

Similarly, when you get to the intersection of Sutton Street and Wallendoon Street (how you are directed coming from Wagga direction), there is no Town Centre sign to point visitors to turn left.

RECOMMENDATION TO COUNCIL

That the Cootamundra Gundagai Regional Council install two Town Centre directional signs – one on Yass Road, prior to the Hovell Street/Olympic Highway diversion turn-off and one at the Sutton Street/Wallendoon Street intersection. (Moved: Nina Piotrowicz. Seconded: Brian Nolan. Carried)

1.6 Council Tourism Activities

- *Update on online Trainspotters Trail*

Jeana is continuing to work on this. The Junee Shire Council has recently installed a viewing platform at the Bethungra Spiral. This is a great addition!

- *Agritourism Strategy*

A desktop audit has been completed. Consultation with stakeholders has started. There has been some difficulty in finding review group members that do not have personal vested interests. Gwen Norman was nominated from CTAG due to her extensive agricultural industry background.

- *Other*

Action: Jeana Bell to find out if there are any restrictions on allowing Buskers on the main streets. In Gundagai they need to complete a form re liability and pay a fee. For now, Buskers would need to provide their own equipment and work with a relevant shop owner for power access.

Some old records and recordings of Don Bradman's song-writing ventures are being digitised to include at the Bradman's Birthplace Museum.

1.7 Other Business

- The CDC will be canvassing businesses to gauge interest in contributing finances to complete the fairy lights in the trees along Parker Street.
- Jubilee Park Masterplan consultation sessions were recently held. The ideas were overwhelmingly positive and if implemented, will enhance the Park space for both the community and visitors. Ideas included enhancing and improving connection of the Park to other spaces such as the Bird Walk and Main Street; Interpretive signage; natural play areas and plantings that encourages local wildlife; power outlets to enable events to be more easily held in the park; and the telling of our First Nations story.
- Leigh Bowden noted research undertaken by Dean Freeman and George Main on the First Nations story along Muttama Creek from Cootamundra to Gundagai. There is minimal visible telling of Cootamundra's aboriginal history. The Aboriginal Working Party are keen to work with Council to establish this presence.
- Brian noted some negative customer service experiences with businesses in town and is concerned if visitors are also experiencing this. Leah noted the CDC will be hosting Customer Service training sessions soon.

1.8 Next Meeting

Thursday 6th August @ 4.30pm.

Meeting Closed at 5.35pm.

8.1.5 COOTAMUNDRA YOUTH COUNCIL - MEETINGS HELD TUESDAY 7TH JULY 2020

DOCUMENT NUMBER	330847
REPORTING OFFICER	Greg Briscoe-Hough, Relief Governance Officer
AUTHORISING OFFICER	Phillip McMurray, General Manager
RELEVANCE TO COMMUNITY STRATEGIC PLAN	4. Good governance: an actively engaged community and strong leadership team 4.2 Active participation and engagement in local decision-making
FINANCIAL IMPLICATIONS	There are no Financial implications associated with this report.
LEGISLATIVE IMPLICATIONS	There are no Legislative implications associated with this report.
POLICY IMPLICATIONS	There are no Policy implications associated with this report.
ATTACHMENTS	1. Cootamundra Youth Council Minutes ↓

RECOMMENDATION

That Council receive and note the attached Minutes of the Cootamundra Youth Council meetings held 7 July 2020.

Introduction

This report is to notify Council that an advisory committee has been established under the auspices of the Manager of Community and Culture's staff.

Discussion

After preliminary meetings to establish a group of interested young adults from the Cootamundra district, a formal Annual General Meeting was held and executive has been established.

The AGM Minutes, prepared by the Members at the inaugural meeting, are attached for the information of Councillors, as are the Minutes of the subsequent ordinary meeting.

The Committee meets on Council property, at the invitation of Council staff and under staff supervision. As it does not exercise any formal functions of Council and is covered by similar coverage as the general public at any Council event.

Like most community interest groups, it requires no statutory status as a formal committee of Council as it controls no assets of Council, nor does it have any delegations to act for, or on behalf of, Council.

A similar Youth Committee at Gundagai has not met this year due to Covid-19 restrictions.



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Minutes

COOTAMUNDRA YOUTH COUNCIL

ANNUAL GENERAL MEETING (AGM)

LOCATION OF MEETING: COOTAMUNDRA LIBRARY

TUESDAY 7TH JULY 2020 4PM

ACKNOWLEDGMENT OF COUNTRY:

I'd like to begin by acknowledging the Traditional Custodians of the land on which we meet today. I would also like to pay my respects to Elders Past, Present & Emerging.

AGENDA ITEMS

1. **Attendance: Youth Council Members**, Logan Collins, Kyle Collins, Kalliopi D'Souza, Michelle Rabey, Blake George, Destini Warren, Kyle Sheppard, and Declan Brown.
2. **Attendance: Support Members**, Marjory Taprell, Sgt. Mark Hutchinson, Cr. Doug Phillips, Eric Steinke, Cheney Dewar
3. **Apologies**: Helena Manwaring, Jessalyn Wild, Cindy Smith, Cr. Leigh Bowden
4. **Acceptance of nominations from committee members for the positions of:**
 - **Youth Mayor**: Logan Collins
Nominated by: Destiny Warren Seconded: Michelle Rabey
 - **Deputy Youth Mayor** No Nomination
 - **Secretary/ Publicity Officer**: Michelle Rabey
Nominated by: Logan Collins Seconded: Destini Warren
 - **Treasurer**: Kyle Collins
Nominated by: Kyle Collins Seconded: Blake George
5. **Election of Office Bearers: All nominations passed by majority vote.**
Cootamundra Youth Council Established 07/07/2020

The newly elected Youth Mayor declares the AGM meeting closed.



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Minutes

COOTAMUNDRA YOUTH COUNCIL

LOCATION OF MEETING: COOTAMUNDRA LIBRARY STEVEN WARD ROOM
TUESDAY 7TH JULY 4:15PM

AGENDA ITEMS

1. **Minute Taker:** Michelle Rabey
2. **Confirmation of previous meeting Minutes**

The minutes of the last Cootamundra Youth Council meeting dated 02/06/2020 are confirmed as true and correct by: Logan Collins Sounded: Blake George

Logan Collins
Councillor - Cootamundra Youth Council

3. **Business Arising from previous Minutes:** N/A
4. **Correspondence in/out:** A donation from the previous youth council has been given to the newly established Cootamundra Youth Council. Marjory Taprell to be contact person to help facilitate this donation. This includes term deposits. Final term deposits mature May 2021. Deposits will be made into the new Youth Council bank account once it is set up. Suggested the Skate park could use a 'freshen up'.
5. **Report from the Treasurer/President/Secretary:** N/A
6. **General Business:**

8.1 Logo Confirmation: A majority Vote was held with the winning design winning the vote 5 to 2. The new logo is attached to the top of the minutes. It will be used at all official youth council events & on our social media pages. The winning design was submitted by Michelle Rabey we will discuss with her how she would like to be announced as the winner & in-regards to her major prize.

8.2 New Commonwealth bank account set up Confirmation: It was decided by a unanimous vote that a new Commonwealth bank account will be established. Kyle Collins (treasure), Logan Collins (Youth Mayor), Cheney Dewar (CGRC youth liaison officer), & Penny Howse (CGRC Library manager) will be signatories. To withdraw funds the youth council will need two people to sign. One will always be a council employee.

8.3 Constitution ratified: By unanimous vote it was agreed that the constitution as written will become our official constitution.



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8.4 Mark Hutchinson Youth Police Liaison Officer:

- Eager to be involved in sporting events
- Heavy School Involvement/experienced presenter
- Seeking to create a way to help troubled youths more
- Fundraising is difficult & is not allowed by NSW Police
- Mark would need to be given early notice for events 6 weeks in advance
- Email is his preferred method of contact.

8.5 Cr. Phillips: Congratulations.

- Lots of experience with Beach Parties, Deb Balls & events in community
- The vote wont always go your way. That's just the way it is. Move forward
- Stand by your decisions. You might get comments from other people. They are your decisions, follow them through regardless of what others may say about them.

8.6 Halloween at The Arts Centre- Sub Committee: Logan Collins, Michelle Rabey, Kalliopi D'Souza, Helena Manwaring. Members of the Sub-committee will present their ideas for a Cootamundra Halloween event at The Arts Centre on Wednesday 15/07/2020 10:30am.

9. Date & Time of next meeting: Tuesday 4th August 4pm

10. Meeting closed: 4:50pm

8.1.6 THE ARTS CENTRE COOTAMUNDRA S355 COMMITTEE ANNUAL GENERAL MEETING REPORTS AND MINUTES

DOCUMENT NUMBER	331086
REPORTING OFFICER	Greg Briscoe-Hough, Relief Governance Officer
AUTHORISING OFFICER	Phillip McMurray, General Manager
RELEVANCE TO COMMUNITY STRATEGIC PLAN	<p>4. Good governance: an actively engaged community and strong leadership team</p> <p>4.2 Active participation and engagement in local decision-making</p>
FINANCIAL IMPLICATIONS	There are no Financial implications associated with this report.
LEGISLATIVE IMPLICATIONS	There are no Legislative implications associated with this report.
POLICY IMPLICATIONS	There are no Policy implications associated with this report.
ATTACHMENTS	<ol style="list-style-type: none"> 1. TACC s355 Committee Reports_AGM_160720 ↓ 2. TACC s355 Committee Minutess_AGM_160720 ↓

RECOMMENDATION

The attached reports and minutes of the Annual General Meeting of The Arts Centre Cootamundra be received and noted.

Introduction

The Arts Centre Cootamundra (TACC) s355 Committee held its Annual General Meeting on 16th July, 2020.

Discussion

The management of the TACC has reverted solely to Council's control with the former Incorporated Board and structure wound up and the transfer of the association's finances to Council.



Cootamundra Creative Arts and Cultural Centre
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COOTAMUNDRA NSW 2590
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Web: www.theartscentrecootamundra.org.au

ANNUAL GENERAL MEETING

TACC 355 COMMITTEE

Thursday 16 July 2020

Meeting begins at 6.00 pm

AGENDA

1. Present – please sign sheet
2. Apologies – please enter on sheet
3. Confirmation of Minutes from Annual General Meeting 18 July 2019
4. Business arising from Minutes
5. Chairperson's Report presented by Isabel Scott
6. Treasurer's Report presented Maree Twomey
7. Program Manager's Report presented by Isabel Scott
8. Visual Arts Report presented by Annabel Marley
9. Election of Office Bearers (see attachment)

We acknowledge the Traditional Custodians of the land on which we live, work, and create. We pay respects to Elders past, present and emerging.



Create NSW
Arts, Screen & Culture





Meeting Attendance Record
The Arts Centre Cootamundra s355 Committee
Annual General Meeting

Date: 18 July 2020

Name (print)	Signature
Isabel Scott	Isabel Scott
Maree Twomey	Maree Twomey
Rosemary Fowler-Sullivan	Rosemary Fowler-Sullivan
Lindsey Baber	APOLGY
Leigh Bowden	Leigh Bowden
Annabel Marley	Annabel Marley
Leigh Scott	Leigh Scott
Lucy Main	Lucy Main
Andrew Broch	Andrew Broch
JUDY EMERY	APOLGY
Richard White	Richard White
CSBOW CAMPBELL	CSBOW CAMPBELL
Diana Campbell	Diana Campbell
Julie Cowell	Julie Cowell
Fiona Braybrooks	APOLGY
Eric Steinke	Eric Steinke
Cwa Norman	Cwa Norman
L. NAME	Lucy Main

[CHAIRPERSON'S REPORT
COOTAMUNDRA CREATIVE ARTS AND CULTURAL CENTRE -]

July 15, 2020



Good Evening and welcome everyone.

ACKNOWLEDGEMENT OF COUNTRY

Thank you for attending this critical AGM of the Cootamundra Creative Arts and Culture Centre a s355 Committee of Council.

With the establishment and election of an Incorporated Skills based BOARD in July 2019 activities under the s355 were to be reassessed along with the governance, administration and programming paths for The Arts Centre future operations.

As elected Chairperson of CCACC I was to be its representative on that skills based BOARD with the right to negotiate and have input into how TACC undergo its reorganization for governance, programming and future direction using the excellent strategy report researched, written and delivered by David Sharp.

This report pointed out the areas of governance compliance problems between how the two entities CCACC & CCA Inc were working.

David Sharp's Strategy Report was open ended and was to assist in negotiating a path forward. It offered guidelines, pointing out the problems that may cause roadblocks offering solutions as negotiations moved forward. It also pointed out the way other Cultural Centre's worked in other rural towns and cities. Most are substantially supported by respective Councils offering the cultural organization of the Shires financial security to service community arts and cultural recreational requirements.

The new BOARD Chairperson requested CCACC not to continue as an active Committee to enable the new structure to be worked through by the BOARD.

This put a question mark over all projects, activities, programs and scheduled events that were booked in. Who would run the events? who had the authority to make decision on event budgets? Who has the authority to manage activities? What about the insurance cover for the working volunteers?

As a volunteer and often the event co-ordinator, took a hard stand that if an event was to be undertaken using volunteers it was to be managed and run a CCACC Event as a service to community ensuring the safety and insurance coverage of all volunteers under the s355.

**[CHAIRPERSON'S REPORT
COOTAMUNDRA CREATIVE ARTS AND CULTURAL CENTRE -]**

July 15, 2020

From July to December CCACC did manage and ran some very profitable and valued services for Community engagement.

1. The Show GIG - Gwen applied for funding from Murrumbidgee Health Services for the marquee. We ran a gourmet Burger and Drinks Outlet exhibiting Local Unlimited produce and products. It was a fun, extremely well utilised and received. A highly successful event. Thank all who took on this mammoth day and delivered a smooth and financially beneficial operation.
2. Vis Arts staged Florabunda Exhibition- A spin off from 3 yrs of Fabrics and Fibres Exhibition. Thank you Vis Arts Girls and boys. Thank you to the hard working set up team.
3. Alison Patterson's Musical Dinner organized as a TRIBUTE to her 2 HSC students. - this successful evening was catered by our usual volunteers once again delivering a profit. These types of catering jobs give our Youth training in hospitality and quality service. I thank Ossie and Diana Campbell for their expertise and management of this Youth training.
4. Volunteers also facilitated and helped Jessica Grace Exhibition, Kapooka Band Recital, Grandparents morning tea, etc etc.
5. Volunteers once again stepped up to assist and be on site.
for Miss Ems, CEDS & Dance 2590 End of year Concerts -
The High School HSC Music Exams utilized the Tin Shed Theatre.
- The DCI Opening in September for new release film has proven to be a financial windfall for TACC.
- We thank Julie Cowell and Michael Hoffman and the small advisory group for their dedication to this successful venture. I also thank the backup volunteers who run the box office, usher, manage the kiosk and bar, open and close the centre and take on the all important OH&S supervision as Safety and Fire Wardens.
- Michael Hoff thank you for your very up-to-date and concise projectionist instruction manual.
6. Sadly we lost one of our most inspiring, able and loved volunteers - Bob Guy. His fight with cancer was nothing short of inspiring. His wonderful courage saw him keep up his volunteering as a projectionist almost to the end. He will be always remembered as a gifted musician running his regular Friday night in the Arts Centre events, his great ability as an actor, producer director and writer of live performance. His newly learnt skills to build the theatre of which he had a true passion for took him into the building trade - gyprocking, sanding, nailing, designing etc etc. Bob was there always willing and extremely able.

I thank Sue, Michael and Hannah for allowing The Arts Centre to stage the celebration of Bob's life. He will be always remembered - Thank you.

By late November I found I could no longer comply with how this restructure was being implemented especially the speed and order of restructured jobs that was being demanded. The lack of BOARD team building utilising the considerable SKILLS on that Committee, the lack of consultation with volunteers who had managed various services within the Centre for over 15 years and the enormous pressure it put on staff and volunteers was pushing everyone who cared and worked for the facility to breaking point.

With the suspension of s355 meetings and operations the right to engage with community and inform volunteers of what was going on was being smothered. The very nature, culture and purpose of the Centre was, in my opinion, being redirected away from a community based activity for which the facility was primarily constructed and developed.

**[CHAIRPERSON'S REPORT
COOTAMUNDRA CREATIVE ARTS AND CULTURAL CENTRE -]**

July 15, 2020

I resigned from the BOARD and rescheduled the s355 CCACC program for meetings with community user engagement. This was an attempt to keep the few volunteers we had left and rebuild resources and activities driven by community.

After the restructure of the BOARD following the resignation of myself the Chairperson and then Centre Manager I consulted with Susan Gheller who with a newly configured BOARD were working through just how the facility moved forward.

Susan Gheller had been a Member of CCACC Committee for several years has resigned from the Council and this organization moving to Melbourne to be near family. Her professionalism, knowledge and analytical skills attempted to sort through the issues that now arose. She has left a huge void not only for TACC but dare I say COOTAMUNDRA. We wish her well and when Covid restriction relax we hope Susan can return for a proper farewell and thank you for all she did for this facility and for the Council Region.

2020 began as a very unsettling and disjointed period. As Chairperson of CCACC I continue to work with Council, the volunteers, users and patrons to find a way forward. I thank all who attended CCACC Meetings over the past several months and with Covid 19 restrictions the volunteers who have continued to support and participate in clean up working bees.

To keep TACC at the forefront of community minds during the closure of the facility and "community lockdown" Lucy, Gwen and I developed the activity concept of Social "Dis-dance-sing" Challenges. Community members could engage in any of the 3 categories with the prospect, *after all returns to normal*, exhibit and or perform their works in the Centre and on the TST stage. We will find out who and what was produced down the track when things have settled back to some normality.

2020 CCACC activity began with

- **Sheep Matters Conference** in February at which CCACC again catered. As a Business offering Conference Facilities this type of support is financially very viable for TACC.
- **Peter Hogan's Bush Fire Fundraiser** was a return to a Friday Night in The Arts Centre Cabaret Concept. It was a great event and well attended. This venue offers small amateur groups a venue where everyone can relax, feel included and not have to spend a fortune. One comment came in from a mother of a young man with considerable disability challenges. *"He can move around the Centre with safety, be close up and feel genuinely part of the action joining into what is going on with ease."*
- **MOVIES continued to be our major income** during this 3 month period before lockdown. I thank our usual facilitators led by Julie Cowell who spends many hours resourcing, contracting and managing the delivery of film to this community.
- **In April TACC was closed down by order of CGRC** - Undertaking Covid 19 restrictions and shutdown compliance. TACC Office Manager, Gwen Norman, employed by the BOARD continued to hold the fort behind closed doors. I commend Gwen for her resilience through this very difficult & disruptive period.
- A solution has been arranged for the continuation of staff employment to run the Centre which Council has approved. made necessary by the shutting down of the CCA Inc BOARD structure.
 - ✚ s355 cannot employ Staff.
 - ✚ s355 cannot contract staff.

**[CHAIRPERSON'S REPORT
COOTAMUNDRA CREATIVE ARTS AND CULTURAL CENTRE -]**

July 15, 2020

- ✦ To be employed as a casual Staff through Council but they must be willing to have their own ABN.
- ✦ Another option is to use a Temp agency with Council as the Host. Please be aware TACC will be paying the wages not Council "the host". This is the option we currently have to bridge the gap for continued staff employment.

If the Centre is to continue and increase our activities and programmes, this problem of finding the funds and paying the premium for using an agency with Council as the host has to be resolved as it will leave very little for any new development, programming or assisted maintenance funding. TACC may even struggle to cover the extra expenses especially if restrictions continue and Movies, our main income, cannot get going soon. Currently with the shutdown and financial drain on our income reserves TACC cannot afford to re-establish CCA Inc.

A partnership with Council is the only way forward. We thank Council for agreeing to support this important recreational venue as a s355.

- **TST Theatre WILL remain closed till we can financial run Movies and Plays sustainably.**
- **As Chairperson of CCACC s355** I have engaged with and work with Andrew Brock looking at how this valuable community Creative Playground can move forward and deliver the services that community want to engage in. I thank Andrew for being positive about our future and for his genuine attempt to find solutions.

In Visual Arts some new initiatives have been added to our list of services to community: I thank Annabel for her continued diligence promoting a variety of Visual Arts challenges.

A staged re-opening of the Centre after lockdown has been implemented for our groups to re-unite under strict conditions of cleaning and self distancing. We worked with Andrew Brock and Madeline Snell, Council, to implement this staged reopening which still has its challenges and disruptions. They accepted the guidelines we submitted and our groups are doing a great job adhering to all conditions.

I thank Gwen for her input and her consistent attention to detail. I thank all who are engaged in Arts Centre activity groups for your co-operation for the safety of everyone in the community.

I thank Eric for his extra attention to cleaning detail. The job is currently very disjointed. The Centre looks wonderful and inviting.

A partnership with Council as a s355 Committee will very much hinge on the respect given to volunteers delivering these arts and cultural services to benefit CGRC. **IF that trust is compromised or unworkable another solution will have to be found.**

I thank Lucy Main for her dedication and skills in delivering professional communications and promotional face of TACC. She has put TACC up as force to be respected through her consistent messaging and positive-vibe. It is rewarding to have her guiding us as a professional communications officer.

Ladies and gentlemen I would like to thank

- **Elise Magrath** for her amazing skills and work she undertook while Cultural Development Officer for The Arts Centre. The results for our Council region Youth and Community was inspiring and exceptionally rewarding.

**[CHAIRPERSON'S REPORT
COOTAMUNDRA CREATIVE ARTS AND CULTURAL CENTRE -]**

July 15, 2020

- **Michael Magrath** for his dedication to solving many technical issues in the Centre operations.
- **Michael Van Baast** - now moved to Wagga we thank him for his contribution & expertise in stage lighting taking over after Ben Pepper left the district. Thank you Michael for the support and volunteering you gave so generously.
- I acknowledge and thank **TWOMEY'S** Accountancy Firm for their unwavering sponsorship and assistance throughout 17 yrs of operation of the Centre finances. Their support, consultancy and advice has allowed TAC to conduct our financial management in a highly transparent professionalism.
- I would like to thank **Gwen, Lucy and Eric** for sticking with the project during these past few months. There is a light at the end of this tunnel so please hang in there.
- I thank all the facilitators of activities, the users, participants and patrons who support this valuable community resource.

I would like to mention **Lindsay and Andy Baber** both whose contribution to the Project has been outstanding and who are now stepping back from regular volunteering especially the hard yakka setting up and facilitating the various events. They will be missed on our regular volunteers activities which they covered so consistently.

Thank you **Rosie** Fowler Sullivan for your reliable expertise as our keeper of meeting records and your professional presentation of minutes and reports.

Lastly but most importantly- Maree Twomey. Your 17 years of service to The Arts Centre Project has been nothing short of outstanding. Words cannot express the respect everyone who has been part of this project has for your input, expertise and diligence. You are not only the Treasurer "extra-ordinair" but caterer, chef and event manager. Your contribution has made the Arts Centre Project possible. Recently on BOARD matters your resilience and patience has been inspiring. Thank you so much for hanging in there under what has been very difficult times. I also acknowledge Michael's input and unselfish calm support. Thank you.

Ladies and Gentlemen this facility is unique in country NSW. Many towns want what Cootamundra has. As a venue not only for the promotion and practice of the arts it is a venue with enormous possibilities for social and economic growth. This venue offers choice of lifestyle, a reason to relocate and settle in the area and a venue where Business can educate and exhibit their wares. It is a tourist attraction that can change with cultural and tourism demands. It teaches and enforces creative solutions to everyday problems.

Now as I step down as CCACC Chairperson for 2019/20 I would like to thank Leigh Scott as a partner and for his support and diligence in all the things he has accomplished in the construction phase of the Centre but also for his consistent support and versatility. He had to go back to "uni" to do an exam for BAR LICENCE Manager for the Centre which means he is not too far down the old age "can't teach an old dog new trick" track. A man of many talents his patience and endurance living with me is much appreciated. This Centre would never have been built if Leigh Scott did not deliver.

Thank you everyone.

Isabel Scott - OAM

Chairperson CCACC

PRESENT FLOWERS:

Maree, Lindsay and Rosie.

Cootamundra Creative Arts & Cultural Centre

S355 Committee of Council

AGM 16 July 2020

Treasurer's Report

Receipts/Income for the Financial Year 2019-2020 were \$73,237 approximately a \$5,000 increase from last year, even though The Arts Centre has had very little income since early March due to Covid-19.

With the new DCI film equipment, we had been showing new release films and our film profits nearly tripled in the first 9 months of this financial year compared to the same period last year. We received \$27,656 in film income and hire of premises \$19,414 for the year.

Our expenses were \$51,699, approximately \$34,000 less than last year, as we didn't have to subsidise wages this year. Wages for CCA Inc were \$61,346, \$10,000 less than the year before and with the Council's subsidy and Administration & Management fees from the Fulcrum Grant these helped to cover CCA Inc wages expense. The Fulcrum Grant also paid for the updating of all our policies & procedures, producing a volunteer handbook, fire warden training, bar management, a film projection manual and an instruction video for lighting and film.

The Profit this year was \$21,538

There was \$30,965.14 in the bank account @ 30 June 2020. CCA Inc will be dissolved and the balance of the bank account will be transferred to CCACC, giving The Arts Centre approximately \$45,000 to operate on for the next Financial Year. No one can predict the financial future at the moment with Covid-19 having a huge impact on The Arts, not just locally but throughout Australia and worldwide.

I would like to thank Twomeys for providing their professional services, over many years, at very generous community discounts.



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Cootamundra Creative Arts & Cultural Centre

The Arts Centre Cootamundra (TACC)
355 Committee of Council
18-20 Wallendoon St
Cootamundra 2590

Profit & Loss Statement

July 2019 To June 2020

ABN: 46 211 642 339

Email: info@theartscentrecootamundra.org.au

Income	
Administration Fees	\$160.00
Bar Sales	\$4,527.58
Kiosk Sales	\$1,079.60
Catering	\$5,022.18
Donations	\$4,514.36
Film	\$27,655.60
General Fundraising	\$3,665.56
Hire of Premises	\$19,314.09
Interest Received	\$32.95
Performances	\$5,122.44
Raffle	\$101.37
Workshops	-\$726.36
Stock Income	\$15.45
Sundry Income	\$2,751.90
Total Income	\$73,236.72
Total Cost Of Sales	\$0.00
Gross Profit	\$73,236.72
Expenses	
Advertising & Marketing	\$2,972.40
Art Supplies	\$107.67
Bank Fees	\$8.00
Bathroom Supplies	\$32.23
Building Repairs and Maintenance	\$564.26
Repairs to Plant and Equip	\$634.55
Catering Purchase	\$3,209.73
Bar stock	\$1,727.67
Kiosk Stock	\$657.26
Council Fees	\$2,545.48
CCA Inc	\$5,995.00
Kitchen replacement	\$990.14
Cleaning Expenses	\$310.00
Film Hire	\$11,903.66
Freight	\$100.00
Electricity Expenses	\$7,513.59
IT Support	\$2,128.37
Professional Services	\$300.00
Gas Expenses	\$487.05
Licences	\$368.87
Performance fees	\$3,145.63
Hire of Equipment	\$295.00
Sundry Expenses	\$115.45
Printing and Stationery	\$1,059.72
IT - Website	\$192.00
Computer Expenses	\$119.61
Security	\$490.92
Stationery	\$379.55
Telephone Expenses	\$1,572.87
Postage	\$266.00
Freight Out	\$556.12
Teaching Fees	\$668.00

This report includes Year-End Adjustments.

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CootamundraCreativeArts&CulturalCentre

The Arts Centre Cootamundra (TACC)
355 Committee of Council
18-20 Wallerdown St
Cootamundra 2590**Profit & Loss Statement**

July 2019 To June 2020

ABN: 46 211 642 339

Email: info@theartscentrecootamundra.org.au

Payroll Expenses	\$100.00	
Staff Training Expenses	\$181.82	
Travel & Accom. Expenses		\$281.82
Total Payroll Expenses		\$51,698.62
Total Expenses		\$21,538.10
Operating Profit		\$0.00
Total Other Income		\$0.00
Total Other Expenses		\$21,538.10
Net Profit/(Loss)		

This report includes Year-End Adjustments.

Created: 9/07/2020 4:27 PM

CootamundraCreativeArts&CulturalCentre

The Arts Centre Cootamundra (TACC)
355 Connaught St
18-20 Wallendean St
Cootamundra 2590**Balance Sheet**

As of June 2020

ABN: 46 211 642 339

Email: info@theartscentrecootamundra.org.au

Assets**Current Assets****Bank Accounts**

SWSCU A/c 400138690

\$30,965.14

Petty Cash/Cash On Hand

\$100.00

Float

\$150.00

\$31,215.14

Total Bank Accounts**Other Current Assets**

Trade Debtors

\$2,376.00

\$2,376.00

Total Other Current Assets

\$33,591.14

Total Current Assets**Non-Current Assets****Furniture**

Furniture At Cost

\$24,855.20

\$24,855.20

Total Furniture**Office Equipment**

Office Equipment At Cost

\$2,059.37

\$2,059.37

Total Office Equipment**Computers**

Computers At Cost

\$1,590.00

\$1,590.00

Total Computers

\$28,504.57

Total Non-Current Assets

\$144,313.27

Building Improvements**Plant & Equipment**

\$55,391.74

\$261,800.72

Total Assets**Liabilities****Current Liabilities****GST Liabilities**

GST Collected

\$7,105.39

GST Paid

-\$4,362.59

\$2,742.80

Total GST Liabilities**Other Current Liabilities**

Trade Creditors

\$208.00

Glass Equip - Cost recoverable

\$2,000.00

\$2,208.00

Total Other Current Liabilities

\$4,950.80

Total Current Liabilities

\$4,950.80

Total Liabilities

\$256,849.92

Net Assets**Equity**

Retained Earnings

\$235,311.82

Current Year Earnings

\$21,538.10

Total Equity

\$256,849.92

This report includes Year-End Adjustments.



PERFORMING ARTS REPORT AGM Thursday July 15 2020

Performance and productions for 2019/20 have taken a heavy hit with the establishment of a new programming schedule under the new BOARD Structure and then 2020 Covid 19.

In 2019 the following performances went ahead:

- Cheek to Cheek
- Kapooka Jazz band
- Dance 2590 Concert
- Miss Ems Student Production
- Chris Edwards Dance School end of year Concert.

The Musical Production by the TST Theatre Drama Group "Nuncracker" scheduled for Nov /Dec was Cancelled

2020 brought new challenges and some new initiatives:

- The MADD sponsored Ian Preston concert had to be cancelled and will be rescheduled when Exhibition space can accommodate sufficient patrons to make the Concert viable. I thank Lindsay and Andy for the great job they do with this crowd funding format of MADD.
- The first gathering of the TST Drama Group Workshops designed to build performance resources got off the ground in February only to be cancelled due to lockdown in April.
- TST Drama Group had its first Play Reading " Pull the Other one" setting up for auditions in April.- Cancelled
- Peter Hogan organized the " Bush Fire Music Night in the Arts Centre". It was a fantastic evening full of wonderful music by local artists. This group have indicated they would like to continue these Cabaret evenings.
- The Tin Shed Theatre is closed down for Covid 19 restriction compliance. Now in July we can reopen but financially this is not possible as an audience can only be 25% of seating capacity rendering any movie or play budget to "tatters". Watch this space for notifications of events when viable.

- Rehearsals Of the play Pull the Other One can begin with a led in of 8 weeks to performance. The play is almost cast but the unsure nature of the spread of the virus makes this difficult to program. The Director will attempt to start up again in August for a production late October 2020.
- The Tin Shed Drama Group hope to gather again within the next month for impromptu workshops and performances to be led by Eric Steinke.
- The High School HSC Music Students performed their exams in the Theatre in October 2019.

Lighting Grid:

TACC been attempting to reconfigure the lighting grid to make it user friendly for local groups without expert Lighting technicians on site. This work will hopefully be carried out before Concert season. Work on the Power Room which has compliance issues and which includes moving the Main Switch Board to an outside site must take place before this can be finalized.

It is also envisaged theatre lights will be assessed and sorted selling off what we do not require. This has been in the pipeline for 6 months but as yet not carried through due to Covid 19.

Costume Storage:

All costume has been moved to the small room in the Rehearsal space waiting for the Me's Shed to relocate solving some of our set and Centre equipment storage problems.

New Bookings for 20/21

There have been several enquiries for venue performance for 2021 along with the re scheduling of some Performances that were booked and had to be either cancelled or rescheduled.

