ABN: 46 211 642 339
PO Box 420, Cootamundra NSW 2590
Email: mail@cgrc.nsw.gov.au
www.cgrc.nsw.gov.au

Business Paper

ORDINARY COUNCIL MEETING

COUNCIL CHAMBERS, GUNDAGAI

6:00PM, Tuesday 28th January, 2025

Administration Centres: 1300 459 689

The Mayor & Councillors
Cootamundra-Gundagai Regional Council
PO Box 420
Cootamundra NSW 2590

NOTICE OF MEETING

An Ordinary Meeting of Council will be held in the Council Chambers, Gundagai on:

Tuesday, 28th January, 2025 at 6:00PM

The agenda for the meeting is enclosed.

Roger Bailey

Interim General Manager

Live Streaming of Meetings Statement

This meeting is streamed live via the internet and an audio-visual recording of the meeting will be publicly available on Council's website.

By attending this meeting, you consent to your image and, or, voice being live streamed and publicly available. Please refrain from making any defamatory statements.

Statement of Ethical Obligations

The Mayor and Councillors are bound by the Oath/Affirmation of Office made at the start of the Council term to undertake their civic duties in the best interests of the people of Cootamundra-Gundagai Regional Council and to faithfully and impartially carry out the functions, powers, authorities and discretions vested in them under the Local Government Act or any other Act, to the best of their skill and judgement.

It is also a requirement that the Mayor and Councillors disclose conflicts of interest in relation to items listed for consideration on the Agenda or which are considered at this meeting in accordance with Council's Code of Conduct and Code of Meeting Practice.

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1 ACKNOWLEDGEMENT OF COUNTRY

Council acknowledges the Wiradjuri people, the Traditional Custodians of the Land at which the meeting is held and pays its respects to Elders, both past and present, of the Wiradjuri Nation and extends that respect to other Aboriginal people who are present.

ADJOURN MEETING FOR OPEN FORUM

2 OPEN FORUM

RESUME OPEN MEETING

3 APOLOGIES

4 DISCLOSURES OF INTEREST

5 CONFIRMATION OF MINUTES

5.1 MINUTES OF THE ORDINARY MEETING OF COUNCIL HELD ON TUESDAY 10 DECEMBER 2024

REPORTING OFFICER	Teresa Breslin, Executive Assistant to Mayor and General Manager
AUTHORISING OFFICER	Roger Bailey, Interim General Manager
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. Minutes of the Ordinary Meeting of Council held on Tuesday 10 December 2024

RECOMMENDATION

The Minutes of the Ordinary Meeting of Council held on Tuesday 10 December 2024 be confirmed as a true and correct record of the meeting.

ABN: 46 211 642 339
PO Box 420, Cootamundra NSW 2590
Email: mail@cgrc.nsw.gov.au
www.cgrc.nsw.gov.au

Minutes

ORDINARY COUNCIL MEETING

ALBY SCHULTZ MEETING CENTRE, COOTAMUNDRA

6:00PM, TUESDAY 10th December, 2024

Administration Centres: 1300 459 689

MINUTES OF COOTAMUNDRA-GUNDAGAI REGIONAL COUNCIL
ORDINARY COUNCIL MEETING
HELD AT THE ALBY SCHULTZ MEETING CENTRE, COOTAMUNDRA
ON TUESDAY, 10 DECEMBER 2024 AT 6:00PM

PRESENT: Cr Abb McAlister (Mayor), Cr Rosalind Wight (Deputy Mayor), Cr Logan Collins, Cr Les Cooper, Cr David Graham, Cr Gil Kelly, Cr Penny Nicholson, Cr Ethan Ryan, Cr Danyal Syed

IN ATTENDANCE: Steve McGrath (Interim General Manager), Matt Stubbs (Deputy General Manager - Operations), Barry Paull (Deputy General Manager - CCD), Linda Wiles (Manager Business), Zac Mahon (Manager Finance), Michael Mason (Interim Manager Sustainable Development), Greg Ewings (Acting Manager Regional Services Gundagai), (Interim Manager Engineering Cootamundra), Teresa Breslin (Executive Assistant)

1 ACKNOWLEDGEMENT OF COUNTRY

The Chairperson acknowledged the Wiradjuri people who are the Traditional Custodians of the Land at which the meeting was held and paid his respects to Elders, both past and present, of the Wiradjuri Nation and extended that respect to other Aboriginal people who were present.

2 OPEN FORUM

Nil

3 APOLOGIES AND LEAVE OF ABSENCE

3.1 APOLOGIES

Nil

3.2 LEAVE OF ABSENCE

Nil

4 DISCLOSURES OF INTEREST

Nil

5 CONFIRMATION OF MINUTES

5.1 MINUTES OF THE ORDINARY MEETING OF COUNCIL HELD ON TUESDAY 26 NOVEMBER 2024

RESOLUTION 235/2024

Moved: Cr David Graham
Seconded: Cr Ethan Ryan

The Minutes of the Ordinary Meeting of Council held on Tuesday 26 November 2024 be confirmed as a true and correct record of the meeting.

CARRIED

6 MAYORAL MINUTES

6.1 MAYORAL MINUTE - COUNCILLOR ENGAGEMENT

RESOLUTION 236/2024

Moved: Cr Les Cooper
Seconded: Cr Gil Kelly

The information in the Councillor Engagements Mayoral Minute be received and noted.

CARRIED

6.2 MAYORAL MINUTE - RECONNECTING RIVER COUNTRY PROGRAM

RESOLUTION 237/2024

Moved: Cr Abb McAlister

That Council:

1. **Write to NSW Minister for Water, Housing and Homelessness the Hon Rose Jackson MLC, and to the Federal Minister for Environment and Water the Hon Tanya Plibersek MP, requesting:**
    a. **An immediate halt in the Reconnecting Rivers Country Program.**
    b. **Stakeholders, such as landholder representative groups and Councils, are consulted at each stage of the Reconnecting Rivers Country business case and Landholder Negotiation Scheme development and are included in any review of the draft prior to submission to the Australian Government and adoption.**
    c. **Legal questions about easement proposals be clarified as a matter of urgency, particularly in relation to a guarantee that an application to the court or legislative action will not be made to change the terms of the easements in perpetuity.**
    d. **Landholder property access be guaranteed in relation to any infrastructure changes associated with the Reconnecting Rivers Country program, especially road raising and bridge building.**
2. **Request from NSW Minister for Water, Housing and Homelessness the Hon Rose Jackson MLC**
    a. **an audit of the LNS consultation process including Number of Landholders with reference dates and method Murrumbidgee River adjoining block landholders that have been confirmed directly consulted.**
    b. **b. an audit of the DPIE consultation process including Number of Councils with reference dates and method that have been directly consulted regarding the LNS program. Including the position held of the council representative.**
3. **Write to all other REROC Councils and any other Councils located on the Murrumbidgee River, seeking feedback and support for our advocacy in this matter.**
4. **Write to the NSW Shadow Minister for Water Steph Cooke MP, requesting an overview of her knowledge and position on this issue and seek her support in advocating for ongoing consultation for the remainder of the program.**
5. **Demand an unredacted copy of the Business Case which is due to the Hon Rose Jackson MLC on or before the 28th February 2025 be provided to council.**
6. **Request an external and independent from Government investigation from the State & Federal productivity commissioners, Peter Achterstraat AM FAICD(Life) & Danielle Wood (Chair) respectively & supply a report on the effects of the Reconnecting River Country program to Farmers and the wider community.**

7. **Request an external and independent from Government investigation from Senator the Hon Don Farrell minister for Trade & Tourism a report on the effects of the Reconnecting River Country program to Riverina Trade & Tourism.**
8. **Request an external and independent from Government investigation from the Hon Ryan Park MP minister for Health a report on the effects of the Reconnecting River Country program to health in the Riverina.**

CARRIED

7 REPORTS FROM COMMITTEES

Nil

8 GENERAL MANAGER'S REPORT

8.1 GENERAL MANAGER OFFICE

8.1.1 RIVERINA EASTERN REGIONAL ORGANISATION OF COUNCILS (REROC) MEETING MINUTES

RESOLUTION 238/2024

Moved: Cr David Graham
Seconded: Cr Logan Collins

The Minutes of the Riverina Eastern Regional Organisation of Councils (REROC) Board Meeting and Annual General Meeting held on 25 October 2024, attached to the report, be received and noted.

CARRIED

Councillor Graham requested that Council prepare and send a letter of thanks to Riverina Eastern Regional Organisation of Council (REROC) regarding the induction training provided, and also a letter of thanks to Julie Briggs.

8.2 BUSINESS

8.2.1 OLD MILL GUNDAGAI REDEVELOPMENT - MASTERPLAN AND BUSINESS CASE

RESOLUTION 239/2024

Moved: Cr David Graham
Seconded: Cr Penny Nicholson

Council support Option Two, Immersive Storytelling Experience, to be developed into a Business Case for future funding opportunities for the Old Mill Gundagai.

CARRIED

8.2.2 SECTION 355 COMMITTEE MANAGEMENT MANUAL AMENDMENT

RESOLUTION 240/2024

Moved: Cr Gil Kelly
Seconded: Cr Rosalind Wight

Council endorses the amended Cootamundra-Gundagai Regional Council Section 355 Committee Management Manual noting that the document will be subject to consultation with the Committees and presented for final adoption by Council should substantial adjustments be required.

CARRIED

8.2.3 TABLING OF PECUNIARY INTEREST RETURNS - NEW DESIGNATED PERSON

RESOLUTION 241/2024

Moved: Cr Les Cooper
Seconded: Cr David Graham

The tabling of a pecuniary interest returns from Councillors and new designated person be noted.

CARRIED

8.2.4 COOTAMUNDRA HERITAGE CENTRE MANAGEMENT S.355 COMMITTEE MEETING MINUTES

RESOLUTION 242/2024

Moved: Cr Rosalind Wight
Seconded: Cr Logan Collins

The Minutes of the Cootamundra Heritage Centre Management s.355 Committee Meeting held 4 November 2024, attached to the report, be received and noted.

CARRIED

8.2.5 INFORMATION SECURITY POLICY

RESOLUTION 243/2024

Moved: Cr Danyal Syed
Seconded: Cr Penny Nicholson

The Draft Information Security Policy be deferred to a later Council Meeting after further review and collaboration has occurred.

CARRIED

8.2.1 AUSTRALIA DAY 2025

RESOLUTION 244/2024

Moved: Cr Les Cooper
Seconded: Cr Ethan Ryan

1. **Information on Australia Day Awards 2025 be received and noted.**
2. **Council acknowledge the overview of the Australia Day Award nominations at its 10 December workshop and also acknowledge the nominated award recipients for the 2025 Australia Day Ceremonies.**
3. **The submission of the Australia Day 2025 Community Grant be noted.**

4. **Awards be presented in three categories being Citizen of the Year, Young Citizen of the Year, Sportsperson / Sports Achievement.**

CARRIED

8.3 FINANCE

8.3.1 FINANCE UPDATE - NOVEMBER 2024

RESOLUTION 245/2024

Moved: Cr Danyal Syed
Seconded: Cr Gil Kelly

The Finance Update report, be received and noted.

CARRIED

8.3.2 RESTRICTED CASH RECONCILIATION - NOVEMBER 2024

RESOLUTION 246/2024

Moved: Cr Les Cooper
Seconded: Cr Logan Collins

The Restricted Cash Reconciliation report, be received and noted.

