alphabetical order in item 3, permitted with consent the following additional uses: "emergency services facilities", "Filming", "Garden centre" and "Temporary structures".
- (ii) Amend the land zone map – Sheet LZN_006B to detail the area to be encompassed by the SP3 Tourist zone and amend the lot size map – Sheet LSZ_006 to apply the existing minimum lot size of 1500m² for the area across the full proposed tourist zone area.

The proposal was forwarded to the Department of Planning and a Gateway Determination was issued by the Department on 5 April 2016. The planning proposal and supporting documents were subsequently placed on public exhibition with the exhibition period concluding on 20 May 2016.

One submission was received during the exhibition period with one other resident from Coolac making an enquiry in relation to the proposal but not making a submission. A copy of the submission received is tabled for information. To summarise, the submission raised a concern that the SP3 Tourist Zone, while being supported by the submitter, did not allow for the use of a dwelling, that use being a prohibited use in the zone.

This matter was discussed with the Department to obtain their view on this situation and while they would not support the introduction of a dwelling into the zone as a

permissible use with consent, due to implications with other SP3 areas in Gundagai, they were amenable to the use of Clause 2.5 of the LEP which allows for additional permitted uses that would be identified in Schedule 1 of the LEP.

To utilise this clause to allow a dwelling would mean undertaking a Planning Proposal and amending the LEP to identify a specific parcel of land where a dwelling could be constructed. While this is a more complex route to obtain consent for a dwelling, it is not considered unreasonable in the context of the area proposed for the rezoning and the minimal number of potential dwelling sites that would be available.

This information has been conveyed to the submitter in a phone conversation, following which she indicated that her concerns would be alleviated if there was such a pathway to allow the approval for a dwelling in the area.

The second component of this report is to seek a resolution of Council to forward the planning proposal to Parliamentary Counsel in order to obtain an opinion as to whether or not the amending plan can be legally made and for Parliamentary Counsel to draft the amending instrument. Following the finalisation of the draft instrument and receipt of the Parliamentary Counsel opinion, Council may use its delegations as detailed in the Gateway Determination to exercise the powers of the Minister under Section 59 of the Act and adopt and make the plan.

Tabled Documents:

- Submission letter **TABLED DOCUMENT 16 JUNE 2016 (Page 88).**
- Planning Proposal **TABLED DOCUMENT 17 JUNE 2016 (Pages 89-93).**
- Gateway Determination **TABLED DOCUMENT 18 JUNE 2016 (Page 94).**
- Land Zone Map LZN_006B **TABLED DOCUMENT 19 JUNE 2016 (Page 95).**
- Lot Size Map LSZ_006 **TABLED DOCUMENT 20 JUNE 2016 (Page 96).**

RECOMMENDATION

- 1. Council consider the report in relation to the submission received on the Planning Proposal to amend the Gundagai Local Environmental Plan 2011; and**
- 2. Council forward the Planning Proposal and supporting documents to Parliamentary Counsel to obtain an opinion as to whether the plan can be lawfully made and to request Parliamentary Counsel to draft the instrument to:**
 - a. Amend the land use table for the SP3 Tourist zone by including in alphabetical order in item 3, permitted with consent the following additional uses: “emergency services facilities”, “Filming”, “Garden centre” and “Temporary structures”.**
 - b. Amend the land zone map – Sheet LZN_006B to detail the area to be encompassed by the SP3 Tourist zone and amend the lot size map – Sheet LSZ_006 to apply the existing minimum lot size of 1500m² for the area across the full proposed tourist zone area.**

1. Council consider the report in relation to the submission received on the Planning Proposal to amend the Gundagai Local Environmental Plan 2011; and
2. Council forward the Planning Proposal and supporting documents to Parliamentary Counsel to obtain an opinion as to whether the plan can be lawfully made and to request Parliamentary Counsel to draft the instrument to:
 - a. Amend the land use table for the SP3 Tourist zone by including in alphabetical order in item 3, permitted with consent the following additional uses: “emergency services facilities”, “Filming”, “Garden centre” and “Temporary structures”.
 - b. Amend the land zone map – Sheet LZN_006B to detail the area to be encompassed by the SP3 Tourist zone and amend the lot size map – Sheet LSZ_006 to apply the existing minimum lot size of 1500m² for the area across the full proposed tourist zone area.

