

Gundagai Council



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MINUTES

ORDINARY COUNCIL MEETING

**STEPHEN WARD ROOMS,
COOTAMUNDRA LIBRARY,
WALLENDON STREET, COOTAMUNDRA**

6.00PM, 15 AUGUST 2016

CONTENTS

ORDINARY COUNCIL MEETING 15 AUGUST 2016

PROCEDURAL

- Open Forum
- Attendance
- Adoption of the Minutes of the Ordinary Meeting of Council held on 11 July 2016.
- Adoption of the Minutes of the Extraordinary Meeting of Council held on 25 July 2016.

OPEN FORUM

4

- | | | |
|----|--|---|
| 1) | Mrs Mary Donnelly – Road works | 4 |
| 2) | Mr Rod Chalmers – Council Name | 4 |
| 3) | Mrs Ros Wight – LRC and IAG Committees | 5 |
| 4) | Mr Abb McAlister – Communication | 5 |
| 5) | Mr David Graham | 5 |

ADMINISTRATORS MINUTE

8

GENERAL MANAGERS REPORT

10

EXECUTIVE SERVICES DIVISION

10

1. COMMUNITY STRATEGIC PLAN

10

- | | | |
|----|-------------------------|----|
| 1) | COMMUNICATIONS STRATEGY | 10 |
|----|-------------------------|----|

2. COUNCIL

11

- | | | |
|----|----------------------------------|----|
| 2) | INTERIM ORGANISATIONAL STRUCTURE | 11 |
|----|----------------------------------|----|

- | | | |
|----|--------------------------|----|
| 3) | CODE OF MEETING PRACTICE | 13 |
|----|--------------------------|----|

4)	CODE OF CONDUCT POLICY AND PROCEDURE	14
5)	DRAFT POLICY FOR THE PAYMENT OF EXPENSES AND PROVISION OF FACILITIES	16
ENGINEERING SERVICES DIVISION		17
6. PLANT		17
6)	PLANT REPORT – PURCHASE OF BULK LIME TANKER	17
FACILITIES GROUP		20
10. SWIMMING POOL		20
7)	SWIMMING POOL	20
WATER AND WASTE GROUP		22
20. WASTE MANAGEMENT		22
8)	COOTAMUNDRA COMMUNITY RECYCLING CENTRE	22
CORPORATE SERVICES DIVISION		25
26. HUMAN RESOURCES		25
9)	STAFF GRIEVANCE RESOLUTION POLICY AND PROCEDURE	25
DEVELOPMENT GROUP		27
30. DEVELOPMENT CONTROL		27
10)	APPLICATION FOR DEVELOPMENT CONTROL PLAN VARIATION (MAXIMUM FLOOR AREA FOR OUTBUILDINGS) – DA2016/53, 21 BRADMAN STREET, COOTAMUNDRA	27
11)	DA 161/2016 PROPOSED TWO LOT SUBDIVISION – LOT 102 DP 1155456, BILLABUNG ROAD, NANGUS – GRAY SURVEYORS FOR JOHN & SANDRA EATHER	31
12)	APPLICATION FOR MODIFICATION OF CONSENT DA78/2007 – EULONGA QUARRY34	
13)	DEVELOPMENT APPLICATION DA2016/60 - PROPOSED RESIDENTIAL SUBDIVISION TEMORA STREET (BOUNDARY ROAD) COOTAMUNDRA	45
31. LAND AND ECONOMIC DEVELOPMENT		67

14)	PROPOSAL FOR SALE OF LAND	67
FINANCE GROUP		68
15)	INVESTMENT REPORT	68
16)	GUNDAGAI LIONS CLUB INCORPORATED – REQUEST FOR CONTRIBUTION	69
CLOSED COUNCIL		70

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.

Commenced at 6.00pm.

1) Mrs Mary Donnelly – Road works

Mrs Donnelly asked that works for low level crossing work in town streets be given priority over the planned Cowcumbra Street upgrade.

The Interim General Manager advised that Cowcumbra Street was a Heavy Vehicle route and the works were funded by the State under the Fixing Country Roads Program.

2) Mr Rod Chalmers – Council Name

Mr Chalmers requested an explanation for the decision to rescind resolution 01/E07/16 concerning the timing of Council's request to the Minister for a change of name.

The Interim General Manager advised that the Council has received advice that the Court Case may not be resolved for months, and that Council is unable to progress set-up of its IT and operational systems without a domain name.

Mr Chalmers asked what would happen to the amalgamation funds that have been granted to Council if the Court challenge was successful and the merger is required to be unwound.

The Interim General Manager advised that Council has no liability to repay money that has already been used for the purposes of setting up the operations of the new Council in accordance with the Grant conditions, regardless of the outcome of the Court case.

Mr Chalmers asked what would happen to the \$1million community grant fund if the Court challenge was successful and the merger is required to be unwound.

The Interim General Manager advised that the amount has been granted to Gundagai Council, and that no grant condition requires that moneys already legitimately granted to applicants be repaid in the event that the court challenge is successful.

3) Mrs Ros Wight – LRC and IAG Committees

Mrs Wight requested that the LRC and IAG Committees be given copies of the Council meeting business papers and meet to discuss the reports prior to the Council meeting.

The Interim General Manager advised that all IAG and LRC members received emailed pdf copies of all Council meeting papers on the Wednesday before the meeting and that an email conversation could be held between IAG and LRC members prior to the meeting by using the 'reply all' function.

The Administrator indicated that she would consider the timing of IAG and LRC meetings and make a determination regarding the need for additional meetings.

4) Mr Abb McAlister – Communication

Mr McAlister spoke against the proposed rescission motion and expressed concern about changing policy and lack of communication.

Mr McAlister expressed his opinion that the IAG and LRC committees should have greater involvement in Council business and policy throughout the month, in addition to attending committee meetings. Mr McAlister said that the IAG and LRC should have joint committee meetings to ensure consideration of ideas and better communication, and that community forums should be held to develop community priorities.

The Administrator advised that the IAG and LRC had previously resolved to have separate meetings for three months and then hold a joint meeting to determine whether to join or remain separate.

5) Mr David Graham

Mr Graham expressed his opinion that communication with the IAG and LRC can be improved.

Mr Graham requested a written response to his questions raised in open forum at the July meeting.

For clarification, the Interim General Manager advises that personal questions will be answered directly in writing but that general questions are answered in this format in the minutes and if relevant are added to the Frequently Asked Questions on the Council website. It is also advised that Mr Graham's specific question regarding the Stronger Communities Fund Panel from July was answered in writing by email from the Administrator to the IAG and LRC members on 29 July 2016.

Mr Graham spoke against the recommendation for item 6, and expressed his opinion that Council should purchase two new vehicles, instead of the second hand bulk lime tanker. Mr Graham asked whether the proposed vehicle would be used across the new Council area.

The Interim General Manager advised that staff had assessed the relative merits of all of the available plant and being appraised of all the facts had made the correct recommendations. The Director Engineering Services advised that the Council's stabiliser is planned to be used in Temora Steet Cootamundra in the coming weeks, and will be used wherever appropriate across the Council area. He further advised that the proposed lime tanker will enhance the safety and serviceability of the existing equipment.

Mr Graham questioned the project timeline for the preparation of the 2017/18 budget, and requested that the LRC and IAG be involved in the process.

The Interim General Manager advised that the draft budget will be prepared in accordance with the ordinary Council timelines, and that it would be prepared in draft form by March and be on public exhibition for 28 days prior to its adoption in June 2017.

THESE ARE THE MINUTES TO THE ORDINARY MEETING OF GUNDAGAI COUNCIL HELD ON 15 AUGUST 2016 IN THE STEPHEN WARD ROOMS COOTAMUNDRA LIBRARY COMMENCING AT 6.22 PM.

PRESENT

Administrator Christine Ferguson

Also Present

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

APOLOGIES

Nil

ADOPTION OF MINUTES

That the Minutes of the Meeting of Council held on Monday 11 July 2016 be confirmed as a true and correct record of the meeting.

01/08/16 **RESOLVED – Moved: Ferguson Seconded: Ferguson**

That the Minutes of the Meeting of Council held on Monday 11 July 2016 be confirmed as a true and correct record of the meeting.

That the Minutes of the Meeting of Council held on Monday 25 July 2016 be confirmed as a true and correct record of the meeting.

02/08/16 **RESOLVED – Moved: Ferguson Seconded: Ferguson**

That the Minutes of the Meeting of Council held on Monday 25 July 2016 be confirmed as a true and correct record of the meeting.

ADMINISTRATORS MINUTE

RESCISSION MOTION – MINUTE NUMBER 01/E07/16 OF THE GUNDAGAI COUNCIL MEETING OF 25 JULY 2016, AND REPLACEMENT MOTION

Introduction

Council has received a rescission motion from the Administrator of Gundagai Council appointed pursuant to the Local Government (Council Amalgamation) Proclamation 2016, Christine Ferguson, seeking to rescind Minute Number 01/E07/16 of the Gundagai Council meeting of 25 July 2016, and to move a replacement motion.

Discussion

Minute number 120 reads as follows:

01/E07/16 RESOLVED – Moved: Ferguson Seconded: Ferguson

That following the determination of ‘Walcha Council and Ors v Minister for Local Government and Ors’, as it relates to Gundagai Council, Council write to the Minister for Local Government seeking to have the name Cootamundra-Gundagai Regional Council proclaimed.

Council has received advice which indicates that the determination of ‘Walcha Council and Ors v Minister for Local Government and Ors’ (the Case), as it relates to Gundagai Council, may be delayed for a substantial period of time as a result of the pending appeal of Woollahra Municipal Council against the judgement handed down by the Land and Environment Court in the case ‘Woollahra Municipal Council v Minister for Local Government [2016] NSWLEC 86’.

Given the previous resolution of the Council to proceed with the change of name from Gundagai Council to Cootamundra-Gundagai Regional Council pending the determination of the Case, and the need to finalise the naming issue in order to set up a single IT and financial system and to progress many activities required to be undertaken to achieve a seamless merger, it is proposed that Council no longer wait for the outcome of the Case and immediately proceed to seek the name change.

RECOMMENATION

- 1. That Council rescind Minute Number 01/E07/16 of the Gundagai Shire Council meeting of 25 July 2016, which reads:**

01/E07/16 RESOLVED – Moved: Ferguson Seconded: Ferguson

That following the determination of ‘Walcha Council and Ors v Minister for Local Government and Ors’, as it relates to Gundagai Council,

Council write to the Minister for Local Government seeking to have the name Cootamundra-Gundagai Regional Council proclaimed.

2. That Council immediately write to the Minister for Local Government seeking to have the name Cootamundra-Gundagai Regional Council proclaimed.

03/08/16 RESOLVED – Moved: Ferguson Seconded: Ferguson

1. That Council rescind Minute Number 01/E07/16 of the Gundagai Shire Council meeting of 25 July 2016, which reads:

01/E07/16 RESOLVED – Moved: Ferguson Seconded:
Ferguson

That following the determination of ‘Walcha Council and Ors v Minister for Local Government and Ors’, as it relates to Gundagai Council, Council write to the Minister for Local Government seeking to have the name Cootamundra-Gundagai Regional Council proclaimed.

2. That Council immediately write to the Minister for Local Government seeking to have the name Cootamundra-Gundagai Regional Council proclaimed.

1. COMMUNITY STRATEGIC PLAN

1) COMMUNICATIONS STRATEGY

Council staff have developed a Communications Strategy to ensure consistent, clear and concise external communication from Gundagai Council.

The strategy outlines objectives and communication tactics and channels to be utilised to ensure the community is kept informed of decisions and actions, and provided the opportunity to express their views and have input.

Positive outcomes, progression of the merger, projects with community interest, value and council achievements, are communicated regularly to media outlets and community members.

The Communications Strategy is a living document and will be updated as required.

The Communications Strategy is included as **TABLED DOCUMENT 1 AUGUST 2016 (Pages 1-6)**.

RECOMMENDATION

That Council adopts the *Gundagai Council Communications Strategy as presented.*

04/08/16 RESOLVED – Moved: Ferguson Seconded: Ferguson

That Council adopts the *Gundagai Council Communications Strategy as presented.*

2. COUNCIL

2) INTERIM ORGANISATIONAL STRUCTURE

Introduction

As reported to the 23 May 2016 Council meeting, the integration of the staff of the former councils of Cootamundra and Gundagai makes it necessary to develop a new organisational structure. As an interim arrangement it was recommended that a four directorate structure be introduced, based on Corporate, Development, Operations and Asset Management groupings.

This structure has been further developed with senior staff, Council's Consultative Committee and the United Services Union over the past ten weeks, leading to an agreed Interim organisational Structure and staffing arrangement. See **TABLED DOCUMENT 2 AUGUST 2016 (Page 7)**.

