

# Cootamundra-Gundagai Regional Council



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# MINUTES

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## ORDINARY COUNCIL MEETING

STEPHEN WARD ROOMS  
COOTAMUNDRA

6.00PM, MONDAY 10 OCTOBER



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held on 10 October 2016

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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.

Any general questions posed during the Open Forum section will be answered in writing, with these being uploaded to Council's website with other Frequently Asked Questions.

Commenced at 6.00pm.

### 1) Mr Gordon Lindley

- a) Mr Lindley expressed his concerns about lack of communication from Council to the ex-councillors and the community in regards to issues such as Council's finances, flood activity and works program.

#### Comment

Council is providing the statutory financial information to the general public in the normal fashion and at the legislated times, as in the past. Ex-councillors are not entitled to any additional information beyond what is agreed by the Administrator and provided to the IAG and LRC committees. Flood information has been made available by any means possible, radio, TV, newspapers, Council's website, etc. The works program was set based on the previous councils' Operational plans and is being carried out as planned, albeit more slowly due to weather events diverting staff and delaying certain works.

- b) Mr Lindley objected to certain staff appointments that were rumoured to have been made since the merger.

*The Administrator advised that the statement was out of order and asked Mr Lindley to desist.*

#### Comment

The appointment of staff other than Senior Staff is the role of the General Manager and neither the Administrator nor the general public have any authority or ability to influence in this matter. Therefore, staff appointments are not a matter for public discussion, nor should they be addressed to the Administrator.

- c) Mr Lindley continued in the same vein by stating that at the 7 June 2016 public meeting in Gundagai the Administrator had said that no Cootamundra person would be employed in Gundagai and no Gundagai person would be employed in Cootamundra as a result of the merger.

#### Comment

What was actually said was that no Gundagai employee would be forced to work from Cootamundra or Cootamundra employee be forced to work from Gundagai,

and this is in fact the case. There is no restriction on any new or existing employee choosing to live in a place which is not their daily starting workplace.

- d) Mr Lindley stated that the persons who turned their back on the Administrator and General Manager at the 7 June 2016 public meeting in Gundagai did so as retribution for the Administrator not fully supporting them and their views, and not remaining present for the totality of previous anti-merger meetings.

## **2) Mr Abb McAllister**

- a) Mr McAllister lamented that the Administrator had ruled that Mr Lindley could not discuss matters of employment at Council and expressed the opinion that at a public forum anybody should be allowed to discuss Council staffing.
- b) Mr McAllister repeated the complaint about lack of communication and stated that he was getting no information about the Council from the Administrator or General Manager. He stated that the community was asking him and other ex-councillors, 'what was going on', and that he could not answer. He cited the 170 page Tumut business paper as an example of good communication.

### Comment

Under the Proclamation the Administrator has the functions of mayor and councillors until 9 September 2017, and as such the community should be seeking its information about Council from either the Administrator or the General Manager. In this way the information provided will be factual, verifiable and documented. Council is attempting to use all forms of media to make information available to the community about general interest issues, and the Administrator would welcome any suggestions about how to make useful information more available.

- c) Mr McAllister stated that now 'they had lost the case', more information was needed to allow both communities to work together.
- d) Mr McAllister said that as a real estate agent he had made an offer on a block in Bourke Estate in Gundagai on behalf of a client, and due to Councils asking price had lost the sale, and the client had moved to another town because, 'the blocks are too expensive'.

### Comment

The prices for the Bourke Estate were set by Gundagai Shire Council in order to recover a set profit from the full estate to be re-invested in further land development. Council may review the pricing strategy in future if sales continue to be elusive.

- e) Mr McAllister gave his opinion that Gundagai staff morale was low.

### Comment

All ex-councillors who are IAG and LRC members are reminded that they remain subject to the Model Code of Conduct and are not entitled to discuss employment related issues with council staff. If IAG or LRC members, or in fact members of the public, are approached by a staff member regarding a Council staffing issue it is suggested the person approached should immediately refer that staff member to their supervisor or the General Manager, as the only persons who have any right or responsibility to address the issue being raised. Anything else is simply gossip and is of no value in resolving any situation that may exist.

### **3) Mrs Pip McAllister**

- a) Mrs McAllister asked, 'how is the Administrator moving Council forward to benefit "both groups of people"'.

### Comment

The merger process is designed to bring the previous councils together over a period of 15 months, so to date the majority of activity is internal. Nevertheless, there is an exchange of staff assisting in dealing with weather events and other staff shortages, there is a sharing of plant allowing additional tasks to be undertaken, there is the sharing of processes and programs allowing improvements in service provision.

