

Gundagai Council



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MINUTES

EXTRAORDINARY COUNCIL MEETING 23 MAY 2016

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EXTRAORDINARY COUNCIL MEETING 23 MAY 2016

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THESE ARE THE MINUTES OF THE EXTRAORDINARY MEETING OF GUNDAGAI COUNCIL HELD ON 23 MAY 2016 IN THE COOTAMUNDRA COUNCIL CHAMBERS COMMENCING AT 5.02 PM.

PRESENT

Administrator Christine Ferguson

Also Present

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

APOLOGIES

Nil

ADOPTION OF MINUTES

01/E205/16

RESOLVED – Moved: Ferguson

Seconded: Ferguson

That the Minutes of the Extraordinary Meeting of Council held on Monday 17 May 2016 be confirmed as a true and correct record of the meeting.

CONSIDERATION OF COMMITTEE REPORTS AND RECOMMENDATIONS

REPORT AND RECOMMENDATION OF THE TRAFFIC ADVISORY COMMITTEE MEETING HELD ON 5 MAY 2016

RECOMMENDATION

That the report and recommendations be received and adopted.

02/E205/16 RESOLVED – Moved: Ferguson Seconded: Ferguson

That the report and recommendations be received and adopted.

REPORT AND RECOMMENDATION OF THE TOURISM ACTION COMMITTEE MEETING HELD ON 13 APRIL 2016

RECOMMENDATION

That the report and recommendations be received and adopted.

03/E205/16 RESOLVED – Moved: Ferguson Seconded: Ferguson

That the report and recommendations be received and adopted.

CORRESPONDENCE (Information)

LG NSW (Information)

1. WEEKLY CIRCULARS

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

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

2. CIRCULARS

Published	Circular	Description
17 May 2016	16-13	Taxation arrangements for new councils
04 May 2016	Media Release	Councillor Con Hindi suspended from Hurstville City Council
29 April 2016	16-12	Arrangements for the sale and lease of swimming pools from 29 April 2016
27 April 2016	Media Release	Making Backyard Pools safe
22 April 2016	16-11	Rating information 2016-17
15 April 2016	16-10	Model Asbestos Policy Update for NSW Councils
15 April 2016	General Publication	Model Asbestos Policy for NSW Councils – November 2015

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

RECOMMENDATION

That the information be noted.

04/E205/16 RESOLVED – Moved: Ferguson Seconded: Ferguson

That the information be noted.

ACTION SUMMARY REPORT

The following is a summary of actions undertaken on Council resolutions in the Cootamundra Area since the last ordinary Council meeting.

Ref	Action	Status
04/04/16	Make a written submission to the Cootamundra – Harden – Gundagai merger proposal.	Submitted.
07/04/16	Reduce the Jubilee Park hire fees for Intereach's annual family day.	Intereach advised.
08/04/16	Establish alcohol free zones in accordance with the resolution.	Quotes are being sought for update of signage.
10/04/16	Continue to advocate and provide information to Council about the development of the Emergency Services Property Levy.	Council's Rates Officer has nominated to participate in a working group set up to advise on the Emergency Services Levy implementation.
11/04/16	Endorse the revised RFS estimates, minus the annual contribution of the Fire Control Centre.	The estimates have been endorsed and the RFS have been advised that the annual contribution to the Fire Control Centre is not supported this year.
13/04/16	Report on progress of Turners Lane industrial land development, including consideration for funding.	This has been discussed in Council Policy workshops.
14/04/16	Advise the landowners that Council will not amend the LEP to allow rezoning as outlined in their proposal.	The owner has been advised.
GB1	The Acting Director Engineering Services advised that plantings on the corner of Parker and Hurley Streets are being organised.	Complete.

Ref	Action	Status
GB2	The Acting Director Engineering Services undertook to advise ARTC of the issue with the fractured rail line.	Local ARTC have advised that the repair has been scheduled.
GB7	Investigate the possibility of relocating the Fisher Park Lights to the Rugby Club Oval.	Staff have investigated and the existing lighting would be unsuitable and doesn't meet current standards for new installations.
GB8	Provide an update on progress at Claron Estate.	Electricity company have advised that connection date would be early June.
GB10	Prepare a report in regard to the Saleyards truck access, to the Saleyards Committee.	Issues with driver behaviour to be discussed at next Saleyards Committee.
Traffic Committee 06/TAC05/16	That further information be sourced from EA Southee School district cross country as to the exact location of the required road closure.	<p>The Director Engineering Services followed up with the EA Southee School and it has been agreed that they will be responsible for:</p> <ol style="list-style-type: none"> 1. all traffic control signage requirements in accordance with the TCP 2. ensuring that appropriate adult supervision is in place to keep students to the area behind the kerb and for road crossings, and 3. advising affected residents of the street closure.

RECOMMENDATION

That the information be noted.

05/E205/16

RESOLVED – Moved: Ferguson

Seconded: Ferguson

That the information be noted.

The following is a summary of actions undertaken on Council resolutions in the Gundagai Area since the last ordinary Council meeting.

Res No.	Action to be taken	Officer	Status
SEPTEMBER 2013			
360	Undertake minor enhancement works to improve vehicle parking/turning at 72,74 & 76 Punch St.	DES	Works programmed are delayed due to potential Naturally Occurring Asbestos needing further analysis.
JUNE 2014			
199	Town Improvement District Area - Extend TID area to include, area adjacent to Mr Reardon; area abutting Spring Flat Drive; area of Saleyards/DJ Lynchs/Essential Energy/ Fire shed and undertake a comprehensive review of TID when LEP is next reviewed.	DCCS	Commenced preparation of Gazettal. Will not take effect until 2015/16. Will be completed for implementation next financial year. Works deferred pending FFTF. Due to minimum TID application due March 2015, deferred to take effect 2016/17.
392	Partial control burn on Mount Parnassus	MURS	Permission and proposed dates are being organised with Fire & Rescue. Waiting to hear from Sydney Fire & Rescue. Permission not given at this time. Likely deferred until 15/16. An Environment Certificate has been issued. It is now in Fire & Rescue control. Communication has been sent – awaiting a response.

Res No.	Action to be taken	Officer	Status
APRIL 2015			
94	Murrumbidgee Valley Rail Trail Proposal - Following community feedback and after July, a Council delegation visit Victoria re their rail trail experience and a workshop be convened after the visit	GM	On hold pending completion of FFTF Submission. Initial Workshop held at Development Committee August 2015. Discussion deferred for full Council attendance at a future date to be determined by GM.
116	Amendment of Gundagai LEP – Heritage Conservation Area Planning proposal to the Dept of Planning & Environment seeking Gateway Determination to amend the LEP; introduce into the plan a Heritage Conservation Area.	H&B Officer	Advised the Office of Environmental and Heritage of the proposal and awaiting their response.
SEPTEMBER 2015			
349	Amendment to the Gundagai LEP - Prepare an amendment to LEP to rezone land at Coolac.	H&B Officer	Proposed Amendment sent to Dept of Planning and Environment Awaiting response.
NOVEMBER 2015			
412	Checklist – Res: 175 of May 2013: DES to contact RMS re Annie Pyers Drive meeting with RMS and stakeholders.	DES	Meeting arranged for 11 March 2016. RMS working through options and will contact stakeholders.
419	Yarri Sculpture Community Fundraising Committee: Nominate Yarri and Jackey Jackey for bravery award.	EDM	Research underway

Res No.	Action to be taken	Officer	Status
DECEMBER 2015			
484	Historic Bridges Incorporated: Not pursue offer to establish RV site at Old Railway Station – have further discussion.	MURS	Discussion Held. Historic Bridges Inc. will send a letter. Awaiting their response.
487	Front End Loader Garbage Truck: Explore the purchase of, and possibility of utilizing a truck with neighbouring council	MURS	Neighbouring Councils not interested. Exploring purchasing of truck and bins.
MARCH 2016			
68	Adjustment Plant Replacement Program: Allocate \$35,000 from plant fund to purchase a lime storage tanker.	DES	Investigations underway for tanker
72	Planning Proposal to Create a Tourist Zone in the Village of Coolac: Amend LEP: SP3 tourist zone, item 3 to include “Emergency services facilities”. “Filming”, “Garden centre” and “Temporary structures”; and Sheet LZN_006B to detail the area to be encompassed by the SP3 Tourist zone and amend the lot size map – Sheet LSZ_006 to apply the existing minimum lot size of 1500m2 for the area across the full proposed tourist zone area.	H&B Officer	In progress
76	Correspondence – Muttama Hall Committee: Arrange a meeting at the Muttama Hall with members of the Committee and Councillors and report be presented to Development Committee.	MURS	In process of organising a meeting. Hopeful of a report for next Development Committee. COMPLETED

Res No.	Action to be taken	Officer	Status
APRIL 2016			
83	Swimming Pool Gymnasium - Cost estimate be prepared and taken to next Development Committee.	MURS	COMPLETED
86	Fit for the Future – Merger Proposal - Delegate mayor and GM to lodge submission re Gundagai, Coota and Harden Merger Proposal.	GM	COMPLETED
87	Support for Legal Action Against Forced Amalgamation - Letter advising Council wishes Walcha Council well, but commencement of such legal action does not fit in with Gundagai's plans to stand alone.	GM	Verbal advise provided following Council meeting. Letter drafted – on hold pending further investigation on behalf of Councillors.
102	Amendment to Street Tree Plan - Include smaller trees under overhead power cables in West St and remove planned row of trees from Hanley St to Sheridan St due to unsuitability.	MURS	COMPLETED
103	Carberry Park Gate - Design in house plan to install Carberry Park sign and plaque.	DES (cadet)	Will commence in July when Cadet Engineer is with Council.
104	Responsible Pet Ownership Grants - Apply for Grants.	MURS	COMPLETED
105	Letter from Bongongo P&C - Prepare a cost estimate to establish "Welcome to" signs for local areas and the estimate to be considered by Budget and Finance Committee as part of 2016/17 budget.	MURS	

Res No.	Action to be taken	Officer	Status
106	Letter from Humula Public School - Supply bollards, star pickets and mowing/slashing for Riverina Cross Country Carnival 16-17 June.	MURS	Organised. COMPLETED
109	Recycling Problem - Implement a weekly putrescible garbage collection within normal staffing hours and continue fortnightly recycling and organics collection.	MURS	COMPLETED
110	Australian Men's Shed Association – Gundagai Division - Refer requests to Budget committee and advise not within Council's authority to waive DA fees.	GM	COMPLETED
111	Gundagai Historic Bridges Incorporated - Contribute to the GHBI \$1606.35, equal to the amount owing for rates, water and sewer charges and interest, less the water usage charges.	DCCS RO	COMPLETED

RECOMMENDATION

That the information be noted.

06/E205/16

RESOLVED – Moved: Ferguson Seconded: Ferguson

That the information be noted.

2. COUNCIL

1) TABLING OF PECUNIARY INTEREST RETURNS

Introduction

Administrators and other designated personnel at Council are required to prepare and submit a statement of pecuniary interests and other matters upon their commencement in office and to update it annually.

The pecuniary interest return of Councils Administrator, Mrs Christine Ferguson, is tabled at this meeting.

Discussion

Section 449(3) of the Local Government Act 1993 (NSW) requires designated persons to lodge a pecuniary interest return in the form prescribed by the Local Government (General) Regulation 2005 (NSW).

Section 450A of the *Local Government Act* 1993 requires the General Manager to table the pecuniary interest returns lodged at a meeting of Council. The pecuniary interest returns can be inspected by any person and assist in ensuring transparency and accountability in local government decision-making.

The pecuniary interest return of all other designated persons for the year ended 30 June 2015 were Tabled in October 2015 and have been filed on Council's register of returns.

RECOMMENDATION

That the tabling of the pecuniary interest return of Council's Administrator, Mrs Christine Ferguson, be noted.

07/E205/16

RESOLVED – Moved: Ferguson Seconded: Ferguson

That the tabling of the pecuniary interest return of Council's Administrator, Mrs Christine Ferguson, be noted.

2) DELEGATIONS TO ADMINISTRATOR AND INTERIM GENERAL MANAGER

Introduction

The *Local Government (Council Amalgamations) Proclamation 2016*, at Clause 18, carries forward delegations that were in place in both the former Cootamundra Shire Council and the former Gundagai Shire Council prior to the Proclamation of Gundagai Council.

However, in order to update these delegations for the Gundagai Council the delegations to the Administrator and the Interim General Manager need to be adopted.

Discussion

Council has a general power to delegate all of its functions with the exception of those functions listed under s377 of the *Local Government Act 1993*.

377 General power of the council to delegate

- (1) A council may, by resolution, delegate to the general manager or any other person or body (not including another employee of the council) any of the functions of the council, other than the following:
- (a) the appointment of a general manager,
 - (b) the making of a rate,
 - (c) a determination under section 549 as to the levying of a rate,
 - (d) the making of a charge,
 - (e) the fixing of a fee,
 - (f) the borrowing of money,
 - (g) the voting of money for expenditure on its works, services or operations,
 - (h) the compulsory acquisition, purchase, sale, exchange or surrender of any land or other property (but not including the sale of items of plant or equipment),
 - (i) the acceptance of tenders which are required under this Act to be invited by the council,
 - (j) the adoption of an operational plan under section 405,
 - (k) the adoption of a financial statement included in an annual financial report,
 - (l) a decision to classify or reclassify public land under Division 1 of Part 2 of Chapter 6,
 - (m) the fixing of an amount or rate for the carrying out by the council of work on private land,
 - (n) the decision to carry out work on private land for an amount that is less than the amount or rate fixed by the council for the carrying out of any such work,
 - (o) the review of a determination made by the council, and not by a delegate of the council, of an application for approval or an application that may be reviewed under section 82A of the *Environmental Planning and Assessment Act 1979*,
 - (p) the power of the council to authorise the use of reasonable force for the purpose of gaining entry to premises under section 194,
 - (q) a decision under section 356 to contribute money or otherwise grant financial assistance to persons,
 - (r) a decision under section 234 to grant leave of absence to the holder of a civic office,
 - (s) the making of an application, or the giving of a notice, to the Governor or Minister,
 - (t) this power of delegation ,

- (u) *any function under this or any other Act that is expressly required to be exercised by resolution of the council.*
- (2) *A council may, by resolution, sub-delegate to the general manager or any other person or body (not including another employee of the council) any function delegated to the council by the Departmental Chief Executive except as provided by the instrument of delegation to the council.*

In order to expedite the functioning of Council it is recommended the maximum allowable delegation be provided to the Administrator to carry out the normal functions of Mayor and Councillors, and to the Interim General Manager to carry out the normal functions of the General Manager.

PROPOSED DELEGATIONS

ADMINISTRATOR

In order to provide for the expedient exercise and performance of Council's powers and duties and the efficient management of Council's business and responsibilities, under Section 377 of the *Local Government Act 1993* the Gundagai Council hereby delegates to the person holding the office of **Administrator**, or to the person holding the aforementioned position in an acting capacity, the exercise of Council's functions, which includes its powers, duties and authorities contained in legislation, and matters specified in Schedule 1, subject to the limitations specified in Schedule 2. This delegation shall remain in force until specifically altered or revoked in writing.

SCHEDULE 1

- 1.1 To carry out any function conferred on and duty imposed on the Mayor or Councillors under any Act or regulation;
- 1.2 To sign cheques drawn on Council's bank accounts in conjunction with the Interim General Manager or any other staff member authorised by the Interim General Manager;
- 1.3 To affix the Common Seal of Council in conjunction with the Interim General Manager to any necessary document pursuant to or consequent upon any decision of Council;
- 1.4 To respond to media publicity on Council matters and to issue media releases and make statements to the media on behalf of Council;
- 1.5 To approve attendance by Council Committee members at conferences/seminars, etc. within NSW and ACT to a maximum of three days and within budget provisions;
- 1.6 To authorise urgent works and other expenditures outside of the adopted budget up to an amount of \$20,000.

SCHEDULE 2

- 2.1 Subject to the provisions and limitations expressly set out in the *Local Government Act 1993*, as amended and any other legislation relevant to the delegations.
- 2.2 The Mayor shall exercise the functions herein delegated in accordance with and subject to all and every policy and code of the Council adopted by Resolution and current at the time of the exercise of the functions herein delegated.

INTERIM GENERAL MANAGER

In order to provide for the expedient exercise and performance of Council's powers and duties and the efficient management of Council's business and responsibilities, under Section 377 of the *Local Government Act* 1993 the Gundagai Council hereby delegates to the person holding the office of **Interim General Manager**, or to the person holding the aforementioned position in an acting capacity, the exercise of Council's functions, which includes its powers, duties and authorities contained in legislation, and matters specified in Schedule 1, subject to the limitations specified in Schedule 2. This delegation shall remain in force until specifically altered or revoked in writing.

SCHEDULE 1

- 1.1 To carry out any function conferred on and duty imposed on the Interim General Manager under any Act or regulation;
- 1.2 To affix the Common Seal of Council in conjunction with the Administrator to any necessary document pursuant to or consequent upon any decision of Council;
- 1.3 To respond to media publicity on Council matters and to issue media releases and make statements to the media on behalf of Council, where appropriate;
- 1.4 To approve attendance by Council Committee members at conferences/seminars etc. within NSW and ACT to a maximum of three days and within budget provisions;
- 1.5 To authorise urgent works and other expenditures outside of the adopted budget up to an amount of \$20,000

SCHEDULE 2

- 2.1 Subject to the provisions and limitations expressly set out in the *Local Government Act* 1993, as amended and any other legislation relevant to the delegations.
- 2.2 The Interim General Manager shall exercise the functions herein delegated in accordance with and subject to all and every policy and code of the Council adopted by Resolution and current at the time of the exercise of the functions herein delegated.

