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MINUTES

**ORDINARY
COUNCIL MEETING
MONDAY 15 SEPTEMBER 2014**

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ORDINARY COUNCIL MEETING

MONDAY, 15 SEPTEMBER 2014

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CALENDAR OF EVENTS

September 2014		
16	9.00am	AR Bluett Judging Reception – Stephen Ward Rooms
16	3.00pm	Meeting with Angus Taylor – Mayor & GM
16	6.00pm	Kangaroo March Meeting – Stephen Ward Rooms
17	7.30pm	Showground Committee Meeting – Ex Services Club
18	2.00pm	Saleyards Committee Meeting – Saleyards Canteen
19	9.00am	SEWOLG - Queanbeyan
23/24	all day	Community Transport Organisation State Annual Conference
26	All day	Council Picnic Day
29	5.30pm	Policy Workshop
30	10.00am	BMFC Meeting – Harden
October 2014		
8	6.30pm	Local Emergency Management Committee and Rescue Committee
13	6.00pm	Open Forum Council Meeting – Stockinbingal Bowling Club
15	7.30pm	Showground Committee Meeting – Ex Services Club
19-21		LG NSW Annual Conference – Coffs Harbour
27	5.30pm	Policy Workshop
29	12.00pm	Library Council of NSW Meeting
30	9.00am	SW Zone Library Meeting - Gundagai
November 2014		
5	8.00am	REROC AGM
5	8.00am	Riverina Regional Library - Wagga
10	6.00pm	Council Meeting
13	10.30am	SWRWGMG Meeting - Jugiong
14	9.00am	Western NSW Regional Leadership Network - Wagga
19	7.30pm	Showground Committee Meeting – Ex Services Club
25	8.00am	Police Training Day – “Community Expectations”

THESE ARE THE MINUTES OF THE ORDINARY MEETING OF COOTAMUNDRA SHIRE COUNCIL HELD ON MONDAY, 15 SEPTEMBER 2014 IN THE COOTAMUNDRA SHIRE COUNCIL CHAMBERS COMMENCING AT 6.00 PM.

PRESENT

Cr Braybrooks OAM, Cr Chalmers, Cr Doidge, Cr Donnelly, Cr Palmer, Cr Phillips, Cr Slattery (Mayor), Cr Stewart, Cr Wight

Also Present

General Manager, Director Engineering Services, Director Corporate Services

APOLOGIES

Nil

ADOPTION OF MINUTES

01/09/14 **RESOLVED – Moved: Phillips Seconded: Palmer**

That the Minutes of the Ordinary Meeting of Council held on Monday 11 August 2014 be confirmed as a true and correct record of the meeting.

SUSPENSION OF STANDING ORDERS

02/09/14 RESOLVED – Moved: Palmer Seconded: Donnelly

That Agenda Items 4 ELECTION OF MAYOR and 5 ELECTION OF DEPUTY MAYOR, be brought forward for consideration.

EXECUTIVE SERVICES DIVISION

2. COUNCIL

Cr Slattery vacated the Chair and the General Manager undertook the role of returning officer for the purposes of conducting an election for the positions of Mayor and Deputy Mayor.

4) ELECTION OF MAYOR

Introduction

Under section 230 of the Local Government Act 1993 the Mayor continues to hold the Mayoral position until a successor is declared to be elected to the office. The present Mayor is entitled to preside at this meeting until the successor is declared elected at the meeting.

Discussion

Nominations for the office of Mayor may be submitted without notice; however, the nomination is to be made in writing by two (2) or more Councillors and is not valid unless the nominee has indicated consent in writing on the nomination.

Should a ballot be required, Council must resolve that the election proceed by either:-

- Preferential Ballot
- Ordinary Vote
- Open Voting

Preferential Ballot and Ordinary Vote will be secret ballots.

The procedure for conducting the Mayoral election is set out in clause 394 and Schedule 7 to the Local Government (General) Regulation 2005 and the General Manager is the Returning Officer.

This Council's practice over many years has been to use the Preferential Ballot when a vote is required.

Nomination Forms were forwarded to all Councillors with the agenda prior to the meeting.

RECOMMENDATION

That if required Council determine the election method to be used.

Two valid nominations were received for the office of Mayor and therefore an election was required. The nominees were Cr Phillips and Cr Slattery.

03/09/14 RESOLVED – Moved: Palmer Seconded: Stewart

That the Election for the Office of the Mayor be by preferential ballot.

Following an election by preferential ballot the General Manager advised that the candidate with the most votes was Cr Slattery and the **General Manager declared Cr Slattery elected to the Office of Mayor** for the period September 2014 to September 2015.

5) ELECTION OF DEPUTY MAYOR

The same provisions apply to the election of the Deputy Mayor as for the election of the Mayor.

RECOMMENDATION

That if required Council determine the election method to be used.

Only one nomination was received for the Office of Deputy Mayor; being Cr Palmer. As no election was required the **General Manager declared Cr Palmer elected to the Office of Deputy Mayor** for the period September 2014 to September 2015.

The Mayor, Cr Slattery, took the Chair and continued with the meeting.

RESUMPTION OF STANDING ORDERS

04/09/14 RESOLVED – Moved: .Palmer Seconded: Chalmers

That standing orders be resumed.

CONSIDERATION OF COMMITTEE REPORTS AND RECOMMENDATIONS

REPORT AND RECOMMENDATION OF THE TRAFFIC ADVISORY COMMITTEE MEETING HELD ON THURSDAY 28 AUGUST 2014.

RECOMMENDATION

That the report and recommendations be received and adopted.

05/09/14 RESOLVED – Moved: Slattery Seconded: Wight

That the report and recommendations be received and adopted.

REPORT AND RECOMMENDATION OF THE ENGINEERING SERVICES COMMITTEE MEETING HELD ON TUESDAY 9 SEPTEMBER 2014.

RECOMMENDATION

That the report and recommendations be received and adopted.

06/09/14 RESOLVED – Moved: Chalmers Seconded: Wight

That the report and recommendations be received and adopted.

26. HUMAN RESOURCES

1) GENERAL MANAGERS PERFORMANCE REVIEW 2014

Introduction

A review of the performance of the General Manager was undertaken on 8 September 2014 as required by Clause 5 of the Standard Contract of Employment for the General Manager approved by the Director General of the Division of Local Government pursuant to section 338(4) of the Local Government Act 1993.

The review was undertaken by the General Manager's Performance Review Committee, comprised of Councillors Braybrooks, Doidge (absent), Donnelly, Palmer, Phillips, Slattery and Wight, with the assistance of Mr Christian Morris of Local Government Management Solutions.

Discussion - Annual Remuneration Level

Standard contract of employment for General Managers of local councils in NSW (extracts)

8.3 Council may, on only one occasion during each year of this contract, approve an increase in the total remuneration package where the employee's performance has been assessed in accordance with a performance review as being of a better than satisfactory standard.

8.5 On each anniversary of the commencement date, the total remuneration package will be increased by a percentage amount that is equivalent to the latest percentage amount increase in remuneration for senior executive office holders as determined by the Statutory and Other Officers Remuneration Tribunal.

As detailed in the Director General's Guidelines issued pursuant to section 23A of the Local Government Act 1993, Guidelines for the Appointment & Oversight of General Managers July 2011, an annual increase in the salary package, equivalent to the latest percentage increase in remuneration for senior executive office holders as determined

by the Statutory and Other Offices Remuneration Tribunal (SOORT), is available to the General Manager under the Standard Contract on each anniversary of the contract.

For 2014/15 this increase has been set at 1.88%. This rate was determined by SOORT to ensure State public service senior executive remuneration packages did not increase by more than 2.5 per cent over a twelve month period, due to this increase commencing on 1 July 2014, only nine months after the previous increase on 1 October 2013.

As per Clause 8.5 of the Standard Contract of Employment for General Managers of Local Councils in NSW the SOORT increase is paid on the anniversary date rather than on 1 July 2014 and the rationale for the reduction applied to the State public service is not relevant.

Additional discretionary increases to the General Manager's total remuneration package under the provisions of the Standard Contract may occur after a formal review of the General Manager's performance has been undertaken by the governing body of Council and the governing body of Council resolves to grant such a discretionary increase because of better than satisfactory performance.

The General Manager's Performance Review Committee has determined that the General Manager's performance for the previous 12 months has been 'More than satisfactory'.

All discretionary increases in remuneration, together with the reasons for the increase, must be reported to an open meeting of Council.

The General Manager's Performance Review Committee recommends a discretionary increase of 0.25% be allowed to compensate for the 0.25% increase in the Compulsory Employer Superannuation Contribution which is paid as part of the standard contract remuneration package, rather than as an addition over and above salary as per the Local Government (State) Award 2014.

The General Manager's Performance Review Committee recommends an additional discretionary increase of 0.72% be allowed to ensure the relativity between the General Manager and all other staff is maintained, based on the difference between the 1.88% SOORT increase and the 2.6% Local Government (State) Award 2014 increase granted to all other Council staff from 1 July 2014.

RECOMMENDATION

That Council note the General Manager's continuing 'More than Satisfactory' performance and adopt the recommendations of the General Manager's Performance Review Committee.