Planning for improvements in services is being undertaken in a variety of areas, e.g. an additional day per week opening of Gundagai library, improved waste services to some villages, accelerated footpath/access program, replacement of Gundagai sewerage treatment plant, upgrading of the dog on the Tucker Box facilities, etc. All of these improvements will happen over time as Council continues to provide the existing services.

- b) Mrs McAllister asked what are the IAG and LRC contributing to the merger process.

### Comment

IAG and LRC members have been asked to be involved in the development of the Community Strategic Plan for the new council, to assist in promoting a harmonious merger and the potential improvements in services that the merger will allow over time. To date some have contributed, some have not.

IAG and LRC members have also been undertaking various community engagements on behalf of the Administrator and Council and bringing community views to the Administrator where appropriate.

### **4) Mrs Betty Brown**

- a) Mrs Brown expressed her opinion that certain sections of the Rosehill Road surface are dangerous.

#### Comment

Council staff are aware that many areas of road surface have failed and are creating hazards due to the continued wet weather. Council undertakes regular weekly inspections of its 1,300 kilometre road network and is attempting to prioritise and undertake repairs as necessary. Due to the size of the council area staff are not able to see every issue as it arises and Council welcomes information regarding specific new problem areas. These should be reported direct to either office. Council also wishes to remind all road users that there is an obligation on them to drive to the road conditions for their own safety and the safety of others.

- b) Mrs Brown opined that the Cootamundra Main Street gardens are disgraceful, particularly the Bourke / Parker Street intersection. She also noted the damage to the Adams / Parker Street roundabout.

#### Comment

Unfortunately, Parks and Gardens staff have had to be diverted to flood and storm duties in both Cootamundra and Gundagai over the last few months and have not been able to keep up the normal maintenance program on the main street. The program will be resumed and repairs / replanting undertaken as soon as possible. The Adams street roundabout has once again suffered damage due to inappropriate trucking movements and will be repaired again when time is available.

- c) Mrs Brown indicated that at a recent funeral the Cootamundra cemetery toilet was not clean, with the toilet bowl being stained.

#### Comment

The matter will be investigated and action taken.

- d) Mrs Brown indicated that she did not consider articles and columns in newspapers as proper communication, and when asked as part of the recent DPC survey had responded that communication from Council was, 'non-existent'.

### **5) Mr David Graham**

- a) Mr Graham made reference to an email marked, 'Private and confidential' sent to the Administrator, which the administrator had passed on to the General Manager, and stated that in his opinion this was disgraceful and that the Administrator cannot be trusted.

#### Comment

The email was not personal and related to the operation of Council, the appointment of staff and the actions of staff, all of which are the responsibility of the General Manager, and all of which the Administrator has no legislative ability to influence or intervene in, but was being asked to respond to. Therefore, the Administrator sought advice from the General Manager and passed the email to the General Manager to make the appropriate response. It has been a



longstanding ruling of the OLG that general Council information shared with one councillor (or in this case IAG or LRC member) should be provided to all in the interest of openness and transparency.

- b) Mr Graham asked whether the Administrator has approved a new salary package for the General Manager, and if so whether this will be reported to Council

Comment

The Administrator advised that the new contract arrangements of the General Manager will be reported to the November Council meeting.

- c) Mr Graham asked for an explanation of the changes to the Financial Statement being required by the Office of Local Government (OLG).

Comment

The OLG released their code of accounting practice on 29 June, and confirmed that the Australian Accounting Standards would apply, i.e. that revenue would be recognised when it became due. Council prepared its accounts on this basis.

On 27 July, Council received a new letter from the OLG, advising Council to recognise only 86.85% of its rates revenue, and to retrospectively apportion all other revenue such as FAGS, R2R and pensioner rate subsidies. Council therefore reviewed and apportioned all its annual grants, such as library, noxious weeds grants, etc. This meant that Council had to review and redo the financial statements at that time, however, fortunately Council had not yet submitted them for audit. It also meant that Council was going outside of Accounting Standards, and Council expected that a qualified audit report would be the result. Under the circumstances, a qualified report would have been justifiable and explainable. Council had a similar situation in 2008 when it received a qualified audit report due to the change to International Accounting Standards, and the new financial valuation requirements, and we were able to explain and justify the audit qualification that year.

On 29 September, Council received new advice from the OLG that it needs to redo its financial statements a third time, going back to 100% of rates revenue, and 100% other grant income, with annual charges continuing to be apportioned as they are classified differently with the Accounting Standards. Unfortunately, we have had the Cootamundra statements audited, and the Gundagai statements are ready for audit, so, not only will staff need to spend time redoing the statements, but Council's auditors will need to re-review. Council will incur an additional charge from its accounting contractor, and potentially its auditor as well.

