

Cootamundra-Gundagai Regional Council



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MINUTES

ORDINARY COUNCIL MEETING

GUNDAGAI COUNCIL CHAMBERS

6.00PM, MONDAY 13 MARCH 2017

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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 6.00pm.

1) PAUL MARA – COUNCIL MERGER

Dr Mara asked the Administrator a series of questions: What was the major achievement of the merger to date?

The Administrator advised that she will take this question on notice and respond in writing.

The Administrator's fortnightly column is published in the Cootamundra Herald and Gundagai Independent, and includes regular information and updates on the merger progress, projects and achievements.

Dr Mara asked whether the Council had made any provision for the reimbursement of legal expenses to Mr Abb McAlister and Mr David Graham, arising out of the cases: *Walcha and Ors v Minister for Local Government and Ors, and, McAlister and Graham v Minister for Local Government.*

The Administrator advised that she has questioned Council's liability through the correct channels and is still waiting for an agreed invoice and final determination of the amount owed by Council to be advised, and that once advised Council will pay this amount.

Dr Mara asked what was the definition of conflict of interest that was used to remove Mr McAlister from his position on the Implementation Advisory Group (IAG).

The Administrator advised that she considered that Mr McAlister cannot be part of a group that opposes the success of Cootamundra-Gundagai Regional Council, whilst also being part of the IAG that supports the success of Cootamundra-Gundagai Regional Council.

Dr Mara asked what is the purpose and what are the costs of the Implementation Advisory Group (IAG) and Local Representation Committee (LRC).

The purpose of the IAG is to provide advice to the Administrator on implementing the new council. This includes

- *providing input into the preparation of the Implementation Plan*
- *assisting to monitor the delivery of the Implementation Plan.*

The purpose of the LRC is to provide advice to the Administrator on local views and issues.

This includes:

- *providing input to the operational plans 2016-17 and 2017-18*
- *advising on the communication and engagement plan for the community*
- *providing input to the statement of vision and priorities*
- *assisting to engage communities and partners in planning for the new council.*

The cost of the IAG and LRC is \$940.83 monthly fee paid to each member, plus ancillary and travel reimbursements. The total payment for February 2017 was \$16,443.50.

Dr Mara asked whether the merger has the full support of the Premier, Minister for Local Government and Government.

The Administrator advised that the continuation of the Cootamundra Gundagai merger was the stated policy of the Government and she cannot advise on the personal opinions of individual members of Government.

2) LAURIE BYRON – STORMWATER ISSUES

Mr Byron reported a stormwater runoff issue in front of his property at 13 Tor Street Gundagai, that has been reported previously, has not been adequately addressed by staff. Mr Byron advised that stormwater runs down Tor Street and on to his property, flooding the driveway, and the area under the house.

Mr Byron indicated that whilst he had been visited by Council's Interim Director Operations and had discussed the matter on site, he was not satisfied with the answers he received. He therefore asked that he receive a written response from the Administrator to his written request, that the damage to his driveway be repaired, and asked for information about Council's stormwater management plan, including how the stormwater levies are spent.

3) JIM SAUNDERSON – COUNCIL MERGER

Mr Saunderson spoke about the Cootamundra and Gundagai Councils being forced to merge, despite assurances that there would be no forced mergers, and spoke about the voluntary proposal by Cootamundra and Harden Councils not being accepted, despite going through the government's Fit for the Future process.

Mr Saunderson asked how the Administrator could expect Abb McAlister and David Graham to pay the legal fees arising out of the cases: *Walcha and Ors v Minister for Local Government and Ors*, and, *McAlister and Graham v Minister for Local Government*.

The Administrator advised for the second time that she has questioned Council's liability through the correct channels and is still waiting to be advised of an agreed invoice and

final determination of the amount owed by Council, and that once advised Council will pay this amount.

4) GORDON LINDLEY – BUILDING AND DEVELOPMENT FEES

Mr Lindley asked how the Council's building and development fees are determined and made a complaint about the Section 68 Wood Heater Approvals Fee levied on a resident of Gundagai.

The Interim General Manager advised that the majority of development fees are regulated by the Government through the *Environmental Planning and Assessment Act 1979*, and the specific Section 68 Wood Heater Approvals Fee mentioned was set by the Gundagai Shire Council, and advertised in the Draft Fees and Charges of the Gundagai Shire Council, and adopted without change by the Cootamundra-Gundagai Regional Council.

All Council fees are contained in the Council's Operational Plan, available on Council's website, and at Council offices.

5) DAVID GRAHAM – WASTE OPERATIONS, LEGAL FEES, STAFF BONDING (sic), COUNCIL'S FINANCIAL PLAN

Mr Graham spoke about Item 11 in the Council Business Paper 'Proposed Variation to Waste Service Levels.' Mr Graham did not agree with the figures as presented in the report, and advised that his records show that the cost to Council of contract collections from the four transfer stations in Gundagai is less than the \$102,000 figure reported by Council staff.

Mr Graham advised that he can see a benefit in the introduction of a kerbside waste collection in Gundagai villages, but that there are no advantages for rural ratepayers in the proposed changes to the waste services. In addition, Mr Graham advised that he failed to see the benefit of the proposal to purchase a waste compactor for the Gundagai waste depot.

Mr Graham advised that the Gundagai waste management budget has been in surplus in recent years and has a cash reserve of \$460,000, and that all these proposed changes have only been made in order to change Gundagai operations into Cootamundra operations with no benefits, and everyone having to pay a 95% increase in fees.

Mr Graham advised that he had been informed by his solicitor that they had replied to Crown Solicitor in early December 2016 and that there has been no further correspondence. He said he finds it hard to understand that it takes the Crown Solicitor three months to advise the Administrator.