07/09/14 RESOLVED – Moved: Palmer Seconded: Phillips

That Council note the General Manager’s continuing ‘More than Satisfactory’ performance and adopt the recommendations of the General Manager’s Performance Review Committee.

CORRESPONDENCE (Information)

LG NSW (Information)

2) LGNSW WEEKLY

The Index of Weekly Circular No's 30/14, 31/14, 32/14, 33/14 AND 34/14 were distributed at the meeting.

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

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

3) CIRCULARS

Published	Circular	Description
10 Sep 2014	14-23	Government response to the Independent Local Government Review Panel and Local Government Acts Taskforce
26 Aug 2014	14-22	Responsible Pet Ownership Grants Program – call for applications

The Circulars to Councils are available for download any time from <http://www.olg.nsw.gov.au>. Please note that the Office of Local Government have launched their new website, containing useful information for Councillors including resources, such as the directory of policy advice for councils, circulars and publications, as well as information about integrated planning and reporting, Acts and regulations and the Councillor Handbook.

If any Councillor is interested in a particular item, please contact Ms Kate Monaghan, Director of Corporate Services.

RECOMMENDATION

That the information be noted.

08/09/14 RESOLVED – Moved: Phillips Seconded: Donnelly

That the information be noted.

ACTION SUMMARY REPORT

The following is a summary of actions undertaken on Council resolutions.

Ref	Action	Status
07/08/14	That a policy be developed to allow the closure of Council's office between Christmas and New Year as part of Council's normal operations.	Policy developed, and included on Consultative Committee Agenda. Will be brought to October Council meeting for adoption.
09/08/14	That Council continues its support to the campaign mounted by the NSW Public Library Associations for increased State funding to local government for public libraries.	Letters sent, and Cootamundra actively participating in ongoing campaign.

RECOMMENDATION

That the information be noted.

09/09/14 RESOLVED – Moved: Phillips Seconded: Donnelly

That the information be noted.

GENERAL MANAGERS REPORT

EXECUTIVE SERVICES DIVISION

2. COUNCIL

4) ELECTION OF MAYOR

This item was discussed earlier in the meeting.

5) ELECTION OF DEPUTY MAYOR

This item was discussed earlier in the meeting.

6) APPOINTMENT OF COMMITTEES AND DELEGATES

Introduction

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

- (1) A council may, by resolution, establish such committees as it considers necessary.*
- (2) A committee is to consist of the mayor and such other councillors as are elected by the councillors or appointed by the council.*
- (3) The quorum for a meeting of a committee is to be:
 - (a) such number of members as the council decides, or*
 - (b) if the council has not decided a number—a majority of the members of the committee.**

The Regulation also states at Clause 267:

The Chairperson of each Committee of the Council must be:-

- (a) the mayor; or*
- (b) if the mayor does not wish to be the chairperson of a committee - a member of the committee elected by the council; or*
- (c) if the council does not elect such a member - a member of the committee elected by the committee.*

This Council's practice over many years has been to allow each Committee to elect its own chairperson, and where deemed appropriate, a deputy chairperson. Under this system the Mayor remains automatically a member of each committee of Council by virtue of holding that office.

The Regulation also states at Clause 261:

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

Council's delegations register specifies the function of each main committee as it presently exist and is included as **Tabled Document 1 September 2014 (Pages 1 - 2)** for councillor's reference.

Discussion

In line with the adopted Organisation Structure the two main committees cover the following 37 functional areas within Council's operations. The descriptions used in this listing have been aligned with the descriptions adopted in Council's 2014/15 – 2017/18 Delivery Program.

<u>CORPORATE SERVICES</u>	<u>ENGINEERING SERVICES</u>
Community Strategic Plan (1)	Airport (4)
Council (2)	Depots (5)
Council Shared Associations (3)	Plant (6)
Human Resources (26)	Saleyards (7)
Information Technology and Records (27)	Cemeteries (8)
Library (28)	Parks and Sporting Grounds (9)
Emergency Services (29)	Swimming Pool (10)
Development Control (30)	Public Toilets (11)
Land and Economic Development (31)	Stadium (12)
Food and Health (32)	Companion Animals (13)
Tourism (33)	Council Buildings (14)
Financial Planning and Revenue (34)	Noxious Weeds (15)
Caravan Park (35)	WHS / Risk Management (16)
Customer Service and Reception (36)	Water Management (17)
Community Relations / Arts /ERA (37)	Sewerage Management (18)
	Stormwater Management (19)
	Waste Management (20)
	State Roads (21)
	Regional Roads (22)
	Bitumen Shire Roads (23)
	Gravel Shire Roads (24)
	Town & Village Streets & Lanes, (25)
	Footpaths and Cycleways (26)

It is suggested that the membership of the two main committees, Corporate Services and Engineering Services, be kept at five (5), plus the Mayor ex-officio. This would allow

the committees to function as advisory committees making recommendations to Council rather than as a de-facto full Council as has happened in the past.

Within Council's adopted Organisation Structure each of the main Committees incorporate Sub-Committees. These are separated from the main Committees as the functions they cover may require the inclusion of community members or staff, as well as Councillors. The previous Sub-Committees are listed in the table below.

CORPORATE SUB COMMITTEES	ENGINEERING SUB COMMITTEES
**Staff Consultative (Award Restructuring)	Fisher Park & Cootamundra Sporting Groups Advisory
General Manager's Performance Review	Work Health & Safety (WH&S)
	Saleyards
	Traffic Advisory

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

Kate Monaghan, Glen McAtear, Mark Ellis, Adam Barnes, Phil Chapman, Darren Thompson, Michael Tanks, Steve Lowe
Ex-officio members – Leanne Crawford, Stephanie Reid

The Staff Consultative (Award Restructuring) Committee membership becomes vacant after 15 September 2014 and a new election is to be held prior to 13 October 2014. If there are any membership changes the new committee will need to be ratified by Council at the 13 October 2014 meeting.

COMMITTEE MEMBERSHIP

To assist Councillors in determining the membership of Committees for the following term, the previous Committee membership (Sept 2013 – Sept 2014) was as follows:

MAIN COMMITTEES

Corporate Services:

Councillors Braybrooks, Doidge, Phillips, Slattery, and Wight.

Engineering Services:

Councillors Braybrooks, Chalmers, Donnelly, Palmer, Slattery, Stewart and Wight.

SUB-COMMITTEES

Staff Consultative (Award Restructuring)

K Monaghan (Management Rep), M Ellis (LGEA Rep), G McAtear (USU Rep), Adam Barnes, Phil Chapman, Darren Thompson, Michael Tanks, Steve Lowe (Elected Reps).

Saleyards Committee

Councillors Chalmers and Wight, Director Engineering Services, Saleyards Manager, Mr S Tolmie (Agents Representative) and Mr A Roberts (Growers Representative) with Councillor Slattery as alternate.

Traffic Advisory Committee

Councillor Slattery (delegate), Traffic Sergeant - Cootamundra Police, Mr P McPhail (Representing the Member for Burrinjuck), RMS Representative.

Cootamundra Sporting Groups Advisory Committee

Councillor, Membership open to all interested members of Cootamundra Sporting Groups, Councillor Recreation Officer, Manager Facilities and Services.

General Manager's Performance Review Committee

Councillors Braybrooks, Doidge, Donnelly, Palmer, Phillips, Slattery and Wight.

Work Health & Safety (WH&S) Committee

Councillor Braybrooks, M Snell, P Chapman, M Ellis, G McAtear, G Finucane, A Parkinson, G McCallum and Scott Reid.

DELEGATES

Additionally Council appoints delegates to a variety of Non-Council Committees in which Council has an interest. In 2013/14 these committees and delegates were as follows:

Cootamundra Community Arts Trust Fund Committee	Councillors Slattery and Braybrooks, Matthew McNamara, Margot Gill, Dawn Elrington, Graham Cossey and Ken Trethewey
Cootamundra Development Corporation	Councillors Donnelly and Stewart
Goldenfields Water County Council (four year term)	Councillor Palmer
Riverina Eastern Regional Organisation of Councils (REROC)	Councillor Braybrooks
Riverina Regional Library	Councillor Wight and General Manager, Alternate - Councillor Phillips.
Riverina Regional Tourism	Councillor Donnelly
South East Weight of Loads Group	Director Engineering Services

South West Regional Waste Management Group	Councillors Slattery and Braybrooks, General Manager and Director Engineering Services.
South West Slopes Zone Bush Fire Management Committee	Councillor Wight and General Manager, Alternate - Councillor Slattery
South West Slopes Zone Service Level Agreement Liaison Committee	Councillor Wight and General Manager, Alternate - Councillor Slattery

SECTION 355 COMMITTEES

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

*A function of a council may, subject to this Chapter, be exercised:
(e) by a delegate of the council*

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

Councillors may be appointed to these committees by the committee or organisations involved, but are generally not specifically appointed by Council as Council representatives. However, in 2009 Council sought the appointment of the following councillors and staff to the following s.355 committees along with other nominations received:

- Cootamundra Creative Arts and Cultural Centre – Councillor Braybrooks and General Manager
- Cootamundra Showground Users – one Councillor and Director Corporate Services
- Cootamundra Heritage Centre – Councillor Stewart

It is recommended that the appointment of a councillor or staff member to these committees be continued.