Discussion

The Interim Organisation Structure represents how the new Council will operate as one organisation during the interim period. The interim period is effectively a transition period during which the details are worked out of how the two former organisations become one in the longer term, and is primarily governed by the period during which the new Council continues to operate two budgets and two Operational Plans leading to a single budget and Operational Plan in July 2017.

During the interim period the majority of staff roles will remain unchanged, while other staff will need to undertake the activities required to continue their functions undertaken in the previous councils whilst also transitioning to the new structure in an interim capacity.

Once the Interim Organisation Structure is adopted a review of all roles will commence and new position descriptions will be drafted in preparation for permanent staff appointment to the new longer term structure. This will be staged beginning with vacancies and new roles in the Interim Organisation Structure, and leading to positions with minor or no changes in role.

Staff and Unions will continue to be given the opportunity to comment on the Interim Organisation Structure, and the adopted Interim Organisation Structure will continue to be monitored for approximately 6-9 months, and amended if necessary. Once the structure is stable, and Position Descriptions and a Salary Structure have been finalised the positions will be offered permanently in accordance with the provisions of the Local Government Act and the Local Government Award.

Before any permanent appointments commence, guidelines and protocols will be adopted to ensure adherence to a transparent process. These are presently being developed with input from the Consultative Committee and Unions.

It is expected that a final Organisational Structure will be in place by July 2017.

RECOMMENDATION

That Council adopt the Interim Organisational Structure as presented.

05/08/16 RESOLVED – Moved: Ferguson Seconded: Ferguson

That Council adopt the Interim Organisational Structure as presented.

3) CODE OF MEETING PRACTICE

Introduction

The Local Government (Council Amalgamations) Proclamation 2016, at Schedule 7 Clause 8 states:

8. Code of Meeting Practice

The code of meeting practice of the former Cootamundra Shire Council is to be the code of meeting practice of the new council until it is amended or replaced in accordance with the Act.

Discussion

The Code of Meeting Practice of the former Cootamundra Shire Council was modified to take into account the period of Administration from 12 May 2016 to 9 September 2017. The draft Code of Meeting Practice was tabled at the Gundagai Council meeting on 23 May 2016 and was publically exhibited for 28 days. See **TABLED DOCUMENT 3 AUGUST 2016 (Pages 8-24)**.

No public submissions were made in relation to the draft Code of Meeting Practice. Some minor adjustments were made to the draft Code of Meeting Practice to ensure accuracy, compliance and ease of understanding.

RECOMMENDATION

That Council adopt the Code of Meeting Practice as presented.

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

That Council adopt the Code of Meeting Practice as presented.

4) CODE OF CONDUCT POLICY AND PROCEDURE

Introduction

The draft Code of Conduct Policy and Procedure has been prepared in accordance with the Model Code of Conduct for Local Councils in NSW (*Model Code*), the Model Code Policy and Procedure forms **TABLED DOCUMENT 4 AUGUST 2016 (Pages 25-64)**.

Discussion

The *Model Code* is a legal document that all Council officials are obliged to understand and follow. It sets the minimum standards of behaviour expected of council officials when carrying out their functions. Information concerning conflicts of interest and the management of such conflicts is also contained in the Model Code.

The Model Code and Model Code Procedures are made under sections 440 and 440AA respectively of the *Local Government Act 1993* (the Act) and the Local Government (General) Regulation 2005. Sections 440 and 440AA of the Act require every council to adopt a code of conduct that incorporates the provisions of the Model Code and Model Code procedures respectively.

The recommended draft Code of Conduct Policy and draft Code of Conduct Procedure include the *Model Code*, and Model Code Procedures, in their entirety.

In accordance with the Code of Conduct Procedure, Council is required to appoint a panel of conduct reviewers. The Riverina Eastern Regional Organisation of Councils (REROC) has undertaken this task on behalf of member councils and appointed a Regional Code of Conduct Review Panel.

The Regional Code of Conduct Review Panel consists of ten members, being: Allan Bradbury, Peter Brown, Timothy Bye, Maurice Daly, Chris Gallagher, Gerry Holmes, Kath Roach, Tim Rogers, Kathy Thane and Greg Wright.

RECOMMENDATION

- 1. That Council adopt the draft Code of Conduct Policy as presented.**
- 2. That Council adopt the draft Code of Conduct Procedure as presented.**
- 3. That the following members of the Regional Code of Conduct Review Panel be appointed to Council's panel of conduct reviewers:**

Allan Bradbury, Peter Brown, Timothy Bye, Maurice Daly, Chris Gallagher, Gerry Holmes, Kath Roach, Tim Rogers, Kathy Thane and Greg Wright.

07/08/16 **RESOLVED – Moved: Ferguson** **Seconded: Ferguson**

1. That Council adopt the draft Code of Conduct Policy as presented.
2. That Council adopt the draft Code of Conduct Procedure as presented.
3. That the following members of the Regional Code of Conduct Review Panel be appointed to Council's panel of conduct reviewers:

Allan Bradbury, Peter Brown, Timothy Bye, Maurice Daly, Chris Gallagher, Gerry Holmes, Kath Roach, Tim Rogers, Kathy Thane and Greg Wright.

5) DRAFT POLICY FOR THE PAYMENT OF EXPENSES AND PROVISION OF FACILITIES

Introduction

At its Ordinary Meeting of 20 June 2016 Council resolved:

(08/06/16) "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."

The draft Policy forms **TABLED DOCUMENT 5 AUGUST 2016 (Pages 65-71)**.

Discussion

The invitation for submissions was duly advertised in:

- the Gundagai Independent of Thursday July 7, and
- the Cootamundra Herald of Friday July 8,

with advice that all submissions must be lodged by Friday 5 August 2016.

No public submissions were made in relation to the Policy. Some minor adjustments were made to ensure accuracy, compliance and ease of understanding.

The policy, once adopted, is required to be forwarded to the Executive Officer, Office of Local Government, and Department of Premier & Cabinet within twenty-eight days.

RECOMMENDATION

That Council adopt the draft Policy Expenses and Provision of Facilities for Councillors as presented.

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

That Council adopt the draft Policy Expenses and Provision of Facilities for Councillors as presented.

6. PLANT

6) PLANT REPORT – PURCHASE OF BULK LIME TANKER

Introduction

This report is to seek endorsement of the actions of Council staff in purchasing a lime bulk tanker above the specified Council budget.

Discussion

The previous Gundagai Shire Council at its meeting on 8 March 2016 considered a report on potential improvements that could be made to the operation of Council's Stabiliser.

The report identified potential savings that could be achieved through the purchase of a bulk storage tanker.

The benefits highlighted for this purchase were:

1. Efficiency – currently Council takes delivery of the powder in 1 tonne Bulka bags which are then stored in a shed at the depot. This arrangement is bulky taking up valuable undercover space as well as requires the HIAB truck to load onto the low loader at both the depot and then from the low loader into the tractor mounted spreader on site.
2. Price – In October 2015 a comparative price was given for the bulk lime supply as opposed to the Bulka Bags. The bulk lime was quoted at \$250 per tonne compared to \$350 per tonne that Council was currently paying for the Bulka Bag delivery. Note – waiting time for the bulk delivery is also charged at \$110 per hour after the first hour.
3. Work Health and Safety – Lime is an irritant that affects the moist areas on the body such as the eyes, mouth, throat and lungs. The irritations can cause minor burns and discomfort at the low end through to severe burns or ongoing dermatitis. The current method of loading the tractor mounted spreader requires a staff member to cut open the bag which can result in the fine lime powder contacting skin even with the use of correct PPE. The use of a bulk tanker allows direct pumping of the powder into the spreader removing this potential hazard.

When investigating the tanker options initially Council staff relied on an industry contact in regards to potential pricing. This advice was that Council would be able to purchase a suitable second hand tanker for around \$35,000.

However, since approval, staff have had limited success in sourcing a suitable tanker within the expected budget.

Requirements:

- Capacity between 25 tonne to 28 tonne – to allow storage of a standard bulk tanker load. Anything less negates price and efficiency requirements.
- Pump fitted – a trailer mounted pump would then require a second tow vehicle on site
- Current pressure vessel certification – required under AS1210.

Some options that were investigated include:

1. Kockums Bulk Pressure Tanker - \$70,000
 - Has current Pressure vessel certification (3 years remaining)
 - Has in built pumps
 - Spare parts included
 - Capacity 26 tonne
2. Kockums Semi Bulk Dry Tanker Semi Trailer - \$54,990
 - Has current pressure vessel certification (2 years remaining)
 - No pumps fitted
 - Capacity – 26 tonne
3. Kockums Triaxle Semi Lime Cement spreader tanker \$42,200
 - Don't require spreader component
 - Capacity 15 tonne – note standard load – bulk lime – 25 tonne – defeats purpose
4. Boral – Tanker - \$70,000
 - Trailer mounter pump system
 - Current pressure vessel certification

Council staff undertook an inspection of Option 1 to determine its suitability and confirmed that it was a suitable item to undertake Council's needs. Prior to purchase a check of the NSW Government Personal Property Securities Register check was undertaken with no adverse outcome.

While this purchase is over the original budget, the plant purchasing budget is managed as a whole and will continue to be monitored. The intention is to bring the plant budget in, on or under budget and if required there are items on the plant replacement program that can be delayed to ensure that the budget requirements are met while not having major impacts on life cycle replacement.

A report was presented to Council's Administrator requesting approval to purchase this tanker due to the time sensitive arrangements in the second hand market. The tanker has since been purchased and delivery is currently being arranged.

RECOMMENDATION

That Council endorse the purchase of the Kockums Bulk Pressure Tanker for \$70,000 with the funds for the purchase to be taken from the plant reserve.

09/08/16 RESOLVED – Moved: Ferguson Seconded: Ferguson

That Council endorse the purchase of the Kockums Bulk Pressure Tanker for \$70,000 with the funds for the purchase to be taken from the plant reserve.

10. SWIMMING POOL

7) SWIMMING POOL

Introduction

Since the opening of the 25 metre indoor pool in May 2014 the Cootamundra Swimming Pool has been available for public access 12 months of the year. Council has previously decided that the Outdoor pool summer season with all four pools open will operate for the months of December, January and February each year, with the indoor pool to operate for the remaining autumn, winter and spring months.

The changes in swimming pool availability following the opening of the indoor pool require separate operation plans be developed for the two separate pool opening seasons. The plans detail the operation and functioning of the pool and detail the operating hours of the pool.

Discussion

The Outdoor Swimming Pool Operations Plan forms **TABLED DOCUMENT 6 AUGUST 2016 (Pages 72-95)**.and details the operation of the facility for the 2016/2017 Summer swimming season and takes into account the changes to the opening season and the pool operating hours.

The Indoor Heated Swimming Pool Operation Plan forms **TABLED DOCUMENT 7 AUGUST 2016 (Pages 96-115)** and details the operation of the indoor pool during its nine month season and also details opening dates and hours of operation.

The 2016/2017 Indoor Heated Swimming Pool Operation Plan has some changes to the opening hours which have been made following public demand, however essentially the pool opening hours for public swimming are set out so as to achieve the 42 hours of public access per week with a daily average public access hours of 6 hours each week day and 6 hours in total on weekends.

The indoor heated swimming pool will be available for use through private hire or swim programs whilst the outdoor pool is open to the public in the summer season.

The two pool operation plans are fundamentally similar in their content and give staff and patrons consistent and clear instructions on all areas of the facilities operation.

The Cootamundra Swimming and Lifesaving Club Usage Agreement will be forwarded to the Executive of the Club to be reviewed, signed and returned to Council by 31st August 2016. There are two other Usage Agreements available for groups which are the Cootamundra Schools Usage Agreement and the General Usage Agreement. See **TABLED DOCUMENT 8 AUGUST 2016 (Pages 116-124)**.

RECOMMENDATION

That Council adopt the 2016/2017 Outdoor Swimming Pool Operations Plan and the 2016/2017 Indoor Heated Swimming Pool Operations Plan.

10/08/16 RESOLVED – Moved: Ferguson Seconded: Ferguson

That Council adopt the 2016/2017 Outdoor Swimming Pool Operations Plan and the 2016/2017 Indoor Heated Swimming Pool Operations Plan.

20. WASTE MANAGEMENT

8) COOTAMUNDRA COMMUNITY RECYCLING CENTRE

Introduction

A report regarding the new Cootamundra Community Recycling Centre (CRC) was presented to the former Cootamundra Shire Council Engineering Services Committee on 1 March 2016. See **TABLED DOCUMENT 9 AUGUST 2016 (Pages 125-126)**.

The report noted that the purchase of a forklift was included in the funding for the (CRC) but the limitations a standard forklift would have at the Cootamundra waste depot were also identified. The report recommended that a 2 to 3 tonne telehandler be purchased to achieve the mobility and load shifting capabilities required by staff on the site.

Discussion

When investigating the telehandler options initially, Council staff relied on the Prime Forklift contactor engaged by REROc for the supply of the forklifts in regards to potential pricing. This advice was that Council would be able to purchase a suitable second hand telehandler for around \$40,000 to \$45,000. However since approval, staff have had the opportunity to investigate the safety and compliance regulations on second hand or used telehandlers.