The Administrator reiterated her earlier statement that she has questioned Council's liability through the correct channels and is still waiting to be advised of an agreed

invoice and final determination of the amount owed by Council, and that once advised Council will pay this amount.

Mr Graham reported that Council held a 'staff bonding day' and he has calculated the cost was \$100,000, based on Mrs McAlister's estimate of wage costs in the Gundagai Independent newspaper and Council's plant being unused for the day. Mr Graham advised that he has spoken to six Council staff members who have stated that the day was a waste of their time.

The Interim General Manager asked Mr Graham for those staff members' names and advised that Mr Graham, as an IAG member, and the six staff, would be in violation of Council's Code of Conduct if Mr Graham's allegation was true.

Mr Graham declined to offer up any names or any proof of the validity of his statement.

Mr Graham asked that Council prepare some budgets, and advised that Council will have a shortfall going forward based on the rate peg limit and the increase in wages.

Council is working to budgets adopted at the commencement of the financial year and adjusted quarterly by resolution of Council, and will be preparing a new budget for the next financial year to be adopted in June for 2017/18. The community will have the opportunity to make submissions on the draft budget prior to its adoption by Council.

6) BILL SMART – GUNDAGAI MAIN STREET PROJECT

Mr Smart advised that pavers laid in the Gundagai main street are "egg-shelling", and that additional maintenance would be required in future years including grouting and tile repair and replacement, and stated that the consultant from Canberra agreed with him. Mr Smart also requested a written response to his complaints to the previous Council meeting about the main Street.

The Administrator commented that she and staff had met with Mr Smart about these issues but she would have staff write back to him about the issues he has raised.

7) ABB MCALISTER - COUNCIL MERGER

Mr McAlister advised that he wouldn't speak as there is no point, and expressed his opinion that if the Administrator 'can't already see the issues there is something wrong'.

8) PIP MCALISTER – STATE OF THE GUNDAGAI TOWN

Mrs McAlister advised that Council has not done anything to address the issue she raised at the February Council meeting regarding the Morley's Creek footbridge repair.

The Administrator advised that RMS, who are funding the flood damage repair work, have now assessed the flood damaged areas and that Council is waiting for their report and funding before any work is commenced.

Mrs McAlister asked that Council remove the logs and other debris from Morleys Creek.

Council is not in a position to remove logs and other natural materials from Morleys Creek without the approval of numerous Government agencies, including WaterNSW and NSW Fisheries.

Mrs McAlister expressed that the heading "Discussion" in each staff report in the Council Agenda was misleading, and made a complaint that the LRC and IAG Committees aren't involved in the discussion of each Council meeting agenda item.

IAG and LRC members have previously been invited to contact the Administrator if they have anything to add or any comment to make on the items within the Business papers. This invitation is to use the capacity to contact all IAG and LRC members and ensure that all members are aware of individual members concerns.

IAG and LRC members are not entitled to an input into those reports or to make any determination regarding the recommendations of the reports. This is the Administrators role.

THESE ARE THE MINUTES OF THE ORDINARY MEETING OF COOTAMUNDRA-GUNDAGAI REGIONAL COUNCIL HELD ON 13 MARCH 2017 IN THE GUNDAGAI COUNCIL CHAMBERS COMMENCING AT 6.37 PM.

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 13 February 2017 be confirmed as a true and correct record of the meeting.

01/03/17 RESOLVED – Moved: Ferguson Seconded: Ferguson

That the Minutes of the Meeting of Council held on Monday 13 February 2017 be confirmed as a true and correct record of the meeting.

FINANCIAL MANAGEMENT

1) SALE OF LAND AT 34 FRANCIS ST COOTAMUNDRA TO COOTAMUNDRA PRESCHOOL INC.

Introduction

At its extraordinary meeting in May 2016, Council resolved 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.*

The purpose of this report is to seek a resolution authorising the signing of the sales contract using Council's common seal.

Background

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 Council has traditionally paid the applicable rates as a donation to the preschool.

The land is owned freehold by Cootamundra-Gundagai Regional 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). Therefore, it was proposed that Council offer to sell the land to the preschool for \$1.00, with Council offering to cover all necessary conveyancing costs.

RECOMMENDATION

That the Administrator and Interim General Manager be delegated authority to fix Council's Common Seal to the contract of sale for 34 Francis St Cootamundra for the sale of land to the Cootamundra Preschool Inc.

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

That the Administrator and Interim General Manager be delegated authority to fix Council's Common Seal to the contract of sale for 34 Francis St Cootamundra for the sale of land to the Cootamundra Preschool Inc.

DEVELOPMENT AND BUILDING

1) REQUEST TO VARY THE COOTAMUNDRA DEVELOPMENT CONTROL PLAN 2013 (DCP) TO AMEND FRONT SETBACK - DA2017/7

Introduction

The applicant is seeking consent to erect a 4 bedroom, brick veneer dwelling at 8-10 Justin Street Cootamundra. The proposed dwelling is permissible with consent, however is inconsistent with the setback controls of the Cootamundra Shire Council DCP 2013. Site plan and map forms **TABLED DOCUMENT 1 MARCH 2017 (Pages 1-2)**.

Applicant

J.G. Baldock

Owner

J.G. & T.J. Baldock

Property Description

8-10 Justin Street Cootamundra

Zoning

R1 – General Residential

Existing Use

Two vacant residential lots

Proposal

4 bedroom, brick veneer dwelling

Discussion

The application for a dwelling at 8-10 Justin Street Cootamundra proposes a front setback of 4.5m. The site is 971m²; the front setback is required to be 6.5m or in line with the surrounding dwellings (6m and 5.5m). 4.5m is not an uncommon setback elsewhere on Justin Street or in the Cootamundra urban area. Allowing the proposed dwelling to

be 4.5m from the road reserve allows for greater practicality and use of the private open space of the site to the rear.