- d) Mr Graham stated that there is no financial accountability for the new Council and asked why the Quarterly Budget Review is not being made available.

Comment

Normal practice is that the September Quarterly Budget Review statement is included in the November Business Papers, and as such the Quarterly Budget Review Statement will be available next month.

## **6) Mr Col Adams**

- a) Mr Adams stated that the proposed NOTAM for the RFS Air Base at Cootamundra Aerodrome does not solve his problem, and that Council should close taxiway B and the Apron as well as Taxiway A for the RFS operation to be safe. He further asserted that the RFS is proposing something illegal in its request for a NOTAM.

### Comment

Council has consulted on multiple occasions with CASA and Air Services Australia and the RFS Air-Arm and is satisfied that the present arrangements are legal and safe if undertaken as per the NOTAM and RFS operating procedures.

## **7) Mrs Ros Wight**

- a) Mrs Wight suggested that the permanent causeway flood barricades being suggested are not necessary, and that all that is needed is for Council to divert traffic temporarily in flood situations.

### Comment

The proposal for permanent barricades is under investigation, in relation to design, practicality and availability of funding sources. No decision has been made and the flood gates will be considered along with other priorities over the coming months.

- b) Mrs Wight suggested that Council should redirect the \$30-40,000 saved by moving the Visitor Information Centre to undertaking work suggested by Mr Adams at the aerodrome, as this would make the aerodrome more user friendly and allow more alternative uses, and be good for tourism.

### Comment

The VIC funds have already been reallocated to tourism related activities.

- c) Mrs Wight reported that three toilets she visited in Cootamundra were not clean and that the lights were not working in the Jubilee Park toilets.

### Comment

The complaints will be investigated.

## **8) Mr Mike Kingwill (ex-councillor)**

- a) Mr Kingwill suggested that the previous Gundagai Shire Council voted unanimously to allocate \$50,000 to the Court Case, and despite the Administrator having overturned this, the Administrator would 'win brownie points' if she authorised CGRC to pay all the costs now that the case has been lost. He further stated that the Administrator would not be considered as 'squeaky clean' if she did not authorise such a payment.

Comment

The Administrator advised that Council would pay what it was legally required to pay once that was finally determined.

**9) Mr Charlie Sheahan**

- a) Mr Sheahan expressed the view that the cost of causeway flood gates could not be justified based on the frequency of flooding in the last 20 years

THESE ARE THE MINUTES TO THE ORDINARY MEETING OF COOTAMUNDRA-GUNDAGAI REGIONAL COUNCIL HELD ON 10 OCTOBER 2016 IN THE STEPHEN WARD ROOMS COOTAMUNDRA LIBRARY COMMENCING AT 6.29 PM.

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**PRESENT**

Administrator Christine Ferguson

**Also Present**

Interim General Manager, Director Development and Community, Director Operations, Director Asset Management.

**APOLOGIES**

Nil

**ADOPTION OF MINUTES**

That the Minutes of the Meeting of Council held on Monday 12 September 2016 be confirmed as a true and correct record of the meeting.

01/10/16 **RESOLVED – Moved: Ferguson                      Seconded: Ferguson**

That the Minutes of the Meeting of Council held on Monday 12 September 2016 be confirmed as a true and correct record of the meeting.

**3. COUNCIL SHARED ASSOCIATIONS**

**1) JOINT ORGANISATION DRAFT BOUNDARIES**

Introduction

In September 2016 the Office of Local Government (OLG) released 'Joint Organisations: Getting the Boundaries Right', seeking comment on proposed Joint Organisation (JO) boundaries. This document forms **TABLED DOCUMENT 1 OCTOBER 2016 (Pages 1-4)**.

Council is invited to provide feedback on the proposed map of JO boundaries by 5.00pm on Thursday 27 October 2016.

Discussion

Both Cootamundra and Gundagai have been involved with the Riverina JO Pilot over the last 18 months. The original proposal for a Riverina JO did not include Greater Hume or Corowa, which with Albury were included in the Murray JO.

The REROC group made a strong case to include Greater Hume in the JO Pilot as Greater Hume has been and continues to be one of the stronger regular contributing councils within REROC. This was accepted by the OLG and the final Riverina JO was made up of the long term REROC grouping of Councils, minus Corowa to the south west.

In September 2015 the OLG released the 'Joint Organisations Pilot Emerging Directions Paper, September 2015'. This included a set of criteria for determining the boundary of a JO, which have been repeated in the latest paper, 'Joint Organisations: Getting the Boundaries Right'. These are:

- align with/nest within strategic regional growth planning boundaries;
- demonstrate a clear community of interest between member councils;
- not adversely impact on other councils or Joint Organisations;
- be based around a strong regional centre, where possible; and
- be of appropriate scale and capacity to partner with the State and Federal Government and other investment partners.