It was found that telehandler machines are required to have a compliance certification for the extendable boom completed when first used. The initial certifications are for ten year period before recertification is required. If a recertification is undertaken it cost approximately \$6000 and then if passed a certificate for a further 5 years of compliance can be issued.

The machines that were recommended by Prime Forklifts were in the allocated price range but near or just over the 10 year old certification period. The purchase of a machine that is out of or near the end of compliance is not ideal and would lead to higher maintenance cost and a shorter lifecycle on the site due to the certification requirements.

Staff have since been trying to source a suitable unit with four to six years of compliance remaining and while two units were identified as suitable and in the price range they were both sold before being able to be inspected by Council staff.

After considering the limited success in sourcing a suitable compliant telehandler it was decided to lodge an expression of interest with Local Government Procurement for the supply of a new telehandler. Council received numerous responses from companies wishing to supply new units however none of these were within the expected budget. The quotations for the supply of the new units ranged from \$79,900 to \$122,000 GST exclusive.

A number of these companies also submitted options of low hour machines for Council's consideration. Two options submitted that met the requirements are detailed below:

- 1 A JCB 527/58C with 7-800hr **TABLED DOCUMENT 10 AUGUST 2016 (Page 127)**.
5.8 meter lift height
2500kg lift,
109HP JCB Ecomax engine,
Hydraulic reversing fan,
126 LPM gear pump
Hi spec machine.purchased new 2015..
\$78000 + GST plus freight from Moama...(RRP is \$115620.00 plus GST)

- 2 Used Manitou MVT 628 T **TABLED DOCUMENT 11 AUGUST 2016 (Pages 128-129)**.
Year 2008 (sold new 2009),
Hours 1529,
Lift height 6.3 mtr,
Lift capacity 2800kgs,
Aircon cab,
Pallet forks,
Excellent condition.
Price \$48,500.00 plus gst
Plus Freight from Bairnsdale

When considering the options available it appears that purchasing a new or near new very low hour compliant machine would enable the unit to be used for the next six or seven years. This would allow Council to get the most efficient years of use from the machine as well as not having to upgrade the unit in the short term as would be required with an older unit by going through the recertification or renewal process saving time and expense.

The preferred options from those submitted are Option 1 above, being the 2015 JCB 527/58 valued at \$78,000.00 plus freight, and the new Merlo P 25.6 valued at \$79,900.00 **TABLED DOCUMENT 12 AUGUST 2016 (Pages 130-132).**

When writing this report staff had not yet inspected either unit to determine the quality, suitability and serviceability.

It is noted that the purchase of either of the units would be above the allocated budget, however the cost for the unit would be made up from the \$14,000.00 allocated by the REROC CRC project expenditure and the remaining coming from the Waste Reserve (\$1,170,000 at 30 June 2016).

The Cootamundra CRC shed construction has been finalised and the overall regional CRC project is planned for completion in late August. REROC require Council to proceed with a purchase and supply them with the purchase details and an invoice for the \$14,000 by the end of August, meaning a decision needs to be made at this meeting..

RECOMMENDATION

That pending Staff inspection Council approve the purchase of the 2015 JCB 527/58 valued at \$78,000.00 plus freight from Moama through McClintock & Co of West Wyalong NSW, or as a secondary option, the new Merlo P 25.6 valued at \$79,900.00 from Capital Constructions of Lavington NSW.

11/08/16 RESOLVED – Moved: Ferguson Seconded: Ferguson

That pending Staff inspection Council approve the purchase of the 2015 JCB 527/58 valued at \$78,000.00 plus freight from Moama through McClintock & Co of West Wyalong NSW, or as a secondary option, the new Merlo P 25.6 valued at \$79,900.00 from Capital Constructions of Lavington NSW.

26. HUMAN RESOURCES

9) STAFF GRIEVANCE RESOLUTION POLICY AND PROCEDURE

Introduction

Clause 35 of the Local Government (State) Award 2014, Grievance and Dispute Procedures, provides formal guidance and procedures for the resolution of staff grievances and disputes, based on conciliation and arbitration. The Award provision allows for any personal grievance relating to the workplace to be raised and addressed.

The adoption of a new Staff Grievance Resolution Policy and procedures is critical to the establishment of the new Council, as many subsequent staff related policies will refer to that a policy for guidance.

It is also important to establish early that the new Council takes staff grievances seriously and ensures that staff are aware that their grievances will be heard and a consistent approach will be taken.

Discussion

Grievances of a discriminatory nature are also legally bound by Anti-Discrimination legislation, which has specific provisions for referring such complaints to the NSW Anti-Discrimination Board, should the grievance not be able to be resolved at the workplace level.

Grievances relating to non-discriminatory workplace bullying is legally bound by Work Health and Safety legislation. For NSW Local Government workplaces the final course of redress for unresolved complaints of workplace bullying is the NSW Industrial Commission.

The sensitive nature of discrimination, harassment and bullying complaints requires particularly careful handling, especially if the complainant is physically or mentally harmed. There is also risk of unfounded harassment or bullying claims turning into action for defamation. Confidentiality is therefore of utmost importance.

A review of a former Cootamundra Shire Council policy was undertaken at the end of 2015 because it was lacking in its procedure for handling complaints of a sensitive nature, such as bullying or harassment. Guidance was sought from the NSW Anti-Discrimination Board (the Board) and used to develop a revised *Staff Grievance Resolution Policy & Procedure* together with consideration of the Award Grievance and Dispute Procedures.

This policy has been tabled for consultation with staff and was ratified at the 20 July 2016 meeting of the Consultative Committee and is presented as **TABLED DOCUMENT 13 AUGUST 2016 (Pages 133-151)** for adoption.

RECOMMENDATION

That Council adopts the *Staff Grievance Resolution Policy & Procedure* as presented.

12/08/16 RESOLVED – Moved: Ferguson Seconded: Ferguson

That Council adopts the *Staff Grievance Resolution Policy & Procedure* as presented.

DEVELOPMENT GROUP

30. DEVELOPMENT CONTROL

10) APPLICATION FOR DEVELOPMENT CONTROL PLAN VARIATION (MAXIMUM FLOOR AREA FOR OUTBUILDINGS) – DA2016/53, 21 BRADMAN STREET, COOTAMUNDRA

Applicant:

Philip Ronning
21 Bradman Street
Cootamundra NSW 2590

Owner:

Fiona & Philip Ronning
21 Bradman Street
Cootamundra NSW 2590

Property Description:

Lot 10 DP1010977
21 Bradman Street
Cootamundra NSW 2590

A location plan of the subject land, site plan of proposed works, objector's letter and the applicants response letters are provided in **TABLED DOCUMENT 14 AUGUST 2016 (Pages 152-156)**.

Zoning:

The land is zoned R1 'General Residential' under the Cootamundra LEP2013.

Existing Use:

Residential property containing a dwelling house and associated outbuildings.

Proposal

A request has been received to vary the maximum floor area for outbuildings applicable to the site at 21 Bradman Street Cootamundra, which is sized 7,006m². The maximum sized outbuilding for a site sized over 1,500m² outlined within the DCP is 105m² plus an additional 50% of open structures such as verandas or carports.

The proposal includes extending an existing rear storage shed of approximately 110m² by an additional 82.9m². A 3m wide awning is to be added to the entire length of another existing shed sized 24m x 7.46m. If approved, the new total sizes of outbuildings will be 192m² and 251m² respectively. 117m² of the 251m² garage will be open front awning and carport.

Discussion

The proposed site is large at 7,006m² and has a total site coverage of less than 900m² which includes the proposed additions to the existing storage sheds. This equates to less than 13% total site coverage and is well under the 40% outlined within Councils Development Control Plan (DCP) 2013 for sites over 1500m². The applicant obtained a variation to the DCP (maximum floor area for outbuildings) previously under Development Application 2015/100 for the existing 179m² storage shed.

The applicant lodged a letter with this application stating the extra space was required for a caravan and boat and that the sheds would not be used for business or industrial uses and as such the current application would have little impact on the area surrounding the site. This was deemed not a genuine reason to vary the DCP as a caravan and boat could be easily stored in the current outbuildings onsite.

The application was notified and one submission was received stating objection to the extension of the shed on the western side of the property, but stating no objection for the remaining parts of application, including the awning, wet room and house awning. The submitter expressed concern that the large sheds would be used for the applicant's heavy vehicle mechanic workshop and also believed the size and position of the garage on the western side would impact the subdivision potential of the property surrounding the subject site and de-value it.

From this objection and the first letter lodged with the application, it was deemed that more information be sought from the applicant as why a variation of this size should be granted.

The applicant then responded stating the extra space required, specifically the garage extension to the western side of the site was to house a collection of antique steam engines. He stated that at its current size, the existing shed on the western boundary is so full it is overflowing and he is un-able to work on them undercover. He states he has many outside, not currently undercover and for insurance purposes requires them to be stored in a lockable garage. He also stated that collecting old steam engines is his hobby and he would like to further add to his collection in the future. He stated it does require a lot of space to work on and store the valuable items.

The applicant also stated that the garages would never be utilised for commercial or industrial use and understands the area is within a residential zone and that commercial and industrial activities are prohibited. He also stated the reason for the open awning along the northern boundary is to help shade the garage doors from weather when open.

To summarise:

1. The garage to the western side is not considered excessive in height at 3m to the gutter line and is positioned approximately 6m from the western boundary of the neighbour who lodged the submission. There are also a number of trees separating the boundary and the structure. The distance from the boundary is considered a sufficient buffer to the western property as it is not uncommon for domestic garages of this size to be positioned much closer to the boundary in residential areas.
2. The applicant states the reason for the western side shed extension is to house his collection of small historic steam engines and requires the space as the current shed is full. The impact of this use will be nothing more than usual residential storage and is not out of place within the residential area.
3. The applicant is aware he is located within a residential zone and that commercial and industrial uses are not permitted. This is stated in both his letters. This also can be conditioned within Development Consent after a full assessment has been undertaken.
4. The site is large at 7,006m² and the total of the buildings covers less than 14% of the site, well under the 40% maximum outlined within the DCP.
5. The 72m² front awning addition to the storage shed on the northern boundary is of open construction and only extends into the applicants property, not within or towards any neighbouring property. This structure is envisaged to have no negative impact on surrounding land and is only required to shelter this side of the garage from weather when the garage doors are open, as stated by the applicant.

RECOMMENDATION

That Council grant a variation to Councils Development Control Plan 2013 (maximum floor area for outbuildings) to permit the proposed garage extension of 82.9m², bringing the total length of the shed on the western boundary to approximately 24.5m long, and also permit the front awning addition of 72m² to the existing garage on the northern boundary, subject to full Development Assessment, including conditions of consent stating no commercial or industrial uses permitted from any of the structure onsite.

13/08/16 RESOLVED – Moved: Ferguson Seconded: Ferguson

That Council grant a variation to Councils Development Control Plan 2013 (maximum floor area for outbuildings) to permit the proposed garage extension of 82.9m², bringing the total length of the shed on the western boundary to approximately 24.5m long, and also permit

the front awning addition of 72m² to the existing garage on the northern boundary, subject to full Development Assessment, including conditions of consent stating no commercial or industrial uses permitted from any of the structure onsite.

VOTING RECORD for Minute 12/08/16 - APPLICATION FOR DEVELOPMENT CONTROL PLAN VARIATION (MAXIMUM FLOOR AREA FOR OUTBUILDINGS) – DA2016/53, 21 BRADMAN STREET, COOTAMUNDRA

FOR RESOLUTION	AGAINST RESOLUTION
Christine Ferguson	Nil
ABSENT	DECLARED INTEREST
Nil	Nil

11) DA 161/2016 PROPOSED TWO LOT SUBDIVISION – LOT 102 DP 1155456, BILLABUNG ROAD, NANGUS – GRAY SURVEYORS FOR JOHN & SANDRA EATHER

Introduction

Council received a development application from Mr Michael Gray of Gray Surveyors on behalf of John & Sandra Eather for a proposed two lot subdivision for the above property.

Discussion

As per the Gundagai Shire Council Subdivision Policy 2006, Council has advertised this development application for public submission. The submission period ends on 11 August 2016. Any submission received during this advertising period will be tabled.

The subject land is in RU5 Village as per GLEP 2011 and is bushfire prone according to the Rural Fire Services Bush Fire Prone land maps. As such, it is integrated Development and requires a Section 100B Fire Safety from the NSW Rural Fire (RFS).

The application was referred to the RFS and received the RFS requirement on 28 July 2016. The requirement of RFS has been attached as conditions of consent.

The proposal may be carried out in accordance with all requirements of Council's LEP, without causing any unacceptable impacts on the local environment, subject to appropriate conditions of consent. The detailed assessment report is **TABLED DOCUMENT 15 AUGUST 2016 (Pages 157-163)** and the RFS requirement is **TABLED DOCUMENT 16 AUGUST 2016 (Pages 164-165)**.

