

# Cootamundra-Gundagai Regional Council



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# MINUTES

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## ORDINARY COUNCIL MEETING

STEPHEN WARD ROOMS  
COOTAMUNDRA

**6.00PM, MONDAY 13 FEBRUARY 2017**



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## ORDINARY COUNCIL MEETING 13 FEBRUARY 2017

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## **AUDITORS PRESENTATION**

Mr John O'Malley of Intentus Chartered Accountants presented the Auditors Report for the former Cootamundra Shire Council and former Gundagai Shire Council financial statements, and answered questions from the public gallery.

The full presentation is available on Council's website.

## **OPEN FORUM**

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

**General questions posed during the Open Forum section may be answered by the Chairperson or may be answered later in writing in the minutes. General Council related questions will be uploaded to Council's website with other Frequently Asked Questions.**

**Commenced at 6:30pm.**

### **1) JOHN SPEECHLEY – BRADMAN'S BIRTHPLACE GARDENS**

Mr Speechley complained about Council's Parks and Gardens staff and requested that Council undertake the mowing and maintenance at Bradman's Birthplace on a schedule suggested by him and monitored by him.

The Administrator advised she would consider the suggestions and advise Mr Speechley of what can be fitted in with Council's Works Program.

### **2) BETTY BROWN – PUBLIC TOILETS, ROSEHILL RD, COOTAMUNDRA CARAVAN PARK**

Mrs Brown advised that some sections of Rosehill Road are in very poor condition, specifically the area adjacent to the property 'Rosedell', and that the whole road needs complete rehabilitation.

*Temporary repair works have been undertaken on parts of Rosehill Road while Council undertakes other emergency repair works in other parts of the Council area. More permanent repair work has been scheduled for Rosehill Road and will be undertaken following RMS scheduled heavy patching in the coming weeks.*

Mrs Brown advised that she has received negative feedback from a Cootamundra tourist, who told her that his impression of Cootamundra was affected by the untidy town entrances, the overgrown private properties in the main street, the

round-a-bout with broken edges at Parker and Bourke Street, and dirty public toilets. The Cootamundra Caravan Park is very well maintained, and well managed.

Mrs Brown also advised that the spiked leaves on the Lomandra planted around the town are dangerous to pedestrians.

Mrs Brown advised that the public toilets at Wallendbeen are disgusting, as are the public toilets at the Cootamundra cemetery and aerodrome.

Mrs Brown asked when the footbridge in Thompson Street would be replaced.

### **3) PIP MCALISTER – GUNDAGAI TOWN MAINTENANCE, COUNCIL ROADS INFRASTRUCTURE ASSESSMENT**

Mrs McAlister asked when the Morley's Creek footbridge will be reopened, and advised there should be better signage on the damaged footbridge to warn pedestrians. In addition, Mrs McAlister advised that Morley's Creek is full of rubbish and debris and requested Council clean it up.

Mrs McAlister advised that Friendship Park is so badly maintained that the play equipment is unusable.

Mrs McAlister advised that the Old Hospital building is not being maintained by the land owner and requested that Council require them to keep the property tidy.

Mrs McAlister requested that Council put more water on the new crape myrtles planted in Sheridan Street, while they are being established.

Mrs McAlister referred to the road condition assessment that Council is currently undertaking with Moloney Asset Management Systems, and asked whether the report would be made public, in order that the community would be fully apprised of the infrastructure backlog.

Mrs McAlister asked whether information about Cootamundra's infrastructure backlog would be released publically, and referred to the Cootamundra town water mains, as they are near the end of their useful lives, and regularly the cause of dirty water complaints.

The Interim General Manager advised that Morley's Creek footbridge, and the Thompson Street footbridge are awaiting assessment by the RMS, who are funding the flood damage repair work, before the work can be commenced.

The Interim General Manager advised that the detail of the Maloney's road asset management work would be for internal Council reference, and that the summary report, including asset management plans and information about the state of Council's road assets would be released to the public.

The Interim General Manager advised that the previous Cootamundra Shire Council has budgeted for significant water mains replacement as part of its long term financial plan, able to be funded from the Cootamundra Water Fund. He also advised that the Cootamundra mains renewal project should be accelerated by utilising part of the \$9 million Stronger Communities (Infrastructure) Fund, as should the replacement of the Gundagai Treatment Works.

#### **4) ROD CHALMERS – QUARTERLY BUDGET REVIEW**

Mr Chalmers asked whether the Cootamundra aerodrome runway resurfacing would be completed this financial year, as has been budgeted.

The Interim General Manager advised that it is programmed for completion by 30 June this year.

