

Gundagai Council



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MINUTES

ORDINARY COUNCIL MEETING 11 JULY 2016

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OPEN FORUM Commenced 6.00pm

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 6.00pm

1) Mrs Mary Donnelly

Mrs Donnelly thanked Council for extending the swimming pool opening hours at Cootamundra heated pool.

Mrs Donnelly expressed the view that Plane trees would not be an appropriate replacement tree at the Cootamundra Country Club.

Mrs Donnelly expressed the view that Council will need an Economic Development Officer to further tourism and economic development in the future.

The General Manager advised that alternative replacement trees would be sought.

2) Mr David Graham

Mr Graham questioned the continuation of the 2015/16 Gundagai area roads program that had not been completed due to wet weather.

Mr Graham noted that the Adjungbilly area has non-stabilised pavements in bad condition due to weather.

Mr Graham expressed the opinion that the Stronger Communities Fund Assessment Panel should have two Cootamundra and two Gundagai representatives.

The Director of Engineering indicated that incomplete budgeted works from 2016/17 will carry over to 2016/17.

The Administrator indicated that she would consider the make-up of the Stronger Communities Fund Assessment Panel over time.

3) Mr Mason Crane

Mr Crane informed the Administrator that he would resign from the IAG. He indicated that his resignation was based on work commitments, and opposition to any merger of Gundagai Shire Council. He further stated that he believes that Gundagai and

Cootamundra have no substantial natural connection, and are already having problems with existing connections such as the RFS and Tourism. He also expressed the opinion that if the present court case is won and this merger is disbanded and the Government remained determined to merge Gundagai, then Gundagai would be better suited to merge with Tumut and Tumbarumba.

The Administrator thanked Mr Crane for his input to process to date and for his honesty in explaining the basis of his resignation.

4) Mrs Ros Wight

Mrs Wight agreed with Mrs Donnelly regarding the inappropriateness of Plane trees at the Cootamundra Country club and suggested Manchurian Pears as a suitable alternative.

Mrs Wight asked whether the 2016/17 Fees and Charges are already being applied.

Mrs Wight raised the issue of payment for attendance at Council meetings, LRC and IAG meetings, in order to have an input into the Council business papers.

The General Manager advised that the 2016/17 Fees and Charges are being applied based on the Fees and Charges being for the period 1 July 2016 to 30 June 2017, and 2016/17 funds are being expended, as provided for in Clause 24 of the Proclamation and resolved by Council at Minute No. 06/06/16

The Administrator advised that she would consider the issue of IAG and LRC travel and other expense payments and provide advice over the next month.

Finished 6.16pm

THESE ARE THE MINUTES TO THE ORDINARY MEETING OF GUNDAGAI COUNCIL HELD ON 11 JULY 2016 IN THE GUNDAGAI CHAMBERS, COMMENCING AT 6.17 PM.

PRESENT

Administrator Christine Ferguson

Also Present

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

APOLOGIES

Nil

ADOPTION OF MINUTES

01/07/16 RESOLVED – Moved: Ferguson Seconded: Ferguson

That the Minutes of the Meeting of Council held on Monday 20 June 2016 be confirmed as a true and correct record of the meeting.

2. COUNCIL

1) APPOINTMENT OF STRONGER COMMUNITIES FUND ASSESSMENT PANEL

Introduction

The Stronger Communities Fund has been established by the NSW Government to provide merged councils with funding for the delivery of projects that improve community infrastructure and services.

Council has now received these funds and will make \$1 million dollars available in the Community grant program, in grants of up to \$50,000 to incorporated not-for-profit community groups, for projects that build more vibrant, sustainable and inclusive local communities.

Discussion

Council must establish a Stronger Communities Fund Assessment Panel (the Panel) with responsibility to assess projects and make recommendations to Council for funding. The Panel will assess and make recommendations for projects received through the community grant program, as well as those developed and nominated by Councils for funding under the separate Major Projects Program.

The Panel must include:

- Administrator, or delegate
- State Member(s) of Parliament, or representative
- Regional Coordinator of the Department of Premier and Cabinet, or delegate
- Other members, appointed by the Administrator, as required
- An independent probity adviser, appointed by the Administrator to advise the Panel on their deliberations and assessment process.

The Probity advisor will not be directly involved in determining projects selected for funding. Their task will be to assess the methodology adopted in the assessment process to ensure fairness in the selection process.

It is suggested that in order to balance the number of required and stipulated appointees, and to ensure a degree of local knowledge is brought to the assessment process, three former councillors be appointed to the Panel.

It is further suggested that these be the chair of the Local Representative Committee, the chair of the Implementation Advisory Group, and the former mayor of Gundagai.

RECOMMENDATION

That Council appoint the following persons to the Gundagai Council Stronger Communities Fund Assessment Panel:

- **Administrator, Mrs Christine Ferguson**
- **State Member for Cootamundra, Ms Katrina Hodgkinson, or representative**
- **Regional Coordinator of the Department of Premier and Cabinet, Ms Trudi McDonald, or delegate**
- **Mr Dennis Palmer**
- **Mr Paul Braybrooks**
- **Mr Abb McAllister**
- **An independent probity adviser to be advised.**

02/07/16 RESOLVED – Moved: Ferguson Seconded: Ferguson

That Council appoint the following persons to the Gundagai Council Stronger Communities Fund Assessment Panel:

- **Administrator, Mrs Christine Ferguson**
- **State Member for Cootamundra, Ms Katrina Hodgkinson, or representative**
- **Regional Coordinator of the Department of Premier and Cabinet, Ms Trudi McDonald, or delegate**
- **Mr Dennis Palmer**
- **Mr Paul Braybrooks**
- **Mr Abb McAllister**
- **An independent probity adviser to be advised.**

6. PLANT

2) PLANT REPLACEMENT PROGRAM (Gundagai area)

Introduction

The Purpose of this report is for the adoption of the plant replacement program for the current Gundagai area plant fleet.