Cootamundra Shire Council responded to the first of these criteria by suggesting that *'the JO boundaries should be set based on the alignment and cooperative groupings of councils, and the strategic regional growth planning boundaries should then be aligned with the JO, rather than the reverse as has presently been the case.'*

This response was based on the premise that the final Riverina JO would and should be the same as the Riverina Pilot JO.

This is not the case as the proposed Riverina JO now includes Albury City Council.

This proposal was reasonably predictable, given that Albury is physically isolated from Murray Murrumbidgee JO if Greater Hume is included in the Riverina JO.

To some extent the inclusion of Albury calls into question the second dot point criteria, *'demonstrate a clear community of interest between member councils'*. Albury traditionally relates to Greater Hume and the Murray River councils such as Corowa, but has no real long term relationship with any of the other Riverina councils. However, the same comment regarding 'community of interest' could be made of Cootamundra-Gundagai Regional Council (CGRC) and Bland or Greater Hume. CGRC has no direct 'community of interest' with these councils, other than through REROC.

Albury has a passing relationship /rivalry with Wagga through the Evocities alliance. This is a marketing arrangement between seven regional cities; Albury, Armidale, Bathurst, Dubbo, Orange, Tamworth and Wagga Wagga, to change perceptions of life in a regional city and encourage people to live, work and invest in an Evocity. Whilst Evocities are ostensibly working together to draw people out of capital cities they are also in fierce competition for those same people, and this plays into the long term rivalry between Albury and Wagga.

However, Albury is part of the major north south axis between Melbourne and Sydney with the Hume Highway, Olympic highway, Melbourne to Sydney railway all passing north to south through the proposed JO. In future this may also include the planned Melbourne to Brisbane rail line and the Very Fast Train from Melbourne to Sydney. These transport corridors create a community of interest that has not been fully explored to date and the JO as proposed could become the transport and industrial hub of southern NSW in future.

A great advantage in having Albury in the Riverina JO is the spreading of the JO costs amongst a greater population base. This is a real advantage as REROC has estimated that the costs to Council of participating in the Riverina JO as proposed by the Government will be approximately twice the present cost of participating in REROC. The addition of a large regional city such Albury will defray some of that cost.

The addition of Albury would also satisfy all the other criteria; that is, not create any adverse impact, contain a major regional centre in Wagga and a cross border regional centre in Albury, and be large enough to partner with other levels of Government.

A further and in fact more important consideration is that if Albury were to be relocated into Murray Murrumbidgee JO it would be likely that Greater Hume would also be relocated to create continuity. This would not be in the best interest of the Riverina councils.

Whilst it is acknowledged that Albury has not been a traditional partner with the majority of Riverina / REROC councils, on balance it would be preferable that Albury be included in the Riverina JO.

**RECOMMENDATION**

**That Council respond to the OLG by indicating its agreement with the proposed Riverina JO boundary included in 'Joint Organisations: Getting the Boundaries Right', and reasons for same.**

**01/10/16 RESOLVED – Moved: Ferguson                      Seconded: Ferguson**

**That Council respond to the OLG by indicating its agreement with the proposed Riverina JO boundary included in 'Joint Organisations: Getting the Boundaries Right', and reasons for same.**

**4. AIRPORT**

**2) SOUTHERN CROSS GLIDING**

Introduction

The Southern Cross Gliding Club has requested Council approval to utilise the airport from the 26 December 2016 to 15 January 2017 for the purpose of holding their annual camp. The event will involve approximately 10-12 gliders with one piper Pawnee Tug plane and 30 (or more) pilots normally taking part in this annual event. This will be the seventh time the Club has visited Cootamundra.

Discussion

The aerodrome event application form of request forms **TABLED DOCUMENT 2 OCTOBER 2016 (Pages 5-8)** regarding The Club have made this a regular event at Cootamundra.

Council's revenue policy details charges that apply to the airport for runway hire and terminal building hire of \$1,010 and \$345 per day respectively. As the event is aviation based and doesn't require the runways to be closed the runway hire charge is not applicable (in comparison to a motor vehicle event on the runway which requires closures or restriction and official notification to CASA). However the club is keen to make use of the terminal building and at \$345 per day for 25 days the charge is restrictive.

As the Gliding Club brings up to 40 Club Members into town over the 25 day period, as well as provides for rides in the gliders, a nominal fee of one day's terminal hire for the period is recommended. Council staff carry out cleaning of the terminal on a roster basis which will need to be increased over the period and the fee will cover this increased activity. The Risk Officer has received the Gliding Club's Certificate of Currency of \$20,000,000.