RECOMMENDATION

That Council grant a variation to the Cootamundra Shire Council DCP 2013 (setback controls) to permit a front setback of 4.5m, subject to full Development Assessment of DA2017/7.

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

That Council grant a variation to the Cootamundra Shire Council DCP 2013 (setback controls) to permit a front setback of 4.5m, subject to full Development Assessment of DA2017/7.

VOTING RECORD for Minute 03/03/17 - REQUEST TO VARY THE COOTAMUNDRA DEVELOPMENT CONTROL PLAN 2013 (DCP) TO AMEND FRONT SETBACK - DA2017/7	
FOR RESOLUTION	AGAINST RESOLUTION
Christine Ferguson	Nil
ABSENT	DECLARED INTEREST
Nil	Nil

**2) REQUEST TO VARY THE COOTAMUNDRA DEVELOPMENT CONTROL PLAN (DCP)
2013 TO INCREASE THE MAXIMUM FLOOR SPACE FOR A SHED - DA2017/12**

Introduction

The applicant seeks consent for a 15m x 15m, corrugated shed at 8 Slat Clay Lane Cootamundra. The proposed shed is inconsistent with the maximum floor area for outbuildings in accordance with the controls of the Cootamundra Shire Council DCP 2013. Site plan and map forms **TABLED DOCUMENT 2 MARCH 2017 (Pages 3-4)**.

Applicant

J. Fallon

Owner

M.P. & J.R. Braybrooks

Property Description

8 Salt Clay Lane COOTAMUNDRA

Zoning

RU4 – Primary Production Small Lots

Existing Use

Rural living lot with established dwelling

Proposal

15m x 15m corrugated shed

Discussion

The application for a shed at 8 Salt Clay Lane Cootamundra proposes a total floor area of 225m². This is inconsistent with the numerical controls of the Cootamundra Shire Council DCP 2013 which has a maximum floor area of 110m² for outbuildings in stipulated residential zones (of which RU4 is one). While this proposal is for a large shed, sheds of this size are not uncommon in rural areas and the use of the shed is ancillary to the dwelling.

RECOMMENDATION

1. That Council grant a variation to the Cootamundra Shire Council DCP 2013 (maximum floor area for outbuildings) to permit the proposed shed of 15m x 15m, subject to full Development Assessment of DA2017/12.
2. That the inclusion of RU4 in chapter 2 of the Cootamundra Shire Council DCP 2013 be reviewed.

04/03/17 RESOLVED – Moved: Ferguson Seconded: Ferguson

1. That Council grant a variation to the Cootamundra Shire Council DCP 2013 (maximum floor area for outbuildings) to permit the proposed shed of 15m x 15m, subject to full Development Assessment of DA2017/12.
2. That the inclusion of RU4 in chapter 2 of the Cootamundra Shire Council DCP 2013 be reviewed.

VOTING RECORD for Minute 04/03/17 - REQUEST TO VARY THE COOTAMUNDRA DEVELOPMENT CONTROL PLAN (DCP) 2013 TO INCREASE THE MAXIMUM FLOOR SPACE FOR A SHED - DA2017/12	
FOR RESOLUTION	AGAINST RESOLUTION
Christine Ferguson	Nil
ABSENT	DECLARED INTEREST
Nil	Nil

SOCIAL AND COMMUNITY

3) GUNDAGAI LIBRARY BUILDING EXTENSIONS

Introduction

Gundagai Shire Council was successful in an application for grant funding, through the State Library of NSW Public Infrastructure Grants. The Council was granted \$84,000 in May 2015 for the “Gundagai Library Tech and Rec Community Spot” project, involving an extension to the library. The total project budget is \$94,000, with Council having allocated an additional \$10,000 budget in the 2015/2016 financial year.

The building works were not completed during the grant period, and Council requested an extension to the grant time-table, which was granted, with the new date for completion being 30 June 2017.

Discussion

Council is required to have substantially commenced the building works by 30 June 2017, or the \$84,000 library grant will need to be returned. In order for the works to proceed, Council will first need to complete the retaining wall and excavation, for which a budget allocation of \$115,000 is required.

Gundagai Shire Council had also identified in 2013 that significant site preparation works needed to be completed at the Library’s Mirrabooka Centre, before a building extension could be commenced, and allocated \$80,000 towards these works in 2013/14 and 2014/15. Unfortunately, the budget allocation for these works was then removed and there is no allocation in the present budget.

These works involve the construction of a retaining wall, and major excavation work within the library pergola / paving areas. Gundagai Shire Council staff had estimated the cost of the retaining wall and excavation work at \$115,000. This work is additional to the total building project cost of \$94,000. However, no budget has been allowed for the retaining wall and excavation work.

Staff have already identified some capital works for village entry signs that may be removed from the budget, as follows. Staff will continue to review the budget to identify any potential savings that may be made to assist to offset the increased capital cost.

Village Entry Signs	\$30,000	\$30,000 budget item from the former Gundagai Shire Council for new village entry signs. This work can now be justified through the State Government funded implementation fund, as part of the Council’s branding strategy.
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The remaining \$80,000 can be made available from Council's Unrestricted Cash & Investments reserves but will need to be repaid by identifying and removing an equivalent amount of capital works within the adopted (Gundagai) capital works budget before 30 June 2017.