Background

Council operates a large public works plant fleet to fulfil its operational obligations, in particular the need to undertake roadworks, operate an effective parks and garden operation and support the general day to day operations of Council. The replacement of plant is considered in conjunction with the Plant Replacement Reserve and the Replacement Programme.

Council operates a modest light motor vehicle fleet which is used for administration, inspections, and supervision of works. Council has a policy of replacing its light vehicle fleet when the costs to the Council are minimised.

A 10 year Programme is developed for the replacement of plant to guide decision making and support the 10 year financial plan.

The attached report has been developed using industry adopted replacement schedules with the IPWEA Plant & Vehicle Management Manual being used as a base line. Individual items will be adjusted and replacement schedules will be monitored over the life of the program.

Over the next 12 months, it is expected that integration of this program and the Cootamundra area program will commence where potential changes may be included.

A copy of the forward Plant replacement program is included as **TABLED DOCUMENT 1 JULY 2016 (Page 1)**

RECOMMENDATION

That Council adopt the 10 year plant replacement program for the Gundagai area plant fleet.

03/07/16 RESOLVED – Moved: Ferguson Seconded: Ferguson

That Council adopt the 10 year plant replacement program for the Gundagai area plant fleet.

10. SWIMMING POOL

3) COOTAMUNDRA POOL USAGE AND OPERATING HOURS

Introduction

At the April meeting of the former Cootamundra Shire Council the issue of pool operating hours was raised, resulting in a survey of pool users being undertaken.

Cootamundra Pool staff conducted an Indoor Pool Users Survey from 2 - 15 May 2016 amongst pool patrons. Patrons were able to include their name and address or remain anonymous.

Survey Results

Council received 82 completed surveys within the time frame.

The survey consisted of 6 questions asking Indoor Pool Users their gender, age group, pool usage/frequency, opening hours and general comments or suggestions.

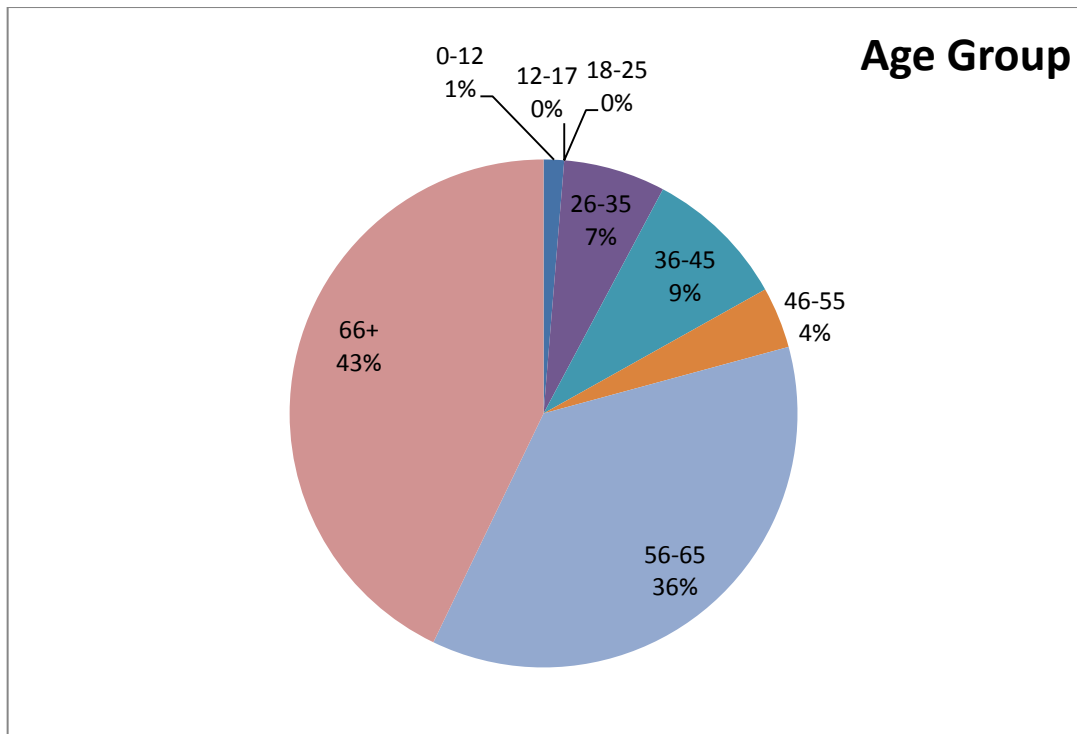
Below is a summary of the 82 completed surveys **TABLED DOCUMENT 2 JULY 2016 (Page 2)**

Respondents

- 76% were female and 24% were male

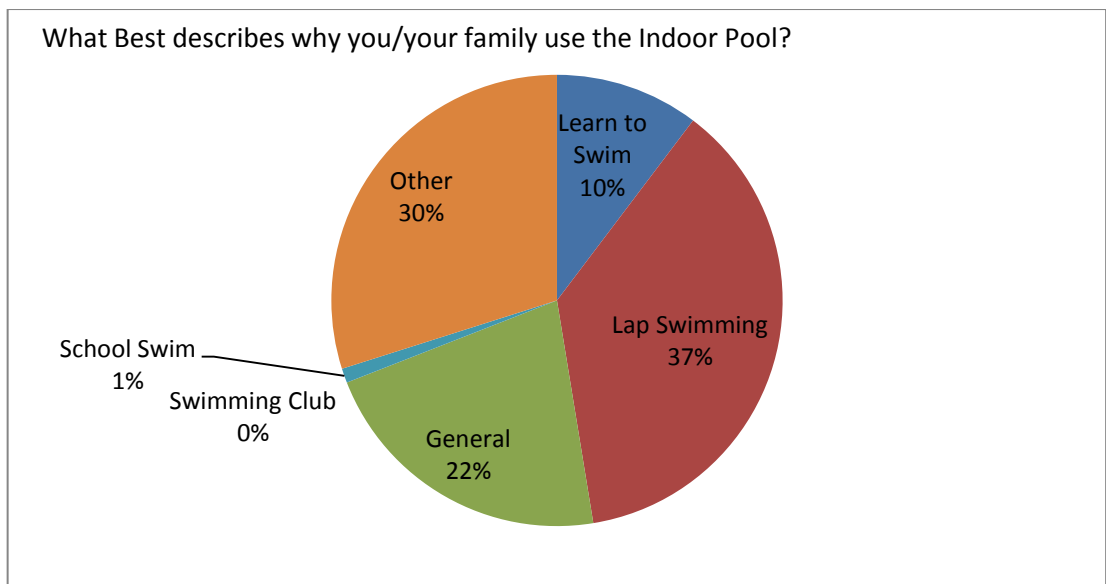
Age Group

- 43% are aged 66+, 36% are aged 56-65, 4% are aged 46-55, 9% are aged 36-45, with the remaining 8% made up of under 35's (made up of the groups 0-12, 12-17, 18-25 & 26-25).