- "What's New Pussycat" - Winding Road Production.
- The Brewers Tale - Peter Cox
- Jan Preston - Piano Queen

Thank you

Regards

Isabel Scott - OAM

Performing Arts Co-ordinator



PROJECT MANAGERS REPORT

Firstly the fantastic

The DCI MOVIE SCREENING SYSTEM. for new release film. The dream is now real.

The installation was Project Managed on the behalf of The Arts Centre by myself working with Maxine Imrie from Council. I thank Maxine for her co-operative and quick response to all my concerns - the result was the project ran smoothly, without problems and to budget. I thank all who attended the projectionist workshops and now for their continued attention to duty as protectionists. Michael Hoff thank you for your very up-to-date and concise projectionist instruction manual.

On the Infrastructure front little has been done except recommendation that our secured Stronger Communities Funding be redirected into fixing compliance issues for infrastructure upgrades.

Areas of concern so far identified are:

- access to and from the Centre at all exits including the Theatre emergency exit into the laneway.
- the power utility room - an area TACC Works Manager's attention had not been notified on during 17 yrs of operation. All works in that area had been carried out by qualified electricians and passed by past Council Infrastructure managers. If possible we would like this upgrade work to be carried out immediately.
- Working with CGRC Infrastructure Manager I have requested all Theatre lights undergo maintenance and retagging. I have also

requested a resetting of the lighting grid take place to facilitate a user friendly grid. Excess lights to be assessed and any not required sold off.

- The Project and Works Manager both have requested upgrades to the foundations. Outside brickwork that requires reappointment underpinning the Carriageway facades and surrounding pathways have on several occasions been recognized for the OH&S issues that prevail around the facility itself. The request for this work, repainting and landscaping around the complex was put forward to CGRC Council, as a Council Owned facility, for a Regional Arts Infrastructure Grant submission in 2018. This application was extended and a consultant employed by CGRC to design a complete overhaul of the Centre configuration and the development of a Strategy for an Arts Precinct to be produced. That Fit for the Future Strategy did not address the above issues so remain a major compliance problem.
- Currently CCACC is waiting for a full list of compliance issues.
- The Rehearsal Space and On-line learning Centre Funding has been put on hold for another grant application to be submitted to develop these spaces.
- Council replaced the old air-conditioned servicing the old office block studios 1 & 2 with separate reverse cycle units. These two studios are used by 2 long term hirers.

I thank Council for their quick response to this during a period of an extreme heatwave.

Thank You

Isabel Scott OAM - Project Manager

VA Report AGM July 2020 Annabel Marley VA Coordinator

The best laid plans of mice and men...everything came to a sudden stop in March and all the anticipated activities were put on hold.

Our **Friendship days** have started up again with a couple of new additions:

The **Unfinished Object Day** (UFO) on Tuesdays is a pleasant get together of several retirees knitting, crocheting and patchworking although any form of art or craft work can happen.

Cardmaking once a month, with Jenny Neale has a loyal following.

Mudlarks with Lyn Cameron is back in force on Thursday, thank you Lyn.

Spinlarks meet on Wednesday night, with Kim Medcalf. Thank you, Kim.

Our **children's holiday program** has not resumed, but will in time. Two very successful sessions were held in January with **Paper Craft** and **Fabric Craft**. We had to run extra sessions for primary aged students, all of them filled to the max. ~~The high school student sessions were not so well~~ attended so Lucy and I have some new ideas to attract this age group.

During the September holiday, in conjunction with the Harden Kite Festival we held a lively **Kite workshop** making bumblebee kites. Parents and carers assisted as some of the children were very young. This format of carers staying with the children allows us to attempt more ambitious crafts. There are plenty of unadorned kites for us to run another workshop when normality returns.

An exciting partnership is in abeyance but will forge ahead in time. A grant has been awarded to Tumut Arts Society, Temora Art Society and TACC to run workshops with visiting artists. Tumut kicked off with Acrylic painting and three TACC participants attended. The TACC and Temora workshops are ahead of us. This grant reduces significantly the cost to participants.

Dabble Days have not yet resumed but several successful sessions were held last year: Tessellations by Annabel and Prick and Stitch with Jenny Neale.

The Exhibition **Galvanise: Fibre, Steel and Stone** in August was quite low key and although widely promoted did not draw the usual number of visitors. The artworks were varied and plentiful from regular exhibitors and novices, the space looked great. A sincere thankyou to all the hardworking volunteers who made it happen. Nevertheless, the throngs did not eventuate. A lot of meetings and soulsearching resulted in the decision to have a biennial exhibition. So 2021 should be the next one. The most discussed aspect was who would run it. We need an energetic, enthusiastic individual or group with vision and skills. The wonderful team involved over the years has had very few newcomers and is tiring. The fact is most of us are getting old and managing all the technology and organisational details doesn't interest us or is beyond our skills. So the question posed is how or if the exhibition continues.

Regarding workshops and use of our wonderful resources nothing concrete can be planned. Once we feel confident that all is well again I will focus on attracting tutors and offer a range of workshops to cater for our small but loyal group of artists.

I think we are all keen to return to normal but we must be patient.

Thank you

Annabel Marley



Minutes

**THE ARTS CENTRE COOTAMUNDRA
SECTION 355 COMMITTEE**

ANNUAL GENERAL MEETING

**THE ARTS CENTRE COOTAMUNDRA,
18 WALLEDOON STREET, COOTAMUNDRA**

6PM, THURSDAY 16 JULY 2020



Minutes

1 MINUTES	2
1.1 Attendance	2
1.2 Apologies.....	2
1.3 Confirmation of previous AGM meeting Minutes	2
1.4 Presentation of Annual Reports.....	2-3
1.5 Acceptance of nominations:	4
1.6 Date and Time of next meeting (if known).....	4
1.7 Time Meeting Closed	4
1.8 Annex 1-6 Annual Reports:	4

1 MINUTES

1.1 Attendance and Confirmation of Quorum

Present: President/Chairperson: Isabel Scott
Secretary: Rosemary Fowler-Sullivan
Treasurer: Maree Twomey -
Council Representative: Leigh Bowden
Committee Members: Leigh Scott, Annabel Marley,
Other Attendees: Andrew Brock, Gwen Norman, Richard White, Julie Cowell, Ossie Campbell, Diana Campbell, Eric Steinke, Lucy Main

1.2 Apologies

Committee Members that were unable to attend:

Lindsey Baber

Other apologies: Judy Emery, Penny Nicholson, Sarah Last, Fiona Braybrooks

*We acknowledge the Traditional Custodians of the Land on which we live, work, and create.
We pay respects to Elders past, present and emerging.*

1.3 Confirmation of previous Annual General Meeting Minutes

The minutes of the last AGM of Cootamundra Arts Centre Section 355 Committee meeting dated 18 July 2019 are confirmed as true and correct.

(Moved: Maree Twomey, Seconded: Isabel Scott)

1.4 Reading of Annual Reports:

1.4.1 Chairperson

Isabel reported that activities of TACC were reassessed with the formation of CCA Inc board recommended in David Sharpe's Strategy Plan. Governance and compliance problems had to be addressed for events in the ensuing months for volunteers to maintain bookings. From July-December TACC volunteers held financially successful events such as The Show Gig where Gourmet Burgers & drinks were served exhibiting Local Unlimited produce, Vis Arts Florabunda Exhibition, Alison Patterson's Musical Dinner a tribute to two of her students also supporting youth training in hospitality; a huge thank you to Ossie & Diana Campbell, Jessica Grace Exhibition, Kapooka Band Recital, Grandparents Morning Tea, 2590 Dance Concert, Chris Edwards School of Dance Concert, Miss Em's Concert, High School Music students exams. Movies were shown using the new DCI technology thank you to Julie Cowell, Michael Hoffman & team. Isabel thanked committee members, staff and volunteers - Maree Twomey (17 years as treasurer), Lindsey & Andy Baber, Rosemary Fowler-Sullivan, Lucy Main, Michael Van Baast, Gwen Norman, Eric Steinke, Twomey's for accountancy support, Susan Ghellar, Elise Magrath & husband Michael for her amazing skills as Cultural Development Officer also husband Leigh who has supported ideas and assisted with support in all stages of the growth of the centre, support from CGRC's Andrew Brock, and other Council employees. Special mention of the late Bob Guy who had been an active volunteer in the early days of building the centre as well as his contribution and passion for music, acting, producing & directing. Along with Gwen & Lucy we have been developing the activity concept of Social 'Dis-dance-sing' which will be exhibited when normality returns. So far in 2020 the Sheep Matters Conference was held, Peter Hogan's Bush Fire Fundraiser Concert, movies prior to lockdown. The facility is unique in country NSW and now CCA Inc has been disbanded, s355 will move forward in partnership with CGRC to expand TACC as a community venue with enormous possibilities for social and economic growth.

(Isabel's full report is attached. Moved Isabel Scott, Seconded Leigh Scott)

1.4.2 Treasurer

Maree presented the Profit and Loss and Balance Sheet for s355 Committee of The Arts Centre for the financial year ending June 2020, showing a profit which has obviously been impacted by COVID-19.

(Maree's full report is attached. Moved Maree Twomey, Seconded Julie Cowell)

1.4.3 Performing Arts

Performance and productions have been affected heavily with COVID 19 restrictions. In 2019 performances were held: Cheek to Cheek, Kapooka Jazz Band, Dance 2590 Concert, Miss Em's Student Production, Chris Edwards School of Dance Concert. TST Drama Group Workshops had to be cancelled due to lockdown. Play reading of 'Pull the Other One' also had to be cancelled. MADD sponsored Jan Preston had to be cancelled and will be rescheduled. Thank you to Lindsey and Andy for the crowd funding format of MADD. Peter Hogan's 'Bush Fire Music Night in the Arts Centre' was well received and he would like to continue cabaret style evenings. TST has been closed and will not reopen until financially viable. TST groups hope to gather again soon for impromptu workshops and performances with Eric Steinke. High School Music students preformed their exams in the theatre in October 2019.

has hosted several musicians – thank you to Lindsey and Andy Baber for their crowd funding to support these events.

Miss Em's group performed a major production with huge success.

Miss Chris's Ballet Concerts continue to be wonderful performances.

Movies have moved one step forward with the installation of DCI projection system to allow first release movies to be screened.

(Moved Isabel's full report is attached. Moved Isabel Scott, Seconded by Gwen Norman.)

1.4.4 Project Manager's Report

The DCI movie screening system managed by Isabel working with Maxine Imrie from CGRC. Projectionist workshops were held for projectionists in TST. Thank you to Michael Hoffman who drew up an up-to-date concise Projectionist Instruction Manual.

Stronger Communities Funding has been redirected into fixing compliance issues for infrastructure upgrades such as access to and from TACC to all exits including theatre emergency exit to laneway, power utility room to be upgraded to regulations required, all theatre lights require maintenance and retagging and resetting of the lighting grid.

Upgrades to reappointment and underpinning of Carriageway facades and surrounding pathways are a compliance issue. A full list of compliance issues has not been supplied to TACC. Rehearsal Space and On-line Learning Centre funding has been put on hold for another grant application to be submitted. Thank you to Council for replacing old air-conditioners in Studios 1 & 2.

(Isabel's report is attached. Moved Isabel Scott, Seconded by Annabel Marley.)

1.4.5 Visual Arts Report

In her report Annabel reported that after the sudden stop in March and since COVID restrictions have been lifted, activities in the VA area have resumed; Friendship Days, Unfinished Objects (UFO), Cardmaking, Mudlarks & Spinlarks. Future children's holiday program will resume in time. In September, a kite workshop was held to coincide with Harden Kite Festival. A grant has been awarded in conjunction with Tumut Arts Society, Temora Art Society and TACC to run workshops with visiting artists. Tumut has been held with Temora and TACC to continue when restrictions allow. Dabble Days will resume in the future. The Exhibition 'Galvanise: Fibre, Steel and Stone' was low key but artworks exhibited were varied and plentiful.

(Annabel's full report attached. Moved Annabel Marley, Seconded Gwen Norman.)

Prior to the election, Andrew Brock addressed the meeting to reassure those present that it was desirable for CGRC and TACC to work together and move forward. He thanked the committee and volunteers. Council will not contribute any funds into the future and with a fresh set of eyes he can picture what the negativity and issues TACC has had keeping the arts alive in the community. Planners and engineers will address non-compliance issues with the building for public safety, using the funds set aside. Research can then be made to apply for further grants for future works. As part of the new partnership, CGRC would be able to assess and manage the risks associated with the site, enter into agreements to manage current staffing arrangements, and help promote the use of the centre. CGRC will also manage funds in trust for the TACC which would include but not limited to, day to day accounting, financial reports and looking after contracts for movies and leases. This way, a happy balance will be achieved between both parties, with the aim of a bright and vibrant future for the centre.

All positions became vacant and Andrew Brock proceeded with the election.

1.5 Acceptance of nominations from committee members for the position of:

- **Chairperson: Andrew Brock** nominated by Isabel Scott, seconded by Annabel Marley, elected unopposed.
- **Vice Chairperson: Leigh Scott** nominated by Andrew Brock, seconded by Isabel Scott, elected unopposed.
- **Treasurer:** TBA.
- **Secretary/Minutes Secretary: Rosemary Fowler-Sullivan** nominated by Maree Twomey, seconded by Isabel Scott, elected unopposed.
- **Performing Arts: Eric Steinke** nominated by Annabel Marley, seconded by Leigh Scott, elected unopposed.
- **Visual Arts: Annabel Marley** nominated by Rosemary Fowler-Sullivan, seconded by Isabel Scott, elected unopposed.
- **General committee:** Isabel Scott, Julie Cowell, Gwen Norman, Lucy Main
- **Council Representative:** Leigh Bowden

1.6 Date and Time of Next Meeting – TBA

1.7 Time Meeting Closed – 7.30 PM

1.8 Annex 1: Chairperson's Report

Annex 2: Treasurer's Report

Annex 3: Performing Arts Report

Annex 4: Project Manager's Report

Annex 5: Visual Arts Report

COOTAMUNDRA-GUNDAGAI REGIONAL COUNCIL



COOTAMUNDRA-GUNDAGAI REGIONAL COUNCIL

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8.1.7 UPDATED COUNCIL MEETING ACTION REPORT

DOCUMENT NUMBER	331237
REPORTING OFFICER	Marianne McInerney, Personal Assistant to the General Manager
AUTHORISING OFFICER	Phillip McMurray, General Manager
RELEVANCE TO COMMUNITY STRATEGIC PLAN	4. Good governance: an actively engaged community and strong leadership team 4.2 Active participation and engagement in local decision-making
FINANCIAL IMPLICATIONS	There are no Financial implications associated with this report.
LEGISLATIVE IMPLICATIONS	There are no Legislative implications associated with this report.
POLICY IMPLICATIONS	There are no Policy implications associated with this report.
ATTACHMENTS	1. Updated Council Meeting Action Report ↓

RECOMMENDATION

The Updated Council Meeting Action Report be noted.

COUNCIL MEETING ACTION REPORT

MEETING / ITEM	ACTION	OFFICER	STATUS
05.07.2017 18.06.2019 19.09.2019	Amend Gundagai LEP 2011 to correct mapping discrepancies	Manager Development, Building and Compliance	Ongoing. Amendment No 4 is currently being reviewed following feedback from the Department of Planning prior to a Gateway determination. Gateway determination issued, currently on exhibition for 28 days. To be reported back to October 2019 Council meeting. Partly complete – schedule 1 amendment gazette May 2020 update – negotiations underway with DPIE regarding progressing the remainder of this proposal. June 2020 – Council has been allocated new staff from DPIE, negotiations underway as to the most appropriate way to progress this matter.

Ordinary Meeting 30 October 2018			
ITEM	ACTION	STAFF	Status
<p>Council, with further consultation, consider the representations made by Mr Peter Beath on behalf of the members of the Cootamundra Aboriginal Working Party, in his letter dated 24 October 2018.</p> <p>8.1.4 Resolution 215/2018</p>	<p>"It is recommended the CGRC take a proactive approach engaging with the existing community groups and organisations to look at the formation of a formal Aboriginal Advisory/Consultative Committee under section 355 of the local Government Act 1993"</p>	<p>Manager Culture and Community</p>	<p>July 2020 MOU written</p>
<p>8.1.5 Resolution 216/2018</p>	<p>2. In time, and subject to available funding, CGRC, in conjunction with the local Aboriginal communities, the Brungle-Tumut LALC and the Young LALC, undertake the mapping of the sites of cultural significance to Aboriginal people in this LGA.</p> <p>3. CGRC, in consultation and negotiation with Aboriginal communities in the region, form an Aboriginal Advisory Committee to liaise with Council about matters of importance and concern to local Aboriginal people.</p> <p>4. The Consultative Committee consider the implementation of an Indigenous Employment Strategy</p>	<p>Manager Development</p> <p>Manager Culture and Community</p> <p>HR</p>	<p>May 2020 – seek funding opportunities to undertake the required studies as they arise.</p> <p>June 2020 – Funding opportunities from Heritage Office will allow this to occur. Grant applications will open in the latter part of the year. Council is on the mailing list to be notified when the grants open.</p>
	<p>CGRC put in place Cultural (Aboriginal) Competency/Cross Cultural training to Council Staff and Councillors.</p>	<p>Manager Culture and Community</p>	

28.11.2017 – 7.3.2.1	Waste Collection Services	Manager Waste, Parks and Recreation	<p>23/10/19 update - Draft financial plan delivered to council in September with the final plan scheduled to go to the November Council meeting.</p> <p><u>November 2019</u> - Report to November 2019 for Councils consideration</p> <p>February 2020 – report adopted in principal, report to Feb meeting seeking council approval to place the report out to the community for 3 months seeking comment.</p> <p>March 2020 – Reviewed report going to council this month.</p> <p>July 2020 – Council has taken over the operation of the Cootamundra Transfer Station (Pit) and will present a report on the weigh bridge activities every 3 months for the information of Council.</p>
31.01.2018 – 7.1.1.4	Prepare detailed design and cost estimates for Turners Lane industrial subdivision. Include budget allocation in 2018/2019 budget.	GM	<p>22/03/2018 To be outsourced. An amount of \$500K has been included in budget estimates.</p> <p>Proposals being sought. Awarded to MJM – Designs expected Dec 18.</p>
18.06.2019		Bill	<p>July 2019 update - Final civil design plans received. Awaiting final electrical design (anticipated mid-August). Awaiting result of funding application prior to commencement of construction.</p>

ITEM	ACTION	STAFF	Status
17.01.2019	Investigations to be undertaken to determine feasibility of providing a safe and accessible pedestrian pathway to link Cootamundra town centre and the cemetery on Yass Rd.	Manager Civil Works/ Road Safety Officer	Long term project. Include in new PAMP CYCLEWAYS Plan Safety audit of rail overpass completed.
31.07.18 – 9.2	<p>Council, in collaboration with the Muttama Creek Regeneration Group, investigate the feasibility of creating a walking track alongside sections of Muttama Creek.</p> <p><i>Council, in collaboration with the Muttama Creek Regeneration Group, investigate the feasibility of creating a walking track alongside sections of Muttama Creek. continued</i></p>	Manager Waste, Parks and Recreation	<p>November 2019 - This is still yet to happen with the current work load and this rated as a low priority action will be implemented ASAP.</p> <p>In the meantime Council is working with the Group with the existing works as and when required no change to date.</p> <p>March – no change</p> <p>June 2020 – Council staff have been working with the Muttama Group b delivering mulch and undertaking some clearing works. There is no funding for any works associated with the Muttama Group.</p> <p>July 2020 – no change</p>
Ordinary Meeting - 26 March 2019			
ITEM	ACTION	STAFF	Status
Item 8.4.1	NSW Public Works Advisory be invited to prepare a proposal for a concept design incorporating an optional PV arrangement to offset power costs and with the provision for future chlorine treatment should Council wish to supply treated effluent for irrigation purposes within the village.	GM/ Manager Assets	23/05/2019 update - Discussions with Public Works are continuing.

ORDINARY MEETING - 28 MAY, 2019			
ITEM	ACTION	STAFF	Status
Question 8.1.10 Council Meeting Action Report		GM	<p>Prepare report for June/July business paper.</p> <p>Ongoing. Seeking funding opportunities for bridge assessment.</p>
<p>9.1 Notice of Motion (172/2019)</p> <p>07.2019</p> <p>9.1 Notice of Motion (172/2019) continued</p>	<p>Council investigate the feasibility of extending the Cootamundra indoor pool weekend operating hours. Further, Council undertake a review of the facility's processes and expenditure and incorporate options regarding the use of staff or contractors in the management of both the pool and stadium facilities.</p>	<p>Manager Waste, Parks And Recreation</p>	<p>No time frame was provided for a report to be submitted to Council.</p> <p>An independent report to be prepared at the conclusion of the trial period and with a report to be submitted for the Council consideration. The extended winter season operating hours have been implemented as per Council resolution, with the outcomes to be reported back to Council at the end of the winter pool season. A report to Council will be presented in August, 2019 indicating the cost associated with the undertaking of an independent review of the aquatic centre and stadium operations.</p> <p>23/10/19 update - Associated reports will be submitted to council regarding both the trail extended hours and aquatic centre feasibility study.</p> <p><u>November 2019</u> – Report to the November council meeting.</p> <p>March 2020– Pool and Sports Stadium now closed.</p> <p>July – independent review completed and EOI currently being managed. Report to go to Sept Council meeting. There has been strong interest from well qualified companies interested with 4 site visits to the pool and stadium at this stage.</p>

ORDINARY MEETING - 25 June, 2019			
ITEM	ACTION	GM	Status
Aside request from Cr Sheahan	Disability access audit of business' with awareness programme delivered by Council staff to business owners/managers Starting with Council premises first.	Manager Development, Building and Compliance	May 2020 Update – committee agreed to access the professional services on offer to commence this process. Due to the COVID 19 situation this has not been possible. June 2020 – still on hold due to COVID 19 July 2020 – still on hold due to COVID 19
ORDINARY MEETING - 27 AUGUST, 2019			
ITEM	ACTION	STAFF	Status
Item 8.1.9 Gundagai TAC Minute Recommendations	Council seeks funding for a Tuckerbox plinth for tourists to pose their dogs on for a photo as a permanent fixture at the Dog on the Tuckerbox Site.	Manager Community & Culture	Seeking funding opportunities. Update to be provided at a later date. November 2019 – It is intended to use the proceeds of the donations received. Still awaiting quotation to be able to apply for funding 11.02.2020 July 2020 – Purchase Order raised for stone plinth through KD Stoneworks. Council staff to fabricate steel box. Project to be funded by donations received.
8.5.1 Pigeon Strategy Report	Council prepare a fact sheet to distribute to residents and local businesses providing information on pigeon control. Council undertake pigeon proofing on Council assets where roosting pigeons congregate. Council liaise with business owners to facilitate efforts to eradicate pigeons from the CBD area and seek Expressions of Interest from pest exterminators with the intention of	Manager Regulatory Services	12.02.2020 Manager Regulatory Services has written to the Cootamundra Development Corporation and, in turn, they have written to the local businesses regarding contributing towards a pigeon control program. A meeting to be held with interested local businesses will be arranged at the end of February.

	providing a report to Council once the information has been collated. The report and resolution be distributed to CBD businesses.		
8.10.1 Cootamundra Aquatic Centre Access	3. The cost for the installation of permanent barricades be investigated with the consideration to disabled access.	Manager Waste, Parks and Recreation	This has been completed on a temporary trial basis. <u>November 2019</u> – no change. March – Pool now closed no further action at this stage. June 2020 – No Further action to date July 2020 – On hold pending the outcome of the EOI
ORDINARY MEETING - 24 September, 2019			
ITEM	ACTION	STAFF	Status
9.2 Notice of Motion - Cootamundra-Gundagai Local Area Traffic Committee Develop Draft Guidelines for Roadside Trailer Advertising	Council request Cootamundra-Gundagai Regional Council Local Traffic Committee develop a draft policy guidelines paper to regulate the use of advertising trailers across the local government area. Once the draft policy guidelines to regulate the use of advertising trailers has been completed a report will be prepared and submitted for the consideration of Council. The policy guidelines should commit to: a) Present a degree of fairness, reflecting Council's ongoing support for the promotion of local businesses, b) Regulate appropriate sites to protect public access and safety, c) The proposal of a fee to cover the cost of administration of the regulation of the policy guidelines, and d) Ensure the proposed fee reflect fair commercial advertising costs.	Manager Civil Works	Initial report went to November, 2019 Traffic committee to consider suitable sites

ORDINARY MEETING - 29 th October, 2019			
ITEM	ACTION	STAFF	Status
8.1.1 Local Government Elections 2020	Council invite a representative from the Australian Electoral Commission to address Council and explain the costs included in the quote received for the local Government elections 2020.	GM/EA to GM & Mayor	Waiting on response from AEC to indicate their availability to attend a Councillor Workshop Elections deferred due to COVID-19
8.1.8 Gundagai Tourism Action s.355 Committee Meeting Minutes	From Minutes – council wait for outcome of SCCF 3 funding before spending \$300K	Manager Community & Culture	Funding successful for new visitor toilets and accessibility upgrades.
8.3.1 Friends of Old Gundagai Gaol Committee Meeting AGM Minutes	Restricted funds audit report to Council	Manager Community & Culture	Manager Community & Culture and Manager Finance to discuss to determine what is required. July, 2020 - Complete. Incorporated group has ceased and funds are held in trust for use for promotion and structural repairs at Gaol.
9.4 Council develop a local services preference policy detailing that, where opportunity exists, service providers, based within town boundaries are given preference should they be available, they are able to meet essential criteria and specifications and their quote or tender amount is comparative with other submissions received by Council.	Council develop a Local Services Preference Policy detailing that, where opportunity exists, service providers, based within town boundaries are given preference should they be available, they are able to meet essential criteria and specifications and their quote or tender amount is comparative with other submissions received by Council.	Procurement Officer	March The Procurement Policy has been updated with reference to buying local and further information will be contained in the Procurement Procedure document to go to the April Council Meeting. May, 2020 update - Report to be prepared and submitted to the June, 2020 ordinary meeting for the consideration of Council

ORDINARY MEETING 26TH NOVEMBER, 2019			
ITEM	ACTION	STAFF	STATUS
8.3.4 EVERYONE CAN PLAY APPLICATION - LINDLEY PARK SOUTH GUNDAGAI RESOLUTION 429/2019 Moved: Cr David Graham Seconded: Cr Charlie Sheahan	Council endorse a matched application for funding for Lindley Park South Gundagai to the Everyone Can Play Grants.	Manager Finance/ Manager Community & Culture	If grant application successful set aside funding in budget. Determine how to fund. Works in kind from what department. Discuss with relevant Managers. July, 2020 - Complete. Funding application unsuccessful.
8.7.2 COUNCIL MINI HIACE BUS COMMUNITY USAGE REVIEW RESOLUTION 437/2019 Moved: Cr Penny Nicholson Seconded: Cr Leigh Bowden	2. Council undertake consultation with representatives of Mirabooka to develop a fee proposal, to be included in the report, to be prepared and submitted to the Ordinary Meeting to be held Tuesday, 26th May, 2020 for the consideration of Council for inclusion in the 20/21 Fees and Charges. 3. A further report with more accurate hire details be prepared and submitted to the Ordinary Meeting to be held Tuesday, 26th May, 2020 for the consideration of Council.	Manager Civil Works/ GM	12.02.2020 Trial continuing. Report to be prepared for the consideration of Council at the Ordinary Meeting to be held 26 th May 2020 June 2020- Report to be prepared for the consideration of Council at the Ordinary Meeting to be held 30 th November, 2020

ORDINARY MEETING 10 TH DECEMBER, 2019			
ITEM	ACTION	STAFF	STATUS
9.4 Notice of Motion - The Cost of an Irrigation System for the Off Leash Dog Park in Hurley Street be Included in the 2020/21 Budget. RES 482/2019	That an amount of up to \$30,000 be considered within the 2020/21 Budget for an irrigation system to be installed at the Off Leash Dog Park in Hurley Street, Cootamundra.	Manager Regulatory Services	Update required March, 2020 To be completed by Regulatory Services May, 2020 to be included in budget.
11.2 Proposed Compulsory Acquisition Land Affecting Lots 35,	1. Council make application to acquire land affecting lots 35, 71 & 88 DP 751451 and lot 2 DP1100263 under the Land Acquisition (Just Terms Compensation) Act, 1991.	GM	Confidential Report. Confidential update required.

71 and 88 DP751415 and Lot 2 DP1100263 Reno Road, Gundagai RES 485/2019	2. The General Manager be authorised to sign any relevant documentation in relation to the proposed acquisition referred to in 1 above. 3. Authority be granted to affix the common seal of Council to the necessary documents.		
11.4 Proposed Acquisition by Cootamundra-Gundagai Regional Council for Bangus Quarry Remediation Project - Late Report RES 487/2019	1. Council approve the acquisition of Crown land Lot 7300 DP1149008 and Lot 7004 DP1028797 for the Bangus Quarry Remediation Project. 2. The General Manager be authorised to sign any relevant documentation in relation to the proposed acquisition referred to in 1 above. 3. Authority be granted to affix the common seal of Council to the necessary documents. 4. Upon acquisition by Council the land be classified as operational.	GM	Confidential Report. Confidential update required.