RECOMMENDATION

That Council adopt the delegations to the Administrator and Interim General Manager detailed above.

08/E205/16

RESOLVED – Moved: Ferguson Seconded: Ferguson

That Council adopt the delegations to the Administrator and Interim General Manager detailed above.

3) APPOINTMENT OF IMPLEMENTATION ADVISORY GROUP AND LOCAL REPRESENTATION COMMITTEE

Introduction

The Local Government (General) Regulation 2005 states at Clause 260 that:

- (1) A council may, by resolution, establish such committees as it considers necessary.*
- (2) A committee is to consist of the mayor and such other councillors as are elected by the councillors or appointed by the council.*

The *Local Government (Council Amalgamations) Proclamation 2016*, states at Clause 12(3) that:

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

The initial period is the period from 12 May 2016 until 9 September 2017.

The Local Government (General) Regulation 2005 also states at Clause 261:

- 261. A council must specify the functions of each of its committees when the committee is established, but may from time to time amend those functions.*

Discussion

In order to assist the Administrator in developing an Implementation Plan and to assist the Administrator in implementing the new council, an Implementation Advisory Group (IAG) will be established, made up of selected former councillors with a genuine commitment to the success of Gundagai Council. The membership of the IAG may be varied from time to time at the discretion of the Administrator in order to deal with relevant issues as they arise. The Terms of Reference for the IAG form **TABLED DOCUMENT 1 E2 MAY 2016 (Pages 1-2)**.

In order to assist the Administrator in the continued functioning of the new council and to provide advice to the Administrator on local views and issues, a Local Representation Committee (LRC) will be established, made up of selected former councillors with a genuine commitment to the success of Gundagai Council. The membership of the LRC may be varied from time to time at the discretion of the Administrator in order to deal with relevant issues as they arise. The Terms of Reference for the IAG form **TABLED DOCUMENT 2 E2 MAY 2016 (Pages 3-4)**.

Due to time constraints not all ex-councillors have been able to be approached and these will be approached regarding their desire to be involved in the new council in the coming week.

RECOMMENDATION

1. That Council appoint the following persons to the Implementation Advisory Group:

Mr Paul Braybrooks OAM (Chair), Mr Rod Chalmers, Mr Doug Phillips, Mr Mason Crane, Mr Peter Gain.

2. That Council appoint the following persons to the Local Representation Committee

Mr Stephen Doidge, Mrs Mary Donnelly, Mr Mike Kingwill, Mr Ron Magnone, Mr Dennis Palmer (Chair), Mr Jim Slattery, Mr Craig Stewart, Mrs Rosalind Wight

09/E205/16

RESOLVED – Moved: Ferguson Seconded: Ferguson

1. That Council appoint the following persons to the Implementation Advisory Group:

Mr Paul Braybrooks OAM (Chair), Mr Rod Chalmers, Mr Mason Crane, and Mr Doug Phillips.

2. That Council appoint the following persons to the Local Representation Committee

Mr Peter Batey, Mr Stephen Doidge, Mrs Mary Donnelly, Mr Mike Kingwill, Mr Ron Magnone, Mr Dennis Palmer (Chair), Mr Jim Slattery, Mr Craig Stewart and Mrs Rosalind Wight.

4) APPOINTMENT OF COMMITTEES

Introduction

Both the former Cootamundra Shire Council and the former Gundagai Shire Council used a committee structure to allocate tasks to both councillors and staff.

In order to ensure the continued operation of the Gundagai Council and continued relationship of Council with the previous organisations it will be necessary re-delegate and reappoint the membership of these committees. For clarity this will be done on the basis of the former Cootamundra Area and former Gundagai Area and all references to councillor status have been removed.

Discussion

COOTAMUNDRA AREA

The following internal committees previously existed and are proposed to be re-established as committees of Gundagai council.

- Staff Consultative (Award Restructuring) *
- Fisher Park & Cootamundra Sporting Groups Advisory
- Work Health & Safety (WH&S)
- Traffic Advisory

*Under the provisions of the Local Government (State) Award 2014, the Staff Consultative (Award Restructuring) Committee membership is determined by the staff and must be 'agreed' by Council. However, there is no provision for Council to not agree and Councillor representation is prohibited.

The membership proposed by staff is Kate Monaghan, Glen McAtear, Mark Ellis, Adam Barnes, Phil Chapman, Darren Thompson, Michael Tanks, Steve Lowe, with Ex-officio members Leanne Crawford and Stephanie Reid. The membership of this committee will be combined with the membership of the corresponding committee from the Gundagai area to form the new interim committee.

EXISTING COMMITTEES AND MEMBERSHIP

COOTAMUNDRA AREA

General Managers Performance Review Committee

All councillors

Staff Consultative (Award Restructuring)

Kate Monaghan (Management Rep), Mark Ellis (LGEA Rep), Glen McAtear (USU Rep), Adam Barnes, Phil Chapman, Darren Thompson, Michael Tanks, Steve Lowe (Elected Reps)

Saleyards Committee

Rod Chalmers, Ros Wight, Mark Ellis, Geoff White, Steve Tolmie (Agents Representative), David Tozer (Growers Representative), with Jim Slattery as alternate.

Traffic Advisory Committee

Jim Slattery (delegate), Traffic Sergeant - Cootamundra Police, Peter McPhail (Representing the Member for Cootamundra), RMS Representative

Cootamundra Sporting Groups Advisory Committee

Paul Braybrooks, Helen Axsentieff, Greg Ewings, Janelle Bailey and all nominated Sporting Group representatives

Work Health & Safety (WH&S) Committee

Paul Braybrooks, Madlin Snell, Phil Chapman, Mark Ellis, Glen McAtear, Darren Hugo, Annette Parkinson, Graeme McCallum and Scott Reid

GUNDAGAI AREA

Main Street Committee

Albert McAlister, Mason Crane, Peter Batey, Ron Magnone, Mike Kingwill, Ron Moses, Phil McMurray, Ray Graham, Tulshi Shrestha, and selected community representatives

Mirrabooka Advisory Committee

Albert McAlister, Neighbourhood Centre Manager; Cindy Smith, Tulshi Shrestha

Noxious Weeds Advisory Committee:

David Graham, Mason Crane, Mike Kingwill, Tulshi Shrestha, Russel Percival

Saleyards Advisory Committee:

David Graham, Mike Kingwill, Mason Crane, Tulshi Shrestha, Gundagai Associated Agent Representatives.

Policy, Administration, Assets & Budget Advisory Committee:

Albert McAlister, David Graham, Ron Magnone, Ron Moses, Peter Gain, Director of Corporate and Community Services, Finance Manager and other appropriate staff co-opted as required.

Internal Audit Committee: (meets 2-3 times.)

David Graham, Ron Magnone, two independent representatives from Coolamon Shire Council with support from Director Corporate & Community Services, Finance Manager, and Internal Auditor, Mr J Broadbent.

Development Committee:

Albert McAlister, D. Graham, Mason Crane, Peter Batey, Mike Kingwill, Ron Moses, Ron Magnone, Peter Gain, Phil McMurray, Tulshi Shrestha, Ray Graham

Tourism Action Committee:

Albert McAlister, Mike Kingwill, Miriam Crane, Mason Crane with community members J. New, R. Lindley, J McPherson, J Morgan

Gundagai Floodplain Risk Management Committee:

Albert McAlister, Ron Magnone, Mike Kingwill, Ray Graham, Local S.E.S. Controller, Mr R. Tout, State Agency Representatives and two community representatives.

Senior Staff Review Committee: (meets as required)

Albert McAlister, David Graham, Peter Gain.

Main Street Community Liaison Group:

Albert McAlister, Ron Magnone, Phil McMurray, Ray Graham, Tim Morris, and selected community representatives.

Yarri Sculpture Fundraising Committee:

Albert McAlister, Mike Kingwill, Mason Crane, Miriam Crane, Carol McGeachie, and community representatives.

RECOMMENDATION

- 1. That Council re-appoint all existing committees except the General Managers Performance Review Committee (Cootamundra Area), and the Policy, Administration, Assets & Budget Advisory Committee, Internal Audit Committee, Senior Staff Review Committee (Gundagai Area).**
- 2. That Council remove Peter Batey (for reasons of ill health) and Ron Moses (having expressed a desire to be removed) from the re-appointed Gundagai Area committees.**
- 3. That Council remove Albert McAlister and David Graham from the re-appointed Gundagai Area committees until further notice.**

1. That Council re-appoint all existing committees except the General Managers Performance Review Committee (Cootamundra Area), and the Policy, Administration, Assets & Budget Advisory Committee, Internal Audit Committee, Senior Staff Review Committee (Gundagai Area).
2. That Council remove Ron Moses (having expressed a desire to be removed) from the re-appointed Gundagai Area committees.
3. That Council remove Albert McAlister, David Graham and Peter Gain from the re-appointed Gundagai Area committees until further notice.

5) APPOINTMENT OF DELEGATES

Introduction

Both the former Cootamundra Shire Council and the former Gundagai Shire Council appointed delegates to other organisations for the benefit of Council.

In order to ensure the continued operation of the Gundagai Council and continued relationship of council with the previous organisations it will be necessary re-delegate and reappoint the membership of these committees. For clarity this will be done on the basis of the former Cootamundra Area and former Gundagai Area.

Discussion

Council appoints delegates to a variety of Non-Council Committees in which Council has an interest.

COOTAMUNDRA AREA

In 2015/16 these committees and delegates were as follows:

Committee	Delegates
Cootamundra Community Arts Trust Fund Committee	Jim Slattery and Paul Braybrooks, Matthew McNamara, Margot Gill, Dawn Elrington, Graham Cossey and Ken Trethewey
Cootamundra Development Corporation	Mary Donnelly and Craig Stewart, Non-voting delegate – Rod Chalmers.
Goldenfields Water County Council	Dennis Palmer
Riverina Eastern Regional Organisation of Councils (REROC)	Paul Braybrooks and Ken Trethewey
Riverina Regional Library	Ros Wight and Ken Trethewey, Alternate - Doug Phillips.
Riverina Regional Tourism	Mary Donnelly
South East Weight of Loads Group	Mark Ellis
South West Regional Waste Management Group	Jim Slattery, Ken Trethewey, Mark Ellis, Observers - Rod Chalmers and Paul Braybrooks
South West Slopes Zone Bush Fire Management Committee	Ros Wight and Ken Trethewey, Alternate - Jim Slattery
South West Slopes Zone Service Level Agreement Liaison Committee	Ros Wight and Ken Trethewey, Alternate - Jim Slattery

GUNDAGAI AREA

Riverina Eastern Regional Organisation of Councils (REROC)

Albert McAlister and General Manager

Gundagai Historical Museum

Mason Crane, Ron Moses

Gundagai Regional Enhancement Group (GREG)

Mike Kingwill, Ron Moses, with Mason Crane as an alternate.

Gundagai Local Traffic Committee

Albert McAlister, Ron Magnone; the Director Engineer Services and Road Safety Officer as observers and representatives from Roads and Maritime Services, Police and the Member for Cootamundra.

Gundagai Youth Council

Mason Crane, Mike Kingwill; Cindy Smith and Neighbourhood Centre Manager.

Murray Darling Association

Mason Crane with David Graham as alternate, Phil McMurray observer.

Riverina Regional Library

Cr Peter Batey, and the General Manager; with Albert McAlister as an alternate.

RMS Consultative Committee

Ron Moses, with Ron Magnone as alternate, and the Ray Graham.

Riverina Highlands Rural Fire Service Liaison Committee

Mike Kingwill, and Paul Luff.

Softwoods Working Group

David Graham, and Ray Graham

South West Region Waste Management Group (SWRWMG)

Mason Crane, with Ron Moses as alternate and Manager of Urban & Rural Services.

Gold Trails Inc

Peter Batey and Miriam Crane

Friends of Old Gundagai Gaol

Peter Batey, Mason Crane, Peter Gain

Consultative Committee

Peter Gain

RECOMMENDATION

That Council re-appoint all existing delegates except the present Gundagai Area delegates to the Riverina Eastern Regional Organisation Of Councils, Riverina Regional Library, South West Region Waste Management Group, and Consultative Committee.

11/E205/16

RESOLVED – Moved: Ferguson Seconded: Ferguson

That Council re-appoint all existing delegates except the present Gundagai Area delegates to the Riverina Eastern Regional Organisation Of Councils, Riverina Regional Library, South West Region Waste Management Group, and Consultative Committee.

6) DELEGATION OF POWERS AND DUTIES TO NON-COUNCIL COMMITTEES UNDER SECTION 355(E) OF THE LOCAL GOVERNMENT ACT 1993

Introduction

Both the former Cootamundra Shire Council and the former Gundagai Shire Council delegated certain of their powers and duties to non-Council committees under Section 355(e) of the *Local Government Act 1993*.

In order to ensure the continued operation of the Gundagai Council and continued relationship of council with the previous organisations it will be necessary to re-delegate and reappoint the membership of these committees. For clarity this will be done on the basis of the former Cootamundra Area and former Gundagai Area.

Discussion

A Council may delegate certain of its powers and duties to non-Council committees under Section 355(e) of the *Local Government Act 1993*, which states:

A function of a council may, subject to this Chapter, be exercised:

(e) by a delegate of the council

Council has used this power to delegate to various Community committees the authority to undertake certain Council functions on behalf of Council. These are Community committees which exist separately to Council and undertake other functions not related to the delegations granted by Council alongside the functions they perform for Council. They are not Council committees as defined in Sections 259 & 260 of the *Local Government (General) Regulation 2005*.

Cootamundra Area

Council representatives may be appointed to these committees by the committee or organisations involved, but are generally not specifically appointed by Council as Council representatives. However, the previous Council sought the appointment of specific councillors and staff to the following s.355 committees along with other nominations received:

- Cootamundra Creative Arts and Cultural Centre – Councillor Wight and Director Corporate Services
- Cootamundra Showground Users – Councillor Chalmers and Director Corporate Services
- Cootamundra Heritage Centre – Councillor Stewart

It is recommended that the appointment of a Council representative from the Local Representation Committee or staff member to these committees be continued.

Council's carried forward delegations register specifies the function of each s.355 Committee as it presently exists and is included as **TABLED DOCUMENT 3 E2 MAY 2016 (Pages 5-15)**.

These committees are as follows:

- Bradman's Birthplace Management
- Cootamundra Showground Users
- Wallendbeen Hall
- Stockinbingal Hall
- Cootamundra Beach Volleyball Festival
- Cootamundra Creative Arts and Cultural Centre
- Cootamundra Heritage Centre Management
- Cootamundra Concert Band
- Muttama Creek Regeneration Group
- Cootamundra Community Arts Trust, Fundraising by Cootamundra Creative Arts and Cultural Centre.

All appointments to s.355 committees listed are current as advised within the last month.

S355 Committee	Membership
Bradman's Birthplace Management	Eric Thorburn, Betti Punnett, Norma Clarke.
Cootamundra Showground Users	Rod Chalmers, Rod Jones, Doreen O'Connor, Trish Taylor, Vern Armstrong, Marjory Taprell, Keith Boxsell, Lois James, Tony Ward, Paul Edwards, Alice Crawford, Brian Childs, Dianne Russell, Maurie Jackson, David Manwering, Ted Strachan, Director Corporate Services.
Wallendbeen Memorial Hall	Al Baldry (President), Tom Allen, Phil McGeoch (Vice Presidents), Greg Hines, Marcia Thorburn (Sec/Treasurer), Toby Bassingthwaite, Ken Thorburn, Ron Baldock, James Baldry, Michael Baldry, Michael Wilkinson & Natalie Wilkinson.
Stockinbingal Hall	Alan Pether, Joan Baldwin, John Harper, Julie Thompson.
Cootamundra Beach Volleyball Festival	Doug Phillips, Simon Sutherland, Steven Cross, Amber Beath, John Stephens, Chris Williams, Denise Mahon, Gemma Sutherland, Julisia Cross, Janine Cross.

S355 Committee	Membership
Cootamundra Creative Arts and Cultural Centre	Paul Braybrooks, Ros Wight, Faye Dorczak, Jenny Littlejohn, Maree Twomey, Carol East, Leigh Scott, Stuart Macky, Rosemary Fowler-Sullivan, Lindsey Baber, Isabel Scott, Leigh Bowden, Rae Webber, John English, Julie Cowell, Director Corporate Services.
Cootamundra Heritage Centre Management Committee	Craig Stewart, Geoff Larsen, Betti Punnett, Janis Miller, Pat Caskie, Yvonne Forsyth & Arthur Ward.
Cootamundra Concert Band	Cootamundra Concert Band
Muttama Creek Regeneration Group	Paul Braybrooks, Pat Caskie, Di Pearton, Win Main, Betti Punnett, Norma Clarke, Gloria Tweeddale, Bob Tweeddale, Joy Reynolds, Linley Chaplin, Rebecca Burnett
Cootamundra Community Arts Trust, Fundraising by Cootamundra Creative Arts and Cultural Centre Committee	Paul Braybrooks, Ros Wight, Faye Dorczak, Jenny Littlejohn, Maree Twomey, Carol East, Leigh Scott, Stuart Macky, Rosemary Fowler-Sullivan, Lindsey Baber, Isabel Scott, Leigh Bowden, Rae Webber, John English, Julie Cowell, Director Corporate Services.