Pool Usage

- Indoor Pool usage type varied with 37% lap swimming, 30% other (mainly consisting of Aqua aerobics/fitness), 22% used the indoor pool for general purposes and 10% for Learn to Swim.

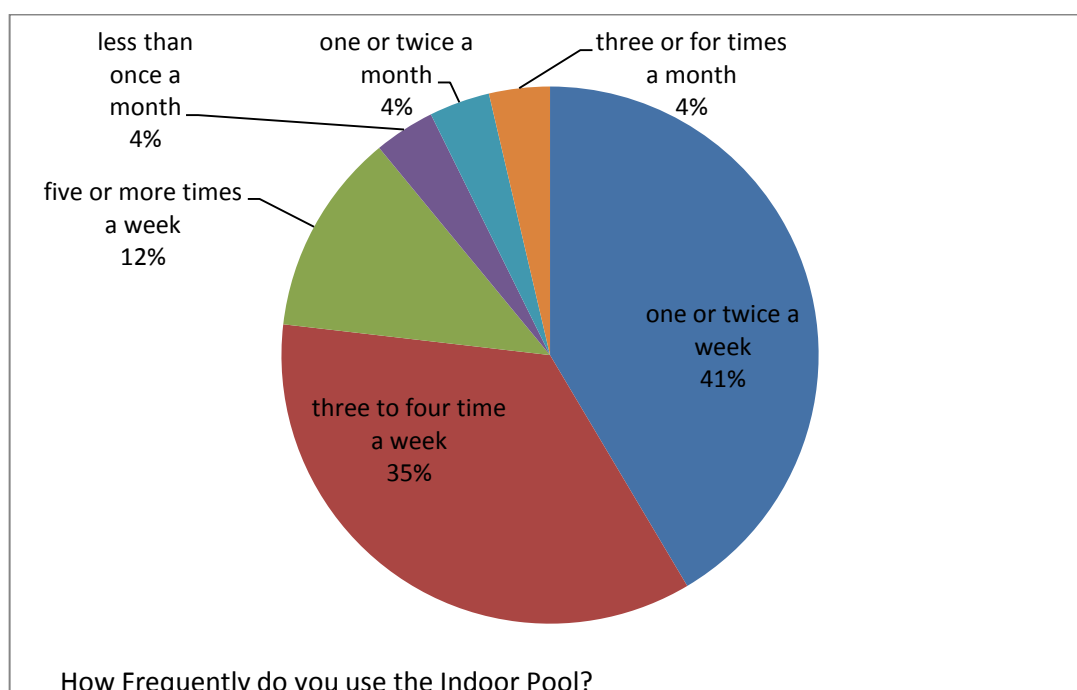


Attendance

- Attendance statistics show that over the Survey period a total of 303 patrons used the Indoor pool. Of that total, 247 attended during the current weekday opening sessions (Morning - 7am – 9am, Lunch 12pm – 1pm, and Afternoon 4pm – 6pm) and 56 attended during the 2 weekend sessions (11am – 2pm)

Pool Frequency

- Of the 82 completed surveys 41% attended once/twice per week, 35% attended three/four times a week, 12% attended five or more times a week, with the remaining 12% equally spread between less than once a month, once/twice a month and three or four times per month.



The responses to each of the questions were varied and did not give a clear indication or overwhelming reason to greatly increase or decrease the current public opening hours per week. However it did indicate that some of the sessions hours could be varied to accommodate respondents requests and fit in with staff organised pool program times.

There were a variety of responses to the suitability of the current opening hours and sessions and general comments about the Indoor Pool with the following being the most commonly repeated:

Public Session Times

- Morning sessions to commence earlier
- Lunch breaks are too short, need to be 2 hours.
- Extended hours on weekday morning & afternoons sessions
- Weekend sessions extended

Admission Cost and conditions

- Seniors Card to be accepted
- Seniors Health Care Card to be accepted

Facility Function and presentation

- Great Facility which Cootamundra is lucky to have
- Publicity needed so other neighbouring towns are aware of the indoor heated pool
- Staff are fantastic
- Permanent swim/lap lanes

Discussion

The intent of the survey **TABLED DOCUMENT 3 JULY 2016 (Pages 3-7)** was to gauge from indoor pool users if the current opening times suited their requirements and to allow them to propose suitable alternative times.

It was also explained that suggested changes could not substantially increase the current pool operating budget.

From the survey results and the requests of the respondents concerning the change of session times to morning, lunch time and afternoon periods have been considered, and the following changes are suggested.

1. A proposed change to the morning session, to commence at 6.30am and finish at 8.30am, is seen as an improvement to the current 7.00am to 9.00am. This change would allow current morning swimmers and new patrons who wish to swim prior to standard school and work hours to access the pool. This change would also give the advantage by enabling the aqua aerobics classes to commence between 8.30am to 8.45am rather than the quick change over at 9.00am.
2. A proposed change to the lunch time session, to commence at 12.00noon and finish at 2.00pm, is seen as an improvement to the current 12.00 to 1.00pm. This change would allow current lunch time swimmers and new patrons who wish to swim during their lunch break longer access the pool. In extending this session it is important to note that staff have the ability to close the pool

30mins early if there are no patrons present. If the pool did not have anyone swimming at 1.30pm staff would be instructed to close the session.