RECOMMENDATION

- 1. That a budget allocation of \$115,000 be made for the estimated cost of major excavation work for a retaining wall required at the Gundagai Library building.**
- 2. That the existing budget of \$30,000 for village entry signs be removed, in order to partly offset the additional cost.**
- 3. That staff continue to review the budget to identify any potential savings that may be made to assist to offset the additional cost of capital works.**
- 4. That the budget adjustments be included in the March Quarterly Budget review.**

05/03/17 RESOLVED – Moved: Ferguson Seconded: Ferguson

- 1. That a budget allocation of \$115,000 be made for the estimated cost of major excavation work for a retaining wall required at the Gundagai Library building.**
- 2. That the existing budget of \$30,000 for village entry signs be removed, in order to partly offset the additional cost.**
- 3. That staff continue to review the budget to identify any potential savings that may be made to assist to offset the additional cost of capital works.**
- 4. That the budget adjustments be included in the March Quarterly Budget review.**

FINANCIAL MANAGEMENT

4) GUNDAGAI LIONS CLUB REQUEST FOR DONATION

Introduction

The Gundagai Lions Club has written to Council requesting a contribution towards the payment of their most recent water/sewerage account for their block in Bourke St, Gundagai. The request is **TABLED DOCUMENT 3 MARCH 2017 (Pages 5-6)**.

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 2016/17 financial year. Council has a role in supporting community volunteers who contribute to community outcomes.

The Gundagai Lions Club supports the community in many ways, including volunteering on a daily basis. Council has historically supported this donation contributing to the unconnected water/sewerage charges to their block in Bourke St, Gundagai.

RECOMMENDATION

That a donation of \$152 for the levied amount of unconnected water and sewerage charges be made to the Gundagai Lions Club.

06/03/17 RESOLVED – Moved: Ferguson Seconded: Ferguson

That a donation of \$152 for the levied amount of unconnected water and sewerage charges be made to the Gundagai Lions Club.

5) GUNDAGAI HISTORIC BRIDGES INC. REQUEST FOR DONATION

Introduction

The Gundagai Historic Bridges Inc. has written to Council requesting a contribution towards the payment of their annual rates, for property located at Middleton Drive, Gundagai. The request is **TABLED DOCUMENT 4 MARCH 2017 (Page 7)**.

The Gundagai Historic Bridges Inc. is a volunteer committee advocating for the preservation of historic bridges in the area, especially the heritage listed Prince Alfred Bridge. The Committee holds the lease agreement for the Gundagai Heritage Railway Station, a State Heritage-listed timber station dating from 1886 that has now been restored in to a tourist attraction that draws thousands of visitors annually.

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 2016/17 financial year. Council has a role in supporting tourism promotion and activity.

Gundagai Shire Council has traditionally made a donation equivalent to the General Rates amount and the annual water access charge. The total amount levied for the current year was \$1,224.46.

RECOMMENDATION

That a donation of \$1,224.46 for the levied amount of rates and water access charge, 2016/17, be made to the Gundagai Historic Bridges Incorporation.

07/03/17 RESOLVED – Moved: Ferguson Seconded: Ferguson

That a donation of \$1,224.46 for the levied amount of rates and water access charge, 2016/17, be made to the Gundagai Historic Bridges Incorporation.

6) COOTAMUNDRA EX-SERVICES BOWLING CLUB REQUEST FOR DONATION

Introduction

Council has received a request from the Cootamundra Ex Services Bowling Club for a financial contribution toward the bowling tournaments for 2017. A copy of the request forms **TABLED DOCUMENT 5 MARCH 2017 (Page 8)**.

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 and sporting events to foster and celebrate community spirit and promote our towns and region.

RECOMMENDATION

That Council donate \$400 to the Cootamundra Ex Services Bowling Club for the 2017 bowling tournaments.

08/03/17 RESOLVED – Moved: Ferguson Seconded: Ferguson

That Council donate \$400 to the Cootamundra Ex Services Bowling Club for the 2017 bowling tournaments.

7) INVESTMENT REPORT

The purpose of this report is to provide Council with a list of Council funds invested as at 28 February 2017.

A summary of investments for the Cootamundra Area as at 28 February 2017 forms **TABLED DOCUMENT 6 MARCH 2017 (Page 9)**.

A summary of investments for the Gundagai Area as at 28 February 2017 forms **TABLED DOCUMENT 7 MARCH 2017 (Page 10)**.

RECOMMENDATION

That the Investment Reports as at 28 February 2017 be received and noted.

09/03/17 RESOLVED – Moved: Ferguson Seconded: Ferguson

That the Investment Reports as at 28 February 2017 be received and noted.

OPERATIONS

8) REQUEST FOR FEE RELIEF COOTAMUNDRA AGENTS ASSOCIATION

Introduction

Council has received a request from the Cootamundra Associated Agents requesting a reduction in the annual Agents Association fee to utilize the Cootamundra Saleyards from \$10,000 (as it is currently in Council's adopted Fees and Charges) to \$5,000 per annum for this financial year. Noting the Fees for the 2015/16 financial year were \$7,000. The Agents Association cites the impact on the yarding numbers that they attribute to the opening of the Yass facility.

Discussion

At the end of January 2017 sheep throughput numbers at the Cootamundra Saleyards have seen a decrease this financial year over last year's figures where a cumulative total of 137,631 were yarded to the same period. However it should also be noted that the 2015/16 yardings were the highest since 1999/2000.

The rolling average to end of December of the period 1999/2000 has been 94,223 head with six (6) years where the cumulative total to end of January has been below the current figures.