RECOMMENDATION

That Council re-appoint the membership of all Section 355 committees as detailed above.

12/E205/16

RESOLVED – Moved: Ferguson Seconded: Ferguson

That Council re-appoint the membership of all Section 355 committees as detailed above.

7) CODE OF MEETING PRACTICE / SCHEDULE OF COUNCIL MEETINGS

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 has been modified to take account of the period of Administration from 12 May 2016 to 9 September 2017. A draft Code of Meeting Practice forms **TABLED DOCUMENT 4 E2 MAY 2016 (Pages 16-34)**.

In order to adopt the modified Draft Code of Meeting Practice Council will need to comply with s.361 of the *Local Government Act* 1993, which states:

361 Preparation, public notice and exhibition of draft code

- (1) Before adopting a code of meeting practice, a council must prepare a draft code.*
- (2) The council must give public notice of the draft code after it is prepared.*
- (3) The period of public exhibition must not be less than 28 days.*
- (4) The public notice must also specify a period of not less than 42 days after the date on which the draft code is placed on public exhibition during which submissions may be made to the council.*
- (5) The council must publicly exhibit the draft code in accordance with its notice.*

The Draft Code of Meeting Practice incorporates the following schedule for the coming 12 months.

Day	Date	Month	Location
Monday	20	June	Cootamundra
Monday	11	July	Gundagai
Monday	15	August	Cootamundra
Monday	12	September	Gundagai
Monday	10	October	Cootamundra
Monday	14	November	Gundagai
Monday	12	December	Cootamundra
Monday	16	January	Gundagai
Monday	13	February	Cootamundra
Monday	13	March	Gundagai
Monday	10	April	Cootamundra
Monday	15	May	Gundagai
Monday	12	June	Cootamundra

RECOMMENDATION

1. That Council adopt the proposed meeting schedule included above, and
2. That council publicly exhibit the modified Draft Code of Meeting Practice forming **TABLED DOCUMENT 4 E2 MAY 2016 (Pages 16-34).**

13/E205/16 RESOLVED – Moved: Ferguson Seconded: Ferguson

1. That Council adopt the proposed meeting schedule included above, and
2. That council publicly exhibit the modified Draft Code of Meeting Practice forming **TABLED DOCUMENT 4 E2 MAY 2016 (Pages 16-34).**

8) JOINT REGIONAL PLANNING PANEL – APPOINTMENT OF MEMBERS

Introduction

The purpose of this report is to nominate two members to represent Council on the Joint Regional Planning Panel (JRPP).

JRPPs were introduced in NSW on 1 July 2009 to strengthen decision making on regionally significant development applications (DAs) and certain other Planning matters. Joint Regional Planning Panels Operational Procedures, are provided for as **TABLED DOCUMENT 5 E2 MAY 2016 (Pages 35-39)**.

Discussion

Both the former councils of Cootamundra and Gundagai had existing Panel members appointed. The former Gundagai Shire Council members are currently sitting on a JRPP hearing to determine a development application in the Gundagai Area.

To ensure continuity on the existing development being assessed it is recommended that Council endorse these two members to continue to represent Council. Membership can be varied by Council following the determination of the current development assessment, if so desired. Details of the nominees are provided below:

Mr Tony Donoghue

Qualifications

Masters in Planning – UTS 2007

Bachelor of Applied Science (Environmental Health) – UWS 1992

Work

General Manager, Coolamon Shire Council (CSC) 2014-present

Executive Manager Planning and Environment, CSC 2001-2014

Manager Building and Planning, Parkes Shire Council 1994-2001

Building Surveyor, North Sydney Council 1992-1994

Positions

Treasurer REROC 2014-present

Chairman REROC Waste Forum 2011-present

Chairman REROC Infrastructure Forum 2012-present

Mr Donoghue has indicated a willingness to be re-nominated by Council, and has the endorsement of Coolamon Shire Council.

Mr Ray Graham

Qualifications

Bachelor of Engineering (Civil) – UNSW 1991

Masters Business Administration 2014 – present

Work

Director Engineering Services, Gundagai Shire Council 2015-proclamation

Director Engineering and Technical Services, Forbes Shire Council 2008-2015

Works Manager, Parkes Shire Council 1996-2008

Design Engineer, Parkes Shire Council 1991-1996

Positions

Chairman IPWEA Central West Group 2001–2008

RECOMMENDATION

That Council nominate Mr Tony Donoghue and Mr Ray Graham to be Gundagai Council's representatives on the Joint Regional Planning Panel.

14/E205/16

RESOLVED – Moved: Ferguson Seconded: Ferguson

That Council nominate Mr Tony Donoghue and Mr Ray Graham to be Gundagai Council's representatives on the Joint Regional Planning Panel.

9) INTERIM ORGANISATIONAL STRUCTURE

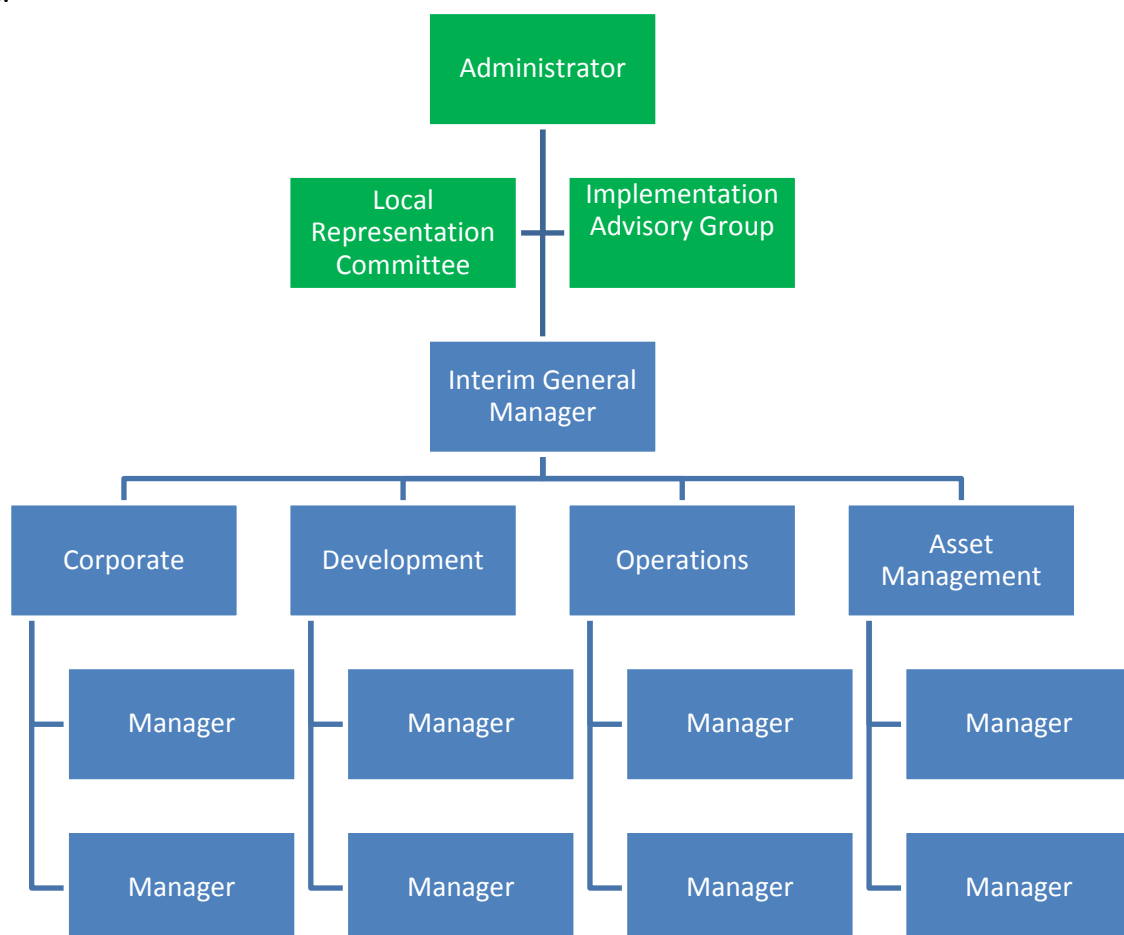
Introduction

In order for the integration of the staff of the former councils of Cootamundra and Gundagai it will be necessary to develop a new organisational structure. This will be undertaken in the coming weeks with consultation and negotiation with all existing staff being a necessary part of the process.

Discussion

As an interim arrangement it is recommended that a four directorate structure be introduced, based on Corporate, Development, Operations and Asset Management groupings.

The Interim Organisational Structure / Executive Team can be shown diagrammatically as follows.



RECOMMENDATION

That Council adopt the interim organisational structure indicated above.

15/E205/16

RESOLVED – Moved: Ferguson Seconded: Ferguson

That Council adopt the interim organisational structure indicated above.

10) PROPOSED REFUGEE WELCOME ZONE

Introduction

Council was addressed during the Open Forum prior to the 19 October 2015 Council meeting by Mr Richard White of the AWARE group requesting that the Council express an interest in the support of settling refugees to Cootamundra.

Council then received and discussed a report on the matter at its 16 November 2016 meeting and consequently resolved the following:

- 1) That Council respond to the NSW Government with a general offer to assist in the settlement of Syrian/Iraqi refugees within Councils present spectrum of activity.*
- 2) That Council request the AWARE group to provide evidence to Council of broad community support for Syrian/Iraqi refugee settlement in Cootamundra prior to making any determination on whether Council wishes to become a Refugee Welcome Zone.*

Council made the offer of assistance to the NSW Government and requested that the AWARE group provide appropriate evidence of community support for the proposal.

The AWARE group then indicated that they were too small and under resourced to provide the evidence of broad community support for Syrian/Iraqi refugee settlement in Cootamundra requested by Council, and sought assistance from Council to undertake this task. This was reported to the 15 December 2015 meeting of Council, resulting in the following resolution.

That Council offer to provide assistance to AWARE with the provision of a venue and advertising, to support AWARE's facilitation of a number of Community Information Sessions regarding Syrian/Iraqi refugee settlement.

Discussion

A public information meeting was hosted by the AWARE group on 7 March 2016, attended by councillors, staff and community members, at which the concept of the Refugee Welcome Zone was explained to those present and discussed at length.

The Refugee Council of Australia has produced a brief information sheet on Refugee Welcome Zones which forms **TABLED DOCUMENT 6 E2 MAY 2016 (Pages 40- 43).**

The benefits of Council becoming a Refugee Welcome Zone are stated in the publication by the Refugee Council of Australia and are related to the previous roles of local government in resettlement of refugees and the subsequent benefits obtained.

Local Government has historically played an important role in assisting refugee settlement and promoting community harmony. Since Federation in 1901, Australia has become home to over 800,000 refugees and we have a proud history of settling refugees from all over the world who have gone on to make an enormous contribution to our economic, social and cultural life. Becoming a Refugee Welcome Zone is a way to continue this proud tradition of supporting the settlement of refugees.

The NSW Government and Commonwealth Government have both indicated that they do not intend to resettle Syrian and Iraqi refugees in towns as small as Cootamundra or Gundagai. Nevertheless, it is possible that these or other refugees may choose to settle in Cootamundra or Gundagai for reasons of employment and in that event they should be welcomed and made to feel part of the community.

RECOMMENDATION

That Gundagai Council become a Refugee Welcome Zone.

16/E205/16

RESOLVED – Moved: Ferguson Seconded: Ferguson

That Gundagai Council become a Refugee Welcome Zone.

11) NSW GOVERNMENT RESPONSE TO GENERAL PURPOSE STANDING COMMITTEE NO. 6 - REPORT INTO LOCAL GOVERNMENT IN NEW SOUTH WALES

Introduction

As reported to the 16 November 2016 meeting the final report of the General Purpose Standing Committee No. 6 Report No. 1, Local Government in New South Wales (the Report), was released on 29 October 2015. The Report can be found at [http://www.parliament.nsw.gov.au/prod/parlment/committee.nsf/0/b0c026787382e495ca257eec007ffeca/\\$FILE/Report%201%20-%20Local%20Government%20in%20NSW%20-%2029%20October%202015.pdf](http://www.parliament.nsw.gov.au/prod/parlment/committee.nsf/0/b0c026787382e495ca257eec007ffeca/$FILE/Report%201%20-%20Local%20Government%20in%20NSW%20-%2029%20October%202015.pdf)

The Report made 17 Recommendations and 9 Findings, and included a dissenting report which did not agree with four of the Recommendations and five of the Findings.

The Government was required to respond to the Report to the Legislative Council by 29 April 2016, and the response forms **TABLED DOCUMENT 7 E2 MAY 2016 (Pages 44 - 54)**.

Discussion

Like the Report, the response is reasonably predictable, with the Government indicating that the process has adequately allowed public and council consultation, and that the results are justified by the work IPART, TCorp, and the recent Infrastructure Audit of local government.

A few of the specific responses are worth mentioning for what they tell Council about the future of the present 'Fit for the Future' process. For example:

Rec. 2 indicates that those councils found 'Not Fit' by IPART will be given the '*opportunity to revise their Fit for the Future proposals and resubmit them for assessment*' and, that the Government will be advocating that councils increase their borrowings through TCorp.

Rec. 3 makes it plain that Rate Pegging will continue in NSW and that merged councils rate paths will be frozen for four years, regardless of the present IPART review into rating.

Rec. 7 indicates that water authorities will be linked in some fashion to Joint Organisations (JOs), when JOs are finalised and set in place.

Rec. 8 indicates that the IP&R guidelines are to be updated and that greater scrutiny of and control of local government is intended.

Rec. 16 indicates that JOs will be implemented either after September 2016, being the next local government elections, or after September 2017, being the finalisation of elections for all councils in NSW.

RECOMMENDATION

That the information be noted.

17/E205/16

RESOLVED – Moved: Ferguson

Seconded: Ferguson

That the information be noted.

3. COUNCIL SHARED ASSOCIATIONS

12) DRAFT RIVERINA-MURRAY REGIONAL PLAN

Introduction

On 20 April 2016 NSW Planning & Environment released the Draft Riverina Murray Regional Plan (the Plan). The Plan forms **SEPARATE TABLED DOCUMENT A E2 MAY 2016** and can be found at http://www.planning.nsw.gov.au/Plans-for-Your-Area/Regional-Plans/Riverina-Murray/~/_media/B2C121E8D408412DA77CD4106CEA22EF.ashx

The Plan is open for comment until 21 July 2016.

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

Discussion

The Plan has been through a Cabinet process to get to draft stage, including gaining the agreement of all the Department Heads involved. In this process there is necessary compromise and necessary adherence to NSW Government policy, leading to a 'compromise' plan that actually reflects reality more closely than the more normal 'I have a dream' version of plan from government. This means that the plan is likely to get the final approval of cabinet in close to the present form, or more importantly, major calls for variations in the plan are unlikely to be agreed.

Points of interest to Council are outlined below.

The basic goals outlined in the Plan (p.12) are:

- a growing economy supported by productive agriculture and sustainable use of natural resources
- improved regional transport networks and utility infrastructure to support economic activity
- strong regional cities supported by a network of liveable towns and villages that meet the communities changing needs; and
- a protected environment and a community resilient to natural hazards and climate change.

The vision of the Plan seems to be based on trickle-down economics with the concentration of effort on growing the regional cities of Wagga Wagga, Albury and Griffith which will '*distribute benefits across the wider Riverina-Murray region*' (p.9).

Individual councils will not have a direct role in the governance arrangements for the Plan but will be represented through either a Joint Organisations (JO) or a Regional Organisation of Councils (ROC) (p.13). This is essentially a State Government plan in which local government is allocated tasks to achieve the State goals. Whilst this is the natural position of local government and is therefore to be expected, the difference is that previously the State would

have dealt with each local government directly rather than through a representative organisation.

A Ministerial Direction will require all councils to implement and be consistent with the objectives and actions of the Plan in their LEPs (p.15).

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

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

In line with the desire to protect agricultural land the Government proposes to map important agricultural land and require councils to protect this land (p.21). This will be an extension of the existing Biophysical Strategic Agricultural Land mapping, which identifies the most productive land, and includes the Wallendbeen district at present (p.25). Again, Council is in full agreement with this proposal. The Government is also proposing to increase its involvement in the management of this land and increase its direction of councils in the management of this land (p.21). This is perhaps necessary or helpful in some areas and less helpful in others.

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

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

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

Again councils will be required to quarantine agriculture and mining from urban or rural residential development (p.31). In this instance there will be a requirement for additional third party consultation during the LEP review process (p.32).

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

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

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

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

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

The Plan acknowledges that there is an increasing need for public transport throughout the region and proposes investigating, developing strategies and working with local operators to, '*investigate a range of delivery models for flexible transport, to determine what works best for different areas*' (p.60). The cynical might say this sounds like a very courageous idea from Sir Humphrey's civil service manual. Nevertheless Council fully supports the need for improved public transport.

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

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

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

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

Overall, the Plan is a collection of motherhood statements, sprinkled with some good initiatives that will not radically change the relationship of Council with NSW Planning & Environment or the State Government, and will simply add additional considerations to the review of the LEP when undertaken each five years.

There is very little that can be usefully criticised or that could be realistically added to improve the Plan. Nevertheless, Council should respond and indicate its general acceptance of the Plan.