ORDINARY MEETING 28 TH JANUARY, 2020			
ITEM	ACTION	STAFF	STATUS
8.1.15 Cootamundra Tourism Action Group Section 355 Committee Minutes of meeting held 15 January 2020 RES 020/2020	1. That appropriate grant funding be acquired to develop a specific agri-tourism and regional tourism tours strategy for the Gundagai and Cootamundra region which develops rural, agriculture, food tourism and experiential tourism opportunities through the collaboration between Council, Local businesses and producers. 2. That Council seek an appropriate funding arrangement to ensure the position of Economic Development and Tourism Officer in Cootamundra, continues beyond	Manager Culture and Community	No update available to date July, 2020 – 1. Complete. 2. Memo drafted to GM proposing solution for funding role to June 2021.

	the current one year term which ends in November, 2020.		
8.1.16 Gundagai Tourism Action Section 355 Committee RES 021/2020	Council seek permission from Transport for New South Wales to locate a variable message sign on the northern side of Gundagai, with the intention of encouraging south bound motorists to Stop, Revive, Survive in Gundagai.	Manager Culture and Community	Anthony Carroll taking to February, 2020 traffic committee June 2020- still seeking advice from TfNSW on location of the variable message sign
Ordinary Meeting February, 2020			
ITEM	ACTION	STAFF	STATUS
8.3.1 Recreational Needs study public consultation (066/2020)	<ol style="list-style-type: none"> 1. The Draft Cootamundra-Gundagai Recreational Needs Study (attached under separate cover) be placed on public exhibition for a period of twenty eight days inviting submissions from the community. 2. A further report on the Cootamundra-Gundagai Recreational Needs Study including submissions, if any, be prepared and submitted for the consideration of Council. 	Manager Culture and Community	
8.3.2 Drought communities program (067/2020)	Applications be prepared and submitted through the Drought Communities Program for the Gundagai Main Street Development Stage Two (2) and Parker Street Cootamundra Upgrade.	Manager Culture and Community	

Ordinary Meeting March, 2020			
ITEM	ACTION	STAFF	STATUS
8.1.4 Cootamundra Showground Users Group s355 Committee Minutes 18 th march, 2020	Tree dropping limbs on to private property bordering the ground be removed.	Manager Facilities	Staff investigated and planning for removal with other work in area this month
8.1.6 Minutes of the Gundagai Tourism Action s355 Committee Meeting February 2020	Council look at options for funding a speaker system to be purchased and installed in Sheridan Street that has the capacity to play a local radio station and can be utilised for events	T and ED Officer	
8.6.2 Stockinbingal Sewerage Scheme	1. Engage Public Works to prepare business case 2. An application be made under the sage and secure water program for funding towards a detailed design.	B Moore	
Ordinary Meeting 28 th April, 2020			
ITEM	ACTION	STAFF	STATUS
9.1 NoM – That the Waste Strategy be adopted and made available for public review and comment	Undertake the usual advertising protocols	Manager Waste, Parks & Recreation	June 2020- have been on hold until such times as the MRF contract had been completed. The Strategy will now need to be adjusted prior to going out on public exhibition as to reflect the changes as a result of the MRF Contract. July 2020 – Report currently being reviewed prior to going onto public exhibition. There has been a delay due to the effort required it taking over the weighbridge operations.
9.2 That Council write to the Minister for Local Government, the Hon. Shelley Hancock, and Member for Cootamundra, Ms Steph Cooke, MP advising them that Cootamundra-Gundagai Regional Council has undertaken the Rate Harmonisation as legislated by the State Government, and that the letter include the table of rate changes, the formula applied to ascertain the harmonisation figures and a comment on the adverse impact that the rate increases are likely to have on many members of its community.		GM	Letters sent to both Ministers. Waiting on response from Office of Local Government

Ordinary Meeting 26 th May, 2020			
ITEM	ACTION	STAFF	STATUS
8.1.7 Cootamundra Rugby Club Clubhouse Project	A Memorandum of Understanding detailing the terms and conditions of the repayment of the subject loan be developed and submitted for the information of Council.	Manger Finance	
8.1.12 July, 2020 Cuppa for the Driver 2020 Campaign	The Road Safety Officer provide the information for The Free Cuppa for the Driver 2020 Campaign to be advertised through Council's usual media channels.	Media	
Ordinary Meeting 30 th June, 2020			
ITEM	ACTION	STAFF	STATUS
8.1.4 Federal Government Funding – Local Road and Community Infrastructure Programme	The Deputy Prime Minister be thanked for his efforts in securing this funding.	EA to GM	Complete
8.1.5 ALGWA Executive Meeting	<ol style="list-style-type: none"> 1. Cootamundra-Gundagai Regional Council write to the Minister for Local Government, Shelley Hancock, MP expressing strong opposition to the concept of universal postal voting for NSW Local Government elections to be held 4th September, 2020. 2. Cootamundra-Gundagai Regional Council join the Australian Local Government Women's Association New South Wales 	EA to GM	Complete
8.1.7 Applications for community Donations	<ol style="list-style-type: none"> 1. Letters be sent to applicants advising of outcome. 2. PO's be raised for payment 	EA to GM	Complete
8.1.8 Cootamundra Rugby Club Clubhouse Project	The additional funding be added to the existing loan.	Manager Finance	
8.1.11 s355 Committee Update	Cootamundra Concert Band be reinstated as a s355 committee of council	Business Coordinator	
8.1.11 s355 Committee Update	<p>Council meet with members of the Cootamundra Beach Volley Ball s355 committee to discuss:</p> <ol style="list-style-type: none"> i) if the existing s355 Committee remains the best means of governance for the future of the event and insurance coverage for volunteers involved in its delivery; 	Business Coordinator	

	<p>ii) if sponsorship, by way of the existing 'in-kind' support should continue or if a cost recovery model be adopted;</p> <p>iii) subsequent to the determinations of (i) and (ii), that part of the accumulated surplus raised by the Committee, and not required for undertaking future events, be used for a specific bequest, to the community, at the discretion of the Committee;</p>		
8.3.1 Tourism Branding and Marketing Strategy	Actions arising from the strategy be incorporated into the Operational Plan and be sent to Relief Governance officer	Manager Community and culture	
8.6.1 CGRC Plant and Fleet Replacement Programme	A ten year Strategic Plan detailing the projected balance of funds in the plant reserve, incorporating the Plant and Fleet Replacement Program, be developed as part of a report to be prepared and submitted for consideration at the Ordinary Meeting to be held Tuesday, 28 th July, 2020	Manager Assets	
8.7.1 Aerodrome Charges	<p>1. Council endorse a trial of the Avdata Airport Billing Service to ascertain the value of landing fees at the Cootamundra Aerodrome.</p> <p>2. A further report be prepared and submitted detailing the results of the Avdata Airport Billing Service at the end of the trial period for the consideration of Council.</p> <p>3. A consultation process on the development of annual fees for use of the aerodrome be undertaken with aerodrome users.</p>	Manager Civil Works	
9.2 NoM – Identification of Local Arts and Cultural Groups in the LGA	That Council undertake research to identify the arts and cultural groups which exist in our LGA with a view to building and sustaining partnerships with them, supporting their activities and helping them to secure funding for cultural and arts development in the local government area.	Manager Community and culture	

8.1.8 OPEN FORUM SUBMISSIONS

DOCUMENT NUMBER	331273
REPORTING OFFICER	Marianne McInerney, Personal Assistant to the General Manager
AUTHORISING OFFICER	Phillip McMurray, General Manager
RELEVANCE TO COMMUNITY STRATEGIC PLAN	1. A vibrant and supportive community: all members of our community are valued 1.1 Our Community is inclusive and connected
FINANCIAL IMPLICATIONS	There are no Financial implications associated with this report.
LEGISLATIVE IMPLICATIONS	There are no Legislative implications associated with this report.
POLICY IMPLICATIONS	There are no Policy implications associated with this report.
ATTACHMENTS	Nil

RECOMMENDATION

Written submissions for the Open Forum received after the publishing of the July, 2020 Business Paper, if any, be received and read aloud.

Introduction

Due to Covid-19 amendments were made to the Local Government Act, 1993 in relation to the requirements for holding monthly Council meetings. To ensure compliance with the Public Health Order, public forums will only be held in a manner that is consistent with the Public Health Order and the Australian Health Protection Principal Committee's recommendations on indoor gatherings.

Discussion

At the time of publishing the Business Paper for the Ordinary Meeting to be held 28th July, 2020 no written submissions for the Open Forum had been received.

Written submissions by members of the community have been called for the Open Forum section of Council's Ordinary Meetings. Any written submissions received in time shall be read aloud at the meeting and any action arising from those submissions will be provided to the correspondent in writing by the appropriate Council Officer.

8.2 FINANCE

8.2.1 2020/21 RATES AND ANNUAL CHARGES

DOCUMENT NUMBER	330391
REPORTING OFFICER	Marianne McInerney, Personal Assistant to the General Manager
AUTHORISING OFFICER	Phillip McMurray, General Manager
RELEVANCE TO COMMUNITY STRATEGIC PLAN	4. Good governance: an actively engaged community and strong leadership team 4.2 Active participation and engagement in local decision-making
FINANCIAL IMPLICATIONS	There are no financial implications associated with this report.
LEGISLATIVE IMPLICATIONS	There are no legislative implications associated with this report.
POLICY IMPLICATIONS	There are no Policy implications associated with this report.
ATTACHMENTS	Nil

RECOMMENDATION

This report is submitted for the information of Council.

Introduction

At the Ordinary Meeting held 30th June, 2020 Council resolved (Min. no. 168/2020 item 8.2.1 2020/21 Rates and Annual Charges), to make representations to the Minister for Local Government, the Hon. Shelley Hancock, MP (the Minister) requesting Ministerial approval for Cootamundra-Gundagai Regional Council to implement an Ordinary Rate increase 'glide path' over three years so as to transition the rating increase and reduce the financial impact on the rate payers that were to receive significant increases to their land rates charges. This correspondence was emailed to the Minister's office on 7th July, 2020.

Correspondence was also sent to Member for Cootamundra, Steph Cooke, MP requesting that she make representations in support of the 'glide path' to the Minister, on Council's behalf. This correspondence was also sent on 7th July, 2020 and acknowledgement was received from Ms Cooke's office on 8th July, 2020 advising that representations had been made directly to the Minister, on Council's behalf, in support of the approval to implement the 'glide path'.

At the time of writing this report no response had been received from the Minister's office. It is anticipated that a response is imminent and should that correspondence be received prior to the Ordinary Meeting scheduled to be held on Tuesday, 28th July, 2020, a late report will be prepared and submitted for the consideration of Council with direct reference to the response from the Minister.

8.2.2 MONTHLY FINANCE REPORT FOR MAY 2020

DOCUMENT NUMBER	329752
REPORTING OFFICER	Tim Swan, Manager Finance and Customer Service
AUTHORISING OFFICER	Phillip McMurray, General Manager
RELEVANCE TO COMMUNITY STRATEGIC PLAN	4. Good governance: an actively engaged community and strong leadership team 4.1 Decision-making is based on collaborative, transparent and accountable leadership
FINANCIAL IMPLICATIONS	Regular monitoring of Council's finances will ensure that any issues are identified in a timely manner.
LEGISLATIVE IMPLICATIONS	There are no Legislative implications associated with this report.
POLICY IMPLICATIONS	There are no Policy implications associated with this report.
ATTACHMENTS	1. Finance Report May 2020 ↓

RECOMMENDATION

The Monthly Finance Report for May 2020 be received and noted.

Introduction

The Monthly Finance Report provides Councillors with an update on the current budget status.

Discussion

Overall expenditure remains on budget. Income is under budget, but invoices planned for June will ensure that the overall target is met.



COOTAMUNDRA-
GUNDAGAI REGIONAL
COUNCIL

May 2020

Financial reporting pack

Monthly operational analysis



Monthly budget variance report
Consolidated
Period ended 31 May



	Year to date actual				Consolidated total	Consolidated budget	Balance remaining	% of annual budget	Comments
	General	Waste	Water	Sewer					
Revenue									
Rates and annual charges	7,361,681	2,091,408	1,185,331	1,511,431	12,149,851	13,020,211	870,360	93.32%	
User charges and fees	4,384,196	243,179	2,044,875	437,395	7,109,645	8,957,685	1,848,040	79.37%	
Interest and investment revenues	318,186	7,436	25,053	10,793	361,468	497,517	136,049	72.65%	
Other revenues	562,178	-	5,289	-	567,466	519,740	47,726	109.18%	
Operating grants and contributions	8,972,493	69,406	53,677	51,539	9,147,115	8,186,506	960,609	111.73%	
Capital grants and contributions	623,683	-	-	-	623,683	6,077,229	5,453,546	10.26%	
Internal Plant hire	2,852,240	-	-	-	2,852,240	3,420,000	567,760	83.40%	
Internal Overheads	-	-	-	-	-	2,278,576	2,278,576	0.00%	
Internal Easements	-	-	-	-	-	1,464,950	1,464,950	0.00%	
Total revenue	25,074,657	2,411,430	3,314,225	2,011,157	32,811,468	44,422,414	11,610,946	73.86%	
Expenditure									
Employee costs	10,062,699	414,357	570,745	466,218	11,514,019	12,262,336	748,317	93.90%	
Borrowing costs	82,706	-	-	-	82,706	107,157	24,451	77.18%	
Materials and contracts	10,169,280	1,232,878	2,223,636	335,740	13,961,534	13,576,435	385,099	102.84%	
Plant hire	1,747,348	178,254	81,919	61,970	2,069,491	2,686,202	616,711	77.04%	
Other expenses	3,256,656	6,343	149,277	176,552	3,588,827	3,588,112	715	100.02%	
Internal Overheads	-	-	-	-	-	2,278,576	2,278,576	0.00%	
Internal Easements	-	-	-	-	-	1,464,950	1,464,950	0.00%	
Total expenses	25,318,689	1,831,832	3,025,577	1,040,480	31,216,577	35,963,768	4,747,191	86.80%	
Net result	(244,032)	579,598	288,648	970,677	1,594,891	8,458,646	6,863,755		

Business Unit Summary - Operating

Period ended 31 May



	Income				Expenditure				Comments
	Actual	Budget	Variance	%	Actual	Budget	Variance	%	
Development, Building and Compliance	302,898	384,120	81,222	78.86%	946,810	1,315,066	368,256	72.00%	OK
Regulatory Services	498,489	648,190	149,701	76.90%	966,239	1,103,122	136,883	87.59%	OK
Community and Culture	283,412	358,342	74,930	79.09%	1,404,948	1,501,362	96,414	93.58%	
Business Services	24,965	12,280	(12,685)	203.30%	1,990,800	2,125,847	135,047	93.65%	OK
Finance and Customer Services	13,007,441	16,556,739	3,549,298	78.56%	1,360,877	1,886,194	525,317	72.15%	
Executive Office	(5,758)	10,000	15,758	-57.58%	2,823,198	3,372,456	549,258	83.71%	Overlap between Operations Mgt, Works & Tech. Services. Fully separated for 2020/21.
Operations Management	2,422,780	6,245,262	3,822,482	38.79%	2,908,943	1,716,852	(1,192,091)	169.43%	See executive. Grants invoice being prepared.
Facilities	308,212	252,940	(55,272)	121.85%	1,129,265	1,345,971	216,706	83.90%	OK
Recreation	326,156	187,392	(138,764)	174.05%	1,903,988	1,893,267	(10,721)	100.57%	Expenditure being reviewed.
Technical Services	965,810	515,991	(449,819)	187.18%	1,650,642	2,079,033	428,391	79.39%	OK
Civil Works	3,459,617	3,366,180	(93,437)	102.78%	5,017,377	5,547,993	530,616	90.44%	
Asset Management	3,480,634	3,807,080	326,446	91.43%	3,215,602	3,315,691	100,089	96.98%	Expenditure includes termination payment that skews percentage. Plant income a concern.
Waste Services	2,411,430	2,458,338	46,908	98.09%	1,831,832	2,264,646	432,814	80.89%	OK
Water	3,314,225	4,224,467	910,242	78.45%	3,025,577	3,996,553	970,976	75.70%	OK
Sewer	2,011,157	5,395,093	3,383,936	37.28%	1,040,480	2,499,715	1,459,235	41.62%	
Total	32,811,468	44,422,414	11,610,946	73.86%	31,216,577	35,963,768	4,747,191	86.80%	

Capital expenditure



	YTD	Budget	Variance	%	Comments
Capital income					
Proceeds from sale of plant	565,860	696,500	(130,640)	81.24%	
Proceeds from sale of property	333,043	-	333,043	0.00%	
Sports facilities capital income			-	0.00%	
Stormwater capital income			-	0.00%	
Roads capital income			-	0.00%	
Water capital income			-	0.00%	
Sewer capital income			-	0.00%	
Waste capital income			-	0.00%	
Other capital income			-	0.00%	
Total Income	898,902	696,500	202,402	129.06%	
Capital expenditure					
Plant and equipment	2,112,960	2,484,000	(371,040)	85.06%	
Office equipment	33,393	40,000	(6,607)	83.48%	
Buildings	395,428	230,000	165,428	171.93%	
Land improvements	225,236	192,771	32,465	116.84%	
Major projects	5,572,863	5,920,226	(347,363)	94.13%	
Roads, bridges and footpaths	3,500,892	4,290,000	(789,108)	81.61%	
Stormwater drainage	634,447	-	634,447	0.00%	
Recreation assets	189,517	27,410	162,107	691.41%	
Parks and Gardens	102,477	102,479	(2)	100.00%	
Waste Services	25,527	-	25,527	0.00%	
Water supply network	4,162,446	4,100,000	62,446	101.52%	
Sewerage network	5,059,019	6,174,064	(1,115,045)	81.94%	
Other assets	-	-	-	0.00%	
Total Expenses	22,014,205	23,560,950	(1,546,745)	93.44%	
Net capital expenditure	21,115,302	22,864,450	(1,749,148)		

8.2.3 INVESTMENT REPORT - JUNE 2020

DOCUMENT NUMBER	331085
REPORTING OFFICER	Tim Swan, Manager Finance and Customer Service
AUTHORISING OFFICER	Phillip McMurray, General Manager
RELEVANCE TO COMMUNITY STRATEGIC PLAN	4. Good governance: an actively engaged community and strong leadership team 4.3 Cootamundra-Gundagai Regional Council is a premier local government Council
FINANCIAL IMPLICATIONS	Council's investment income for June 2020 was \$9,968.65, 59% under the budgeted figure of \$24,564.00.
LEGISLATIVE IMPLICATIONS	Council investments comply fully with Section 625 of the Local Government Act (NSW), 1993, Local Government (General) Regulation, 2005 paragraph 212 and Council's Investment Policy.
POLICY IMPLICATIONS	The Investment Policy was adopted on 31 st July 2018 and is due for review on 31 st July 2021.
ATTACHMENTS	1. June 2020 Investment Report ↓

RECOMMENDATION

That the Investment Report for June 2020 be received and noted.

Introduction

The monthly investment report provides an overview of Council's investments, and their performance for the month.

Discussion

Investments for June 2020 have produced interest of \$9,968.65, 59% below the adjusted budget. This reflects the state of interest rates, with the benchmark having fallen from 1.11% at the start of the financial year to its current level of 0.09%.

INVESTMENT REPORT

As at: 30-06-20



Date Invested	Interest Rate	Term Days	Investment Amount	Held With	Interest	Maturity Date
28 Apr 2020	1.26%	91	\$1,007,993.99	Rural Bank Ltd	\$ 1,043.90	28 Jul 2020
11 Feb 2020	1.80%	182	\$3,072,746.34	AMP	\$ 4,545.98	11 Aug 2020
19 Feb 2020	1.90%	181	\$1,000,000.00	AMP	\$ 1,561.64	18 Aug 2020
25 Jun 2020	0.85%	90	\$2,000,000.00	National Australia Bank	\$ 232.88	23 Sep 2020
25 Jun 2020	1.20%	124	\$1,000,000.00	AMP	\$ 164.38	27 Oct 2020
25 Jun 2020	0.90%	152	\$2,000,000.00	BOQ	\$ 246.58	24 Nov 2020
25 Jun 2020	0.85%	180	\$2,000,000.00	National Australia Bank	\$ 232.88	22 Dec 2020
		AC	\$2,643,793.46	Commonwealth Bank	\$ -	At Call
		BOS	\$2,757,499.32	Commonwealth Bank	\$ 1,833.73	At Call
		AC	\$29,368.32	National Australia Bank	\$ 106.69	At Call
Total			\$17,511,401.43			
Matured in Report Month						
Totals					\$ 9,968.65	

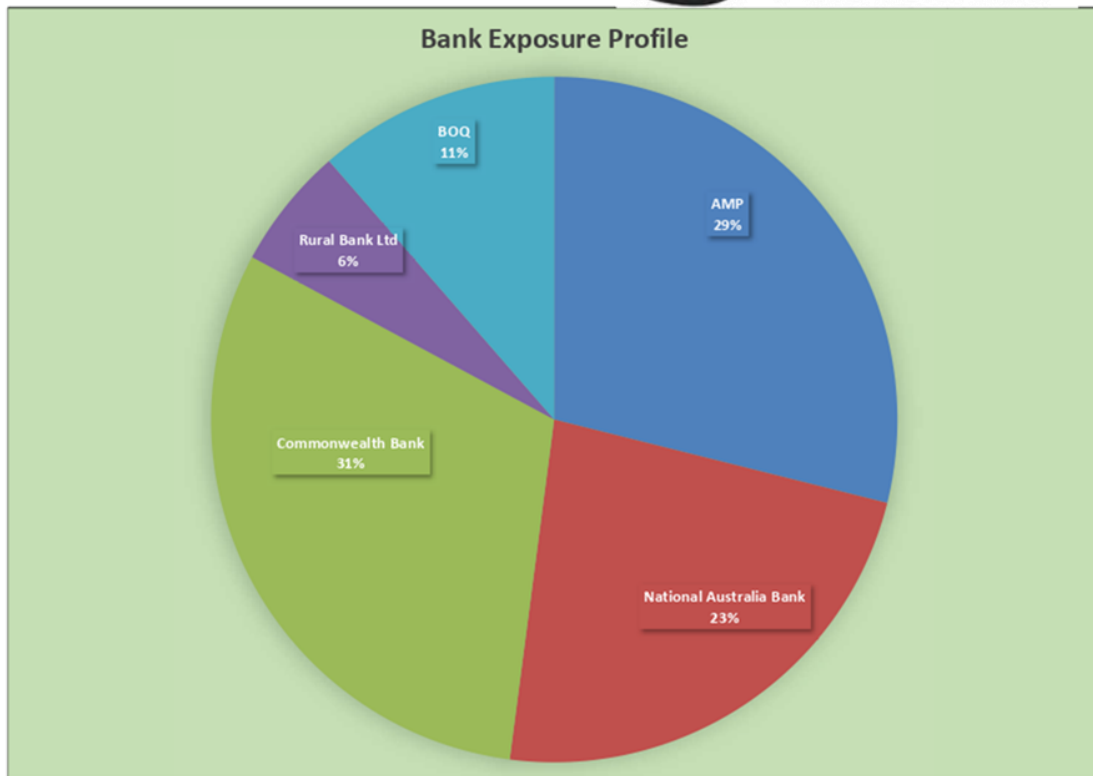
Budgeted Interest for Month	\$ 24,564.00
Combined Interest Rate	0.68%
BBSW Benchmark Rate	0.0958%

This report is produced in accordance with section 625 of the local Government Act 1993 and all investments have been made in accordance with the Act, the Regulations and council's investment policy.

Signed

Tim Swan
Responsible Accounting Officer

Investment Report
June 2020



8.2.4 UPDATED MONTHLY MAJOR PROJECTS PROGRAM AND PROJECTS SCHEDULE

DOCUMENT NUMBER	331026
REPORTING OFFICER	Paul Woods, Executive Director - PMO
AUTHORISING OFFICER	Phillip McMurray, General Manager
RELEVANCE TO COMMUNITY STRATEGIC PLAN	4. Good governance: an actively engaged community and strong leadership team 4.3 Cootamundra-Gundagai Regional Council is a premier local government Council
FINANCIAL IMPLICATIONS	There are no Financial implications associated with this report.
LEGISLATIVE IMPLICATIONS	There are no Legislative implications associated with this report.
POLICY IMPLICATIONS	There are no Policy implications associated with this report.
ATTACHMENTS	1. Updated Monthly Major Projects Schedule ↓

RECOMMENDATION

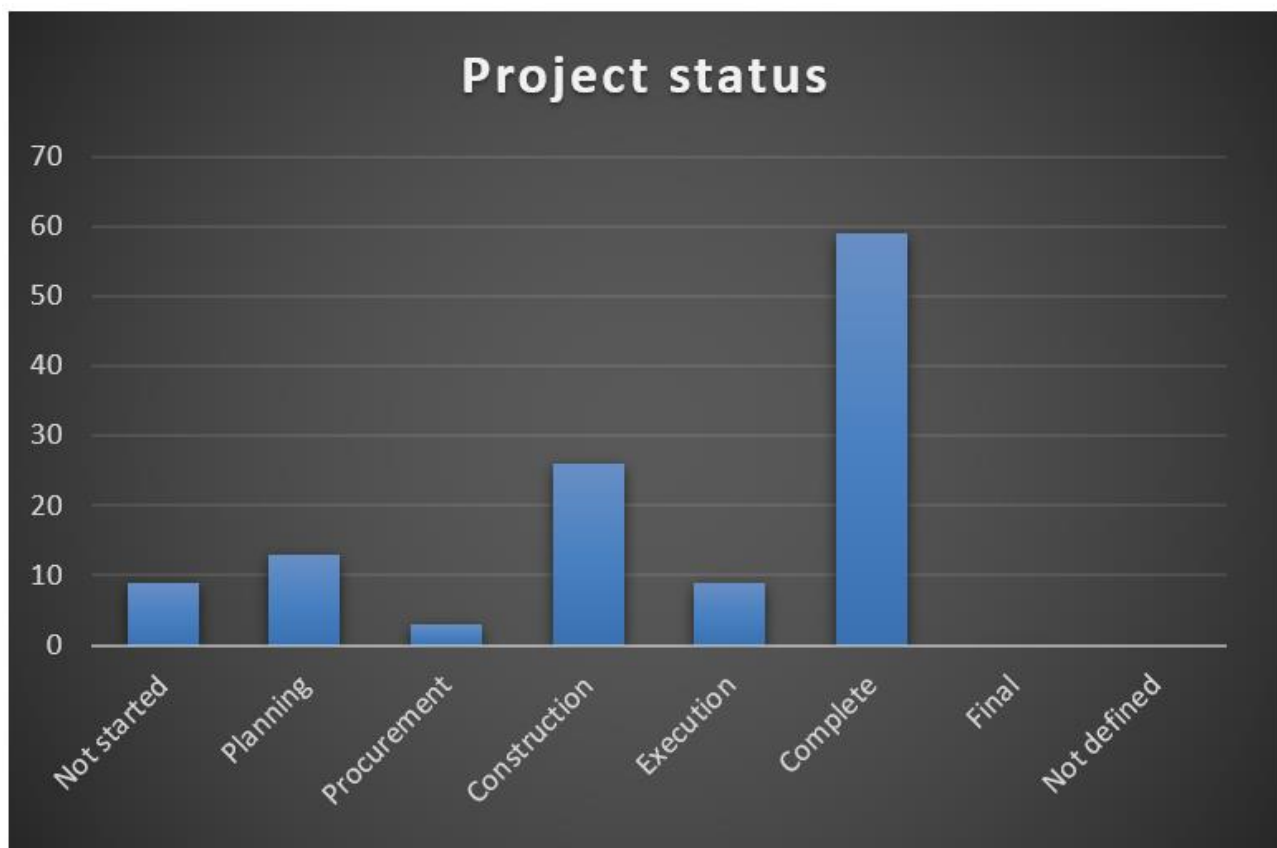
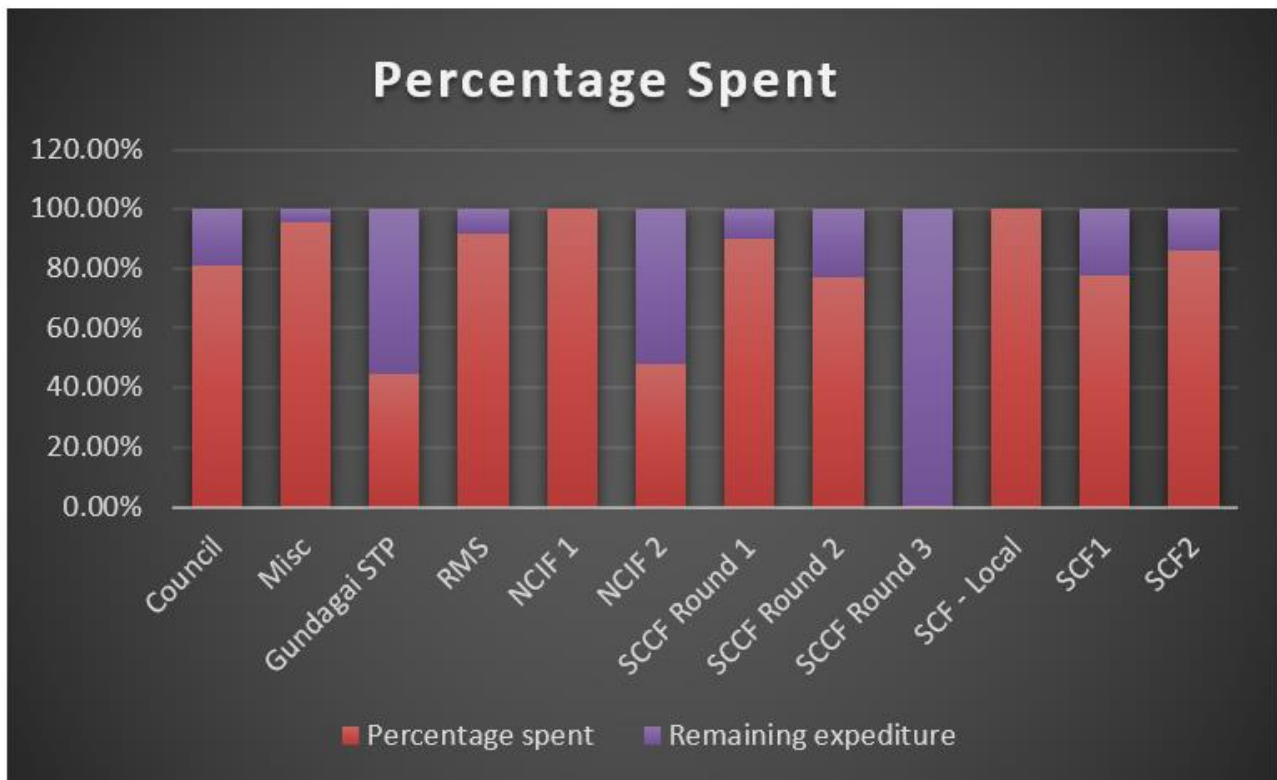
The Updated Monthly Major Projects Program Report, and Updated Monthly Major Projects Schedule attached to the report, be received and noted.

Introduction

Council is currently managing 110 projects worth \$53,030,487. This report provides a monthly update as at 30th June, 2020 to Councillors as to the progress of the projects. The attached schedule provides a brief update on the status of each of the projects.

Discussion**Project expenditure**

The figures used for total expenditure include both actual invoices paid and orders raised in the system but not yet paid (committed expenditure). In some instances there can be a lag in time between the goods being ordered and being physically delivered on site. From a budget point of view it is important to include both actual and committed expenditure to assist with management of budgets.