The Agents Association fee is levied on the Agents Association and is then divided amongst the Agents that sell out of the Cootamundra yards.

The current financial year budgeted income for Council is heavily reliant upon throughput. To date Council has invoiced for approximately \$86,000 for income for the facility, based on this figure achieving the budgeted income of \$191,938 looks unlikely.

Council has little scope to reduce its costs for the facility, the yards and buildings are ageing and while still able to provide a suitable service do require on-going maintenance. Delivering a yard facility that meets current animal welfare standards and work health safety standards for the users means that the current level of service does need to be maintained.

The fee having previously been set by Council should be maintained as it supports Council's financial position at the yards and reduces any potential impost on the community.

In light of the Yass saleyards Council will need to continue to monitor the numbers through the facility. The past history has shown that numbers do fluctuate on a seasonal basis.

RECOMMENDATION

That Council advise the Cootamundra Agents Association that it will not accede to the request to reduce the Agents Fee for 2016/2017.

10/03/17 RESOLVED – Moved: Ferguson Seconded: Ferguson

That Council advise the Cootamundra Agents Association that it will not accede to the request to reduce the Agents Fee for 2016/2017.

9) RIVERSIDE CARAVAN PARK GUNDAGAI – REQUEST FOR ASSISTANCE WITH WATER AND SEWER RATES

Introduction

The Riverside Caravan Park (Gundagai) is a Council owned asset that is operated under lease arrangement by BF and JL Dean. Their lease arrangement is that they are responsible for minor maintenance and every day running costs of the park which includes water, gas and electricity.

In October this year a major leak was identified in the Ladies shower block which caused a large amount of water to run through the hot water system increasing their water rates above the usual amount. The Deans are therefore requesting Council assistance in meeting the excess water supply costs.

Discussion

In October 2016 the lessee received complaints from occupants of the park that there was no hot water in the ladies showers. A plumber was called in to investigate with the investigations revealing a leak within the wall / floor area of the far end cubicle of the block. A builder was engaged to locate the source of the leak and a temporary shower block was arranged. In the meantime while this was being undertaken, the owners were advised that the best course of action was to run the water to the hot water system for limited hours per day still providing showers. Noting that a similar issue had occurred in the men's toilets in 2015.

The leak was eventually located well below the slab level with the pipework being within the footings of the shower block.

The Operators of the caravan park have since received the Water and Sewer bill for the period 19 May 2016 to 14 December 2016 for water usage quantity increase on the 40mm service for the park of 809KI from the previous year.

An analysis of the breakdown of the bills indicates that the increased usage could be attributed to the hidden leak. As the leaks were beyond the control of the operator and were due to a failure in Council's assets it is recommended that Council meet the request for assistance by reimbursing the River Park Caravan Operators for the increase in the water usage against both the water and sewer usage charges for the 809 KI. This equates to an excess charge of \$1,537.10 for water use and \$1,537.10 for sewer charges.

RECOMMENDATION

That Council accede to the request from BF & JL Dean for assistance in paying the excess water usage charges to the amount of \$1,537.10 and the excess sewer charges to the amount of \$1,537.10 due to the leaks in the ladies shower block.

11/03/17 RESOLVED – Moved: Ferguson Seconded: Ferguson

That Council accede to the request from BF & JL Dean for assistance in paying the excess water usage charges to the amount of \$1,537.10 and the excess sewer charges to the amount of \$1,537.10 due to the leaks in the ladies shower block.

10) JUBILEE PARK HIRE FEES

Introduction

Council received a booking request from Intereach Community Hub to book Jubilee Park for their annual Family Day Event in May celebrating Family Week. Council referred to the current fees and charges and advised Intereach of the casual park booking fee of \$100.00 plus extra park preparation fees (Private Works) of \$50.

As part of the booking request Intereach asked formally for a reduction in the Casual Park booking fee of \$110 as they are a non-profit organisation. **TABLED DOCUMENT 8 MARCH 2017 (Pages 11-12).**

Discussion

Council's 2016/2017 fees and charges for Park rentals is \$110 per day however the fees and charges for all parks and sporting grounds state that children's events (children aged 16 and under) are free of charge.

The Family Day event as described in the correspondence is largely attended to by School students and while strictly not only for children it is primarily focussed on the local school communities.

The request from Intereach is for the reduction in the \$110 park rental fee and they have not requested a reduction in the extra preparation or set up fee of \$50. Considering the primary focus and intent on community participation it is suggested that the \$110 could be waived under the children's event conditions, however the extra preparation or set up fee of \$50 should be required to cover staff cost.

RECOMMENDATION

That Council approve the Intereach request for a Council donation of \$110 for the park hire fee.

12/03/17 RESOLVED – Moved: Ferguson Seconded: Ferguson

That Council approve the Intereach request for a Council donation of \$110 for the park hire fee.

11) PROPOSED VARIATION TO WASTE SERVICE LEVELS

Introduction

A review of the waste services provided by Council to its residents has been underway with the view of combining the best aspects of the current Gundagai waste service and the Cootamundra waste service. The outcome of the combination of both of the existing services is intended to provide residents of Cootamundra-Gundagai Regional Council with consistent and fair access to the waste services provided by Council.

Discussion

To enable the transitioning into one consistent service for the new Council, the differences, both positive and negative between the waste services provided to the residents of previous Gundagai Council and the previous Cootamundra Council had to be identified.

Current Waste Collection Services:

The current Cootamundra service consists of the following:

The ability for all council residents and property owners to access the Cootamundra, Wallendbeen and Stockinbingal landfill sites to deposit waste at annually set fees and charges. The management of the three landfill sites has been contracted out to Elouera Industries for the last 10 years under an agreement with Council. The current agreement was extended for six months in December 2015 and a new tender for the management agreement with Council is due to be prepared and advertised in April 2017 with the successful tenderer to commence in July 2017.