Council's delegations register specifies the function of each s.355 Committee as it presently exists and is included as **Tabled Document 2 September 2014 (Pages 3 - 12)** for Councillor's reference.

These committees are as follows:

- Bradmans Birthplace Management
- Cootamundra Showground Users

- Wallendbeen Hall
- Stockinbingal Hall
- Cootamundra Beach Volleyball Festival
- Cootamundra Creative Arts and Cultural Centre
- Cootamundra Heritage Centre Management
- Cootamundra Concert Band
- Muttama Creek Regeneration Group

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

S355 Committee	Membership
Bradman's Birthplace Management	Committee is currently reforming, membership to be advised.
Cootamundra Showground Users	Councillor Chalmers, Rod Jones, Lyle Constance, Doreen O'Connor, Trish Taylor, Vern Armstrong, Marjory Taprell, Keith Boxsell, Lois James, Tony Ward, Frances Ross, Ian Craw, Lynn Gavin, Ted Strachan, Director Corporate Services.
Wallendbeen Memorial Hall	Al Baldry, Greg Hines, Phil McGeoch, Marcia Thorburn, Toby Basingthwaite, Ken Thorburn, Ron Baldock, James Baldry, Michael Baldry, Michael Wilkinson, Natalie Wilkinson, Tom Allen.
Stockinbingal Hall	Alan Pether, Joan Baldwin, John Harper, Julie Thompson.
Cootamundra Beach Volleyball Festival	Councillor Phillips, Simon Sutherland, Steven Cross, Amber Beath, John Stephens, Chris Williams, Denise Mahon, Gemma Sutherland, Julisia Cross, Janine Cross.
Cootamundra Creative Arts and Cultural Centre	Councillor Paul Braybrooks, Faye Dorczak, Jenny Littlejohn, Maree Twomey, Carol East, Leigh Scott, Stuart Macky, Rosemary Fowler-Sullivan, Lindsey Baber, Isabel Scott, Leigh Bowden, Rae Webber, John English, Julie Cowell, General Manager.
Cootamundra Heritage Centre Management Committee	Councillor Craig Stewart, Geoff Larsen, Betti Punnett, Janis Miller, Pat Caskie, Michele Pigram, Arthur Ward, Yvonne Forsyth
Cootamundra Concert Band	Councillor Paul Braybrooks, Alison Patterson
Muttama Creek Regeneration Group	Councillor Paul Braybrooks, Councillor Stephen Doidge, Pat Caskie, Di Pearton, Win Main, Betti Punnett, Norma Clarke, Gloria Tweedale, Bob Tweedale, Joy Reynolds, Linley Chaplin, Rebecca Burnett
Cootamundra Community Arts	Councillor Paul Braybrooks, Faye Dorczak, Jenny

Trust, Fundraising by Cootamundra Creative Arts and Cultural Centre Committee	Littlejohn, Maree Twomey, Carol East, Leigh Scott, Stuart Macky, Rosemary Fowler-Sullivan, Lindsey Baber, Isabel Scott, Leigh Bowden, Rae Webber, John English, Julie Cowell, General Manager,
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RECOMMENDATION

1. That Council establish such committees and sub-committees as it considers necessary;
2. That Council determine the membership of each committee and sub-committee;
3. That Council determine its Delegates to non-Cootamundra Shire Council committees;
4. That Council determine the membership of all Section 355 committees; and,
5. That Council determine that the quorum for a meeting of each committee is to be a simple majority of the members of the committee.

10/09/14 RESOLVED – Moved: Palmer Seconded: Braybrooks

1. That Council establish the following Committees and Sub Committees including membership as detailed below:

MAIN COMMITTEES

Corporate Services:

Councillors Braybrooks, Doidge, Phillips, Slattery, Stewart and Wight

Engineering Services:

Councillors Braybrooks, Chalmers, Doidge, Donnelly, Palmer, Slattery and Wight

SUB-COMMITTEES

Staff Consultative (Award Restructuring)

K Monaghan (Management Rep), M Ellis (LGEA Rep), G McAtear (USU Rep), Adam Barnes, Phil Chapman, Darren Thompson, Michael Tanks, Steve Lowe (Elected Reps)

Saleyards Committee

Councillors Chalmers and Wight, Director Engineering Services, Saleyards Manager, Steve Tolmie (Agents Representative), Andy Roberts (Growers Representative), Bill Scott (Processors Representative), with Councillor Slattery as alternate

Traffic Advisory Committee

Councillor Slattery (delegate), Traffic Sergeant - Cootamundra Police, Mr P McPhail (Representing the Member for Burrinjuck), RMS Representative

Cootamundra Sporting Groups Advisory Committee

Councillor Doidge, Membership open to all interested members of Cootamundra Sporting Groups, Councillor Recreation Officer, Manager Facilities and Services

General Manager's Performance Review Committee

All Councillors

Work Health & Safety (WH&S) Committee

Councillor Braybrooks, M Snell, P Chapman, M Ellis, G McAtear, G Finucane, A Parkinson, G McCallum and Scott Reid

2. That Council appoint the following delegates to the following non Cootamundra Shire Council Committees.

Cootamundra Community Arts Trust Fund Committee	Councillors Slattery and Braybrooks, Matthew McNamara, Margot Gill, Dawn Elrington, Graham Cossey and Ken Trethewey
Cootamundra Development Corporation	Councillors Donnelly and Stewart
Goldenfields Water County Council (four year term)	Councillor Palmer
Riverina Eastern Regional Organisation of Councils (REROC)	Councillor Braybrooks
Riverina Regional Library	Councillor Wight and General Manager, Alternate - Councillor Phillips.
Riverina Regional Tourism	Councillor Donnelly
South East Weight of Loads Group	Director Engineering Services
South West Regional Waste Management Group	Councillors Chalmers (observer), Slattery and Braybrooks (observer), General Manager and Director Engineering Services.
South West Slopes Zone Bush Fire Management Committee	Councillor Wight and General Manager, Alternate - Councillor Slattery
South West Slopes Zone Service Level Agreement Liaison Committee	Councillor Wight and General Manager, Alternate - Councillor Slattery

3. That Council determine that the quorum for a meeting of each Committee is to be a majority of the members of the committee.
4. That Council create the following s.355 Committees and appoint the following persons to each s.355 Committee.

S355 Committee	Membership
Bradman's Birthplace Management	Committee is currently reforming, membership to be advised.
Cootamundra Showground Users	Councillor Chalmers, Rod Jones, Lyle Constance, Doreen O'Connor, Trish Taylor, Vern Armstrong, Marjory Taprell, Keith Boxsell, Lois James, Tony Ward, Frances Ross, Ian Craw, Lynn Gavin, Ted Strachan, Director Corporate Services.
Wallendbeen Memorial Hall	Al Baldry, Greg Hines, Phil McGeoch, Marcia Thorburn, Toby Bassingthwaite, Ken Thorburn, Ron Baldock, James Baldry, Michael Baldry, Michael Wilkinson, Natalie Wilkinson, Tom Allen.
Stockinbingal Hall	Alan Pether, Joan Baldwin, John Harper, Julie Thompson.
Cootamundra Beach Volleyball Festival	Councillor Phillips, Simon Sutherland, Steven Cross, Amber Beath, John Stephens, Chris Williams, Denise Mahon, Gemma Sutherland, Julisia Cross, Janine Cross.
Cootamundra Creative Arts and Cultural Centre	Councillor Paul Braybrooks, Faye Dorczak, Jenny Littlejohn, Maree Twomey, Carol East, Leigh Scott, Stuart Macky, Rosemary Fowler-Sullivan, Lindsey Baber, Isabel Scott, Leigh Bowden, Rae Webber, John English, Julie Cowell, General Manager.
Cootamundra Heritage Centre Management Committee	Councillor Craig Stewart, Geoff Larsen, Betti Punnett, Janis Miller, Pat Caskie, Michele Pigram, Arthur Ward, Yvonne Forsyth
Cootamundra Concert Band	Councillor Paul Braybrooks, Alison Patterson
Muttama Creek Regeneration Group	Councillor Paul Braybrooks, Councillor Stephen Doidge, Pat Caskie, Di Pearton, Win Main, Betti Punnett, Norma Clarke, Gloria Tweedale,

	Bob Tweedale, Joy Reynolds, Linley Chaplin, Rebecca Burnett
Cootamundra Community Arts Trust, Fundraising by Cootamundra Creative Arts and Cultural Centre Committee	Councillor Paul Braybrooks, Faye Dorczak, Jenny Littlejohn, Maree Twomey, Carol East, Leigh Scott, Stuart Macky, Rosemary Fowler-Sullivan, Lindsey Baber, Isabel Scott, Leigh Bowden, Rae Webber, John English, Julie Cowell, General Manager,

7) CITY OF SYDNEY AMENDMENT (ELECTIONS) BILL 2014

Introduction

It has been brought to Councils attention by the Lord Mayor of Sydney and LGNSW that the City of Sydney Amendment (Elections) Bill 2014 (the Bill) which is due to be introduced into the NSW Parliament in the September sitting has the potential to affect this Council in the future if the Bill passes into law in the present form.