RECOMMENDATION

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

18/E205/16

RESOLVED – Moved: Ferguson Seconded: Ferguson

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

6. PLANT

13) ADJUSTMENT PLANT REPLACEMENT PROGRAM (GUNDAGAI AREA)

Introduction

The purpose of this report is to request Council amend the Gundagai Area plant replacement program to bring the replacement of the water tanker (Plant No. 317) and forklift (Plant No. 125) forward in the plant replacement program. Also to seek Council approval to add a new item of plant to the fleet, being an additional Prime Mover.

Background

The current water tanker was purchased by Council in 2011 and the forklift was purchased in 1999. The forklift has been programmed for replacement in next financial year while the water tanker was programmed for replacement in 2018. Council currently runs a prime mover that is attached to the existing water tanker, float and the already approved Lime storage tanker.

Key Issues

A recent Heavy Vehicle inspection undertaken by RMS as part of the regular registration process for the tanker found considerable corrosion in the body of the tanker, with a subsequent inspection by Nixon's in Wagga revealing the corrosion could be expensive to repair so that the tanker could be registered. Nixon's were not willing to give a fixed quote on the repair as the extent of the corrosion was not easy to determine.

The water cart tanker has been a valuable piece of equipment and has seen extensive utilisation on Gocup road in recent times as well as on Council works, and as such would be worthwhile maintaining this capacity in the fleet.

Council staff have done some preliminary investigations into replacement water tankers, due to the recent down turn in the construction industry there are triaxle tankers available for purchase that are already outfitted as water tankers for around \$50,000. The current tanker is a dual axle tanker the triaxle configuration would enable an extra 8,000 litres of water to be carried increasing the efficiency of the operation.

Council's forklift at the store was purchased as a second hand machine in 1999 and has seen considerable utilisation both at the store and on worksites around town, the machine underwent a WHS audit recently and several maintenance issues were raised which were related to its age and long working life.

With the purchase of the new lime storage tanker and the increased utilisation seen with the large water tanker, there is the potential that the current prime mover will not be sufficient to maintain the effective utilisation on the fleet. It is proposed that a second prime mover would enable this at an estimated cost of \$350,000.

RECOMMENDATION

That Council modifies the current plant replacement program to:

- 1. Bring forward the replacement of the water tanker (Plant No 317) into the current financial year.**
- 2. Bring forward the forklift (Plant No. 125) into the current financial year.**
- 3. Add a second prime mover to the fleet and commence the advertising process.**

19/E205/16

RESOLVED – Moved: Ferguson Seconded: Ferguson

That Council modifies the current plant replacement program to:

- 1. Bring forward the replacement of the water tanker (Plant No 317) into the current financial year.**
- 2. Bring forward the forklift (Plant No. 125) into the current financial year.**
- 3. Add a second prime mover to the fleet and commence the advertising process.**

SERVICES GROUP

16. WH&S AND RISK MANAGEMENT

14) FOOTPATH POLICY

Introduction

The Cootamundra Area footpath policy outlines the duty of care to the public to manage it footpath infrastructure.

To honour Council's duty of care with regards to footpaths, Council must have in place a monitoring and maintenance policy and program.

Discussion

The policy outlines a methodical and consistent method of quantifying Council's exposure to risk caused by particular footpath defects.

The policy has now been reviewed to better outline the level of defects, what action is to be taken for maintenance and repairs, and in what timeframe this should be completed. This allows Council to monitor inspections and prioritise any repairs or replacement required as part of Council's risk management program.

The revised policy now forms **TABLED DOCUMENT 8 E2 MAY 2016 (Pages 55 - 59).**

RECOMMENDATION

That Council adopt the REVISED (Cootamundra Area) footpath policy for inclusion in Council's Policy Register.

20/E205/16

RESOLVED – Moved: Ferguson Seconded: Ferguson

That Council adopt the REVISED (Cootamundra Area) footpath policy for inclusion in Council's Policy Register.

20. WASTE MANAGEMENT

15) DOMESTIC WASTE MANAGEMENT (GUNDAGAI AREA)

Introduction

The purpose of the report is to resolve Council exchange the larger 240ltr putrescible garbage bin back to the smaller 120ltr bin to those residents who have elected to have the larger bin, and to refund the bin purchase amount of \$40 and the \$52/year charge on a pro-rata basis.

Background

You may recall, back in October 2015, Council introduced an organic waste collection. At the same time, Council changed the garbage collection from weekly to fortnightly. Council then provided an option to upgrade from a 120ltr garbage bin to a 240ltr garbage bin to minimise the impact of this change. The option applied for families with four or more residing at the premises and/or at least 1 baby being less than 4 years. Council has upgraded the garbage bin to those residents upon request with a one off payment of \$40 (residential) and the property garbage service charge increased by \$52 per year (pro-rata basis).

Council was informed about the outcome of this trial, Council then in its Ordinary Meeting held on Tuesday 12 April 2016, resolved to implement a weekly garbage collection, keeping recycling & organic waste collection as fortnightly.

Key Issues

Council has implemented the weekly garbage collection, keeping recycling & organic waste collection as fortnightly from 1st May 2016. With this implementation, there is now no requirement for the residents to have or retain bigger 240ltr bins. Council needs to swap the bins and refund the bin purchase amount and rates on pro- rata basis.

If a person requires a larger 240lt bin and chooses to retain the same, then they would be required to incur full cost for 2 garbage services in accordance with Councils adopted fees and charges.

RECOMMENDATION

That Council swap the larger bin (240ltr) back to smaller bin (120ltr) and refund the bin purchase amount of \$40 and rate refund of \$52/year on pro-rata basis.

21/E205/16

RESOLVED – Moved: Ferguson Seconded: Ferguson

That Council swap the larger bin (240ltr) back to smaller bin (120ltr) and refund the bin purchase amount of \$40 and rate refund of \$52/year on pro-rata basis.

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

16) ESTABLISHMENT AND RE-ESTABLISHMENT OF ALCOHOL FREE ZONES IN COOTAMUNDRA

Introduction

A report on the process to establish or re-establish Alcohol Free Zones was presented to the Engineering Services Committee Meeting held 1 March 2016, resulting in the following resolution:

That Council re-establish the Alcohol Free Zones in Cootamundra and commence the process to ensure the zones are valid beyond April 30th 2016.

Discussion

Council has had approved alcohol free zones in the Central Business District as well as Hovell Street and Hovell Lane for the past four years. A map of the current alcohol free zones in Cootamundra forms **TABLED DOCUMENT 9 E2 MAY 2016 (Page 60)**. The process to establish or re-establish Alcohol Free Zones is detailed in sections 644, 644A, 644B, 644C and 646 of the Local Government Act and the Ministerial Guidelines on Alcohol Free Zones. The Alcohol Free Zones under these sections of the Act refer to public places that are public roads, footpaths or public carparks.

1. In accordance with the requirements of Section 644 of the Local Government Act, letters were sent to
 - (i) The Police Local Area Commander,
 - (ii) Liquor licensees and secretaries of registered clubs whose premises border on, or are adjacent to the proposed zone and invite representations or objections within 30 days from the date of publication

No comments have been received from the above within the response period.

2. An advertisement was also placed in the local paper and on Council's website seeking comment on the establishment of these alcohol free zones.

No comments were received from this advertisement within the response period.

After complying with the procedures Council may then, by resolution adopt the proposal to establish an alcohol free zone.

On Friday the 8th of April the licensing Coordinator from the Cootamundra Local Area Command (LAC) Senior Constable Mick Wood attended Council and met with staff to provide comment on the re-establishment proposal that had been advertised.

As stated in the agenda, at the time of writing the report regarding the re-establishing of the Alcohol Free Zones (AFZ) Council had not received any comments or submissions on the proposed renewal and re-establishment of the Alcohol Free Zones.

Council Senior Constable Mick Wood acknowledged that the official response from the Cootamundra LAC was unfortunately delayed however he did provide an email and map forming **TABLED DOCUMENTS 10 E2 MAY 2016 (Pages 61-62)** which detail proposed changes to the current Alcohol Free Zones.

It may be feasible for the extension of the zones in Bourke Street either side of Parker Street to the Parker Street and Cooper Street laneways and for the inclusion of the Parker Street laneway and the Cooper Street laneway between Bourke Street and Wallendoon due to the reasons given in the email. This proposed extension has been mapped, and forms **TABLED DOCUMENT 11 E2 MAY 2016 (Page 63)**.

The further extensions proposed are outside the area of any of the licenced premises and the inclusion of Murray Street would have implications on the annual Beach Volleyball carnival and would need to be discussed further with the Beach Volleyball carnival committee and other community members.

The addition of any of the proposed areas would mean the purchase and installation of additional signage. It is estimated that the cost per sign installed will be \$90.00. If the zones were extended to include both sides of Bourke Street the Parker and Cooper Street laneways as indicated it would require an additional 12 signs at a cost of \$1,080.00.

RECOMMENDATION

That the alcohol free zones again be established in Parker Street between Mackay and O'Donnell Streets, Adams Street between Cooper Lane and Parker Street, Wallendoon Street between Parker Lane and Hovell Street, Hovell Street between Wallendoon and Mackay Streets, and in Hovell Lane between Wallendoon and Mackay Streets and be extended to include Bourke Street either side of Parker Street to the Parker Street and Cooper Street laneways and to include the Parker Street laneway and the Cooper Street laneway between Bourke Street and Wallendoon for four years from 1 May 2016 until 30 April 2020.

22/E205/16

RESOLVED – Moved: Ferguson Seconded: Ferguson

That the alcohol free zones again be established in Parker Street between Mackay and O'Donnell Streets, Adams Street between Cooper Lane and Parker Street, Wallendoon Street between Parker Lane and Hovell Street, Hovell Street between Wallendoon and Mackay Streets, and in Hovell Lane between Wallendoon and Mackay Streets and be extended to include Bourke Street either side of Parker Street to the Parker Street and Cooper Street laneways and to include the Parker Street laneway and the Cooper Street laneway between Bourke Street and Wallendoon for four years from 1 May 2016 until 30 April 2020.

17) GUNDAGAI MAIN STREET UPGRADE

Introduction

The purpose of this report is to provide a monthly update on the progress of the Main Street Project.

Background

Mr Tim Morris, Project Manager for the Main Street Upgrade provides a monthly update and discussion with Councillors at the Development Committee meetings.

The Community Liaison Group for the Main Street Project is the mechanism for the facilitation of two-way project communication to the business and broader community.

Key Issues

Since the last report work has progressed with the following items

BLOCK ONE - SHERIDAN STREET – OTWAY TO BYRON

NORTHERN FOOTPATH CONSTRUCTION

The majority of the concrete sub-base construction work is being completed on this side with the Byron Street intersection, and at the other end at the old Emporium at Kitchener Street. This will allow rendering of parts of the garden retaining wall which in turn will allow the commencement of tile paving from the NAB towards Byron Street.

The Final Telstra pit modifications are being completed to adapt to the new footpath levels.

A temporary protective emulsion seal has been applied to sections of the street to attempt to eliminate some of the dust issues.





STREET LIGHTING SYSTEM

Street lighting installation work has been partially delayed but should allow completion of block one in the next few weeks.



AUXILIARY LIGHTING & POWER DISTRIBUTION CIRCUIT

We are attempting to finalise the auxiliary lighting design but need further information before we can proceed.

The power board locations and positions will require further examination due to additional costs not provided

PARKS AND GARDENS

The appointed contractors have selected the plant suppliers which will be available at our disposal.

The garden areas have been prepared with required soil. In addition the design and installation of a suitable automatic watering scheme is still being finalised in conjunction with electrical provisions for the auxiliary lighting.

As of 30 April 2016 a total of \$1,644,821 has been expended on the project.

RECOMMENDATION

That Council receive and note the information.

23/E205/16 RESOLVED – Moved: Ferguson Seconded: Ferguson

That Council receive and note the information.

18) GOBARRALONG BRIDGE UPDATE (GUNDAGAI AREA)

Introduction

The purpose of this report is to update Council on the progress of the Gobarralong Bridge replacement project.

Background

The Gobarralong project is a jointly funded project with funding being received from the Federal Government through the Bridges Renewal Program (\$1,046,000), NSW State Government through the Fixing Country Roads program (\$1,046,000) and Council (\$500,000) a total of \$2,592,000.

Works commenced on the replacement in mid 2015 with the official opening being held in October 2015. At the time of the opening the outstanding work involved the demolition of the existing bridge

Key Issues

To date the works on the new bridge including the approaches are complete with the demolition of the existing bridge underway. A delay in the demolition has occurred due to a live Telstra cable being discovered on the old bridge. The cable was previously thought to have been inactive. Telstra have been contacted and are working to have the line relocated onto the new bridge (at no cost to Council).

The original budget for the bridge contract was \$1,885,000 during the project two (2) major variations have come about. The bridge deck was widened to accommodate wider farm machinery (\$59,693) and extra piling depth was required (\$80,120) a total of \$139,813, bringing the total contract sum to \$2,024,813.

To date the bridge Contractor has been paid \$1,962,083 with \$62,730 outstanding which will be paid upon successful completion of the demolition.

The whole project to date has cost \$2,169,130.

Strategic Link

The report links to Outcome 9 of Council's Delivery Program and Operational Plan: Key objective 9.1 "Provide and maintain sustainable infrastructure and assets that enhance the public domain, improve the amenity and achieve better outcomes for the community"

RECOMMENDATION

That Council receive and note the information.

24/E205/16 RESOLVED – Moved: Ferguson Seconded: Ferguson

That Council receive and note the information.

29. EMERGENCY SERVICES

19) EMERGENCY SERVICES LEVY

Introduction

Presently, the Emergency Services Levy (ESL) which provides funding to Fire and Rescue NSW (FRNSW), NSW Rural Fire Service (RFS), and NSW State Emergency Service (SES) is funded by insurance policies (73.7%), Local Government (11.7%) and the NSW Government (14.6%).

From 1 July 2017, the NSW Government will abolish the Emergency Services Levy on insurance policies, and replace it with an Emergency Services Property Levy (ESPL), which will be paid alongside Council rates. Council will be responsible for the levying and collection of ESPLs, as well as the reconciliation and remittance of the collected funds to the NSW government. Information about the changes to the ESL has been received in the form of a media release, forming **TABLED DOCUMENT 12 E2 MAY 2016 (Pages 64-65)**.

Discussion

The proposed ESPL is expected to be a fairer and more equitable way of funding the emergency services as the contribution to funding will not rest on only those property owners who elect to be insured, but instead will be apportioned across all property owners.

While the design and scoping of the ESPL implementation is still in its preliminary stages, the implications for Council include:

- With approximately one year until the proposed implementation date, there is limited time for adequate stakeholder engagement, design and implementation
- Suitable advertising and communication strategies will be required to ensure ratepayers do not perceive the EFSL as Council 'increasing revenue' through its inclusion on a rates notice
- If non-rateable properties are to be included, the administration and cost of valuing properties which are presently non-rateable should be considered and possibly subsidised. This may also increase Council's costs as its non-rateable properties could be levied
- Implementation costs (modifications required to finance software)
- Increased enquiries to Council (especially during the introductory phase), as well as the on-going cost of administration, compliance and reporting

More significantly, however, is the NSW government's negative response to the proposal that Council's 11.7% contribution to the ESL be added to the ESPL.

Council proposed that the income presently received from insurance policies (73.7%), Local Government (11.7%) and the State (14.6%) all be incorporated into the proposed property levy, thereby identifying the real cost of emergency services and increasing transparency. This is consistent with the LGNSW Policy.

Disappointingly, correspondence received from the NSW government has advised that Council's cost will not be incorporated into the collection of funds under the ESPL **TABLED DOCUMENT 13 E2 MAY 2016 (Page 66).**

LG NSW is encouraging councils to continue to express their concerns about the changes to the NSW Government. Their information and advice forms **TABLED DOCUMENT 14 E2 MAY 2016 (Page 67).**

RECOMMENDATION

That Council continue to advocate and provide feedback in relation to design, implementation and administration of the Emergency Services Property Levy.

25/E205/16

RESOLVED – Moved: Ferguson Seconded: Ferguson

That Council continue to advocate and provide feedback in relation to design, implementation and administration of the Emergency Services Property Levy.

20) NSW RURAL FIRE SERVICE ESTIMATES (COOTAMUNDRA AREA)

Introduction

The NSW Rural Fire Service –South West Slopes Zone (SWSZ) submitted its draft budget estimates to Council for the 2016/17 financial year, and these were approved at the February Council meeting.

The three other councils within the Zone refused to sign off on the draft budget, on the grounds that they wanted to limit the increase in their Council contribution to match the rate pegging limit of 1.8%.

In order to accommodate those councils, the District Manager of the SWSZ has resubmitted the RFS estimates, and has reduced the Council contribution by reducing the SWSZ's discretionary budget items.

Discussion

The NSW Rural Fire Fighting Fund is administered under the Rural Fires Act 1997. Councils are required to contribute 11.7% of the total fund, with insurance companies currently contributing 73.7% and the State Government contributing 14.6%.

Each year, the SWSZ submits a draft budget estimate to the NSW RFS for approval; this is called a "bid" for funding. The revised 2016/17 estimate is summarised as follows.