Mr Chalmers referred to the December Quarterly Budget Review and asked what the Special Projects Reserve is.

The Interim General Manager advised that Cootamundra Shire Council had resolved to hold the proceeds of the Cootamundra Gasworks sale in the 1980's as internally restricted reserve funds, with interest added annually. Council borrows internally from this reserve to fund capital works, and repays with interest to ensure the funding source is preserved.

#### **5) ROS WIGHT – JOHN BARILARO, PETER PRIMROSE MEETING, ROSEHILL ROAD TITLE DEED**

Mrs Wight spoke about Mr Barilaro's statement that he will oppose forced mergers, and the effect of this on our existing merged Council, stating that his statement was the "Kiss of Death". Mrs Wight advised that she has spoken to Mr Michael McCormack MP about this issue.

Mrs Wight advise that she had attended a recent meeting in Gundagai at which Mr Peter Primrose spoke about the ALP's proposed de-merger legislation. She indicated that the meeting was well run and that those present were respectful and well behaved.

Mrs Wight asked that Council address an outstanding issue relating to her property land title at Rosehill Road, that has been held up by the Department of Lands for 18 years, and advised that she is seeking a legal injunction.

The Administrator advised that she would look in to the titles issue for Mrs Wight.

**6) DAVID GRAHAM – MERGER IMPLEMENTATION FUND, COUNCIL ROADS INFRASTRUCTURE ASSESSMENT, QUARTERLY BUDGET REVIEW**

Mr Graham asked what amount Council had spent on the amalgamation.

The Interim General Manager advised that up to 31 December 2016, Council had spent \$369,345.

*Note that as at that date, Council had also purchased ITC equipment of \$37,840, on top of this figure.*

Mr Graham asked why the actual year to date Rates and Annual Charges income, \$11,497,000 was 91% of the total budget, \$12,565,000, and the financial year is only 50% through.

The Interim Director Corporate Services advised that rates income is accounted for in the month that it is rated, being July for most rates, and half yearly or quarterly for water rates. In addition, Council will conduct further reviews and make any budget updates, as necessary, as it now has an accurate picture of the rates and annual charges for the year, and is now in a position to update the budget accurately.

Mr Graham advised that actual employee benefits and oncosts reported as at 31 December are \$5.9 million, at 59% of budget, as at 31 December 2016. Mr Graham acknowledged that further adjustments for employee leave entitlements will affect the annual expense, however, he stated that the total is showing that wages will exceed budget.

The Interim General Manager explained that the final employee benefits were difficult to predict accurately until later in the financial year due to the potential for variations in RMS works and unknowns such as position vacancies during the year.



**7) BILL WRIGHT – COUNCIL CUSTOMER SERVICE**

Mr Wright stated that he attended the Gundagai Council office this morning, but that the customer service staff weren't able to provide a copy of the Council agenda.

The Administrator advised Mr Wright that she would ensure a copy was put aside for him next month.

**THESE ARE THE MINUTES TO THE ORDINARY MEETING OF COOTAMUNDRA-GUNDAGAI REGIONAL COUNCIL HELD ON 13 FEBRUARY 2017 IN THE STEPHEN WARD ROOMS COOTAMUNDRA LIBRARY COMMENCING AT 6.55 PM.**

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**PRESENT**

**Administrator Christine Ferguson**

**Also Present**

**Interim General Manager, Interim Director Operations, Interim Director Corporate Services, Interim Director Assets.**

**APOLOGIES**

**Nil**

**ADOPTION OF MINUTES**

**That the Minutes of the Meeting of Council held on Monday 16 January 2017 be confirmed as a true and correct record of the meeting.**

**01/02/17 RESOLVED – Moved: Ferguson                      Seconded: Ferguson**

**That the Minutes of the Meeting of Council held on Monday 16 January 2017 be confirmed as a true and correct record of the meeting.**

**1) DRAFT CONTAMINATED LAND MANAGEMENT POLICY**

Introduction

In 2015, REROC engaged the services of a contaminated lands professional to assist local government organisations in creating contaminated lands registers and developing a uniform policy which could be implemented by Councils to provide certainty for Council in how to deal with development on or in relation to contaminated land. **TABLED DOCUMENT 1 FEBRUARY 2017 (Pages 1-66)** is the modified version of the Contaminated Land Management Policy for Cootamundra-Gundagai Regional Council.