The Bill and its explanatory notes can be found at:

<http://www.parliament.nsw.gov.au/prod/parlment/nswbills.nsf/131a07fa4b8a041cca256e610012de17/8ebe89753851210dca257d32001dfd41?OpenDocument>

and needs to be read in conjunction with the *City of Sydney Act 1988* which can be found at:

<http://www.legislation.nsw.gov.au/maintop/view/inforce/act+48+1988+cd+0+N>

LGNSW has raised concerns with the Minister for Local Government, the Hon. Paul Toole, about the process relating to the Bill to date and the lack of detail provided and lack of consultation with local government prior to the Bill being tabled in the Legislative Council.

LGNSW has indicated that it would appreciate feedback from as many councils as possible on the Bill.

Discussion

The major issues identified by LGNSW appear to be as follows:

- *The proposed section 25 makes it possible to extend this business voting system to any or all other councils by regulation (see proposed section 25);*
- *From the point of view of existing electors (largely residents and residential ratepayers) conferring two votes on each corporation is arguably undemocratic (see proposed section 16AA Corporations);*
- *The proposed system as described will create a large new workload and significant new costs to councils (see proposed sections 16AA–16AC, 16D, 18A–18E);*
- *The proposed system is difficult to interpret both for businesses as participants and councils as implementers with the multiple concepts ratepayers, rate paying leaseholders and occupiers (see Definitions regarding rate paying lessee and occupier);*
- *The proposed section on ensuring the non-residential roll electoral information register is not available for public inspection seems at odds with the practices relating to other electoral rolls (see proposed section 18D (5));*

- *The proposed section on powers to pursue information may be giving too much power and subsequent responsibility to council (see proposed section 18D (6)).*

Of equal concern is that this proposal was not raised at any stage during the two years of the Independent Local Government Review Panel or the Local Government Acts Review.

This is concerning in that it indicates that whilst the Parliament indicated nothing in relation to the bodies of work produced in consultation and conjunction with local government through those reviews, until 10 September 2014, it is prepared to consider pushing through other potentially major changes to the operation of local government without any consultation.

This gives the impression that the Bill is motivated by something other than a serious attempt to improve the non-resident voting system.

The present non-resident role provides a single vote to any property owner, occupier or rate paying lessee who is not otherwise entitled to vote in a local government election in the council area in which the property is situated. The existing non-resident voting system is voluntary, complicated and time consuming for both the non-resident and council, but it does provide a method by which non-resident property owners, occupiers or rate paying lessees can be involved in the democratic process of electing local representatives if they so wish.

In practice, the complexity and the fact that the non-resident role needs to be renewed prior to each election, results in very few non-resident voters choosing to enrol for elections in Councils such as this (one at the 2012 election).

The compulsory system being proposed by the Bill is even more complex and time consuming for non-resident voters and councils, particularly where property is owned by entities rather than natural persons. The system being proposed by the Bill would require a total overhaul of the electoral system and could only be undertaken using postal voting as many non-resident voters would be remote from the council area.

There is, at S.16AC(4) of the Bill, provision to restrict voting rights to Australian citizens, but this restriction creates further complications in developing the non-resident role and requires the council to interact not only with the NSW Electoral Commission but also the Australian Electoral Commission to determine the status of each natural person nominated or holding the positions automatically assigned as voting nominees by the Bill.

Whilst the Bill is initially aimed at the City of Sydney it does make provision for an easy, regulation based expansion to other councils whenever the Parliament sees fit. It may be a cynical view of the operation of political parties in NSW but this capacity would inevitably be used to deal with troublesome councils of the wrong political persuasion.

It is also an observable reality that legislative creep is a regular occurrence in NSW, creating the real potential for the Bill to ultimately be applied to all councils.

If the underlying rationale for the Bill is *'to revise and update provisions relating to entitlement to enrolment on those non-residential'* as is stated at Clause (b) of 'The objects of the Bill', then it is suggested that it would be more beneficial for the Parliament to investigate, with local government, the potential to simplify the existing processes around voluntary inclusion on the non-resident electoral role.

RECOMMENDATION

That Council advise LGNSW that it considers the Bill should be withdrawn, and that Parliament should investigate, with local government, the potential to simplify the existing processes around voluntary inclusion on the non-resident electoral role.

11/09/14 RESOLVED – Moved: Braybrooks Seconded: Donnelly

That Council advise LGNSW that it considers the Bill should be withdrawn, and that Parliament should investigate, with local government, the potential to simplify the existing processes around voluntary inclusion on the non-resident electoral role.

ENGINEERING SERVICES DIVISION

8) WORKS REPORT

Transfer Station

252.73 tonnages of waste material was transferred from the Cootamundra Transfer Station to Bald Hill for the month of August 2014.

	Tonnes to Bald Hill 2012	Tonnes to Bald Hill 2013	Tonnes to Bald Hill 2014
January	315.18	299.34	289.06
February	298.66	251.52	234.86
March	302.72	262.42	269.16
April	276.36	280.86	266.16
May	259.16	275.36	264.50
June	245.68	226.10	223.96
July	270.50	273.36	258.02
August	275.46	286.94	252.73
September	246.82	284.00	
October	308.66	289.52	
November	263.72	286.58	
December	284.34	289.76	
Total	3347.26	3305.76	2058.45
Average YTD	278.94	275.48	257.31

Airport

The installation of power to the new RFS shed was under taken by local contractors. The installation involved trenching from the terminal building to the new shed and was completed in early August. The trench which had subsided was replenished and levelled at the end of August.

The mowing of the airport and surrounds was also completed in August.

Cemeteries

Staff completed the mowing, edging, weeding and spraying works to the Cootamundra, Stockinbingal and Wallendbeen Cemeteries.

Water Deliveries

There were two water deliveries for the month of August totalling 33,000 litres.

Parks and Sporting Grounds

The works completed by staff members in August have been focused on irrigation maintenance, brush cutting, street sweeping, the garbage run, tree pruning and maintenance.

Staff members continued with the task of planting new street trees.

Work continued in the Rotary Peace Structure and the Commemorative Rose Garden section of Albert Park. These works included the spreading of soil, planting of roses and extending the mains water supply in Albert Park with two new taps being installed; one being near the rose garden and the other near the Rotary Peace Structure. Preparation works to Albert Park were also completed prior to the Wattle Time Fair.

Final works were completed at the dog park with additional mulch and top soil being introduced and spread.

The CBD gardens in Parker Street have been completely revamped from the Adams/Bourke Street intersection down to the Bourke/Parker Street intersection. Works included removing many of the existing plants, existing soil (and old irrigation if present) and installing new soil, new irrigation, and new plants.

Irrigation repair and maintenance work was carried out at Albert Park, Nicholson Park and Fisher Park.

Swimming Pool

The pool continues to be well attended by the public with 715 general swimming attendances being recorded for the month of August.

The Council run aqua aerobics and water activity programs continued in August and these organised classes are proving to be popular. The commencement of learn to swim classes in early August has seen the attendances for the Council run programs increase during August and this is expected to continue in September.

Public Toilets

Council has over the last three years had agreements with two individuals for the cleaning of the Stockinbingal and Wallendbeen Public toilet facilities. In August Council received notice from the Wallendbeen cleaner that she would no longer be able to carry out the cleaning and suggested that Council approach the owners of the Wallendbeen Snak Shak as they had shown interest in taking on the cleaning duties. Staff have since met with the owners who have agreed to take on the cleaning duties of the Wallendbeen Public Toilets and a new agreement is being prepared for their role. It is planned that the agreement will be signed and the new cleaners commence the duties in mid-September in the interim Council staff have been carrying out the cleaning of the Wallendbeen toilets.

Stadium

The evacuated tube hot water unit installed in 2011 had a glass cover broken which may have led to a manifold failure due to the frosting of the internal tubing. Repairs have been undertaken to isolate the one panel affected and a warrenty claim has commenced for the necessary repairs or replacement required.

Companion Animals

Council staff picked up a total of 7 dogs in the month of August 2014. At the end of the previous month 2 dogs remained in the pound.

The outcomes of these impoundings are as listed in the table below.

Action Taken	Totals
Impounded	2
Impounded & Rehomed	1
Impounded & Returned Home	4
Returned Home	0
Stolen / Escaped from Pound	0
Euthanased	0
Totals for August 2014	7

Noxious Weeds

Coolatai grass inspections and control at all known sites, including latest find on Brawlin Hill on MR87 continued. This ongoing work is needed to prevent current plants setting seed and the work will have long term benefits.

African boxthorn inspections and control in the Cootamundra and Stockinbingal districts and also at the Cootamundra Saleyards resting paddocks (follow up work from previous years control program) was undertaken.

The annual spring roadside spraying program on major and minor rural roads commenced, as per the 2013 program adopted by Council. This work will continue into September.

Roadside inspections along North Berthong Rd, Yeo Yeo Lane, Old Wallendbeen Rd, Gilmores Lane, Rosehill Rd and Cullinga Rd. It was noted that there is concern from some landowners regarding the increase in cleavers growing on roadsides, especially in the Wallendbeen district and Berthong districts.

drumMUSTER collections totalled 2033 drums in August. Preparations for the planned ChemClear collection in Cootamundra later in the year are now being undertaken. The ChemClear collection allows farmers to return unwanted and outdated farm chemicals for the appropriate disposal.