	ZONE	ZONE BUDGET	ZONE BUDGET	COOTAMUNDRA
	ACTUAL	2016/17 AS	2016/17 AS	REVISED BUDGET
Item	2015/2016	APPROVED FEB 16	REVISED BY RFS	2017/18
Maintenance / Repairs	296,120.00	296,120.00	268,120.00	67,030.00
Hazard Reduction Subsidy	200,000.00	200,000.00	200,000.00	50,000.00
Appliances - Secondhand	303,534.00	295,000.00	225,000.00	75,000.00
Regional and Zone Station	810,000.00	875,000.00	502,487.00	126,980.00
Radios and equipment	150,000.00	150,000.00	150,000.00	37,500.00
District Management	1,120,729.00	1,141,396.00	1,205,360.00	301,215.00
Reimbursement of VASS	182,640.00	182,641.00	164,375.71	42,736.46
Sub total	3,063,023.00	3,140,157.00	2,715,342.71	700,461.46
Statewide Insurance	139,435.00	139,435.00	139,435.00	37,647.45
Volunteer and Statewide Support (VASS)	2,865,458.00	2,937,918.00	2,575,907.71	662,814.01
Total	6,067,916.00	6,217,510.00	5,430,685.42	1,400,922.92
Councils' contribution AT 11.7%	709,946.00	727,448.67	635,390.19	163,907.98
Less reimbursement of prior year VASS	- 182,640.00	- 182,641.00	- 164,375.71	- 42,736.46
Councils' contribution AT 11.7%	527,306.00	544,807.67	471,014.48	121,171.52

The funding reductions have necessarily been applied to local buildings and equipment maintenance and capital, and local appliances. The District Manager has no control over the VASS charges that are levied at the State level, which are not a discretionary budget item.

The major reduction is a 40% reduction for the funding of the Regional and Zone Station, altering the 4 year funding schedule that was originally agreed by the Zone in 2014. The Zone has already contributed 2 years of funding toward this building.

In addition, the budget for second hand appliances has been cut by 25%, and the building maintenance budget has been cut by 9%. The Reimbursement of VASS has been reduced to a more realistic figure, as the RFS are gradually phasing out this reimbursement over time.

As a consequence of the local budget cuts, the expected VASS charge has also been reduced, as it is calculated on a percentage basis over the total cost of running the zone. Regardless of the zone "bid", the Council expects that the RFS will announce their actual allocation, including the actual distribution of VASS, in November 2016, as has happened in previous years.

The estimates do include an allocation of \$75,000 that may be put toward the funding of a late model second hand Cat 7 tanker to replace the aging Cootamundra Brigade Cat 7.

At the February Council meeting, Council resolved to withhold its contribution to the zone centre, estimated to be \$51,233, until it had some certainty about the future of the new council within the SWSZ. Council resolved to hold its contribution in reserve, to enable the funding to be reallocated in a future year, if the new council continues to be a member of the SWSZ.

RECOMMENDATION

- 1. That Council endorses the revised budget estimate as presented, minus the annual contribution to the Fire Control Centre.**
- 2. That \$51,233 be placed in reserve for reconsideration at the time of endorsing the 2017/18 draft NSW RFS estimates.**

26/E205/16

RESOLVED – Moved: Ferguson Seconded: Ferguson

- 1. That Council endorses the revised budget estimate as presented, minus the annual contribution to the Fire Control Centre.**
- 2. That \$51,233 be placed in reserve for reconsideration at the time of endorsing the 2017/18 draft NSW RFS estimates.**

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30. DEVELOPMENT CONTROL

21) DEVELOPMENT APPLICATIONS APPROVED (COOTAMUNDRA AREA)

The following development applications were approved in April:

APP. NO.	PROPOSED BUILDING	STREET NAME
10.2016.28	Dwelling Additions	Blonde Val Lane
10.2016.29	Garage	Pinkerton Road
10.2016.30	Verandah/Deck	Victoria Parade
10.2016.31	Alterations to Dwelling	Old Cootamundra Road
10.2016.32	Garage	Mary Angove Cres
10.2016.33	Additions to Community Building - Nicholson Park	Adams Street
10.2016.34	Meatworks - New Cattle Shelter	Stockinbingal Road
10.2016.35	Garage	Salt Clay Road

VALUE OF WORK REPORTED TO THIS MEETING: \$609,629.00

VALUE OF WORK REPORTED YEAR TO DATE: \$9,368,733.00

THIS TIME LAST YEAR:

VALUE OF WORK – APRIL 2015	\$1,021,448.00
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VALUE OF WORK – YTD 2015	\$7,496,692.00
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RECOMMENDATION:

That the information be noted.

27/E205/16 RESOLVED – Moved: Ferguson Seconded: Ferguson

That the information be noted.

31. LAND AND ECONOMIC DEVELOPMENT

22) PROPOSAL FOR PURCHASE OF LAND

In accordance with the *Local Government Act 1993* and the *Local Government (General) Regulation 2005*, in the opinion of the 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 22.**
- 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*.**

28/E205/16

RESOLVED – Moved: Ferguson Seconded: Ferguson

- 1. That Council resolve to enter into Closed Council to consider Item 22.**
- 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*.**

23) 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 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 23.**
- 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*.**

29/E205/16

RESOLVED – Moved: Ferguson Seconded: Ferguson

- 1. That Council resolve to enter into Closed Council to consider Item 23.**
- 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*.**

24) PLANNING PROPOSAL – LOTS 6 & 7 DP837570 PINKERTON ROAD COOTAMUNDRA

Introduction

This report gives consideration to an amended planning proposal to rezone part of the former Cootamundra Oilseeds property comprising Lots 6 and 7 DP837570, Pinkerton Road Cootamundra.

Discussion

1. Introduction

This Planning Proposal has previously been considered by Council at the February and April 2016 Council Meetings. The following decision was made at the April 2016 Council Meeting:

1. That Salvestro Planning and the landowners be advised that:

- (a) Council will not agree to amend the Cootamundra LEP 2013 to allow a rezoning of part of Lots 6 and 7 in DP 837570 as outlined in the additional information received from Salvestro Planning dated 9 March 2016;*
- (b) No access will be permitted to the land in the proposed IN1 General Industrial Zone from Pinkerton Road;*

2. That Salvestro Planning and the landowners be advised that, subject to the current Planning Proposal being withdrawn (including the original and additional information), Council will give consideration to a new Planning Proposal that retains the IN2 Light Industrial zone across the Pinkerton Road frontage with no access to the IN1 General Industrial Zone being permitted from Pinkerton Road, as shown in the original Planning proposal received from Salvestro Planning dated 22nd January 2016.

2. Amended Planning Proposal

Following Council's consideration of this matter at the April Meeting, the applicant, Salvestro Planning, consultants on behalf of the owners, WB & NE Cunich, have submitted an amended proposal. This proposal is provided as **TABLED DOCUMENT 15 E2 MAY 2016 (Page 68-82)**.

The amended Planning Proposal (Version 2 dated 20 April 2016) shows two separately zoned areas as depicted in Figure 2 and two separate allotments as depicted in the site plan of Attachment 1. This amended planning proposal satisfies the resolution of Council made at the April 2016 Council meeting.

3. Strategic Planning Framework, State Environmental Planning Policies and Section 117(2) Directions

Council, in its assessment of whether to support the planning proposal, is required to be satisfied that the proposal is consistent with any applicable regional or local planning strategies; State Environmental planning Policies and Ministerial Directions made under Section 117(2) of the *Environmental Planning and Assessment Act 1979*.

The applicant's planning proposal states (pages 4 and 5):

- (a) There is no relevant regional strategic plan applicable to the proposal.
- (b) The proposal is consistent with the Cootamundra LEP 2013 as the land is currently designated for industrial use.
- (c) The planning proposal is consistent with all applicable State Environmental Planning Policies.
- (d) The proposal is consistent with the relevant Section 117 Ministerial Directions; in particular, Direction 1.1 Business Zones.

With regard to the above, it should be noted that the Department of Planning and Environment has recently released the draft Riverina-Murray Regional Plan and this draft plan is currently on public exhibition.

In addition, the Cootamundra Industrial Lands Strategy is relevant to this proposal. The proposal is inconsistent with the Strategy which designated the land for light industrial use.

4. Delegation of LEP Plan Making Process and Gateway Determination

Council is required to refer the Planning Proposal to the Department of Planning and Environment under the "Gateway Process" where the Minister (or delegate) decides whether the planning proposal can proceed (with or without variation) and subject to other matters, including public and government agency consultation.

The Gateway Determination also decides whether Council is able to finalise the amendment to the LEP. The General Manager and Council's Planning Officer have delegated authority under Section 59 of the Environmental Planning and Assessment Act 1979 to make relatively minor amendments to the Cootamundra LEP 2013, subject to consultation with the NSW Department of Planning and Environment under the Gateway Process to determine whether the delegation can be used. It is recommended that Council seek to use its delegation to make the amendment to the LEP in this instance.

5. Conclusion

Given that the latest version of the Planning proposal complies with the decision made at the April 2016 Council meeting, it is recommended that Council seek a Gateway Determination from the Department of Planning and Environment as to whether the amendment to the Cootamundra LEP 2013 can proceed, subject to compliance with the relevant matters included in the recommendation.

RECOMMENDATION

- 1. That Council submit the Planning Proposal to the Department of Planning and Environment to amend the Cootamundra LEP 2013 to enable part of the land comprising Lots 6 and 7 in DP837570 Pinkerton Road Cootamundra to be rezoned from IN2 Light Industrial to IN1 General Industrial, as depicted in Figure 2 and the site plan provided in Attachment 1 of the amended Planning Proposal prepared by Salvestro Planning, Version 2, dated 20 April 2016.**
- 2. That prior to the submission of the Planning Proposal to the Department of Planning and Environment for a Gateway Determination, the two different zoned areas are required to**

be separated by a formal Plan of Subdivision approved by Council and registered with NSW Land and Property Information, as depicted in the site plan provided in Attachment 1 of the amended Planning Proposal prepared by Salvestro Planning, Version 2, dated 20 April 2016.

3. That following the finalisation of the Plan of Subdivision and registration of the subdivision with NSW Land and Property Information, Council seek a Gateway Determination from the Department of Planning and Environment as to whether the planning proposal can proceed and whether Council can use its delegation to finalise the amendment to the LEP.
4. That the Planning Proposal and amendment to the Cootamundra LEP 2013 include a provision that no access will be permitted from Pinkerton Road to the Proposed IN1 Zone land and that all access to the use of the land in the proposed IN1 Zone be from Berthong Street.
5. That Salvestro Planning and the landowners be advised of Council's decision.

30/E205/16

RESOLVED – Moved: Ferguson Seconded: Ferguson

1. That Council submit the Planning Proposal to the Department of Planning and Environment to amend the Cootamundra LEP 2013 to enable part of the land comprising Lots 6 and 7 in DP837570 Pinkerton Road Cootamundra to be rezoned from IN2 Light Industrial to IN1 General Industrial, as depicted in Figure 2 and the site plan provided in Attachment 1 of the amended Planning Proposal prepared by Salvestro Planning, Version 2, dated 20 April 2016.
2. That prior to the submission of the Planning Proposal to the Department of Planning and Environment for a Gateway Determination, the two different zoned areas are required to be separated by a formal Plan of Subdivision approved by Council and registered with NSW Land and Property Information, as depicted in the site plan provided in Attachment 1 of the amended Planning Proposal prepared by Salvestro Planning, Version 2, dated 20 April 2016.
3. That following the finalisation of the Plan of Subdivision and registration of the subdivision with NSW Land and Property Information, Council seek a Gateway Determination from the Department of Planning and Environment as to whether the planning proposal can proceed and whether Council can use its delegation to finalise the amendment to the LEP.
4. That the Planning Proposal and amendment to the Cootamundra LEP 2013 include a provision that no access will be permitted from Pinkerton Road to the Proposed IN1 Zone land and that all access to the use of the land in the proposed IN1 Zone be from Berthong Street.
5. That Salvestro Planning and the landowners be advised of Council's decision.

25) DOCUMENT TO BE SIGNED UNDER THE COMMON SEAL OF COUNCIL

Introduction

The purpose of this report is to seek a resolution authorising the signing of a Deed Poll that sets out the adverse possession claim for the Old System Land being lots 12-14 Section 1 DP 758758.

Background

Council have occupied the land Lots 12-14 Section 1 DP 758758 for a minimum period of eighty years. The land forms part of the local sporting fields known as Anzac Park, Gundagai.

RECOMMENDATION

That Council authorise the use of the Common Seal and sign the Deed Poll which sets out the adverse possession claim for the Old System Land being lots 12-14 Section 1 DP 758758.

31/E205/16

RESOLVED – Moved: Ferguson Seconded: Ferguson

That Council authorise the use of the Common Seal and sign the Deed Poll which sets out the adverse possession claim for the Old System Land being lots 12-14 Section 1 DP 758758.

33. TOURISM

26) VISITOR INFORMATION SERVICES (COOTAMUNDRA AREA)

Introduction

The Cootamundra Creative Arts and Cultural Centre Inc. has written to Council to advise that it cannot continue to meet the contractual requirements of its service contract with Council for the operation of the Visitors Information Centre. The Arts Centre management committee have found it necessary to reduce the opening hours of the centre to four (4) hours each day. A copy of their correspondence forms **TABLED DOCUMENT 16 E2 MAY 2016 (Page 83)**.

In response to this change of circumstances, staff have taken the opportunity to review Council's visitor information services, and to develop a revised Visitors Information Strategy for the consideration of Council.

Discussion

The Visitors Information Centre has been located at the Arts Centre since 2013, and services approximately 4,500 visitors each year. It currently operates on a Level 2 accreditation, and has been opening 363 days per year for a minimum of 43 hours per week. Most of the visitors are from NSW, travelling through Cootamundra by car or campervan, and are first time visitors, with 60% of travellers aged over 60. The main reason for visiting the VIC is as a pit stop / travelling through town. Approximately 153,000 vehicles (excluding heavy vehicles) travel through Cootamundra each year, and approximately 86,000 of these travel along the Olympic Highway.

In order to provide for continuity of service, staff have prepared the following draft Visitors Information Strategy, with a focus on short term objectives, as well as consideration for medium term objectives that will continue to be reviewed, developed and modified through an iterative process.

The philosophy underpinning this strategy is to provide cost effective, value for money Visitors Information Services. Information should be provided in more than one location to meet people where they are. The Visitors Information Services should be flexible and adaptable to cope with anticipated change, including local government amalgamations, as well as changes to visitor's behaviour and needs.

The recommendation is for an additional budget in the current financial year, for the set up a Visitors Information Service within the Heritage Centre. In future financial years, the strategy can be accommodated within the existing budget of \$43,478 pa. It is recommended that part of this funding be provided to the Heritage Centre Committee to fund museum projects, and that the remainder be available for additional tourism promotions and projects, such as building enhancements at Bradman's Cottage, training for volunteers and tourism operators, village promotions, brochure and tourism website development.

VISITORS INFORMATION STRATEGY

Goal

To help all visitors make the most of their Cootamundra experience.

Objectives

- To influence visitor behaviour, increasing the uptake of local goods and services by travellers.
- To support community involvement with tourism outcomes for the town.
- To work with Riverina Regional Tourism to drive regional tourism strategies.

Strategies

- To provide options for the delivery of visitors information in a variety of ways to meet the needs of visitors.
- To cultivate partnerships with local tourism operators to ensure opportunities and resources are maximised.
- To make use of the individual and collective talents of volunteers, as local Ambassadors.
- To work with local operators to develop an effective system for recording tourism statistics, focusing on occupancy.
- To use tourism data, together with visitor feedback to continue to develop and refine promotional activities.