The provision of a kerbside waste collection services available to all town and village residential lots, town and village outskirt properties along existing truck routes and commercial services were applicable as per the 2014 Waste Management policy. **TABLED DOCUMENT 9 MARCH 2017 (Pages 13-26).**

The current Gundagai service consists of the following:

The ability for all Council residents and property owners to access the Gundagai Landfill site to deposit waste at annually set fees and charges. The Gundagai Landfill/transfer station was managed by Council staff with a contractor engaged to provide the customer service on the site during its public opening hours.

Coolac, Muttama, Nangus and Tumblong residents were also provided transfer station sites for each of the villages. Residents were able to access the transfer stations by paying Council a deposit fee for a key to the sites from Council. The transfer stations were managed by Council staff however the provision of bulk waste containers and the removal of waste from the containers at the four sites was contracted out to regional waste companies.

The provision of a three bin kerbside collection service to the Gundagai township and immediate surrounds consisting of a 120ltr Red lidded general waste bin collected weekly, a 240ltr yellow lidded recycling bin and a 240ltr green lidded food and organics bin both being collected fortnightly.

Looking through the differences it is clear that some aspects of the existing services would need to be planned and budgeted for so they could be implemented in the 2017/2018 financial year.

Future Rural Service Delivery:

The introduction of a kerbside waste service to the villages of Coolac, Muttama, Nangus and Tumblong as is currently provided to Stockinbingal and Wallendbeen in the Cootamundra service was seen to be advantageous as it would be an increase to the current level of service to the village residents. It would also relieve some pressure on the existing transfer stations waste collection system or future village surrounds collection.

The village transfer station system was implemented to supply a waste service to rural and village ratepayers and residents following the closure of small landfill sites in each of the villages. To introduce the kerbside bin service to the villages would align with the 2014 Cootamundra waste policy of providing a kerbside service to residential properties in townships and villages.

The village kerbside service would additionally give residents that live along the truck routes to the villages the ability to have an outskirts waste service.

The introduction of such a service would require an additional side lift waste compactor truck to be purchased and a truck driver to operate the machine. The cost of a new truck and operator would then be able to be utilised to service the transfer stations or multiple bin banks situated in the rural areas to pick up the required number of 240ltr and 360ltr waste and recycle bins provided for surrounding rural properties.

This would negate the need for Council to engage the bulk bins and contractor waste pick up and removal service currently in place. The current transfer station service is available to residents by an application and the payment of a key deposit. Once a key is obtained the resident is able to utilise the transfer stations for the depositing of all waste that fits in the bulk bin which is over and above a domestic waste service. The other concern with the transfer stations is the number of people who have access through duplication of keys.

Council is currently spending approximately \$90,000 annually for the supply of bulk bins removal of general waste, plus an additional \$12,000 on the removal of recyclable waste from the four transfer stations.

The transfer station system is funded by the waste levy charge of \$56.40 which is applied to all rural and village rateable land assessments. In the 2016/2017 financial year the fee was applied to 1,343 rural waste levy properties, which resulted in \$75,350.40 income.

This income is \$26,650 less than the cost of engaging the bulk waste contractors alone, and means that the shortfall is being subsidised by other waste income derived from customers in Gundagai Town. This effectively means that those rural and village residents that use the transfer stations are being subsidised by residents who are paying for a domestic or commercial waste services in Gundagai.

The rural waste levy charged to all rural and village rateable land portions is also seen to be unfair to property owners in the rural areas that have multiple rate assessments. Under this charge a land owner with 100 hectares of farm land without a dwelling in 10 separate portions/assessments is charged \$564 annually while a land owner with 100 hectares in 1 portion/assessment with a dwelling is charged \$56.40.

A waste charge should be applicable to properties and enterprises that produce waste and for this reason it would seem more logical that the rural waste charge be applied to rural dwellings, as that is predominantly where the waste is produced.

By using the 2011 Census statistics to look at the number of dwellings outside the Gundagai township that are classified as rural it was found that there were 728 dwellings that should contribute to the rural waste service. The cost for the delivery of the rural waste service by Council is estimated to be \$130,000 in 2017/2018 year and if divided by the 728 the cost per dwelling would be \$178.57.

In conjunction with the introduction of this rural and village service it is also proposed to have the cost of the three bin kerbside service set at \$391 for the 2017/2018 financial year. This would see all residents with a service paying the same amount and should promote further recycling through of green and food waste material.

It also estimated that the introduction of the kerbside or gateway service to the villages and rural properties on the truck routes would enable approximately 150 further services to be added to the existing 978 domestic waste services in Gundagai. The distribution of the estimated services in the village areas and outskirts are as follows;

Village	Services	Outskirts
Tumblong	39	6
Nangus	25	23
Coolac	32	10
Muttama	12	8

The current cost of the Domestic Waste Charge in Gundagai Town is \$391 plus \$52 for Green Waste. It is proposed to use the current Domestic Waste Charge only, that is, removing the \$52 Green Waste Charge and incorporating this service into the Domestic Waste Charge. If all 150 services were introduced at the \$391 cost, this would add \$58,650 to the waste income.