RECOMMENDATION

That Council grant consent for the subdivision of Lot 102 DP 1155456 Billabung Street, Nangus, for the creation of two (2) lots subject to the following conditions of consent:

1. Compliance with Consent: The Development being completed in accordance with the sketch plan prepared by Gray Surveyors dated 04/05/2016 (Ref: 16024) and Statement of Environmental Effects 04/05/2016 except where varied by conditions of this consent.

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

2. NSW Rural Fire Service: The development is to be carried out in accordance with the requirements of the NSW Rural Fire Services Bushfire Safety Authority dated 28 July 2016, Ref:D16/2005 DA16062302497 LE.

Reason: To ensure the development is consistent with the Section 100B fire safety authority issued in relation to the development.

3. Access: The type of road access to the subdivision shall be consistent with the existing Council road in the area. The existing unsealed road shall be formed and compacted subgrade with minimum 200mm thick compacted suitable road base or gravel and extended at least 6m beyond the lot 212 & lot 213 boundary. The access to the lot shall be with the practical provision of pipe culvert or dish drain without any obstruction to the natural flow of stormwater.

Reason: To provide an all-weather vehicular access clear of the public roadway. Section 79(1)(c) of the Environmental Planning and Assessment Act 1979, as amended.

4. Registration of Subdivision Plans: In accordance with s.109C of the Environmental Planning & Assessment Act, the applicant is required to obtain a subdivision certificate from the consent authority that will authorise the registration of the plan of sub-division 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: The legal obligations of Council to administer the Environmental Planning & Assessment Act, 1979.

14/08/16 RESOLVED – Moved: Ferguson Seconded: Ferguson

That Council grant consent for the subdivision of Lot 102 DP 1155456 Billabung Street, Nangus, for the creation of two (2) lots subject to the following conditions of consent:

1. Compliance with Consent: The Development being completed in accordance with the sketch plan prepared by Gray Surveyors dated 04/05/2016 (Ref: 16024) and Statement of Environmental Effects 04/05/2016 except where varied by conditions of this consent.

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

2. NSW Rural Fire Service: The development is to be carried out in accordance with the requirements of the NSW Rural Fire Services Bushfire Safety Authority dated 28 July 2016, Ref:D16/2005 DA16062302497 LE.

Reason: To ensure the development is consistent with the Section 100B fire safety authority issued in relation to the development.

3. Access: The type of road access to the subdivision shall be consistent with the existing Council road in the area. The existing unsealed road shall be formed and compacted subgrade with minimum 200mm thick compacted suitable road base or gravel and extended at least 6m beyond the lot 212 & lot 213 boundary. The access to the lot shall be with the practical provision of pipe culvert or dish drain without any obstruction to the natural flow of stormwater.

Reason: To provide an all-weather vehicular access clear of the public roadway. Section 79(1)(c) of the Environmental Planning and Assessment Act 1979, as amended.

4. Registration of Subdivision Plans: In accordance with s.109C of the Environmental Planning & Assessment Act, the applicant is required to obtain a subdivision certificate from the consent authority that will authorise the registration of the plan of sub-division 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: The legal obligations of Council to administer the Environmental Planning & Assessment Act, 1979.

VOTING RECORD for Minute 13/08/16 - DA 161/2016 PROPOSED TWO LOT SUBDIVISION – LOT 102 DP 1155456, BILLABUNG ROAD, NANGUS – GRAY SURVEYORS FOR JOHN & SANDRA EATHER	
FOR RESOLUTION	AGAINST RESOLUTION
Christine Ferguson	Nil
ABSENT	DECLARED INTEREST
Nil	Nil

12) APPLICATION FOR MODIFICATION OF CONSENT DA78/2007 – EULONGA QUARRY

Introduction

An application has been received by Eulonga Quarries Pty Ltd to modify development consent DA78/2007, to allow various changes to the operation of an existing fine and coarse sand quarry. Development consent was determined by Gundagai Shire Council on 11 December 2007 and allowed for the construction and operation of a fine and coarse sand quarry on the land with the capacity for the extraction of 405,000 tonnes over a 25 year period at a yearly extraction rate of 172,000 tonnes.

As the original consent was determined by the Gundagai Shire Council, the modification is being referred to Council (Administrator) for determination. The original development was both Designated and Integrated development and required approvals from the Environment Protection Authority and the Office of Water. The application has been reviewed by these agencies with relevant responses to Council being received.

Applicant: John Edward Graham

Owner: John Edward Graham

Property Description: Lots 1 & 2 DP 1096529, 338 Darbalara Road, Coolac

Zoning: RU1 – Primary Production

Existing Use: Fine & Coarse Sand Quarry

Proposal:

- Reduce the yearly tonnage rate of extraction from 172,000 t/yr. to 30,000t/yr;
- To increase the footprint of the fine sand quarry;
- To allow extraction of coarse sand to an increased depth from 2 metres to 3 metres;
- To remove the life time cap for the activity in recognition of the reduced yearly extraction limit; and
- To enter into an amended Voluntary Planning Agreement (VPA) for the payment of contributions towards the maintenance of the Gobarralong Road.

Discussion

The original modification application when submitted, requested the above points with the exception of the third point where the amended depth sought was 4 metres. After consultation with DPI Water and the EPA, this change was not supported as it would have meant the extraction level would be intercepting the ground water and as such would have implications with regard to water extraction licencing.

The applicant subsequently amended the proposed increased depth to 3 metres, which was acceptable to the approval agencies with the proviso that the applicant make the necessary applications to amend the existing Environment Protection and Water Access licences associated with the development.

A copy of the Section 79C Assessment is **TABLED DOCUMENT 17 AUGUST 2016 (Pages 166-175)**, and a copy of the Voluntary Planning Agreement and Explanatory Note is **TABLED DOCUMENT 18 AUGUST 2016 (Pages 176-183)**.

RECOMMENDATION

That Council grant consent for the Modification of DA 78/2007 to make changes to the operation of the existing Fine and Coarse Sand Quarry on land described as Lots 1 & 2 DP 1096529 to facilitate the following:

- Reduce the yearly tonnage rate of extraction from 172,000 t/yr. to 30,000t/yr;
- To increase the footprint of the fine sand quarry;
- To allow extraction of course sand to an increased depth from 2metres to 3 metres;
- To remove the life time cap for the activity in recognition of the reduced yearly extraction limit; and
- To enter into an amended Voluntary Planning Agreement (VPA) for the payment of contributions towards the maintenance of the Gobarralong Road.

Subject to the following conditions of consent:

GENERAL TERMS OF APPROVAL IMPOSED BY DECC, DWE

Pursuant to Section 91A and Section 91A(3) of the Environmental Planning and Assessment Act 1979 the applicant is to note the conditions imposed by both the Department of Water and Energy and the Department of Environment and Climate Change and that these conditions form part of Council's Approval. The written advice from DWE and DECC outlining those conditions and requirements relevant to the development are attached hereto in Appendix 1.

Additional Modified Conditions by Approval bodies:

a) The applicant shall apply to the Department of Primary Industries – DPI Water for a modification to the Water Supply Works Approval associated with the Water Access Licence for the development as detailed in the attached response from DPI Water dated 1 June 2016.

b) The applicant shall apply to the NSW EPA to have Environment Protection Licence No. 12835 varied as detailed in the attached response from the EPA dated 21 June 2016.

GUNDAGAI SHIRE COUNCIL CONDITIONS

These conditions are required for this development to:

- Prevent, minimise/offset adverse environmental impacts,

- Set standards and performance measures for acceptable environmental performance,
- Require regular monitoring and reporting, and
- Provide for the ongoing environmental management of the development.

1. Transport royalty (Modified Condition)

i. The development will be subject to the ongoing payment of contributions as detailed in the Voluntary Planning Agreement entered into by the Gundagai Council and Eulonga Quarries Pty Ltd pursuant to Sect. 93f of the Environmental Planning and Assessment Act 1979 in relation to contributions for the upkeep of the Gobarralong Road.

ii. The Applicant shall enter into the Voluntary Planning Agreement with Council prior to the 1 September 2016, with the contributions to be payable from the commencement of the quarter beginning 1 September 2016.

iii. The applicant shall pay to the Council the contributions in accordance with the terms of the Sect 93f Voluntary Planning Agreement referred to in i above.

iv. The contributions shall be paid into a fund established by the Council and used exclusively by the Council on improvements to the Gobarralong Road between the Gobarralong Bridge and Pettit's, such improvements to comprise road works in the following priority order:

a) Reimbursement of out of pocket expenses incurred in considering the transportation and associated activities and needs of the development prior to the commencement of operations.

b) Specific maintenance works considered by Council as necessary to keep the subject road in it's current condition, AND

c) Remaining funds to be applied to capital upgrade works designed to bring the road pavement and structures up to a standard suitable for the transport requirements of the quarry.

Reason: To allow Council to adequately maintain the road system used by the quarry operations.

2. Production records (Modified Condition)

i. For the purposes of verification of the VPA contributions the applicant shall keep accurate records of the output of all quarry products which are transported from the quarry sites along the Gobarralong Road.

ii. A statement as to the number of truck loads and tonnages leaving the site shall be furnished to Council within 14 days of the end of each quarter period. (September, December, March and June).

iii. Within 90 days of the end of every financial year covered by the Planning Agreement an audited copy of the production record for that year shall be furnished to Council.

Reason: To allow Council to monitor the output of the quarry operations.

3. Solid waste

All solid waste (including metallic items, vehicle and machinery parts, rubber products, and packaging materials) is to be removed from the site on a regular basis and transported to a facility approved by the Council.

Reason: To ensure waste material is not accumulated on the site

4. Liquid waste

No liquid wastes are to be stored on the quarry sites. Disposal of such waste is to take place on a regular basis and to a facility approved by the Council.

Reason: To ensure that liquid waste is not stored or accumulated on the site

5. Commencement of quarry operations

Commencement of regular quarry operations is subject to a final inspection by senior Council staff and evidence of compliance with all legislative requirements.

Reason: To ensure that development approval conditions are complied with.

6. Quarry site

The quarry sites are to be established within the areas approved by Council and as set out in the amended EIS. Council is to be provided with the following surveys:

- i. A certified survey of the entire project site, details to comply with Council requirements;
- ii. A survey showing the extent of works in the context of this approval, such survey to be provided within 5 years of commencement;
- iii. A plan showing intended finished levels at the end of the life of the quarry.

Reason: To allow the site and the extent of works to be properly identified and monitored over the life of the development.

7. Signage

The applicant shall install signs on Darbalara Road between 100m and 150m in advance of both approaches to the Quarry intersection and on the Gobaralong Road approximately 150 metres east of its intersection with the Darbalara Road warning of "TRUCKS TURNING" W5-205B.

The quarry operator shall instruct all transport drivers, loaded or empty, related to the quarry operation to travel at a speed no greater than 80 km per hour on local public roads. Further the drivers shall be instructed that the road is a school bus route that trucks and vehicles shall be restricted to 40 km /hour within 200 metres of a school bus stop with children present and the school bus with lights flashing. An appropriately worded sign, approved by Council, shall be placed within the development close to the intersection in a location drivers can easily see when exiting onto the local public road.

A sign be placed at a suitable location within the first 0.5 km from the Hume Highway stating:

CAUTION
QUARRY TRUCKS
SCHOOL BUS
Next 15 km

A 'Give Way' sign to be erected on the Darbalara Road at its intersection with the Gobarralong Road.

Council will erect these signs at the applicant's cost.

Reason: To ensure the safety of road users.

8. Annual report to GSC

The applicant shall provide to Council a copy of the Annual Report required by both DWE & DECC. This report is to include evidence to the satisfaction of Council that groundwater levels on the site of the coarse sand quarry have not been disturbed by quarry operations.

Reason: To allow Council to monitor groundwater levels and determine extraction rates.

9. Noise monitoring

The Developer is to note Item L6 of the EPA General Terms of Approval and provide Council with a copy of the relevant report.

Reason: To ensure that recommended noise levels are not exceeded.

10. Access to site for GSC staff

At all times during normal operating hours the quarry management shall afford free access to the site for senior staff from Gundagai Shire Council and relevant state agencies.

Reason: To allow Council to monitor the operations, investigate complaints and inspect works

11. Currency of licences and permits

Full responsibility for ensuring the currency of all official licences, permits, agreements, approvals, and the like shall lie with the applicant for the entire life of the project.

Reason: To ensure compliance with all relevant authorities.

12. Murrumbidgee draft Catchment Action Plan

Clearing of native vegetation and interference with natural biodiversity attributes within the project site shall be consistent with all relevant guidelines and requirements of the Murrumbidgee Catchment Management Authority as set down in the draft CAP.