As at 30th June 2020

Project	Funding source	Status	Budget	Total committed expenditure	Percentage spent
Council funded projects					
Gundagai Library Extension	Council	Complete	195,000	190,168	97.52%
Mirrabooka Retaining Wall & Store Room	Council	Complete	-	-	0.00%
Cootamundra depot refurbishments	Council	Planning	900,000	27,424	3.05%
Turners Lane Industrial Land Development	Council	Planning	790,000	26,724	3.38%
Yass Road Service Centre - SW Fuels	Council	Complete	800,000	802,587	100.32%
Sheridan Street Gundagai Redevelopment - Main Street Upgrade	Council	Complete	5,430,490	5,450,774	100.37%
Sheridan and West Streets intersection treatments	Council	Complete	500,000	500,025	100.01%
Total			8,615,490	6,997,703	81.22%
Council Reserve funded projects					
Waste facility upgrades - Cootamundra - To be informed by waste strategy outcomes	Council Reserve	Planning	1,000,000	42,521	4.25%
Waste facility upgrade - Gundagai - To be informed by waste strategy outcomes	Council Reserve	Planning	400,000	-	0.00%
Total			1,400,000	42,521	3.04%
Misc grant funded projects					
Truckwash Upgrade - Cootamundra Saleyards	Country Truck Washes	Complete	362,935	371,171	102.27%
Morley's Creek Fishing Pier Replacement	Dept of Fisheries	Complete	61,600	61,600	100.00%
Wallendbeen Strategic Heritage Study & King Street Revitalisation	Heritage Near Me	Complete	95,000	48,050	50.58%
Stan Crowe Oval Gundagai canteen and changerooms construction (CAPREN)	NRL Grants	Complete	240,000	239,327	99.72%
Gundagai Sewerage Treatment Works Plant Replacement	NSW State Govt - Sewer	Construction	13,500,000	6,053,469	44.84%
Old Gaol - completion of repairs and maintenance activities and redesign of drainage (PRMF Grant)	Public Reserves Management Fund	Complete	15,000	15,637	104.25%
Old Primary School and Mens Shed - Renewal of fencing gutters, downpipes, facias and construction of retaining wall	Public Reserves Management Fund	Complete	171,760	160,361	93.36%
Coolac Recreation Reserve & Public Hall Trust - Solar Panels	SCF - Local	Complete	23,450	23,450	100.00%
Old Gaol masterplan, structural repairs, publicity and Captain Moonlight display (Heritage near me grant)	Heritage Near Me Heritage Activation Grant	Complete	87,605	92,362	105.43%
Total			14,557,350	7,065,427	48.54%
NCIF Round 1					



As at 30th June 2020

Project	Funding source	Status	Budget	Total committed expenditure	Percentage spent
NCIF Round 1	NCIF 1	Complete	5,000,000	5,000,000	100.00%
Total			5,000,000	5,000,000	100.00%
Total NCIF 2					
Gundagai Depot Training Room Construction	NCIF 2	Complete	300,000	270,136	90.05%
Gundagai Admin Refurbishment	NCIF 2	Procurement	100,000	4,472	4.47%
Branding and marketing plan	NCIF 2	Execution	100,000	45,861	45.86%
Better Community Strategy (ABCS)	NCIF 2	Execution	100,000	5,000	5.00%
Tourism and Economic development strategic plan	NCIF 2	Execution	150,000	102,586	68.39%
Recreational Needs Study	NCIF 2	Execution	100,000	65,245	65.24%
Consolidation and upgrade of Authority Corporate Software System	NCIF 2	Execution	414,282	315,223	76.09%
GIS Operational Review	NCIF 2	Planning	50,000	45,909	91.82%
Fees and charges review	NCIF 2	Execution	30,000	-	0.00%
Internal audit committee implementation	NCIF 2	Execution	20,000	-	0.00%
Business continuity and disaster recovery plans	NCIF 2	Planning	50,000	5,000	10.00%
Rates structure review	NCIF 2	Execution	50,000	5,000	10.00%
Signage updates	NCIF 2	Planning	250,000	26,731	10.69%
Local environmental plan development	NCIF 2	Planning	200,000	27,079	13.54%
Total			1,914,282	918,242	47.97%
SCCF Round 1 projects					
Cootamundra AFL - Demolition of old clubrooms & construction of new clubrooms	SCCF Round 1	Construction	372,800	122,188	32.78%
Gundagai Tigers - Construction of new shed & fitout of gymnasium	SCCF Round 1	Complete	100,000	99,123	99.12%
Cootamundra Racecourse - EXTERNAL repairs to flooring, repainting inside & out, refurbishment of function room, replacement of external cladding & replacement of seating of Grandstand building	SCCF Round 1	Complete	50,000	52,970	105.94%
Gundagai RSL - refurbishment of tennis clubrooms and squash courts - EXTERNAL	SCCF Round 1	Complete	150,000	150,772	100.51%
Coolac to Tumblong Rail Trail Development Plan	SCCF Round 1	Complete	54,600	54,600	100.00%
Nangus - Village Playground & Fitness Infrastructure (CAPREN)	SCCF Round 1	Complete	53,322	53,364	100.08%
Stockinbingal Playground and BMX track	SCCF Round 1	Complete	109,200	113,011	103.49%
Wallendbeen fitness infrastructure, playground and Rage Cage	SCCF Round 1	Complete	216,393	215,849	99.75%
Cootamundra Tennis - refurbishment of tennis court surfaces, new line marking including hot shot courts	SCCF Round 1	Complete	183,029	183,848	100.45%



As at 30th June 2020

Project	Funding source	Status	Budget	Total committed expenditure	Percentage spent
Gundagai Scouts - EXTERNAL Construction & Installion of Climbing Wall	SCCF Round 1	Complete	100,000	99,931	99.93%
Large Scale Teen Playground at Jubilee Park Cootamundra	SCCF Round 1	Complete	499,900	500,045	100.03%
Gundagai large scale adventure playground & fitness centre	SCCF Round 1	Complete	1,000,000	955,963	95.60%
Total			2,889,244	2,601,663	90.05%
SCCF Round 2 projects					
Cootamundra Showground Completion of Multipurpose Pavilion SCCF2	SCCF Round 2	Complete	53,290	36,655	68.78%
Anzac Park South Supporters Toilets - Gundagai	SCCF Round 2	Complete	86,061	88,151	102.43%
Mirraboopa Revivification (SCCF2)	SCCF Round 2	Complete	67,045	67,387	100.51%
Cootamundra Rifle Club Mower, top dressing, building maintenance, storage shed	SCCF Round 2	Construction	63,015	26,901	42.69%
Upgrades to Christ Church hall Cootamundra	SCCF Round 2	Complete	70,273	70,143	99.81%
Cootamundra Squash Court Renovation	SCCF Round 2	Planning	97,655	293	0.30%
Gundagai Pony Club Undercover Arena	SCCF Round 2	Complete	199,151	197,065	98.95%
Gundagai Racecourse and Showground Amenities Block	SCCF Round 2	Complete	215,000	214,893	99.95%
Cootamundra Event Promotion Banners	SCCF Round 2	Construction	53,841	67,496	125.36%
Gundagai Event Promotion Banners	SCCF Round 2	Construction	53,841	54,878	101.93%
Gundagai Friendship Park Playground	SCCF Round 2	Construction	60,000	48,435	80.73%
Muttama Hall Re-stumping	SCCF Round 2	Complete	140,707	131,055	93.14%
Gundagai Community Garden	SCCF Round 2	Construction	63,552	13,499	21.24%
Stockinbingal Tennis Court resurfacing - 3 courts	SCCF Round 2	Complete	118,093	118,836	100.63%
Community Safety & Beautification of King Street Wallendbeen	SCCF Round 2	Execution	55,964	73	0.13%
Barry Grace Oval Wallendbeen	SCCF Round 2	Construction	98,397	17,742	18.03%
O'Connor Park - Home of the Cootamundra Strikers Soccer Club - Lighting	SCCF Round 2	Construction	98,397	84,198	85.57%
Cootamundra Arts Centre Tin Shed Theatre Projection	SCCF Round 2	Complete	61,682	61,755	100.12%
Cootamundra Arts Centre Rehearsal Space	SCCF Round 2	Procurement	122,294	11,979	9.80%
Cootamundra Turf Club Irrigation system upgrade	SCCF Round 2	Construction	81,970	49,799	60.75%
Cootamundra Aerodrome Drag Pad and Taxiway for Water Refilling	SCCF Round 2	Complete	160,312	150,678	93.99%
Cootamundra Junior Rugby League Rejuvenation of football field	SCCF Round 2	Complete	60,000	57,196	95.33%
Upgrade to change rooms at ANZAC park Gundagai	SCCF Round 2	Construction	172,987	160,055	92.52%
Cootamundra Community Garden	SCCF Round 2	Construction	70,242	59,507	84.72%
Total			2,323,769	1,788,668	76.97%
SCF1 projects					
Gundagai pool tiling and disabled ramp	SCF1	Complete	300,000	274,996	91.67%



As at 30th June 2020

Project	Funding source	Status	Budget	Total committed expenditure	Percentage spent
Gundagai Visitors Information Centre redevelopment - disabled ramp and disabled toilet	SCF1	Planning	300,000	18,781	6.26%
Gundagai Netball Courts Masterplan - construction of lighting, storage & shelter	SCF1	Construction	200,000	40,695	20.35%
Stephen Ward Rooms Outdoor Area construction	SCF1	Construction	200,000	45,308	22.65%
Rathmells Lane - Bitumin seal from Temora St to end	SCF1	Complete	248,451	247,115	99.46%
Footpath renewal	SCF1	Complete	500,000	500,705	100.14%
Cootamundra pool - water park	SCF1	Complete	400,000	398,942	99.74%
Fisher Park Cootamundra sports ground lighting installation	SCF1	Complete	250,000	255,962	102.38%
Pool shade Cloth - Cootamundra and Gundagai	SCF1	Complete	100,000	97,626	97.63%
Extension of Gundagai Water Supply to the Dog on the Tuckerbox site	SCF1	Planning	600,000	340,579	56.76%
Nangus Water Supply Works	SCF1	Procurement	647,500	71,153	10.99%
Stormwater mitigation	SCF1	Construction	1,000,000	875,506	87.55%
Cootamundra saleyards lighting and electrical upgrade	SCF1	Complete	268,882	259,021	96.33%
Adjungbilly Road reconstruction for B'Doubles	SCF1	Complete	2,100,000	2,100,000	100.00%
Cootamundra water mains replacement project *should be a separate work order for each segment*	SCF1	Complete	2,000,000	2,000,503	100.03%
Investment into Department of Education	SCF1	Not started	594,724	-	0.00%
Construct public toilets - Sheridan St Gundagai	SCF1	Complete	150,000	152,911	101.94%
Total			9,859,557	7,679,803	77.89%
SCF2 projects					
Yarri Park Youth precinct/Lions Park – Basketball courts and Pump Track	SCF2	Construction	130,000	121,514	93.47%
Gundagai Preschool – Capital works projects to build additional rooms, providing more spaces.	SCF2	Planning	510,000	250,265	49.07%
Coolac Hall & Oval – Project includes relining hall, new kitchen, installation of cricket nets, picket fence, irrigation and seating.	SCF2	Construction	200,000	184,229	92.11%
Gundagai Public School P&C – Installation of soft fall for playground.	SCF2	Complete	75,100	75,099	100.00%
Gundagai Tourism Action Group (s355 Committee) – Gundagai Main Street History walk.	SCF2	Construction	50,000	36,566	73.13%
Ellwood Hall (Stockinbingal) – General repairs and installation of heating and cooling.	SCF2	Complete	60,000	56,967	94.94%
Gundagai Junior Rugby League – New PA system.	SCF2	Complete	14,753	14,753	100.00%
Battle of the Bidgee – Installation of permanent storage sheds to support to event.	SCF2	Complete	22,449	20,121	89.63%



As at 30th June 2020

Project	Funding source	Status	Budget	Total committed expenditure	Percentage spent
Town & Country Inc – Disabled toilet.	SCF2	Complete	30,000	26,427	88.09%
Gundagai South Public School – Sensory garden.	SCF2	Complete	60,000	59,900	99.83%
Adjungbilly Hall – Upgrade tennis courts into multipurpose facility, install community BBQ.	SCF2	Construction	130,000	111,713	85.93%
Tumblong Hall – Community facilities, multipurpose courts and BBQ area.	SCF2	Construction	137,447	102,489	74.57%
Mill Centre – Interactive Tourist Attraction.	SCF2	Construction	200,000	54,238	27.12%
Owen Vincent Oval - Gundagai	SCF2	Complete	150,000	148,010	98.67%
Gundagai RSL – Landscaping Anzac Grove, Gundagai.	SCF2	Complete	25,000	22,685	90.74%
Cootamundra Nursing Home – Installation of solar panels	SCF2	Complete	53,227	52,507	98.65%
Cootamundra Mens Shed – Relocation of Mens Shed to Depot 2 on Hovell Street.	SCF2	Construction	100,000	62,354	62.35%
Cootamundra Arts Centre – Disabled access ramp.	SCF2	Planning	3,142	-	0.00%
Owen Vincent Oval Gundagai – River water pump	SCF2	Complete	40,000	40,000	100.00%
Cootamundra Rugby Union Club – New dressing room facilities and club room. (CAPNEW)	SCF2	Construction	430,000	430,833	100.19%
Cootamundra Harness Racing – Upgrades and maintenance to track.	SCF2	Construction	52,000	18,368	35.32%
Cootamundra Netball Courts – 4 new netball courts to replace non-complying courts.	SCF2	Construction	450,000	449,206	99.82%
Cootamundra Country Club – Upgrades to precinct including dam, machinery shed, course, upgrade to building façade.	SCF2	Construction	1,355,000	1,342,202	99.06%
Total			4,278,118	3,680,447	86.03%

SCCF3 projects					
Sustainable Redevelopment and Upgrade of Cootamundra Library	SCCF3	Not started	199,659	-	0.00%
Youth and Community Toolbox Room	SCCF3	Not started	200,000	-	0.00%
Muttama Memorial Hall Rejuvenation Works, Stage 2 – Kitchen and Supper Room Upgrade	SCCF3	Not started	59,869	-	0.00%
Stan Crowe Replacement of Turf Wicket -	SCCF3	Not started	96,000	-	0.00%
Carberry Park Car Park and Toilet Upgrade	SCCF3	Not started	448,526	-	0.00%
Indoor Rock Climbing Wall Cootamundra Stadium	SCCF3	Not started	250,000	-	0.00%
Pump Track Cootamundra	SCCF3	Not started	165,000	1,200	0.73%
St Patricks Primary School Enhanced Active Spares	SCCF3	Not started	129,000	-	0.00%
Total			1,548,054	1,200	0.08%

8.3 COMMUNITY AND CULTURE

8.3.1 GUNDAGAI NEIGHBOURHOOD CENTRE INCORPORATED (GUNDAGAI CULTURAL GROUP) MEMORANDUM OF UNDERSTANDING WITH COUNCIL

DOCUMENT NUMBER	331051
REPORTING OFFICER	Miriam Crane, Manager Community and Culture
AUTHORISING OFFICER	Phillip McMurray, General Manager
RELEVANCE TO COMMUNITY STRATEGIC PLAN	1. A vibrant and supportive community: all members of our community are valued 1.1 Our Community is inclusive and connected
FINANCIAL IMPLICATIONS	There are no Financial implications associated with this report.
LEGISLATIVE IMPLICATIONS	There are no Legislative implications associated with this report.
POLICY IMPLICATIONS	There are no Policy implications associated with this report.
ATTACHMENTS	1. Draft MOU-Gundagai Cultural Group ↓

RECOMMENDATION

The execution of the Memorandum of Understanding between Gundagai Neighbourhood Centre Incorporated (Gundagai Cultural Group) and Cootamundra-Gundagai Regional Council by the General Manager Report is submitted to Council for endorsement.

Introduction

In October, 2018 Mr Peter Beath on behalf of the members of the Cootamundra Aboriginal Working Party, wrote to Council regarding its consultation processes with the Aboriginal community. At the Ordinary Meeting held 30th October, 2018 Council resolved (Min. no. 215/2018):

It is recommended the CGRC take a proactive approach engaging with the existing community groups and organisations to look at the formation of a formal Aboriginal Advisory/Consultative Committee under section 355 of the local Government Act, 1993.

Discussion

Gundagai and Cootamundra are two separate communities and are part of two Local Aboriginal Lands Councils. As such separate groups exist in each town to deal with Aboriginal community concerns in Cootamundra being the Cootamundra Aboriginal Working Party and in Gundagai being the less formal Gundagai Cultural Group as a subcommittee of the Gundagai Neighbourhood Centre Incorporated. Rather than form a separate formal Aboriginal Advisory/Consultative Committee under section 355 of the local Government Act 1993 to deal with consultation across the new Local Government Area it is proposed that Council meet with the groups via their existing channels.

Please note that whilst a draft of the attached document has been sent to the Cootamundra Aboriginal Working Party for comment and formulation of their own MOU this process is still underway due to COVID 19 making it difficult for the group to meet.

It is proposed that an MOU with the Cootamundra Aboriginal Working Party be executed via a later separate report.



Memorandum of Understanding (MOU) between Gundagai Neighbourhood Centre Incorporated (Gundagai Cultural Group) and Cootamundra-Gundagai Regional Council

Policy Approval and Distribution

Approved by	Council resolution
Responsible Officer	Miriam Crane, Manager Community & Culture
Council Service Unit	Community & Culture
Next Review Date	Four years from adoption

Version Control

Ref	Date	Description	Resolution Number
0.1	XX-XX-2020	Presented to Council for Adoption.	TBA
		Presented to Council to facilitate public exhibition	

Purpose

1. Cootamundra-Gundagai Regional Council (Council) acknowledges that Aboriginal people are the original inhabitants and custodians of all airspace, land and water in the Cootamundra-Gundagai Region and respects their continued connection with it.
2. The Cootamundra-Gundagai Regional Council accept that in order to address the issues and effects of colonisation, which continue to have effect on Aboriginal people in the area today, we must first acknowledge the past, to further respect, protect and advance the continuing rights and interests of all people in the Council area.
3. Cootamundra-Gundagai Regional Council acknowledges and respects the traditions of the Aboriginal people and respects their continued special relationship with the land and water of the area.
4. The Gundagai Neighbourhood Centre Incorporated (Gundagai Cultural Group) and the Cootamundra-Gundagai Regional Council acknowledge that there is between them a mutual obligation to give effect to the spirit of this Memorandum of Understanding and for all parties to work together towards the success of this Memorandum of Understanding as part of the journey of Aboriginal, Local Government and community reconciliation.

Undertakings

As part of the recognition of the status of Aboriginal people, Council commits itself to:

1. Recognising that the sum of the Cultural Heritage of the Aboriginal people of the area is not confined to archaeological sites and artefacts, but includes natural values such as flora, fauna, landforms, waters and other natural resources.
2. Flying the Aboriginal Flag together with the Australian flag in front of the Council Chambers and at appropriate civic events.
3. Celebrating appropriate Aboriginal ceremonies and events including Reconciliation and NAIDOC Weeks.
4. Assisting, encouraging and promoting employment opportunities for Aboriginal people both in its own workforce and in the broader community workforce.
5. Facilitating the referral of enquiries on the appropriate use of "The Great Rescue of 1852" sculpture image to the Gundagai Neighbourhood Centre Incorporated (Gundagai Cultural Group) for consideration.

As part of working in partnership, the Gundagai Neighbourhood Centre Incorporated (Gundagai Cultural Group) and Council commit themselves to:

1. Developing greater community understanding of Aboriginal culture in the area and increasing opportunities for cultural tourism.
2. Providing ongoing support in identifying areas of land within the area which are of cultural significance to Aboriginal people or the subject of joint management arrangements, and recognising that, subject to legislation, Aboriginal interests require special recognition and protection.
3. Acknowledging and respecting the need of the Lands Councils to have the ability to develop their lands to help overcome social and economic problems and to achieve social and economic growth, and to work together to identify development opportunities for their lands to achieve this growth.
4. Reviewing and maintaining mechanisms and processes which guarantee that appropriate consultation takes place in relation to Development Applications and Councils civil works to ensure that Aboriginal culture and heritage are taken into account as part of the assessment/planning phase. The mechanisms and processes are to give effect to both the statutory requirements and the spirit of the National Parks and Wildlife Act.
5. Undertaking appropriate community planning to address social, economic or cultural disadvantage experienced by local Aboriginal people in the area.
6. Promoting and supporting the needs of young Aboriginal people in the area and encouraging community involvement and the retention of Aboriginal people in school.
7. Developing an action plan which will be a working document to identify and address relevant issues, demonstrating an ongoing commitment to reconciliation and the Memorandum of Understanding.
8. Developing other appropriate processes/protocols as a part of the MOU Action Plan.
9. Ensuring appropriate representation in the group including Council staff and Councillors, Lands Council and a Cootamundra representative, and meeting regularly.

Reporting Obligations

The Gundagai Neighbourhood Centre Incorporated (Gundagai Cultural Group) shall furnish the Council with a copy of minutes for relevant discussions relating to consultation within one week of meetings.

Review Period

This document is to be reviewed every four (4) years to ensure that it remains relevant and meets legislative requirements.

Execution Clauses

Name of Authorised Signatory

Signature

Position Held

Date

In the presence of:

Name of Witness

Signature of Witness

Signed on behalf of Gundagai Neighbourhood Centre Incorporated (Gundagai Cultural Group) by its authorised signatory:

Name of Authorised Signatory

Signature

Position Held

Date

In the presence of:

Name of Witness

Signature of Witness

8.4 DEVELOPMENT, BUILDING AND COMPLIANCE

8.4.1 REQUEST TO WAIVE PAYMENT OF CONTRIBUTION FEES FOR DA 2018/18 - SERVICE STATION, YASS ROAD, COOTAMUNDRA

DOCUMENT NUMBER	330914
REPORTING OFFICER	Sharon Langman, Manager Development, Building and Compliance
AUTHORISING OFFICER	Phillip McMurray, General Manager
RELEVANCE TO COMMUNITY STRATEGIC PLAN	4. Good governance: an actively engaged community and strong leadership team 4.1 Decision-making is based on collaborative, transparent and accountable leadership
FINANCIAL IMPLICATIONS	The financial implications are detailed within the report.
LEGISLATIVE IMPLICATIONS	The legislative implications are detailed in the report.
POLICY IMPLICATIONS	There are policy implications associated with this report.
ATTACHMENTS	Nil

RECOMMENDATION

The Report on a Request to Waive Payment of Contribution Fees For DA 201/18 – Service Station, Yass Road, Cootamundra is submitted for the consideration of Council.

Introduction

Council has received a request to waive the contribution fees payable for development consent 2018/18 for a service station at Yass Road, Cootamundra. This request is further to that put before Council at the Ordinary Meeting held 11th December, 2018. The resolution at that meeting (Min. No 291/2018) in relation to the request was as follows:

The request from South West Fuels for the reduction of the Section 7.12 (former s94a) contribution as a condition of Development Consent 2018/18 be refused.

Discussion

Developer contributions have been in place in NSW for a number of decades now and provide a means for consent authorities to collect funds from developers to contribute to the provision of shared local infrastructure, facilities or services. Developer contributions augment Council infrastructure funds by taxing those who directly benefit from infrastructure improvement and is an equitable way of charging individuals who benefit from public investment in infrastructure. There are numerous mechanisms under planning legislation that allow the collect of contributions from developers, including the collection of funds calculated as a levy paid to Council as a percentage of the proposed cost of carrying out the development (Section 7.12, formerly Section 94A of the Environmental Planning and Assessment Act, 1979).

The Cootamundra-Gundagai Regional Council area is projected to experience urban and rural development in the future. New development is expected to be in terms of residential and commercial, industrial, rural and other non-residential development across the entire Local Government Area (LGA). Development will occur in the form of new development and alterations and additions to existing development. Development of the area is likely to result in an increase in the demand for, and therefore the provision of, public services and amenities that the Council traditionally provides (for example, parks and community services). Existing public services and amenities have been generally designed to accommodate the needs generated by the existing population. Future development of the area, and the populations that will use and occupy such development, will need to be sustained by a significant investment in the provision, extension and augmentation of infrastructure and services. It is appropriate that development make a reasonable contribution toward the cost of providing this infrastructure.

Council's current *Section 7.12 Development Consent Levy Contributions Plan 2018* commenced on 1 July 2018 and rescinded the *"Cootamundra Development Contributions Plan for Other Developments"* which commenced on 1st July, 2011. The *Cootamundra Development Contributions Plan for Other Developments* is the plan applicable to this development as it was the plan that was in place at the time the application was lodge. As it applies to this development, the plan requires a payment of 1% of the proposed cost of carrying out the development, being a payment of \$44,000 based on the proposed cost of the development of \$4.4million. The plan indicates that the timing of the payment of the contribution for a development application involving building work is prior to the release of the construction certificate. In this particular instance the construction certificate was released without compliance with this condition. The condition as imposed is as follows:

(12) GEN Condition – Section 7.12 Developer Contributions payment agreement.

As per agreed Section 7.12 "works in kind" contributions between the developer and the council. A total of \$44,000 (1% of development cost) shall be paid to Council upon the commencement of the new Yass Road reconstruction works, to be used to contribute to the cost associated with such works.

Reason: *So that the section 7.12 developer contributions are paid in accordance with the works in kind agreement and contributions policy.*

It is believed that this condition was imposed as part of a negotiated agreement as referenced in the assessment report for the development application:

Council and the developer have agreed to enter into a contributions agreement as per council's policy that will see the contributions paid go towards the cost of road and other infrastructure upgrade works that will help to serve the development and the precinct as a whole, given this will be to the benefit of the community as a whole.

The estimated cost identified in the application was \$4.4 million dollars with contribution of \$44,000 to go into the council work order for the precinct upgrade works.

The report goes on to acknowledge that there will be financial impacts for Council; viz:

The development will have some significant financial impacts on Council through the need to undertake significant road and service upgrades to the locality.

S7.12 Contributions towards this financial impact from the developer can be made through a works in kind agreement under the development contributions plan.

The above statements seem to suggest that the developer is required to pay the contribution, however rather than the money being put toward works outlined and prioritised in the Contributions Plan the money would be put towards road works required on Yass Road via a "works

in kind agreement". A search of Council's records has not located any formal works in kind agreement.

The developer has made a submission to Council believing that they have contributed more "works in kind" than the payment due in accordance with the condition of consent, ie \$44,000. The developer is arguing the following are "works in kind" and should be offset against the condition:

- Turf and irrigation on Council land at 60 Yass Road;
- Purchase, connection, servicing and fuel for a generator due to Council not providing power to the site;
- Fencing hire to exclude public access to the generator.

It is believed that in negotiating the location of this facility on Yass Road, the developer was advised that Council had committed to electricity and road upgrades at an onsite meeting. Council has paid for the electricity connection to the site with a 500kv transformer installed that was to also serve the needs of future potential development in this area with the indication being that a complementary fast food outlet would be the preferred development, thus justifying the need for increased power supply.

The developer believes that the development has achieved much for Cootamundra as well as many of the aims Council articulated to the developer when the proposal on this site was first put forward. These include:

Employment of an additional 7 people;

Fast food outlet;

Substantial truck facility (including food and shower facilities).

It is clear from the assessment report that Council considered the required road upgrades to be a significant financial cost to Council and that the developer should bear some of this cost. The condition does not make it entirely clear what the "works in kind" were to be, but is abundantly clear that despite the "negotiated works in kind agreement" the developer is to pay \$44,000 which Council will put towards the upgrade works required on Yass Road rather than the items identified in the Contributions Plan.

Nonetheless the legal mechanism for the developer to not pay the \$44,000 deemed to be owing, should Council support the request for non payment, is for Council to agree that the "works in kind" are acceptable to Council, to at least the value of \$44,000, and they have been undertaken by the developer. In determining this Council needs to consider the purpose of collecting developer contributions as outlined in the first part of this report, ie to provide funds, augment or provide infrastructure and services to the benefit of the community. If Council forms the view that the developer has provided works in kind, then the works need to be given a dollar figure that can be used for reporting purposes in accordance with the requirements for reporting developer contributions collected, expended and unexpended.

8.4.2 DEVELOPMENT APPLICATION DA2018/094 MOD 1 - RESOURCE RECOVERY FACILITY, LOT 1 TURNERS LANE, COOTAMUNDRA

DOCUMENT NUMBER	331006
REPORTING OFFICER	Sharon Langman, Manager Development, Building and Compliance
AUTHORISING OFFICER	Phillip McMurray, General Manager
RELEVANCE TO COMMUNITY STRATEGIC PLAN	<p>3. Sustainable natural and built environments: we connect with the places and spaces around us</p> <p>3.1 The natural environment is valued and protected</p> <p>4. Good governance: an actively engaged community and strong leadership team</p> <p>4.1 Decision-making is based on collaborative, transparent and accountable leadership</p>
FINANCIAL IMPLICATIONS	There are no Financial implications associated with this report.
LEGISLATIVE IMPLICATIONS	There are no Legislative implications associated with this report.
POLICY IMPLICATIONS	There are no Policy implications associated with this report.
ATTACHMENTS	1. DA 2018/094 - MOD 1 - DA Report ↓

RECOMMENDATION

Council approve the following application for modification of the existing approved resource recovery facility, subject to the amended conditions below (new or amended conditions in **red type** and deletions ~~struck through~~)

- **Application No:** DA2019/094 MOD 1
- **Property:** Lot 1 DP12233224
Turners Lane
COOTAMUNDRA NSW 2590
- **Modification:** To modify a number of physical and operational aspects of the approved resource recovery facility, including: building location and size, infrastructure location, storage and processing area locations, car parking number and location, first-flush stormwater catchment system, earthworks, waste stream (type and volume), processing methods, hours of operation and general operational matters to improve amenity.

CONDITIONS:
GENERAL CONDITIONS
(1) GEN Condition - Compliance Standards

Any building and associated works shall comply with the statutory requirements of the Environmental Planning & Assessment Act, Local Government Act, 1993 and the Building Code of Australia (BCA).

Reason: *The legal obligations of the Council to administer the New South Wales building and planning laws in order to provide satisfactory standards of living and development.*

(2) GEN Condition - Compliance with Council

The Development being completed in accordance with plans and specifications stamped by Council listed in the table below and the Statement of Environmental Effects, except where varied by conditions of this consent.

Document Reference	Description	Author	Date
-	Statement of Environmental Effects	JLW Services	4 September 2018
TP03/TP06	Site Plan	Geolyse	29 January 2019
TP05/TP06	Stormwater Management Plan	Geolyse	29 January 2019
1570667	EPA General Terms of Approval	EPA	29 January 2019
216100_MOD_001 Rev: C	Statement of Environmental Effects – Modification	Premise	26 March 2020
216100 – Sheet TP07, Set 02F, Rev. F	Relocated office plan and elevations	Premise	29 June 2020
216100 – Sheet TP04, Set 02F, Rev. F	Site plan	Premise	29 June 2020
216100 – Sheet TP05, Set 02F, Rev. F	Concept surface stormwater management plan	Premise	29 June 2020
216100 – Sheet TP03, Set 04A, Rev. A	Shed site plan	Premise	6 July 2020
216100 – Sheet TP04, Set 04A, Rev. A	Shed plan	Premise	6 July 2020
216100 – Sheet TP05, Set 04A, Rev. A	Shed elevations 1 and section	Premise	6 July 2020
216100 – Sheet TP06, Set 04A, Rev. A	Shed elevations 2	Premise	6 July 2020
216100 – Sheet TP01 of TP01 – A1	Weighbridge Office Details	Premise	20 July 2020

Reason: *To confirm the details of the application as submitted by the applicant and as approved by Council.*

[as amended by DA2018/094 MOD1, approved 28th July 2020]

(2A) Inconsistencies between approved plans and documents

In the event of an inconsistency between the documents and/or plans referred to above, the latter documents and/or plans, shall prevail to the extent of the inconsistency.

Reason: To manage any inconsistencies between the approved plan and documents.

[as amended by DA2018/094 MOD1, approved 28th July 2020]

(2B) Inconsistencies between approved plans / documents and conditions of consent

In the event of an inconsistency between the conditions of this consent and the documents and/or plans referred to above, then the conditions of this consent shall prevail to the extent of the inconsistency.

Reason: To manage any inconsistencies between the approved plan/documents and conditions of consent.

[as amended by DA2018/094 MOD1, approved 28th July 2020]

(3) GEN Condition - Compliance with Legislation

Regardless of consent the applicant is still responsible for adhering to the requirements of State Legislation including (but not limited to) the Protection of Environment Operations Act and Dangerous Goods (Road and Rail Transport) Act.

Reason: This consent does not remove obligations imposed by State and Federal Legislation.

(4) GEN Condition - Utilities

Approval is given subject to the location of, protection of, and/or any necessary modifications to any existing public utilities situated within or adjacent to the subject property.

Reason: To ensure that any public utilities are maintained and protected from damage.

(5) Gen Condition – Not certify compliance with BCA or NCC

The issue of this Development Consent does not certify compliance with the relevant provisions of the Building Code of Australia or National Construction Code Series.

Reason: This consent does not certify compliance with the BCA or NCC.

~~(6) GEN Condition – New Footpath Construction.~~

~~The Developer shall at their cost, construct a concrete footpath, 1.5 metres wide across the full frontage of the allotment and re-instate the nature strip afterwards to Council's satisfaction along with the entire area under the proposed awning paved or concreted.~~

~~*Reason: To ensure that adequate pedestrian access facilities are provided to the development to be benefit of the community.*~~

[as amended by DA2018/094 MOD1, approved 28th July 2020]

(7) GEN Non Standard Condition – Not Approval for Buildings

This development consent does not signify consent for structures and other builds on the site. Application for development consent is to be sought before the erection of buildings and other works requiring certification.

Reason: Compliance with Environmental Planning & Assessment Act 1979

(8) GEN Condition – Public Land Costs

Costs attributed to all work involved on public land shall be borne by the proponent.

Reason: Need for applicants to be reasonable for costs arising as a result of development work

(9) Parameters of the development

The maximum volume of waste that can be received at the premises in any 12-month period is limited to the following:

- 5,500 tonnes of waste mattresses,
- 1,100 tonnes of silage tarp,
- 5,500 tonnes of waste electronic goods and whitegoods.

Reason: To identify the approved waste limits

[as amended by DA2018/094 MOD1, approved 28th July 2020]

PRIOR TO ISSUE OF CONSTRUCTION CERTIFICATE**(1) PCC Condition - Section 94A Contributions.**

At the time of submission of a Construction Certificate all owing monies as they relate to Section 94A contributions must be paid in full.

Section 94A contributions are calculated on the estimated cost of development as specified on the Development Application at time of lodgement and may be subject to change with the coming of a new financial year or revised estimated cost of development.

Reason: So that the Section 94A Developer Contributions are paid in accordance with Council's Section 94A policy as adopted 2011.

(2) PCC Condition - Certificates in Relation to Energy Efficiency.

Prior to obtaining a Construction Certificate, the Applicant shall furnish Council with Certificates in relation to energy efficiency. In general terms, these certificates shall be provided by appropriately qualified persons and reference compliance of the particular element of construction with Part J of the Building Code of Australia. Certificates shall be provided for the following parts of construction:

1. Building Fabric
2. External Glazing
3. Air Movement
4. Air Conditioning and Ventilation Systems
5. Artificial Lighting and Power
6. Hot Water Supply
7. Access for Maintenance

Reason: To ensure the development meets the energy requirements of Section J of the Building Code of Australia.

~~(3) PCC Condition – Traffic Control Plan.~~

~~The applicant shall provide to Council, for approval, a Traffic Control Plan for those areas which involve work in the vicinity of the intersection of Muttama Road and Coolac Road to the Roads & Traffic Authority Guidelines.~~

Reason: To ensure acceptable standards of safety for both vehicular and pedestrian traffic.

[as amended by DA2018/094 MOD1, approved 28th July 2020]

(4) PCC Condition - Carpark Design.

Detailed car parking plan outlining car spacing's, vehicle manoeuvring, exit/entrance points and location and provision for service delivery vehicles in accordance with Australian Standard 2890 submitted for Council approval providing for ~~30~~ **23** light vehicle spaces and 5 truck parking spaces. Entry and exit points are to be clearly signposted.

Reason: To ensure that adequate and practical off-street parking and access to the development has been provided.

[as amended by DA2018/094 MOD1, approved 28th July 2020]

(5) PCC Condition – New Connection: Plumbing and Drainage Works.