CARRIED

8.3.3 INVESTMENT REPORT - NOVEMBER 2024

RESOLUTION 247/2024

Moved: Cr Rosalind Wight
Seconded: Cr Gil Kelly

The report detailing Council Cash and Investments as at 30th November 2024, be received and noted.

CARRIED

8.3.4 LODGEMENT OF FINANCIAL STATEMENTS FOR YEAR ENDED 30 JUNE 2024

RESOLUTION 248/2024

Moved: Cr David Graham
Seconded: Cr Danyal Syed

1. **The Mayor, Deputy Mayor, General Manager and Responsible Accounting Officer be delegated to sign the Statements by Council and Management for the 2024 General Purpose Financial Statements and 2024 Special Purpose Financial Statements for Cootamundra-Gundagai Regional Council.**
2. **The General Manager be authorised to issue the 2024 Financial Statements upon receipt of the auditor's report.**

CARRIED

8.4 SUSTAINABLE DEVELOPMENT

8.4.1 DA 2024/88 - 89 MACKAY STREET, COOTAMUNDRA

RESOLUTION 249/2024

Moved: Cr David Graham
Seconded: Cr Gil Kelly

That Council resolve to approve the development application subject to conditions 1 – 51 within the Notice of Determination (Attachment 2).

- **Application No.:** **DA 2024/88**
- **Property:** **Lot: 89 DP: 1041614**
  89 Mackay Street COOTAMUNDRA
- **Development:** **Development for the purpose of demolition of existing outbuildings, alterations and addition to an existing dwelling house and erection of an ancillary garage and retaining walls.**

VOTING RECORD	
FOR RESOLUTION	**AGAINST RESOLUTION**
Cr Abb McAlister (Mayor) Cr Rosalind Wight Cr Logan Collins Cr Les Cooper Cr David Graham Cr Gil Kelly Cr Penny Nicholson Cr Ethan Ryan Cr Danyal Syed	Nil
ABSENT	**DECLARED INTEREST**
Nil	Nil

CARRIED

8.5 ENGINEERING COOTAMUNDRA

8.5.1 COOTAMUNDRA ENGINEERING REPORT - DECEMBER 2024

RESOLUTION 250/2024

Moved: Cr Logan Collins
Seconded: Cr Ethan Ryan

The Cootamundra Engineering Report for the month of December 2024 be noted.

CARRIED

8.6 ENGINEERING GUNDAGAI

8.6.1 GUNDAGAI ENGINEERING REPORT - DECEMBER 2024

RESOLUTION 251/2024

Moved: Cr David Graham
Seconded: Cr Les Cooper

The Gundagai Engineering Report for the month of December 2024 be noted.

CARRIED

8.7 REGIONAL SERVICES GUNDAGAI

8.7.1 GUNDAGAI LONG STAY RV PARK- CROWN LAND MANAGEMENT

RESOLUTION 252/2024

Moved: Cr Penny Nicholson
Seconded: Cr Rosalind Wight

That Council request formal approval and support from Local Land Services (LLS) for Council to make application to Crown Lands for the Change of Purpose or Acquisition of lot 7010, DP1028790 being the current Travelling Stock Reserve on which the Gundagai Long Stay RV Park off Pope Street is situated.

CARRIED

8.7.2 GUNDAGAI REGIONAL SERVICES WORKS REPORT

RESOLUTION 253/2024

Moved: Cr David Graham
Seconded: Cr Penny Nicholson

The Gundagai Regional Services Department, Monthly works report be received and noted.

CARRIED

8.8 REGIONAL SERVICES COOTAMUNDRA

8.8.1 REGIONAL SERVICES - COOTAMUNDRA DIVISIONAL MONTHLY REPORT TO COUNCIL

RESOLUTION 254/2024

Moved: Cr Logan Collins
Seconded: Cr Ethan Ryan

The Regional Services Cootamundra Department Monthly Works Report be received and noted.

CARRIED

9 MOTION OF WHICH NOTICE HAS BEEN GIVEN

Nil

10 QUESTIONS WITH NOTICE

Nil

11 CONFIDENTIAL ITEMS

11.1 CLOSED COUNCIL REPORT

RESOLUTION 255/2024

Moved: Cr Logan Collins
Seconded: Cr Rosalind Wight

1. **Item 11.2 be considered in closed Council at which the press and public are excluded in accordance with the applicable provisions of the Local Government Act, 1993 and related public interest reasons detailed.**
2. **In accordance with section 11 (2) and (3) of the Local Government Act, 1993, the reports, correspondence and other documentation relating to Item 11.2 be withheld from the press and public.**

CARRIED

RESUMPTION OF OPEN COUNCIL MEETING

RESOLUTION 256/2024

Moved: Cr Les Cooper
Seconded: Cr Ethan Ryan

The Open Council meeting resume at 6:54pm.

CARRIED

ANNOUNCEMENT OF CLOSED COUNCIL RESOLUTIONS

Note: The Chairperson announced the resolutions made in Closed Council.

11.2 REQUEST FOR LAND OWNERS CONSENT - TUMBLONG LANDFILL

RESOLUTION 257/2024

Moved: Cr David Graham
Seconded: Cr Les Cooper

1. **That Council grant landowner's consent to the operator of the existing waste management facility, allowing the lodgement of a Development Application (DA) or a Section 4.55(2) application to modify the existing development consent (DA 2019/143), as appropriate, for the proposed changes to the waste management facility located on Council owned land Lot 7004, DP 1028797 and Lot 7003, DP 1149008, in accordance with the request for owner consent and scope of proposal provided on 21 November 2024.**

2. **That Council enter into discussions with MH Earthmoving Pty Ltd regarding changes to the existing lease agreement. No change to the agreement shall be implemented unless there has been a positive determination of the relevant development consent.**

VOTING RECORD	
FOR RESOLUTION	**AGAINST RESOLUTION**
Cr Abb McAlister (Mayor) Cr Rosalind Wight Cr Logan Collins Cr Les Cooper Cr David Graham Cr Gil Kelly Cr Penny Nicholson Cr Ethan Ryan Cr Danyal Syed	Nil
ABSENT	**DECLARED INTEREST**
Nil	Nil

CARRIED

The Meeting closed at 6:57pm.

The minutes of this meeting were confirmed at the Ordinary Council Meeting held on 28 January 2025.

CHAIRPERSON **GENERAL MANAGER**

6 MAYORAL MINUTES

6.1 MAYORAL MINUTE - COUNCILLOR ENGAGEMENT

DOCUMENT NUMBER	427155
AUTHORISING OFFICER	Abb McAlister, Councillor
REPORTING OFFICER	Abb McAlister, Councillor
ATTACHMENTS	Nil

To keep the community aware of Councillor and my engagements, on behalf of Council I intend to provide regular updates through my Mayoral Minutes.

RECOMMENDATION

The information in the Councillor Engagements Mayoral Minute be received and noted.

4 December 2024

Crs Wight (Deputy Mayor), Cooper, Graham, Nicholson, and I, Cr McAlister (Mayor) attended an update briefing from the Dog on the Tuckerbox developers.

5 December 2024

Crs Cooper and I, Cr McAlister (Mayor) attended a briefing on the Reconnecting River Country Program and the draft Landholder Negotiation Scheme (LNS) Regulation in Junee.

10 December 2024

Crs Wight (Deputy Mayor), and Cooper, attended the Cootamundra Public School Annual Presentation Day Awards Ceremony.

I, Cr McAlister (Mayor), attended a meeting with Michael McCormack to discuss immortalising achievement of local Victoria Cross recipient.

Crs Wight (Deputy Mayor), Collins, Cooper, Graham, Kelly, Nicholson, Ryan, Syed and I, Cr McAlister (Mayor), attended an Ordinary Council Meeting in Cootamundra.

11 December 2024

Cr Cooper attended the Sacred Heart Catholic School Annual Presentation Day Awards Ceremony.

Cr Cooper attended the Stockinbingal Public School Annual Presentation Day Awards Ceremony.

12 December 2024

I, Cr McAlister (Mayor), attended a meeting with the Office of Local Government (OLG) and Interim General Manager.

I, Cr McAlister (Mayor), attended the Lindley's Last Ride premiere.

I, Cr McAlister (Mayor), attended the REROC Farewell function for Julie Briggs.

Cr Wight (Deputy Mayor), attended the Staff Development Day proceedings.

Cr Cooper attended the Elouera Special School Annual Presentation Day Awards Ceremony.

13 December 2024

I, Cr McAlister (Mayor), attended a Riverina Eastern Regional Organisation of Council (REROC) board meeting.

I, Cr McAlister (Mayor), attended the Gundagai High School Annual Presentation Ceremony.

Crs Wight (Deputy Mayor) and Cooper attended the Official Opening of the Cootamundra Library Refurbishment.

14 December 2024

Crs Wight (Deputy Mayor), Cooper, Kelly, Syed and I, Cr McAlister (Mayor) attended the community protest of the proposal to close the Cootamundra pathology lab.

16 December 2024

Cr Cooper attended the E.A Southee Public School Annual Presentation Ceremony.

Cr Graham and I, Cr McAlister (Mayor) attended a meeting with the Interim General Manager.

Cr Collins attended a meeting with the Interim General Manager.

Cr Wight (Deputy Mayor) and Cooper attended the Cootamundra High School Annual Presentation Ceremony.

17 December 2024

Cr Wight (Deputy Mayor) and Cooper attended the Wallendbeen Public School Annual Presentation Ceremony.

I, Cr McAlister (Mayor), attended the Gundagai South Public School Annual Presentation Ceremony.

19 December 2024

Cr Cooper attended a meeting with the Interim General Manager.

Cr Wight (Deputy Mayor) attended a meeting with the Interim General Manager.

20 December 2024

Cr Nicholson attended a meeting with the Interim General Manager.

4 January 2025

I, Cr McAlister (Mayor), attended a site inspection of the Wallendbeen Bridge and detours with Local Member, Steph Cooke MP.

6 January 2025

The Interim General Manager, Deputy General Manager, and I, Cr McAlister (Mayor), attended a zoom meeting with the Hon. Jenny Aitchison (NSW Minister for Regional Transport and Roads), and Local Member, Steph Cooke MP.

Cr Kelly attended a meeting with the Interim General Manager.

8 January 2025

Cr Ryan attended a meeting with the Interim General Manager.

Cr Syed attended a meeting with the Interim General Manager.

7 REPORTS FROM COMMITTEES

Nil

8 GENERAL MANAGER'S REPORT

8.1 GENERAL MANAGER OFFICE

8.1.1 COUNTRY MAYORS ASSOCIATION MEETING MINUTES 15 NOVEMBER 2024

DOCUMENT NUMBER	426273
REPORTING OFFICER	Teresa Breslin, Executive Assistant to Mayor and General Manager
AUTHORISING OFFICER	Roger Bailey, Interim General Manager
RELEVANCE TO COMMUNITY STRATEGIC PLAN	**4. Collaborative and progressive leadership** 4.2 Proactive, practical Council leaders who are aligned with community needs and values
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. CMA Minutes 15-Nov-2024 ⇩

RECOMMENDATION

The Minutes of the Country Mayors Association Meetings held on 15 November 2024, attached to the report, be received and noted.

Introduction

The Minutes and supporting documentation of the Country Mayors Association Meeting held 15 November 2024, are attached for the information of Council and the community.

Financial

There are no financial implications associated with this report.