Reason: To ensure that Catchment Management guidelines are adhered to

13. RTA requirements

The applicant is to ensure the following comments from RTA are adhered to:

- i. Vehicular access to the site is to be via the internal haul road.
- ii. The proposed entry and exit driveway off the new internal haul road is to be constructed with a minimum width of 9m in accordance with AS 2890.1-2004.
- iii. The swept path of the largest vehicle traversing the site or manoeuvring within the site is to be in accordance with AS 2890.1-2004 and to Council's satisfaction.
- iv. The swept path of the largest vehicle entering and exiting the subject site and manoeuvrability through the site is to be in accordance with AS 2890.2002 and to Council's satisfaction.
- v. The required minimum sight distance from the egress location at the junction of internal road and the access driveway is to comply with the RTA's design guide for the prevailing speed limit.
- vi. Design of the access to the site is to be such as to allow all vehicles to enter and exit the site in a forward direction.
- vii. All activities including loading and unloading associated with this development are to take place within the subject site.
- viii. Any works associated with the proposed development shall be at no cost to the RTA.

Reason: To ensure compliance with RTA comments.

14. Aboriginal heritage (**Modified Condition**)

If any Aboriginal object is discovered and/or harmed in, on or under the land in any other portions of the proposed works, the proponent must:

- **not further harm the Aboriginal object;**
- **immediately cease all work at the particular location;**
- **secure the area so as to avoid further harm to the Aboriginal object;**
- **notify the Office of Environment and Heritage (OEH) as soon as practicable on 131 555, providing any details of the Aboriginal object and its location; and**
- **Not recommence any work at the particular location unless authorised in writing by OEH.**

Reason: To ensure that Aboriginal Heritage is protected.

15. Weighbridge

A construction certificate must be obtained to cover the installation of the weighbridge.

Reason: To ensure the installation is carried out correctly.

That Council grant consent for the Modification of DA 78/2007 to make changes to the operation of the existing Fine and Coarse Sand Quarry on land described as Lots 1 & 2 DP 1096529 to facilitate the following:

- Reduce the yearly tonnage rate of extraction from 172,000 t/yr. to 30,000t/yr;
- To increase the footprint of the fine sand quarry;
- To allow extraction of coarse sand to an increased depth from 2metres to 3 metres;
- To remove the life time cap for the activity in recognition of the reduced yearly extraction limit; and
- To enter into an amended Voluntary Planning Agreement (VPA) for the payment of contributions towards the maintenance of the Gobarralong Road.

Subject to the following conditions of consent:

GENERAL TERMS OF APPROVAL IMPOSED BY DECC, DWE

Pursuant to Section 91A and Section 91A(3) of the Environmental Planning and Assessment Act 1979 the applicant is to note the conditions imposed by both the Department of Water and Energy and the Department of Environment and Climate Change and that these conditions form part of Council's Approval. The written advice from DWE and DECC outlining those conditions and requirements relevant to the development are attached hereto in Appendix 1.

Additional Modified Conditions by Approval bodies:

a) The applicant shall apply to the Department of Primary Industries – DPI Water for a modification to the Water Supply Works Approval associated with the Water Access Licence for the development as detailed in the attached response from DPI Water dated 1 June 2016.

b) The applicant shall apply to the NSW EPA to have Environment Protection Licence No. 12835 varied as detailed in the attached response from the EPA dated 21 June 2016.

GUNDAGAI SHIRE COUNCIL CONDITIONS

These conditions are required for this development to:

- Prevent, minimise/offset adverse environmental impacts,
- Set standards and performance measures for acceptable environmental performance,
- Require regular monitoring and reporting, and
- Provide for the ongoing environmental management of the development.

1. Transport royalty (Modified Condition)

i. The development will be subject to the ongoing payment of contributions as detailed in the Voluntary Planning Agreement entered into by the Gundagai Council and Eulonga Quarries Pty Ltd pursuant to Sect. 93f of the Environmental Planning and

Assessment Act 1979 in relation to contributions for the upkeep of the Gobarralong Road.

ii. The Applicant shall enter into the Voluntary Planning Agreement with Council prior to the 1 September 2016, with the contributions to be payable from the commencement of the quarter beginning 1 September 2016.

iii. The applicant shall pay to the Council the contributions in accordance with the terms of the Sect 93f Voluntary Planning Agreement referred to in i above.

iv. The contributions shall be paid into a fund established by the Council and used exclusively by the Council on improvements to the Gobarralong Road between the Gobarralong Bridge and Pettit's, such improvements to comprise road works in the following priority order:

a) Reimbursement of out of pocket expenses incurred in considering the transportation and associated activities and needs of the development prior to the commencement of operations.

b) Specific maintenance works considered by Council as necessary to keep the subject road in it's current condition, AND

c) Remaining funds to be applied to capital upgrade works designed to bring the road pavement and structures up to a standard suitable for the transport requirements of the quarry.

Reason: To allow Council to adequately maintain the road system used by the quarry operations.

2. Production records (Modified Condition)

i. For the purposes of verification of the VPA contributions the applicant shall keep accurate records of the output of all quarry products which are transported from the quarry sites along the Gobarralong Road.

ii. A statement as to the number of truck loads and tonnages leaving the site shall be furnished to Council within 14 days of the end of each quarter period. (September, December, March and June).

iii. Within 90 days of the end of every financial year covered by the Planning Agreement an audited copy of the production record for that year shall be furnished to Council.

Reason: To allow Council to monitor the output of the quarry operations.

3. Solid waste

All solid waste (including metallic items, vehicle and machinery parts, rubber products, and packaging materials) is to be removed from the site on a regular basis and transported to a facility approved by the Council.

Reason: To ensure waste material is not accumulated on the site

4. Liquid waste

No liquid wastes are to be stored on the quarry sites. Disposal of such waste is to take place on a regular basis and to a facility approved by the Council.

Reason: To ensure that liquid waste is not stored or accumulated on the site

5. Commencement of quarry operations

Commencement of regular quarry operations is subject to a final inspection by senior Council staff and evidence of compliance with all legislative requirements.

Reason: To ensure that development approval conditions are complied with.

6. Quarry site

The quarry sites are to be established within the areas approved by Council and as set out in the amended EIS. Council is to be provided with the following surveys:

- i. A certified survey of the entire project site, details to comply with Council requirements;
- ii. A survey showing the extent of works in the context of this approval, such survey to be provided within 5 years of commencement;
- iii. A plan showing intended finished levels at the end of the life of the quarry.

Reason: To allow the site and the extent of works to be properly identified and monitored over the life of the development.

7. Signage

The applicant shall install signs on Darbalara Road between 100m and 150m in advance of both approaches to the Quarry intersection and on the Gobarralong Road approximately 150 metres east of its intersection with the Darbalara Road warning of "TRUCKS TURNING" W5-205B.

The quarry operator shall instruct all transport drivers, loaded or empty, related to the quarry operation to travel at a speed no greater than 80 km per hour on local public roads. Further the drivers shall be instructed that the road is a school bus route that trucks and vehicles shall be restricted to 40 km /hour within 200 metres of a school bus stop with children present and the school bus with lights flashing. An appropriately worded sign, approved by Council, shall be placed within the development close to the intersection in a location drivers can easily see when exiting onto the local public road.

A sign be placed at a suitable location within the first 0.5 km from the Hume Highway stating:

CAUTION
QUARRY TRUCKS
SCHOOL BUS
Next 15 km

A 'Give Way' sign to be erected on the Darbalara Road at its intersection with the Gobarralong Road.

Council will erect these signs at the applicant's cost.

Reason: To ensure the safety of road users.

8. Annual report to GSC

The applicant shall provide to Council a copy of the Annual Report required by both DWE & DECC. This report is to include evidence to the satisfaction of Council that groundwater levels on the site of the coarse sand quarry have not been disturbed by quarry operations.

Reason: To allow Council to monitor groundwater levels and determine extraction rates.

9. Noise monitoring

The Developer is to note Item L6 of the EPA General Terms of Approval and provide Council with a copy of the relevant report.

Reason: To ensure that recommended noise levels are not exceeded.

10. Access to site for GSC staff

At all times during normal operating hours the quarry management shall afford free access to the site for senior staff from Gundagai Shire Council and relevant state agencies.

Reason: To allow Council to monitor the operations, investigate complaints and inspect works

11. Currency of licences and permits

Full responsibility for ensuring the currency of all official licences, permits, agreements, approvals, and the like shall lie with the applicant for the entire life of the project.

Reason: To ensure compliance with all relevant authorities.

12. Murrumbidgee draft Catchment Action Plan

Clearing of native vegetation and interference with natural biodiversity attributes within the project site shall be consistent with all relevant guidelines and requirements of the Murrumbidgee Catchment Management Authority as set down in the draft CAP.

Reason: To ensure that Catchment Management guidelines are adhered to

13. RTA requirements

The applicant is to ensure the following comments from RTA are adhered to:

- i. Vehicular access to the site is to be via the internal haul road.
- ii. The proposed entry and exit driveway off the new internal haul road is to be constructed with a minimum width of 9m in accordance with AS 2890.1-2004.
- iii. The swept path of the largest vehicle traversing the site or manoeuvring within the site is to be in accordance with AS 2890.1-2004 and to Council's satisfaction.

iv. The swept path of the largest vehicle entering and exiting the subject site and manoeuvrability through the site is to be in accordance with AS 2890.2002 and to Council's satisfaction.

v. The required minimum sight distance from the egress location at the junction of internal road and the access driveway is to comply with the RTA's design guide for the prevailing speed limit.

vi. Design of the access to the site is to be such as to allow all vehicles to enter and exit the site in a forward direction.

vii. All activities including loading and unloading associated with this development are to take place within the subject site.

viii. Any works associated with the proposed development shall be at no cost to the RTA.

Reason: To ensure compliance with RTA comments.

14. Aboriginal heritage (**Modified Condition**)

If any Aboriginal object is discovered and/or harmed in, on or under the land in any other portions of the proposed works, the proponent must:

- **not further harm the Aboriginal object;**
- **immediately cease all work at the particular location;**
- **secure the area so as to avoid further harm to the Aboriginal object;**
- **notify the Office of Environment and Heritage (OEH) as soon as practicable on 131 555, providing any details of the Aboriginal object and its location; and**
- **Not recommence any work at the particular location unless authorised in writing by OEH.**

Reason: To ensure that Aboriginal Heritage is protected.

15. Weighbridge

A construction certificate must be obtained to cover the installation of the weighbridge.

Reason: To ensure the installation is carried out correctly.

VOTING RECORD for Minute 14/08/16 - APPLICATION FOR MODIFICATION OF CONSENT DA78/2007 – EULONGA QUARRY	
FOR RESOLUTION	AGAINST RESOLUTION
Christine Ferguson	Nil
ABSENT	DECLARED INTEREST
Nil	Nil

13) DEVELOPMENT APPLICATION DA2016/60 - PROPOSED RESIDENTIAL SUBDIVISION TEMORA STREET (BOUNDARY ROAD) COOTAMUNDRA

Introduction

The purpose of this report is to give consideration to a development application for a residential subdivision in Cootamundra.

Applicant

CPC Land Development Consultants
PO Box 338
Young NSW 2594

Owner

Tonlea Pty Ltd
PO Box 380
Cootamundra NSW 2590

Property Description

The land which is proposed to be subdivided comprises Lot 308 in DP753601, 370 Temora Street Cootamundra. Access to the proposed subdivision will be from the Boundary Road frontage of the subject land.

Location

The subject land is situated on the eastern side of Boundary Road Cootamundra, immediately to the north of Dillon Avenue. A location plan of the land is provided as **TABLED DOCUMENT 19 AUGUST 2016 (Page 184)**.

Zoning

The property is zoned R1 "General Residential" in the Cootamundra Local Environmental Plan 2013.

Subdivision is permitted with Council's consent in accordance with the Land Use Table in "Part 2 Permitted or prohibited development" of the Cootamundra LEP 2013.

Proposal

The development application is seeking Council's approval for a residential subdivision of Lot 308 in DP753601, including the construction of new roads. The main features of the application include:

- Subdivision of the land to create 29 new residential lots and one residue lot for future development;

- Access to the proposed subdivision from the Boundary Road frontage of the land (not Temora Street) via the construction of a new road which will intersect with Boundary Road;
- The new residential lots not having direct access to Boundary Road or Dillon Avenue, with all access to the new subdivision to be from the new road constructed off Boundary Road;
- A second cul-de-sac road will be constructed within the subdivision;
- The proposed subdivision is Stage 1 of a larger future residential subdivision.

Plans of the proposed subdivision are provided in Sheets 1 and 2 of **TABLED DOCUMENT 20 AUGUST 2016 (Pages 185-190)**.

Existing Use

The land held by the current landowner comprises three portions; namely Lots 306, 307 and 308 in Deposited Plan 753601, bound by Temora Street to the north and northeast; Boundary Road to the west and northwest; Dillon Avenue on the southern side, and an unformed and unnamed Crown Road on the eastern boundary of Lot 308.