An application shall be lodged and approved by Cootamundra Shire Council under Section 68 of the Local Government Act for any new water, sewerage or drainage connection prior to the issue of a Construction Certificate.

All plumbing works must be undertaken by a licenced plumber or drainer. They must submit their Notice of Work (N.O.W) and pay for any associated inspections 48hrs before the first inspection. They also must submit a correct Sewer Service Diagram (S.S.D) for all works. The C.O.C and S.S.D. must be submitted before an Occupation Certificate can be released by the Principal Certifying Authority (P.C.A).

The proponent shall comply with all requirements tabled under any approval issued under section 68 of the Local Government Act 1993, NSW Fair Trading and The Plumbing Code of Australia.

Reason: Statutory compliance.

(6) PCC Condition - Onsite Sewerage Management System.

An application shall be lodged and approved by Cootamundra Shire Council under Section 68 of the Local Government Act for the installation of an onsite sewerage management system prior to the issue of a Construction Certificate. Details of the proposed system are to be included with the application detailing the tank capacity, type and location and size of effluent disposal area.

The proponent shall comply with all requirements tabled under any approval issued under section 68 of the Local Government Act.

Reason: To comply with the requirements of Section 68 of the Local Government Act.

(7) PCC Condition - Road Opening and Closing Permit.

If it is proposed to construct a vehicular crossing on the public footpath a road opening permit must be obtained from Council and an appropriate fee paid for Council to assess or to carry out the design and construction of such crossing. No excavation of, or construction on the public footpath is authorised to be carried out by others than Council except in accordance with (a) a design approved by Council and (b) the terms of an appropriate road opening permit.

***Reason:** To ensure that work carried out on public roads conforms to the requirements of Council, the responsible authority.*

(8) PCC Condition - Trade Waste Device Required.

Any business or premises proposing to discharge a pollutant discharge greater than or differing from domestic usage is to submit to Council an application for a Trade Waste Licence. This application is to be approved by Council. This application is to be approved by Council prior to any discharge to sewer being commenced. A trade waste fee may be applicable in accordance with Council's adopted Fees and Charges.

***Reason:** To comply with Council's Trade Waste Policy*

(9) PCC Condition - Driveway & Layback Installations.

~~The provision of adequate vehicle access, including the provision of an invert crossing at the kerb and gutter is required to be installed as part of the development. The installation of the vehicle access and kerb and gutter crossing are to be constructed in accordance with Councils "Typical vehicle kerb and gutter crossing KG 65/1".~~

An Application is to be lodged with Council along with appropriate current fee's paid, for approval under Section 138 of the Roads Act 1993 prior to the issue of a Construction Certificate.

Twenty four (24) hours' notice is to be given to Council's Engineering Services group before placement of concrete to enable formwork to be inspected. Failure to do so may result in rejection of the works and a need for reconstruction.

***Reason:** To ensure that adequate vehicle access is achieved and maintained throughout the development*

[as amended by DA2018/094 MOD1, approved 28th July 2020]

(10) PCC Condition - Internal Road Design.

Provision of a detailed internal road design outlining car parking spacing's, vehicle manoeuvring, site lines, exit/entrance points and location and provision for service vehicles in accordance with Australian Standard 2890 are to be submitted for Council approval prior to the issuing of a Construction Certificate. Entry and exit points to be clearly signposted.

~~The vehicle entrance into the development from Parker Street shall be of concrete construction from the kerb line to the building line. The provision of a new vehicle access point off Parker Street, including the provision of an invert crossing at the kerb and gutter is required to be installed as part of the development. The installation of the vehicle access and kerb and gutter crossing are to be constructed in accordance with Councils "Typical vehicle kerb and gutter crossing KG 65/1".~~

Twenty four (24) hours' notice is to be given to Council's Works & Services group before placement of concrete to enable formwork to be inspected. Failure to do so may result in rejection of the works and a need for reconstruction.

***Reason:** To ensure that adequate vehicle access and internal movement is achieved and maintained throughout the development*

[as amended by DA2018/094 MOD1, approved 28th July 2020]

PRIOR TO COMMENCEMENT OF WORKS

(1) PCW Condition – Prior to Building Work Commencing.

The erection of a building in accordance with the development consent must not commence until:

1. a construction Certificate for the building work has been issued by the consent authority, the council (if the council is not the consent authority) or an accredited certifier, and
2. the person having the benefit of the development consent has:
 - a. appointed a principal certifying authority for the building work, and
 - b. notified the principal certifying authority that the person will carry out the building work as an owner-builder, if that is the case, and
3. the principal certifying authority has, no later than 2 days before building works commences:
 - a. notified the consent authority and the council (if the council is not the consent authority) of his or her appointment, and
 - b. notified the person having the benefit of the development consent of any critical stage inspections and other inspections that are to be carried out in respect to the building work, and
4. the person having the benefit of the development consent, if not carrying out the work as an owner-builder, has,
 - a. appointed a principal contractor for the building work who must be the holder of a contractor licence if any residential work is involved, and
 - b. notified the principal certifying authority of any such appointment, and
 - c. unless that person is the principal contractor, notified the principal contractor of any critical stage inspection or other inspections that are to be carried out in respect of the building work.

Reason: To ensure compliance with the requirements of the Environmental Planning and Assessment Regulations.

(2) PCW Condition – Signage.

Site signage shall apply and must be erected on the site in a prominent, visible position for the duration of the construction. The signage must include: -

1. Statement that unauthorised entry to the site is not permitted
2. Show the name of the builder or another person responsible for the site and a telephone number at which the builder or other person can be contacted outside working hours
3. The name, address and telephone contact of the Principal Certifying Authority for the work
4. Any structures erected to meet the requirements of this condition must be removed when it is no longer required for the purpose for which it was erected.

Reason: To meet the minimum requirements of the Environmental Planning & Assessment Regulation.

(3) PCW Condition – Notice of Commencement.

Prior to work commencing a 'Notice of Commencement of Building Work and Appointment of Principal Certifying Authority' shall be submitted to Council at least 2 days prior to work commencing.

***Reason:** To meet the minimum requirements of the Environmental Planning & Assessment Regulation.*

(4) PCW Condition – Public Safety – Hoardings.

A hoarding or fence must be erected between the building or site of the proposed building and the public place (street frontage). If necessary, an awning sufficient to prevent any substance from, or in connection with, the work, falling onto a public place is also to be erected. Such hoardings require separate approval by Council and must comply with the requirements of the WorkCover Authority.

The hoarding or fence is to be kept lit during the time between sunset and sunrise if the work may be a source of danger to persons using the public place.

The hoarding, fence or awning is to be removed when it is no longer required for the purposes for which it was provided. Restriction of public access to the building site shall restrict entry by members or equipment on the site when building work is in progress or the site is otherwise unoccupied.

***Reason:** To protect the general public.*

(5) PCW Condition – Traffic Control Plan.

The applicant shall provide to Council, for approval, a Traffic Control Plan for those areas which involve work in the vicinity of the ***development***, to the Roads & Maritime Services Guidelines.

***Reason:** To ensure acceptable standards of safety for both vehicular and pedestrian traffic.*

(6) PCW Condition – Waste Storage During Construction.

Provision shall be made on site for the proper storage and disposal of waste such that no builders' waste shall be left in the open. Specific attention should be given to items which are subject to relocation by the action of wind, e.g. Paper, sheets of iron, ridge capping, cement and lime bags and the like.

***Reason:** To ensure that the site is not a source of wind-blown litter.*

(7) PCW Condition – Construction Safeguards.

Fire precautions during construction are to comply with PART E1.9 Building Code of Australia. Not less than one fire extinguisher to suit Class A, B and C fires and electrical fires must be provided at all times on each storey adjacent to each required exit.

***Reason:** To provide a minimum standard of fire safety during construction.*

(8) PCW Condition – Soil Erosion Control.

Site erosion control measures shall be incorporated into site management during construction. Seepage and surface water shall be collected and diverted clear of the building site by a drainage

system. Care shall be taken to ensure that no nuisance is created to adjoining properties or public space by way of sediment run off.

Reason: *To ensure that adequate measures are in place so that damage from sediment run off to adjoining sites and waterways is minimised.*

(9) PCW Non Standard Condition – Essential Energy Infrastructure

No building works or land use may commence under and within the 20m easement of the existing Essential Energy infrastructure until Council has been provided with written consent to do so by Essential Energy or the infrastructure has been moved.

Reason: *Ensure the ongoing use and service of essential infrastructure.*

(10) PCW Condition – Underground Services.

The applicant shall locate and identify all existing underground services prior to commencement of works and ensure there shall be no conflict between the proposed development and existing infrastructure including areas external to the development site where works are proposed.

Reason: *To ensure the utility services are protected and satisfactory for the proposed development.*

DURING CONSTRUCTION

(1) DUR Condition – Works to be undertaken in Accordance with the Approval.

All proposed works to be undertaken are to be carried out in accordance with the conditions of development consent, approved construction certificate drawings and specifications.

Reason: *ensure all works are carried out in accordance with the development consent.*

(2) DUR Condition – Hours of Construction Site Works.

Construction site works including the entering and leaving of vehicles is limited to the following hours, unless otherwise permitted by Council:

Monday to Saturday from 7.00am to 7.00pm
Sundays and public holidays from 9.00am to 12.00pm

The applicant is responsible to instruct and control subcontractors regarding hours of work.

Reason: *So that the development does not reduce the amenity of the area.*

(3) DUR Condition – Footpath Construction.

All work on the public footpath and roadway shall be carried out with due care and regard for the safety and convenience of the public including pedestrians, cyclists and motorists. Special regard shall be paid to caring for the needs of children, the disabled, the infirm and the elderly.

Reason: *Preservation of the life, health and good will of members of the public.*

(4) DUR Condition – Footpath Storage.

Building materials not to be stored on Council footway or nature strip at any time.

***Reason:** To ensure an adequate level of public safety is maintained.*

(5) DUR Condition – Waste Removal.

All debris and any waste fill are to be removed from the site and disposed of at Cootamundra Garbage Depot, in the building refuse section of the garbage depot. Please note that a separate fee applies for disposal of waste at Council's waste depot. You should contact Council's Works Operations Manager for an estimate of costs in this regard.

***Reason:** To ensure that the amenity and unsightly condition is minimised.*

(6) DUR Condition – Driveway and Layback.

The provision of an adequate vehicle access, ~~including the provision of an invert crossing at the kerb and gutter~~ is required to be installed as part of the development. ~~The installation of the vehicle access and kerb and gutter crossing are to be constructed in accordance with Councils 'Typical vehicle kerb and gutter crossing KG 65/1'.~~

Twenty four (24) hours' notice is to be given to Council's Works & Services group before placement of concrete to enable formwork to be inspected. Failure to do so may result in rejection of the works and a need for reconstruction.

***Reason:** To ensure appropriate vehicle access is provided to the development which does not adversely impact on pedestrian traffic or Council's public road infrastructure.*

[as amended by DA2018/094 MOD1, approved 28th July 2020]

(7) DUR Condition - BCA Compliance.

All building work (other than work relating to the erection of a temporary building) must be carried out in accordance with the requirements of the Building Code of Australia (as in force on the date the application for the relevant construction certificate was made).

***Reason:** To ensure the building complies with the BCA.*

(8) DUR Condition – Inspections.

The Principal Certifying Authority is to be given a minimum of 48 hours' notice prior to any critical stage inspection or any other inspection nominated by the Principal Certifying Authority via the notice issued under Section 91A of the Environmental Planning and Assessment Act 1979.

All building work (other than work relating to the erection of a temporary building) must be carried out in accordance with the requirements of the Building Code of Australia (as in force on the date the application for the relevant construction certificate was made).

***Reason:** To ensure that adequate time is given of required inspections.*

(9) DUR Condition – Restricted Public Access.

It is the responsibility of the applicant to restrict public access to the building site, building works or materials or equipment on the site when building work is not in progress or the site is otherwise unoccupied in accordance with WorkCover Regulations.

Reason: *To ensure public safety is maintained.*

(10) DUR Condition – Storm Water.

Storm water is to be discharged: -

1. Clear of the building and septic tank disposal area
2. To diffusion pit a minimum 3m from any building and in such a position that it does not cause nuisance to neighbours
3. To the roadside gutter, taken through the kerb and the kerb is to be made good or, alternatively, linked to existing storm water drainage which discharges at the roadside gutter
4. To the roadside table drain. The end of the storm water pipe at the table drain shall be suitably protected to avoid damage to the end of the pipe
5. To the requirements of the BASIX Certificate, and any overflows to be without nuisance

Reason: *To ensure that roof water is disposed of without nuisance to neighbours, without overloading Council's laneways system and so as to minimise input to the ground water system*

(11) DUR Condition – Exit Doors.

In accordance with Clause D2.20 and Clause D2.21 of the Building Code of Australia, all exit doors must swing in the direction of egress. Exit doors must be readily openable without a key from the side that faces a person seeking egress, by a single handed downward action or pushing action on a single device which is located between 900mm and 1200mm from the floor.

Reason: *To facilitate exit from the building.*

(12) DUR Condition – Fire Hazard Index.

The early fire hazard indices of materials, linings and surface finishes must comply with specification C1.10 of the Building Code of Australia.

Reason: *To suppress fire within places of public entertainment.*

(13) DUR Condition – Disabled Fitouts.

All ramps, hand rails and ablution fitouts shall be installed in accordance with Australian Standard 1428.1-2009 "Design for Access and Mobility, Part 1: General Requirements for Access – Buildings".

Reason: *To provide access for disabled people.*

(14) DUR Condition – Provide Suitable Access.

Access is to be constructed to Council specification and location. The access to be constructed and maintained at the owners cost such no soil erosion is caused.

Reason: *To ensure that traffic movement generated by the development does not adversely affect the road system of the locality and that siltation of waterways is minimised.*

(15) DUR Condition – Disabled Carparking.

Additional Disabled Carparking spaces shall be incorporated in the existing carpark facility and in a position, which is located as near as practical, adjacent to the premises entrance.

Reason: The legal obligations of an applicant to provide access/parking for disabled persons.

(16) DUR Condition – Dust Free Carpark.

Carpark area and access driveway shall be constructed to a dust free standard, and maintained in good, dust free condition.

Reason: To ensure that no dust nuisance occurs.

(17) DUR Condition – Carpark Entry.

Entry and exit from the carpark is to be in a forward direction. Adequate turning space will be required to enable vehicles to leave the carpark in a forward direction.

Reason: To ensure acceptable standards of safety for both vehicular and pedestrian traffic.

(18) DUR Condition – New connection: Plumbing and Drainage Works.

All plumbing works must be undertaken by a licenced Plumber or Drainer. They must submit their Notice of Work (N.O.W.) and pay for associated inspections 48hrs before the first inspection. They also must submit a Certificate of Compliance (C.O.C) after the work has been completed and also submit a correct Sewer Service Diagram (S.S.D.) for all works. The C.O.C and S.S.D must be submitted before an Occupation Certificate can be released by the Principal Certifying Authority (P.C.A.)

The proponent shall comply with all requirements tabled under any approval issued under Section 68 of The Local Government Act 1993, NSW Fair Trading and The Plumbing Code of Australia.

Reason: Statutory compliance.

(19) DUR Condition – Alterations: Plumbing and Drainage Works.

All plumbing works must be undertaken by a licenced Plumber or Drainer. They must submit their Notice of Work (N.O.W) and pay for any associated inspections 48hrs before the first inspection. They also must submit a Certificate of Compliance (C.O.C) after the work has been completed and also submit a correct Sewer Service Diagram (S.S.D.) for all works. The C.O.C and S.S.D must be submitted before an Occupation Certificate can be released by the Principal Certifying Authority (P.C.A).

The proponent shall comply with all requirements tabled under NSW Fair Trading and The Plumbing Code of Australia.

Reason: Statutory compliance.

(20) Retaining Walls.

Where retaining walls exceed 1 metre in height, the design of such retaining walls shall be provided to Council as certified by a practicing Structural Engineer.

Reason: To ensure the structural adequacy of the retaining wall.

[as amended by DA2018/094 MOD1, approved 28th July 2020]

(21) First flush catchment system

Detailed design plans and calculations, demonstrating that the first flush catchment system will capture the first 15 mm of rainwater that falls on or passes through the potentially contaminated areas of the site, shall be submitted to Council within sixty (60) days of the date of the modification being determined

Reason: To ensure that the first flush catchment system is designed, located and constructed to capture potentially contaminated stormwater, so as not to pollute surface waters.

[as amended by DA2018/094 MOD1, approved 28th July 2020]

POST CONSTRUCTION

(1) POC Condition – Occupation of Building.

A person must not commence occupation or use of the whole or any part of the buildings unless an occupation certificate has been issued by the appointed Principal Certifying Authority.

Reason: So that the development is substantially completed to a safe standard to allow use or occupation of said building.

(2) POC Condition – Compliance Certificates.

Prior to occupation of the building an Occupation Certificate is to be obtained. If Council is requested to issue the Occupation Certificate, all relevant compliance certificates must be submitted.

Reason: So that the development is substantially completed to a safe standard to allow use or occupation of said building.

(3) POC Condition – Property Identification.

Street numbers of a size and type satisfactory to Council being affixed to the building or fence. Such numbers to be clearly visible from the street.

In rural areas, the number should be affixed near your property entrance at the fence line.

Reason: To ensure that the development is clearly identifiable and easily found by emergency, trade and other services.

~~(4) POC Condition – Landscaping.~~

~~All proposed landscaping, fencing and outdoor structures such as water tanks and clothes lines etc. are to be installed in strict accordance with the approved plans for the development prior to the release of a Final Occupation Certificate by the PCA.~~

~~Changes to these items during construction may require the submission of amended plans and a Section 96 Application to modify the development consent.~~

~~Reason: So that the completed appearance and functionality of the development is maintained from that which was originally approved.~~

[as amended by DA2018/094 MOD1, approved 28th July 2020]

(5) POC Condition – Landscaping, Fencing and Outdoor Structures.

All proposed landscaping, fencing and outdoor structures such as water tanks and clothes lines etc. are to be installed in strict accordance with the approved plans for the development prior to the release of a Final Occupation Certificate by the PCA.

Changes to these items during construction may require the submission of amended plans and a Section 96 Application to modify the development consent.

Reason: So that the completed appearance and functionality of the development is maintained from that which was originally approved.

[as amended by DA2018/094 MOD1, approved 28th July 2020]

(6) POC Condition – Driveway and Layback Crossings.

The applicant shall ensure that the provision of an adequate vehicle access, ~~including the provision of an invert crossing at the kerb and gutter~~ is installed as part of the development. The installation of the vehicle access and ~~kerb and gutter crossing~~ are to be constructed in accordance with Councils 'Typical vehicle kerb and gutter crossing KG 65/1' and the approval issued under Section 138 of the Roads Act 1993.

Reason: To ensure appropriate vehicle access is provided to the development which does not adversely impact on pedestrian traffic or Council's public road infrastructure.

[as amended by DA2018/094 MOD1, approved 28th July 2020]

(7) Stabilisation of exposed surfaces

As soon as practical after all structures (cuts, batters, mounds) have been finished, exposed surfaces shall be stabilised (seeding, spraying or other suitable method).

Reason: To ensure that the integrity of the structures and surfaces are maintained and no erosion occurs.

[as amended by DA2018/094 MOD1, approved 28th July 2020]

ONGOING USE

(1) USE Condition – Annual Certificate.

The owner of the building shall submit to Council an 'Annual Fire Safety Statement' (Form 1) by 1 July, each subsequent year after obtaining a 'Fire Safety Certificate' for the building from Council.

The 'Annual Fire Safety Statement' shall comply with the provisions set out in the Environmental Planning & Assessment Regulation 2000. Forms for this purpose can be collected from Council's offices.

Reason: To ensure that fire and other safety measures are maintained in a proper working condition.

(2) USE Condition – Discrimination Laws.

The applicant's attention is drawn to legislation regarding responsibility to provide an improved environment for disabled persons.

The Disability Discrimination Act (DDA) is commonwealth legislation that aims to increase the economic and social independence of people with a disability.

The DDA applies to discrimination against any person on the grounds of disability in the areas of: accommodation; education; access to premises; provision of goods; services and facilities; the activities of clubs or sports; and the request for information.

It should be noted that by the issuing of this consent the Council does not guarantee that all legislative requirements of the DDA or subsequent premises standards have been satisfied and that the owners/operators may still be subject to complaints being made under the DDA. It is advisable that the applicant should satisfy themselves with the requirements of the DDA and seek further professional advice if deemed necessary.

***Reason:** To clarify that the issuing of this development consent does not certify that the establishment or operation of the development satisfies all requirements of the Disability Discrimination Act.*

(3) USE Condition – Establishment of Landscaping.

Proposed landscaping in accordance with the approved plans for tree planting shall be maintained to ensure a dense screen is established. Such plantings are to occur within six (6) months from the date of this approval.

***Reason:** To minimise visual impact and promote/enhance the rural character of the area and Council's concern that the amount of vegetation in the Shire should continue to increase to improve the climate and appearance.*

(4) USE Condition – Hours of Operation.

~~The development shall only be conducted between the hours of:-
Monday to Saturday from 7am to 8pm
Sundays and public holidays from 9am to 5pm~~

The hours of operation of the development shall be limited to the following:

(a) Processing of waste

- 7:00 am and 6:00 pm Monday to Friday
- 8:00 am to 1:00 pm Saturday
- Nil on Sundays or Public Holidays.

(b) Ancillary activities including heavy vehicle arrival/departure and loading/unloading, light vehicle arrival/departure, office work, work within buildings using hand tools only, such as vehicle maintenance, and the like:

- 7:00 am to 10:00 pm (Monday to Saturday)
- 9:00 am to 6:00 pm (Sundays).
- Nil on Public Holidays

Reason: So that the development does not reduce the amenity of the area.

[as amended by DA2018/094 MOD1, approved 28th July 2020]

(5) USE Condition – Clean and Tidy.

The premises are to be maintained in a clean and tidy condition at all times.

Reason: So that the development does not reduce the amenity of the area.

(6) USE Condition –Amenity General.

The development is to be conducted in a manner that will not interfere with the amenity of the locality by reason of the emission of noise, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit, oil, by causing interference to television or radio reception or otherwise.

Reason: So that the development does not reduce the amenity of the area.

(7) USE Non Standard Condition –EPA General Terms of Approval

The construction and operation of the site must be done in accordance with the EPA General Terms of Approval which form a part of this consent (Notice No. 1570667).

Reason: Protection of the Environment Operations Act 1997

(7A) Amendment to Environment Protection Licence (EPL)

Prior to the modification being acted upon, the Applicant shall apply to the Environment Protection Authority for a variation to Environment Protection Licence No 21294, and the license variation shall be approved.

Reason: Requested by the EPA, and to ensure that the activities carried out on-site are consistent with the EPL.

[as amended by DA2018/094 MOD1, approved 28th July 2020]

(8) USE Condition – Non Habitable Use.

The garage or shed is not to be used for residential occupation without prior consent of Council.

Reason: Health and safety prohibition.

(9) Storage and handling of dangerous goods

Dangerous goods, as defined by the Australian Dangerous Goods Code, must be stored and handled strictly in accordance with all relevant Australian Standards.

Reason: To minimise the risk associated with the storage and handling of dangerous goods.

[as amended by DA2018/094 MOD1, approved 28th July 2020]

(10) Storage and handling of chemicals, fuels, oils, etc

The Applicant must store all chemicals, fuels and oils used on-site in accordance with:

- (a) all requirements of all relevant Australian Standards; and
- (b) within an impermeable and bunded area, with a capacity of 110% of the intended storage capacity.

Reason: To prevent the contamination of surface and groundwater.

[as amended by DA2018/094 MOD1, approved 28th July 2020]

(11) Storage and handling of batteries

The Applicant must store all batteries in a secure, ventilated and roofed area on an impermeable surface, away from combustible or flammable items such as the tyres and mattresses, and shall be removed from site on a regular basis.

Reason: To prevent the contamination of surface and groundwater, and minimise the risk of an explosion or ignition.

[as amended by DA2018/094 MOD1, approved 28th July 2020]

(12) Dust and airborne particle management

Activities occurring at the premises must be carried out in a manner that will minimise emissions of dust and airborne particles at the premises, and measures to be employed shall include the following, as a minimum:

- limiting activities on windy days (more than 20 km/h),
- actively using a water cart to dampen down trafficable and processing areas of the site.

Reason: So that the development does not reduce the amenity of the area.

[as amended by DA2018/094 MOD1, approved 28th July 2020]

(13) Waste storage and disposal

All waste generated from the recycling activities on-site (i.e the by-products of the recycling process that cannot be reused), shall be stored in a bunded area with an impermeable surface, and shall be removed from the site and disposed of to a waste management facility lawfully permitted to accept the waste, on a regular basis.

Reason: So that the development does not reduce the amenity of the area, and to protect surface and groundwater.

[as amended by DA2018/094 MOD1, approved 28th July 2020]

(14) Storage and stockpiles - combustible waste material

The storage and stockpiling of combustible waste material (excluding tyres) shall be carried out in accordance with Section 8.2 of Fire and Rescue NSW's *Fire safety guidelines – Fire safety in waste facilities*, and stockpile limits shall be permanently marked to ensure limits are understood and adhered to.

Reason: To minimise the likelihood and severity of fire.

[as amended by DA2018/094 MOD1, approved 28th July 2020]

(15) Stockpile movement - combustible waste material

Stockpiles of combustible waste material (excluding tyres) shall be rotated or managed to dissipate any generated heat and minimise risk of auto-ignition, in accordance with Section 8.3 of Fire and Rescue NSW's *Fire safety guidelines – Fire safety in waste facilities*.

Reason: To minimise the likelihood of fire.

[as amended by DA2018/094 MOD1, approved 28th July 2020]

16) External stockpiles - combustible waste material

The width and location of external stockpiles of combustible waste material (excluding tyres), shall be in accordance with Section 8.4 of Fire and Rescue NSW's *Fire safety guidelines – Fire safety in waste facilities*.

Reason: *To minimise the likelihood and severity of fire.*

[as amended by DA2018/094 MOD1, approved 28th July 2020]

(17) Operations plan

A copy of the proposed operations plan, prepared in accordance with Section 8.6 of Fire and Rescue NSW's *Fire safety guidelines – Fire safety in waste facilities*, shall be submitted to Council, within sixty (60) days of the date of the modification being determined.

Reason: *To clearly document the procedures related to the daily operations of the facility.*

[as amended by DA2018/094 MOD1, approved 28th July 2020]

(18) Emergency plan

A copy of the proposed emergency plan, prepared in accordance with Section 9.3 of Fire and Rescue NSW's *Fire safety guidelines – Fire safety in waste facilities*, shall be submitted to Council, within sixty (60) days of the date of the modification being determined.

Reason: *To clearly document the procedures relating emergencies on site.*

[as amended by DA2018/094 MOD1, approved 28th July 2020]

(19) Emergency services information package (ESIP)

A copy of the proposed ESIP shall be submitted to Fire and Rescue NSW, within sixty (60) days of the date of the modification being determined.

Reason: *To ensure those people responding to a fire or emergency on-site, have all relevant information.*

[as amended by DA2018/094 MOD1, approved 28th July 2020]

Introduction

This report assesses an application to modify the existing approved resource recovery facility, currently operating at Lot 1 DP 1223224, Turners Lane, Cootamundra (DA2018/094 MOD1), which was originally approved by Council at the Ordinary Meeting of Council held (Min. no. 056/2019) February, 2019.

The application was duly notified, and one (1) submissions was received, and the key issues raised included impact on property values, noise, dust, lights and hours of operation.

The assessment of the application has considered all relevant matters under Section 4.15 and 4.55 of the *Environmental Planning and Assessment Act 1979* (the Act), the objects of the Act and the comments from the Environment Protection Authority. The assessment concludes that the modification could be approved, with minimal impact. See development assessment report (Attachment 1).

A number of changes to the existing conditions plus the imposition of additional conditions have been recommended, to ensure that the commitments made by the Applicant are reinforced and implemented.

With the implementation of the recommended conditions, it is considered that the impacts of the development can be appropriately managed and/or mitigated. Consequently, it is considered that the development meets all relevant environmental and amenity criteria and that the development is in the public interest and is recommended for approval, subject to conditions.

Discussion

The application proposes to modify a number of physical and operational aspects of the approved development, including: building location and size, infrastructure location, storage and processing area locations, car parking number and location, first-flush stormwater catchment system, earthworks, waste stream (type and volume), processing methods, hours of operation and general operational matters to improve amenity.

The Applicant is presently operating a resource recovery facility at the property, which was approved by full Council at the Ordinary Meeting (Min. No. 056/2019) held 26th February, 2019.

Whilst the use of the site as a resource recovery facility is approved, elements of the current operation on-site are not consistent with the development consent issued. For example, dismantling of mattresses is being undertaken outside using a shredder instead of in a shed using hand tools, works are being undertaken outside of the areas originally nominated on the site plan, additional earthworks have been undertaken, the catchment dams have changed in location and design, an office/ amenities building has been placed on-site along with shipping containers without consent, there are no approved amenities on-site, etc.

There are also some inconsistencies between the consent and the Environmental Protection Licence (EPL) issued by the Environmental Protection Authority (EPA), relating to hours of operation.

Furthermore, the Applicant wishes to change several operational aspects of the approved development, such as the waste stream, processing methods, building layout and number, etc.

Accordingly, this modification application has been lodged so that the consent aligns with how the site presently operates, and proposes to operate in the future, and to have a greater level of consistency with the EPL. A full assessment of the modification application is contained in the attached assessment report.

DEVELOPMENT ASSESSMENT REPORT

*Pursuant to the Environmental Planning & Assessment Act 1979
Section 4.15 (as amended)*



DEVELOPMENT REFERENCE:

DA2018/094 MOD 1

DEVELOPMENT ADDRESS:

Turners Lane, COOTAMUNDRA, NSW, 2590

DEVELOPMENT LOT / SEC / PLAN:

Lot 1 DP 1223224

OWNER(S):

Cootamundra-Gundagai Regional Council

APPLICANT:

J L W Services Pty Ltd

APPLICANT ADDRESS:

154 Peisley Street
ORANGE NSW 2800

ORIGINAL / APPROVED DEVELOPMENT (PREVIOUS DEVELOPMENT PROPOSALS AND DECISIONS):

DA2018/094 – Resource recovery facility

Approved subject to conditions – 26th February 2019 Council Meeting.

The development was approved as a resource recovery facility, receiving waste tyres, waste mattresses and waste electronic goods and whitegoods, for short term storage, processing, and resource recovery and recycling, with a target of achieving 100% reuse. It proposed the erection of a number of sheds, substantial site and earthworks to create level processing and storage areas, and a stormwater management system.

PROPOSED MODIFICATION:

To modify a number of physical and operational aspects of the approved development, including: building location and size, infrastructure location, storage and processing area locations, car parking number and location, first-flush stormwater catchment system, earthworks, waste stream (type and volume), processing methods, hours of operation and general operational matters to improve amenity.

For further details on these modifications see below.

HISTORY OF THE PROPOSAL:

The Applicant is presently operating a resource recovery facility at the property, which was approved by full Council in February 2019.

Whilst the use of the site as a resource recovery facility is approved, elements of the current operation on-site are not consistent with the development consent issued. For example, dismantling of mattresses is being undertaken outside using a shredder instead of in a shed using hand tools, works are being undertaken outside of the areas originally nominated on the site plan, additional earthworks have been undertaken, the catchment dams have changed in location and design, an office/ amenities building has been placed on-site along with shipping containers without consent, there are no approved amenities on-site, etc.

There are also some inconsistencies between the consent and the Environmental Protection Licence (EPL) issued by the Environmental Protection Authority (EPA), relating to hours of operation.

Furthermore, the Applicant wishes to change several operational aspects of the approved development, such as the waste stream, processing methods, building layout and number, etc.

Accordingly, this modification application has been lodged so that the consent aligns with how the site presently operates, and proposes to operate in the future, and to have a greater level of consistency with the EPL.

There are also several inconsistencies and minor errors in the conditions of consent, that will be corrected during this process.

COMPARISON OF APPROVED DEVELOPMENT AND PROPOSED MODIFICATION:

The following table compares the approved development and the proposed modification, and the physical changes to the site also visually represented on the two (2) subsequent plans, showing the approved site plan and the proposed site plan.