**RECOMMENDATION**

**That Council raise a charge of one day's airport terminal hire at \$345 for the Southern Cross Gliding Club use for the period 26 December 2016 to 15 January 2017.**

**02/10/16 RESOLVED – Moved: Ferguson      Seconded: Ferguson**

**That Council raise a charge of one day's airport terminal hire at \$345 for the Southern Cross Gliding Club use for the period 26 December 2016 to 15 January 2017.**



### 3) RURAL FIRE SERVICE AIRBASE

#### Introduction

In December 2014 a report was furnished to the then Cootamundra Shire Council responding to a request from RFS to implement a NOTAM (Notice to Airmen) at the Cootamundra Aerodrome due to concerns regarding safety issues from a local pilot.

Council at this meeting resolved as follows:

*That Council approve the issuing of a NOTAM for the closure of taxiway A, and the approval of firefighting aircraft up to 7,257 kg during firefighting operations for a 12 month period and have discussions with RFS regarding the operation of the airbase during that time with a view to improving aircraft access to the airbase.*

Last year a similar request was made and with the intent of having the NOTAM issued for a period of twelve (12) months on the basis that it gave time to consider the effects of the larger aircraft on the taxiway, which is rated for a maximum weight of 5,700kg. The Engineering Services Committee on 1 December 2015 recommended to Council as follows:

*That Council approve the issuing of a temporary 3 months NOTAM for the closure of taxiway A, and the approval of firefighting aircraft up to 7,257 kg during firefighting operations and that this information be included in the AIP en-route supplement as published by Airservices Australia.  
And that a meeting on-site at the RFS base be arranged as soon as possible with representatives from CASA, the RFS, Council and airport users.*

#### Discussion

Council has received another request from RFS **TABLED DOCUMENT 3 OCTOBER 2016 (Page 9)** regarding the implementation of the NOTAM again to the effect of the following:

- 1. During firefighting operations conducted from Cootamundra Aerodrome, Taxiway A be closed to all aircraft except firefighting aircraft. The closure will be made effective by the presence of fire fighting aircraft on Taxiway A.***
- 2. During firefighting operations the maximum takeoff weight permitted from Cootamundra Aerodrome is 7,257 kg for firefighting aircraft. For all other aircraft, the 5,700kg limit remains in place.***

The RFS also request that the NOTAM be inserted into the AIP as a permanent feature. A copy of the AIP is included as **TABLED DOCUMENT 4 OCTOBER 2016 (Page 10)**.

As outlined in previous reports, there are similar airbases in Cowra, Temora, Goulbourn and Wagga and past experience has shown that firefighting operations have not been a major use at the Cootamundra Aerodrome in the past although this may increase as the use of aerial bombing becomes more common.

Given the exceedingly wet year that is predicted to last until summer, and the potential weakening of the subbase of the airstrip and taxiways, rather than implement this as a permanent arrangement this year it is recommended that the NOTAM be issued again on a 12 month basis allowing for an ongoing review of the impact both on the taxiways and airstrip.

### **RECOMMENDATION**

**That Council approve the issuing of a NOTAM for the closure of taxiway A, and the approval of firefighting aircraft up to 7,257kg during the firefighting operations for a 12 month period.**

**03/10/16 RESOLVED – Moved: Ferguson      Seconded: Ferguson**

**That Council approve the issuing of a NOTAM for the closure of taxiway A, and the approval of firefighting aircraft up to 7,257kg during the firefighting operations for a 12 month period.**

**10. SWIMMING POOL**

**4) GUNDAGAI MEMORIAL SWIMMING POOL OPERATIONS AGREEMENT**

Introduction

In 2015/2016 the Gundagai Memorial Swimming Pool operation agreement was awarded to CA & KM Makeham, T/A Mako's Maintenance and Engineering.

The Gundagai swimming season traditionally commences in late October and each year a new operation plan and operation agreement that details the operation and function of the pool facility is presented to Council for approval.

Discussion

The Gundagai Memorial Swimming Pool operation plan forms **TABLED DOCUMENT 5 OCTOBER 2016 (Pages 11-37)** and details the operation of the facility for the 2016/2017 Summer swimming season, and takes into account the changes to the opening of the season and the pool operating hours.

The 2015/2016 agreement held with operators CA & KM Makeham had an option for further swimming seasons to be taken up by the operator. In line with the option conditions the Makeham's advised Council prior to the end of the 2015/2016 season that they were interested in operating the pool under a new agreement for the 2016/2017 season.

Following the initial contact Council received correspondence **TABLED DOCUMENT 6 OCTOBER 2016 (Page 38)** from the Makeham's advising that while they thoroughly enjoyed the 2015/2016 season and wished to operate again as per their previous notification, they requested an increase above the Consumer Price Index (CPI) increase to their original tender amount.