3. The afternoon session is also proposed to change from the current 4.00pm to 6.00pm to a slightly later time of 4.30pm to 6.30pm. Many of the responses regarding this time slot requested a later closing time. The change in the time would make the afternoon transition from the Council staff learn to swim program to general public usage smoother. The closing time of 6.30pm may satisfy the wishes of some of the respondents and would still leave ample time in the evening for private hire of the pool for sporting groups etc.

The majority of weekend session responses were for the increase of the overall hours on both Saturdays and Sundays. However, in taking the attendance figures for weekends into account a change to the current hours and times cannot be justified.

The pool general public opening hours for the 2015/2016 indoor pool season totalled 41 hours per week. The proposed changes of opening hours if approved would see the pool open for general public usage for an additional 5 hours per week.

The additional opening hours will have a small effect on the pool operating budget, but would require a variation for the additional staffing hours required for the indoor pool season.

This would be an additional 140 staff-hours in the 28 week indoor pool season and would add approximately \$3,500 to the pool wages budget. It may be reasonable to presume that some of the additional cost could be recovered by an increase in patronage if the changes to session times were approved.

The operating costs of the pool will continue to be monitored, and as service levels increase, and costs increase, future pool fees and charges will be adjusted accordingly. Council will continue to consult with the community, and changes can be accommodated if the community chooses to pay for them.

Staff are in the process of preparing the 2016/2017 Pool operating plans for both the indoor and outdoor pool seasons in the Gundagai Council format. These plans are effectively the manuals on which staff run the pool and include the operating hours. The advertising of the operational plans is done annually in the month of May. However, due to the recent amalgamation the plan was not able to be advertised until late June this year, with submissions to be received by Tuesday 19 July 2016.

It has been noted that on the interim fees and charges advertised with the draft Operational Plan the season ticket options were omitted in error. These will be included in the final Fees & Charges to be adopted and have been advised to all regular season's ticket holders by the pool staff.

RECOMMENDATION

That Council approve the following changes to the indoor pool operating hours:

- **The morning session to commence at 6.30am and finish at 8.30am.**
- **The lunch time session to commence at 12.00noon and finish at 2.00pm.**
- **The afternoon session to commence at 4.30pm to finish at 6.30pm.**
- **The proposed changes be included in the 2016/2017 Cootamundra Outdoor and Indoor Swimming Pool Operational Plans.**

04/07/16 RESOLVED – Moved: Ferguson Seconded: Ferguson

That Council approve the following changes to the indoor pool operating hours:

- **The morning session to commence at 6.30am and finish at 8.30am.**
- **The lunch time session to commence at 12.00noon and finish at 2.00pm.**
- **The afternoon session to commence at 4.30pm to finish at 6.30pm.**
- **The proposed changes be included in the 2016/2017 Cootamundra Outdoor and Indoor Swimming Pool Operational Plans.**

4) COOTAMUNDRA POOL SWIM-A-THON REQUEST

Introduction

Council recently received correspondence requesting the free use of the Cootamundra indoor pool on Saturday 17 September 2016 for a swim-a-thon as a fund raising event. The correspondence forms **TABLED DOCUMENT 4 JULY 2016 (Pages 8-9)**

Discussion

As detailed in the correspondence the organiser has taken into consideration the scheduled public swimming hours and the event, if run as per his request, would still allow for public swimmers on the day. Council lifeguard staff members have agreed to donate their own time for the event.

Council has closed the outdoor pool facilities for the swimming club and schools to allow free use of the pool for swimming carnivals and fundraisers in the past. However, this is the first occasion a free hire of the indoor pool has been requested.

The organiser has put a good deal of thought into the proposal so that the event would not disadvantage regular patrons, covered the supervision and is to gain the majority of the funds through sponsorship the participants.

If approved Council would be required to advertise the event and advise regular patrons of the changes being the reduced number of available lanes for the day.

RECOMMENDATION

That Council approve the request for the free use of the Cootamundra Swimming Pool on Saturday 17 September 2016 for the running of the Swim-a-Thon as per the conditions set out in the proposal.

05/07/16 RESOLVED – Moved: Ferguson Seconded: Ferguson

That Council approve the request for the free use of the Cootamundra Swimming Pool on Saturday 17 September 2016 for the running of the Swim-a-Thon as per the conditions set out in the proposal.

WORKS GROUP

23. BITUMEN SHIRE ROADS

5) ROADS TO RECOVERY (Cootamundra Area)

Introduction

As was reported to the June Council meeting, the Commonwealth Department of Infrastructure and Regional Development has changed each of the Council Roads to Recovery (R2R) allocations for the next two years. Subsequently, it was advised that funds for 2016/17 and 2017/18 would need to be redistributed.

Discussion

The former Cootamundra Council approved the following projects as noted in the table below under the 'Original 2016/17 and 2017/18 Estimates' columns at the September 2015 Council meeting. The initial program as approved for 2018/19 does not need any adjustments at this stage.

From this initial program there are three projects which need to remain. These are Stage 2 of the Temora Street reconstruction, and Yeo Yeo Hampstead Road shoulder widening, as both of these projects commenced in 2015/16 and works need to continue.

As reported above, Council will be proceeding with the Gundagai/Cowcumbra intersection under the Fixing Country Roads program, so the Roads to Recovery funding allocated to this project also needs to remain as Councils' contribution to that project. This now leaves \$133,239 to be allocated.

One of the projects listed was for rehabilitation works on Council's roads. Recently Council was advised of the deteriorated condition of Turners Lane at the Jugiong Road end. The issue here is that it is a gravel road and due to this particular location it gets flooded during periods of wet weather. The combination of poor road formation and drainage, flow of upstream water and vehicle numbers means this end of Turners Lane is impassable during wet weather.

It is now proposed that the remainder of the \$753,239 not allocated (\$133,239) be allocated to upgrading this section of Turners Lane, which will tie in with the proposed Turners Lane project for 2017/18.