OLG 23a Guideline consideration

This report does not conflict with the guidelines.

THE COUNTRY MAYORS ASSOCIATION OF NSW INC

"What we want is nothing more than equity"

Chairman: *Cr Rick Firman OAM*
C/- Temora Shire Council,
PO Box 262, Temora NSW 2666
Email:*admin@nswcountrymayors.com.au*

MINUTES

The ANNUAL GENERAL MEETING of the Country Mayors Association of NSW Inc was held on **Friday 15 November 2024, in the Theatrette, Parliament House, Macquarie Street from 8:20am until 1pm. The meeting had a Skills and Education theme.**

Acting Chairman Cr. Rick Firman OAM extended the official Welcome.

Guest Speaker;
NSW Opposition Leader & Liberal Leader, the Hon Mark Speakman MP

Opposition Leader Speakman congratulated recently elected mayors. He described the regional connectedness of the NSW Coalition Opposition.
"Our shadow skills and education ministers are regionally based."

"There's a lot of pain and frustration in the regions. Pressures including difficulties getting skilled staff are a real challenge, as are the accommodation shortages. I was recently in Cowra with Local Member Steph Cooke and the increasing water costs was a pressure on agribusiness there."

"The issue with common planning assumptions (which understate growth projections and thus, funding) was another issue in Cowra and Parkes. There are dramatic reductions in funding. Councils have to repair the roads after floods and we are determined to support them."

"Prefabricated, smaller homes is one of the alternative approaches floated that will help address the housing needs of country NSW."

Introduction of new Mayors, who were presented with CMA pins. There was also acknowledgement of those who were not re-elected and recognition for retiring Executive Board Members. Three former CMA Executive Board members were presented with plaques which acknowledged their service:

Cr. Firman again paid tribute to the work of former CMA Chairman and Mayor of Gunnedah Shire, Mr Jamie Chaffey, who was pleased to take a break from campaigning for the Federal Seat of Parkes to support the CMA. Mr Chaffey encouraged Mayors to make the most of their time as Mayors and highlighted the value of the CMA.

Former CMA Executive Member and Mayor of Narromine Shire Cr. Craig Davies reiterated the importance of the bio-conservation Act issue and the CMA.

Former CMA Executive Member and Mayor of Federation Council, Cr. Patrick Bourke reiterated how he valued the CMA and the relationships from it.

Attendance 150

Cr. Kevin Mack	Mayor	Albury City Council
Frank Zaknich	CEO	Albury City Council
Cr. Todd Redwood	Deputy Mayor	Armidale Regional Council
James Roncon	GM	Armidale Regional Council
Linda Scott	Former President	ALGA
Cr. Robert Taylor	Mayor	Bathurst Regional Council
David Sherley	GM	Bathurst Regional Council
Cr. Sharon Cadwallader	Mayor	Ballina Shire Council
Cr. Russell Fitzpatrick	Mayor	Bega Valley Shire Council
Anthony McMahon	CEO	Bega Valley Shire Council
Mark Griffioen	GM	Bellingen Shire Council
Cr. Stephen Allan	Mayor	Bellingen Shire Council
Cr. Julia Cornwell McKean	Mayor	Berrigan Shire Council
Cr. Brian Monaghan	Mayor	Bland Shire Council
Grant Baker	GM	Bland Shire Council
Cr. Bruce Reynolds	Mayor	Blayney Shire Council
Mark Dicker	GM	Blayney Shire Council
Cr. Lachlan Ford	Mayor	Bourke Shire Council
Leonie Brown	GM	Bourke Shire Council
Cr. Jim Hickey	Deputy Mayor	Broken Hill City Council
Cr. Sarah Ndiaye	Mayor	Byron Shire Council
Mark Arnold	GM	Byron Shire Council
Cr. Kevin Beatty	Mayor	Cabonne Shire Council
Bradley Byrnes	GM	Cabonne Shire Council
Sharon Houlihan	EO	Canberra Region JO
Greg Hill	GM	Central Darling Shire Council
Cr. Daniel Watton	Mayor	Cessnock City Council
Cr. Ray Smith	Mayor	Clarence Valley Council
Laura Black	GM	Clarence Valley Council
Gary Fry	Secretariat	CMA
Cr. Jarrod Marsden	Mayor	Cobar Shire Council
Cr. Nikki Williams	Mayor	Coffs Harbour City Council
Cr. David McCann	Mayor	Coolamon Shire Council
Tony Donoghue	GM	Coolamon Shire Council
Cr. Daniel Keady	Mayor	Coonamble Shire Council
Paul Gallagher	GM	Coonamble Shire Council
Dirk Wymer	Acting GM	Cowra Shire Council
Cr. Paul Smith	Mayor	Cowra Shire Council
Cr. Josh Black	Mayor	Dubbo Regional Council
Murray Wood	CEO	Dubbo Regional Council
Gareth Curtis	GM	Dungog Shire Council
Cr. Digby Rayward	Mayor	Dungog Shire Council
Gary Arnold	CEO	Edward River Council

Cr. Ashley Hall	Mayor	Edward River Council
Cr. Mathew Hatcher	Mayor	Eurobodalla Shire Council
Cr. Cheryl Cook	Mayor	Federation Council
Cr. Patrick Bourke	Council and past CMA Executive Member	Federation Council
Adrian Butler	GM	Federation Council
Cr. Phyllis Miller OAM	Mayor	Forbes Shire Council
Cr. Doug Batten	Mayor	Gilgandra Shire Council
Cr. Nicholas White	Councillor	Gilgandra Shire Council
Cr. Margot Davis	Mayor	Glen Innes Severn Council
Bernard Smith	GM	Glen Innes Severn Council
Cr. Nina Dillon	Mayor	Goulburn Mulwaree Council
Marina Hollands	Acting CEO	Goulburn Mulwaree Council
Cr. Ben Hooper	Deputy Mayor	Greater Hume Council
Evelyn Arnold	GM	Greater Hume Council
Cr. Doug Curran	Mayor	Griffith City Council
Brett Stonestreet	GM	Griffith City Council
Cr. Colleen Fuller	Mayor	Gunnedah Shire Council
Eric Groth	GM	Gunnedah Shire Council
Cr. Tiffany Galvin	Mayor	Gwydir Shire Council
Max Eastcott	GM	Gwydir Shire Council
Alison McLean	Executive Manager Economic Development & Tourism	Hay Shire Council
Cr. Brian Ingram	Mayor	Hilltops Council
Anothony O'Reilly	GM	Hilltops Council
Cr. Kate Dight	Mayor	Inverell Shire Council
Brett McInnes	GM	Inverell Shire Council
Cr. Kinne Ring	Mayor	Kempsey Shire Council
Craig Milburn	GM	Kemspey Shire Council
Stephen Mitchell	Director Corporate and Commercial	Kemspey Shire Council
Cr. Cameron McDonald	Mayor	Kiama Municipal Council
Jane Stroud	CEO	Kiama Municipal Council
Cr. Danielle Mulholland	Mayor	Kyogle Council
Cr. John Medcalf OAM	Mayor	Lachlan Shire Council
Greg Tory	GM	Lachlan Shire Council
Cr. George Weston	Mayor	Leeton Shire Council
Jackie Kruger	GM	Leeton Shire Council
Cr. Steve Krieg	Mayor	Lismore City Council
John Gibbons	GM	Lismore City Council
Ross Gurney	GM	Lithgow City Council
Cr. Cass Coleman	Mayor	Lithgow City Council
Cr. Ken Cudmore	Mayor	Liverpool Plains Shire Council
Gary Murphy	GM	Liverpool Plains Shire Council
Cr. Peter Sharp	Mayor	Lockhart Shire Council
Gavin Rhodes	GM	Lockhart Shire Council
Cr. Claire Pontin	Mayor	MidCoast Council
Cr. Des Kennedy	Mayor	Mid-Western Regional Council
Brad Cam	GM	Mid-Western Regional Council
Cr. Susannah Pearse	Mayor	Moree Plains Shire Council
Kelvin Tytherleigh	GM	Moree Plains Shire Council
Sarah Ryan	Acting CEO	Murray River Council

Cr. John Harvie	Mayor	Murray River Council
Cr. Ruth McRae OAM	Mayor	Murrumbidgee Council
John Scarce	GM	Murrumbidgee Council
Cr. Jeff Drayton	Mayor	Muswellbrook Shire Council
Derek Finnigan	GM	Muswellbrook Shire Council
Cr Darrell Tiemens	Mayor	Narrabri Shire Council
Eloise Chaplain	GM	Narrabri Shire Council
Cr. Neville Kschenka	Mayor	Narrandera Shire Council
Cr. Craig Davies	Councillor and past CMA Executive	Narromine Shire Council
Cr. Ewen Jones	Mayor	Narromine Shire Council
Phil Johnston	Director	Narromine Shire Council
Jamie Chaffey	Past CMA Chariman	Nationals Candidate for Parkes
Jonathan Malota	Policy Advisor – Transport & Data	NRMA
Cr. Katie Graham	Deputy Mayor	Oberon Council
Gary Wallace	GM	Oberon Council
Erica Van Den Honert	Executive Director	OLG
Sharne Colefax	Manager, Council Engagement	OLG
Anita Gambhir	Council Engagement Manager, North Coast and Eastern Sydney	OLG
Cr. Tony Mileto	Mayor	Orange City Council
Cr. Neil Westcott	Mayor	Parkes Shire Council
Cr. Marg Applebee	Deputy Mayor	Parkes Shire Council
Cr. Leah Anderson	Mayor	Port Stephens Council
Cr. Robert Mustow	Mayor	Richmond Valley Council
Vaughan Macdonald	GM	Richmond Valley Council
Cr. Kenrick Winchester	Mayor	Queanbeyan-Palerang Regional Council
Rebecca Ryan	GM	Queanbeyan-Palerang Regional Council
Yvonne Lingua	Executive Officer	RAMJO
Julie Briggs	CEO outgoing	REROC
Megan Mulrooney	CEO incoming	REROC
Cr. Robert Mustow	Mayor	Richmond Valley Council
Vaughan Macdonald	GM	Richmond Valley Council
Cr. Chris Homer	Mayor	Shellharbour City Council
Cr. Patricia White	Mayor	Shoalhaven City Council
James Ruprai	Acting GM	Shoalhaven City Council
Cr. Sue Moore	Mayor	Singleton Council
Justin Fitzpatrick-Barr	GM	Singleton Council
Cr. Chris Hanna	Mayor	Snowy Monaro Regional Council
Cr. Julia Ham	Mayor	Snowy Valleys Council
Paul Bennett	GM	Tamworth Regional Council
Cr. Rick Firman OAM	Mayor (CMA Acting Chairman)	Temora Shire Council
Melissa Boxall	GM	Temora Shire Council
Cr. Bronwyn Petrie	Mayor	Tenterfield Shire Council
Cr. Paul Culhane	Mayor	Upper Lachlan Shire Council
Alex Waldron	CEO	Upper Lachlan Shire Council
Cr. Robert Bell	Mayor	Uralla Shire Council
Toni Averay	GM	Uralla Shire Council
Cr. Eric Noakes	Mayor	Walcha Council
Megan Dixon	GM	Walgett Shire Council
Cr. Jasen Ramien	Mayor	Walgett Shire Council
Gary Woodman	GM	Warren Shire Council