The Makeham's were contacted and the request for an increased amount has been discussed. The discussions involved a review of the pool operations agreement and the requirements and conditions the operator must comply with as part of the agreement. The Makeham's understood their request was above the agreement CPI conditions, however, following the lessons learnt in the 2015/2016 season and having a more thorough understanding of the amount of work involved they believed an increase was necessary so that both Council and the operator would benefit from the relationship.

In the course of the discussions it was agreed between the Council staff and the Makeham's that an increase was possible, if additional requirements were met as part of the agreement. Included in these additional requirements are more statistical reporting on patronage and energy consumption.

The agreed changes have since been included in the agreement and the Makeham's have reduced their requested amount for the operation to \$33,000.00 (excluding GST) for the 2016/2017 Gundagai Swimming Pool season.

The new Gundagai Swimming Pool Operation Agreement for 2016/2017 forms **TABLED DOCUMENT 7 OCTOBER 2016 (Page 39-53)**. The new agreement has the above payment and payment terms described, and specifies the contract arrangement Council has with the operator.

Also included in the agreement for the 2016/2017 year is a clause for potential season extension due to the newly installed and yet untested pool water heating system. The system was installed during 2016 and it is unclear if it will be capable of heating the water to the extent that the pool advertised season will be extended further. If the season is extended due to the heating system or favourable climatic conditions the clause allows the contractor to be paid at the weekly rate for the extended dates.

The 2016/2017 Gundagai Swimming Pool season is set to commence on the 26 October 2016 and the agreement will need to be signed prior to the commencement.

#### **RECOMMENDATION**

- 1. That Council approve the Gundagai Swimming Pool Operation Plan for 2016/2017 season.**
- 2. That Council approve the Gundagai Swimming Pool Operation Agreement for the 2016/2017 season.**
- 3. That Council approve the appointment of CA & KM Makeham, T/A Mako's Maintenance and Engineering, as the contractor for the operation of the Gundagai Swimming Pool for the 2016/2017 season for the contract fee of \$33,000.00.(Excluding GST)**

**04/10/16 RESOLVED – Moved: Ferguson      Seconded: Ferguson**

- 1. That Council approve the Gundagai Swimming Pool Operation Plan for 2016/2017 season.**
- 2. That Council approve the Gundagai Swimming Pool Operation Agreement for the 2016/2017 season.**
- 3. That Council approve the appointment of CA & KM Makeham, T/A Mako's Maintenance and Engineering, as the contractor for the operation of the Gundagai Swimming Pool for the 2016/2017 season for the contract fee of \$33,000.00.(Excluding GST)**

**16. WH&S AND RISK MANAGEMENT**

**5) ASBESTOS POLICY**

Introduction

The Cootamundra-Gundagai Regional Council Asbestos policy outlines the duty of care and the serious health hazard of exposure to asbestos to the public and staff. To honour Council's duty of care with regards to asbestos management, Council must have in place a monitoring and maintenance program to address asbestos management.

Discussion

This policy aims to outline Council's role and other organisations roles in managing asbestos, approach to materials containing asbestos in Council workplaces, general advice for residents on renovating homes that may contain asbestos, and waste management regulation procedures for asbestos waste within the LGA. The policy also covers Council's approach to dealing with naturally occurring asbestos, and sites contaminated by asbestos.

This policy was reviewed to better outline Council's responsibility to the exposure, maintenance and monitoring of asbestos within the LGA. This revised policy details Council's obligation for asbestos risk management.

The revised policy now forms part of **TABLED DOCUMENT 8 OCTOBER 2016 (Pages 54-137)**

**RECOMMENDATION**

**That Council adopt the REVISED Asbestos policy for inclusion in Council's Policy Register.**

**05/10/16 RESOLVED – Moved: Ferguson      Seconded: Ferguson**

**That Council adopt the REVISED Asbestos policy for inclusion in Council's Policy Register.**

## **WORKS GROUP**

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

#### **6) SHERIDAN STREET GUNDAGAI - TENDER – 2016/002 SUPPLY OF STONE PAVING TILES**

##### Introduction

As part of the adopted Main Street design the previous Gundagai Shire Council considered a report on 9 June 2015 where the paving style was amended from the original design asphalt and clay paver banding style to basalt and granite exfoliated pavers.

The original supply of these basalt and granite exfoliated pavers was below the \$150,000 tender threshold prescribed in the Local Government (General) Regulation. However, the additional pavers required to complete the project mean the total cost now exceeds the tender threshold. Therefore, a supply tender for pavers was required.