All other proposed projects from 2016/17 will be redistributed over to 2017/18 with the extra \$14,161 from 16/17 added to the Rosehill Road 'Willows culvert' widening.

2016/17

PROJECT	ORIGINAL 2016/17 ESTIMATE	REVISED 2016/17 ESTIMATE
Bitumen Shire Road- rehab(Turners Lane)	\$147,400	\$133,239
Gravel Shire Resheeting	\$55,000	
Gundagai/Cowcumbra St Intersection	\$250,000	\$250,000
Rosehill Rd –Willows culvert	\$120,000	
Yeo Yeo Hampstead Rd –Shoulder widening	\$120,000	\$120,000
Temora Street- Reconstruction Stage 2	\$250,000	\$250,000
Salt Clay Road- Shoulder widening	\$134,117	
TOTAL	\$1,076,517	\$753,239

2017/18

PROJECT	ORIGINAL 2017/18 ESTIMATE	REVISED 2017/18 ESTIMATE
Turners Lane- reconstruction	\$216,300	\$216,300
Gravel Road Resheeting	\$55,000	\$110,000
Town Street Rehabilitation	\$55,000	\$55,000
Rosehill Rd –Willows culvert		\$134,161
Salt Clay Road- Shoulder widening		\$134,117
TOTAL	\$326,300	\$649,578

RECOMMENDATION

That Council approve the new Cootamundra area Roads to Recovery program allocations for 2016/17 and 2017/18 detailed above.

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

That Council approve the new Cootamundra area Roads to Recovery program allocations for 2016/17 and 2017/18 detailed above.

6) ROADS PROGRAM 2016-2026 (Gundagai area)

Introduction

The purpose of this report is to seek Council's consideration and adoption of the Long term Roads Programme for 2016 - 2026

Discussion

With the review of Council's Gundagai area Roads and Transport infrastructure undertaken by Maloney's in 2015, a relatively accurate indication of the condition of the Roads and Transport assets within the Gundagai area has been obtained.

Out of this condition assessment a roads program has been able to be developed based on asset management principals, incorporating a hierarchy priority system where the assets in the greatest need are maintained, repaired or replaced as required.

As such Council's assets team have developed the roads program see **TABLED DOCUMENT 5 JULY 2016 (Pages 10-29)**. While the program is nominally for the next 5 to 10 years, annual reviews will still need to be undertaken due to changes in condition that were unforeseen.

The Roads Program which is based on the draft Operational Plan sets the projects that will be undertaken in the Gundagai area for the next 12 months, including the forward Roads to recovery program, the reseal program for the urban, rural and regional road network, rehabilitation and reconstruction, gravel resheeting, kerb and gutter and footpath replacement and drainage improvement works. A forecast of works for the next 5 years has also been developed which is continually reviewed on an annual basis.

It is anticipated that as part of the amalgamation process, a review of the condition of the roads in the Cootamundra area will be undertaken and a joint roads program will be developed for future operational plans.

RECOMMENDATION

That Council adopt the Gundagai area Roads Program 2016 – 2026.

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

That Council adopt the Gundagai area Roads Program 2016 – 2026.

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

7) HURLEY STREET- COUNTRY CLUB DISABLED PARKING

Introduction

Following correspondence received from the Cootamundra Country Club a report regarding the Disabled Parking zone and road surface issues in front of the Cootamundra Country Club building in Hurley Street was presented to the June Gundagai Council meeting, with a recommendation '*that the trees be removed and the pavement be reinstated*'. Following consideration of the report Council adopted the following resolution:

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

Discussion

The concerns the club management had expressed in both the correspondence received and verbally during the onsite inspection of the tree was that the road surface surrounding the trees is severely deformed due to root invasion. The deformity to the road was evident when trees were recently inspected and the club manager noted that the roots were affecting those parking in the disabled area. The deformities were large enough to cause the scraping of the under body of small vehicles and made the movement to the ramp access in the area difficult for those with mobility issues. There are also signs the tree roots have begun lifting the existing kerb as well as some areas of the paved the footpath.

There are three trees pictured in **TABLED DOCUMENT 6 JULY 2016 (Page 30)** positioned within the roadway surface just in front of kerb and gutter in front of the Bowling Green to the South East of Country Club entrance.

The trees have been assessed by Parks and Gardens Staff who have reported that the two large elms trees are causing the majority of the road surface deformities and both of the trees have health issues, largely due to wounds and damage left from previous trimming, lopping or storm events.

It is proposed that the two elm trees be removed, the road pavement be reinstated and the replanting of three new advanced Plane trees behind the kerb and gutter in the footpath area be undertaken. This course of action will enable the repair of roadway, parking and drainage issues currently be encountered.

The third tree in the area is located closest to the pedestrian refuse road crossing, and is a semi mature London Plane Tree. This tree appears to be in reasonable health. However, it is most likely its roots will cause damage to the surrounding roadway and Kerb and Gutter in the future.

Due to its age and health the preferred course of action for this tree is to remain and be reassessed if it creates any problems in the future. This would also have the advantage of allowing time for the newly planted plane trees to become established in the streetscape, which would soften the area if the existing plane tree needed to be removed at a later date.

Consideration was given to relocating the parking areas, and shortening the existing loading zone to allow for more vehicular parking but this would involve the construction of new pathways and associated pedestrian ramps and did not address the potential further damage to the roadway, kerb and footpath.

An estimate to remove the two trees and reconstruct the Hurley Street road pavement is \$8,000, which could be funded from Town Street and Street Tree Maintenance.

It should also be noted that the trees planted across the road from the Country Club, within the Country Club car park area were also inspected. The trees pictured in **TABLED DOCUMENT 7 JULY 2016 (Page 31)** were found to have a number of health and structural issues, largely due to the pruning techniques used by electricity line clearance works that the four trees have had to endure in the past. Due to this damage the four trees will be fully assessed when the next round of line clearance work is undertaken and may need to be removed.