Cr. Greg Whiteley	Mayor	Warren Shire Council
Lindsay Mason	Acting GM	Warrumbungle Shire Council
Cr. Paul Best	Mayor	Weddin Shire Council
Noreen Vu	GM	Weddin Shire Council
Ken Ross	GM	Wentowrth Shire Council
Cr. Daniel Linklater	Mayor	Wentowrth Shire Council
Cr. Jesse Fitzpatrick	Mayor	Wingecarribee Shire Council
Lisa Miscamble	GM	Wingecarribee Shire Council

Apologies

Adrian Panuccio	MidCoast Council	GM
Cr. Bob Callow	Junee Shire Council	Mayor
James Davis	Junee Shire Council	GM
Cr. Abb McAlister	Cootamundra-Gundagai Regional Council	Mayor
Steve McGrath	Cootamundra-Gundagai Regional Council	Acting GM
Cr. Dallas Tout	Wagga	Mayor
Steve Loane OAM	Forbes Shire Council	GM
Cr. Russell Webb	Tamworth Regional Council	Mayor
Lord Mayor Tania Brown	Wollongong City Council	
Cr. Glen Neill	Bogan Shire Council	Mayor
Cr. Andrew McKibbob	Oberon Mayor	
Cr. Kathryn Rindfleish	Warrumbungle Shire Mayor	
Cr. Sam Coupland	Armidale Reginal Council Mayor	
George Cowan	Narrandera Shire	
Cr. Carol Oataway	Hay Shire Mayor	
David Waddell	Orange City Council CEO	
Bob Stewart	Central Darling Shire Administrator	
Phil Hood	Walcha Council GM	
Jay Nankivell	Broken Hill City Council GM	
Steve Pinnuck	Snowy Valleys Council	

Apologies moved by Snowy Monaro Regional Council Mayor Cr. Chris Hanna and seconded by Bellingen Shire Council Mayor Cr. Steve Allan.

Reports

Year in Review **Acting Chairman's Report**

Cr. Firman spoke of the very big year that the CMA has had. Cabonne Mayor Cr. Kevin Beattie moved and Belllingen Mayor Cr. Steve Allan seconded that the report be accepted. Unanimously endorsed.

LGNSW Report

President of LGNSW, Cr. Darriea Turley AM congratulated mayors on their election. "We are a family. LGNSW has a strong MoU with the CMA and we stand together."
Moved by Kyogle Mayor Cr. Danielle Mulholland, Mayor of Eurobodalla and Cr. Mathew Hatcher

seconded that the report be accepted. Unanimously endorsed.

ALGA Report

Cr. Darriea Turley AM returned to the lectern as Vice-President of ALGA. Matt Burnett was elected President of ALGA unopposed. Cr. Turley encouraged participation and Ministerial contact at the ALGA conference.
Moved by Forbes Shire Council Mayor and CMA Executive Member Cr. Phillys Miller OAM and Seconded Kyogle Mayor, Cr Dannielle Mulholland. Unanimously endorsed.

Guest Speaker
Minister for Skills, TAFE & Tertiary Education, the Hon. Steve Whan MP

Minister Whan spoke of the linkages between educational institutions, training providers and industry that are being developed. "The Educational Partnerships program is doing that (linking) with Careers advisors in schools."

"Raising awareness of the options available is important. A NSW Skills Plan will be released later this year."

"Increased visibility of options at TAFE campuses has been called for, as with increased links between TAFE and communities.
1,300 apprenticeships place for LG was announced by Minister Hoenig and other initiatives are underway."

"A strong investment in skill development like fee-free courses in VET has been undertaken by the Government. This includes encouraging people to upskill in trade skills. Doing a VET course can be financially far better than a university degree and leaves someone with a lot less debt."

"Skilled Migration is also important. NSW Government does have State nominated visa programs and we are working with the Australian Government on that. The process of assessing skills can be complicated or slow. School fees will no longer be required certain visa holders and that will make NSW more attractive for skilled migrants."

"TAFE teachers will be made less casual, more permanent and we've seen 500 transition to permanency already."

Q. Cr. Sarah Ndiaye from Byron Shire: Southern Cross University is cutting the Arts – face to face creative arts is being cut out in our education institutions, including high schools.
A The previous Federal Government introduced policy that increased Arts fees and I will follow up with the Government.
My daughter is a drama teacher, so I am certainly looking into the discussion paper.

Q. Cr. Neville Kschenka (Narrandera Shire Mayor). Doctors from overseas take too long to get their skills assessed.
A. Unfortunately, that is a Federal issue and licensing in the medical sector is very complex.

Q. Cr. Robert Bell (Mayor of Uralla Shire). Speaking from the New England REZ, there is a need for training. There are great opportunities for trades with renewable energy projects. An

electrician gets $70/hr in town and $180/hr at a solar farm.
A. Our Skills Plan will hopefully incorporate that. The challenge is that a solar farm construction does not last long enough for an apprenticeship.

Q. Cr. George Weston (Mayor of Leeton Shire). Commented on the difficulty skilled migrants have in traveling to distant TAFE courses.
Q. Armidale Regional Council (Deputy Mayor Todd Redwood) also highlighted the New England REZ challenges.
Q. Cr. Kinny Ring (Mayor of Kempsey Shire Council). What are you doing about key skill shortage areas?
A. We are teaching more nursing in TAFE. RPL is difficult with skilled migrants. It often involves industry bodies, Government and it can be cumbersome. Keep an eye out for the Government's Skills Plan.
Q. Cr. Cass Coleman (Lithgow City Council Mayor), our TAFE students have to travel to Sydney or Orange. We need trade TAFEs and we need to make them more accessible to regional communities.
A. We cannot make all trades available at all campuses but some online components does help. We are looking at how we can reduce travel demands.

Morning tea in the Fountain Court of the NSW Parliament building was a brief respite that was a welcomed chance to relax and network with peers from around the State.

AGM business

Minutes from 2023 AGM – Bega Valley Shire Council Mayor and CMA Executive Member Cr. Russell Fitzpatrick moved and Forbes Shire Council Mayor and CMA Executive Member Cr. Phillys Miller OAM seconded. Unanimously endorsed.

Correspondence - Forbes Shire Council Mayor and CMA Executive Member Cr. Phillys Miller OAM moved and Lachlan Shire Council Mayor Cr. John Medcalf OAM seconded. Unanimously endorsed.

Financials
CMA Secretary and Temora Shire GM Melissa Boxall provided a summary, given financials had been supplied.
The financials were moved by Singleton Council Mayor and CMA Executive Member Cr. Sue Moore, Seconded by Bega Valley Shire Council Mayor and CMA Executive Member Cr. Russell Fitzpatrick. Unanimously endorsed.

Appointment of Returning Officers
RECOMMENDATION: That the Acting CMA Secretary/Public Officer Ms. Melissa Boxall and Secretariat Mr. Gary Fry be appointed as returning officers for the CMA Executive Board elections.
Motion of returning officers – Mayor of Wentworth Shire Council Cr. Daniel Linklater moved the motion and CMA Executive Member Cr. Phillys Miller OAM seconded. Unanimously endorsed.

That the election be conducted by secret ballot.
Moved Cr. Phyllis Miller, seconded Cr. Sue Moore (Singleton Council).

Election results:

Ms. Boxall announced the following Election results for a two-year term:

Mayor of Temora Shire Council, Cr. Rick Firman OAM was endorsed as Chaiman unopposed.

Bega Valley Shire Council Mayor Cr. Russell Fitzpatrick and Armidale Regional Council Mayor Cr. Sam Coupland contested for the Deputy Chairman Position. Mayor Fitzpatrick won.

From 13 candidates, the following (7) Mayors were elected to the Executive Board of the CMA:
Cr. Phyllis Miller OAM, Forbes Shire Council
Cr. Sam Coupland, Armidale Regional Council
Cr. John Medcalf OAM, Lachlan Shire Council
Cr. Sue Moore, Singleton Council
Cr. Josh Black, Dubbo Regional Council
Cr. Russell Webb, Tamworth Regional Council
Cr. Sharon Cadwallader, Ballina Shire Council

The vote was close across the Board and there were no informal votes.
The following Mayors were unsuccessful:
Cr. Steve Allan, Bellingen Shire Council
Cr. Chris Hanna, Snowy Monaro Regional Council
Cr. Mathew Hatcher, Eurobodalla Shire Council
Cr. Brian Monaghan, Bland Shire Council
Cr. Danielle Mulholland, Kyogle Council
And Cr. Darrell Tiemens, Narrabri Shire Council

A motion was moved that should a vacancy occur in the Executive it would be filled by the candidate with the 8th highest vote count, with another vacancy occurrence going to 9th place etc. This was moved by Mayor of Bland Shire Council Cr. Brian Monaghan, seconded by Kempsey Shire Mayor Cr. Kinne Ring. Endorsed unanimously.

Forbes Shire Council Mayor and CMA Executive Member Cr. Phillys Miller OAM and Bland Shire Council Mayor Cr. Brian Monaghan seconded that ballot papers be destroyed. Unanimous.

Orange City Council Mayor Cr. Tony Mileto moved that all elected positions be accepted and Leeton Shire Mayor Cr. George Weston seconded. Endorsed unanimously.

Appointment of Secretariat

EXECUTIVE RECOMMENDATION: That Gary Fry, through Regional Development Australia Inland Northern NSW be re-contracted as CMA Secretariat/Executive Officer for 2025 but that the hours for the role be extended to 30 per week, with annual cost of $80,000 ex GST for an average of 4 days per week.

Moved – Cr. Sue Moore (Mayor, Singleton Council)

Seconded – Cr. Phyllis Miller OAM (Mayor, Forbes Shire Council)

Carried unanimously.

Setting of Annual Membership Fees

EXECUTIVE RECOMMENDATION: That the CMA increase membership fees by 10%, in light of the increasing workload with advocacy to Government Inquiries. This 10% increase would result in the fees for the 2025 calendar year becoming $1,650 for Councils with a population of 10,000 and over, and Councils with a population of less than 10,000 paying 75% of the full fee, becoming $1,237.50, which would also be the new fee for not-for- profit Associate Membership, while for-profit Associate Membership would become $3,300 per year.

Moved – Cr. Phyllis Miller (Mayor Forbes Shire Council)
Seconded – Cr. Chris Hanna (Mayor Snowy Monaro Regional Council)
Carried unanimously.

General Business:

CMA Constitution. Proposed amendments have been supplied.

RECOMMENDATION: That the proposed amendments be endorsed and that the resultant constitution for the CMA be accepted by members as the currently endorsed version (15 November 2024).

Moved – Cr. Danielle Mulholland (Mayor Kyogle Council)
Seconded – Cr. John Medcalf OAM (Mayor Lachlan Shire Council)
Carried unanimously.

Membership

RECOMMENDATION: That Coffs Harbour City Council be endorsed as a Member of the Country Mayors Association of NSW.

Moved – Cr. Stephen Allan (Mayor Bellingen Shire Council)

Seconded – Cr. Mathew Hatcher (Mayor Eurobodalla Shire Council)

Carried unanimously.

RECOMMENDATION: That the Riverina and Murray Joint Organisation (RAMJO) be endorsed as an Associate Member of the Country Mayors Association of NSW.

Moved – Cr. Russell Fitzpatrick (Mayor Bega Valley Shire Council)

Seconded – Cr. Phyllis Miller OAM (Mayor Forbes Shire Council)

Carried unanimously.