Discussion

The Draft Contaminated Land Management Policy is a generic policy document which has been created by the Project Officer Contaminated Land RAMROC/REROC. The former Gundagai Shire Council had participated in the formulation of this document, however former Cootamundra Shire Council had chosen not to partake in the formulation of this policy and project. It should be noted that former Cootamundra Shire has a comprehensive Contaminated Land Register and that systems are in place detailing how Council deals with development on or in relation to identified contaminated land.

It is expected that the Draft Contaminated Land Management Policy, should it be adopted, will supersede existing procedures where there are inconsistencies.

**RECOMMENDATION**

**That the Draft Contaminated Land Management Policy be placed on public exhibition for a period of 28 days.**

**02/02/17 RESOLVED – Moved: Ferguson      Seconded: Ferguson**

**That the Draft Contaminated Land Management Policy be placed on public exhibition for a period of 28 days.**

## **2) PLANNING PROPOSAL 2016 CGREG 001 00**

### Introduction

In 2016, Council submitted for Gateway determination a planning proposal to:

- Amend the land use table for the IN3 – Heavy Industrial; and
- Amend the land use table for the R1 – General Residential;

The complete list of documents can be found on the Department of Planning & Environment's website

<http://leptracking.planning.nsw.gov.au/PublicDetails.aspx?id=2760>

### Discussion

This planning proposal is a housekeeping amendment to the existing Cootamundra Local Environmental Plan 2013. The planning proposal will not alter the Gundagai Local Environmental Plan 2011.

Proposed changes to the land use table of the IN3 – Heavy Industrial to allow for a greater range of land uses permitted with consent in this zone. In the IN3 – Heavy Industrial Zone, land use terms 'crematoria', 'depots', 'transport depots', 'truck depots', 'vehicle repair workshops' and 'warehouse or distribution centres' are proposed to be removed from item 4 'Prohibited' and placed under item 3 'Permitted with consent.'

Proposed deletion of item 46 from the Schedule 5 (Environmental Heritage), is proposed resulting from application by the land holder to Council. Item 46 had been included in Schedule 5 (Environmental Heritage) on the basis of local knowledge. Further investigation has revealed that the assumption that the house was of pise construction (mud brick) was false and that it was of brick render construction and does not have the heritage significance originally assumed.

### **RECOMMENDATION**

**That PLANNING PROPOSAL\_CGREG\_001\_00 be placed on exhibition for a period of 28 days: and**

**That PLANNING PROPOSAL\_CGREG\_001\_00 be notified to affected land holders.**

**03/02/17 RESOLVED – Moved: Ferguson      Seconded: Ferguson**

**That PLANNING PROPOSAL\_CGREG\_001\_00 be placed on exhibition for a period of 28 days: and**

**That PLANNING PROPOSAL\_CGREG\_001\_00 be notified to affected land holders.**

### **3) DECEMBER QUARTERLY BUDGET REVIEW**

#### Introduction

The purpose of this report is to present a summary of Council's financial position at the end of the December quarter and to report on progress made against the original budget adopted by Council in its 2016-2017 Operational Plan.

The Quarterly Budget Review Statement for the quarter ended 31 December 2016 forms **TABLED DOCUMENT 2 FEBRUARY 2017 (Pages 67-86)**.

#### Discussion

This second quarterly budget review has been produced from the two separate financial systems that currently exist at Cootamundra and Gundagai. Council's first operational plan was adopted on 25 July 2016, and included the two separate budgets of the former Councils. Staff have now integrated these adopted budgets in to one, to form the basis of this first budget review.

The process for integrating the two budgets has been to reorganise both budgets in to one template, grouping Council's functional areas based on the adopted organisational structure. Line items have been transferred exactly as they were adopted.

This Quarterly Budget Review is a high level document. The full detail of this budget statement has also been made publicly available on Council's website, and includes numerical references to the two adopted budget documents, to allow for direct comparison.

Due to the differences in the way the two former councils prepared their budgets, the budget items do not always align well. There are differences in the levels that the councils reported to, and differences in the way they split their functional areas. Therefore, it is recognised that this budget review is limited, and will continue to be developed and improved upon.

The next step in the process to prepare a single budget, will be the first stage of the ongoing service reviews for each functional area. At that stage, budgets will be further developed to remove duplication of income and expenditure where possible, to review budget line items and correct any that may not have been translated properly, and to generally consider how Council services can be better managed, together.

For the purposes of the presentation of this quarterly budget review, Council's internally restricted reserves have been combined, except where reserves are specifically for one

town or one system. Staff will conduct a thorough review of all Council's reserves in the coming months.

Staff have conducted a high level review of the integrated budget and have identified several 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 financial period to 30 June 2017 is a surplus of \$9,441,000 (original budget was a surplus of \$13,144,000) and the revised estimated result before capital grants and contributions is a \$3,220,000 deficit (original \$1,497,000 surplus).