RECOMMENDATION

That Council remove the two mature Elm trees on the southern side of Hurley Street adjacent to the Country Club bowling greens, plant three Plane trees, and reinstate the Hurley Street pavement.

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

That Council remove the two mature Elm trees on the southern side of Hurley Street adjacent to the Country Club bowling greens, plant appropriate trees, and reinstate the Hurley Street pavement.

DEVELOPMENT GROUP

30. DEVELOPMENT CONTROL

8) APPLICATION FOR DEVELOPMENT CONTROL PLAN VARIATION (MAXIMUM FLOOR AREA FOR OUTBUILDINGS) – DA2016/62, NO.33 COOPER STREET, COOTAMUNDRA

Applicant

Brian Speering
54 Hurley Street
Cootamundra NSW 2590

Owner

Bob & Sue Guy
33 Cooper Street
Cootamundra NSW 2590

Property Description

Lot 1 DP7255597
33 Cooper Street
Cootamundra NSW 2590

A location plan of the subject land is provided in **TABLED DOCUMENT 8 JULY 2016 (Page 32)**

Zoning

Land Zoned B3 'Commercial Core' under the Cootamundra LEP 2013.

Existing Use

Existing residential property containing a dwelling house and associated outbuildings.

Proposal

A request has been received from the applicant for a variation of the maximum floor area for outbuildings applicable to the site 33 Cooper Street Cootamundra, which is sized approximately 650m².

The maximum sized outbuilding for a site sized between 601m² to 900m² outlined within the Cootamundra Development Control Plan (DCP) 2013 is 70m² plus an additional 50% of open structures such as verandah's or carports.

The proposed garage sized 88m², a total of 18m² larger than the maximum sized enclosed structure

Discussion

The proposal is to replace an existing older dilapidated single garage onsite with a new 3 bay garage. The new garage is sized 11 metres long x 8 metres wide x 2.8 metres high measured to the gutter line.

The proposed garage is to be sited 1.5 metres from the rear lane boundary and 900mm from each side boundary. The garage is to be colorbond clad, has 3 x 3.1 metres wide roller doors facing the laneway and has a 10 degree roof pitch making the total height of the garage measured to the ridge line of 3.5 metres.

Plans of the proposed garage are provided in **TABLED DOCUMENT 9 JULY 2016 (Pages 33-34)**

The applicant has indicated that the reason for the garage is to provide two secure off street parking spots and an enclosed workshop with wet room for the owners domestic use. The applicant considers these requirements as not unnecessary to the residential use of the site and outlines that the site still has adequate outdoor space provided within the rear yard directly associated to the dwelling.

Considerations for the proposal are as follows:

1. The site for the proposed garage has a total size of 650m² and has a principal private open space requirement of 10% of the site. Including the new garage the site will have over 150m² of rear yard directly accessed from the rear of the dwelling which is over 20%, or twice the required amount outlined under the DCP.
2. The overall size and scale of the garage is considered not to be excessive. The overall height of the gutter line and overall ridge height is considered to

have little to no detrimental effects on neighbouring property by means of overshadowing, visual bulk or scale. Neighbouring sites all have their outbuildings in similar positions at the rear of their sites close to the laneway and the garage is expected to fit in to its surroundings by being of similar construction and size.

3. The proposed garage was compared to the performance criteria outlined within the Development Control Plan 2013 for maximum floor area of outbuildings and was considered to satisfy these criteria.

RECOMMENDATION

That Council grant a variation to the Cootamundra Development Control Plan 2013 (maximum floor area for outbuildings) to permit the proposed garage sized 11 metres long x 8 metres wide located at the rear of the property.

09/07/16 RESOLVED – Moved: Ferguson Seconded: Ferguson

That Council grant a variation to the Cootamundra Development Control Plan 2013 (maximum floor area for outbuildings) to permit the proposed garage sized 11 metres long x 8 metres wide located at the rear of the property.

VOTING RECORD for Minute 09/07/16 - APPLICATION FOR DEVELOPMENT CONTROL PLAN VARIATION (MAXIMUM FLOOR AREA FOR OUTBUILDINGS) – DA2016/62, NO.33 COOPER STREET, COOTAMUNDRA	
FOR RESOLUTION	AGAINST RESOLUTION
Christine Ferguson	Nil
ABSENT	DECLARED INTEREST
Nil	Nil

9) APPLICATION FOR DEVELOPMENT CONTROL PLAN VARIATION (PRIMARY BUILDING LINE) – DA2016/52, NO.183 ADAMS STREET, COOTAMUNDRA

Applicant

John Dowell
183 Adams Street
Cootamundra NSW 2590

Owner

John & Lillian Dowell
183 Adams Street
Cootamundra NSW 2590

Property Description

Lot 2 DP1056654
183 Adams Street
Cootamundra NSW 2590

A location plan of the subject land is provided in **TABLED DOCUMENT 10 JULY 2016 (Page 35)**

Zoning

Land Zoned R1 'General Residential' under the Cootamundra LEP 2013.

Existing Use

Existing residential property containing a dwelling house and associated outbuildings.

Proposal

A request has been received from the applicant for a variation of the primary building line calculated to be 11 metres to facilitate the erection of a single carport that will be sited 4 metres from the front boundary of Adams Street and 5 metres from the side boundary of Boundary Road. The 11 metre building line has been established by the average of all existing buildings within 40m of the subject property in accordance with Councils Development Control Plan (DCP) 2013.

Discussion

The proposal is to erect a new aluminium cantilevered carport solely within the building line of the property. The carport only consist of two posts, with the roof cantilevered from these, creating a modern, minimal structure.

Plans of the proposed garage are provided in **TABLED DOCUMENT 11 JULY 2016 (Pages 36-38)**

The applicant understands the requirement for a building line variation for the construction of the carport and states the reasons within the application as being the following:

1. Cover the existing parking area onsite,
2. Structure as design will have minimal visual impact,
3. Overall design has chosen to combat the impacts associated with being constructed within the building line.