WH & S Risk Management

Confined spaces training was undertaken on the 19th of August with seven staff members completing the refresher training course.

Water and Sewer Management

Work on replacing the old water main in Poole Street between French and Cowcumbra Street has now been completed. New services were also installed for the new Country Club sub-division. A contractor on behalf of the developer has also completed the sewer main for this development.

General water and sewer breaks and chokes and service failure have been attended to as required. Frosted meter and services were still one of the main issues over the last month.

The August 2014 statistics for Cootamundra's water and sewer reticulation are as follows:

Water Main					Water Service			
Dirty water			Pipe break					
Main	Flush main	Flush service	Repair	Replace	Maintenance	Repair	Replace	New service
10	4	0	1	2	52	19	8	3
Sewer Main				Sewer Service				
Choke	Maint	Repair	Replace	Choke	Maint	Repair	Replace	New service
2	2	1	0	16	2	0	0	1

State Roads

Routine maintenance and patching has been completed along both the State highways as required. Bitumen surface patching still continues to be a problem as a result of subsurface moisture.

Regional Roads

Routine maintenance and pothole patching has also been carried out along the regional roads. Tree trimming along Muttama Road and Stockinbingal Road has been completed. The intention of this work was to remove low limbs and trees growing in the clear zone.

New guard rail has been installed across the culvert headwalls at Nioka on the Stockinbingal Road.

Bitumen Shire Roads

Patching of numerous bitumen Shire roads has been carried out over the last month. Tree trimming has also been carried out on Jugiong, Turners, Berthong and Old Cootamundra Roads during the last month.

Work has recommenced on the shoulder widening along Rosehill Road from the 'Willows' to the previously widen works. The current work will involve reshaping the shoulders and the bend and then preparation for sealing. This work is the last of the current Roads to Recovery Projects Council has to complete in the current program.

Gravel Shire Roads

Gravel road maintenance and resheeting has been completed on Back Brawlin Road, and Nashes, Old Treatment Works and Salt Clay Lanes to the south of Cootamundra. The second works crew has been working around the Wallendbeen area on Haines, Hines, and Back Nubba Roads.

Town & Village Streets/ Lanes/ Footpaths/ Cycleways

Patching has been carried out around various town streets over the last month. The concrete crew have been assisting with repairs to the CBD garden blockwork.

RECOMMENDATION

That the information be noted.

12/09/14 RESOLVED – Moved: Stewart Seconded: Donnelly

That the information be noted.

27. INFORMATION TECHNOLOGY AND RECORDS

9) DISASTER RECOVERY, RECORDS RECOVERY AND BUSINESS CONTINUITY PLAN

Introduction

Staff have conducted a review of Council's Records Recovery Plan, and have recommended an updated version for adoption by Council. The Records Recovery Plan forms chapters 13 and 14 of the *Disaster Recovery, Records Recovery and Business Continuity Plan Policy* of Council.

The revised chapter 13 and 14 are attached as **Tabled Document 3 September 2014 (Pages 13-17)**.

Discussion

Council's Records Recovery Plan was originally created to align with the State Records Authority of NSW (SRA) standard, and followed the SRA template. That template policy states that Council staff will restore damaged records in the event of a disaster, and provides several pages of procedures detailing the specific methods for stabilising and drying paper based records and non-paper materials.

The proposed revised chapters allow for the option to outsource records recovery activities in the event of a disaster.

It should be noted that this procedure would only be applied if the value to Council of recovering the records exceeded the cost.

RECOMMENDATION

That Council adopt the revised chapters 13 and 14 of the Disaster Recovery, Records Recovery and Business Continuity Plan Policy.

13/09/14 RESOLVED – Moved: Palmer Seconded: Chalmers

That Council adopt the revised chapters 13 and 14 of the Disaster Recovery, Records Recovery and Business Continuity Plan Policy.

28. LIBRARY

10) LIBRARY OPERATIONS

Introduction

The purpose of this report is to report on the performance of the Library for the month of August 2014.

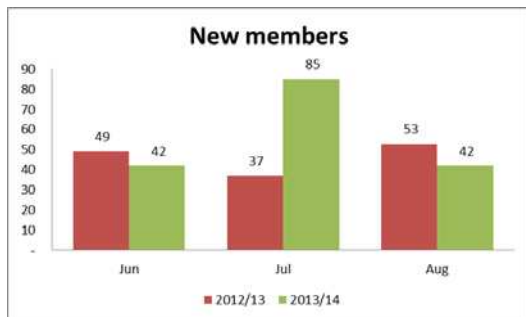
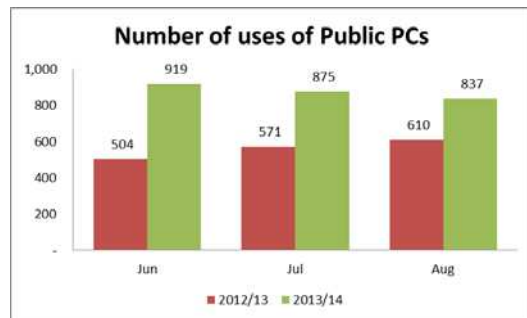
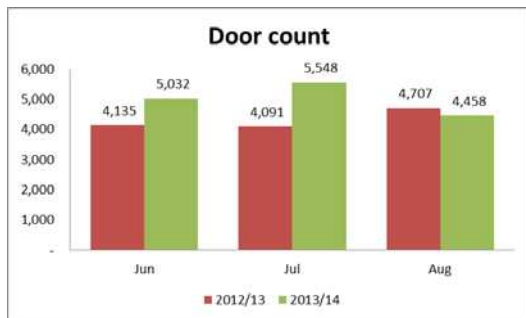
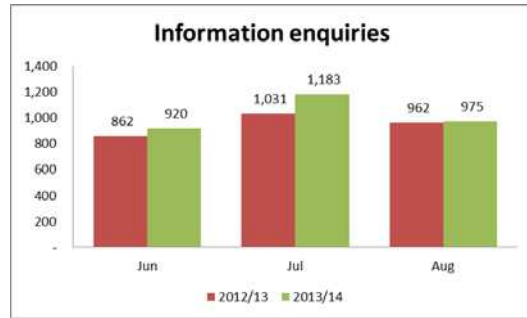
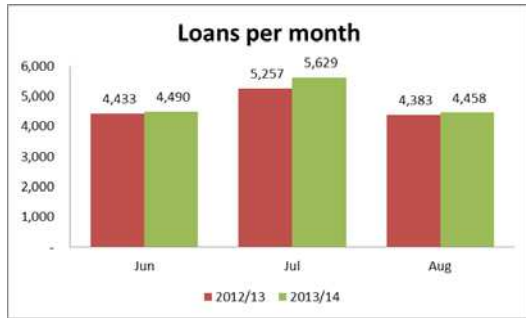
Discussion

August 2014 was another successful month with the library holding a number of promotional activities aimed at attracting library patrons and encouraging reading across a range of demographic spreads.

- Book Week - This year's theme was "Connect to Reading". 25 Children participated in the story-time toy sleep-over, leaving their favourite toy at the library overnight. When the toys were collected by the children the next day, they received a card with a photograph of their toy's overnight antics.
- Book Parade - Library staff marched in the town's annual book parade with library patrons and their children and grandchildren all dressed as their favourite book character.
- Write with Friends - Library staff have established a Writers Group that had its inaugural meeting during the month. 8 participants were involved in the group workshop, which will continue to be a monthly activity.
- Story Time and Baby Bounce activities are held weekly, with 25-30 children and 8-10 mums and babies attending regularly.
- Tea and coffee is now available at the library for 50 cents, and this change has been well received by library patrons who use the library as a social place or as a quiet space to read.
- During August, the library held weekly 'iPad for Beginners' classes, which were well attended by approximately 20 people every week.
- School Partnerships - Library staff are partnering with school staff to provide resources to children to encourage reading. During Term 3, each child who borrows a book receives a star on the school's library chart, with the best borrowing school to receive a prize at the end of term.

Staff will continue to develop this report, and as the monthly statistics are collected over the course of the year the graphs will fill out and staff will analyse the impact of library programs and events on library usage.

The use of library computers has increased substantially compared to the previous year, and this correlates to the Council's investment in new computers.



RECOMMENDATION

That the information be noted.

14/09/14 RESOLVED – Moved: Chalmers Seconded: Wight

That the information be noted.

DEVELOPMENT GROUP**30. DEVELOPMENT CONTROL****11) DEVELOPMENT APPLICATIONS APPROVED Agenda 2014-09 - September**

The following development applications have been approved.

APP. NO.	PROPOSED BUILDING	STREET NAME
DA13-078	Change of Use	Sutton Street
10.2014.68	Single New Dwelling	Gundagai Road
10.2014.73	Garage	Williams Avenue
10.2014.74	Garage	Berthong Street
10.2014.75	Industrial Shed	King Drive
10.2014.76	New Pergola	Mary Angove Crescent
10.2014.78	Garage	Mary Angove Crescent
10.2014.79	Garage	Wills Street
10.2014.80	Single New Dwelling	Harold Conkey Avenue
10.2014.81	Storage Shed	Old Cootamundra Road
18.2014.4	Dwelling alterations	Donaldson Street

VALUE OF WORK REPORTED TO THIS MEETING: \$675,058.00

AMOUNT COMPARABLE SAME MONTH LAST YEAR: \$894,032.00

VALUE OF WORK REPORTED YEAR TO DATE: \$1,150,987.00

RECOMMENDATION:

That the information be noted.