The total area of this land is 36.83 hectares. The applicant has submitted a concept plan showing how this total area can be developed as a residential estate in the future (refer to Sheet 3 of **TABLED DOCUMENT 20 AUGUST 2016 (Pages 185-190)**). The overall concept plan is indicative only and will be considered in any future development applications for subdivision.

The current application for subdivision is for stage 1 only of the proposed overall subdivision depicted in Sheets 1 and 2 of **TABLED DOCUMENT 20 AUGUST 2016 (Pages 185-190)**. This land is within Lot 308; incorporating an area of approximately 10.6 hectares.

The subject land is currently used for farming and grazing purposes. The land is primarily cleared land with minimal remnant vegetation comprising a few scattered trees as shown on the aerial image in **TABLED DOCUMENT 21 AUGUST 2016 (Pages 191-192)**. There are existing farm buildings in the north eastern corner of Lots 307 and 308 adjacent to Temora Street which are not affected by this stage of subdivision.

The land slopes from the Boundary Road frontage towards the south-eastern side of Lot 308 with a drainage channel and two farm dams which will be incorporated into the residue Lot 30 and incorporated into a reserve as part of the drainage network for the subdivision.

Discussion

Environmental Planning & Assessment Act, 1979

Council, in its assessment of a development application, is required under the *Environmental Planning & Assessment Act, 1979*, to consider all of the matters referred to in Sections 5, 5A, 5B and 79C of the Act before making an assessment of a

development application. All of these sections have been duly considered and all relevant matters have been taken into account in making the recommendation.

A copy of the development assessment report for the proposed subdivision which considers the matters required to be assessed in accordance with Section 79C is provided as **TABLED DOCUMENT 22 AUGUST 2016 (Pages 193-202)**.

Cootamundra Local Environmental Plan 2013 (LEP)

In addition to the Land use Table to Zone R1 General Residential in Part 2 of the LEP, the following provisions of the LEP are relevant to Council's consideration of the development application:

Zone R1 General Residential objectives

The objectives of the R1 General Residential zone are:

- To provide for the housing needs of the community.
- To provide for a variety of housing types and densities.
- To enable other land uses that provide facilities or services to meet the day to day needs of residents.

The proposed subdivision is considered to be consistent with the objectives of the zone as it will provide additional opportunities for the housing needs of Cootamundra.

Clause 4.1 Minimum subdivision lot size

The Minimum lot size for the subdivision of the subject land with a dwelling entitlement is 450 square metres. The proposed subdivision satisfies this minimum subdivision lot size, with residential lots ranging in area from approximately 734 square metres to 1,254 square metres and the residue lot being 6.8 hectares.

Clause 5.9 Preservation of trees or vegetation

Clause 5.9 relates to the species or kinds of trees that are specified in a development control plan made by the Council. The Cootamundra DCP 2013 does not have any species or kinds or trees listed that is relevant to this clause.

Clause 5.10 Heritage conservation

The property is not affected by any heritage items or heritage conservation area included in the LEP.

Clause 6.1 Earthworks

Earthworks associated with the subdivision will be considered as part of the Construction Certificate for the roads and other infrastructure components of the subdivision.

Clause 6.2 Flood planning

The site is not affected by the flood mapping in the LEP.

Clause 6.3 Terrestrial biodiversity

The biodiversity mapping of the Cootamundra LEP 2013 shows significant vegetation along the Boundary Road and Dillon Avenue road reserves, as well as a narrow perimeter strip along the southern boundary and in the south western corner of the development site (i.e. Lot 308) adjacent to the intersection of Boundary Road and Dillon Avenue.

The plan indicates that reserves will be provided at the rear of the residential lots parallel with Boundary Road and Dillon Avenue. These reserves will satisfy the requirements of this clause.

Clause 6.4 Groundwater vulnerability

A large part of the subject land is affected by the groundwater vulnerability mapping of the LEP. However, it is not anticipated that the development will increase the risk of groundwater contamination or affect groundwater systems as the development will be connected to reticulated water and sewer.

Clause 6.5 Riparian Land and watercourses

The site is not located on land identified as a "Watercourse" on the LEP Watercourses Map and is not within 40 metres of the top of the bank of a watercourse identified on that map.

Clause 6.6 Salinity

The site is not affected by dryland salinity mapping in the LEP.

Clause 6.7 Highly erodible soils

The site is not affected by highly erodible soils on the LEP mapping.

Clause 6.8 Airspace operations

The site is not affected by the requirements of this clause.

Clause 6.9 Essential services

This clause does not apply to development in Zone R1 General Residential.

Cootamundra Development Control Plan 2013

The proposed subdivision is generally consistent with the provisions of the DCP regarding the subdivision of residential land as specified in Chapter 4.2.

Bushfire prone land

The subject land is not affected by bushfire prone land.

Contributions Plans

The developer will be required to pay the relevant Water Supply Headworks Infrastructure Contribution Charge as required by the Goldenfields Water County Council for each new residential lot (i.e. 29 residential lots).

In addition, the developer will also be required to pay the relevant Sewer Scheme Augmentation Charge to Gundagai Council for each new residential lot.

Conditions regarding these contributions have been included in the recommendation.

Council's Section 94 and Section 94A contributions plans do not apply to this development application. However, should the application be approved, Section 94A contributions will be required in relation to individual development applications to develop the proposed new lots.

Director Engineering Service's comments

Council's Director Engineering Services (Cootamundra area) has provided the following comments on the development application (including the concept plan) and these comments have been included as conditions in the recommendation where appropriate:

- All property access is to be from internal roads only; i.e. no access will be allowed from Temora Street or Boundary Road at the rear of proposed properties backing onto these streets;
- That the proposed 5m wide reserve be created along Boundary Road, Dillon Avenue and Temora Road be adopted;
- In the total overall proposal no streets are to intersect with Dillon Ave. A new intersection should be created with Temora Street somewhere between lots 220 and 240;
- Full stormwater design be carried out to ensure that the whole development caters for all overland flow. Noting that there are several points of upstream discharge coming across Boundary Road that will need to be accounted for. It has been noted that the upstream catchment comes from above Rathmells Lane and then flows overland from approximately Gilgal Road down towards Temora Street and onto West Jindalee Road;
- Design of stormwater detention dams (earth dams) including holding volumes, discharge pipework, energy dissipaters, erosion control, dam wall construction and final downstream discharge below the proposed sub-division.
- Full road, kerb and drainage design to AUS-SPEC standards;
- Ensure that cul-de-sac are suitable for garbage truck turning;
- Road widths are adequate for two way traffic and parking each side;

- Provision of services: - underground power & street lighting, gas and Telstra (future NBN)
- Easements to be created for all sewer, water, stormwater and services which cross any allotment;
- Proposed intersection treatment for all intersections with Boundary Road, including pick up of existing drainage along Boundary Road;
- Water main design with appropriate stop valves and hydrants. Provide for continuous water mains with minimal dead ends. Each property to be provided with an individual service;
- Sewer main design to include all proposed properties;
- Sewer pump station design and capabilities to cater for each stage of the development;
- Detail power supply route to pump station and provision of access for maintenance
- Sewer rising main from pump station to nominated connection point into Council's existing sewer network;
- The sewer and water infrastructure is to be designed to required standards;
- Provision for footpaths along one side of all collector streets or off street shared pathway along drainage reserves;
- Soil and Water Management Plans / Erosion Control Plans shall be prepared to deal with works during construction and each stage of the development;
- Details are required regarding the proposed landscaping arrangements for the development, particularly along the drainage reserves. Council will require these to be shaped for ease of future maintenance.
- Detailed as constructed maps/plans to be provided after construction.
- Any further submitted designs will be subject to further consideration and possible changes to the satisfaction of Council.

Services

All residential services including water, sewer, electricity, gas and telecommunications will be required to be provided by the developer to all residential lots.

The developer will also be required to construct a new sewer pump station for the subdivision and to provide detailed engineering designs for connection into Council's existing sewer system.

Site access

Access to the subdivision will be via the construction of a new road off Boundary Road as well as the construction of a new cul-de-sac from this new road.

No vehicular access will be permitted from the rear of the new allotments to the landscaping reserve around the perimeter of the lots on the southern (Dillon Avenue) side and the western side (Boundary Road). A condition has been included in the

recommendation regarding this requirement and the creation of a Restriction as to User under Section 88B of the Conveyancing Act to this effect.

The naming of the two new roads will be determined by Council at a later date in consultation with the Cootamundra History Society. This is in accordance with Council's naming convention commenced with Florence Gardens Estate in recognition of former prominent local residents.

Section 88 B covenants

A condition has been included in the recommendation requiring the developer to submit details of all covenants under Section 88B of the *Conveyancing Act, 1919* intended to be included on the plan for the separate approval by Council, prior to Council's endorsement and release of the Plan of Subdivision.

Concept Plan

It is important to note that the concept plan provided with the development application is an indicative plan only and will require the submission of further development applications and consideration by Council and may be subject to changes.

Submissions

A total of 18 adjoining and adjacent property owners were notified of the development application and five submissions were received. The submissions have been included in **TABLED DOCUMENT 23 AUGUST 2016 (Pages 203-208)** and have been summarised below.

Submission Number One

(a) Suggestion that back fences of lots in the subdivision adjacent to Dillon Avenue be of uniform colour and height.

Council comments: Agree with comments regarding fencing; a condition can be included requiring the developer to include a covenant as a restriction under section 88B of the *Conveyancing Act 1919* to this effect.

(b) Tiles be required for roofing in new dwellings.

Council comments: Disagree with roof tiling suggestion as many houses are now constructed with colour bond roofs. However, the developer could create a covenant to this effect if they wish which would not be a consideration of Council when assessing a development application for a new house but rather, be a matter for the developer to enforce.

(c) Concerned that adequate planning for sewer is considered as the existing system is at capacity.

Council comments: A new sewer pumping station will be required to be constructed by the developer for this stage of the subdivision and the developer will be required to provide detailed engineering designs for connecting the new lots into Council's sewer system.

(d) Suggest the continuation of Dillon Avenue from proposed lot 29 to be open for walking and cycling.

Council comments: The walking/cycling trail suggestion would require more detailed investigation by Council as a separate issue in the future. Whilst this land is shown as a road on the plans, it is not constructed and is an unformed Crown road and not in Council ownership. Council has no plans at this stage to open this road and would not be in favour of the location of the intersection with Temora Street as shown on the concept plan. However, this is not a matter for consideration at this stage of the subdivision.

Submission Number Two

(a) Main concern is the increased traffic along Boundary Road which already has speeding cars. A roundabout should be constructed at the entry to the new subdivision to slow traffic and make it safer for school children catching buses. When all of the houses are built, there will be at least another 30 vehicles trying to access Boundary Road from the subdivision which is why a roundabout is necessary.

Council comments: The Director Engineering Services has advised that if this proposal is approved, the Traffic Committee would consider the speed zoning along Boundary Road with a view to extending the 50 Km/hr zone further out towards Gilgal Road or even extend to the intersection with Stockinbingal Road.

In regard to the intersection, at this stage a "T" intersection is sufficient; the same as Dillon Avenue. At a later stage of the development, it may be more practical to include a more structured intersection treatment e.g. roundabout at one of the proposed streets which interconnect and loop around the later stages of the overall proposal and maybe at the Traffic Committee's suggestion.

If there is an increase in children catching a bus, then it could be reason for creating a dedicated bus pickup/drop off bay.

(b) Problem with dust from Warralong Road which also has a speeding problem and corrugations, poor state of road.

Council comments: This matter is not relevant to the current application for subdivision but could still be considered as a separate issue for the Council to consider.

(c) 29 lots are too many blocks; lots 9, 10, 19 and 29 are ridiculous shapes.

Council comments: Agree that some lot shapes are not ideal; particularly the “battle-axe” shaped lots. However, given the constraints of the land in terms of the drainage area, it is reasonable to allow these lots.

(d) For fire safety reasons a second entry/exit should be constructed especially if subdivision is extended in future.

Council comments: Additional access onto both Boundary Road is proposed in later stages of subdivision.

Submission Number Three

(a) Landowners object to proposal as house was designed to view the rural outlook. This development completely blocks their view and the loss of rural outlook will affect residents of Dillon Avenue and they were not aware of this when land was purchased in 2009;

(b) Concerned about stormwater, existing dam and flooding issues;

(c) Concerned about the effect of the development on the Crown land in Dillon Avenue;

(d) Questions the type of sewer system that will be used, particularly on the lower blocks.

Council comments:

(a) Whilst the property will have an outlook onto the Dillon Avenue reserve, the view of rural land will be diminished if the subdivision proceeds. This land has been zoned to allow for residential development for over 40 years as it was included in the Village zone under the former planning instrument (Interim Development Order No 1 – Shire of Cootamundra) which allowed residential subdivision and was then subsequently included in the R1 General Residential zone when the current LEP commenced in July 2013.