Table 1: Summary of approved development and proposed changes

APPROVED	MODIFICATION	Changes
Use		
Resource recovery facility	Resource recovery facility	Nil
Site and building works		
Office / amenities building <ul style="list-style-type: none"> 12 m x 9 m 10 m off northern boundary 94 m off western boundary 	Office / amenities building <ul style="list-style-type: none"> 14.6 m x 10.2 m 5 m off northern boundary 57 m off western boundary 	<ul style="list-style-type: none"> Increase size of building – from 108 m² to 149 m² relocate building closer to the northern (front boundary) and western boundary
Car parking area for 30 vehicles <ul style="list-style-type: none"> north-western section of the site 	Car parking area for 23 or 30 vehicles <ul style="list-style-type: none"> north-western section of the site 	<p>Generally in the same location.</p> <p>New site plan and SEE state 30 spaces will be provided, but the site plan only shows 23 spaces.</p>
3 x rainwater tanks <ul style="list-style-type: none"> north-western section of the site 50 m off the western boundary 	3 x rainwater tanks <ul style="list-style-type: none"> north-western section of the site 15 m off the western boundary 	Tanks closer to the western boundary
6 x tyre and mattress storage cages <ul style="list-style-type: none"> north-western section of the site adjacent tyre and mattress processing sheds 	Tyre and mattress storage cages <ul style="list-style-type: none"> now adjacent the various processing areas on site or overflow at front of site 	Location changed
Erection of a tyre processing shed <ul style="list-style-type: none"> 30 m x 20 m 70 m off western boundary 40 m off northern boundary 	Erection of a tyre processing shed <ul style="list-style-type: none"> 48 m x 20 m 8 m off western boundary 5 m off northern boundary 	<ul style="list-style-type: none"> Increase size of shed – from 600 m² to 960 m² relocate building closer to the northern (front boundary) and western boundary
Erection of a mattress processing shed <ul style="list-style-type: none"> 30 m x 20 m 	No mattress processing shed	It is no longer proposed to erect a shed for the purpose of dismantling mattresses
Container loading area <ul style="list-style-type: none"> 85 m x 50 m 	No longer shown on plans	No designated area, with use to occur at various locations across the site
Earthmover storage and processing area <ul style="list-style-type: none"> 3,300 m² 	Scrap steel press and scrap steel area Shredded tyres area Car tyres to be shredded area <ul style="list-style-type: none"> located centrally on property 	No large single multi-purpose processing area shown on site anymore, with processing and storage of materials to occur at various locations on the site (generally in the central part and adjacent the western boundary).

	Mattresses & tarps to be shredded area Shredded mattresses PEF area <ul style="list-style-type: none"> located towards the southern part of the site Scrap metal bale area <ul style="list-style-type: none"> located adjacent the western boundary 	<p>Whilst the scrap steel press (baler) was not shown on the original plan, this was part of the original approval and would have been located in the large processing area.</p>
Tyre cage storage area Mattress storage area Whitegoods and e-waste storage area <ul style="list-style-type: none"> adjacent eastern boundary on northern part of the site 	<p>Area reduced in size, moved slightly to the west, and use partly changed</p>	<p>Smaller area in similar location, but no longer beneath power lines. Now used predominately for storage of empty cages, with full cages also temporarily stored when processing areas are full</p>
5 x truck parking bays <ul style="list-style-type: none"> adjacent eastern boundary 	8 x truck parking bays <ul style="list-style-type: none"> located towards front of property 	<p>Increase in truck parking capacity, and relocated towards front of site</p>
Tyre processing / shredding area <ul style="list-style-type: none"> 5,030 m² south-eastern corner of the property 	Tyre processing / shredding area <ul style="list-style-type: none"> 2,324 m² south-eastern corner of the property 	<p>Reduction in processing area</p>
3 x tyre storage areas <ul style="list-style-type: none"> immediately south of tyre processing area 	Tyre storage areas <ul style="list-style-type: none"> north-west of tyre processing area 	<p>Storage area moved</p>
Stormwater catchment dams (first flush and secondary) <ul style="list-style-type: none"> south-western corner of the site 	Stormwater catchment dams (first flush and secondary) <ul style="list-style-type: none"> south-western part of the site 	<p>Dams moved further north on the site</p>
Earthworks in south-eastern corner of the site <ul style="list-style-type: none"> 6 metre battered cut into the side of the hill provide suitable retaining wall 	Earthworks in south-eastern corner of the site <ul style="list-style-type: none"> 6 metre battered cut into the side of the hill provide suitable retaining wall Earthworks in central part of the site <ul style="list-style-type: none"> 4 metre battered cut into the side of the hill with a block retaining wall Earthworks in north-east corner of the site <ul style="list-style-type: none"> 3 metre battered cut into the side of the hill 	<p>Additional site cut carried out in the central part of the site, along with a retaining wall.</p> <p>Additional site cut in the north-east corner of the site.</p>
Earthen bund wall - south <ul style="list-style-type: none"> adjacent the southern boundary of the site 	Earthen bund wall - south <ul style="list-style-type: none"> adjacent the southern boundary of the site 	<p>Nil change to southern earthen bund wall</p>

	Earthen bund walls - west <ul style="list-style-type: none">▪ adjacent the southern half of the western boundary of the site	Additional bund walls proposed part way along western boundary
Landscaping <ul style="list-style-type: none">▪ along the entire western boundary of the site, and part way along the southern, northern and eastern boundaries	Landscaping <ul style="list-style-type: none">▪ along the entire western boundary of the site, and part way along the southern, northern and eastern boundaries	Nil
	Short-term scrap metal storage area <ul style="list-style-type: none">▪ northern part of the site	New designated area
	Weighbridge and weighbridge office <ul style="list-style-type: none">▪ located in the north-east section of the property	Installation of ancillary weighbridge and weighbridge office
	Empty cage storage <ul style="list-style-type: none">▪ adjacent front boundary	New designated storage area
	22,000 litre water tank Located in south-east corner of property	Additional water tank
Waste stream		
Tyres <ul style="list-style-type: none">▪ storage – 50 tonnes unprocessed waste tyres▪ processing – 10 tonnes x 6 days a week▪ processing – 3,000 tonnes per year	Same	Nil
Mattresses <ul style="list-style-type: none">▪ processing – 1,100 tonnes per year	Mattresses and silage tarpaulins <ul style="list-style-type: none">▪ processing – 5,500 tonnes per year▪ processing - 1,100 tonnes of silage tarp	To introduce 1,100 tonnes per year silage tarpaulins into the mattress waste stream, and increase the amount of mattresses processed by 4,400 tonnes per year (to 5,500 tonnes per year)
E-waste and whitegoods <ul style="list-style-type: none">▪ processing – 5,500 tonnes per year	Same	Nil
Operational matters		
4 x buffing / lathing / crumbing machine and screening machines in tyre processing shed, and installation of air scrubbing / filtration system	Same	No change
Dismantling of mattresses	Dismantling of mattresses	Change in process and location for mattress processing

<ul style="list-style-type: none"> ▪ in shed ▪ using hand tools only 	<ul style="list-style-type: none"> ▪ in the open ▪ using the shredder 	
<p>Vehicle movements per day (single movement into or out of the property)</p> <ul style="list-style-type: none"> ▪ passenger vehicles - 60 per day ▪ heavy vehicles (19 m) - 6.5 per day ▪ heavy vehicle (12 m) - 6 per day ▪ total - 72.5 per day 	<p>Vehicle movements per day (single movement into or out of the property)</p> <ul style="list-style-type: none"> ▪ passenger vehicles - 40 per day ▪ heavy vehicles (19 m) - 7 per day ▪ heavy vehicle (12 m) - 10 per day ▪ total - 57 per day 	<ul style="list-style-type: none"> ▪ Increase of 4.5 heavy vehicle movements per day, ▪ decrease of 20 passenger vehicle movements per day, ▪ overall decrease of 15.5 vehicle movements per day
<p>Hours</p> <p><u>DA consent and original</u></p> <ul style="list-style-type: none"> ▪ 7:00 am to 8:00 pm (Monday to Saturday) ▪ 9:00 am to 5:00 pm (Sun and public holidays) <p><u>EPA Environment Protection Licence (EPL)</u></p> <ul style="list-style-type: none"> ▪ Processing of waste <ul style="list-style-type: none"> - 7:00 am and 6:00 pm Monday to Friday - 8:00 am to 1:00 pm Saturday - Nil on Sundays or Public Holidays. ▪ Activities that support waste processing such as loading, unloading, movement of waste, maintenance and administration activities <ul style="list-style-type: none"> - may occur outside the times detailed above. <p>NOTE: The original application nominated the following hours of operation:</p> <ul style="list-style-type: none"> ▪ 7:00 m to 8:00 pm (Monday to Saturday) <ul style="list-style-type: none"> - no shredding or use of machines after 5:00 pm ▪ 9:00 am to 5:00 pm (Sundays) <ul style="list-style-type: none"> - minor internal activities only 	<p>Hours</p> <ul style="list-style-type: none"> ▪ Processing of waste <ul style="list-style-type: none"> - 7:00 am and 6:00 pm Monday to Friday - 8:00 am to 1:00 pm Saturday - Nil on Sundays or Public Holidays. ▪ Ancillary activities including heavy vehicle arrival/departure and loading/unloading, light vehicle arrival/departure, office work, work within buildings using hand tools only, such as vehicle maintenance and the like (no shredding) <ul style="list-style-type: none"> - 7:00 am to 10:00 pm (Mon to Saturday) - 9:00 am to 6:00 pm (Sundays). 	<p>There will be an increase in operating hours, beyond those currently stipulated in the DA consent (which are what the Applicant originally applied for). This will bring them into greater (but not total) conformity with the hours in the EPL. The EPL allows activities, excluding processing waste, to occur 24 hour a day, 7 days a week, although the Applicant has not requested this, and this has not been assessed in this report.</p> <p>The changes are:</p> <ul style="list-style-type: none"> ▪ Monday to Saturday <ul style="list-style-type: none"> - start time – nil change - finish time – change from 8:00 pm to 10:00 pm (for ancillary activities only, not waste processing) ▪ Sunday <ul style="list-style-type: none"> - start time – nil change - finish time – change from 5:00 pm to 6:00 pm. ▪ Public holidays <ul style="list-style-type: none"> - Nil ▪ Limit the processing of waste to the following hours: <ul style="list-style-type: none"> - 7:00 am and 6:00 pm Monday to Friday - 8:00 am to 1:00 pm Saturday - Nil on Sundays or Public Holidays.

▪ No work on public holidays		
Employees ▪ 30 employees	Employees ▪ 20 employees	Loss of 10 employees

Figure 1: Approved site plan

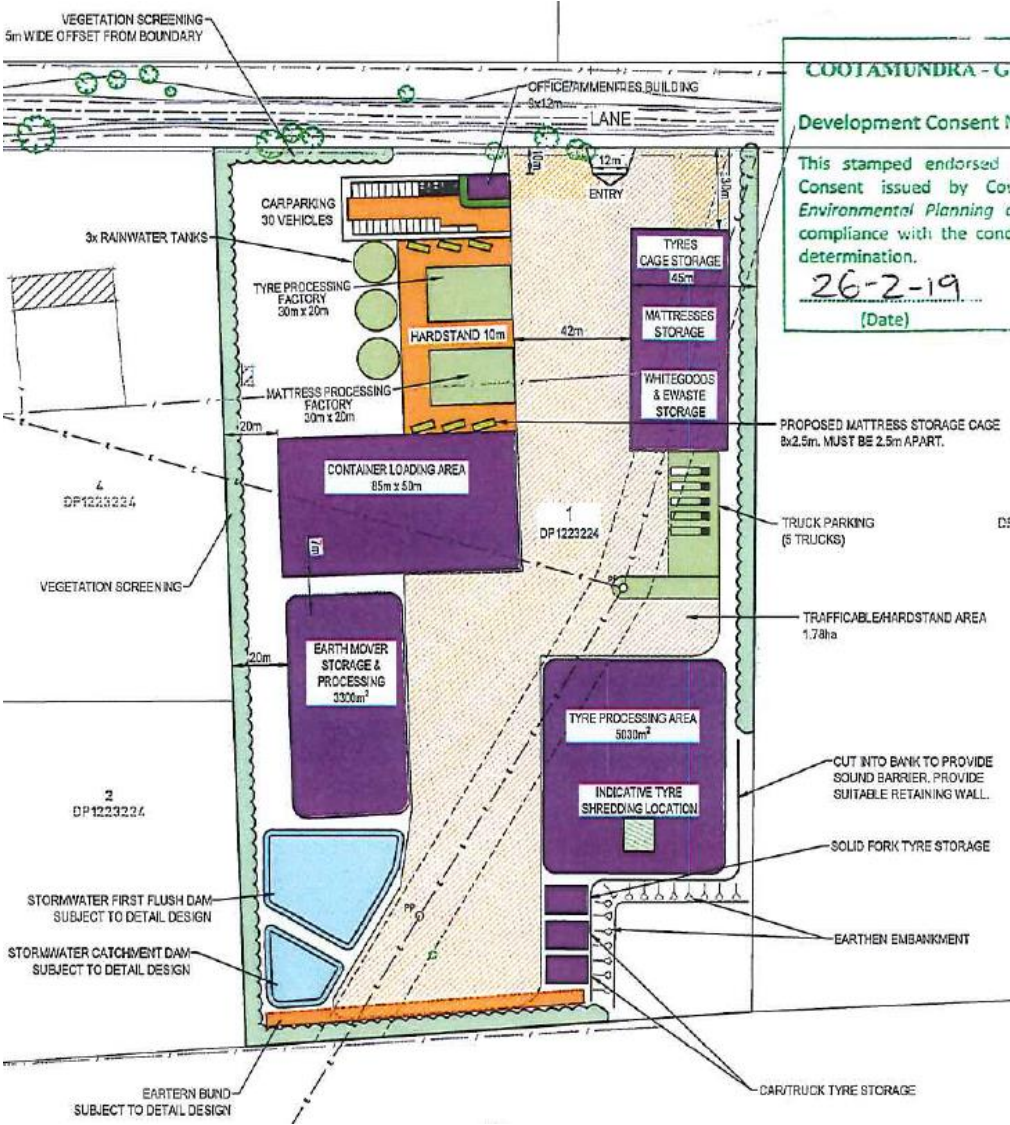


Figure 2: Proposed site plan



SITE:

The 5.971 ha property comprises a single rectangular-shaped lot (created in 2016 as part of a 4 lot subdivision – DA2016/50). The site is located on the southern side of Turners Lane, 3 km south-east of Cootamundra's CBD, and 200 metres east of Gundagai Road.

The surrounding land is a mixture of rural-residential and industrial uses, as well as areas of undeveloped land. The land to the north across Turners Lane comprises Council's waste disposal facility and sewerage treatment plant, whilst the land to the east and south is vacant industrial land. The land to the east is a parcel of rural land, which appears to have been used intermittently for grazing purposes over the years. Muttama Creek is located 500 metres to the west, and there are a number of dwellings dotted around the site, with the closest being 300 metres to the south.

The site falls generally east to west, although the landform has been significantly modified since consent was originally granted in 2019, due to the substantial earthworks carried out, in the form of cut and earth mounds. There is a catchment dam in the south-western part of the site, and there are a small number of trees on the southern part of the site. An office/amenities building has been placed on the northern part of the site without consent, but is not being used at this stage.

Figure 1 – Location plan (source SIX Maps)

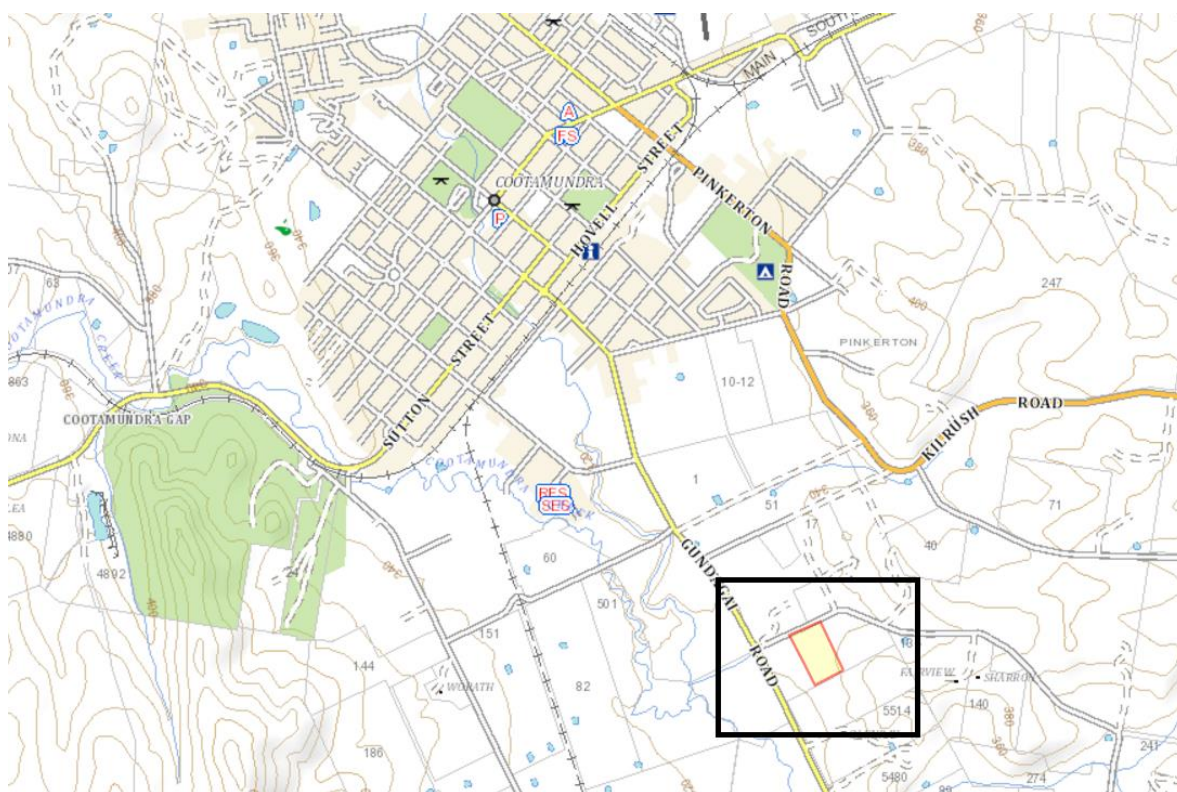


Figure 2 – Aerial view of the locality - site highlighted yellow (source Google Earth 17.11.2019)



Figure 3 – Aerial view – site (source Google Earth – 17.11.2016)



Photo 1 – On site – view to the south



Photo 2 – On site – view to the east



Photo 3 – On site – view to the east / south-east



GENERAL REQUIREMENTS OF THE *ENVIRONMENTAL PLANNING & ASSESSMENT ACT 1979*:

1.3 Objects of Act

In determining a development application, the consent authority must consider whether the proposed development is consistent with the relevant objects of the Act, which are numerous and varied. It is considered that the following objects are most relevant to the merit assessment of this modification application:

- (c) *to promote the orderly and economic use and development of land* – The site is being used as the zoning of the land intended, and the Applicant seeks to modify the development consent, to reflect the actual operations that are being carried out on site, having found the current practices allow for the better utilisation of the site, which achieve this objective.
- (e) *to protect the environment, including the conservation of threatened and other species of native animals and plants, ecological communities and their habitats* – this assessment demonstrates that the modification will not have an adverse impact on the environment, subject to compliance with the requirements of the EPL and conditions of consent, and specifically will not have any impact on threatened species.
- (g) *to promote good design and amenity of the built environment* – the modification will have a slightly lesser impact in terms of the built environment, with a reduction in the number of sheds proposed,
- (h) *to promote the proper construction and maintenance of buildings, including the protection of the health and safety of their occupants* – the modification will not result in any changes to the conditions of consent that relate to the Building Code of Australia and will not impact the health and safety of the occupants,
- (j) *to provide increased opportunity for community participation in environmental planning and assessment* - The application was exhibited in accordance with the relevant requirements (see Section 2.22 below), to provide public involvement and participation in the environmental planning and assessment of this application.

1.7 Application of Part 7 of Biodiversity Conservation Act 2016 and Part 7A of Fisheries Management Act 1994

These sections of the Acts, require Council to consider whether the development or activity is likely to significantly affect threatened species, populations or ecological communities (as per the relevant test in each Act). As per these sections and tests, it is not considered that the modification is likely to significantly affect threatened species, populations or ecological communities, because:

Biodiversity Conservation Act 2016

- the site has not been declared as an area of outstanding biodiversity value,
- the modification does not exceed the biodiversity offsets scheme thresholds (is not mapped as high biodiversity value on the Biodiversity Values Map and does not exceed the clearing threshold),
- it does not involve the removal of trees (native or otherwise), and there is no native groundcover disturbance,
- the site is devoid of the tree, shrub and grass species that are typical of the four (4) EECs known to occur across the whole of the CGRC LGA, and
- the development is not a key threatening process.

Fisheries Management Act 1994

- all threatened species, endangered populations and endangered ecological communities known to occur in the area, or thought to be extinct in the area, are confined to the Murrumbidgee River or river system, and the development is remote from the River,
- there is no declared critical habitat in the region,
- the modification is not a key threatening process.

2.22 Mandatory community participation requirements

Part 1 (Mandatory community participation requirements) of Schedule 1 (Community participation requirements) of the Act, sets out the mandatory requirements for community participation by planning authorities with respect to the exercise of relevant planning functions, which includes among other things, notification of development applications.

As the modification relates to integrated development, the relevant section that applies to this development is:

8A Application for development consent for nominated integrated development or threatened species development

(1) Minimum public exhibition period for an application for development consent for nominated integrated development or threatened species development—28 days.

The development was advertised for 28 days, with letters sent to neighbours, a notice placed in the local newspaper, and placed on Council's website and Facebook page, as per the CGRC Community Participation Plan.

One submission was received strongly objecting to the modification, in particular to the proposed extension of hours, on the following grounds:

- current operational hours have obtrusively and massively impacted their lifestyle, and an extension of these hours would cause further distress,
- lights and noise from trucks, machines and other vehicles (reversing alarms and amber flashing lights) are seen and heard in their home,
- noise from the shredder can be heard in their home and on the property from 7:00 am,
- it would be impossible to control the dust, fibres and noise, from the shredding / crumbling of tyres and mattresses in the open,
- there has been no attempt to comply with the approval, e.g site layout, dust suppression, noise control, stormwater run-off and operational hours,
- property values have been impacted and will be further impacted with the changes,
- during the past year several complaints have been made to Council/Councillors and the EPA, in respect of:
 - noise,
 - dust control,
 - lack of run-off water management,
 - lights and noise from vehicles from 5:00 am to after 10:00 pm,
 - vehicles at night driving with no lights on,
 - lack of concern with compliance,

- in the initial DA tyre shredding was in a shed not an open air shredding site, and seek clarification on the indicative tire shredding location,
- there is no reference to the location of the mattress shredding,
- Council has taken an approach, that has not protected the rural lifestyle/infrastructure of the surrounding land - neighbour purchased their property in December 2009 for the quiet lifestyle close to town, and Council rezoned the subject land industrial,
- a more appropriate site should be found if shredding/crumbling is to be in the open, as the site is unsuitable.

These issues will be addressed throughout this report.

4.5 Designation of consent authority

The development is not State or regionally significant development or infrastructure [as defined by SEPP (State and Regional Development) 2011], and therefore Council is the determining authority.

4.10 Designated development

Schedule 3 of the EP&A Regulation defines the various types of designated development, and whilst the proposal is a designated development category (waste management facilities or works), it does not meet the following criteria that would make it designated:

- (1) *Waste management facilities or works that store, treat, purify or dispose of waste or sort, process, recycle, recover, use or reuse material from waste and—*
- (b) *that sort, consolidate or temporarily store waste at transfer stations or materials recycling facilities for transfer to another site for final disposal, permanent storage, reprocessing, recycling, use or reuse and—*
- (iii) *that have an intended handling capacity of more than 30,000 tonnes per year of waste such as glass, plastic, paper, wood, metal, rubber or building demolition material, or*
- (d) *that are located—*
 - (i) *in or within 100 metres of a natural waterbody, wetland, coastal dune field or environmentally sensitive area, or*
 - (ii) *in an area of high watertable, highly permeable soils, acid sulphate, sodic or saline soils, or*
 - (iii) *within a drinking water catchment, or*
 - (iv) *within a catchment of an estuary where the entrance to the sea is intermittently open, or*
 - (v) *on a floodplain, or*
 - (vi) *within 500 metres of a residential zone or 250 metres of a dwelling not associated with the development and, in the opinion of the consent authority, having regard to topography and local meteorological conditions, are likely to significantly affect the amenity of the neighbourhood by reason of noise, visual impacts, air pollution (including odour, smoke, fumes or dust), vermin or traffic.*

Neither the original application or the proposed modification exceed the volume criteria or the locational parameters, and accordingly it is not designated development

4.13 Consultation and concurrence

If required by an environmental planning instrument, this section requires Council to consult with or obtain the concurrence of the person. No consultation was required in this instance - see comments below relating to *NSW Rural Fire Service (NSW RFS), Essential Energy, Roads and Maritime Services (RMS)*, but as the development is integrated development, the concurrence of the Environment Protection Authority, was sought and obtained (see further comments below).

4.14 Consultation and development consent—certain bush fire prone land

The land is not bushfire prone and the development is not for residential or rural residential purposes and is not for a special fire protection purpose. Therefore, no referral to the NSW RFS was required, and the provisions of Planning for Bush Fire Protection 2019, do not apply.

4.22 Concept development applications

The development is not a concept development (a development application that sets out concept proposals for the development of a site, and for which detailed proposals for the site or for separate parts of the site are to be the subject of a subsequent development application or applications).

4.33 Determination of Crown development applications

The development is not a Crown development (a development application made by or on behalf of the Crown).

4.36 Development that is State significant development

The development is not State significant development (of a size, type, value or with impacts deemed to be significant), as it is not identified in *State Environmental Planning Policy (State and Regional Development) 2011*.

4.46 Integrated development

The original development application and the proposed modification is integrated development, as both required the consent or an approval from another government agency. In this instance, it required the following approval from the Environment Protection Authority (EPA), which was granted and that subsequently needs to be modified, as a result of the proposed modification:

- environment protection licence (EPL) to authorise carrying out of a scheduled activity at the premises, under Section 48 of the *Protection of the Environment Operations Act 1997*, being:
 - Clause 41 of Schedule 1 - Waste processing (non-thermal treatment) – waste tyres
 - Clause 42 of Schedule 1 - Waste storage – waste tyres.

The modification was referred to the EPA, and the response received was as follows:

- we have no objections to the proposed modification,
- we are supportive of the earthen bund at the southern end of the premises which reduces impacts on the nearest sensitive receptor,

- we recommend the proposed changes to waste streams and volumes are included as conditions of consent as follows:
 - a maximum of 5,500 tonnes of waste mattresses can be received at the premises in any 12-month period,
 - a maximum of 1,100 tonnes of silage tarp can be received at the premises in any 12-month period.
- should development consent be granted it will also be necessary for the applicant to apply for a variation to Environment Protection Licence No 21294 prior to any construction work and consistent with the modified development application,
- given the circumstances leading to this modification we request Council require an independent audit of the approval within 12 months of granting consent by a suitably qualified expert (approved by Council) to ensure all commitments made in the application and all conditions of the development consent are implemented and in compliance.

The recommended conditions will be imposed on the modification, except for the recommendation to impose an audit condition, which the EPA have since indicated is not required, on the basis that it does not specifically relate to the modification application.

4.55 Modification of consents - generally

The applicant has lodged the proposed modification as a 4.55(1A), being a modification involving minimal environmental impact. This section of the Act provides that the consent authority may, on application being made by the applicant or any other person entitled to act on a consent granted by the consent authority and subject to and in accordance with the regulations, modify the consent if:

(a) it is satisfied that the proposed modification is of minimal environmental impact, and

It is intended that this report will demonstrate that the modification is of minimal environmental impact.

(b) it is satisfied that the development to which the consent as modified relates is substantially the same development as the development for which the consent was originally granted and before that consent as originally granted was modified (if at all), and

In determining whether the modification will result in substantially the same development, the legislation requires Council to consider the proposed modification against the original consent and is not to take into account any previous modifications (of which there are none in this instance).

The summary of the proposed changes is detailed previously in this report, and whilst it appears that there are numerous changes, the NSW Land and Environment Court (NSWLEC), has considered the meaning of "substantially the same" numerous times with the main principles emerging from a range of cases are as follows:

- the comparison between the original development and the modified development involves a consideration of quantitative and qualitative, elements of the proposal [*Moto Projects (No 2) Pty Ltd v North Sydney Council*],

- the modification power is 'beneficial' and 'facultative', meaning, it is designed to assist the modification process rather than to act as an impediment to it ... "it is to be construed and applied in a way that is favourable to those who seek to benefit from the provision" [*North Sydney Council v Michael Standley & Associates Pty Limited*],
- a proposal can only be regarded as a modification if it involves "alteration without radical transformation" [*Sydney City Council v Ilenace Pty Ltd*].

With this in mind, the use and activities on the site are substantially the same, as follows:

- the use of the property as a resource recovery facility remains the same,
- the type of waste stream is essentially the same, even with the introduction of silage tarps,
- the hours of operation are not excessively different,
- whilst there is a 45% increase in the volume of waste, it is still within the same limits as it pertains to the integrated development and designated development thresholds,
- the number of buildings is reduced, but the GFA is similar, and they are still proposed to be erected on the northern part of the site,
- the waste processing methods for the bulk of the waste (tyres, whitegoods and e-waste) are the same, with changes to how the mattresses are processed only, but with the same outcome,
- the stormwater catchment system has been modified slightly, but is still in the same general location on-site,
- traffic generation is similar, with an increase in heavy vehicle movements, but an overall reduction in traffic.

Considering all of the above factors, it is accepted that the proposal would not change the core elements of the development, in particular the nature of the use.

- (c) *it has notified the application in accordance with:*
- (i) *the regulations, if the regulations so require, or*
 - (ii) *a development control plan, if the consent authority is a council that has made a development control plan that requires the notification or advertising of applications for modification of a development consent, and*

The modification was notified in accordance with the EPA Regulations, as it pertains to integrated development as discussed above.

- (d) *it has considered any submissions made concerning the proposed modification within any period prescribed by the regulations or provided by the development control plan, as the case may be.*

Council has considered the submission received, which is summarised in section 2.22 above, with comments provided as necessary, throughout this report.

- (3) *In determining an application for modification of a consent under this section, the consent authority must take into consideration such of the matters referred to in section 4.15 (1) as are of relevance to the development the subject of the application. The consent authority must also take into consideration the reasons given by the consent authority for the grant of the consent that is sought to be modified.*

Following is the section 4.15 assessment of the proposed modification.

SECTION 4.15 CONSIDERATIONS UNDER THE ENVIRONMENTAL PLANNING & ASSESSMENT ACT 1979:**4.15(1)(a)(i) The provisions of any environmental planning instrument:*****State Environmental Planning Policies (SEPPs) and deemed SEPP's***

The following SEPPs are relevant to the development.

SEPP No. 33 – Hazardous and Offensive Development

The planning assessment of the initial development application determined that the development was a “potentially hazardous development”, and that the application addressed the provisions of this SEPP. As per the *Hazardous and Offensive Development Application Guidelines - Applying SEPP 33*, if the proposed modification is potentially hazardous or potentially offensive in its own right, or if the proposed modifications are not potentially hazardous in themselves, but interact with the existing facility in such a way that cumulative hazards (or offence) from the existing facility may be significantly increased, the SEPP 33 applies to the modification.

It is not considered that the modification meets these tests, and therefore consideration of this clause is not required.

SEPP No. 55 – Remediation of Land

Clause 7(1) prescribes that a consent authority must not consent to the carrying out of any development on land, unless it has considered whether the land is contaminated. Council has no evidence to indicate that the land is a site of possible contamination, and no further investigation is warranted.

SEPP (Infrastructure) 2007

The sections of this policy that may be relevant to an assessment of this application are detailed as follows:

- *Clause 45 (Determination of development applications—other development)* applied to the original development application, as it was in proximity to electricity infrastructure (e.g within 5 metres of an exposed overhead power line). As stated in the assessment report for the original development, the application was referred to Essential Energy, and as a result, a condition was imposed to the effect that no building works or use of land can occur within the easement, without the written consent of Essential Energy, or the power has been moved. As the modification does not change the requirement for this condition, no further referral to Essential Energy was considered necessary.