15/09/14 RESOLVED – Moved: Braybrooks Seconded: Palmer

That the information be noted.

31. LAND AND ECONOMIC DEVELOPMENT

Cr Palmer declared a pecuniary interest as owner of Lot 1 DP530890; 29 Yass Road Cootamundra, and left the room and took no part in the discussion or voting of this item.

12) PROPOSED AMENDMENTS TO COOTAMUNDRA LOCAL ENVIRONMENTAL PLAN 2013

Introduction

This report provides an update on the current status of proposed amendments to the Cootamundra Local Environmental Plan 2013 and seeks Council's approval to proceed with the finalisation of the amendments.

Discussion

(a) Background

Council previously gave consideration to some proposed minor amendments to the Cootamundra Local Environmental Plan 2013 at the April and May 2014 Council meetings.

The proposed amendments relate to the following matters:

1. To correct an anomaly in the heritage schedule and maps by removing the heritage item "Begley's Store" - Lot 1 in DP110542, 30 Hibernia Street Stockinbingal from the LEP;
2. To rezone two parcels of land in Cootamundra from R1 General Residential to IN2 Light Industrial to reflect the existing use of both properties. These properties are Lots 1- 4 in DP724913 and Lot 1 in DP948674, 2 Sutton Street Cootamundra and Lot 1 in DP530890, 29 Yass Road Cootamundra;
3. To clarify the minimum lot size requirements for dual occupancy, multi dwelling housing and residential flat buildings in the R1 General Residential and R3 Medium Density residential zones;
4. To amend the land use tables for the B3 Commercial Core and IN2 Light industrial Zones to enable service stations to be permitted with Council's consent in both of these zones.

Following consideration of this matter Council resolved at its meeting held in May 2014 to prepare a Planning Proposal and to refer the matter to the NSW Department of Planning and Infrastructure seeking a 'Gateway Determination' on the proposed amendments.

(b) Gateway Determination

A Planning Proposal was subsequently provided to the Department and a Gateway Determination was sought.

The Department issued a Gateway Determination and agreed that Council could exercise its delegation functions in the making of the Plan. The Gateway Determination required Council to place the amendments on public exhibition for a minimum of 28 days. The Determination also advised that consultation with public authorities was not required and that a public hearing was not required.

(c) Public exhibition

Council is required to give consideration to any submissions received during the public exhibition period and may make changes to the plan if required as a result of any submissions received.

The amendments were placed on public exhibition from 11 August until 8 September 2014.

No submissions were received.

Conclusion

As no submissions were received it is considered that the plan should now proceed without any changes to the proposed amendments that were placed on public exhibition.

The next stage is to amend the LEP maps and to submit the draft changes to Parliamentary Counsel for an Opinion on the making of the Plan.

RECOMMENDATION:

That Council proceed with the making of the Plan without making any changes to the Plan.

16/09/14 RESOLVED – Moved: Braybrooks Seconded: Phillips

That Council proceed with the making of the Plan without making any changes to the Plan.

VOTING RECORD for Minute 16/09/14 - PROPOSED AMENDMENTS TO COOTAMUNDRA LOCAL ENVIRONMENTAL PLAN 2013	
FOR RESOLUTION	AGAINST RESOLUTION
Braybrooks, Chalmers, Doidge, Donnelly, Phillips, Slattery, Stewart, Wight	Nil
ABSENT	DECLARED INTEREST
Nil	Palmer

Cr Palmer returned to the meeting.

**13) DEVELOPMENT APPLICATION DA 2014/83 – PROPOSED RURAL SUBDIVISION
– LOT 1 DP792169 – BURLEY GRIFFIN WAY WALLENDBEEN**

Introduction

The purpose of this report is to give consideration to a development application for a two lot rural subdivision west of Wallendbeen.

Applicant

CMS Surveyors Pty Ltd
PO Box 525
Cootamundra NSW 2590

Owner

James Gibb
PO Box 481
Cootamundra NSW 2590

Property Description

Lot 1 in DP792169, Burley Griffin Way Wallendbeen.

The property is situated on the northern side of the Burley Griffin way between Stockinbingal and Wallendbeen; approximately 2.5 kilometres west of the intersection with the North Berthong Road; approximately 8 kilometres northeast of Stockinbingal and approximately 20 kilometres north of Cootamundra.

A location plan of the property is provided as **Tabled Document 4 September 2014 (Page 18)**.

Zoning

The property is zoned RU1 Primary Production under the Cootamundra Local Environmental Plan 2013.

Existing Use

The land is used for agricultural purposes; cropping and grazing. The applicant has advised that there are currently no existing dwellings or buildings on the subject land.

Proposal

To subdivide the land into two rural lots as follows:

Proposed Lot 10: 235 hectares, frontage to Burley Griffin Way

Proposed Lot 11: 245 hectares, no road frontage

A plan of the proposed subdivision is included as **Tabled Document 5 September 2014 (Page 19)**.

The proposed subdivision will enable the sale of the land in proposed Lot 10 to adjoining landowners; lot 11 will be retained by the existing owner with access via adjoining holdings.

Discussion

1. Site History

Council, at its meeting held on 15 July 2013 approved development application DA13-115 to subdivide the subject property into two rural lots of 136 and 344 hectares, respectively. A plan of the subdivision approved in DA13-115 is included as **Tabled Document 6 September 2014 (Page 20)**.

The approval required a restrictive covenant to be included on proposed Lot 10 regarding access as this lot did not have road frontage. The same condition has been included in the recommendation in relation to proposed Lot 11 of the current application.

2. Cootamundra LEP 2013

(a) The proposed subdivision is permissible with Council's consent under the land use table for the RU1 Primary Production Zone and under the provisions of Clause 4.1 "Minimum Lot Size" of the LEP.

(b) The Minimum Lot Size for the subdivision of this land under the LEP is 200 hectares and the proposed subdivision satisfies this minimum.

3. Site access

(a) Proposed Lot 10 has access to the Burly Griffin Way via the existing 10 metre wide strip of land and driveway;

(b) Proposed Lot 11 has no road frontage and access is via adjoining holdings in the same ownership. A condition has been included in the recommendation requiring the creation of a restriction as to user under *Section 88B of the Conveyancing Act 1919* be placed on the lot to the effect that the land in

proposed Lot 11 cannot be sold separately without adjoining land that provides legal and practical access to a public road.

4. Environmental Planning & Assessment Act, 1979.

Council must also consider all of the matters referred to in sections 5, 5A, 5B and 79C of the *Environmental Planning and Assessment Act 1979* before making an assessment of a development application. All of these sections have been duly taken into account in making the following recommendation.

RECOMMENDATION:

That Development Application DA 2014/83 be APPROVED subject to the following conditions:

1. A formal plan of subdivision being prepared and submitted generally in accordance with the plan submitted with the development application DA 2014/83 referenced '11050 subdivision issue 2' dated 27 March 2014 prepared by the applicant;
2. The formal plan of subdivision including a restrictive covenant under Section 88B of the *Conveyancing Act 1919*, to the effect that proposed Lot 1 1 cannot be sold separately without adjoining land which provides access to a public road for proposed Lot 11;
3. Consent for the subdivision lapsing after 5 years in accordance with the *Environmental Planning and Assessment Amendment (Development Consents) Act 2010*.

17/09/14 **RESOLVED – Moved: Doidge Seconded: Phillips**

That Development Application DA 2014/83 be APPROVED subject to the following conditions:

1. A formal plan of subdivision being prepared and submitted generally in accordance with the plan submitted with the development application DA 2014/83 referenced '11050 subdivision issue 2' dated 27 March 2014 prepared by the applicant;
2. The formal plan of subdivision including a restrictive covenant under Section 88B of the *Conveyancing Act 1919*, to the effect that proposed Lot 1 1 cannot be sold separately without adjoining land which provides access to a public road for proposed Lot 11;

3. Consent for the subdivision lapsing after 5 years in accordance with the *Environmental Planning and Assessment Amendment (Development Consents) Act 2010*.

VOTING RECORD for Minute 17/09/14 - DEVELOPMENT APPLICATION DA 2014/83 – PROPOSED RURAL SUBDIVISION – LOT 1 DP792169 – BURLEY GRIFFIN WAY WALLENDREEN	
FOR RESOLUTION	AGAINST RESOLUTION
Braybrooks, Chalmers, Doidge, Donnelly, Palmer, Phillips, Slattery, Stewart, Wight	Nil
ABSENT	DECLARED INTEREST
Nil	Nil

33. TOURISM

14) PUBLIC RELATIONS REPORT

Introduction

Council has requested that regular reports on the activity of the Visitor Information Centre (VIC) and Council's public relations and promotions activities be provided now that the VIC has been relocated to the Arts Centre.

This report covers the period from 1 August to 31 August 2014.