##### Discussion

Tenders were called closing on Friday 23 September 2016, with three (3) conforming tenders being received:

1. Wilmid Pty Ltd
2. Choice Ceramics
3. Gundagai Construction Services

The tender was for the supply of the same type and manufacturer of pavers, with price and delivery ability the only assessment criteria applicable.

Wilmid Pty Ltd were consistently the cheapest supplier of the pavers and have demonstrated experience in delivering materials to large, medium and small sized projects.

As part of the tender specification each of the tenderers was advised that an option for an additional 600 square metres of paving may be exercised in future if required. WILMID have confirmed that the original tendered pricing would be applicable to this additional supply.

The summary breakdown of the tenders received is included as **TABLED DOCUMENT 9 OCTOBER 2016 (Pages 138-140)**, with Wilmid Pty Ltd being assessed as the preferred tenderer based on price and ability to deliver.

### **RECOMMENDATION**

**That Council award Contract 2016/002 Supply of Stone Paving Tiles to Wilmid Pty Ltd for a tendered price of \$69,400 (Ex GST).**

**06/10/16 RESOLVED – Moved: Ferguson                      Seconded: Ferguson**

**That Council award Contract 2016/002 Supply of Stone Paving Tiles to Wilmid Pty Ltd for a tendered price of \$69,400 (Ex GST).**

**30. DEVELOPMENT CONTROL**

**7) APPLICATION FOR DEVELOPMENT CONTROL PLAN VARIATION (SECONDARY BUILDING LINE FOR CORNER BLOCKS) – DEVELOPMENT APPLICATION NUMBER DA2016/82, NO. 66 MACKAY STREET, COOTAMUNDRA**

Applicant / Owner:

Ben & Georgie Visser  
66 Mackay Street  
Cootamundra NSW 2590

Property Description:

Lot 1 DP350007  
66 Mackay Street  
Cootamundra NSW 2590

A location plan of the subject land is provided in the **TABLED DOCUMENT 10 OCTOBER 2016 (Pages 141-142)**

Zoning:

Land Zoned R3 'Medium Density Residential' under the Cootamundra LEP2013.

Existing Use:

Existing residential property containing a dwelling house and associated outbuildings.

Proposal:

A request has been received from the applicant for a variation of the secondary building line of 3m to facilitate the erection of a double carport with rollers doors that will be sited on the side boundary of Margaret Street and 400mm from the rear boundary of the site. The 3m secondary building line setback is required by the Cootamundra Development Control Plan.

Photos of the site included in **TABLED DOCUMENT 11 OCTOBER 2016 (Page 143)**



### Discussion:

The proposal is to erect a new double carport with roller doors constructed on the secondary building line of the property, with the roller doors and carport being at the same frontage as the fence line facing Margaret Street. The carport is of standard construction and height being 2.55 metres high to the gutter line.

The applicant understands they require a building line variation for the construction of the carport and states his reasons within the application as there is currently a similar existing structure on the opposite corner also positioned on the boundary which has minimum impact on the streetscape. The applicant also notes the existing side fence is 2.2m high and visual impact of a garage structure in this position is minimal.

Please see photo of the opposite garage and carport opposite the subject site in the tabled documents.

It should be noted that the existence of a structure previously approved and constructed does not necessarily mean that a new structure of a similar description is permitted.

The new carports design is envisaged to have some visual impact from both directions of Margaret Street, however taking into consideration the position of the existing dwelling onsite only being 2m from the side boundary, the existing 2.2m high fence and existing trees within the road reserve the impact of the double carport and roller doors is envisaged to be only slightly more than what currently exists onsite.

The only concern for Council is the accuracy of the existing fence line to the boundary. Council would usually require as part of consent conditions that the applicant obtain a boundary survey to ensure no encroachments are made on the road reserve.

The application was notified to six adjoining neighbours and no submissions were received.

### **RECOMMENDATION**

**That the Council grant the variation to Councils Development Control Plan (Secondary Building Line) to permit the proposed double carport with roller doors to be located on the side boundary facing Margaret Street, subject to a survey of the boundary and full Development Assessment.**

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

**That the Council grant the variation to Councils Development Control Plan (Secondary Building Line) to permit the proposed double carport with roller doors to be located on the side boundary facing Margaret Street, subject to a survey of the boundary and full Development Assessment.**

**VOTING RECORD for Minute 07/10/16 - APPLICATION FOR DEVELOPMENT CONTROL PLAN VARIATION (SECONDARY BUILDING LINE FOR CORNER BLOCKS) – DEVELOPMENT APPLICATION NUMBER DA2016/82, NO. 66 MACKAY STREET, COOTAMUNDRA**

<b>FOR RESOLUTION</b>	<b>AGAINST RESOLUTION</b>
Christine Ferguson	Nil
<b>ABSENT</b>	<b>DECLARED INTEREST</b>
Nil	Nil

**34. FINANCIAL PLANNING AND REVENUE**

**8) REFERRAL TO AUDIT OF 2015/16 FINANCIAL STATEMENTS**

Introduction

The purpose of this report is to report to Council on the 2015/2016 year end results, and to meet statutory requirements in regards to the referral of the annual financial statements to Council's auditor, Mr John O'Malley.