Setting of Meeting Dates for 2025

RECOMMENDATION: That the meeting dates for 2025 be set to coincide with NSW Parliament sitting dates, as was the case in 2024 – the Friday of the first week of each parliamentary session. [It was stated that these dates would be communicated to members as soon as they are ascertained].

Moved – Cr. Kevin Mack (Mayor Albury City Council)

Seconded – Cr. Chris Hanna (Mayor Snowy Monaro Regional Council)

Carried unanimously.

Signatories.

RECOMMENDATION: That signatories from the former Chairman's Council [Gunnedah Shire] be removed from the Country Mayors Association account and that the new Chairman and two staff members from their Council be authorised as signatories.

Moved – Cr. Kevin Mack (Mayor Albury City Council)

Seconded – Cr. Steve Krieg (Mayor Lismore City Council)

Carried unanimously.

Hosting Non-Metropolitan Meetings in 2025

Submissions to host a non-metropolitan meeting in 2025 have been received from Orange City Council, Ballina Shire Council and Inverell Shire Council.

RECOMMENDATION: That members vote to determine if there will be one CMA member hosted meeting in 2025 or two. Further, that new CMA Executive Board assess the applications and make the selection/s and choose the optimal date.

That One CMA Regional Meeting be held in 2025.

Moved – Cr. Sue Moore (Mayor Singleton Council)

Seconded – Cr. Phyllis Miller (Mayor Forbes Shire Council)

Carried unanimously.

CMA Executive Board to determine

Moved – Cr. Kevin Mack (Mayor Albury City Council)

Seconded – Cr. Steve Krieg (Mayor Lismore City Council)

Carried unanimously.

Member motions.

Mayor of Tenterfield Shire Council Cr. Bronwyn Petrie moved "That the Country Mayors Association writes to the Premier of NSW requesting an urgent ban of importation of turf product into NSW from Queensland and increased border surveillance, and b) requests of the Premiers of NSW and Queensland and the Federal government an urgent improvement in the eradication measures delivered by Biosecurity Queensland and the National Management Group governing the National Fire Ant Eradication Program."

Seconded - Mayor Stephen Allan (Mayor of Bellingen Shire Council).

Carried unanimously.

Final Guest Speaker

The **Premier, the Hon. Chris Minns MP** was originally scheduled to speak at 9:15am, he requested a change to 12:30pm days before the meeting and had to send an apology halfway through the meeting. He sent **Minister for Regional Roads and Transport, the Hon. Jenny Atchinson MP** as his representative.

Minister Atchinson spoke of the Government's current priorities, which included housing and essential workers. A focus has been on increased staffing of health professionals and Police with the Academy seeing the largest intake as a result of the introduction of paid study.

Like Minister Whan, she highlighted the $252 million funding for cadets, apprentices and trainees across all NSW Councils – which will (it is hoped) result in an additional 1300 staff.

Three new TAFE Centres of excellence across NSW was announced.

There was also an announcement of 100 new preschools to be built near schools (with 49 in regional areas) to help improve literacy and numeracy.

Meeting closed at 12:55pm

Cr Rick Firman OAM
Chairman

www.nswcountrymayors.com.au

8.2 BUSINESS

8.2.1 DELEGATIONS OF THE MAYOR

DOCUMENT NUMBER	428069
REPORTING OFFICER	Anne Chamberlain, Governance Officer
AUTHORISING OFFICER	Barry Paull, Interim Deputy General Manager - CCD
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	Compliance with Sections 225, 226, 351 and 377 of the Local Government Act, 1993.
POLICY IMPLICATIONS	There are no Policy implications associated with this report.
ATTACHMENTS	Nil

RECOMMENDATION

Pursuant to Sections 351,377 of the Local Government Act, 1993 Council delegate to the Mayor the authority to:

1. **Appoint a person to the position of Acting General Manager temporarily whilst the General Manager is incapacitated; or during such time as there is a vacancy in the position until a temporary appointment can be determined by the Council.**
2. **Approve the attendance of the General Manager at conferences, seminars and courses at Council's cost.**
3. **Approve leave of absence for the General Manager in accordance with his Contract of Employment.**
4. **Approve expenses incurred by the General Manager on Council's behalf.**
5. **Manage complaints regarding the General Manager.**

Introduction

Following a local government election a new council must be sworn in and a Mayoral Election is held. A council is traditionally elected for a four-year term.

Under s377 of the Act, The Mayor of an area is the person elected to the office of mayor by:

a. The councillors from among their number, unless there is a decision in force under the Division which provides for the election of mayor by the electors, or

b. The electors, if such a decision is in force.

Under s230 of the Act The term of an elected mayor is two years, or the 4 year if elected by the electors. A second mayoral election is held at the end of the two-year term of the term of council or earlier in the occurrence of a casual vacancy in the office.

Discussion

Under s226 of the Act, the role of the mayor is as follows:

a. to be the leader of the council and a leader in the local community,
b. to advance community cohesion and promote civic awareness,
c. to be the principal member and spokesperson of the governing body, including representing the views of the council as to its local priorities,
d. to exercise, in cases of necessity, the policy-making functions of the governing body of the council between meetings of the council,
e. to preside at meetings of the council,
f. to ensure that meetings of the council are conducted efficiently, effectively and in accordance with this Act,
g. to ensure the timely development and adoption of the strategic plans, programs and policies of the council,
h. to promote the effective and consistent implementation of the strategic plans, programs and policies of the council,
i. to promote partnerships between the council and key stakeholders,
j. to advise, consult with and provide strategic direction to the general manager in relation to the implementation of the strategic plans and policies of the council,
k. in conjunction with the general manager, to ensure adequate opportunities and mechanisms for engagement between the council and the local community,
l. to carry out the civic and ceremonial functions of the mayoral office,
m. to represent the council on regional organisations and at inter-governmental forums at regional, State and Commonwealth level,
n. in consultation with the councillors, to lead performance appraisals of the general manager,
o. to exercise any other functions of the council that the council determines.

8.2.2 REVIEW OF DELEGATIONS OF AUTHORITY OF GENERAL MANAGER

DOCUMENT NUMBER	428070
REPORTING OFFICER	Anne Chamberlain, Governance Officer
AUTHORISING OFFICER	Barry Paull, Interim Deputy General Manager - CCD
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	There are no Financial implications associated with this report.
LEGISLATIVE IMPLICATIONS	To comply with s.380 of the Local Government Act (1993)
POLICY IMPLICATIONS	There are no Policy implications associated with this report.
ATTACHMENTS	Nil

RECOMMENDATION

1. **Following the review of the delegations of the General Manager in accordance with section 380 of the Local Government Act 1993, the General Manager, or the person who acts in that position, continue to be granted all of the functions, powers, duties and authorities of the Council that it may lawfully delegate under the Local Government Act 1993, any other Act, regulation, instrument, rule or the like (including any functions, powers, duties and authorities delegated to the Council by any authority, body, person or the like) except those functions prescribed in section 377(1) of the Local Government Act 1993.**
2. **The General Manager, or the person who acts in that position, be granted the additional delegation to authorise urgent works and other expenditures outside of the adopted budget up to an amount of - Unlimited.**

Introduction

Section 380 of the Local Government Act, 1993 requires that Council review all its delegations during the first 12 months of each term of office.

Discussion

Section 377 of the Local Government Act 1993 (the "Act") provides:

(1) A council may, by resolution, delegate to the general manager or any other person or body (not including another employee of the council) any of the functions of the council under this or any other Act, other than the following--

(a) the appointment of a general manager,

(b) the making of a rate,

(c) a determination under section 549 as to the levying of a rate,

(d) the making of a charge,

(e) the fixing of a fee,

(f) the borrowing of money,

(g) the voting of money for expenditure on its works, services or operations,

(h) the compulsory acquisition, purchase, sale, exchange or surrender of any land or other property (but not including the sale of items of plant or equipment),

(i) the acceptance of tenders to provide services currently provided by members of staff of the council,

(j) the adoption of an operational plan under section 405,

(k) the adoption of a financial statement included in an annual financial report,

(l) a decision to classify or reclassify public land under Division 1 of Part 2 of Chapter 6,

(m) the fixing of an amount or rate for the carrying out by the council of work on private land,

(n) the decision to carry out work on private land for an amount that is less than the amount or rate fixed by the council for the carrying out of any such work,

(o) the review of a determination made by the council, and not by a delegate of the council, of an application for approval or an application that may be reviewed under section 82A of the *Environmental Planning and Assessment Act 1979* ,

(p) the power of the council to authorise the use of reasonable force for the purpose of gaining entry to premises under section 194,

(q) a decision under section 356 to contribute money or otherwise grant financial assistance to persons,

(r) a decision under section 234 to grant leave of absence to the holder of a civic office,

(s) the making of an application, or the giving of a notice, to the Governor or Minister,

(t) this power of delegation,

(u) any function under this or any other Act that is expressly required to be exercised by resolution of the council.

(1A) Despite subsection (1), a council may delegate its functions relating to the granting of financial assistance if--

(a) the financial assistance is part of a specified program, and

(b) the program is included in the council's draft operational plan for the year in which the financial assistance is proposed to be given, and

(c) the program's proposed budget for that year does not exceed 5 per cent of the council's proposed income from the ordinary rates levied for that year, and

(d) the program applies uniformly to all persons within the council's area or to a significant proportion of all the persons within the council's area.

(2) A council may, by resolution, sub-delegate to the general manager or any other person or body (not including another employee of the council) any function delegated to the council by the Departmental Chief Executive except as provided by the instrument of delegation to the council.

(3) A council may delegate functions to a joint organisation only with the approval, by resolution, of the board of the joint organisation.

These delegations are however subject to the following limitations:

1. The General Manager is entitled to carry out any functions delegated to the Council by the Departmental Chief Executive or the Minister, subject to any express limitations imposed by the Departmental Chief Executive or Minister;
2. The delegation to the General Manager is limited in accordance with Council's adopted policies in force from time to time, and must be performed in accordance with such policies.
3. The delegated power, authority, duty or function being performed in accordance with the Law.

Further, if a function is conferred or imposed on an employee of the Council under any other legislation, the function is deemed to be conferred or imposed on the Council and is delegated to the General Manager.

In order to optimise the functioning and operations of Council it is recommended the maximum allowable delegations continue to be provided to the General Manager. Accordingly, it is proposed that the General Manager, or the person who acts in that position, continue to be granted all of the functions, powers, duties and authorities of the Council that it may lawfully delegate under the Local Government Act 1993, any other Act, regulation, instrument, rule or the like (including any functions, powers, duties and authorities delegated to the Council by any authority, body, person or the like) except those functions prescribed in section 377(1) of the Local Government Act, 1993 (as referred to and listed earlier in this report).

It should also be noted that the General Manager formerly received delegation to authorise urgent works and other expenditures outside of the adopted budget up to an amount of - unlimited. In order to ensure there is sufficient scope for such approvals in extraordinary circumstances it is recommended that this delegation be granted.

8.2.3 MUTTAMA CREEK REGENERATION GROUP S.355 COMMITTEE MEETING MINUTES

DOCUMENT NUMBER	427801
REPORTING OFFICER	Anne Chamberlain, Governance Officer
AUTHORISING OFFICER	Barry Paull, Interim Deputy General Manager - CCD
RELEVANCE TO COMMUNITY STRATEGIC PLAN	**4. Collaborative and progressive leadership** 4.3 Actively engaged and supportive community
FINANCIAL IMPLICATIONS	There are no financial implications associated with this report.
LEGISLATIVE IMPLICATIONS	There are no Legislative implications associated with this report.
POLICY IMPLICATIONS	To comply with the Section 355 Committee Management Manual.
ATTACHMENTS	1. MCRG - 8 October 2024 ⇩

RECOMMENDATION

The Minutes of the Muttama Creek Regeneration Group s.355 Committee meeting held 8 October 2024, attached to the report be, received and noted.