In conjunction with the introduction of this rural and village service it is also proposed to have the cost of the three bin kerbside service set at \$391.00 for the 2017/2018 financial year for all Domestic Waste Service users. This would see all residents with a service

paying the same amount, the present Domestic Waste Service users paying \$52 less, and should promote further recycling through recycling of green and food waste material

The provision of multiple bin banks situated around the village areas would also allow those rural residents that are not able to have a kerbside or front gate collection the ability to dispose of their standard domestic waste and recycling. The multiple bin banks would be located so that they are reasonably accessible by surrounding property owners during their normal travel routes. Proposed locations are indicated on the maps that form **TABLED DOCUMENT 10 MARCH 2017 (Pages 27-33)**.

The major change from the current bulk bin transfer station system to the multiple bin system is that rural residents will only be able to dispose of waste that fits in a standard 240 litre bin and not larger bulkier items that are currently accommodated. This change is again seen as a fairer option as it is in line with those town residents with a kerbside service.

Under this service all residents that have waste or recyclables that do not fit into their bins would be required to deliver them at the waste depot at the relevant cost. Although being fair, this would be seen as a loss of service by some rural residents. To give relief for this bulk waste for all residents it is proposed that Council conduct two waste amnesty weekends per year, one each in Spring and Autumn. This would allow residents to dispose of the bulky waste items free of charge at the waste depot.

It is envisaged that this system would also be introduced into the Stockinbingal and Wallendbeen rural areas once the two remaining small landfills at the two villages are closed. EPA funding for the closure of the two landfill sites was applied for last year but was unsuccessful despite the closures being a priority of Council's and being supported by the regional EPA office. Staff are aware that EPA funding for landfill closures in the Waste Less Recycle More version 2 will be available and is due to be released in August 2017. Council has allowed funding for the closures in the current 2016/2017 and the 2017/2018 budget and it is planned to once again apply for the additional EPA funding when it is released later this year.

In summary the introduction of the Village and outskirts kerbside collection in conjunction with the multiple bin bank service and new fee structure would have the benefits of providing an improved and more equitable service to rural and village residents while reducing the cost for the majority of residents with an existing service

Burra Road Transfer Station:

The current practice with the transfer of domestic waste that is delivered to the Burra Road Transfer Station is to use Council's Works loader, truck and trailer plant to load and haul the waste to the Bald Hill Landfill. This practise is seen to be inefficient as there is no consistency or predictability to when the pit requires emptying, and when it does the plant needed is often diverted away from other planned works.

When loaded under this loose fill loading practice the truck is only delivering 4 to 5 tonnes of waste material to the Bald Hill Landfill per trip. This requires the equipment needed to make multiple trips and it is often taken of other works for a full day or more.

To increase the efficiency of transferring waste material from the transfer station investigation into installing an on-site compactor unit similar to the unit used at the Cootamundra transfer station has commenced.

The installation of a compactor unit is dependent on final cost and the approval from the South West Regional Waste Group for the site to be included under the group's haulage contract terms and cost.

Indicative pricing for the purchase and installation of a Wastech Compactor unit that is compatible with the current South West Regional Waste Group trailers for the Gundagai Site has been requested for budgetary purposes, and is expected to be around \$200,000.

The new Gundagai compactor unit would be funded from the waste reserve. Council has estimated available reserves of approx. \$2,000,000 to 30 June 2017 (approx. \$400,000 from Gundagai and approx. \$1,600,000 from Cootamundra) and is in a position to fund the Waste Compactor from these reserves.

The installation of the unit would negate the need for Council staff and trucks to deliver waste to the Bald Hill site. The compactor / trailer haulage system would enable between 18 to 22 tonnes of waste in each load to be delivered to Bald Hill from the Gundagai Waste site. This would mean there would be on average one trailer a week taken away from the Gundagai site based on waste levels through the combination of existing kerbside collections, transfer stations and the anticipated increase through the village and bin bank collection system.

The use of pick-up compactor units also provides other site benefits as it reduces the amount of exposed waste at the site which in turn decreases the amount of windblown waste that can be scattered around and vermin and birds that are attracted to loose waste.

RECOMMENDATION

- 1. That Council advertise the proposed village and rural area waste collection system and associated fees for 21 Days**
- 2. That Council approve the procurement process of a new waste compactor unit for the Gundagai Waste Depot.**

13/03/17 RESOLVED – Moved: Ferguson Seconded: Ferguson

- 1. That Council advertise the proposed village and rural area waste collection system and associated fees for 21 Days**
- 2. That Council approve the procurement process of a new waste compactor unit for the Gundagai Waste Depot.**

12) GUNDAGAI OLYMPIC SWIMMING POOL RECREATION/ACTIVITY ROOM

Introduction

Council recently called for expressions of interest for the operation and use of the Gundagai Olympic Swimming Pool new recreation/activity room. The expression of interest submission ended on the 6th March 2017.

Discussion

Following the advertising period Council received two Expressions of Interest. Both applicants were qualified as per Council's conditions in the Expressions of Interest and gave a general description of the type of business they would like to conduct out of the room. The business models describes by the applicants appear to be in accordance with Council's intentions for the room.

Submissions received were from Melissa Smart who gave a thorough application with a completed EOI documentation. The second submission was received from Emma Axsentieff who did not complete the documentation however did outline her intentions and potential costs for the room. The two submissions form **TABLED DOCUMENT 11 MARCH 2017 (Pages 34-58)**.

In reviewing the two submissions, Melissa Smart's application and documentation was deemed to be superior and offered Council a full rental rate of \$400.00 per month or \$4,800.00 for the initial 12 month period. Emma Axsentieff's application requested a rent free period of 6 months due to the new start up nature of the business and following the 6 month period would offer Council 10% of all income received for the following 6 months.

RECOMMENDATION

That Council accept the EOI submission from Melissa Smart for the value of \$4,800.00 per year for the initial 12 month period.