VOTING RECORD for Minute 23/06/16 - PLANNING PROPOSAL TO AMEND THE GUNDAGAI LOCAL ENVIRONMENTAL PLAN 2011	
FOR RESOLUTION	AGAINST RESOLUTION
Christine Ferguson	Nil
ABSENT	DECLARED INTEREST
Nil	Nil

19) PLANNING PROPOSAL TO AMEND THE COOTAMUNDRA LOCAL ENVIRONMENTAL PLAN 2013

Introduction

The purpose of this report is:

- (a) To give consideration to a proposed amendment to the land use table to “Zone IN3 Heavy Industrial” in the Cootamundra Local Environmental Plan 2013;
- (b) To seek a resolution of Council to prepare a Planning Proposal to commence the amendment process; and
- (c) To seek authorisation from the NSW Department of Planning and Environment to use the delegations granted under Section 59 of the *Environmental Planning and Assessment Act 1979* to finalise the amendment to the LEP.

Discussion

Since the commencement of the Cootamundra LEP 2013 in July 2013 it has been noted that there are anomalies in the land use tables which require amendment to enable the most efficient use and development of land. This report discusses proposed changes to the land use table to Zone IN3 Heavy Industrial.

Objectives of “Zone IN3 Heavy Industrial”

The objectives of the zone, as set out in the land use table of the LEP, are as follows and a complete extract of the IN3 Zone land use in the LEP is provided as **TABLED DOCUMENT 21 JUNE 2016 (Page 97)**.

- To provide suitable areas for those industries that need to be separated from other land uses.
- To encourage employment opportunities.
- To minimise any adverse effect of heavy industry on other land uses.
- To support and protect industrial land for industrial uses.

It can be seen from the zone objectives that the IN3 zone has been specifically included in the LEP to ensure that there are suitable areas of industrial zoned land which provide for the development of heavy industries or other industries and types of development which by their inherent nature or processes require separation from other areas; i.e. as a result of noise and traffic generation, hours of operation and potential for loss of amenity.

The IN3 Heavy Industrial zoned land is confined to an area east of Cootamundra as shown in **TABLED DOCUMENT 22 JUNE 2016 (Page 98)**, and includes the Cootamundra

waste depot and sewerage treatment works in the Gundagai Road and Turners Lane area. The zone also includes the land set aside for future industrial development which is the subject of a separate report to Council in relation to Development Application DA2016/50.

Following further consideration of the land use table, it is proposed that the following land uses which are currently prohibited in the IN3 Zone be removed from “Item 4 Prohibited” to “Item 3 Permitted with consent” of the table to enable the possible development in the IN 3 zone, subject to the submission and assessment of a development application; Crematoria, Depots, Transport Depots, Truck depots, Vehicle body repair workshops, Waterhouse or distribution centres.

All of the above land uses are considered to be appropriate development in the IN3 Heavy Industrial zone. These land uses are defined in the LEP as follows:

crematorium means a building in which deceased persons or pets are cremated, whether or not it contains an associated building for conducting memorial services.

depot means a building or place used for the storage (but not sale or hire) of plant, machinery or other goods (that support the operations of an existing undertaking) when not required for use, but does not include a farm building.

transport depot means a building or place used for the parking or servicing of motor powered or motor drawn vehicles used in connection with a business, industry, shop or passenger or freight transport undertaking.

truck depot means a building or place used for the servicing and parking of trucks, earthmoving machinery and the like

vehicle body repair workshop means a building or place used for the repair of vehicles or agricultural machinery, involving body building, panel building, panel beating, spray painting or chassis restoration.

warehouse or distribution centre means a building or place used mainly or exclusively for storing or handling items (whether goods or materials) pending their sale, but from which no retail sales are made.