Actions	Status	Estimated Cost
<p>Set up a visitors information service within the Heritage Centre. The following actions have been developed with the input of the Heritage Centre Committee and Volunteers.</p> <p>The Heritage Centre committee have opted for the use of a room currently used for storage, with separate access (from the museum) off the front veranda. This will enable the volunteers to continue to focus on the museum (primary purpose), and to ensure that the visitors service does not impose negatively on the museum space, or the volunteer's responsibilities.</p> <ul style="list-style-type: none"> • Construct a shed for use by the Heritage Centre Committee, to replace lost storage space. • Ensure entrances to both the Visitors Information Service, and the Museum are welcoming and open, with good clear signage. • Fit out the visitor's space with photo panel displays, a large map displaying key locations, brochure racks with priority visitor information. • Apply for AVIC level 3 accreditation for the Heritage Centre location, and make use of the "i" branding. • Include signage and information to encourage visitors to explore the Museum. • Set up systems to monitor usage (door counter/camera) to ensure that volunteers can approach and engage with visitors. • Set up systems to continue to engage with volunteers, to ensure that issues are considered and addressed, and that visitor feedback is taken into account and acted upon. 	<p>Staff have met with Heritage Centre Committee and volunteers to develop this idea together, and have reached a point of general agreement to proceed with implementation by 1 July 2016, to take over from the Art Centre location.</p>	<p>\$15,000 set-up.</p> <p>\$8,000 annual contribution to the Heritage Centre Committee for Heritage Centre projects.</p>
<p>Set up a visitors information display within Bradman's Birthplace Museum.</p> <ul style="list-style-type: none"> • Provide a significant visitors display, including, a large map displaying key locations and brochure racks with priority visitor information 	<p>Planned for 2016/17</p>	<p>To be costed.</p>

Actions	Status	Estimated Cost
<p>Develop additional opportunities to promote Cootamundra's attractions.</p> <ul style="list-style-type: none"> • Work with volunteers to develop additional opportunities / programs for the promotion of the Heritage Centre and Bradman's Cottage. • Building enhancements at Bradman's Cottage, to improve access to the urn and tea area, and make the back room a more usable space. 	<p>Planning to begin in 2016/17</p> <p>Plans to be prepared and costed in first half of 2016/17.</p>	<p>To be costed.</p>
<p>Set up visitor information hubs within major motels.</p> <ul style="list-style-type: none"> • Liaise with businesses to cultivate partnerships and to roll out installation. • Provide standard brochure racks with priority visitor information and maps. 	<p>5 locations planned for 2016/17</p> <p>Staff have begun to discuss the opportunity with 5 moteliers, who are enthusiastic about the potential opportunities.</p>	<p>\$500 set up per location</p>
<p>Install mini visitor information hubs in various targeted locations in the Town and Villages.</p> <ul style="list-style-type: none"> • Liaise with businesses to roll out installation. • Consider opportunities for resource sharing / information sharing with local businesses. 	<p>From 2017/2018</p>	<p>To be costed.</p>
<p>Review and modify outdoor visitors signage and directions.</p> <ul style="list-style-type: none"> • Review and modify the Civic Guide locations, framework, and information to ensure high visibility throughout the Town and Villages, accuracy of information and relevance to visitors. • Display directions to all Visitor Information Hubs. • Consider opportunities for outdoor Tourism Touchscreens. 	<p>Civic Guides to be updated from 2016/17</p> <p>All Visitor Information locations to be mapped during 2016/17.</p> <p>The cost of outdoor touchscreens currently outweighs the benefits. Costing and other opportunities will continue to be monitored.</p>	<p>To be costed.</p>

Actions	Status	Estimated Cost
<p>Develop systems for ensuring that all information displays are interesting, engaging, up to date, relevant and that brochure racks are always fully stocked.</p> <ul style="list-style-type: none"> Engage a local artist to provide attractive and informative prints of the town map and assist with design work. Include information about local services including eateries, accommodation, public loos, caravan dump points, local attractions. Include information linking Cootamundra and villages to the surrounding region. Ensure brochure stock and other information is kept current, and relevant to stated visitor requirements. 	Planned to be operational with the Heritage Centre Visitors Information Service.	-
<p>Develop a tourism website for Cootamundra Shire.</p>	Planned for 2016/17	\$2,000
<p>Provide access to tourism information on mobile devices at 'free Wi-Fi' locations within Cootamundra Shire.</p> <ul style="list-style-type: none"> Promote the Riverina Tourism Smartphone App, containing live information about local attractions and events, local dining options and accommodation. Promote the Cootamundra Shire Tourism website, providing tourism information relevant to our Shire. 	Planned for 2016/17	<p>Riverina Tourism App is \$2,000pa</p> <p>Free Wi-Fi to be costed with Council's review of internet services</p>
<p>Partner with neighbouring councils and regional organisations to distribute visitor information and promote the region.</p> <ul style="list-style-type: none"> Participate in regional promotional opportunities, such as Gold Trails. Work with neighbouring Visitor Information Centres to ensure we are benefitting from cross promotional opportunities. Ensure our neighbouring Visitor Information Centres are stocking Cootamundra brochures. 	Ongoing	-

Actions	Status	Estimated Cost
<p>Develop systems for data collection and statistical analysis.</p> <ul style="list-style-type: none"> • Work with tourism operators to develop simple information gathering systems, focusing on occupancy, and visitor surveys. • Implement systems to record brochures taken and information accessed by visitors, to determine visitor interests, and ensure that information is well targeted. 	Planned from 2016/17	Costing to be developed.
<p>Facilitate the collaboration and sharing of ideas of local operators, through the development of forums / networks.</p> <ul style="list-style-type: none"> • Liaise with tourism operators to generate interest and to understand priorities. • Develop a database of tourism operator information. • Facilitate an email network for the distribution of information, offers, promotional and training opportunities. • Manage email activity, instigate meetings and encourage collaboration. • Maximise opportunities arising from existing partnerships with Riverina Regional Tourism (RRT), Regional Development Australia Riverina workshops, Eastern Riverina Arts programs, Cootamundra Development Corporation promotions. • Work with local operators to participate in RRT's TASTE and product development initiatives. 	Staff have held initial conversations with 5 moteliers, who have expressed interest and support.	To be costed.

RECOMMENDATION

1. That the Visitors Strategy (Cootamundra Area) be adopted, and actions be incorporated in Council's Operational Plan.
2. That the Heritage Centre Committee be formally approached with the proposal of a Visitors Information Service to be located within the Heritage Centre, with a commencement from 1 July 2016.
3. That the Cootamundra Creative Arts and Cultural Centre Inc. be thanked for operating the Visitors Information Service for the past 3 years, and advised that Council will relocate the service to the Heritage Centre from 1 July 2016.

- 1. That the Visitors Strategy (Cootamundra Area) be adopted, and actions be incorporated in Council's Operational Plan.**
- 2. That the Heritage Centre Committee be formally approached with the proposal of a Visitors Information Service to be located within the Heritage Centre, with a commencement from 1 July 2016.**
- 3. That the Cootamundra Creative Arts and Cultural Centre Inc. be thanked for operating the Visitors Information Service for the past 3 years, and advised that Council will relocate the service to the Heritage Centre from 1 July 2016.**

34. FINANCIAL PLANNING AND REVENUE

27) IPART REVIEW OF THE LOCAL GOVERNMENT RATING SYSTEM

Introduction

On 13 April 2016, IPART released 'Review of the Local Government Rating System, Local Government - Issues Paper April 2016', (the Paper), which forms **TABLED DOCUMENT 17 E2 MAY 2016 (Pages 84-156)** and can be found at

[http://www.ipart.nsw.gov.au/files/sharedassets/website/shared_files/investigation - section 9 - legislative - review of the local government rating system/issues paper - review of local government rating system - april 2016.pdf](http://www.ipart.nsw.gov.au/files/sharedassets/website/shared_files/investigation_-_section_9_-_legislative_-_review_of_the_local_government_rating_system/issues_paper_-_review_of_local_government_rating_system_-_april_2016.pdf)

A public hearing was held on 26 April 2016, where stakeholders were invited to address specific issues raised in the Paper and provided feedback to IPART.

It is pleasing to report that following a conversation with the IPART secretariat Council's (Cootamundra Area) Rates Clerk, Susan Parry, was invited to discuss specific issues relating to the proposed merger of councils and the implications for rating.

Discussion

To comply with the NSW Government's timetable IPART sought written responses to the Paper by 13 May 2016, prior to Council's next available ordinary meeting.

Council provided the written submission included below.

COOTAMUNDRA SHIRE COUNCIL SUBMISSION IN RESPONSE TO IPART'S REVIEW OF THE LOCAL GOVERNMENT RATING SYSTEM ISSUES PAPER APRIL 2016

Section 3 – Establishing principles of taxation

1. *Do you agree with our proposed tax principles? If not, why?*

Council is satisfied with the proposed tax principles outlined.

Section 4 – Assessing the current method for setting rates

2. *What valuation method should be used as the basis for determining the ad valorem amounts in council rates? Should councils be given more choice in selecting a valuation method, as occurs in other states, or should a valuation method continue to be mandated?*

As a rural Council, it is unlikely that moving from unimproved land value (UV) to capital improved land value (CIV) for the purposes of rating, will have a noticeable affect on equity or increase urbanisation. That being said, Council makes the following observations:

- The source data needs to be further scoped with a mutually agreed definition and calculation methodology for 'capital improved value'.
- If CIV is taken to mean 'market value', the basis of land valuations may be easier to understand by ratepayers, but could be more susceptible to changes in market conditions and therefore objections.
- Data capture may prove difficult and costly as it is not presently available from a single source.
- If the objective of changing land valuation methodologies is to decrease inequities related to high density properties, other alternatives such as the introduction of a strata residential sub-category may provide a simpler and more suitable solution.

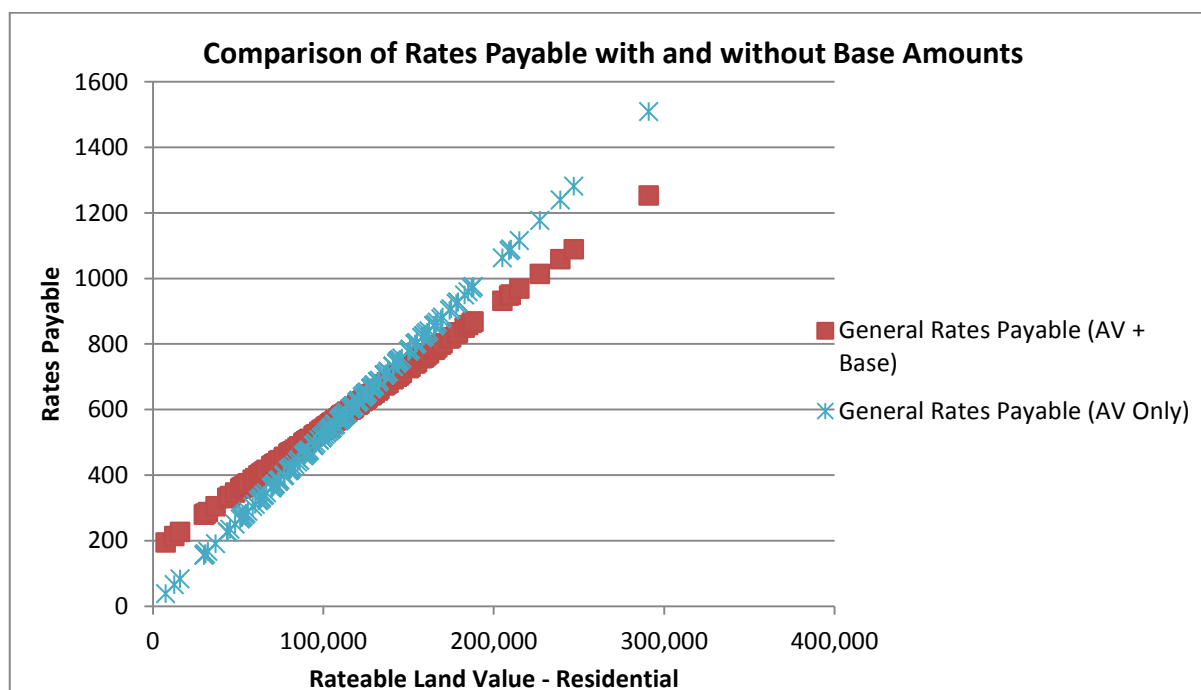
3. Should councils be required to use the Valuer General's property valuation services, or should they also be able to use a private valuation firm (as occurs in Victoria and Tasmania)?

Council's should be free to use the most cost effective valuation services provided an agreed standard of valuation is used throughout the State.

4. What changes (if any) should be made to the Local Government Act to improve the use of base and minimum amounts as part of the overall rating structure?

Council strongly objects to the suggestion that removing base amounts may increase equity. Base amounts are presently used in conjunction with ad-valorem amounts to better distribute the rating burden within a sub-category where the land valuations are highly disparate, as is often the case in rural areas.

As an example Council has examined the effect on rates payable if the base amount was removed from its present residential outskirts sub-category (based on the assumption that total revenue should remain unchanged). In removing the base amount, the average rate levy would remain static (\$596), however, the lowest rate payable would reduce from \$195 to \$39 per year, while the highest rate would increase from \$1,253 to \$1,509. It is difficult to reconcile this degree of disparity, and difficult to justify that \$39 per year would be an acceptable annual levy for the provision of Council facilities and services. The graph below visually demonstrates the use of base rates in 'evening out' the rates levied.

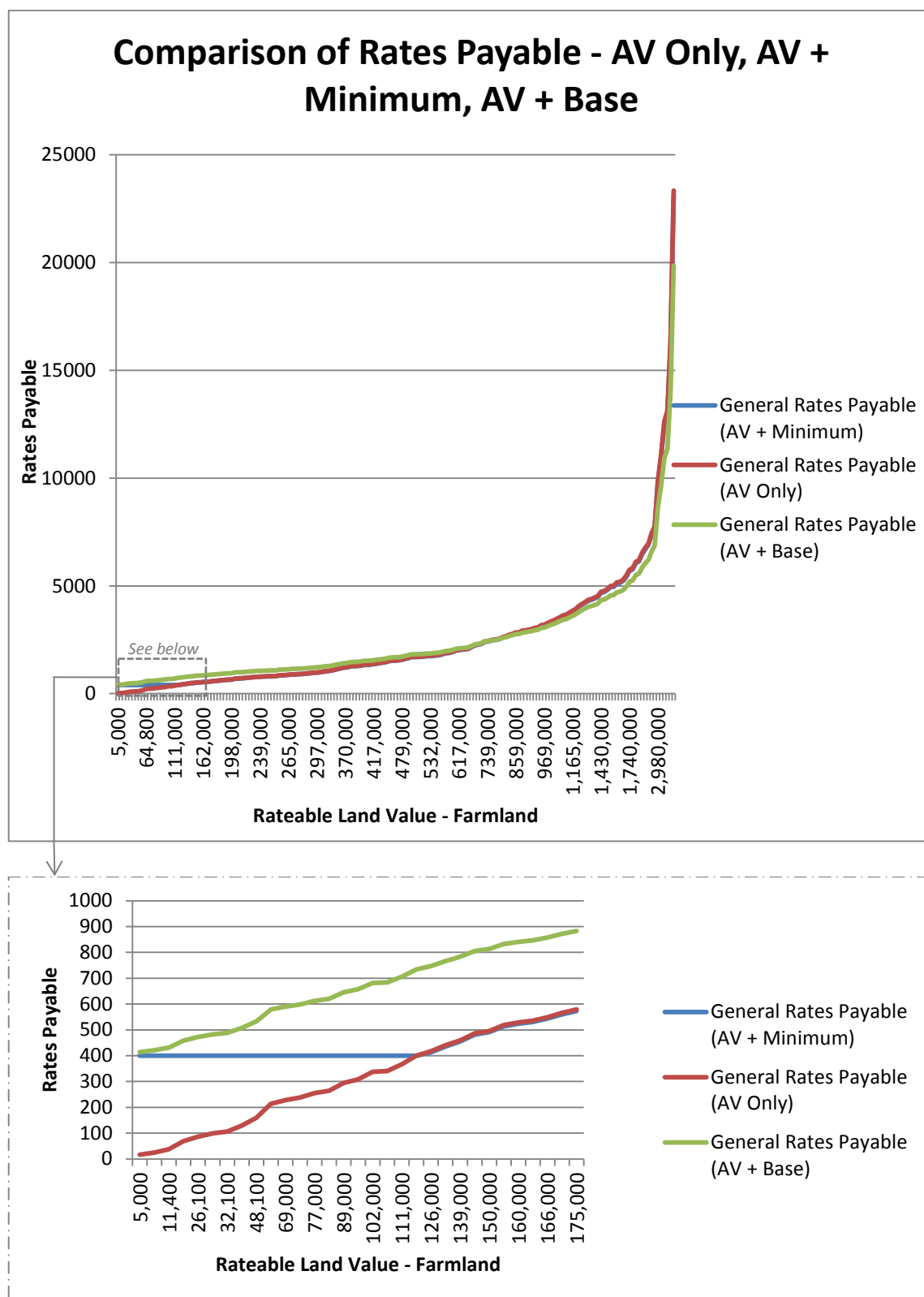


The same issues arise in Farmland where the rateable land values are extremely disparate. Therefore, using a minimum amount allows for a more equitable distribution of rates payable, while setting a threshold which all ratepayers are required to meet.

Using Cootamundra's rating structure and based on the assumption that Council seeks to collect the same revenue from the Farmland category:

- Using only an ad-valorem: the lowest rate payable would be \$17 and the highest would be \$23,345.
- Using an ad-valorem with a base of \$400: the lowest rate payable would be \$414 and the highest would be \$19,860
- Using an ad-valorem with a minimum of \$400: the lowest rate payable would be \$400 and the highest would be \$23,114

The following comparison illustrates this disparity.



Accordingly, Council proposes that if any changes are made to the Local Government Act to improve the use of base and minimum amounts, they should increase flexibility rather than decrease it. This would include:

- Allowing councils to continue using base and minimum amounts, if they so wish.
- Removing the 'cap' on the revenue from a minimum amount being set at 50%.

5. What changes could be made to rating categories? Should further rating categories or subcategories be introduced? What benefits would this provide?

In an attempt to increase equity, Council suggests the following changes to rating categorisations:

- The introduction of a separate rating category or sub-category for multi-unit properties, so that the contribution of a multi-dwelling property is more commensurate with its impact on Council's facilities and services.
- There is a strong need for the reconsideration of exemptions, in particular not-for-profit or public benevolent institutions. Council suggests that exemption should be determined based on the *use of the land*, and not the *ownership of the land* as is currently regulated.
- At present, the sub-categorisation of farmland is difficult to interpret, monitor and administer. Instead, farmland may be more suitable to being sub-categorised based on a geographical area such as a defined locality.

*6. Does the current rating system cause any equity and efficiency issues associated with the rating burden **across** communities?*

The rating system does create equity and efficiency issues communities that are intersected by council boundaries. By design, each council adopts a rating structure independent of the rating structure of its neighbouring councils.

As a result, ratepayers with similarly valued properties in two or more local government areas are likely to bear disparate methods of calculation and actual rates payable. This is very common in rural areas where farming properties and enterprises often exist in two or three council areas.

Councils will still continue to provide amenities to visitors, without receiving any contribution to council's revenue. These apparent inequities are unlikely to be reconcilable with the current methodologies of local government revenue raising.

7. What changes could be made to the rating system to better encourage urban renewal?

Council has no comment to make on this issue.

8. *What changes could be made to current rate pegging arrangements to improve the rating system, and, in particular, to better streamline the special variation process?*

As a general principle Council believes that rate pegging arrangement should be abolished. However, Council accepts that this is not the NSW Government's intention.