(b) The developer will be required to provide detailed stormwater designs to demonstrate how stormwater generated by the development can be disposed into Council’s system

(c) The development will have no impact on the Crown land in Dillon Avenue.

(d) The land will be required to connect into Council’s sewer and to construct a new pumping station as discussed in Council’s comments on submission number one.

Submission Number Four

(a) Concerns regarding loss of rural outlook; view onto ugly colourbond or similar fences from Dillon Avenue; requests that Council consider an alternative “greener” solution.

Council comments: Fencing as per comments in submission number one.

(b) Requests confirmation that the Dillon Avenue extension onto Temora Street; is Crown land and this road will not be constructed at this stage.

Council comments: Whilst this land is shown as a road on the plans, it is not constructed and is an unformed Crown road and not in Council ownership. Council has no plans at this stage to have the road opened and would not be in favour of the location where it intersects with Temora Street. However, this is not a matter for consideration at this stage of the subdivision.

(c) Stormwater runoff concerns

Council comments: As stated above, the developer will be required to provide detailed stormwater designs to demonstrate how stormwater generated by the development can be disposed into existing downstream stormwater system.

(d) Concerned that the development will impact on the existing sewer and water systems.

Council comments: A new sewer pumping station will be required to be constructed by the developer for this stage of the subdivision and the developer will be required to provide detailed engineering designs for connecting the new lots into Council's sewer system. The developer will be required to provide water to all residential lots and Council's Director Engineering Services has advised that the water supply can be provided.

(e) Queries whether there will be any control kept on the existing trees on the reserve in Dillon Avenue; concerned at possible tree removal.

Council comments: Council has no proposal to remove any trees from the Dillon Avenue road reserve unless there is an appropriate reason for doing so; for example, safety reasons.

(f) Concerned about further development of this land in the future; received no advice when purchasing their block that there was proposed future development in the vicinity.

Council comments: Further subdivision of the land will occur in the future as indicated in the concept plan. This land has been zoned to allow for residential development for many years as it was included in the Village zone under the former planning instrument (Interim Development Order No 1 – Shire of Cootamundra) which allowed residential subdivision and was then subsequently included in the R1 General Residential zone when the current LEP commenced in July 2013.

Submission Number Five

Landowner does not disagree with proposal. However, concerned about what Council will do about the drainage and runoff of water from the proposed development and don't want water running across their property causing flooding pollution and wash-aways

Council comments: The developer will be required to provide detailed stormwater designs to demonstrate how stormwater generated by the development can be disposed into existing downstream stormwater system.

Conclusion

The proposed development for the subdivision of Lot 308 in DP753601 into 29 residential lots, one residue lot and the creation of two new roads has been assessed in accordance with the requirements of the EP&A Act, 1979; the Cootamundra Local Environmental Plan 2013 and the Cootamundra Development Control Plan 2013.

The land is zoned R1 General Residential and the proposed subdivision is permitted in the R1 zone with Council's consent and also satisfies the Minimum Lot Size requirements of the LEP.

The development application was notified to adjoining and adjacent property owners and the matters raised in the submissions have been addressed.

RECOMMENDATION

That Council approve the Development Application DA2016/60 to subdivide Lot 308 in DP753601, 370 Temora Street Cootamundra, subject to the following conditions:

GENERAL CONDITIONS

Approved Development

- 1. The Development being completed in accordance Development Application Number 2016/60, lodged on 15 June 2016, and in accordance with the plans and specifications stamped by Council, and the Statement of Environmental Effects, except where varied by conditions of this consent.**
- 2. Approval is for Stage 1 of the subdivision only. Further development applications will be required for later stages and Council may require amendments to the concept plan of subdivision at that time.**

PRIOR TO ISSUE OF SUBDIVISION CERTIFICATE

1. Formal Plan of Subdivision

A formal Plan of Subdivision being prepared and submitted generally in accordance with the plan submitted with the development application DA2016/60, lodged on 15 June 2016, referenced Issue C, Project No 18169, Sheets 1 and 2 and prepared by the applicant.

The applicant shall pay to Council a fee for a Subdivision Certificate in accordance with Council's adopted fees and charges, prior to the release of the final Plan of Subdivision.

The Plan of Subdivision shall not be released by Council until all of the conditions of this consent have been satisfied.

2. Subdivision Plan Release – Other Authorities

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

3. 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.

4. Easements

Easements shall be provided for all services (including sewer, water, stormwater, gas, telecommunications) which cross any proposed lot and where required, to the satisfaction of Council and the relevant authority.

5. Subdivision Water Headworks Charges (Torrens Title Subdivisions)

The payment to Council of the appropriate Goldenfields Water County Council Water Supply Headworks Infrastructure Contribution Charge (currently \$ 7,135 per lot; current until 30 June 2017) for 29 residential lots, at the full cost of the developer, prior to the release of the Subdivision Certificate. If the contribution is not paid by 30 June 2017, a new contribution rate will apply at the date of payment.

6. Subdivision Sewer Scheme Augmentation Charges (Torrens Title Subdivisions)

The payment of the appropriate Sewer Scheme Augmentation Charge to Gundagai Council (currently \$4,471 per lot; current until 30 June 2017) for 29 residential lots at the full cost of the developer, prior to the release of the Subdivision Certificate. If the contribution is not paid by 30 June 2017, a new contribution rate will apply at the date of payment.

7. Section 88B Restriction As To Use – No Vehicular Access

All vehicular access to properties is to be from internal roads only. No vehicular access will be allowed from Temora Street or Boundary Road at the rear of proposed properties backing onto these streets and onto the proposed reserves. The Plan of Subdivision is to include a restriction as to user under Section 88B of the *Conveyancing Act, 1919*, to this effect.

8. Section 88B Restriction as to Use – Residential Fences

All fences to be constructed on any lot boundary which adjoins the proposed reserves are to be constructed of a uniform material, colour and height. The Plan of Subdivision is to include a restriction as to user under Section 88B of the *Conveyancing Act, 1919*, to this effect.

9. Section 88B Restriction as to Use – Building and Development Covenants

Details of all building and development covenants to be required by the developer under Section 88B of the *Conveyancing Act, 1919* intended to be included on the plan for the separate approval by Council, prior to Council's endorsement and release of the Plan of Subdivision.

10. Work as Executed Plans

Following completion of the subdivision works, work-as-executed plans are to be provided to Council in the following formats:

- (a) PDF**
- (b) Dwg format or "Autocad compatible"**

All work-as-executed plans shall bear the Consulting Engineer's or Consulting Surveyor's Certification that all information shown on the plans is accurate.

11. Road and Footpaths design and construction

(a) The proposed internal road network in the two new roads is required to have sufficient width to accommodate the turning paths for service vehicles, including garbage collection and removalist vehicles, with particular attention to cul-de-sac finishing points.

(b) Road widths are to be adequate for two way traffic and parking each side.

(c) Full road, kerb and drainage design and construction to AUS-SPEC standards.

(d) The provision of bitumen sealed roads for the two new roads including all kerb and guttering across the full frontage of all lots indicated on the plans submitted with the development application, at the full cost of the developer.

(e) The provision and construction of concrete footpaths along one side of all collector streets or off street shared pathways along drainage reserves with a minimum width of 1.5 metres. The footpaths are to be constructed to Council's standard in a location approved by Council and at the full cost of the developer.

(f) Street lighting for the subdivision is to be provided at the full cost of the developer in accordance with Essential Energy Guidelines and to Council's satisfaction.

12. Street Names

The naming of the proposed two new roads will be determined by Council at a later date and will be advised to the applicant prior to the submission of the Plan of Subdivision.

13. Compliance with conditions of consent

Prior to the issue of the Subdivision Certificate, Council is to be supplied with:

- (a) A certificate from the appropriate power authority indicating that satisfactory arrangements have been made for provision of electricity supply to the subdivision.**

(b) A certificate from the appropriate telecommunications authority indicating that satisfactory arrangements have been made for provision of telecommunications services to the subdivision.

(c) All contributions must be paid to Council and all works required by the consent be completed in accordance with the consent and to the satisfaction of Council.

14. Engineering Design

A detailed engineering design is to be submitted to and approved by Council prior to the issue of a Construction Certificate. The engineering design is to comply with Auspec Standards.

A Construction Certificate is required for, but not limited to, the following civil works:

- (a) Water and sewer main extensions;
- (b) Stormwater drainage such as inter-allotment drainage and detention basins;
- (c) Road construction;
- (d) Footpath and kerb and gutter;
- (e) Landscaping of public reserves.

No works can commence prior to the issue of the Construction Certificate.

15. Water main design

The submission of the water main design for the subdivision to Council prior to the issue of the Construction Certificate. The water main design is to:

- (a) include appropriate stop valves and hydrants;
- (b) The design is to provide for continuous water mains with minimal dead ends;
- (c) Each property is to be provided an individual service.

Council will provide water to the closest point of the subdivision opposite Warralong Road.

16. Stormwater design

The submission of the design of stormwater detention dams (earth dams) including holding volumes, discharge pipework, energy dissipaters, erosion control, dam wall construction and final downstream discharge below the proposed sub-division. The stormwater design is required prior to the issue of the Construction Certificate.

17. Sewer main design and Sewer Pump Station design

The submission of the sewer main design and Sewer Pump Station design for the subdivision to Council prior to the issue of the Construction Certificate. The sewer main design is to:

- (a) Include all proposed properties;
- (b) Sewer Pump Station design and capabilities to cater for each stage of the development;
- (c) Detail power supply route to pump station and provision of access for future maintenance;

(d) Sewer rising main from pump station to nominated connection point into Council's existing sewer network.

The sewer pump station is to be located and constructed at a location approved by Council and at the full cost of the developer.

18. Intersection with Boundary Road

The provision of a plan showing the proposed intersection treatment for the intersection of the new road with Boundary Road, including pick up of existing drainage along Boundary Road.

19. Soil and Water Management Plan

A Soil and Water Management Plan is to be prepared and submitted to Council with the application for the Construction Certificate for all works to be carried out during construction and at each stage of development. The Plan is to be implemented during the construction phase.

20. Landscaping of reserves

The developer is to provide a plan showing landscaping details for all proposed reserves for separate approval by Council. The landscaping of the reserves is to be completed to Council's satisfaction prior to the issue of the Subdivision Certificate.

PRIOR TO COMMENCEMENT OF WORKS

1. Construction Certificate Application

The submission of a Construction Certificate Application for all subdivision infrastructure work and the Construction Certificate being approved prior to the commencement of works

2. Subdivision Water Supply

The provision of a 20mm domestic water supply line, up to but not including a water meter, to all proposed lots indicated on the submitted plan, at the full cost of the developer.

3. Subdivision Water Supply

The payment of the required tapping fee for connection to Council's water for each of the proposed 29 residential lots. The amount of the tapping fee shall be in accordance with Council's adopted "2016/2017 Fees and Charges", current until 30th June 2017 and may increase in line with Council's adopted Fees and Charges current at the time of payment. The total fee for the allotments shall be paid in full prior to the issue of the Subdivision Certificate.

4. Subdivision Extension of Sewer Main

The provision of a 150mm sewer main servicing all proposed lots as indicated in the plans submitted, constructed to a standard acceptable to Council, at the full cost of the developer.

5. Subdivision Sewer Connection

The provision of a standard sewer connection including capped riser within the boundaries of all lots indicated on the submitted plans, servicing all proposed lots as indicated on the plans submitted with the development application, constructed to a standard acceptable to Council, at the full cost of the developer.

6. Subdivision Stormwater

The provision of a minimum 150mm stormwater main servicing all proposed lots as indicated on the plans submitted with the development application, constructed to a standard acceptable to Council, at the full cost of the developer.

7. Subdivision Electrical Supply

The provision of an underground domestic electrical power supply line to all new lots indicated on the plans submitted, with the development application, at the full cost of the developer.

8. Subdivision Telecommunications

The provision of underground telecommunications services, including provision for NBN, to all new lots indicated on the plans submitted with the development application at the full cost of the developer.

9. Subdivision Gas Supply

The provision of a standard domestic natural gas line supply line to all new allotments indicated on the plans submitted with the development application, at the full cost of the developer.

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

RECOMMENDATION

That Council approve the Development Application DA2016/60 to subdivide Lot 308 in DP753601, 370 Temora Street Cootamundra, subject to the following conditions:

GENERAL CONDITIONS

Approved Development

- 1. The Development being completed in accordance Development Application Number 2016/60, lodged on 15 June 2016, and in accordance with the plans and specifications stamped by Council, and the Statement of Environmental Effects, except where varied by conditions of this consent.**
- 2. Approval is for Stage 1 of the subdivision only. Further development applications will be required for later stages and Council may require amendments to the concept plan of subdivision at that time.**

PRIOR TO ISSUE OF SUBDIVISION CERTIFICATE

1. Formal Plan of Subdivision

A formal Plan of Subdivision being prepared and submitted generally in accordance with the plan submitted with the development application DA2016/60, lodged on 15 June 2016, referenced Issue C, Project No 18169, Sheets 1 and 2 and prepared by the applicant.