14/03/17 RESOLVED – Moved: Ferguson Seconded: Ferguson

That Council accept the EOI submission from Melissa Smart for the value of \$4,800.00 per year for the initial 12 month period.

13) LEASING OF LANDS – GRAZING LEASES FOR PIONEER PARK AND CLARON ESTATE

Introduction

Mr Kable Nicholson (trading as Kable Nicholson Livestock & Transport) has the following grazing licence/lease arrangements with Council:

- i) "Pioneer Park", approx. 116 ha grazing licence dated 1/2/2015 for 5 years due to expire 1/2/2020. Lands are comprised in Crown Reserve No. 17001, under control of Council's Crown Reserves Trust. The licence allows both sheep & cattle grazing, however in practice it is only suitable for cattle due to fencing issues. Current Licence fees are \$1,484.90 p.a., paid @ \$123.74 p.m.
- ii) Part "Claron Estate", approx.. 26.28 ha, sheep-only grazing lease dated 1/2/2015 due to expire 1/2/2020. Lands are situated in the area bounded by Rinkin Street & Cemetery lands, held by Council for future residential subdivision. Current agistment fees are \$2,159.85 p.a., paid @ \$179.99 p.m.

In addition to being a source of revenue, the primary consideration in Council licensing & leasing these lands is to assist in hazard reduction and weed control. In both cases water access and usage charges are invoiced to the lessee.

Discussion

On 17/2/2017 Mr Corey Nicholson (son of Kable, proprietor of Holman & Tolmie Stock & Station Agents) contacted Council to advise that critical family circumstances have required that Kable move residence to the Wollongong area, and he will need to terminate the licence & lease, or arrange re-assignment to another party if possible.

It has been Council's practice to communicate with Kable via Corey, as Corey's business is situated across the road from Council offices. Council is aware that there has been no stock agisted by Kable on either property for some months.

- i) The licence agreement in respect of Pioneer Park states:
"the licensee shall....not sublet, assign, or otherwise deal with the demised premises without the consent of the licensor and the Minister"
However the signed licence document is in fact invalid, Crown Lands having advised Council sometime after execution that the document is in an outdated form, and it was eventually returned to Council without Minister's consent being endorsed thereon. Council wrote to Crown Lands in mid-2016 advising that a new document will be prepared and execution arranged, however no response was received from Lands, nor from Kable.
- ii) The lease in respect of Claron Estate lands states:
"....either party, giving 3 months notice to the other party, may terminate this lease at any time"

Note that there is no provision to re-assign the lease.

Considering the circumstances:

- Lessee has left the district
- No stock have been agisted on the lands for some time
- No notice period is required in respect of the Pioneer Park lands (and Licence is invalid in any case)
- No provision for re-assignment of Claron Estate lands
- Council's continuing need for the grazing licence & lease arrangements to assist with hazard reduction and weed control

It is considered the most appropriate course of action is for current arrangements with Kable in respect of both lands be terminated effective from notice date of 17/2/2017 under written advice to him (the 3 months notice provisions for Claron Estate being dispensed with), and for Council to arrange advertisement for expressions of interest from new prospective licensees & lessees in the normal manner.

RECOMMENDATION

The Crown Grazing Licence in respect of "Pioneer Park" and the sheep Grazing Lease in respect of "Claron Estate" in the name of Kable Nicholson be terminated effective 17/2/2017, and advertisements be arranged calling for expressions of interest from prospective new Licensees & Lessees.

15/03/17 RESOLVED – Moved: Ferguson Seconded: Ferguson

The Crown Grazing Licence in respect of "Pioneer Park" and the sheep Grazing Lease in respect of "Claron Estate" in the name of Kable Nicholson be terminated effective 17/2/2017, and advertisements be arranged calling for expressions of interest from prospective new Licensees & Lessees.

SPECIAL PROJECTS

14) 2017 COOTAMUNDRA ANZAC DAY MARCH

Introduction

Information was recently received regarding the 2017 Cootamundra Anzac Day March. As usual the event involves the march commencing at the RSL and then proceeding down Parker Street, into Bourke Street to the Cenotaph. At the end of the ceremonies, the return march proceeds back the same route to the RSL club.

Discussion

As this event calls for road closures, the Special Event Management Plan has been discussed by the Traffic Advisory Committee.

Following email correspondence between the committee members, the committee members have given approval for the event to proceed under the following conditions:

- The event organiser complies with any conditions set by Council and NSW Police
- All Traffic control plans and traffic measures are applied in accordance with the 'Traffic Control at Worksites manual', and
- All Traffic controllers must have appropriate traffic control tickets.

With this event being on local town streets, there is no impact on any RMS controlled roads, so no approval is required from RMS.

RECOMMENDATION

That the 2017 Anzac Day March be approved with the following conditions:

- 1. The event organiser complies with any conditions set by Council and NSW Police**
- 2. All Traffic control plans and traffic measures are applied in accordance with the 'Traffic Control at Worksites manual', and**
- 3. All Traffic controllers must have appropriate traffic control tickets.**

16/03/17 RESOLVED – Moved: Ferguson Seconded: Ferguson

That the 2017 Anzac Day March be approved with the following conditions:

- 1. The event organiser complies with any conditions set by Council and NSW Police**
- 2. All Traffic control plans and traffic measures are applied in accordance with the 'Traffic Control at Worksites manual', and**
- 3. All Traffic controllers must have appropriate traffic control tickets.**

There being no further business the meeting closed at 6.46pm.

These Minutes were confirmed by resolution of Council at the Council Meeting held on Monday 10 April 2017 and endorsed by:

ADMINISTRATOR

INTERIM GENERAL MANAGER