Presently, as part of the Integrated Planning and Reporting (IP&R) framework, councils are held accountable to and by their communities in determining the desire, willingness and capacity to pay for services and facilities. Accordingly, where a council is able to prove accountability and responsibility, autonomy in determining the rate pegging amount (that is, a complete exemption from the IPART determination) should be granted.

Council suggests that this right to autonomy should be earned, with IPART acting as the determinant. Being granted autonomy should be merit-based, with each council being benchmarked against itself and its own objectives and results, rather than being graded against any other council (or collective councils).

If autonomous determination of the rate peg amount is introduced, the need for special variations will be eliminated. Alternatively, any suggestions to streamline the special variation application process (such as the utilisation of existing reports and a reduction in duplication of effort) would be welcomed.

9. *What changes could be made to the rating system to improve councils' management of overdue rates?*

Council believes that all councils have an obligation to collect all overdue rates to fund service delivery, and to be fair to those ratepayers who do pay on time.

Most councils actively pursue flexible payment arrangements with their ratepayers and offer additional assistance under hardship provisions. The suggestion that councils are overly reliant on the court system and should offer '*more flexible payment options*' fails to acknowledge the attempts made by councils to avoid legal action, which is only pursued as a 'last resort'.

Council objects to the introduction of setting a 'minimum' amount of overdue rates claimable, despite the findings that some councils are pursuing relatively low value claims. Setting a minimum would be irresponsible as it would fail to consider each individual's capacity to pay and would disadvantage those with higher rates payable.

Council is also of the view that early intervention to reduce overdue payments is in the interest of the ratepayer, and often alleviates long term and unmanageable accumulation of debt.

Section 5 – Assessing exemptions, concessions and rebates

10. Are the land uses currently exempt from paying council rates appropriate? If a current exemption should be changed, how should it be changed? For example, should it be removed or more narrowly defined, should the level of government responsible for providing the exemption be changed, or should councils be given discretion over the level of exemption?

Council accepts the need for competitive neutrality and therefore suggest that the use of the land should determine eligibility for exemption, rather than ownership. If exemptions were more tightly controlled and defined based on land use, a fairer and more equitable collection of rates and increased transparency would be achieved. For example, at present, two nursing homes may exist in one local government area with one owned by a registered charity, the other privately. Only one receives the exemption, yet both have comparable impost on council's facilities and services, and both are competing for market share.

Further identifiable outcomes would include that *all* properties used for the purposes of a residence become rateable, and that businesses operating within the confines of a National Park would no longer be exempt.

To enact these changes to exemptions, Council suggests that the Local Government Act's definitions need clarification, not removal. Council would not agree with each council being granted discretion over the level of exemption, as this would prove problematic and would result in inconsistencies across local government areas.

11. To what extent should the exemptions from certain state taxes (such as payroll tax) that councils receive be considered in a review of exemptions for certain categories of ratepayers?

Council supports the general principle that the three levels of government should not tax each other.

However, Council does not believe this principle should be applied to any genuine business activities undertaken by any level of government. For example, NSW Payroll tax exempts local government in general, but limits that exemption to non-business activities. The payroll tax exemption does not apply to local government water, sewerage, saleyards, cemeteries, aged care hostels, and other business activities in circumstances where those activities are operated as a business.

12. What should the objectives of the pensioner concession scheme be? How could the current pensioner concession scheme be improved?

Council believes that the State Government should be liable for 100% of the pension concession as the pension concession is a welfare measure.

As the proportion of pensioners is increasing, the strain on Council's budget (presently costing Council \$182,000 p.a.) and its continued ability to provide services which benefit the whole community is compromised. Council generally supports the review of eligibility, but this must result in outcomes that increase efficiency rather than decrease it.

An asset test (of sorts) is generally supported, however, to take account of inconsistencies across rating structures in different local government areas, it would be beneficial to consider the rebate amount as a proportion of the rate levy, rather than the value of the asset.

Council does not support a rate deferral scheme as this would negatively affect cash flow and service delivery.

Section 6 – Freezing existing rate paths for newly merged councils

13. We have interpreted the rate path freeze policy to mean that in four years after a merger, the rating path in each pre-merger council's area will follow the same trajectory as if the merger had not occurred. Do you agree with this interpretation?

Cootamundra Shire Council generally agrees with IPART's interpretation that the rate freeze policy implies the rating path in each pre-merger council's area will follow the same trajectory for the four years after a merger.

However, Council does not accept that the intent of the rate freeze policy is to 'lock in' the rate burden of each category and sub-category as it currently exists within each pre-merger Council for the next four years. To do so would be to assume that a council's current rating structure should, and can, remain static. A council may currently be in the process of gradually redistributing the rating burden between categories or sub-categories as part of their long-term planning. Therefore, it stands to reason that a rate burden redistribution which is presently being undertaken would be impeded if the ability for a council to redistribute the rating burden was removed.

Council proposes that the intent of the rate freeze policy should be redefined, and suggest that no ratepayer in a pre-merger Council should be required to subsidise any other pre-merger Council during the four year period. In short, any increase to total allowable income as a result of rate peg should be contained to each pre-merger council, rather than being added in aggregate to the total allowable revenue of the merged Council, while still allowing the flexibility of changes of the rate burden within the categories of those pre-merger councils.

Council believes that ratepayers understand that mergers and the requirement for rate equalisation will result in changes to rates payable, and there will inevitably be 'winners and losers'.

Council suggests that any inequities that currently exist across two or more councils will only be further compounded in absolute terms if existing rating structures are locked in for four years. This will impede the goal of rate equalisation and the new council's ability to operate as 'one' council if it cannot commence the process of integration immediately. Merged councils need to use this four years as a transitional period. Neither the 'relative share method' nor the 'fixed share method' will therefore be appropriate.

14. *Within the rate path freeze period, should merged councils be permitted to apply for new special variations:*

- *For Crown Land added to the rating base?*
- *To recover amounts that are 'above the cap' on development contributions set under the Environmental Planning and Assessment Act 1979?*
- *To fund new infrastructure projects by levying a special rate?*

15. *Are there any other situations where merged councils should be able to apply for new special variations within the rate path freeze period?*

Council agree that councils should be permitted to apply for new special variations, and that the process must be more streamlined and accommodating to merged councils.

However, Council suggest that an assessment of each newly formed council will identify service gaps across the new council, particularly when comparing services provided by the previous councils. If this occurs and consultation with the ratepayers identifies a willingness for service equalisation and a willingness to pay, then the new council should be allowed the provision for a special variation. Importantly, this should not be limited to Crown Land additions, 'above the cap' development contributions and new infrastructure projects using a special rate. The merged council may see a need for a general increase to fund, for example, roads, tourism or general beautification of the council where linking direct benefits (as is required with the implementation of a special rate) will prove problematic. Accordingly, the ability for a merged council to apply for a new special variation should not be limited as proposed.

Questions 16 – 20

- Merged Councils should not be limited to only increasing the base amounts and minimum amounts each year by the rate peg.
- Councils should not be limited to only allocating changes to the rating burden across rating categories based on changes in land value or the rate peg.
- While councils should be permitted to set their rates below the 'ceiling', any supposed savings of a merged council are illusory and so any suggestion that a council will elect to set their rates below the 'ceiling' is fanciful.
- Council agrees with IPART's preferred option that the Minister for Local Government is provided with a new instrument-making power as required.

Section 7 – Establishing new, equitable rates after the 4-year freeze

21. *Should changes be made to the LG Act to better enable a merged council to establish a new equitable system of rating and transition to it in a fair and timely manner? If so, should the requirement to set the same residential rate **within a centre of population** be changed or removed?*

The impact of a merger on residential rates would not affect Cootamundra based on the present legislation. The inclusion of a 'centre of population' as a basis for sub-categorisation is fundamental for a regional council as rural councils differentiate between towns and villages.

However, to propose that the residential sub-categorisation option be removed would prove extremely difficult to reconcile. Council would not object to the removal of the mandatory requirement for residential rates being based on centres of population, but would object to its availability being removed as it should, at least, remain optional.

22. Should approved special variations for pre-merger councils be included in the revenue base of the merged council following the 4-year rate path freeze?

The special variations for a pre-merger council should be included in the revenue base of the merged council following the 4-year rate freeze, as total revenue projections and long term planning would already be determined and any special variation already be accounted for.

23. What other rating issues might arise for merged councils after the 4-year rate path freeze period expires?

Council is very concerned that the farmland category has not been given consideration in IPART's *Issues Paper*. At present, many rural and regional councils elect not to use sub-categories of farmland and so are faced with the potential need to combine multiple councils using singular ad-valorem amounts. For Cootamundra the pre-merger farmland rate burdens of the potential merger councils range from 31 to 74%. Such highly disparate rates payable must be equalised in the long term and Council suggests that to achieve this:

- movement towards rate equalisation must be allowed during the first four years of a council merger, and
- allowance should be made to introduce farmland sub-categories based on a geographical boundary, which would reduce the immediate need for rate equalisation.

Finally, Council is also concerned that:

- water and sewer has not been considered by IPART and this is another area in which equity must be achieved over time where there are different systems, costs and structures. Council recommends that IPART increase its scope to also consider the impact of water and sewer funding, and
- there has been no indication as to how reporting, compliance and enforcement will occur, and that any additional reporting and auditing requirements will only add to the current compliance burdens, rather than decrease them.

RECOMMENDATION

That Council endorse the Submission to IPART'S 'Review of the Local Government Rating System, Local Government - Issues Paper April 2016', detailed above.

33/E205/16

RESOLVED – Moved: Ferguson Seconded: Ferguson

That Council endorse the Submission to IPART'S 'Review of the Local Government Rating System, Local Government - Issues Paper April 2016', detailed above.

28) SERVICE OF NOTICES BY EMAIL (COOTAMUNDRA AREA)

Introduction

Due to an increasing number of ratepayers requesting their rates notices be served by email, Council staff have recently completed a project in order to make this service delivery available.

Discussion

On 12 April 2016, the service of notices by email went “live”. Ratepayers may now choose to have their notices served by email (but note that the default service will remain post unless Council receives a registration for email delivery). Registration may be completed online, or at the Council office (with terms and conditions of the delivery needing to be accepted as part of the sign-up process).

An information campaign is currently in effect to advertise this service delivery, which includes a pamphlet being included with their mailed notice, information on all notice types and their envelopes, newspaper notices, Facebook posts and communication at the Council office.

The take-up of the service delivery has been very pleasing thus far, with 103 registrations received in the first month (equating to 2.6% of notices issued). The annual target for the first year has been set at a 5% take-up.

As well as demonstrating flexibility in its service delivery, sending notices by email is a cost-saving measure, with savings of up to \$693 per annum in printing and postage costs for every 100 assessments registered for email service of notices.

RECOMMENDATION

That the information be noted.

34/E205/16 RESOLVED – Moved: Ferguson Seconded: Ferguson

That the information be noted.

29) MARCH QUARTERLY BUDGET REVIEW (COOTAMUNDRA AREA)

Introduction

The purpose of this report is to present a summary of Council's financial position at the end of each quarter and to report on progress made against the original budget adopted by Council in its Operation Plan.

The Quarterly Budget Review for the quarter ended 31 March 2016 forms **TABLED DOCUMENT 18 E2 MAY 2016 (Pages 157-180)**.

Discussion

Staff have conducted a review of the budget, in conjunction with the preparation of the next financial year's budget, and have identified items that should be adjusted to reflect current expectations. Budget variations have been recommended, as detailed in the Tabled Document.

The revised estimated net operating result for the year to 30 June 2016 is a surplus of \$272,000 (original budget was a deficit of \$766,000) and the revised estimated result before capital grants and contributions is a deficit of \$677,000 (original \$1,760,000 deficit).

The net increase to the projected surplus in the current quarter is \$27,000. The material variations are attributed to:

- Additional lease income of \$40,000 has been projected to be received from Waste Science.
- The application for a grant of \$100,000 for village tip closures was not successful.
- A review of the salary budget of the Development Department resulted in a decrease to budget of \$35,000
- The impact of not receiving a Heritage grant resulted in a net \$13,000 improvement in the surplus.
- \$16,000 of the risk management improvement program expenditure was transferred to capital to purchase a cage and lifting equipment for the Ranger's vehicle.

RECOMMENDATION

That the Quarterly Budget Review Statement as of 31 March 2016 be adopted.

35/E205/16

RESOLVED – Moved: Ferguson Seconded: Ferguson

That the Quarterly Budget Review Statement as of 31 March 2016 be adopted.

30) INVESTMENT REPORT MARCH (COOTAMUNDRA AREA)

A summary of investments as at 31 March 2016 forms **TABLED DOCUMENT 19 E2 MAY 2016 (Page 181).**

RECOMMENDATION

That the Investment Report as of 31 March 2016 be received.

36/E205/16 RESOLVED – Moved: Ferguson Seconded: Ferguson

That the Investment Report as of 31 March 2016 be received.

31) INVESTMENT REPORT APRIL (COOTAMUNDRA AREA)

A summary of investments as at 30 April 2016 forms **TABLED DOCUMENT 20 E2 MAY 2016 (Page 182).**

RECOMMENDATION

That the Investment Report as of 30 April 2016 be received.

37/E205/16 RESOLVED – Moved: Ferguson Seconded: Ferguson

That the Investment Report as of 30 April 2016 be received.

32) STATEMENT OF BANK BALANCES as at 30.04.16 (GUNDAGAI AREA)

Introduction

The purpose of this report is to provide Councillors with a Statement of Bank Balances as at 30.04.16.

General Amalgamated Bank Account

Balance Brought Forward		\$14,824.07
Unbanked receipts - March understated		\$0.10
Receipts for period ended		
Rates	\$82,239.11	
Miscellaneous	<u>\$929,389.30</u>	\$1,011,628.41
Dishonours		(\$690.00)
Round Downs		<u>(\$0.11)</u>
\$1,025,762.47		
Payments for period ended		
Warrant	\$737,584.68	
Direct Payments		
Bank & EFTPOS Charges	\$518.32	
Bank transfers between accounts	\$30,000.00	
Travel & Other direct debits/reversals	<u>\$3,936.63</u>	<u>\$772,039.63</u>
Balance Carried Forward		<u>\$253,722.84</u>

Bank Reconciliation

Bank Statement balance		\$249,640.23
Add: Unbanked Receipts	\$77,043.91	
Less: Unpresented Cheques	<u>(\$72,961.30)</u>	<u>\$4,082.61</u>
Balance as per Cash Book		<u><u>\$253,722.84</u></u>

Total Funds Balance

Bank Accounts Balance		\$253,722.84
Investments:		
Other	\$5,029,989.49	
Reserves	<u>\$4,713,268.00</u>	<u>\$9,743,257.49</u>
TOTAL FUNDS		<u><u>\$9,996,980.33</u></u>

FUND BALANCES		30.04.15		30.04.16	
GENERAL FUND					
Bank Account		(\$7,574,061.13)		(\$8,591,254.45)	
Investments (15200-		<u>\$6,414,817.30</u>		<u>\$9,743,257.49</u>	
Nett Bank		(\$1,159,243.83)		\$1,152,003.04	
Reserves		<u>\$3,110,643.00</u>	\$1,951,399.17	<u>\$3,130,768.00</u>	\$4,282,771.04
WATER SUPPLY FUND					
Bank Account		\$974,064.81		\$1,209,440.32	
Reserves		<u>\$932,500.00</u>	\$1,906,564.81	<u>\$1,032,500.00</u>	\$2,241,940.32
SEWERAGE LOCAL FUND					
Bank Account		\$363,277.49		\$492,985.71	
Reserves		<u>\$450,000.00</u>	\$813,277.49	<u>\$550,000.00</u>	\$1,042,985.71
TID FUND					
Bank Account		\$987,308.15		\$1,423,907.93	
Reserves		<u>\$0.00</u>	\$987,308.15	<u>\$0.00</u>	\$1,423,907.93
TRUST FUND					
Bank Account		<u>\$1,001,787.87</u>	\$1,001,787.87	<u>\$1,005,375.33</u>	\$1,005,375.33
			<u>\$6,660,337.49</u>		<u>\$9,996,980.33</u>

Conclusion

The balance of all funds as shown in Council's Cash Book have been reconciled with the relevant Bank Accounts.

RECOMMENDATION

That the report be received and noted.

38/E205/16

RESOLVED – Moved: Ferguson

Seconded: Ferguson

That the report be received and noted.