Introduction

The attached Minutes of the Muttama Creek Regeneration Group s.355 Committee meeting held on 8 October 2024, is submitted for the information of council and the community.

Financial

There are no financial implications associated with this report.

OLG 23a Guideline consideration

The objective of this report does not conflict with guidelines.

Muttama Creek

Regeneration Group

Muttama Creek Regeneration Group

Minutes: Tuesday 8 October 2024

Present: Graeme Johnson, Di Pearton, Lin Chaplin, Isolde Kamerman, Marilyn Cooper, Wendy Griffiths.

Apologies: Doug Butler, Paulina Butler, Anthony Meyer
Welcome: Meeting opened at 5.00 pm. Welcome to new members.
GJ presented the evacuation plan for the building as required prior to every meeting.

GJ read the 5 August 2024 meeting minutes, and they were accepted by Lin Chapman, seconded by Wendy Griffiths.

BUSINESS ARISING:

- **Bird Walk brochure-** Carry over to New Year.

- **Exotic Removal -** No Council action. LC obtained a new quote from tree removalist, Phil Jenkins, and GJ delivered it to the Council – in letter form addressed to Acting GM.

- **Water Testing -** DP Discussed Julie Roberts, from Muttama Landcare group messages in response to our enquiries re catchment water testing in view of abattoir processing plant upgrade- Isolde and Ralph showed interest in attending Muttama Landcare meetings- DP to msg the group to ask if this is okay with them. Msg conversation tabled for the group to see- Julie Roberts suggested application for a Foundation for Rural Regional Renewal grant.

- **Working bees -** Three working bees were held, with lots of weeding, mulching, planting, pruning and removing general rubbish- Mackay St entrance to Casuarina Walk, Pat's seat, Casuarina Walk, and Bird Walk, Betti's Happy Wanderer garden.

GENERAL BUSINESS:

- Discussed trees cut off Eucalyptus leucoxylon rosea, Eucalyptus camaldulensis (river redgum) on the Bird Walk and near volleyball courts- all planted by the group. Other trees have been 'pruned in Jubilee Park- planted by Council. Motivation by pruner??
- Working Bee dates- Saturday 9 am, 26 October, Mackay Street, Bird Walk entrance.
  Saturday 9 am, 16 November, Thompson Street, Bird Walk.
- Isolde suggested a fund-raising project- for the group, proposal for a next meeting.

Meeting closed at 6.05 pm.
Next Meeting: Monday, 9 December at 5pm, Stephen Ward Rooms

8.2.4 COOTAMUNDRA HERITAGE CENTRE MANAGEMENT S.355 COMMITTEE MEETING MINUTES

DOCUMENT NUMBER	428494
REPORTING OFFICER	Anne Chamberlain, Governance Officer
AUTHORISING OFFICER	Barry Paull, Interim Deputy General Manager - CCD
RELEVANCE TO COMMUNITY STRATEGIC PLAN	**4. Collaborative and progressive leadership** 4.3 Actively engaged and supportive community
FINANCIAL IMPLICATIONS	There are no Financial implications associated with this report.
LEGISLATIVE IMPLICATIONS	There are no Legislative implications associated with this report.
POLICY IMPLICATIONS	To comply with the Section 355 Committee Management Manual.
ATTACHMENTS	1. CHCMC Minutes - 2 December 2024 ⇩

RECOMMENDATION

The Minutes of the Cootamundra Heritage Centre Management s.355 Committee Meeting held 2 December 2024, attached to the report, be received and noted.

Introduction

The attached Minutes of the Cootamundra Heritage Centre Management s.355 Committee meeting held on 2 December 2024, are submitted for the information of Council and the community.

Financial

There are no financial implications associated with this report.

OLG 23a Guideline consideration

Report purpose does not conflict with guidelines.

Next meeting: Monday 5 February 2025

Should you have any item/s you wish to place on next month's meeting agenda, please notify me by 31 January.

bettipunnett@bigpond.com 69421158 0429421158

8.2.5 INFORMATION SECURITY POLICY

DOCUMENT NUMBER	429519
REPORTING OFFICER	Linda Wiles, Manager Business
AUTHORISING OFFICER	Barry Paull, Interim Deputy General Manager - CCD
RELEVANCE TO COMMUNITY STRATEGIC PLAN	**4. Collaborative and progressive leadership** 4.2 Proactive, practical Council leaders who are aligned with community needs and values
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. Information Security Policy ⇩

RECOMMENDATION

The Draft Information Security Policy attached to the report be adopted.

Introduction

Information is a strategic asset which underpins many functions of Council, and the security of this information is crucial in delivering efficient, effective services to the community.

Discussion

This policy applies to all information and information assets owned, managed or operated by Council and incorporates all procedures implemented to ensure the integrity of information held and how it is managed by users.

Financial

There are no financial implications associated with this report.

OLG 23a Guideline consideration

The objective of this report does not conflict with guidelines.

Information Security Policy

Policy Approval and Distribution

Approved by	Council resolution
Responsible Officer	Manager Business/Business Analyst
Council Service Unit	Business
Next Review Date	28 January 2026

Version Control

Ref	Date	Description	Council Resolution
1.0	28 January 2025	Presented to Council for adoption	

Purpose

Information is a strategic asset which underpins many functions of Council, and the security of this information is crucial in delivering efficient, effective and innovative services to the community.

Information security is the responsibility of all employees. Compliance with the Information Security Policy is mandatory. Where it is not practical or economically viable to meet a requirement of the Information Security Policy exceptions are subject to the approval of the General Manager.

All Councillors and employees have an obligation to understand the value and sensitivity of information and to manage in accordance with the Information Security Policy.

Councillors and employees must not release information that they know, or should reasonably know, is confidential to Council by any means including information communicated via voice/video/text messaging, email and social media accounts.

All Councillors and employees have an obligation to report information security breaches or suspected information security breaches in accordance with Information Security Policy and associated documents

Scope

This control applies to all systems, people and processes that constitute the organisation's information systems, including staff, councillors, contractors, suppliers and other third parties who have access to Cootamundra-Gundagai Regional Council systems.

Due to Council's extensive use of cloud systems, a large part of the security function is focussed on 'secure endpoints' – this encompasses any device that accesses Council data, whether it be a mobile device, laptop, or desktop - BYOD (Bring your own device) or otherwise.

The procedures in our IT Security Framework are written based on the ISO/IEC 27001:2022 and ISO/IEC 27017:2015 Standards, whilst aiming for compliance with the guidelines set by the ACSC Essential Eight.

Legislative Framework

The guidelines in this policy are based upon the requirements of legislation and other related policies, to protect Council, staff and Councillors from legal action.

Relevant legislation is as follows:

- Local Government Act 1993
- NSW Anti-Discrimination Act 1977
- NSW Privacy and Personal Information Protection Act 1998
- NSW State Records Act 1998
- Evidence Act 1995
- Federal Sex Discrimination Act 1984
- Federal Racial Discrimination Act 1975
- Federal Crimes Act 1900
- Federal Copyright Act 1968
- Federal Defamation Act 1974
- Defamation Act 2005 (NSW)
- Employees Liability Act 1991 (NSW)
- Crimes Act 1914 (Commonwealth)
- Federal Disability Discrimination Act 1992
- Telecommunications Act 1997

Related CGRC Information Security Procedures

- Acceptable Use Policy – Outlines responsibility of users regarding information they have access to and provides guidelines for the tools given to staff such as internet browsing, electronic messaging, and access to data on mobile devices.

- Access Control Policy – Outlines principles based on Essential 8 and ISO:27001 Standards regarding requirements for access control. This includes user access management, user responsibilities, system and application access control, and authentication/password policies.

- Anti-Malware Policy – Defines types of malware and threats, and how Council handles the risks, such as firewalls, antivirus, IDS/IPS, and software restriction policies.

- Electronic Messaging Policy – Provides clarification on the proper usage of electronic messaging (email)

- Incident Response Plan: Data Breach – Provides a run sheet for steps to be taken in the case of a Data Breach – such as detection, containment, eradication, and recovery.

- Incident Response Plan: Denial of Service - Provides a run sheet for steps to be taken in the case of a Denial-of-Service Attack – such as detection, containment, eradication, and recovery.

- Incident Response Plan: Ransomware - Provides a run sheet for steps to be taken in the case of a Ransomware Attack – such as detection, containment, eradication, and recovery.

- Information Security Event Assessment Procedure – Gives definitions for event logs and gives an indication of the actions required based on the severity and type of event.

- Software Procedure – Contains guidelines and requirements for acquiring, registering, installing, and modifying software.

- Technical Vulnerability Management Procedure - Sets out the organisation's guidelines on how it will assess and manage technical vulnerabilities within the IT environment, including third party software.

- User Access Management Procedure - This process describes how user accounts and access rights should be requested, approved, created, amended, reviewed and removed in a secure approach.

Review Period

This document is to be reviewed every 12 months to ensure that it remains relevant and meets legislative requirements.

8.2.6 REQUEST FOR DONATION - MUTTAMA HALL S.355 COMMITTEE

DOCUMENT NUMBER	429951
REPORTING OFFICER	Linda Wiles, Manager Business
AUTHORISING OFFICER	Barry Paull, Interim Deputy General Manager - CCD
RELEVANCE TO COMMUNITY STRATEGIC PLAN	**4. Collaborative and progressive leadership** 4.3 Actively engaged and supportive community
FINANCIAL IMPLICATIONS	$5,000 available through Community Events budget
LEGISLATIVE IMPLICATIONS	There are no Legislative implications associated with this report.
POLICY IMPLICATIONS	There are no Policy implications associated with this report.
ATTACHMENTS	1. Muttama Hall s355 request for donation ⇩

RECOMMENDATION

Council approve allocation of $5000 from Community Events Budget to the Muttama Hall s.355 Committee to contribute to event cost for the 100-year Celebrations of the Muttama Hall.

Introduction

Muttama Hall Management Committee is a Section 355 Committee of Council, tasked with undertaking the care, control and management of Muttama Hall, Muttama.

Discussion

Council has been contacted by the Chairperson of the Muttama Hall s.355 Committee, requesting a donation, or interest free loan to assist the committee in paying for events planned to celebrate the 100 Year anniversary of the Muttama Hall.

100 Year celebrations will take place over the weekend of 17 and 18 May 2025.

Road closures and safety signage requirements for the weekend have been reported to the CGRC Traffic Committee previously. As further details of the event are confirmed, they will be presented to Council in a separate report.

Financial

$5,000 available through Community Events budget.

OLG 23a Guideline consideration

Report purpose does not conflict with guidelines.

"Carinya"
3125 Burra Road
MUTTAMA. 2722.

M/s Linda Wiles,
Manager Business
Cootamundra – Gundagai Regional Council,
P. O Box
COOTAMUNDRA 2590.

On behalf of the Muttama Hall Committee I am requesting that Council considers a request for some funding for the 100 Year celebrations that will be happening over the weekend of 17th & 18th of May, 2025.

This money will be used to pay deposits for e.g. catering and other activities. Whilst the Committee has approximately $6,000.00 in the bank – half of this has been committed In a joint funding arrangement for renovations to the hall.