The new carports design is considered to have a minor visual impact from both Boundary Road and Adams Street by being constructed of smaller scale aluminium framing and the cantilevered design. The roof of the carport is tinted translucent material which is also expected to be less intrusive. The overall design of this carport is considered to have less bulk and scale impacts compared to a carport of standard construction. The position of the carport is also within existing parking area of the site that consists of existing trees and shrubs, that will also minimise the visual impact of the structure from both Adams Street and Boundary Road.

Site photographs from Boundary Road and Adams Street are provided in **TABLED DOCUMENT 12 JULY 2016 (Pages 39-40)**

The proposal was notified under Councils notification Policy to all adjoining and neighbouring properties and no comments were received. There are no other structures within 60 metres of the site, however, the existing trees and shrubs will shield the new structure.

It should be noted that there is currently a section 88B instrument that is relevant to the sites Deposited Plan (DP) number 10040095, which states within part 2, restrictions of use, D, that 'No building shall be erected on any part of any lot within 8 metres of the boundary of any lot with a street alignment'.

As the section 88B instrument has no benefit or impact to Council and is only to benefit the registered proprietors of all lots within the DP10040095, Council can assess the

application as normal and on its merit. It is up to the registered proprietors of the DP whether they take action to remove this clause within the 88B instrument in the future.

Council will inform the applicant that they may be open to legal action by neighbouring property owners within the same DP if they wished to take action against the carport. This will be a condition of the Development Consent, if the carport obtains a building line variation.

RECOMMENDATION

That Council grant the variation to the Cootamundra Development Control Plan 2013 (Building Line) to permit the proposed carport to be erected 4 metres from the front property boundary.

10/07/16 RESOLVED – Moved: Ferguson Seconded: Ferguson

That Council grant the variation to the Cootamundra Development Control Plan 2013 (Building Line) to permit the proposed carport to be erected 4 metres from the front property boundary.

VOTING RECORD for Minute 10/07/16 - APPLICATION FOR DEVELOPMENT CONTROL PLAN VARIATION (PRIMARY BUILDING LINE) – DA2016/52, NO.183 ADAMS STREET, COOTAMUNDRA	
FOR RESOLUTION	AGAINST RESOLUTION
Christine Ferguson	Nil
ABSENT	DECLARED INTEREST
Nil	Nil

31. LAND AND ECONOMIC DEVELOPMENT

10) HERITAGE ITEM - COOTAMUNDRA LOCAL ENVIRONMENTAL PLAN 2013

Introduction

This report gives consideration to a request to remove a heritage item from the Schedule of Heritage Items in the Cootamundra Local Environmental Plan 2013 and the associated LEP maps.

Discussion

Cootamundra Local Environmental Plan 2013

The LEP includes a list of buildings and sites that have been identified as having local heritage significance and have been listed in Schedule 5 of the written part of the LEP as well as being included on the associated heritage maps.

“...heritage item means a building, work, place, relic, tree, object or archaeological site the location of which is described in Schedule 5...”

As a result of being individually listed in the LEP, heritage items are subject to the heritage provisions of “*Clause 5.10 Heritage conservation*” in relation to works such as alterations, structural changes, demolition and subdivision.

150 Thompson Street Cootamundra

The dwelling situated on the property at 150 Thompson Street Cootamundra is included in the Schedule of Heritage Items in the Cootamundra LEP 2013. A location plan of the property is provided as **TABLED DOCUMENT 13 JULY 2016 (Page 41)**.

The current owner of the property has recently written to Council requesting that the dwelling be removed from the Heritage Item listing.

The dwelling was originally included in the Schedule as a result of the recommendations of the *Cootamundra Shire Community-Based Heritage Study* completed in 2010. The Heritage Study described the dwelling as being of Pise construction and the dwelling was subsequently included in the Schedule on the basis that this type of construction is relatively rare and unique within the Cootamundra town area.

However, an inspection of the dwelling by Council’s Manager of Development and Building Services in 2015 revealed that the dwelling is not of Pise construction but of brick with a plaster coating. The dwelling is therefore not a rare representative example of Pise construction in Cootamundra. Therefore it is recommended that the owner’s request be favourably considered as the dwelling does not have the significance that it was originally attributed to have.

The removal of the heritage item requires the preparation of a Planning Proposal to amend both the written part of the LEP as well as the associated Heritage Map in

accordance with the requirements of the NSW Department of Planning and Environment.

Delegation of LEP plan making process

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

Having regard to the minor nature of the proposed amendment to the LEP it is recommended that Council seek to use the delegation in this instance.

RECOMMENDATION

- 1. That Council prepare a Planning Proposal to amend the Cootamundra Local Environmental Plan 2013 to remove Item 46 Pise House at 150 Thompson Street Cootamundra from Schedule 5 Part 1 Heritage Items and from Heritage Map – Sheet HER_005A;**
- 2. That Council submit the proposed amendment to the Cootamundra Local Environmental Plan 2013 to the NSW Department of Planning and Environment and seek a Gateway Determination and authorisation to use Council's delegation under Section 59 of the *Environmental Planning and Assessment Act 1979* to make the plan.**

11/07/16 RESOLVED – Moved: Ferguson Seconded: Ferguson

- 1. That Council prepare a Planning Proposal to amend the Cootamundra Local Environmental Plan 2013 to remove Item 46 Pise House at 150 Thompson Street Cootamundra from Schedule 5 Part 1 Heritage Items and from Heritage Map – Sheet HER_005A;**
- 2. That Council submit the proposed amendment to the Cootamundra Local Environmental Plan 2013 to the NSW Department of Planning and Environment and seek a Gateway Determination and authorisation to use Council's delegation under Section 59 of the *Environmental Planning and Assessment Act 1979* to make the plan.**

VOTING RECORD for Minute 11/07/16 - HERITAGE ITEM - COOTAMUNDRA LOCAL ENVIRONMENTAL PLAN 2013	
FOR RESOLUTION	AGAINST RESOLUTION
Christine Ferguson	Nil
ABSENT	DECLARED INTEREST
Nil	Nil

11) LAND MATTER – BOUNDARY ADJUSTMENT – GILMORE PLACE, GUNDAGAI

Introduction

The purpose of this report is to seek Council approval for a minor boundary adjustment to a block of land in Council's Bourke Estate in Gilmore Place, Gundagai.