33) GUNDAGAI INVESTMENTS (GUNDAGAI AREA)

Introduction

To provide a list of Council funds invested as at 30 April 2016

<u>Investee</u>	<u>Date Invested</u>	<u>Type</u>	<u>Yield\$</u>	<u>Yield %</u>	<u>Benchmark BBSW %</u>	<u>Term days</u>	<u>Due date</u>	<u>Amount \$</u>
NAB	Var	Cash Max.		Variable		<i>At Call Daily</i>		\$643,257.49
NAB	09.03.16	Term	\$ 2,326.11	3.11	2.33	91	08.06.16	\$300,000.00
NAB	09.12.15	Term	\$12,369.86	3.00	2.41	215	11.07.16	\$700,000.00
NAB	07.12.15	Term	\$ 6,768.49	3.00	2.39	183	07.06.16	\$450,000.00
NAB	11.03.16	Term	\$15,557.26	3.12	2.45	182	09.09.16	\$1,000,000.00
NAB	15.02.16	Term	\$ 4,989.18	3.01	2.31	121	15.06.16	\$500,000.00
NAB	12.06.15	Term	\$15,100.00	3.02	2.26	365	12.06.16	\$500,000.00
NAB	01.03.16	Term	\$ 3,054.90	3.03	2.29	92	01.06.16	\$400,000.00
NAB	21.02.16	Term	\$ 5,063.84	3.03	2.33	122	22.06.16	\$500,000.00
NAB	08.04.16	Term	\$ 3,821.92	3.10	2.43	180	05.10.16	\$250,000.00
NAB	19.02.16	Term	\$ 5,088.49	3.02	2.33	123	21.06.16	\$500,000.00
NAB	11.02.16	Term	\$20,054.79	3.05	2.33	120	10.06.16	\$2,000,000.00
Bananacoast CU	14.01.16	Term	\$ 2,505.48	2.95	2.37	124	17.05.16	\$250,000.00
Bank of Sydney	14.10.15	Term	\$ 6,875.00	2.75	2.23	365	18.10.16	\$250,000.00
Bendigo Bank G'gai	22.07.15	Term	\$ 7,125.00	2.85	2.25	365	22.07.16	\$250,000.00
Bank of QLD	14.01.16	Term	\$ 3,821.92	3.10	2.44	180	14.07.16	\$250,000.00
ECU	24.06.15	Term	\$ 7,375.00	2.95	2.26	365	24.06.16	\$250,000.00
ME Bank	17.03.16	Term	\$ 1,125.34	2.65	2.25	62	18.05.16	\$250,000.00
Railways CU	20.04.16	Term	\$ 2,013.70	3.00	2.27	98	27.07.16	\$250,000.00
MyState Bank Ltd	07.12.15	Term	\$ 4,479.45	3.00	2.39	218	12.07.16	\$250,000.00
								\$9,743,257.49

NB – Government Guarantee of \$250k applies to each institution listed above.
Min 25% to be Government Guaranteed (GSC Policy)

SUMMARY OF INVESTMENTS

	<u>30.04.15</u>	<u>30.04.16</u>
Term Deposits	6,150,000	9,100,000
Call/CRI/Other	264,817	643,257
	<u>6,414,817</u>	<u>9,743,257</u>
Cash Management (NAB)	244,341	249,640
TOTAL CASH & INVESTMENTS	<u>\$ 6,659,158</u>	<u>\$9,992,898</u>

CERTIFICATE OF INVESTMENTS

In accordance with Regulation 212 of Local Government (General) Regulation 2005, I hereby certify the abovementioned investments have been made in accordance with the Local Government Act 1993, the Regulations and Council's investment policy.

RECOMMENDATION

That the report be received and noted.

39/E205/16

RESOLVED – Moved: Ferguson Seconded: Ferguson

That the report be received and noted.

34) CURRENT MAJOR PROJECTS – FINANCIAL SUMMARY (GUNDAGAI AREA)

Introduction

To provide a snapshot of current projects.

Sheridan Street Redevelopment

Income - Whole Project

Loan 10yr @ 4.06%	\$	3,000,000
Water Fund	\$	250,000
Sewer Fund	\$ TID	350,000
Fund	\$ NBSR	350,000
Grant	\$	915,490
\$ Expense - Life to Date		4,865,490
WO100193	\$	
WO100760	\$	1,437,473
\$		207,348
		1,644,821

Loan Liability as at 30.04.2016

Repaid	\$	122,320
Balance	\$	2,877,680
	\$	3,000,000

Next payment due: **09.05.2016**

Principal	\$	125,798
Interest	\$	58,257

Fixed Loan repayments of \$184,055 occur in May & November

Local Infrastructure Renewal Scheme (LIRS) Subsidy

Payments received	\$	45,616	11.11.2015
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RECOMMENDATION

That the report be received and noted.

40/E205/16 RESOLVED – Moved: Ferguson Seconded: Ferguson

That the report be received and noted.

35) SUMMARY OF RATE COLLECTIONS (GUNDAGAI AREA)

Introduction

The purpose of this report is to provide a comparison of rate collections as at 30 April 2016, with the same period last year.

Background

Historically Gundagai Shire staff has provided this report for the information of Councillors.

Key Issues

Excludes Legal Charges and Extra Charges.

Graphs and Charts

	General	Garbage	Rural Waste	Organic Charge	Water Charges	Water Rates	Sewer	TID	Storm Water	TOTAL
Arrears @ 1.7.2015	152,858	39,887	2,419	0	438,375	1,163	390,679	19,242	3,056	1,047,67
Levy for 2015/16	2,829,726	512,696	73,495	33,901	372,055	0	380,915	261,398	22,550	4,486,73
Total for Collection	2,982,584	552,583	75,914	33,901	810,430	1,163	771,594	280,640	25,606	5,534,41
Rebates Granted	46,465	33,195	2,025	3,352	11,087	0	9,902	0	0	106,026
Total Collectable	2,936,119	519,388	73,889	30,549	799,343	1,163	761,692	280,640	25,606	5,428,38
Payments Received	2,261,084	403,199	57,250	23,999	744,842	0	677,536	222,352	19,109	4,409,371
Balance Outstanding	675,035	116,189	16,639	6,550	54,501	1,163	84,156	58,288	6,497	1,019,018
Include Arrears	53,041	19,876	962	0	28,651	1,163	47,518	5,870	1,769	158,850
Percentage Collected	77	78	77	79	93	0	89	79	75	81
Last Year	76	77	77	0	93	0	90	78	70	80

RECOMMENDATION

That the report be received and noted.

41/E205/16

RESOLVED – Moved: Ferguson

Seconded: Ferguson

That the report be received and noted.

36) SUMMARY SUNDRY DEBTORS (GUNDAGAI AREA)

Introduction

The purpose of this report is to provide Councillors with an overview of Sundry Debtors as at 30 April 2016

Background

Historically Gundagai Shire staff has provided this report for the information of Councillors.

Graphs and Charts

Classification	Bal. B/Fwd 31.03.16	Monthly Accounts	Cash Receipts	Closing Bal. at 30.04.16
Miscellaneous	22,759.34	42,338.97	-11,705.28	53,393.03
Dog On Tuckerbox	-22.03	2,227.34	-2,227.34	-22.03
Private Works	19,386.13	113,532.75	-16,381.23	116,537.65
Housing Rents	300.00	600.00	-600.00	300.00
Vehicle Leases	-30.00	780.00	-240.00	510.00
Land Rentals	-1,725.00	0.00	0.00	-1725.00
TID K&G	6,970.08	0.00	0.00	6,970.08
TOTAL:	47,638.52	159,479.06	-31,153.85	175,963.73

L.F. 105650.851 (Miscellaneous)	53,393.03
L.F. 105650.851 (Dog On The Tuckerbox)	-22.03
L.F. 105650.852 (Private Works)	116,537.65
L.F. 105650.855 (Housing Rent)	300.00
L.F. 105650.856 (Vehicle Lease)	510.00
L.F. 105650.857 (Land Rental)	-1,725.00
L.F. 405650.880 (TID K&G)	6,970.08
	175,963.73

RECOMMENDATION

That the report be received and noted.

42/E205/16

RESOLVED – Moved: Ferguson Seconded: Ferguson

That the report be received and noted.

37) QUARTERLY MANAGEMENT REPORT Q3, 2015/16 (GUNDAGAI AREA)

Introduction

The purpose of this report is to provide Council with a budget review as at 31 March 2016.

Strategic Link

The report links to Outcome 3, of Council's Delivery Program and Operational Plan: "Sustainable management of financial resources and people and the delivery of quality services to the community".

The Quarterly Management Report forms **TABLED DOCUMENTS 21 E2 MAY 2016 (Pages 183-233)**

RECOMMENDATION

That the report be received and noted and that Council endorse the suggested revisions to the Budget.

43/E205/16

RESOLVED – Moved: Ferguson Seconded: Ferguson

That the report be received and noted and that Council endorse the suggested revisions to the Budget.

CUSTOMER SERVICES GROUP

37. COMMUNITY RELATIONS / ARTS / ERA

38) COOTAMUNDRA PRE-SCHOOL INC. REQUEST FOR DONATION

Introduction

The Cootamundra Preschool Inc. has written to Council requesting a donation for the rates levied on the preschool premises (34 Francis Street, Cootamundra) in the previous financial year (2014/15).

Discussion

Cootamundra Preschool Inc. is a non-profit preschool in Cootamundra, operated by a community board. Council owns the land on which the Preschool building has been built, and, in previous years, Council has paid the applicable rates as a donation to the preschool.

Due to the precedent that has been set in the past, there may be an expectation by the Preschool Committee that Council will continue to make this donation every year, and no financial information has been sought from the Preschool, or analysis undertaken to understand how dependent the Preschool is on this Council funding.

However, considering the negative impact of any unannounced change to Council's regular donation, it is recommended that Council donate the full amount of \$1,792.96 in the current year.

The request for this donation has raised questions about the practicality of the preschool being held as a Council asset. The land is owned freehold by Cootamundra Shire Council, and has an unimproved land value of \$104,000 (as at 1 July 2015). The building and land improvements are owned by the Cootamundra Preschool Inc. At present, the land is rateable, but if the land was owned by the Cootamundra Preschool Incorporated as a registered charity it would be exempt from rates (Section 556(1) of the *Local Government Act 1993*). It is proposed that Council offer to sell the land to the preschool for \$1.00, with Council offering to cover all necessary conveyancing costs.

RECOMMENDATION

1. That \$1,792.96 be donated to the Cootamundra Preschool Incorporated for the payment of Council Rates.
2. That 34 Francis Street, Cootamundra be offered for sale to the Cootamundra Preschool Incorporated for \$1.00, with all conveyancing costs to be covered by Council.

44/E205/16

RESOLVED – Moved: Ferguson Seconded: Ferguson

1. That \$1,792.96 be donated to the Cootamundra Preschool Incorporated for the payment of Council Rates.
2. That 34 Francis Street, Cootamundra be offered for sale to the Cootamundra Preschool Incorporated for \$1.00, with all conveyancing costs to be covered by Council.

39) COOTAMUNDRA CREATIVE ARTS AND CULTURAL CENTRE REQUEST FOR DONATION

Introduction

The Cootamundra Arts Centre has written to Council requesting a donation of \$200 to cover the Arts Centre venue hire for their NAIDOC Day Community Celebration, to be held on Saturday 9 July 2016. The emailed request, and supporting documentation, forms **TABLED DOCUMENT 22 E2 MAY 2016 (Pages 234-238)**.

Discussion

Council is supporting NAIDOC week in 2016 through an exhibition of Aboriginal art works and associated workshops and presentations to be held at the Library. Staff have written to the Art Centre and the Heritage Centre advising that Council would like to assist with the cross-promotion of all the events being coordinated by the three organisations during NAIDOC week.

The Cootamundra Arts Centre has a policy to charge venue hire for all events, and Council is supportive of this as a strategy for the Arts Centre to become financially independent. However, Council currently contributes to the cost of owning and maintaining the Arts Centre building, and has not allocated a budget for the payment of venue hire in addition to its current financial commitment.

In practice, this restriction has meant that Council does not normally make use of the Arts Centre as a venue, preferring the Town Hall or Stephen Ward Rooms for various events and meetings. This, in turn, reduces opportunities for Council to promote the Arts Centre as a community facility.

In addition to building costs, Council has also contributed \$12,500 per annum, with this contribution initially allocated for 4 years. The strategy at the time was to employ an Arts Co-ordinator, on the understanding that the position would seek to become self funding through grant and/or other funding sources as soon as practicable.

Council's draft operational plan for 2016/17 has allowed a budget for the continuation of the contribution of \$12,500. It is recommended that Council put a proposal to the Arts Centre, requesting that venue hire fees be waived for up to four events each year, in consideration of Council's financial contribution. This would align with the Arts Centre strategy to open the Art Centre up to a broader section of the community, provides acknowledgement of Council as a major financial contributor, and allows Council to make use of the building for the purposes of promoting Cootamundra to regional visitors, and for community enjoyment.

If this proposal is supported, Council could choose to allocate one of its four events to the Arts Centre for its NAIDOC celebrations.

RECOMMENDATION

- 1. That a proposal be put to the Cootamundra Creative Arts and Cultural Centre, requesting that venue hire fees be waived for up to four events during 2016/17, as consideration for Council's financial contribution of \$12,500.**
- 2. If this proposal is supported, that the Cootamundra Arts Centre be advised that Council is prepared to allocate one of its four events for the venue hire of NAIDOC week.**

45/E205/16

RESOLVED – Moved: Ferguson Seconded: Ferguson

- 1. That a proposal be put to the Cootamundra Creative Arts and Cultural Centre, requesting that venue hire fees be waived for up to four events during 2016/17, as consideration for Council's financial contribution of \$12,500.**
- 2. If this proposal is supported, that the Cootamundra Arts Centre be advised that Council is prepared to allocate one of its four events for the venue hire of NAIDOC week.**

40) COOTAMUNDRA JUNIOR RUGBY LEAGUE CLUB INC – DONATION REQUEST

Introduction

The Cootamundra Junior Rugby League Club Inc. has written to Council requesting a donation of \$532.60 for the development application fee relating to the modification of the existing canteen / change room facility at Nicholson Park. Their request forms **TABLED DOCUMENT 23 E2 MAY 2016 (Page 239)**.

Discussion

The Rugby League Club have been successful in a grant application, receiving \$22,500 from the National Rugby League. They have lodged a Development Application with Council for the addition of a new female dressing shed to the existing facility at Nicholson Park. They have advised Council that the cost of their building works is \$19,200. They have reserved \$3,000 as a contingency budget, and for shelving and building refurbishments.

It is apparent that the Club may have sufficient grant funds to cover the cost of the building works, including the cost of Council fees, however, Council aims to be supportive of pro-active community groups and encourages local groups to take advantage of grant funding opportunities. It is therefore recommended that a donation of \$250 be made to the Club.

RECOMMENDATION

That a donation of \$250 be made to the Cootamundra Junior Rugby League Club.

46/E205/16

RESOLVED – Moved: Ferguson Seconded: Ferguson

That a donation of \$250 be made to the Cootamundra Junior Rugby League Club.

41) NSW RURAL DOCTOR'S NETWORK – DONATION REQUEST

Introduction

The NSW Rural Doctor's Network has written to Council requesting participation in the 2016 Bush Bursary / Country Women's Association Scholarship Scheme. Their request forms **TABLED DOCUMENT 24 E2 MAY 2016 (Pages 240-241)**.

Discussion

The Bush Bursaries and Country Women's Association (CWA) Scholarships are offered annually to selected medical students in NSW and the ACT. These medical students are financially supported by the rural shires of the country NSW, the CWA and the NSW Rural Doctor's Network (RDN).

Should Council wish to participate in the scheme, it will be invoiced for the sum of \$3,000. This amount will be provided to the medical student who, in return will agree to spend two weeks of rural placement in Cootamundra Shire during the university holidays throughout the year or over the Christmas break.

The sponsoring Council's role, which includes a considerable investment in time as well as money, is to:

- Pay the sum of \$3,000 for the sponsored student.
- Nominate a placement coordinator from within Council or an associated organisation.
- Organise a placement for the sponsored student including liaising with local medical practitioners and community groups and arranging accommodation and social aspects of the two week placement.
- Liaise with NSW RDN and the sponsored student regarding placement arrangements.

A 2012 evaluation of the program shows that 26% of previous scholarship recipients were working in rural or regional areas. Whilst this is a positive result and beneficial for rural communities, health care is the responsibility of the State Government. Council already has a very broad range of functions to resource, and staff recommend that Council do not reprioritise resources away from its core functions for this purpose.

RECOMMENDATION

That the NSW Rural Doctor's Network be advised that Council does not have the resources to contribute to the 2016 Bush Bursary Sponsorship.

47/E205/16

RESOLVED – Moved: Ferguson Seconded: Ferguson

That the NSW Rural Doctor's Network be advised that Council does not have the resources to contribute to the 2016 Bush Bursary Scholarship.

CLOSED COUNCIL

Council closed its meeting to the media and public to consider Item 22 *Proposal for Purchase of Land* and Item 23 *Proposal for Sale of Land* at 5.56pm. The public and media left the room.

48/E205/16 RESOLVED – Moved: Ferguson Seconded: Ferguson

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

Open Council resumed at 5.58pm.

49/E205/16 RESOLVED – Moved: Ferguson Seconded: Ferguson

That Council:

1. Offer five (5) acres of land in Turners Lane Cootamundra, as indicated on **TABLED DOCUMENT 1 CCM MAY 2016 (Page 1)** for sale to Scott Boxsell Transport Pty Ltd, on the terms and conditions included in the report.
2. Facilitate the sale by Private Treaty offered directly through Council's solicitor.
3. Delegate authority to the Administrator and General Manager to negotiate a sale price and contract clauses as per this report.
4. Delegate authority to approve a subdivision, generally in accordance with **TABLED DOCUMENT 1 CCM MAY 2016 (Page 1)**, to the General Manager.
5. Delegate authority to the Administrator and General Manager to sign all documents relating to the subdivision and the sale under Seal of Council.

That Council:

- 1. Offer Lots 1 to 12 in DP1199338 for sale on the terms and conditions included in the report.**
- 2. Facilitate the sale by Private Treaty offered through participating Real Estate Agents.**
- 3. Delegate authority to the Administrator and 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 1 to 12 in DP1199338 under Seal of Council.**

There being no further business the meeting closed at 5.59pm.

These Minutes were confirmed by resolution of Council at the Council Meeting held on Monday 20th June 2016 and endorsed by:

ADMINISTRATOR

GENERAL MANAGER