It should be noted that the Applicant has not complied with this condition, in that the power lines have not been moved, and no evidence that the consent of Essential Energy has been obtained to carry out the activities within the easement has been submitted to Council. This however, does not prevent Council from considering the modification, but becomes a separate compliance issue, that will be handled by Staff.

- *Clause 55 (Development adjacent to corridor)* applies to developments adjacent to a gas pipeline corridor. This development is not adjacent the gas pipeline, which is located 4.5 km to the north-west;
- *Subdivision 2 (Development in or adjacent rail corridors)*, including *Clauses 84, 85, 86 and 87* – these clauses do not apply to this development, and the closest rail corridor is the disused Cootamundra-Tumut Railway line, 1.5 km to the west;
- *Clause 101 (Development with frontage to classified road)*. The site does not have frontage to a classified road;
- *Clause 102 (Impact of road noise or vibration on non-road development)*, does not apply in this instance, as the activity is not identified in the SEPP;
- *Clause 103 (Excavation in or immediately adjacent to corridors)*, does not apply as the development will not result in an excavation adjacent a listed road;
- *Clause 104 and Schedule 3 (Traffic generating development)*, applied to the original development application as “waste or resource management facilities” are identified in Schedule 3. As stated in the assessment report for the original development, the development was referred to the Roads and Maritime services (now Transport for NSW), who advised that the intersection of Turners Lane and Gundagai Road is capable of dealing with additional traffic proposed as part of this development. As the modification results in an overall reduction in traffic, no further referral to Transport for NSW was considered necessary.

Local Environmental Plan (LEP)

The applicable LEP is the Cootamundra LEP 2013 (CLEP), and the relevant provisions of the LEP are discussed as follows.

1.2 Aims of Plan

The modification is not inconsistent with the aims of the LEP, which include:

- (a) to ensure that local amenity is maintained and enhanced,*
- (b) to protect viable agricultural areas from conflicting land uses,*
- (c) to identify, protect, conserve and enhance areas of environmental and aesthetic significance,*
- (d) to encourage the ecologically sustainable use and management of natural resources,*
- (e) to identify and protect areas used for community and recreational activities,*
- (f) to identify and manage the heritage resources of Cootamundra.*

The impacts of the development on the amenity of the local area has been discussed below in relation to a number of issues and, provided the operator of the facility complies with the stated commitments, the conditions of consent and the EPL, the impacts should be acceptable. The modification will not cause any conflict with any agricultural uses in the area, and given the location of the development, it will not impact negatively on natural resources or the environment.

1.4 Definitions

The approved development, subject of this modification application, is defined as a:

resource recovery facility which means a building or place used for the recovery of resources from waste, including works or activities such as separating and sorting, processing or treating the waste, composting, temporary storage, transfer or sale of recovered resources, energy generation from gases and water treatment, but not including re-manufacture or disposal of the material by landfill or incineration.

A resource recovery facility is a subset of the broader parent term:

waste or resource management facility which means any of the following—
(a) a resource recovery facility,
(b) a waste disposal facility,
(c) a waste or resource transfer station,
(d) a building or place that is a combination of any of the things referred to in paragraphs (a)–(c).

Whilst the SEE for the modification foreshadows that some mattress waste may go to landfill, it is still considered that the development is predominantly a resource recovery facility.

1.6 Consent authority

The consent authority for the purposes of this Plan is the Council.

1.9A Suspension of covenants, agreements and instruments

There are no covenants, agreements, easements or restrictions on the property that affect this development.

2.1 Land use zones

The site is zoned IN3 Heavy Industrial. The original development, and subsequent modification, is permitted in the zone with consent.

2.3 Zone objectives

Under this clause Council must have regard to the objectives of the zone when determining an application. The proposed development, whilst not actively working towards every objective, is considered to be consistent with the following objectives of the IN3 Heavy Industrial zone:

- *to encourage employment opportunities* – whilst the modification application indicates that employment opportunities have been reduced from 30 employees to 20 employees, it is still considered that the development is consistent with this aim,
- *to minimise any adverse effect of heavy industry on other land uses* - the development has been located in an appropriate zone, adjacent other industries with similar impacts. Work practices and on-site works have been and will continue to be implemented, in order to minimise any potential conflicts, an issue that is discussed throughout this report;

The development is not inconsistent the remaining objectives of the zone, which are just not relevant to the proposal, as they are strategic in nature.

2.7 Demolition requires development consent

The original development did not involve demolition work, and the modification does not alter this situation.

5.10 Heritage conservation

There are no items of European heritage identified on either the State Heritage Register or in the LEP as being present on-site, and the site is not located in a Heritage Conservation Area (HCA).

6.1 Earthworks

There are additional earthworks identified in the modification, which includes an additional earthen bund wall partway along western boundary, a site cut and block retaining wall central of the site and a cut in the north-east corner of the site. These works have already been carried out on-site and are already partially revegetated.

These additional earthworks have resulted in changes to site drainage, but have had no detrimental effect on drainage patterns in the wider locality, as the run-off from these areas still drains to the same location as it did pre-development (being the south-west corner of the site), but is now intercepted by the first flush stormwater system (see further discussion on this issue elsewhere in this report).

Additional works are required on some of the cuts, batters and mounds, to ensure that the exposed surfaces are protected (seeded or otherwise stabilised), so that the stability of the soil is not impacted adversely. An additional condition of consent will be imposed, to this effect. General conditions relating to sedimentation and erosion control are already in place in the consent, and no changes to these are required.

The additional earthworks have not impacted adversely on the likely future use or redevelopment of the land, and in fact have made the site more usable for industrial purposes, with several level areas having been created. Furthermore, they have not impacted on the amenity of adjoining properties.

Additional conditions will be imposed relating to the block retaining walls.

6.2 Flood planning

The site is not affected by the flood mapping in the LEP, which is based on the 2001 Cootamundra Flood Study.

6.3 Terrestrial biodiversity

This clause applies to land that is identified as biodiversity land on the **Terrestrial Biodiversity Map**, but the site is not mapped as being affected, and accordingly this clause is not applicable.

6.4 Groundwater vulnerability

This clause applies to land that is identified as groundwater vulnerable on the **Groundwater Vulnerability Map**. This map identifies areas that have a susceptibility to groundwater

contamination, or are likely to have high value for supply of water to town, stock and domestic, irrigation and commercial users, where contamination cannot be tolerated. It is not known how the mapped was derived, but appears that the mapped areas coincide with some locations that have a large number of bores.

The objective of this clause is to maintain the hydrological functions of key groundwater systems, and protect them from depletion and contamination, and before determining a development application for development on land to which this clause applies, the consent authority must consider these issues.

The whole of the site has been mapped as having vulnerable groundwater, and as a result of this, the original assessment report foreshadowed that:

- the on-site bores would need to be monitored, and that a condition of consent would mandate the regular testing of the groundwater for contamination,
- that all hazardous and corrosive materials will be stored appropriately to minimise risk, and conditions would impose this.

Neither of these requirements made it into the conditions of consent.

However, given the processes carried out on-site and the depth of groundwater in the area, it is considered unlikely that groundwater would be negatively impacted, and accordingly it is not considered that testing of groundwater is required, or what the parameters of testing should be. Furthermore, if there was a need for groundwater monitoring, the EPA would have identified it, and imposed relevant monitoring conditions in its EPL, which it did not. Accordingly, it is not proposed that this condition be imposed.

In terms of a condition relating to the proper storage of hazardous or corrosive materials, this does need to be imposed as originally intended, and it is related to both the original consent, as well as the increase in processing of waste on the site as a result of this modification. Possible hazardous or contaminating materials include batteries from the e-waste, which the original SEE identifies as containing cadmium, mercury and lead, as well as diesel/fuel spills, also identified in the original SEE. Accordingly, appropriate conditions will be imposed.

Finally, the original SEE indicates that the development does not rely on the use of bore water, and the modification does not change this, and therefore the development will not contribute to the depletion of groundwater supplies.

6.5 Riparian land and watercourses

This clause applies to land that is identified as a watercourse on the **Watercourses Map**, and to all land that is within 40 metres of the top of the bank of each watercourse on land identified as watercourse, on that map. The site is not mapped as being affected and is not within 40 metres of a mapped area, and accordingly this clause is not applicable.

6.6 Salinity

This clause applies to land identified as dryland salinity on the **Natural Resources Land Map**, but the site is not mapped as being affected, and accordingly this clause is not applicable.

6.7 Highly erodible soils

This clause applies to land identified as high soil erodibility on the **Natural Resources Land Map**, but the site is not mapped as being affected, and accordingly this clause is not applicable.

6.8 Airspace operations

This clause applies to developments that penetrate the Limitation or Operations Surface of the Cootamundra Airport, which neither the original development, or proposed modification does, and therefore this clause is not applicable.

6.9 Essential Services

This clause only applies to land that is zoned Zone RU4 Primary Production Small Lots, or Zone R5 Large Lot Residential, and therefore does not apply in this instance.

4.15(1)(a)(ii) The provisions of any draft environmental planning instrument:

State Environmental Planning Policies (SEPPs)

There are no draft SEPP's which relate to this development.

Local Environmental Plan (LEP)

There are no draft LEPs which apply to this land.

4.15(1)(a)(iii) The provisions of any development control plan:

Cootamundra Development Control Plan (DCP)

This DCP applies to the land, and the relevant provisions of the following performance criteria, with reference to the acceptable solutions in the DCP (where they exist) are discussed as follows, as it relates to the modification.

- Chapter 1 General information - Section 1.7 (Notification of Development Applications), contains provisions that relate to the notification of applications, however, the provisions of the Community Participation Plan takes precedence over this section of the DCP (see comments above in Section 2.22).
- Chapter 3 Business & Industrial Development

New car parks are sufficient in number and design to provide for the needs of new developments.

There is a minor inconsistency between statements on the amended site plan and in the SEE (stated as 30), and the number car parking spaces shown on the site plan (being 23). Regardless of this, with a reduction in the number of employees from 30 to 20, 23 car spaces is considered adequate. This required number will be reinforced as an amended condition of consent [Condition - (4) PCC Condition - Carpark Design].

Adequate space is provided on site to accommodate service and delivery vehicles in new development.

The modification shows an increase in heavy vehicle parking, and a change in location, which is considered acceptable, and meets the acceptable solution in the DCP. No change to existing conditions, or new conditions is required.

▪ Chapter 5 Car parking and vehicle access

New car parks are sufficient in number and design to provide for the needs of new developments

There is no specific parking rate in the DCP for this type of development, but sufficient parking has been provided (see comments above), and parking is provided on-site.

Parking areas are designed to operate in a safe manner for drivers and pedestrians

All vehicles can enter and leave the site in a forward direction which existing conditions reinforce, and the parking spaces will be suitably designated, as shown on the plans.

Parking bays are readily accessible and provide adequate area for the turning and manoeuvring of vehicles

Conditions were imposed on the original consent, that addresses this issue in terms of design and standard of construction, and the modification does not require any changes to these conditions.

▪ Chapter 6 Environmental Management

Infrastructure assets, including waste management facilities, do not impact adversely on the amenity of dwellings due to noise, odour and appearance

This issue is discussed in greater detail in the section below [4.15(1)(b)], as it relates to the modification.

4.15(1)(a)(iiia) Any planning agreement or draft planning agreement:

The developer has not entered into a planning agreement, nor has offered to enter into a draft planning agreement.

4.15(1)(a)(iv) Matters prescribed by the Regulations:

Council has considered the following matters as prescribed by Regulations:

Clause 92 (Additional matters for consideration): -

- the application does not involve the demolition of a building,
- the application is not for the carrying out of development on land that is subject to a subdivision order made under Schedule 7 to the Act,
- the development is not located within the local government area of Coonamble, City of Dubbo, Gilgandra or Warrumbungle (to which the Dark Sky Planning Guideline applies),
- the application does not pertain to a manor house or multi dwelling housing (terraces),
- the development is not for the erection of a building for residential purposes on land in Penrith City Centre.

Clause 93 (Fire safety and other considerations)

- the development is not for a change of building use for an existing building.

Clause 94 (Consent authority may require buildings to be upgraded)

- the development does not involve the rebuilding, enlargement or extension of an existing building.

Clause 94A (Fire safety and other considerations - temporary structures)

- the development is not for a temporary structure.

Clause 288 (Special provision relating to Sydney Opera House)

- the development does not relate to the Sydney Opera House.

4.15(1)(b) The likely impacts of that development:

Context and Setting:

The proposed modification does not change the original assessment of this issue, which identified that the site was located in a heavy industrial zone of the Cootamundra industrial land precinct, which is approximately 2.5, from Parker Street (CBD). The surrounding land uses remain the same today as they did in February 2019 when the application was originally assessed, and include the Cootamundra waste disposal facility and sewerage treatment plant, as well as, vacant land used for agricultural purposes. There are also a number of houses in the area, with the closest being located 300 metres to the south.

Is not considered that the modification will significantly alter the character of the locality or the streetscape, as the activity remains largely the same and the physical changes are in keeping with what was originally approved on site. Furthermore, the modification will not adversely impact the scenic qualities and features of the landscape, given the fencing along Turners Lane, the setback to Gundagai Road and nearby dwelling houses, the earthen bund walls and the proposed landscaping.

The modification will not result in any additional loss of acoustic privacy (see discussion below), and whilst there may be some overshadowing of the property to the west, as result of the relocation of the proposed building, this impact is considered acceptable as the land is zoned industrial.

In terms of visual privacy, the issue of nuisance from lights (flashing lights and headlights) has been raised as an issue, which has been partly addressed by the partially constructed earthen bund wall along the southern boundary. When this wall is extended along the full length of this boundary as per the approved plan, and the landscaping is provided as per the approved plan, the issue with lights will be resolved.

Access, Transport and Traffic:

As identified above, the modification will result in an increase of 4.5 heavy vehicle movements per day and a decrease of 20 passenger vehicle movements per day, resulting in an overall decrease of 15.5 vehicle movements per day. These changes relate directly to the increased volume of the waste stream and a reduction in the number of employees.

The original assessment of this application identified that the development would increase traffic movements on Gundagai Road by 5.5%, which was considered acceptable by Council and RMS at the time. Even though there is an increase in heavy vehicle movements, approximately one additional movement every 2 hours during the day, overall there is a reduction in traffic.

The modification also proposes the installation of a weighbridge and weighbridge office, which is considered an appropriate addition, to ensure trucks are not overloaded when leaving the site, and to keep accurate records of the waste stream.

Accordingly, Staff had no concerns regarding the modification as it relates to traffic.

Furthermore the existing conditions of consent relating to the access are suitable, other than some minor housekeeping matters, where Council had inadvertently identified the incorrect street name in the conditions of consent and made reference to kerb and gutter that does not exist.

Public Domain:

The modification will not impact negatively in terms of such things as recreational opportunities, or the amount, location, design, use and management of public spaces.

However, Council did impose a condition [(6) GEN Condition – New Footpath Construction], that required a concrete footpath to be constructed along the entire frontage of the site, which seems unnecessary, given the nature of the business and its location (no foot traffic). After discussing this with the Applicant, it has been requested that the removal of this condition form part of the current modification application, which is supported.

Utilities:

Water

Reticulated water is not presently available to the site but is subject to a contractual arrangement between the Council and the Applicant, although at this stage there is no clear indication of if or when the water will be extended. However, the modification does not result in any changes to the proposed water supply to the development, which proposes to rely on rainwater tanks (existing and proposed). The modification does however, include an additional water tank in the south-east corner of the property, which has already been installed.

Sewer

Both the original SEE and development application assessment report were unclear as to whether or not Council's reticulated sewerage system was to be connected to the site. Accordingly, conditions of consent referred to both the installation of an on-site wastewater management system, as well as the discharge of liquid trade waste, to sewer. Whilst it is appropriate that sewer should be connected to an industrial subdivision, it is unclear if or when this will occur, as the provision of sewer to this site is subject to contractual arrangements between Council and the Applicant. However, as the modification does not change the amount or type of effluent to be generated by the development, the existing conditions are satisfactory.

Power

The proposed modification does not change the power requirements of the development, and the issue relating to the electricity easement, has been discussed above.

Heritage:

The proposed modification does not change the original assessment of this issue, which identified that the proposed development will not impact any known or aboriginal sites, and that the site does not contain any local or state heritage items and is not in a heritage conservation area.

Other Land Resources:

The original assessment of this issue did not identify any concerns, and it is not expected that the modification will have any adverse effect on conserving and using valuable land resources such as productive agricultural land, mineral extractive resources or water supply catchments.

Water:

The issues of water supply and impact on groundwater, as it relates to the modification, has been discussed earlier in the report, and it has been determined that there is unlikely to be any additional impacts,

The submission received expressed concern about stormwater run-off. In terms of surface water the design and location of the first flush catchment system is proposed to be altered as per the modification, and also introduces a clean water diversion drain into the design, to divert clean stormwater from the property above. However, no engineering details have been supplied to demonstrate that it will capture all stormwater from the site, and that it is of sufficient capacity. Furthermore, the SEE that supports the modification contains some conflicting statements as to whether it is a single basin system (Page 5 of the SEE) or a two basin system (Page 8 of the SEE). Accordingly, conditions of consent are to be imposed on the modification, requesting this detail. This will ensure that all potentially contaminated stormwater is retained on-site and does not have an adverse impact on surface water and will address the concerns raised in the submissions.

Soil:

The issue of the modifications impact on the soil have been discussed earlier in this report in regards to sedimentation and erosion control and stabilisation of exposed surfaces. It is unlikely that the modification will have any impact on soil conservation in terms of - soil qualities or instability, management of soils, soil erosion and degradation, sedimentation and pollution of water bodies contamination, or acid sulphate soils, provided the existing and proposed conditions of consent are complied with.

Air and Microclimate:

Odour

Odour is generated from the scrubbing/crumbing of tyres, which is to be carried out in the proposed shed using a lathe and/or crumbing machine, which is fitted with an air scrubbing / filtration system. A fine water spray is also used cool the tyres while crumbing is occurring, to help with the odour. The proposed modification does not change this process, with the only

difference being the location of the shed. Furthermore, an existing condition in the EPL, states that no offensive odours have been identified as being permitted to be emitted, and also states that it is an offence to emit an offensive odour. No adverse impact from odour is expected as a result of the modification.

Dust

The issue of dust, and fibres, has been raised in the submission that was received, concerned about the inability to control the dust from the tyre and mattress shredding that occurs in the open, also citing that dust has been an issue in the last twelve (12) months, from the operations on-site. With additional processes being carried on outside (specifically the mattress shredding), there is potential for additional airborne dust and fibres. The SEE that accompanies this modification application acknowledges that Council has received complaints regarding dust and proposes the following additional measures to further minimise the impacts:

- ceasing or limiting activities on windy days (more than 20 km/h),
- actively using a water cart to dampen down trafficable and processing areas of the site to minimise dust generation,
- install landscaping on the boundary as per the approved arrangement to limit off-site dust impacts.

These additional measures will assist in managing dust and airborne particles from the site, and these commitments will be imposed as conditions of consent.

Flora and Fauna:

This issue has been discussed above, and as no tree or native groundcover removal is proposed as part of the modification, it will not have any impact on critical habitats, threatened species or populations, ecological communities or any other protected species, or on native fauna or vegetation.

Waste:

The original SEE stated that the development has a target of achieving 100% reuse from the recycling activities, although the amended SEE notes that certain partnerships have fallen through (specifically the conversion of mattress waste to softfall). However, with the introduction of silage tarp into the processed mattress waste stream, it is stated that the waste could be sent to be mixed with other waste products to create a processed engineered fuel (PEF). The SEE states that if this market is not available, that waste (approximately 50% of the mattress and 100% of the silage tarps, based on estimate of the mattress components in the original SEE) will be sent to landfill. Conditions will be imposed, regarding the storage of this waste on the property, to ensure that it does not become a nuisance and is removed on a regular basis.

There is no change to other waste (from the office and the amenities) as a result of the modification.

Energy:

The modification will have minimal impact on the energy needs of the development.

Noise and Vibration

Noise has been raised in the submission received, citing existing noise impacts from the shredder, trucks and other vehicles/machinery, and stating that there is noise before 5:00 am and after 10:00 pm. Concern is also expressed relating to the increase/variation to the hours of operation, proposed as part of this modification, and the resultant increased impact from noise.

A noise study was prepared to support this modification, which involved the actual monitoring of noise from the site, whilst one (1) baler, one (1) shredder, one (1) shearer, one (1) truck and three (3) excavators, were operating on the site. This study demonstrated that the current operations on-site did not exceed the daytime (7:00 am to 6:00 pm) noise limit (of 40 dBA), with a noise level of 38 dBA measured at the closest affected receptor. This daytime noise period, is when the processing of waste is carried out, and the study did identify that even though certain activities are audible from time to time, it satisfies the noise standard.

However, the noise study did not specifically address the ancillary activities to be carried out on-site outside the above hours, essentially between 6:00 pm and 10:00 pm (Mon to Saturday), which includes heavy vehicle arrival/departure and loading/unloading, light vehicle arrival/departure, office work, work within buildings using hand tools only, such as vehicle maintenance and the like (no waste processing). Council sought additional information from the Applicant regarding this matter, who provided the following justification, as to why the evening noise limit would not be exceeded:

- the evening period (6:00 pm to 10:00 pm), establishes a noise limit of 37 dBA,
- at all sensitive receptors (dwellings), except the closest receptor, this criteria is achieved with all operational equipment running (1 baler, 1 shearer, 1 shredder, 1 truck moving and 3 excavators),
- at the closest receptor, with all operational equipment running, the measured level was 38 dB(A), a marginal exceedance of 1 dB(A) over the evening project noise level,
- as the proposed evening operations are limited to 1-2 truck and light vehicle movements, it is reasonably apparent that compliance with the evening criteria can be achieved (i.e., 1 truck only at any one time, no baler, shredder, shearer or excavator).

The SEE also addresses the issue of noise from reversing beepers, stating that the Applicant has committed to adopting the use of alternate methods of ensuring safety for users on the property in the context of reversing vehicles. It suggests that this may include one or more of the following strategies:

- visual warnings such as flashing lights or stroboscope,
- self-adjusting or smart alarms (that automatically adjust the volume of the warning alarms based on background noise),
- focussed tonal alarms (that cancel the sound around the side of a machine and so focus the sound to the rear of the vehicle),
- broadband alarms (which are directional).

Council notes the commitment in the SEE to adopt one or more of these methods in order to be a good neighbour, and commends the Applicant on doing this, but given that the use of these alternate warning systems have work, health and safety implications, Council will not be specifically conditioning their use.

In terms of the change to the hours of operation, it is considered that the noise assessment demonstrates that the impacts will be acceptable during the nominated hours. Furthermore, the change to the hours in the development consent do not generally allow for any activities to be

carried out between the hours of 10:00 pm and 7:00 am. It saying that, it is accepted that on rare occasions, due to unforeseen circumstances (e.g mechanical breakdown, etc) that a truck may return to the yard during these hours, but it should not be a normal occurrence.

In conclusion, on the basis of the above assessment, and the fact that the EPA have raised no concern with noise or the hours of operation, it is considered that the likely noise impacts are acceptable. Even if the number or type of machines on site change, and produce a different type or level of noise, the EPL contains strict requirements regarding noise levels that cannot be exceeded. This allows the EPA as the Appropriate Regulatory Authority (ARA), to take action to ensure the noise levels are adhered to.

Natural Hazards:

The modification does not change the original assessment, which found that there are no known risks to people, property or the biophysical environment from, bushfire or flooding.

Technological hazards

The modification does not result in any different type of risk to people, property or the biophysical environment from industrial and technological hazards, land contamination and remediation or building fire risk, from tyre storage and processing. The development is required to comply with the relevant safety guidelines, including Fire and Rescue NSW's "*Guidelines for Bulk Storage of Rubber Tyres*", which has been identified in both the original SEE and the amended SEE, and is a condition on the EPL.

There is potential for risk from the increased mattresses storage and the introduction of silage tarp, and the Applicant has considered the provision of Fire and Rescue NSW's "*Fire safety guidelines – Fire safety in waste facilities*", in the modification application. There are three (3) specific section of this Guideline that need to be considered in relation to waste facilities, being Section 7 (Development and Planning), Section 8 (Facility operation and management) and Section 9 (Workplace fire safety).

Section 7 applies to "new development of any waste facility" (7.1.1) or an "existing waste facility that is subject to a development control order" (7.1.2). Despite the proposed changes to the development, it is not considered that this section applies, as it is not a new development, but is a modification to the existing development.

However, the changes proposed to the site layout and the waste stream, does trigger the need to consider Section 8 of the Guidelines, as it "applies to new and existing waste facilities" (8.1.1), and relates to the mattress and silage tarps. This section deals with such matters as:

- **8.2 Storage and stockpiles** – this requires storage and stockpiling of combustible waste material to be limited in size and volume, and states:
 - the maximum height of any stockpile, loose piled or baled, should not exceed 4 m,
 - the uncontained vertical face of any stockpile should recede on a slope no greater than 45° to minimise the risk of collapse and fire spread,
 - stockpiles to be located so as to minimise the spread of fire and allow access for fire-fighting.

The SEE indicates that this can be achieved on-site and that stockpile limits would be permanently marked to ensure limits are understood and adhered to. Conditions of consent to reflect these commitments will be imposed.

- **8.3 Stockpile management** – this relates to minimising heat and the risk of fire, by:
 - rotating stockpiles of combustible waste material to dissipate any heat generated,
 - measuring the temperature of stockpiles,
 - cooling of shredded or crumbed waste, before being stockpiled.The SEE indicates that an operations plan will be developed to provide measures for stockpile rotation and heat management to identify hotspots and manage them. This would include such things as cooling prior to stockpiling, stockpiling for short periods of time (2 to 4 days), and limiting the stockpile of mattress/tarps to only one (1) stockpile. These seem like reasonable measures and will be reinforced as conditions of consent.
- **8.4 External stockpiles** – this relates to stockpiles external of a building, and deals with such things as
 - the maximum width and length of a stockpile
 - separation distance of stockpiles from other stockpiles, fire source features and buildings.The SEE indicates that separation distance as can be achieved as per these guidelines, which will be reinforced as conditions of consent.
- **8.6 Operations plan** – This recommends that the facility should develop and implement an operations plan relating to combustible waste material. The SEE states that an operation plan will be developed, to this effect. Again, this will be reflected in the conditions of consent.

Section 9 of the Guidelines deals with risk management, through the identification of hazards, assessment of risks, implementation of controls, and documented review/audit process. It then requires the preparation of an emergency plan to assess fire safety risks and identify appropriate responses and controls, and include emergency response procedures for staff and other persons at the waste facility in the event of fire. It also requires the preparation of an emergency services information package (ESIP), which is provided to emergency services personnel.

The SEE identifies that there is an existing Pollution Incident Response Management Plans (PIRMP) in place for the premises, which upon review, identifies a number of the risks onsite relating to fire, and the measures employed to manage those risks. The SEE also states that an emergency plan and ESIP will be prepared in accordance with the guidelines. Again, these commitments will be reinforced as conditions of consent.

Safety, security and crime prevention

The site is presently fenced and access is controlled by gates, the modification does not propose any changes to this arrangement, and therefore would not create any additional safety, security or crime risks.

Social Impacts in the Locality:

The submissions received states that since the business has been operating on site, that there has been a negative impact on their lifestyle, and levels some of this criticism at Council for rezoning the land to Industrial, after they purchased their land. Some of the impacts include noise, dust, lights, which have been discussed above.

Given the assessments above, it is not considered that the modification to the approved development will have a negative social impact in terms of the health and safety of the community, social cohesion, community structure, character, values or beliefs, social equity, socio-economic groups or the disadvantaged, and social displacement.

Economic Impact in the Locality:

The submission received raised concerns about the impact of the modification on their property value, citing greater impact due to increased hours and increased activity outside. The impact that a development may have on property values is hard to identify, with many other factors contributing to property value. Even if the impact could be quantified, the Land and Environment Court has typically refused to consider such impacts. Accordingly, in this instance, it is not considered that refusal of the modification on the basis of economic impacts is warranted, with an inability to quantify if there would be a loss, or what that loss would be.

The modification will result in a reduction in the number of employees, falling from the estimated 30 employees down to 20 employees, based on changes to the way the mattresses are processed. Whilst this is extremely disappointing from both an economic and social impact, it is not grounds for refusing the modification.

Site Design and Internal Design:

The proposed modification seeks to change a number of aspects relating to site design, which is to reflect where the activities are in reality being carried out on site presently, rather than where they were initially proposed to be undertaken. The changes are not overly significant, with the noise study demonstrating that the impacts from the processing activities on the current location, are within the acceptable limits. The proportion of the site covered by buildings is minimal and the building can comply with the requirements of the BCA. The change from two (2) sheds to (1) will reduce the overall bulk and mass of the structures on-site, with proposed landscaping along the boundaries to further shield the site. The conditions of consent will to reflect the new plans and support documents, as well as to nominate the hierarchy of applicable plans and documents.

Construction Matters:

The modification does not change the construction impacts, with existing conditions addressing issue such construction issues as: sedimentation and erosion control, waste storage, fire safety, hours of construction, storage of materials, waste removal, etc.

Cumulative impacts

Cumulative impacts include such things as different impacts occurring so close in time, or so close in location, that the impacts overlap and cause a greater impact. Cumulative impacts can also take the form of repetitive, often minor impacts eroding environmental conditions, or different types of impacts interacting to produce another impact. It is not considered that all the changes proposed in the modification will cumulatively have a different or greater impact, than the original development.

4.15(1)(c) - The suitability of the site for the development:***Does the proposal fit in the locality ?***

The submission received states that a more appropriate site should be found if the shredding is to occur outside instead of in sheds, as the site is unsuitable for this activity. However, the site is zoned industrial, and is located adjacent other potentially offensive industries, such as the garbage depot and sewage treatment plant, and has sufficient setback from sensitive receptors,

which should minimise the impacts associated with the modification, to an acceptable level. It is considered that the air quality and microclimate are appropriate for the development, and there are no hazardous landuses or activities nearby, and ambient noise levels are suitable for the development.

Are the site attributes conducive to development ?

The site is not subject to natural hazards including flooding, bushfire, subsidence, slip or mass movement. The soil characteristics are appropriate for the development, and there are no critical habitats, or threatened species, populations, ecological communities or habitats on the site. The modification will not prejudice future agricultural production and there are no known mineral or extractive resources on the site. This issue of potential site contamination has been discussed previously.

4.15(1)(d) - Any submissions made:

The submission from the EPA has been discussed above.

The majority of issues raised in the one (1) public submission, have been addressed thought this report. The issues that have not already been addressed are discussed as follows:

The lack of compliance with the approved plans and consent

Rightly so, concern has been expressed that there has been substantial non-compliance with the commitments in the original SEE, the approved plans and the notice of determination granting consent to the development. The Applicant has clearly not complied with approved site layout, or with many of the operational parameters of the development, hence this application to modify the approved development.

It needs to be understood, that if Council imposes conditions of consent then there is an expectation that those conditions will be complied with, and that Council will enforce compliance. Once Council has determined this application (be it by approval or refusal), Council will commence a review of the operations, with a view to having the development comply with the consent. Some of these matters include:

- provision of toilets and the disposal of effluent from the toilets,
- landscaping,
- first flush stormwater system,
- work within the easement,
- continuation of the earth mound on the southern boundary.

Lack of clarity as to where tyre and mattress shredding will be carried out

It is conceded that the site plan is unclear as to exactly where all the shredding activities are to be carried out, however, the SEE supporting the modification makes it clear that the shredder is moveable, and will be used in a number of locations along the stockpile/storage area located centrally on the property, as well as in the south-east corner of the site.

4.15(1)(e) - The public interest:

Relevant planning studies, strategies, guidelines, advisory documents, etc, include:

- *Fire safety guidelines – Fire safety in waste facilities* (Fire and Rescue NSW),
- *Guidelines for Bulk Storage of Rubber Tyres* (Fire and Rescue NSW),
- *Noise Policy for Industry* (EPA),
- *NSW Waste Avoidance and Resource Recovery Strategy 2014–21* (EPA),
- *Riverina Murray Regional Plan 2036* (NSW Planning and Environment).

It is considered that the modification is largely consistent with these documents, and staff are not aware of any other policy statements from either Federal or State Government that are relevant to this proposal, nor any other planning studies or strategies. Overall, the proposal would not contravene the public interest.

OTHER MATTERS:

Section 7.11 and 7.12 Contributions Policies:

Section 7.12(2) of the EPA Act, states that “*a consent authority cannot impose as a condition of the same development consent a condition under this section as well as a condition under section 7.11*”. Accordingly, Council can only require payment of either a 7.11 or 7.12 contributions.