As a 355 Committee of Council the request is not an unreasonable one as the hall is owned by Council and to mark its centenary a weekend of activities is being planned. At best we request a grant of $5,000.00 and at worst a loan interest free loan of $5,000.00.

In the past the Cootamundra – Gundagai Regional Council has granted monies to at least one other organisation and feel that celebrating this community resource is applicable.

Our plans are well underway and the caterer will be requesting a deposit by mid to late March, 2025.

The Mayor, Mr. Ab McAlister was present at our December meeting where we all voted in favour of this request.

A second issue is, the Committee requests the use of a number of tables/chairs for the official dinner to be held on Saturday 17th May, 2025 from the Cootamundra Town Hall. Whilst the Muttama Hall has some tables/chairs it would be fitting for such a function to have all tables/chairs similar & uniformed. We are hoping for a crowd of approximately 120 people.

Any profits from this weekend will be ploughed back into the hall to make it a stand alone venue and a site that can be used in emergency situations. I understand that this request needs to be presented at a monthly meeting, and hope a response will be forthcoming early in the new year.

I am inquiring as to how things are progressing in relation to issued discussed with yourself & Mr. McGrath approximately July/August 2024. For example, road closures of Armstrong Street & signage for Bridge Street & Muttama Road.

Finally we are still hoping to have a hot air balloon on the weekend of the celebration.

Yours sincerely

R. J Flint
Chairperson Muttama Hall 355 Committee
Mobile 0427 375 108.

8.3 FINANCE

8.3.1 FINANCE UPDATE - DECEMBER 2024

DOCUMENT NUMBER	429031
REPORTING OFFICER	Zac Mahon, Manager Finance
AUTHORISING OFFICER	Barry Paull, Interim Deputy General Manager - CCD
RELEVANCE TO COMMUNITY STRATEGIC PLAN	**4. Collaborative and progressive leadership** 4.1 A clear strategic direction that is delivered upon
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 Finance Update report, be received and noted.

Report

The December Finance Update has been reviewed and no issues have been detected.

Operations

Income

The operational income is at 54% when comparing actual to budget, with the annual rates already being recognised as income but becoming due and payable quarterly throughout the year.

Department	Income Actual	Income Budget	Variance	Result	Comment
Building Department	$383,061	$445,000	86%	☺	Fees from new development in Cootamundra received
Business Department	$50,598	$240,000	21%	☺	
Engineering Cootamundra	$1,130,235	$6,570,489	17%	☺	
Engineering Gundagai	$101,983	$2,600,488	4%	☺	
Executive Department	$73,994	$216,000	34%	☺	
Finance Department	$4,485,691	$9,049,795	50%	☺	
Rates Cootamundra	$6,801,789	$7,028,139	97%	☺	
Rates Gundagai	$4,407,916	$4,532,162	97%	☺	
Services Cootamundra	$3,212,689	$3,623,750	89%	☺	
Services Gundagai	$1,131,480	$1,620,000	70%	☺	
Sewer Cootamundra	$908,085	$2,910,807	31%	☺	

Department	Income Actual	Income Budget	Variance	Result	Comment
Sewer Gundagai	$186,019	$768,442	24%	☺	
Water Cootamundra	$876,088	$3,267,356	27%	☺	
Water Gundagai	$440,438	$1,629,444	27%	☺	
Total	**$24,190,066**	**$44,501,872**	**54%**	☺	

Expenditure

Operational Expenditure is at 46% when comparing actual to budget.

Department	Expense Actual	Expense Budget	% Spent	Result	Comment
Building Department	$792,547	$1,763,902	45%	☺	
Business Department	$1,792,663	$3,499,405	51%	☺	
Engineering Cootamundra	$5,208,981	$9,716,544	54%	☺	
Engineering Gundagai	$3,404,017	$5,350,819	64%	☺	
Executive Department	$1,024,161	$2,340,938	44%	☺	
Finance Department	$7,373,791	$18,571,707	40%	☺	
Services Cootamundra	$2,784,357	$5,472,546	51%	☺	
Services Gundagai	$1,209,505	$2,608,306	46%	☺	
Sewer Cootamundra	$370,153	$1,581,694	23%	☺	
Sewer Gundagai	$315,120	$784,319	40%	☺	
Water Cootamundra	$935,993	$2,812,625	33%	☺	
Water Gundagai	$350,116	$1,210,655	29%	☺	
Total	**$25,561,404**	**$55,713,460**	**46%**	☺	

Capital

Income

Capital income is at 18% of budget when comparing actual to budget.

Asset Category	Total YTD.	Budget	%Received	Result	Comments
Plant & Equipment - Cootamundra	$169,404	$473,550	36%	☺	
Plant & Equipment - Gundagai	$189,373	$498,950	38%	☺	
Property Disposal – Cootamundra	$0	$1,000,000	0%	☺	
Property Disposal – Gundagai	$0	$0	0%	☺	
TOTAL	**$358,777**	**$1,972,500**	18%	☺	

Expenditure

Capital expenditure is at 38% of budget when comparing actual to budget.

Asset Category	Total YTD	Budget	% Spent	Result	Comments
Cootamundra Land	$150,840	$301,785	50%	☺	Oliver Selwyn purchase to be reimbursed by insurance
Cootamundra Plant	$1,847,342	$2,142,264	86%	☺	
Cootamundra Roads	$559,681	$3,697,854	15%	☺	Works schedule to be completed by EOFY
Cootamundra Building	$485,546	$1,059,556	46%	☺	
Cootamundra Recreation	$393,717	$594,117	66%	☺	
Cootamundra Waste	$185,298	$242,000	77%		
Cootamundra Bridges	$0	$0	0%	☺	
Cootamundra Water	$796,247	$1,036,527	77%	☺	
Cootamundra Sewer	$570,078	$3,070,300	19%	☺	
Gundagai Building	$201,261	$931,858	22%	☺	
Gundagai Recreation	$144,731	$1,071,273	14%	☺	
Gundagai Waste	$30,825	$720,000	4%	☺	
Gundagai Bridges	$1,364,810	$1,480,757	92%	☺	
Gundagai Plant	$783,534	$1,300,000	60%	☺	
Gundagai Roads	$1,231,173	$2,815,746	44%	☺	
Gundagai Water	$286,151	$3,241,336	9%	☺	
Gundagai Sewer	$161,364	$633,000	25%	☺	
IT	$0	$50,000	0%	☺	
Total	**$9,192,598**	**$24,388,373**	**38%**	☺	

Financial

There are no financial implications associated with this report.

OLG 23a Guideline consideration

Report purpose does not conflict with guidelines.

8.3.2 RESTRICTED CASH RECONCILIATION - DECEMBER 2024

DOCUMENT NUMBER	429060
REPORTING OFFICER	Zac Mahon, Manager Finance
AUTHORISING OFFICER	Barry Paull, Interim Deputy General Manager - CCD
RELEVANCE TO COMMUNITY STRATEGIC PLAN	**4. Collaborative and progressive leadership** 4.1 A clear strategic direction that is delivered upon
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 Restricted Cash Reconciliation report, be received and noted.

Report

The restricted cash figures have been reconciled to 31 December 2024 as shown in the below table.

Internally Restricted Reserves	Bal 30 June 2024	Transfers To	Transfers From	Bal 31 Dec 2024
Aerodrome Bitumen Resurfacing	$165,588			$165,588
Bradman's Birthplace	$94,337			$94,337
Cootamundra Caravan Park	$213,037		$5,185	$207,852
Heritage Centre	$27,490	$930	$0	$28,420
Development - Land & Buildings	$1,767,204			$1,767,204
Employee Leave Entitlements	$1,798,460			$1,798,460
Quarries & Pit Restoration	$476,387		$111,085	$365,302
Bangus Landfill	$329,938	$147,536		$477,474
Plant Replacement	$3,720,480	$1,863,033	$2,645,584	$2,937,929
Cemetery	$133,710	$156,535	$186,816	$103,429
Southern Phone	$586,464			$586,464
Waste Management	$500,000			$500,000
Total Internal	**$9,813,095**	**$2,168,034**	**$2,948,670**	**$9,032,459**

Externally Restricted Reserves				
Domestic Waste	$1,334,928	$670,859	$931,577	$1,074,210
Water Supply	$7,826,732	$2,187,217	$2,708,292	$7,305,657
Sewerage Service	$5,172,930	$1,324,409	$1,204,914	$5,292,425
Stormwater Infrastructure Renewal	$389,985	$63,500		$453,485
Developer Contributions	$1,310,465	$49,933		$1,360,398
General Fund Unspent Grants & Contributions	$5,633,377		$1,464,616	$4,168,761
Total External	$21,668,417	$4,295,918	$6,309,399	$19,654,936
TOTALS	**$31,481,512**	**$6,463,952**	**$9,258,069**	**$28,687,395**

Restricted Cash Reconciliation

Restricted Cash	$28,687,395
Cash at 31 Dec 2024	$31,058,822
Unrestricted Balance	$2,371,427
Grant Debtors Outstanding	$393,101
Balance	$2,764,528

Financial

There are no financial implications associated with this report.

OLG 23a Guideline consideration

Report purpose does not conflict with guidelines.

8.3.3 INVESTMENT REPORT - DECEMBER 2024

DOCUMENT NUMBER	429384
REPORTING OFFICER	Zac Mahon, Manager Finance
AUTHORISING OFFICER	Barry Paull, Interim Deputy General Manager - CCD
RELEVANCE TO COMMUNITY STRATEGIC PLAN	**4. Collaborative and progressive leadership** 4.1 A clear strategic direction that is delivered upon
FINANCIAL IMPLICATIONS	Council's cash and investment portfolio increased $2,527,107.63 from $28,531,714.77 as at 30th November 2024 to $31,058,822.40 as at 31st December 2024.
LEGISLATIVE IMPLICATIONS	Council investments comply fully with Section 625 of the Local Government Act 1993, Clause 212 of the Local Government (General) Regulation 2021.
POLICY IMPLICATIONS	Investments comply fully with the Council's Investment Policy.
ATTACHMENTS	Nil

RECOMMENDATION

The report detailing Council Cash and Investments as at 31st December 2024, be received and noted.

Introduction

A report on Council's Investments is required to be presented for Council's consideration in accordance with Clause 212 of the Local Government (General) Regulation 2021.

Financial

Council's cash and investment portfolio increased $2,527,107.63 from $28,531,714.77 as at 30th November 2024 to $31,058,822.40 as at 31st December 2024.

OLG 23a Guideline consideration

Report purpose does not conflict with guidelines.