Cootamundra Visitor Information Centre

	Local	NSW	VIC	SA	WA	QLD	NT	TAS	ACT	Other	O/S	Total
												0
Accom Info	2	2	7	1	1					2		15
Info Packs	1	1										2
Day Trip	2	5	1						1	3		12
Directions	7	17	18	3		1			1	6		53
Eateries and Restaurants		3	1									4
Free or low cost camping		1										1
In Transit - Train		2	2						4	1		9
In Transit - Car	2	1	8	4	2	4	1		1	3		26
Info on Bradman	1	8	2									11
Info on Coota/things to see	5	10	9	5		1	1		3	3		37
Info on the region	3	5	3	1		1			1	2		16
Maps/Brochures	13	16	8			4		1	1	5		48
Moving here/have moved	2	1										3
Visiting relatives/friends	2	4							1	1		8
Transport Info		1	1							2		4
Public Toilet request	2	2	5			2			1	4		16
Local Produce and Souvenirs	3	4	1	1		1						10
To see The Arts Centre	9	4			1	1				1		16
Other / Unknown	14	11	1	1			1	1		5		34
Phone Calls/Mailouts	9	6	5							2		22
												347

These figures are the number of groups/families that came through the VIC

Number of Individuals entering the VIC

287

Cootamundra Shire Council Website Statistics – August 2014

The following is a summary of activity during August 2014

Total Visitors	Page Views	Pages Per Visit
2670	6274	2.3

10 most popular pages for the Month of August 2014

Page	Page views	Unique visitors
Home	1991	1652
Council Positions Vacant	414	353
Positions Vacant	279	251
Contact	270	221
Tenders	137	107
Tourism	135	123
Waste Operations	128	101
News	118	91
Cootamundra Municipal Olympic Swimming Pool	117	105
Council	98	84

Bradman Entry Statistics

For the month of August 2014 the following tickets were sold for entry into Bradman Birthplace Museum:

Adult - 154

Child - 11

CURRENT PROMOTIONAL CAMPAIGNS

Agritourism Photographer Visit

On Sunday 10 August 2014 Council hosted a Sydney based photographer employed as part of the Riverina Regional Tourism Agritourism Project.

Manorbier Vineyard, The Khaya, The Pickled Pantry, Cootamundry Vineyard & Buronga Organics were chosen to be photographed due to the uniqueness of their businesses.

The photos will be used for further promotions within the Agritourism project as well as Council having access to use the photos as they wish. One of our Wineries has also been invited to be featured in 'Insiders Guide', Magazine.

River and Wren Markets

Council has partnered with the River and Wren Markets to bring their Boutique Markets to Cootamundra on Saturday 4 October 2014, 10.00am – 2.00pm as part of Taste Riverina Food Festival.

A section of the market will be designated for Cootamundra Local producers to show case their goods. The remainder of the market is divided into 3 sections:

- Market Shops owned by local and regional creators of clothing, jewellery, candles, soaps, paintings, cards, furniture, homewares and more.
- The Produce Pantry offering fresh produce and homemade products grown, produced and made by local growers and producers.
- The Market Kitchen filled with delicious food stalls for visitors to enjoy as they catch up with friends and enjoy the entertainment.

RECOMMENDATION

That the information be noted.

18/09/14 RESOLVED – Moved: Wight Seconded: Braybrooks

That the information be noted.

15) NEW RESIDENTS AFTERNOON TEA

Introduction

In May 2013 Council held a Welcome to Cootamundra afternoon tea for new residents. This was a very successful event and Council at the time determined to repeat the event at least bi-annually, and annually if deemed appropriate.

Discussion

It is proposed that Council hold a second afternoon tea in the Town Hall on Sunday 23 November 2014 from 3.00pm. This date has been chosen to give adequate time for planning of the event and availability of the Town Hall.

The afternoon tea is an ideal way for new residents to meet other residents, share experiences and learn about what's on offer in the region of Cootamundra. Council will invite Community, Service and Sporting groups to attend to allow new residents the opportunity to meet with a cross section of the community.

Council will ensure an array of resources such as Cootamundra brochures, facilities and services information pack and a delicious afternoon tea is offered free of charge. All residents of the Cootamundra Shire will be invited to attend.

RECOMMENDATION

That Council hold a Welcome to Cootamundra Afternoon Tea on Sunday 23 November 2014 from 3.00pm.

19/09/14 RESOLVED – Moved: Braybrooks Seconded: Donnelly

That Council hold a Welcome to Cootamundra Afternoon Tea on Sunday 23 November 2014 from 3.00pm.

FINANCE GROUP

34. FINANCIAL PLANNING AND REVENUE

16) INVESTMENT REPORT FOR THE MONTH ENDED 31 AUGUST 2014

Introduction

A summary of investments as at 31 August 2014 forms **Tabled Document 7 September 2014 (Page 21)**.

RECOMMENDATION

That the Investment Report as at 31 August 2014 be received.

20/09/14 RESOLVED – Moved: Braybrooks Seconded: Phillips

That the Investment Report as at 31 August 2014 be received.

17) FINANCIAL ASSISTANCE GRANT

Introduction

The NSW Local Government Grants Commission has advised Council of the total Financial Assistance Grant (F.A.G) to be paid for the current financial year. The total F.A.G income for Cootamundra will be \$2,708,742, which is \$19,658 more than budgeted, and 0.73% more than was received for the previous financial year.

The total F.A.G consists of the 2014/15 entitlement of \$2,693,501, plus an adjustment for 2013/14. The adjustment amounts to \$15,241, and is necessary because the actual CPI and the NSW share of the national population varied from the Commonwealth estimates used to determine the 2013/14 grants.

Discussion

The F.A.G represents approximately 15% of Council's income every year, and is vitally important for the continued provision of Council services. The funding is an allocation from the Federal Government, consisting of two components:

1. A general purpose component which is distributed between the states and territories according to population (ie on a per capital basis), and
2. An identified local road component which is distributed between the states and territories according to a fixed historical share.

Both components of the grant are un-tied in the hands of local government, allowing councils to spend the grants according to local priorities.

The quantum of the grant pool changes annually in line with changes in population and the Consumer Price Index, so as to maintain its real per capita value. However, there is allowance for the Federal Treasurer to alter this annual indexation, and in the 2014/15 Federal Budget, the Government announced that the indexation applied to the Financial Assistance Grant programme would be paused for three years (2014/15 to 2016/17.)

As the general purpose component is allocated on a population basis, the NSW share of the general purpose component grant is expected to decrease during the period of paused indexation because population growth in NSW is expected to be below the national average. The grants to individual councils will continue to fluctuate during this period as the Grants Commission makes its annual assessment of relative need in the context of declining funding levels.

It is hoped that Cootamundra Shire Council will continue to receive the same dollar value of the 2014/15 unadjusted entitlement, being \$2,693,501 for each year of the

indexation freeze, although this cannot be predicted accurately. It is pertinent to note that, if not for the value of the adjustment to the 2013/14 amount, Cootamundra Shire Council's general purpose allocation would have fallen by \$1,824.

The Local Government Grants Commission has released a schedule of Council's grant entitlements for 2014/15, together with background information about the grants, and this circular forms **Tabled Document 8 September 2014 (Pages 22-34)**. The category references in this document are based on the Australian Classification of Local Government, and Cootamundra Shire Council's category is Rural Agricultural Large (RAF).

The total F.A.G to be received by Council for the 2014/15 financial year, including the positive adjustment is as follows:

General Purpose component	\$2,016,942
Roads component	\$691,800
Total	<u>\$2,708,742</u>

These figures are put in to context below:

- The average non-metropolitan increase in the general purpose component was 0.7%, compared with the Cootamundra increase of 0.56%.
- 35 councils received an increase in the general purpose component greater than 2.5%, with most if not all of these 35 Councils being classified as Remote or Rural Agricultural.
- 70 councils received a decrease in the total grant compared with the previous year, up to a maximum decrease of -5%.
- The average NSW increase in the roads component was 0% compared to the Cootamundra increase of 1.25%.
- These figures include an adjustment of \$4,009,326 that was underpaid to NSW Council's in 2013/14, based on population estimates used to calculate the distribution.

RECOMMENDATION

That the information be noted and that the total budget adjustment of \$19,658 be included in the September Quarterly Budget Review.

21/09/14 RESOLVED – Moved: Chalmers Seconded: Wight

That the information be noted and that the total budget adjustment of \$19,658 be included in the September Quarterly Budget Review.

37. COMMUNITY RELATIONS / ARTS / ERA

18) COOTAMUNDRA PRESCHOOL INC. REQUEST FOR DONATION

Introduction

The Cootamundra Preschool Inc. has written to Council requesting a donation of \$1,704.77, being the amount of the ordinary rates for the premises in the previous financial year (2013/14).

Discussion

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

The amount of the donation requested represents 17% of Council's total donation budget and Council should consider whether the donation provides a value for money benefit to the general community.

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

In order to ensure that money donated by Council to community organisations is allocated in the most effective manner, staff will prepare a report for the next Corporate Services Committee to review Council's regular annual donations budget.

However, considering the negative impact of any unannounced change to Council's regular donation, it is recommended that Council donate the full amount of \$1,704.77 in the current year. In addition, it is recommended that Council write to the Preschool Committee, advising them that in the current financial climate Council will be considering all of its future allocations of the donations budget on an annual basis.