Delegation of the LEP plan making process

The Interim General Manager and Council’s Planning Officer at the Cootamundra Office have delegated authority under Section 59 of the *Environmental Planning and Assessment Act 1979*, to make relatively minor amendments to the Cootamundra LEP, subject to consultation with the NSW Department of Planning and Environment through the “Gateway” process to determine whether the delegation can be used.

This delegation has been granted for previous amendments to the LEP and it is recommended that Council seek to use the delegation for this amendment as it is a minor amendment to the LEP.

RECOMMENDATION

1. That Council prepare a Planning Proposal to amend the Cootamundra LEP 2013 to remove “Crematoria”, “Depots”, “Transport Depots”, “Truck depots”, “Vehicle body repair workshops” and “Warehouse or distribution centres” from Item 4 “Prohibited” and include in Item 3 “Permitted with consent” of the land use table to Zone IN3 Heavy Industrial.
2. That the proposed amendment to the Cootamundra LEP 2013 and the Planning Proposal be referred to the NSW Department of Planning and Environment seeking a Gateway Determination and authorisation to use the delegation under Section 59 of the *Environmental Planning and Assessment Act 1979* to make the plan.

24/06/16 RESOLVED – Moved: Ferguson Seconded: Ferguson

1. That Council prepare a Planning Proposal to amend the Cootamundra LEP 2013 to remove “Crematoria”, “Depots”, “Transport Depots”, “Truck depots”, “Vehicle body repair workshops” and “Warehouse or distribution centres” from Item 4 “Prohibited” and include in Item 3 “Permitted with consent” of the land use table to Zone IN3 Heavy Industrial.
2. That the proposed amendment to the Cootamundra LEP 2013 and the Planning Proposal be referred to the NSW Department of Planning and Environment seeking a Gateway Determination and authorisation to use the delegation under Section 59 of the *Environmental Planning and Assessment Act 1979* to make the plan.

VOTING RECORD for Minute 24/06/16 - PLANNING PROPOSAL TO AMEND THE COOTAMUNDRA LOCAL ENVIRONMENTAL PLAN 2013	
FOR RESOLUTION	AGAINST RESOLUTION
Christine Ferguson	Nil
ABSENT	DECLARED INTEREST
Nil	Nil

20) EXTERNAL AUDITING SERVICES TENDER

Introduction

Council is required to appoint an auditor, selecting one of the two existing auditors of the former councils. This report provides the results of the evaluation process that has been completed, and makes a recommendation to Council for the appointment.

Discussion

The *Local Government (Council Amalgamation) Proclamation 2016*, section 28 outlines the requirement for Council to select the auditor, as follows.

- 1) The auditor of a new council is to be determined by the council and is to be a person who provided auditing services to one or more of the former councils immediately before the amalgamation day.*
- 2) Any contract, agreement or other arrangement made by a former council with any other person to provide auditing services is terminated by operation of this clause.*

In accordance with these clauses, Council is required to appoint one of the two existing auditors, within 30 days, and terminate the contract of the other.

The two former councils of Cootamundra Shire and Gundagai Shire, have existing contracts with Intentus Chartered Accountants, audit partner John O'Malley and Adams Kenneally White, audit partner John Mason.

The existing contract of the successful auditor will be continued, and the contract of the unsuccessful auditor will be terminated in accordance with the proclamation.

In accordance with the proclamation, the successful auditor will be responsible for both audits of the former councils for the period ended 12 May 2016, in addition to the annual audit of Gundagai Council, with the first financial year covering the period 12 May 2016 to 30 June 2017.

Council's preference is that the unsuccessful auditor be engaged to assist with the completion of the end of term audit of their former council.

Both auditors have expressed an interest in applying for the audit appointment, and both have advised that they would be prepared to work cooperatively to assist with the completion of the 12 May end of period audit, regardless of whether they were successful or unsuccessful in the audit appointment.

Both auditors have extensive local government audit experience and both have long term working relationships with the former councils, having developed positive and

productive working relationships over many years of service. Both auditors can demonstrate an in-depth understanding of the business of local government in regional NSW, including the relevant issues in local government financial reporting.

The following is a summary of the information that was considered relevant to the staff evaluation panel.