Section 7.11 Contributions Plans

The only Section 7.11 plan in force is the “Development Generating Heavy Vehicle Usage of Local Road”, which only applies in Gundagai, and therefore is not applicable to the modification.

Section 7.12 Contributions Plans

The *Cootamundra-Gundagai Regional Council Section 7.12 Fixed Development Consent Levy Contributions Plan 2018*, applied to the original development, and a condition was imposed in this regard, and the modification does not change its applicability.

Disclosure of political donations and gifts:

The application and notification process did not result in any disclosure of Political Donations and Gifts.

FINANCIAL IMPACTS:

Nil

POLICY IMPACTS:

Nil

ORGANISATIONAL IMPACT:

Nil

RISK MANAGEMENT IMPACTS:

Nil

LEGAL ISSUES:

Nil

CONCLUSION:

In the assessment of any application, Council must consider a number of issues related to that application, and essentially weigh up the positive and negative impacts of the proposal. In doing so, Council does not necessarily have to be assured that there are no impacts at all, but must be

confident that those that do exist, are acceptable. In fact, there is no rule that says that if a development proposal meets with a negative reaction on any particular factor, that consent must be denied, which has been supported by various court cases.

In this instance there is potential for certain negative impacts associated with the modification, based on the increased waste stream, changes to how the waste is processed, and changes to the hours of operation. These generally relate to dust and airborne particles, lights and noise.

However, provided the Applicant operates the development in accordance with the commitments in the original SEE, the SEE supporting the modification, the EPL and the conditions of development consent, and provided Council is prepared to enforce the conditions of consent if they are not being adhered to, then it is believed the potential impacts associated with the modification can be adequately managed.

SCHEDULE 1, DIVISION 4, CLAUSE 20 - REASONS FOR THE DECISION:

This section of the Act requires the public notification of certain decisions, the date of the decision, the reasons for the decision and how community views were taken into account in making the decision. The reasons for the decision (as recommended to Council) and how community views were taken into account, as it relates to this application are:

- the proposed modification is not inconsistent with the objectives of the zone,
- the proposed modification is permitted in the zone,
- assessment of the modification against the relevant provisions of the EPA Act, indicates that the proposed modification will not cause significant adverse impacts on the surrounding natural environment, built environment and infrastructure, community facilities, or local character and amenity,
- the proposed modification does not compromise the relevant Environmental Planning Instruments,
- Council considers that the proposed modification is appropriate having regard to the relevant matters and can be managed through appropriate conditions,
- neighbour notification was carried out as per the CPP, and each of the issues raised has been addressed within the report, and shown to be acceptable, subject to compliance with commitments made in the application, and the conditions of consent.

DEVELOPMENT ASSESSMENT SIGNING OFFICER:

Laura Schweiger
Town Planner

17 July 2020
Date

8.4.3 DEVELOPMENT APPLICATIONS APPROVED JUNE 2020

DOCUMENT NUMBER	330381
REPORTING OFFICER	Sharon Langman, Manager Development, Building and Compliance
AUTHORISING OFFICER	Phillip McMurray, General Manager
RELEVANCE TO COMMUNITY STRATEGIC PLAN	3. Sustainable natural and built environments: we connect with the places and spaces around us 3.2 Our built environments support and enhance liveability
FINANCIAL IMPLICATIONS	There are no Financial implications associated with this report.
LEGISLATIVE IMPLICATIONS	Compliance with the provisions of the Environmental Planning and Assessment Act, 1979 and relation legislation.
POLICY IMPLICATIONS	There are no Policy implications associated with this report.
ATTACHMENTS	Nil

RECOMMENDATION

The information on Development Applications Approved in June 2020 be noted.

Introduction

The Development Applications Approved in June 2020 Report is submitted for information of the Council and community regarding development applications processed.

Discussion

The following development applications were approved by Cootamundra-Gundagai Regional Council in June 2020.

APP. NO.	PROPOSED BUILDING	STREET NAME
DA.2020.72	New Garage	Nangus Road
DA.2020.80	Building Envelope	Back Brawlin Road
DA.2020.63	New shed with attached carport	Warren Street
DA.2020.74	New Storage shed	Middleton Drive
DA.2020.75	New Storage Shed	off Landon Street
DA.2020.79	Repositioning of front fence	Thompson Street
DA.2020.81	Part demolition of existing kill floor & associated buildings	Stockinbingal Road
CDC.2020.11	Demolition of Existing Dwelling	Centenary Avenue

VALUE OF WORK REPORTED TO THIS MEETING	\$127,100.00
VALUE OF WORK REPORTED YEAR TO DATE	\$11,759,059.00
<i><u>THIS TIME LAST YEAR:</u></i>	
<i>VALUE OF WORK –June 2019</i>	<i>\$136,000.00</i>
<i>VALUE OF WORK – YTD 2019</i>	<i>\$29,055,502.00</i>

8.5 REGULATORY SERVICES

8.5.1 COOTAMUNDRA CBD PIGEON STRATEGY REPORT

DOCUMENT NUMBER	331053
REPORTING OFFICER	Glen McAtear, Manager Regulatory Services
AUTHORISING OFFICER	Phillip McMurray, General Manager
RELEVANCE TO COMMUNITY STRATEGIC PLAN	4. Good governance: an actively engaged community and strong leadership team 4.2 Active participation and engagement in local decision-making
FINANCIAL IMPLICATIONS	There are no Financial implications associated with this report.
LEGISLATIVE IMPLICATIONS	There are no Legislative implications associated with this report.
POLICY IMPLICATIONS	There are no Policy implications associated with this report.
ATTACHMENTS	Nil

RECOMMENDATION

1. Pigeon proofing be undertaken on Council assets where roosting pigeons congregate.
2. Council consider the ongoing maintenance of pigeon control be the responsibility of affected businesses.
3. The CBD businesses be advised of Council's final resolution of this matter.

Introduction

At the Ordinary Meeting held 27th August, 2019 Council resolved (Min no. 293/2019) the following:

1. Council prepare a fact sheet to distribute to residents and local businesses providing information on pigeon control.
2. Council undertake pigeon proofing on Council assets where roosting pigeons congregate.
3. Council liaise with business owners to facilitate efforts to eradicate pigeons from the CBD area and seek Expressions of Interest from pest exterminators with the intention of providing a report to Council once the information has been collated.
4. The report and resolution be distributed to CBD businesses.

Discussion

Consequently, Council met with the Cootamundra Development Corporation and local business owners and, or, management to discuss options for the control and, or, the eradication of pigeons in the central business district area.

Since then COVID-19 has had a significant impact on local businesses and, as such, only two businesses have offered a financial contribution for the management of the pigeons along the main street.

This type of pest eradication program is not common practice for a council to undertake, with the exception of council owned assets, and it will be a considerable ongoing financial burden to Council to do so. It is not realistic to be of the opinion that a permanent solution to pigeon control is available, rather, there are only short term and ongoing solutions.

Council undertakes the cleaning of the Parker Street, footpaths between Wallendoon and Adams Streets, seven (7) days a week. This practice is part of the main street maintenance schedule and will continue regardless of where the pigeons roost.

It is recommended that Council resolve that the ongoing maintenance of pigeon control be the responsibility of the affected businesses.

8.6 ASSETS

8.6.1 TEN YEAR PLANT REPLACEMENT PROGRAMME AND PLANT FUND

DOCUMENT NUMBER	331058
REPORTING OFFICER	Kay Whitehead, Interim Deputy General Manager
AUTHORISING OFFICER	Phillip McMurray, General Manager
RELEVANCE TO COMMUNITY STRATEGIC PLAN	<p>4. Good governance: an actively engaged community and strong leadership team</p> <p>4.1 Decision-making is based on collaborative, transparent and accountable leadership</p>
FINANCIAL IMPLICATIONS	There are no Financial implications associated with this report.
LEGISLATIVE IMPLICATIONS	There are no Legislative implications associated with this report.
POLICY IMPLICATIONS	There are no Policy implications associated with this report.
ATTACHMENTS	Nil

RECOMMENDATION

That development of a detailed ten year strategic plant management plan be referred to the Finance Committee for ongoing review until the committee is satisfied that the plan be referred to Council for adoption.

Introduction

At its May meeting, Council resolved:

1. The Plant and Fleet Replacement Program attached to the report be adopted.
2. A ten year Strategic Plan detailing the projected balance of funds in the plant reserve, incorporating the Plant and Fleet Replacement Program, be developed as part of a report to be prepared and submitted for consideration at the Ordinary Meeting to be held Tuesday 28th July, 2020.

Discussion

Unfortunately, work is not sufficiently advanced to present a comprehensive ten year strategic plan to the July, 2020 meeting in accordance with the above resolution. In the interim the following progress report is provided, and it is recommended that development of a detailed ten year strategic plan be referred to the Finance Committee for ongoing review until the committee is satisfied that the plan should be referred to Council for adoption.

Progress to date:

The Plant and Fleet Replacement Program is now well developed, and Council has a good understanding of the net plant income that will be required to fund this replacement.

Further work is needed to ensure Council is capturing all plant income and that plant utilisation rates for individual items of plant justify their retention in the plant fleet.

Small plant is now being allocated to business units according to proportion of use, which has ensured that running and replacement costs are captured and correctly allocated.

Private leaseback fees have been reviewed, and are much higher than they were historically, better reflecting the private use cost to Council.

Once Council has confidence that it is capturing all plant income, plant hire rates will be reviewed to ensure the reserve has capacity to replace plant at economic replacement points, and to provide a return on capital invested in plant to Council.

8.7 CIVIL WORKS

8.7.1 CIVIL WORKS AND TECHNICAL SERVICES REPORT - JULY 2020

DOCUMENT NUMBER	331014
REPORTING OFFICER	Shelley Liehr, Executive Assistant - Operations
AUTHORISING OFFICER	Phillip McMurray, General Manager
RELEVANCE TO COMMUNITY STRATEGIC PLAN	3. Sustainable natural and built environments: we connect with the places and spaces around us 3.2 Our built environments support and enhance liveability
FINANCIAL IMPLICATIONS	There are no Financial implications associated with this report.
LEGISLATIVE IMPLICATIONS	There are no Legislative implications associated with this report.
POLICY IMPLICATIONS	There are no Policy implications associated with this report.
ATTACHMENTS	Nil

RECOMMENDATION

The Civil Works and Technical Services Report for the month of July, 2020 be received.

Introduction

This report provides a detailed update of the Civil Works and Technical Services Departments works undertaken for the month of July, 2020.

Discussion

Construction works over the last month has seen the completion of the Old Gundagai Road reconstruction project which was sealed in the first week of July. The Burra Road Project has been stabilised in preparation for sealing in the coming week. Both these projects were Roads To Recovery funded projects.

Maintenance grading has been undertaken on Millvale Road, Yannawah Lane, Rosedale and Parsons Creek Roads, with gravel resheeting now in progress around the Tumblong area. Crews will continue maintenance grading/resheeting over the next month in various areas around the region, including around the Muttama area.

Culvert replacement is underway along Nanangroe and Redhill Roads. Drainage issues have been addressed along Brawlin Springs, Back Brawlin, Rawilla, Jugiong and Rosehill Roads and in the Yannawah area where water ponding was affecting the road pavement.

The concrete sleeper retaining wall at Anzac Park has been completed, with the concrete crew currently working on stairs at the Water Treatment Plant. Kerb replacement works are progressing in Adams, Merle and O'Donnell Streets where the old kerb had lifted and created ponding problems.

General sign maintenance and bitumen patching has been completed around the region. Mowing has been completed at the aerodrome and in areas around the townships and villages.

Private works are continuing on the Boundary Road sub-division with works on the sewer mains and rising main complete and approximately 70% of the stormwater pipeline now laid.

8.8 TECHNICAL SERVICES

8.8.1 FEDERAL GOVERNMENT FUNDING - LOCAL ROAD AND COMMUNITY INFRASTRUCTURE PROGRAMME

DOCUMENT NUMBER	330971
REPORTING OFFICER	Matt Stubbs, Manager Technical Services
AUTHORISING OFFICER	Phillip McMurray, General Manager
RELEVANCE TO COMMUNITY STRATEGIC PLAN	<p>4. Good governance: an actively engaged community and strong leadership team</p> <p>4.1 Decision-making is based on collaborative, transparent and accountable leadership</p>
FINANCIAL IMPLICATIONS	\$985,552 in infrastructure funding.
LEGISLATIVE IMPLICATIONS	There are no Legislative implications associated with this report.
POLICY IMPLICATIONS	There are no Policy implications associated with this report.
ATTACHMENTS	<ol style="list-style-type: none"> 1. Media Release - the Hon Michael McCormack - RIVERINA - CGRC to share in \$13.8 million boost ↓ 2. Sheridan Street Scope of Works ↓

RECOMMENDATION

1. The Report on Federal Government Funding – Local Road and Community Infrastructure Programme and attachments be received and noted.
2. The projects identified within the report be nominated on behalf of Cootamundra-Gundagai Regional Council for funding under the Local Road and Community Infrastructure Programme.

Introduction

The Federal Government has initiated a Local Roads and Community Infrastructure Programme (LRCI). This report is to outline the projects that are proposed for nomination under this program.

Discussion

It would appear, fundamentally, that the nominated funding is an additional Roads 2 Recovery (R2R) payment that has a more flexible spending scope than most funding programmes. It allows the funds to be used on Local Roads and/or community infrastructure as Council deems appropriate. The amount Cootamundra-Gundagai Regional Council is said to receive from the LRCI programme is \$985,552.

It should be noted that this money must be spent on Council owned infrastructure and should be additional to any pre COVID-19 Works Programme for the 2020/2021 Financial Year. Work can

commence from the 1st July, 2020, however, there are no time restraints for the submission or approval of projects by the Office of Local Government. This is similar to how the R2R funding is determined and acquitted by Council.

It is proposed that this funding be divided equally across the departments of Technical Services and Civil Works which would provide an equal amount of \$492,776 to be spent in both Gundagai and Cootamundra.

The nominated project for the Gundagai area is to see the finalisation of the intersection of Sheridan and West Streets. The scope of work is highlighted by two areas, in the Sheridan Street Scope of Works attached to the report, and consists of an area of asphalt overlay (indicated in red) and an area that requires partial pavement reconstruction followed by an asphalt overlay (indicated in yellow). In addition to the pavement works there is a desire to complete landscaping around the intersection consistent with that previously undertaken between Otway and Homer Streets. Preliminary estimates have determined that the cost of these works will fit the allocated amount of \$492,776 as indicated below with final scope to be determined once detailed costings have been completed.

Sheridan and West St Intersection Preliminary Estimate				
Description	Qty	Units	Rate	Total
Asphalt Correction and 50mm Overlay	3500	m2	55	\$192,500
Digout and Replace Pavement	1500	m2	130	\$195,000
Paver Infill to Concrete Medians	1	item	35000	\$35,000
Landscaping to surrounding areas	1	item	25000	\$25,000
Linemarking	1	item	15000	\$15,000
Traffic Control	1	item	30000	\$30,000
				\$492,500

There are a number of projects in the Cootamundra area that are proposed for this funding as described below and these are also in the preliminary estimation stage:

- Widening of the pedestrian access bridge over the open drain at the top end of McKay Street. The bridge is part of the footpath and bicycle link into Inala Place and is currently not wide enough to support mobility scooters or to allow multiple pedestrians to pass.
- Widening of the pedestrian bridge across the open drain at the end of Scott Street. Similarly to the McKay Street footbridge, this bridge links from the retirement village and high school into Cutler Avenue and is of insufficient width. Project scope would include the poor quality approaches at either end.
- Construction of a new shared pedestrian/cycleway along Muttama Creek between Parker and Wallendoon Streets (behind the Ex-services Club). This is a missing link for the pathway along the Muttama Creek and would provide separation between vehicles and pedestrians within the carpark area.
- Widening of the Rosehill Road Bridge over Cullinga Creek. The current bridge is only wide enough to carry one vehicle at a time with any oncoming vehicle being forced to give way, this also present a problem for agricultural machinery and their ability to cross the bridge. The costing for this bridge is subject to final design and estimation with any shortfall proposed to be sourced from 2020/21 Roads to Recovery Funds.

It should be noted that the first three projects were unsuccessful in securing funding through the Stronger Communities Grants Round 3 while the Rosehill Road Bridge was previously considered as an R2R project by the former Cootamundra Shire Council.

Cootamundra Area Preliminary Estimates	
Description	Total
Pedestrian Bridge on Mackay Street	\$60,000
Pedestrian bridge on Scott Street	\$60,000
New Shared Cycleway along Muttama Creek (Parker Street to Wallendoon Street behind the Cootamundra Ex-Services Club)	\$110,000
Widening of Rosehill Road Bridge	\$260,000
	\$490,000

**The Hon Michael McCormack MP**

Deputy Prime Minister
Minister for Infrastructure, Transport and Regional Development
Leader of The Nationals
Federal Member for Riverina

MEDIA RELEASE

22 May 2020

COOTAMUNDRA-GUNDAGI COUNCIL TO SHARE IN \$13.8 MILLION INFRASTRUCTURE BOOST, SAYS McCORMACK

Cootamundra-Gundagai Regional Council will receive \$985,552 in extra infrastructure funding, Riverina MP and Deputy Prime Minister Michael McCormack has announced.

The funding comes under the new \$500 million Local Road and Community Infrastructure (LRCI) Program and is part of the Federal Government's broader \$1.8 billion boost to Local Government Areas (LGA) across Australia.

The package will support local jobs and businesses and will boost local economies struggling under the effects of COVID-19 and will enable councils to deliver priority projects with a focus on local road and community infrastructure upgrades and maintenance.

It also includes the bringing forward of \$1.3 billion of the 2020-21 Financial Assistance Grants payment.

Mr McCormack said the 12 councils in the Riverina electorate would receive a total of \$13.8 million.

The formula for the new LRCI funding to LGAs is based on 20 per cent of each LGA's Roads to Recovery Funding over the five years from 2019-20 to 2023-24.

Mr McCormack, who is the Minister for Infrastructure, Transport and Regional Development, said supporting councils to improve local roads and community infrastructure would have lasting economic and social benefits for communities, particularly those in the regions.

"This package will improve road safety and bolster the resilience of our local road networks, which will get Australians home sooner and safer, no matter where they live," Mr McCormack said.

"Projects could include constructing or improving bridges, street lighting and heavy vehicle facilities such as rest areas or weigh stations.

"Providing support for social infrastructure projects such as new or upgraded bicycle and walking paths, community halls, picnic shelters and barbecue facilities at parks, will help communities, especially those in regional and remote areas, stay connected.

"Local Government is at the forefront of service delivery. Our councils know their communities best and are generally able to deploy workforces quickly which keeps money flowing through their local area."

The Hon Michael McCormack MP

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Cootamundra-Gundagai Regional Council Mayor Councillor Abb McAlister described the funding boost as a "Godsend".

"Small bush councils are doing it tough," Cr McAlister said.

"This great boost will help the Cootamundra-Gundagai Regional Council to improve local roads and other infrastructure projects.

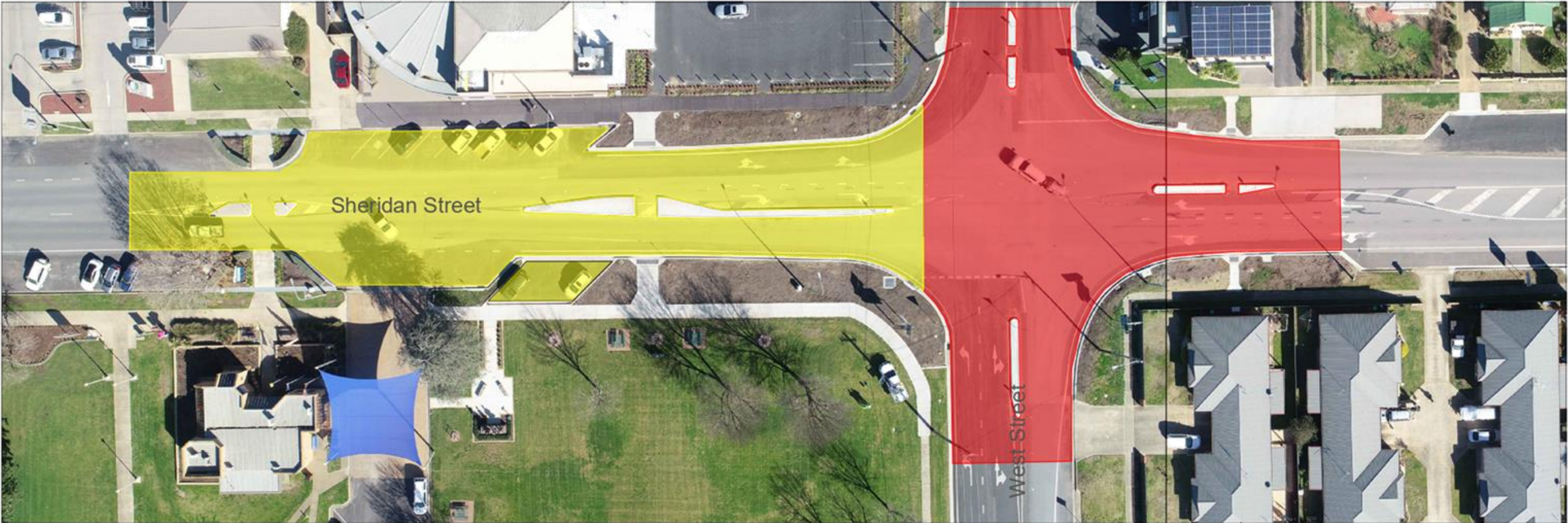
"Thank you to Deputy Prime Minister Michael McCormack for all his hard work to support us during this tough time."

Grant guidelines for the Local Road and Community Infrastructure Program will be provided directly to local governments by the Department of Infrastructure, Transport, Regional Development and Communications.

Local Government Area	Roads to Recovery (R2R) five-year allocation 2019-20 to 2023-24	LRCI Program 2020-21 allocation (20% R2R base formula)
Bland	\$9,249,136	\$1,849,827
Coolamon	\$3,862,225	\$772,445
Cootamundra-Gundagai	\$4,927,760	\$985,552
Cowra	\$4,577,261	\$915,452
Forbes	\$6,112,831	\$1,222,566
Hilltops	\$8,854,838	\$1,770,968
Junee	\$2,939,669	\$587,934
Lockhart	\$4,232,805	\$846,561
Parkes	\$6,688,064	\$1,337,613
Temora	\$4,129,841	\$825,968
Wagga Wagga	\$10,253,500	\$2,050,700
Weddin	\$3,176,675	\$635,335
Riverina electorate total	\$69,004,605	\$13,800,921

ENDS

Media contact: Shane Manning 0439 550 506



8.9 FACILITIES

Nil

8.10 WASTE, PARKS AND RECREATION

8.10.1 REPLACEMENT OF CASE LANDFILL LOADER PLANT NO. 1304

DOCUMENT NUMBER	331025
REPORTING OFFICER	Wayne Bennett, Manager Waste, Parks and Recreation Services
AUTHORISING OFFICER	Phillip McMurray, General Manager
RELEVANCE TO COMMUNITY STRATEGIC PLAN	3. Sustainable natural and built environments: we connect with the places and spaces around us 3.2 Our built environments support and enhance liveability
FINANCIAL IMPLICATIONS	Any additional funding required that is above the plant reserve allocation for Plant No. 1304 is to be funded from the Waste Reserve.
LEGISLATIVE IMPLICATIONS	To facilitate compliance with sections 10 and 11 of the Local Government Act, 1993.
POLICY IMPLICATIONS	There are no Policy implications associated with this report.
ATTACHMENTS	1. Quotation Assessment RFQ202009 - Confidential

RECOMMENDATION

1. The Report for the Replacement of Case Landfill Loader, Plant No 1304 be received and noted.
2. The quotation received from Porter Equipment Australia for the purchase of a Hyundai HL757-9 Wheel Loader (including 4:1 bucket & foam filled tyres) be accepted.
3. The additional funds required above the plant reserve allocation be funded from the Waste Reserve.

Introduction

At the Ordinary Meeting held 26th March, 2019 Council resolved (Min. no. 092/2019) item 8.4.3 Cootamundra-Gundagai Regional Council Plant Replacement Program that the Plant And Fleet Replacement Program be adopted.

The Case Landfill Loader (Plant No. 1304) based at the Cootamundra Waste Facility was scheduled to be replaced as part of the 2019/2020 plant replacement program.

A budget of \$175,000 has been allocated from the plant reserve to replace the Case Landfill Loader plant no. 1304. The remaining amount will be funded from the Waste Reserve.

Discussion

An aging, second hand Case Landfill Loader is currently in use at the Cootamundra Waste Facility for the purpose of managing the commercial, industrial, green waste and domestic waste streams.

A Request for Quotation (RFQ) was published via Vendor Panel to identify the best machine to service the changing and expanding duties expected of it on 24th June, 2020, with responses due 8th July, 2020. At closing, twelve (12) responses were received.

The Case Landfill Loader plant no. 1304 (130Kw) was purchased from Bland Council in September 2014, for approximately \$50,000 with 7,500 hours on the clock. The Case Landfill Loader now has 10,288 hours and needs replacing. Council's workshop supervisor has advised that over the past 18 months, the Case Landfill Loader has 6 months down time recorded against it and it is now considered a financial liability.

The Landfill Loader has now been out of service for the past 3 months, waiting for the arrival of parts from North America. Council has had to hire in a Skid Loader at a cost of \$1,000 per week to fill in while the Case Landfill Loader is out of service.

The industry standard for a landfill loader/compactor is around 800 hours per annum. The low industry standard is due to the extremely harsh working environment of a waste landfill facility. The Case Landfill Loader has been averaging approximately 550 hours per annum since its purchase in 2014, which is below the industry standard. With the additional operational tasks required for the new loader, it is expected that the annual hours will exceed the industry standard of 800 hours per annum. The new Loader will manage the transfer station, village tips and composting/green waste operations, in addition to managing the commercial/industrial areas of the Cootamundra Landfill. The new Loader is NOT a landfill compactor, and as such the need to bring in a compactor will still be required to ensure space maximisation within the landfill. Costs for the compactor have been included in the landfill operational budget.

The main purpose of seeking Quotations was to indicate to Council a replacement cost for a rubber tyre loader, with specifications of 120Kw to 140Kw power output, with a 4:1 bucket and foam filled tyres. The Loader will be used to move and organise waste material to maximise landfill space, recycling, and processing requirements.

Council's Waste Management operations are going through a major reorganisation and the new Loader will assist staff to fulfil their obligations in waste management and minimisation, along with achieving expected outcomes and licencing obligations.

On assessment of all the selection criteria, the Hyundai from Porter Group Australia, has been determined as the company best able to replace the existing Case Landfill Loader to service the current and future needs of the Cootamundra Waste Facility.

9 MOTION OF WHICH NOTICE HAS BEEN GIVEN

9.1 NOTICE OF MOTION - RAIL TRAIL BETWEEN COOTAMUNDRA AND TUMBLONG

DOCUMENT NUMBER	331093
REPORTING OFFICER	Charlie Sheahan, Councillor
AUTHORISING OFFICER	Phillip McMurray, General Manager

The following Notice of Motion signed by Councillor Charlie Sheahan was submitted on 21 July, 2020.

I hereby give notice of my intention to move the following motion at the Council meeting of Tuesday, 28 July, 2020:

MOTION

1. That CGRC produce a submission to present to the NSW Government for development of the Cootamundra to Tumblong Rail Trail as a place making project, promoting tourism growth and economic stimulus, benefiting the whole local government area.
2. That \$100,000 be reallocated for project pre-planning from NCIF2 funding.
3. That all legitimate concerns of adjoining landholders be considered and addressed.

Note from Councillor

The South-West Slopes Regional Economic Development Strategy and the Riverina-Murray Destination Management Plan both support the concept of the proposed rail trail and its ability to deliver economic stimulus and tourism benefits to the region. The 2008 Feasibility Study on the Coolac – Tumblong section of the trail estimated that just that section alone would deliver an annual benefit to the economy in the order of \$1Million per annum.

The Cootamundra-Gundagai Regional Council Recreational Needs Study, Tourism and Economic Development Strategy and the CGRC Village Strategy all recommend the development of a tourism and recreation trail network that links existing trails, key attractions and provides further amenity to the villages for both the lifestyle and economic benefits they provide.

The proposed construction project which would be fully funded by grant income would generate a much needed boost for the local economy, and job opportunities post the impact of COVID-19 and the bushfires. According to the National Institute of Economic and Industry Research (NIEIR) Version 1.1 (May 2020), Local Jobs are forecast to fall by -6.5% in the June Quarter 2020. This equates to a fall of 298 local jobs. The project would not only generate local construction jobs but also ongoing employment.

Approved as a Pilot Rail Trail for NSW in 2015, the Tumbarumba to Rosewood Rail Trail is a 22km trail on the disused rail corridor, fully funded by State Government, and managed by Snowy Valleys Council. Officially opened on 3 April 2020 during COVID-19, by way of a virtual opening, it has enjoyed enormous success with over 4000 people having already used the trail. Businesses in the area are booming, with new businesses including a shuttle service and bike hire already established.

This trail is located approximately one hour's drive from Tumblong, providing an add-on benefit to our proposed development

9.2 NOTICE OF MOTION - COOTAMUNDRA MAIN STREET ENHANCEMENT LIGHTING PROGRAM
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DOCUMENT NUMBER	331173
REPORTING OFFICER	Gil Kelly, Councillor
AUTHORISING OFFICER	Phillip McMurray, General Manager

The following Notice of Motion signed by Councillor Gill Kelly was submitted on 22 July, 2020.

I hereby give notice of my intention to move the following motion at the Council meeting of Tuesday, 28 July, 2020:

MOTION

That Council proceed with the implementation of the Cootamundra Main Street Enhancement Lighting Program

Note from Councillor

At the Ordinary Meeting held 30th July, 2019 Council resolved (Min. no. 240/2019) a three (3) month trial period for the installation of street tree lighting in Parker Street central business district area, Cootamundra.

At the Ordinary Meeting held 24th September, 2019 I submitted a Notice of Motion That Council disregard the trial period of the Cootamundra Main Street Tree Enhancement Lighting Program and approve its implementation in full. This motion was defeated, however, Council resolved (min.no. 343/2019) to continue the 3 month trial and following the conclusion of the trial a report be prepared and submitted to Council on the costs and potential funding options for continuation of the program.

At the Ordinary Meeting held 26th November, 2019 Council resolved for the lighting to be a consideration in the 2020/21 budget.

The Parker Street enhancement lights (approx. \$50,000) have been included in the Scope of Works for the proposed Parker Street upgrade, to be funded from the \$1,000,000 Drought Assistance Grant Program (\$500,000 being Cootamundra's allocated amount) announced by the Member for Riverina, Michael McCormack, Deputy prime Minister earlier this year.

Due to the necessity to install the lighting during the trees seasonal dormancy stage, I propose that Council approve the purchase of the enhancement lights for the remaining fifteen (15) trees in the Parker Street to be borrowed from the dividend paid to CGRC from the sale of the Southern Phone Company share. Once the Drought Assistance funding has been received by Council the costs associated with the enhancement lighting would be returned to the funding account.

Considerable positive feedback has been received by both residents and travellers on the tree enhancement lighting. As such, any proposed extension of the tree enhancement lighting beyond the CBD into the southern Wallendoon Street district should be considered by Council as alternative funding sources become available.

9.3 NOTICE OF MOTION - THAT COOTAMUNDRA-GUNDAGAI REGIONAL COUNCIL DEFER THE RATES HARMONISATION UNTIL THE 2021/22 FINANCIAL YEAR.

DOCUMENT NUMBER	331222
REPORTING OFFICER	Charlie Sheahan, Councillor
AUTHORISING OFFICER	Phillip McMurray, General Manager

The following Notice of Motion signed by Councillor Charlie Sheahan was submitted on 22 July, 2020.

I hereby give notice of my intention to move the following motion at the Council meeting of Tuesday, 28 July, 2020:

MOTION

That Cootamundra-Gundagai Regional Council defer the implementation of the Rates Harmonisation until the 2021/22 financial year.

Note from Councillor

Some of the increases to annual rates, specifically related to the harmonisation process, had provided unexpected and significant rate shock to those landowners affected. As such, I put forward this motion to allow these landowners time to prepare for this substantial financial encumbrance.

10 QUESTIONS WITH NOTICE

Nil

11 CONFIDENTIAL ITEMS

Nil