RECOMMENDATION

- 1. That Council donate \$1,704.77 to the Cootamundra Preschool Inc.**
- 2. That staff prepare a report for the Corporate Services committee to review Council's regular annual donations budget.**

22/09/14 RESOLVED – Moved: Braybrooks Seconded: Donnelly

- 1. That Council donate \$1,704.77 to the Cootamundra Preschool Inc.**
- 2. That staff prepare a report for the Corporate Services committee to review Council's regular annual donations budget.**
- 3. That a letter be written to the Preschool reminding them that the donations budget is re-considered annually by Council.**

2. COUNCIL

19) FIT FOR THE FUTURE, RIVERINA PILOT JOINT ORGANISATION

Cr Braybrooks declared a non-pecuniary interest as Chair of REROC and left the room and took no part in the discussion or voting of this item.

Introduction

On 10 September 2014 the NSW State Government released 'Fit for the Future, Joint Organisations, A roadmap for intergovernmental collaboration in NSW'.

To quote the document:

Joint Organisations are a key part of the Fit for the Future reform package, providing a forum for local councils and the State to work together to deliver the things that matter most to communities.

Joint Organisations will support councils in regional areas to become Fit for the Future, alongside the other structural changes and improvements recommended by the Independent Local Government Review Panel.

Discussion

The NSW Government is now seeking approximately four Pilots, or groups of councils from regional NSW with a good track record in working together, to help co-design and pilot a robust yet flexible model for Joint Organisations. Councils are encouraged to submit Expressions of Interest (EOI) as soon as possible.

The pilot will be conducted in a collaborative way over the next 12-18 months between the State Government and regional Pilot Joint Organisations, with involvement from the Department of Premier and Cabinet, Office of Local Government, other State agencies and relevant local government regions.

Last year REROC put forward the REROC model for a Strategic Regional Council to the Panel which the membership had developed and adopted. REROC are now suggesting

that this be the foundation upon which REROC build an EOI to become a pilot JO based on the model that both the membership and the OLG are already familiar with.

REROC has asked that each member council prepare a Letter of Commitment for the JO Expression of Interest and send it to REROC before the end of the September.

RECOMMENDATION

That Council advise REROC that it wishes to be included in the Riverina pilot Joint Organisation and encourage REROC to prepare an appropriate EOI based on the previous REROC Strategic regional Council model proposals.

23/09/14 RESOLVED – Moved: Slattery Seconded: Phillips

That Council advise REROC that it wishes to be included in the Riverina pilot Joint Organisation and encourage REROC to prepare an appropriate EOI based on the previous REROC Strategic regional Council model proposals.

Cr Braybrooks returned to the meeting.

GENERAL BUSINESS (QUESTIONS WITHOUT NOTICE)

1) Cemetery Fees

Cr Slattery proposed that Council call for community submissions in regards to cemetery fees paid, providing an opportunity for individuals to provide copies of receipts that state that no more fees are to be payable at the time of death. Cr Slattery proposed that the information received through this process be collated and reported to a Council meeting. The General Manager suggested that in order to allow appropriate time for public notice and preparation of the report, that the information would come back to the November meeting of Council.

SUSPENSION OF STANDING ORDERS

24/09/14 RESOLVED – Moved: Braybrooks Seconded: Wight

That the meeting be suspended at 7.31pm for a dinner break.

RESUMPTION OF STANDING ORDERS

25/09/14 RESOLVED – Moved: Wight Seconded: Palmer

That the meeting be resumed at 7.58pm.

2) Greenwaste Vouchers

Cr Donnelly requested information about whether the free green waste vouchers that were provided to residents during 2013/2014 were only implemented for 12 months. The General Manager advised that those vouchers had been provided to residents in lieu of the weekly green waste collection that was not implemented until part way through the 2013/2014 financial year, in consideration for green waste charges that were implemented 1 July 2013.

Cr Phillips asked about the usage of the green waste service. The Director Engineering Services advised that the service was being well used and it was expected that the volumes would increase in the summer months.

3) Official Opening of the GWCC500 Wildlife Corridor

Cr Palmer reported that the Honourable Katrina Hodgkinson officially opened the GWCC500 Wildlife Corridor on Friday 12 September 2014. Cr Palmer presented a plaque to the Cootamundra Shire Council, as a founding member of Goldenfields Water County Council, commemorating the event.

4) Pedestrian Crossing on the Corner of the Olympic Hwy

Cr Braybrooks raised a safety concern about the pedestrian crossing in Parker Street between Loiterton's Real Estate and the Olympic Hotel, and enquired about the option of installing a pedestrian barrier that could be shaped in the form of a chicane to guide and control pedestrian traffic. The Director Engineering Services advised that Council could consider appropriate pedestrian facilities as part of the next allocation for Pedestrian Access and Mobility Plan (PAMP) funding.

CLOSED COUNCIL

GENERAL MANAGERS REPORT

EXECUTIVE SERVICES DIVISION

SERVICES GROUP

19. BABY HEALTH CENTRE - 24 BOURKE STREET, COOTAMUNDRA

In accordance with the *Local Government Act 1993* and the *Local Government (General) Regulation 2005*, in the opinion of the General Manager, this item of business is of a kind referred to in section 10A(2)(c) of the *Local Government Act 1993*, and should be dealt with in a part of the meeting closed to the media and public.

10A(2)(c) information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business.

RECOMMENDATION

- 1. That Council resolve to enter into Closed Council to consider Item 19.**
- 2. That the media and public be excluded from the meeting on the basis that the business to be considered is classified confidential under the provisions of section 10A(2)(c) of the *Local Government Act 1993*.**
- 3. That the correspondence and reports relevant to the subject business be withheld from access to the media and public as required by section 11(2) of the *Local Government Act 1993*.**

26/09/14 RESOLVED – Moved: Palmer Seconded: Phillips

1. That Council resolve to enter into Closed Council to consider Item 19.
2. That the media and public be excluded from the meeting on the basis that the business to be considered is classified confidential under the provisions of section 10A(2)(c) of the *Local Government Act 1993*.
3. That the correspondence and reports relevant to the subject business be withheld from access to the media and public as required by section 11(2) of the *Local Government Act 1993*.

Council entered in to Closed Council at 8.17pm and the public and media were excluded from the meeting.

Open Council resumed at 8.31pm.

27/09/14 RESOLVED – Moved: Phillips Seconded: Braybrooks

That Council:

- i. Offer Lot 1 in DP3555858, 54 Bourke Street Cootamundra for sale;
- ii. By Private Treaty with the sale to be offered to all Cootamundra Real Estate Agents;
- iii. Delegate authority to the Mayor and General Manager to negotiate a sale price as per this report;
- iv. that all necessary documents be signed under the Seal of Council; and
- v. that the informational plaque on the building remain in the current position so that the history of the building is remembered.

28/09/14 RESOLVED – Moved: Phillips Seconded: Braybrooks

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

Upon resumption in Open Council the Mayor announced the decisions in Closed Council (Minute number 27/09/14).

31. LAND AND ECONOMIC DEVELOPMENT

20. PROPOSAL FOR PURCHASE OF LAND

In accordance with the *Local Government Act 1993* and the *Local Government (General) Regulation 2005*, in the opinion of the General Manager, this item of business is of a kind referred to in section 10A(2)(c) of the *Local Government Act 1993*, and should be dealt with in a part of the meeting closed to the media and public.

10A(2)(c) information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business.

RECOMMENDATION

- 1. That Council resolve to enter into Closed Council to consider Item 20.**
- 2. That the media and public be excluded from the meeting on the basis that the business to be considered is classified confidential under the provisions of section 10A(2)(c) of the *Local Government Act 1993*.**
- 3. That the correspondence and reports relevant to the subject business be withheld from access to the media and public as required by section 11(2) of the *Local Government Act 1993*.**

29/09/14 RESOLVED – Moved: Braybrooks Seconded: Phillips

- 1. That Council resolve to enter into Closed Council to consider Item 20.**
- 2. That the media and public be excluded from the meeting on the basis that the business to be considered is classified confidential under the provisions of section 10A(2)(c) of the *Local Government Act 1993*.**
- 3. That the correspondence and reports relevant to the subject business be withheld from access to the media and public as required by section 11(2) of the *Local Government Act 1993*.**

Council entered in to Closed Council at 8.33pm and the public and media were excluded from the meeting.

30/09/14 RESOLVED – Moved: Braybrooks Seconded: Doidge

That Council:

- i. Make an offer to purchase Lot 4 in DP1086821 Rinkin Street Cootamundra;**
- ii. Delegate authority to the Mayor and General Manager to negotiate a sale price as per this report;**
- iii. Source any required funds from the Council's Development Reserve; and**
- iv. that all necessary documents be signed under the Seal of Council.**

31/09/14 RESOLVED – Moved: Braybrooks Seconded: Braybrooks

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

Open Council resumed at 8.31pm.

Upon resumption in Open Council the Mayor announced the decisions in Closed Council (Minute number 30/09/14).

There being no further business the meeting closed at 8.40pm.

These Minutes were confirmed by resolution of Council at the Council Meeting held on Monday 13 October 2014 and endorsed by:

MAYOR

GENERAL MANAGER