The applicant shall pay to Council a fee for a Subdivision Certificate in accordance with Council's adopted fees and charges, prior to the release of the final Plan of Subdivision.

The Plan of Subdivision shall not be released by Council until all of the conditions of this consent have been satisfied.

2. Subdivision Plan Release – Other Authorities

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

3. 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.

4. Easements

Easements shall be provided for all services (including sewer, water, stormwater, gas, telecommunications) which cross any proposed lot and where required, to the satisfaction of Council and the relevant authority.

5. Subdivision Water Headworks Charges (Torrens Title Subdivisions)

The payment to Council of the appropriate Goldenfields Water County Council Water Supply Headworks Infrastructure Contribution Charge (currently \$ 7,135 per lot; current until 30 June 2017) for 29 residential lots, at the full cost of the developer, prior to the release of the Subdivision Certificate. If the contribution is not paid by 30 June 2017, a new contribution rate will apply at the date of payment.

6. Subdivision Sewer Scheme Augmentation Charges (Torrens Title Subdivisions)

The payment of the appropriate Sewer Scheme Augmentation Charge to Gundagai Council (currently \$4,471 per lot; current until 30 June 2017) for 29 residential lots at the full cost of the developer, prior to the release of the Subdivision Certificate. If the contribution is not paid by 30 June 2017, a new contribution rate will apply at the date of payment.

7. Section 88B Restriction As To Use – No Vehicular Access

All vehicular access to properties is to be from internal roads only. No vehicular access will be allowed from Temora Street or Boundary Road at the rear of proposed properties backing onto these streets and onto the proposed reserves. The Plan of Subdivision is to include a restriction as to user under Section 88B of the *Conveyancing Act, 1919*, to this effect.

8. Section 88B Restriction as to Use – Residential Fences

All fences to be constructed on any lot boundary which adjoins the proposed reserves are to be constructed of a uniform material, colour and height. The Plan of Subdivision is to include a restriction as to user under Section 88B of the *Conveyancing Act, 1919*, to this effect.

9. Section 88B Restriction as to Use – Building and Development Covenants

Details of all building and development covenants to be required by the developer under Section 88B of the *Conveyancing Act, 1919* intended to be included on the plan for the separate approval by Council, prior to Council's endorsement and release of the Plan of Subdivision.

10. Work as Executed Plans

Following completion of the subdivision works, work-as-executed plans are to be provided to Council in the following formats:

- (a) PDF
- (b) Dwg format or "Autocad compatible"

All work-as-executed plans shall bear the Consulting Engineer's or Consulting Surveyor's Certification that all information shown on the plans is accurate.

11. Road and Footpaths design and construction

(a) The proposed internal road network in the two new roads is required to have sufficient width to accommodate the turning paths for service vehicles, including garbage collection and removalist vehicles, with particular attention to cul-de-sac finishing points.

(b) Road widths are to be adequate for two way traffic and parking each side.

(c) Full road, kerb and drainage design and construction to AUS-SPEC standards.

(d) The provision of bitumen sealed roads for the two new roads including all kerb and guttering across the full frontage of all lots indicated on the plans submitted with the development application, at the full cost of the developer.

(e) The provision and construction of concrete footpaths along one side of all collector streets or off street shared pathways along drainage reserves with a minimum width of 1.5 metres. The footpaths are to be constructed to Council's standard in a location approved by Council and at the full cost of the developer.

(f) Street lighting for the subdivision is to be provided at the full cost of the developer in accordance with Essential Energy Guidelines and to Council's satisfaction.

12. Street Names

The naming of the proposed two new roads will be determined by Council at a later date and will be advised to the applicant prior to the submission of the Plan of Subdivision.

13. Compliance with conditions of consent

Prior to the issue of the Subdivision Certificate, Council is to be supplied with:

- (a) A certificate from the appropriate power authority indicating that satisfactory arrangements have been made for provision of electricity supply to the subdivision.
- (b) A certificate from the appropriate telecommunications authority indicating that satisfactory arrangement have been made for provision of telecommunications services to the subdivision.
- (c) All contributions must be paid to Council and all works required by the consent be completed in accordance with the consent and to the satisfaction of Council.

14. Engineering Design

A detailed engineering design is to be submitted to and approved by Council prior to the issue of a Construction Certificate. The engineering design is to comply with Auspec Standards.

A Construction Certificate is required for, but not limited to, the following civil works:

- (a) Water and sewer main extensions;
- (b) Stormwater drainage such as inter-allotment drainage and detention basins;
- (c) Road construction;
- (d) Footpath and kerb and gutter;
- (e) Landscaping of public reserves.

No works can commence prior to the issue of the Construction Certificate.

15. Water main design

The submission of the water main design for the subdivision to Council prior to the issue of the Construction Certificate. The water main design is to:

- (a) include appropriate stop valves and hydrants;
- (b) The design is to provide for continuous water mains with minimal dead ends;
- (c) Each property is to be provided an individual service.

Council will provide water to the closest point of the subdivision opposite Warralong Road.

16. Stormwater design

The submission of the design of stormwater detention dams (earth dams) including holding volumes, discharge pipework, energy dissipaters, erosion control, dam wall construction and final downstream discharge below the proposed sub-division. The stormwater design is required prior to the issue of the Construction Certificate.

17. Sewer main design and Sewer Pump Station design

The submission of the sewer main design and Sewer Pump Station design for the subdivision to Council prior to the issue of the Construction Certificate. The sewer main design is to:

- (a) Include all proposed properties;
- (b) Sewer Pump Station design and capabilities to cater for each stage of the development;
- (c) Detail power supply route to pump station and provision of access for future maintenance;
- (d) Sewer rising main from pump station to nominated connection point into Council's existing sewer network.

The sewer pump station is to be located and constructed at a location approved by Council and at the full cost of the developer.

18. Intersection with Boundary Road

The provision of a plan showing the proposed intersection treatment for the intersection of the new road with Boundary Road, including pick up of existing drainage along Boundary Road.

19. Soil and Water Management Plan

A Soil and Water Management Plan is to be prepared and submitted to Council with the application for the Construction Certificate for all works to be carried out during construction and at each stage of development. The Plan is to be implemented during the construction phase.

20. Landscaping of reserves

The developer is to provide a plan showing landscaping details for all proposed reserves for separate approval by Council. The landscaping of the reserves is to be completed to Council's satisfaction prior to the issue of the Subdivision Certificate.

PRIOR TO COMMENCEMENT OF WORKS

1. Construction Certificate Application

The submission of a Construction Certificate Application for all subdivision infrastructure work and the Construction Certificate being approved prior to the commencement of works

2. Subdivision Water Supply

The provision of a 20mm domestic water supply line, up to but not including a water meter, to all proposed lots indicated on the submitted plan, at the full cost of the developer.

3. Subdivision Water Supply

The payment of the required tapping fee for connection to Council's water for each of the proposed 29 residential lots. The amount of the tapping fee shall be in accordance with Council's adopted "2016/2017 Fees and Charges", current until 30th June 2017 and may increase in line with Council's adopted Fees and Charges current at the time of payment. The total fee for the allotments shall be paid in full prior to the issue of the Subdivision Certificate.

4. Subdivision Extension of Sewer Main

The provision of a 150mm sewer main servicing all proposed lots as indicated in the plans submitted, constructed to a standard acceptable to Council, at the full cost of the developer.

5. Subdivision Sewer Connection

The provision of a standard sewer connection including capped riser within the boundaries of all lots indicated on the submitted plans, servicing all proposed lots as indicated on the plans submitted with the development application, constructed to a standard acceptable to Council, at the full cost of the developer.

6. Subdivision Stormwater

The provision of a minimum 150mm stormwater main servicing all proposed lots as indicated on the plans submitted with the development application, constructed to a standard acceptable to Council, at the full cost of the developer.

7. Subdivision Electrical Supply

The provision of an underground domestic electrical power supply line to all new lots indicated on the plans submitted, with the development application, at the full cost of the developer.

8. Subdivision Telecommunications

The provision of underground telecommunications services, including provision for NBN, to all new lots indicated on the plans submitted with the development application at the full cost of the developer.

9. Subdivision Gas Supply

The provision of a standard domestic natural gas line supply line to all new allotments indicated on the plans submitted with the development application, at the full cost of the developer.

VOTING RECORD for Minute 15/08/16 - DEVELOPMENT APPLICATION DA2016/60 - PROPOSED RESIDENTIAL SUBDIVISION TEMORA STREET (BOUNDARY ROAD) COOTAMUNDRA

FOR RESOLUTION	AGAINST RESOLUTION
Christine Ferguson	Nil
ABSENT	DECLARED INTEREST
Nil	Nil

31. LAND AND ECONOMIC DEVELOPMENT

14) PROPOSAL FOR SALE OF LAND

In accordance with the *Local Government Act 1993* and the Local Government (General) Regulation 2005, in the opinion of the Interim General Manager, this item of business is of a kind referred to in section 10A(2)(c) of the *Local Government Act 1993*, and should be dealt with in a part of the meeting closed to the media and public.

10A(2)(c) information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business.

RECOMMENDATION

- 1. That Council resolve to enter into Closed Council to consider Item 14.**
- 2. That the media and public be excluded from the meeting on the basis that the business to be considered is classified confidential under the provisions of section 10A(2)(c) of the Local Government Act 1993.**
- 3. That the correspondence and reports relevant to the subject business be withheld from access to the media and public as required by section 11(2) of the Local Government Act 1993.**

17/08/16 RESOLVED – Moved: Ferguson Seconded: Ferguson

- 1. That Council resolve to enter into Closed Council to consider Item 14.**
- 2. That the media and public be excluded from the meeting on the basis that the business to be considered is classified confidential under the provisions of section 10A(2)(c) of the Local Government Act 1993.**
- 3. That the correspondence and reports relevant to the subject business be withheld from access to the media and public as required by section 11(2) of the Local Government Act 1993.**

FINANCE GROUP

15) INVESTMENT REPORT

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

A summary of investments for the Cootamundra Area as at 31 July 2016 forms **TABLED DOCUMENT 24 AUGUST 2016 (Page 209-211)**.

A summary of investments for the Gundagai Area as at 31 July 2016 forms **TABLED DOCUMENT 25 AUGUST 2016 (Page 212)**.

RECOMMENDATION

That Council receive and note the Investment Reports as at 31 July 2016.

18/08/16 RESOLVED – Moved: Ferguson Seconded: Ferguson

That Council receive and note the Investment Reports as at 31 July 2016.

36. CUSTOMER SERVICE AND RECEPTION

16) GUNDAGAI LIONS CLUB INCORPORATED – REQUEST FOR CONTRIBUTION

Introduction

Council has received correspondence from the Gundagai Lions Club requesting a contribution equal to the water and sewerage rates levied on the Lions Club block at 11 Bourke Street, Gundagai. The letter of request forms **TABLED DOCUMENT 26 AUGUST 2016 (Page 213)**.

Discussion

Historically Gundagai Shire Council has received similar requests from the Lions Club. On all occasions and in view of the many contributions the Lions Club make to the Gundagai community the request has been granted.

RECOMMENDATION

That Council make a contribution to the Gundagai Lions Club of \$136, equal to the water and sewerage rates for the second period of 2015/16 for assessment 291575, 11 Bourke Street Gundagai.

19/08/16 RESOLVED – Moved: Ferguson Seconded: Ferguson

That Council make a contribution to the Gundagai Lions Club of \$136, equal to the water and sewerage rates for the second period of 2015/16 for assessment 291575, 11 Bourke Street Gundagai.

CLOSED COUNCIL

Council closed its meeting to the media and public to consider Item 14 *Proposal for Sale of Land* at 6.38pm. The public and media left the room.

20/08/16 RESOLVED – Moved: Ferguson Seconded: Ferguson

1. Offer Lots 35 to 60 in DP 1173450 for sale at the advertised price originally determined by Gundagai Shire Council included in the report above.
2. Facilitate the sale by Private Treaty offered through participating Real Estate Agents.
3. Delegate authority to the Administrator and Interim General Manager to negotiate a sale price as per this report.
4. Delegate authority to the Administrator and General Manager to sign all documents relating to the sale of Lots 35 to 60 in DP 1173450 under Seal of Council.

21/08/16 RESOLVED – Moved: Ferguson Seconded: Ferguson

That Council move out of Closed Council and in to Open Council.

The Council reconvened in Open Session at 6.40pm. On resumption of Open Session, the Administrator announced that Council had adopted resolution 19/08/16 and made the decision public.

There being no further business the meeting closed at 6.42pm.

These Minutes were confirmed by resolution of Council at the Council Meeting held on Monday 12 September 2016 and endorsed by:

ADMINISTRATOR

INTERIM GENERAL MANAGER