Discussion

When Council developed Gilmore Place as part of the Bourke Estate subdivision, as part of the development street lights were installed. After the street lights were installed it became evident that the street light in front of No. 8 Gilmore Place (Lot 30) was in an inappropriate location making entry into the block difficult. Refer **TABLED DOCUMENT 14 JULY 2016 (Page 42)**.

The options available were to arrange for the relocation of the power pole, which would have been at Council's expense, or modify the entry to No 8 Gilmore Place. The owners of No. 8 have approached Council to facilitate a suitable entry into the block. It should be noted that No 6 Gilmore Place (Lot 29) is still in the ownership of Gundagai Council.

The option to relocate was investigated with Essential Energy, revealing that to maintain the intention of having a light at the head of the Cul-de-sac has now become problematic, due to the construction of the house and driveway at No 7. This now leaves no suitable location for the pole to be relocated to while maintaining the original intention. It is estimated that to relocate this pole would be in the order of \$20,000.

Discussions held with the owners of No 8 Gilmore place suggested that widening the entrance would be a suitable method of rectifying the issue. The boundary with Lot 29 is steep and would have minimal impact on the useful land of Lot 29.

As such Council has engaged a surveyor to create a plan of subdivision that modifies the boundary. A copy of the plan of subdivision showing the new boundary is included as tabled document **TABLED DOCUMENT 15 JULY 2016 (Page 43)**

It is now appropriate that Council give approval for the boundary adjustment in favour of the existing No. 8 Lot 30 DP 110255 Gilmore Place in accordance with the plan of subdivision.

RECOMMENDATION

That Council:

- 1. Approve the boundary adjustments for Lot 29 and Lot 30 DP 1110255 in favour of Lot 29;**
- 2. Sign the deposited plan administration sheet as the owner of the existing Lot 29 DP 1110255, and**
- 3. Endorse the subdivision certificate for the plan of subdivision of Lots 29 and 30 DP 1110255.**
- 4. Undertake all required paperwork under Seal of Council.**

12/07/16 RESOLVED – Moved: Ferguson Seconded: Ferguson

That Council:

- 1. Approve the boundary adjustments for Lot 29 and Lot 30 DP 1110255 in favour of Lot 29;**
- 2. Sign the deposited plan administration sheet as the owner of the existing Lot 29 DP 1110255, and**
- 3. Endorse the subdivision certificate for the plan of subdivision of Lots 29 and 30 DP 1110255.**
- 4. Undertake all required paperwork under Seal of Council.**

VOTING RECORD for Minute 12/07/16 - LAND MATTER – BOUNDARY ADJUSTMENT – GILMORE PLACE, GUNDAGAI	
FOR RESOLUTION	AGAINST RESOLUTION
Christine Ferguson	Nil
ABSENT	DECLARED INTEREST
Nil	Nil

34. FINANCIAL PLANNING AND REVENUE

12) INVESTMENT REPORT

The purpose of this report is to provide Council with a list of Council funds invested as at 30 June 2016.

A summary of investments for the Cootamundra Area as at 30 June 2016 forms **TABLED DOCUMENT 16 JULY 2016 (Page 44)**.

A summary of investments for the Gundagai Area as at 30 June 2016 forms **TABLED DOCUMENT 17 JULY 2016 (Page 45)**.

RECOMMENDATION

That the Investment Reports for the Cootamundra area and Gundagai area as at 30 June 2016 be received.

13/07/16 RESOLVED – Moved: Ferguson Seconded: Ferguson

That the Investment Reports for the Cootamundra area and Gundagai area as at 30 June 2016 be received.

13) DONATION REQUEST

Introduction

Council has received a request for a donation from the Wallendbeen Primary School, to help fund the school choir participation in the 2016 NSW School Spectacular to be held at Sydney Olympic Park in November. A copy of the request forms **TABLED DOCUMENT 18 JULY 2016 (Page 46)**.

Discussion

Council has a donations budget of \$8,800 for the Cootamundra Area, to be allocated to Community Projects and Events that support Council's objectives and functions over the current financial year.

Education is not a Council function. However, Council does support its schools with minor donations to presentation nights and school awards. This is a one-off request that will benefit a number of community members in Wallendbeen, and potentially support an experience that may not otherwise have been available.

The correspondent has not specified any amount in their request, and previous Council donations to schools have ranged from \$30 for the smallest village schools, to \$200 for the Cootamundra High School.

RECOMMENDATION

That Council make a one-off donation in the amount of \$100 to the Wallendbeen Primary School to support their participation in the 2016 NSW School Spectacular to be held at Sydney Olympic Park in November.

14/07/16 RESOLVED – Moved: Ferguson Seconded: Ferguson

That Council make a one-off donation in the amount of \$100 to the Wallendbeen Primary School to support their participation in the 2016 NSW School Spectacular to be held at Sydney Olympic Park in November.

GENERAL BUSINESS

14) VOTES AND PROCESS TO CHANGE NAME

The Administrator advised those present of the results of the poll held to determine a new name for the Council. The results were as follows:

NAME	COOTAMUNDRA VOTES	GUNDAGAI VOTES	TOTAL
Cootamundra-Gundagai Council	601	2	603
Gundagai-Cootamundra Council	121	782	903
Cootamundra-Gundagai Regional Council	1124	15	1,139
Gundagai-Cootamundra Regional Council	116	273	389
Invalid	107	70	177
TOTAL	2,269	1,142	3,211

The Administrator also advised that the process from now would involve a resolution from the next council meeting, writing to the Minister for Local Government and awaiting a new Proclamation to be signed by the Governor and gazetted.

There being no further business the meeting closed at 6.38pm.

These Minutes were confirmed by resolution of Council at the Council Meeting held on Monday 25 July 2016 and endorsed by:

ADMINISTRATOR

GENERAL MANAGER