The reporting period for the purpose of the preparation of these financial statements is 1 July 2015 to 12 May 2016.

The Local Government Act also requires a resolution of Council that the annual financial statements have been prepared in accordance with;

- The *Local Government Act* 1993 (as amended) and the Regulations made thereunder
- The Australian Accounting Standard and professional pronouncements,
- The Local Government Code of Accounting Practice and Financial Reporting.

And that, to the best of Council's knowledge and belief, the financial statements present fairly the operating result and financial position, and accord with Council's accounting and other records.

Discussion

The financial statements for the former Cootamundra Shire Council and Gundagai Shire Council for the reporting period ended 12 May 2016 have been completed to draft stage and are ready for audit. Mr O'Malley has been working with Mr John Mason, to complete the two audits, and pursuant to section 413(1) of the *Local Government Act* 1993, Council is required to refer the draft statements to audit.

Attached, as **TABLED DOCUMENT 12 OCTOBER 2016 (Pages 144-145)**, are the Draft Income Statements of the two former Councils for the financial year ended 12 May 2016. Once the audit has been completed, Mr O'Malley will present his detailed audit observations to the December Council meeting.

**IMPORTANT VARIATION**

The financial statements presented have been prepared in accordance with the Office of Local Government requirements, issued 27 July 2016, that former Councils apportion their rates, annual charges, and other revenue to reflect the shorter accounting period.

However, on 29 September 2016, Council received new advice from the Office of Local Government, requiring that 100% rates revenue and grant revenue be accounted for, in line with Australian Accounting Standards.

Council's Finance Team are currently making adjustments to these Financial Statements to meet the updated requirements, before referral to final audit, and therefore the final income statements as presented will vary from the statements presented here.

### **RECOMMENDATION**

- 1. That the former Gundagai Shire and Cootamundra Shire Councils' Financial Statements be referred to audit in accordance with section 413(1) of the Local Government Act.**
- 2. That Council note that the former Gundagai Shire and Cootamundra Shire Council's financial statements have been prepared in accordance with:**
  - The Local Government Act 1993 (as amended) and the Regulations made thereunder**
  - The Australian Accounting Standards and professional pronouncements**
  - The Local Government Code of Accounting Practice and Financial Reporting**
- 3. That Council note that the financial statements present fairly the operating result and financial position and accord with Council's accounting and other records.**
- 4. That Council is not aware of any matter that would render the financial statements false or misleading in any way.**
- 5. That the Administrator and the General Manager sign the Statement by Members and Management in the financial statements.**
- 6. That the General Manager be delegated authority to issue the financial statements upon receipt of the audit report.**

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

- 1. That the former Gundagai Shire and Cootamundra Shire Councils' Financial Statements be referred to audit in accordance with section 413(1) of the Local Government Act.**
- 2. That Council note that the former Gundagai Shire and Cootamundra Shire Council's financial statements have been prepared in accordance with:**

- **The Local Government Act 1993 (as amended) and the Regulations made thereunder**
  - **The Australian Accounting Standards and professional pronouncements**
  - **The Local Government Code of Accounting Practice and Financial Reporting**
- 3. That Council note that the financial statements present fairly the operating result and financial position and accord with Council's accounting and other records.**
  - 4. That Council is not aware of any matter that would render the financial statements false or misleading in any way.**
  - 5. That the Administrator and the General Manager sign the Statement by Members and Management in the financial statements.**
  - 6. That the General Manager be delegated authority to issue the financial statements upon receipt of the audit report.**

## **9) INVESTMENT REPORT**

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

A summary of investments for the Cootamundra Area as at 30 September 2016 forms **TABLED DOCUMENT 13 OCTOBER 2016 (Page 146)**.

A summary of investments for the Gundagai Area as at 30 September 2016 forms **TABLED DOCUMENT 14 OCTOBER (Page 147)**.

### **RECOMMENDATION**

**That the Investment Reports as at 30 September 2016 be received and noted.**

**09/10/16 RESOLVED – Moved: Ferguson      Seconded: Ferguson**

**That the Investment Reports as at 30 September 2016 be received and noted.**

**There being no further business the meeting closed at 6.47pm.**

**These Minutes were confirmed by resolution of Council at the Council Meeting held on Monday 14 November 2016 and endorsed by:**

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

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