1. Value for Money

Tenderer	Comment
Intentus	<p>Normal audit year: \$35,500 annual audit fee, 200 hours total, 30 partner hours.</p> <p>This year additional fees:</p> <ul style="list-style-type: none"> - \$4,500 review fee for reviewing Gundagai's audit conducted by AKW. - \$1,500 + current contract fee for working under the direction of AKW. <p>The quoted price excludes any additional audit work that may be required in relation to the amalgamation.</p>
AKW	<p>Normal audit year: \$34,400 annual audit fee, 187.5 hours total, 37.5 partner hours.</p> <p>This year additional fees:</p> <ul style="list-style-type: none"> - \$3,790 review fee for reviewing Cootamundra's audit conducted by Intentus. - \$3,000 + current contract fee for working under the direction of Intentus. <p>The quoted price excludes any additional audit work that may be required in relation to the amalgamation.</p>

2. Availability

Tenderer	Comment
Intentus	<p>Three consistent members of audit team. Site visits 2-3 days and 3 days.</p> <p>Manager and Senior for Intentus is 15 hours additional than for AKW.</p>
AKW	<p>Three consistent members of the audit team. Site visits 3 days and 3-4 days. Additional site visits in 2016 to become familiar with Cootamundra office procedures.</p> <p>Principal auditor hours greater by 20 hours initially and thereafter 9.5 hours. It is considered that the hours for the two tenderers would be adequate to complete the work required.</p>

3. Experience

Tenderer	Comment
Intentus	Current external auditor 15 councils including 9 small to medium regional NSW councils. Both tenderers bring considerable experience with their respective tenders.
AKW	Current external auditor 5 small councils in regional NSW. Recent external auditor for 2 medium to large regional NSW councils. Both tenderers bring considerable experience with their respective tenders.

Using a points system against the evaluation criteria, the ranking order has been evaluated as:

1. Intentus
2. AKW

RECOMMENDATION

That Intentus Chartered Accountants be selected as Council's external auditor and serve out the remainder of their existing six year contract term to 30 June 2019.

25/06/16 RESOLVED – Moved: Ferguson Seconded: Ferguson

That Intentus Chartered Accountants be selected as Council's external auditor and serve out the remainder of their existing six year contract term to 30 June 2019.

21) INVESTMENT REPORTS

The purpose of this report is to provide Council with a list of Council funds invested as at 31 May 2016.

A summary of investments for the Cootamundra Area as at 31 May 2016 forms **TABLED DOCUMENT 23 JUNE 2016 (Page 99)**.

A summary of investments for the Gundagai Area as at 31 May 2016 forms **TABLED DOCUMENT 24 JUNE 2016 (Page 100)**.

RECOMMENDATION

That the Investment Reports as at 31 May 2016 be received and noted.

26/06/16 RESOLVED – Moved: Ferguson Seconded: Ferguson

That the Investment Reports as at 31 May 2016 be received and noted.

37. COMMUNITY RELATIONS / ARTS / ERA

22) SOUTHERN SPORTS ACADEMY REQUEST FOR DONATION

Introduction

The Southern Sports Academy has written to Gundagai requesting a contribution of \$200 toward the development of one (1) athlete from our Local Government Area. The request is **TABLED DOCUMENT 25 JUNE 2016 (Page 101)**.

Discussion

The Southern Sports Academy provides development programs to young athletes from Southern NSW. The Academy has built its focus on ensuring that graduates from the Academy are more rounded individuals possessing the necessary sporting and life skills to excel in the next phase of their lives.

In August 2015 Gundagai Shire Council contributed \$400 toward the program for two (2) local athletes.

RECOMMENDATION

That a donation of \$200 be made to the Southern Sports Academy.

27/06/16 RESOLVED – Moved: Ferguson Seconded: Ferguson

That a donation of \$200 be made to the Southern Sports Academy.

There being no further business the meeting closed at 7.03pm.

These Minutes were confirmed by resolution of Council at the Council Meeting held on Monday 11 July 2016 and endorsed by:

ADMINISTRATOR

GENERAL MANAGER