The net addition to the budget deficit in the current quarter is \$575,000. The material variations for this quarter are attributed to:

- Council has received \$514,145 in capital grants and contributions.
- Council has contributed \$1,109,237 to 46 community groups for a range of community projects, through the NSW Stronger Communities Funding program. An estimate of \$1,000,000 was included in Council's original budget as a capital expense, however, since then the grant program has been developed; and grant funds have been distributed to community organisations as a Council contribution, to the value of \$1,109,237, and now being treated as an expense.

### **RECOMMENDATION**

**That the December 2016 quarterly budget review be accepted and that the recommended budget changes listed in the attached report be adopted.**

**04/02/17 RESOLVED – Moved: Ferguson      Seconded: Ferguson**

**That the December 2016 quarterly budget review be accepted and that the recommended budget changes listed in the attached report be adopted.**

#### **4) INVESTMENT REPORT**

The purpose of this report is to provide Council with a list of Council funds invested as at 31 January 2017.

A summary of investments for the Cootamundra Area as at 31 January 2017 forms **TABLED DOCUMENT 3 FEBRUARY 2017 (Page 87)**.

A summary of investments for the Gundagai Area as at 31 January 2017 forms **TABLED DOCUMENT 4 FEBRUARY 2017 (Page 88)**.

#### **RECOMMENDATION**

**That the Investment Reports as at 31 January 2017 be received and noted.**

**05/02/17 RESOLVED – Moved: Ferguson      Seconded: Ferguson**

**That the Investment Reports as at 31 January 2017 be received and noted.**

**5) DONATION REQUEST – STOCKINBINGAL VILLAGE FAIR**

Introduction

Council has received a request from the Stockinbingal Village Fair Committee for a financial contribution toward the running of the event. A copy of the request forms **TABLED DOCUMENT 5 FEBRUARY 2017 (Pages 89-90)**.

Discussion

Council has a total combined budget for community donations (from both former Councils) of \$14,325 to be allocated to community projects and events that support Council's objectives and functions over the course of the 2016/2017 financial year. Council has a role in supporting community events to foster and celebrate community spirit and to help to promote our towns and villages.

Cootamundra Shire Council has traditionally sponsored the event to the amount of \$150 to support the organising committee. This amount has remained static for a number of years, and staff are recommending an increased contribution to the event this year.

**RECOMMENDATION**

**That Council donate \$400 to the Stockinbingal Village Fair.**

**06/02/17 RESOLVED – Moved: Ferguson      Seconded: Ferguson**

**That Council donate \$400 to the Stockinbingal Village Fair.**



**BUILDINGS AND PROPERTY MANAGEMENT**

**6) COOTAMUNDRA WEST RAILWAY STATION BUILDINGS LEASE FROM THE AUSTRALIAN RAIL TRACK CORPORATION**

Introduction

The five year lease by Council of Cootamundra West Railway Station buildings from the Australian Rail Track Corporation (ARTC) and the concurrent sub-lease to the Cootamundra Amateur Dramatic Arts Society Inc. (CADAS) expired on January 31, 2017.

Discussion

New lease documents have been prepared by ARTC and new sub-lease documents have been prepared for signature by CADAS.

It should be noted that under the lease from ARTC, Council may sub-let the premises for local non-profit community purposes without obtaining the express consent of ARTC.

The sublease documents appear as **TABLED DOCUMENT 6 FEBRUARY 2017 (Pages 91-95)** and includes a diagram of the lease area. The lease terms and conditions have been amended to reflect current circumstances however this will not impact on CADAS's use of the premises. Annual rent for the premises has increased to \$650 per annum (plus GST) and will increase each year over the five year term of the lease by 3.00%. A commensurate amount is recovered from CADAS.

**RECOMMENDATION**

**That the lease to Council of buildings at Cootamundra West Railway Station by Australian Rail Track Corporation Limited AND the sublease to CADAS be signed under the seal of Council.**

**07/02/17 RESOLVED – Moved: Ferguson                      Seconded: Ferguson**

**That the lease to Council of buildings at Cootamundra West Railway Station by Australian Rail Track Corporation Limited AND the sublease to CADAS be signed under the seal of Council.**

**There being no further business the meeting closed at 6.58pm.**

**These Minutes were confirmed by resolution of Council at the Council Meeting held on Monday 13 March 2017 and endorsed by:**

\_\_\_\_\_  
**ADMINISTRATOR**

\_\_\_\_\_  
**INTERIM GENERAL MANAGER**