Cash and Investment Portfolio

Type	Long Rating	Short Rating	Issuer	Frequency	Purchase	Maturity	Days	Rate	Benchmark*	Principal
TD	AA-	A1+	NAB	At Maturity	9/07/2024	14/01/2025	189	5.36	4.42	$3,000,000.00
TD	BBB+	A2	AMP	At Maturity	13/08/2024	14/01/2025	154	5.15	4.42	$1,000,000.00
TD	AA-	A1+	NAB	At Maturity	6/08/2024	4/02/2025	182	5.05	4.42	$4,000,000.00
TD	A-	A2	BOQ	At Maturity	3/09/2024	4/03/2025	182	4.90	4.42	$4,000,000.00
TD	A-	A2	BOQ	At Maturity	10/09/2024	8/04/2025	210	4.90	4.42	$2,000,000.00
TD	AA-	A1+	NAB	At Maturity	10/09/2024	8/04/2025	210	5.00	4.42	$2,000,000.00
TD	AA-	A1+	NAB	At Maturity	15/10/2024	13/05/2025	210	5.00	4.42	$3,000,000.00
TD	BBB	A2	Beyond Bank Australia	At Maturity	12/11/2024	13/05/2025	182	5.10	4.42	$2,000,000.00
TD	A-	A2	BOQ	At Maturity	10/12/2024	10/06/2025	182	5.15	4.42	$3,000,000.00
TD	BBB+	A2	AMP	At Maturity	17/12/2024	16/09/2025	273	5.10	4.42	$3,000,000.00
CASH	AA-	A1+	CBA	Monthly				3.90	4.35	$1,022,888.48
CASH	AA-	A1+	CBA	Monthly				3.90	4.35	$2,926,748.73
CASH	AA-	A1+	NAB	Monthly				3.10	4.35	$109,185.19
Total										**$31,058,822.40**

*Benchmarks

On Call - RBA Cash

Floating Rate Deposit - 3m BBSW

Term Deposit - BBSW

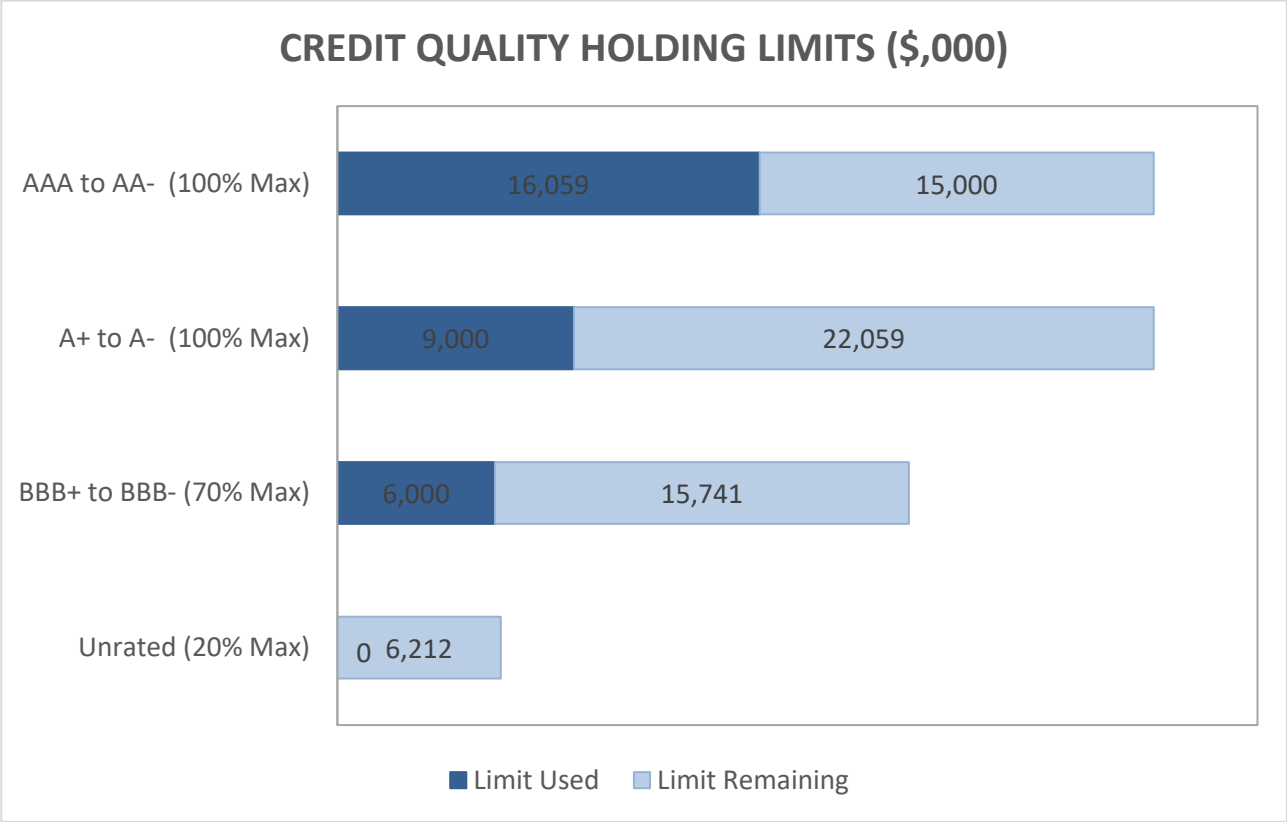
Performance

Cootamundra-Gundagai Regional Council's investment portfolio outperformed the relevant BBSW Index benchmark by 11.33%. The average weighted yield for December was 4.93%, over an average weighted term of 89 days, with a benchmark of 4.42%.

Total Cost $31,058,822	Monthly Interest Received $128,024	Weighted Average Term 89 Days
Total Value $31,058,822	Yearly Interest Received $769,069	Weighted Average Yield 4.93%

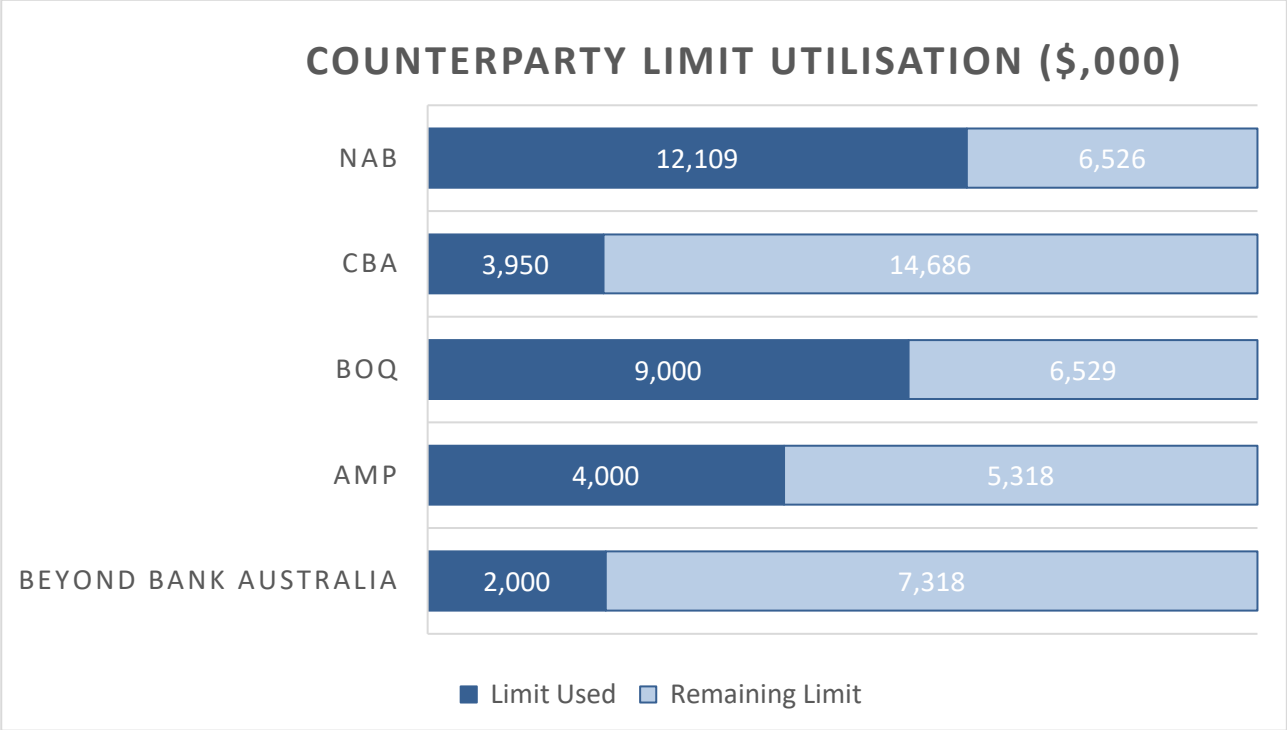
Credit Quality Compliance

Council's investment portfolio was compliant with policy in terms of S&P long term rating credit quality limits, as displayed below.



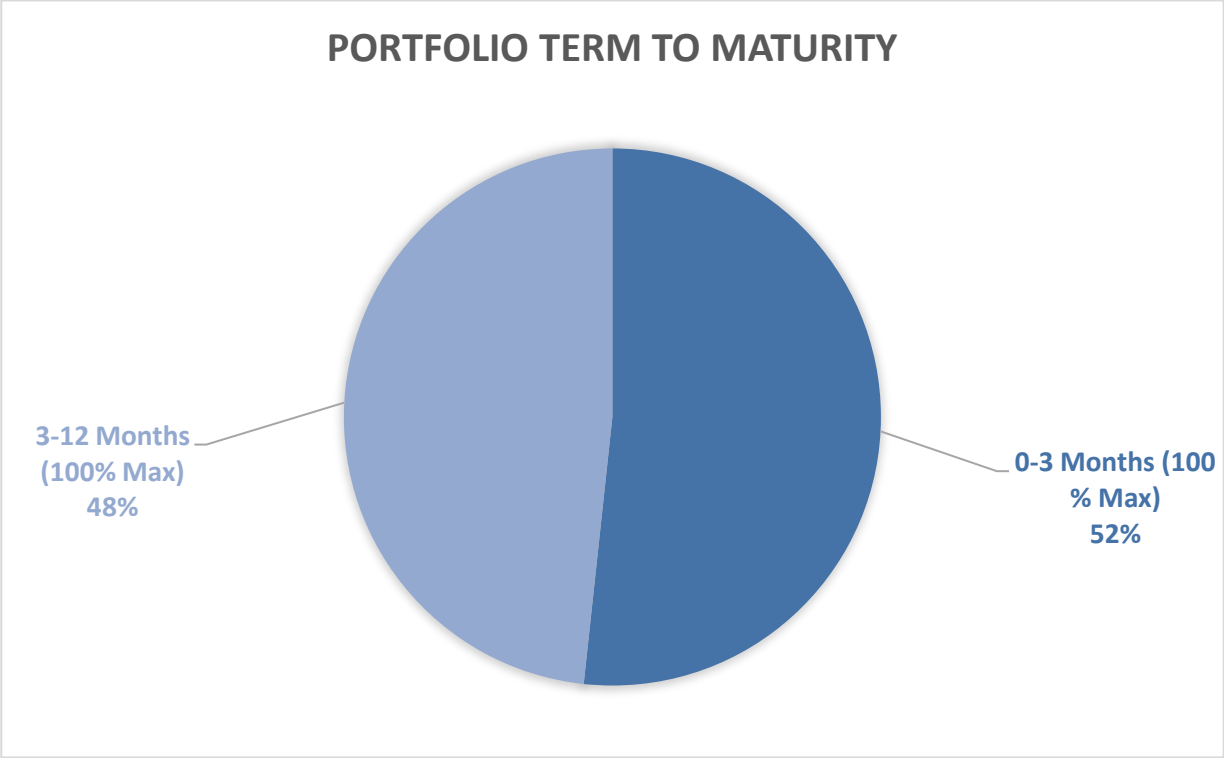
Counter Party Compliance

As at the end of December, Council was compliant with policy. It is worth noting that capacity limits are affected by changes in the on-call account balance compared to the total portfolio balance.



Term to Maturity

Council's investment portfolio maturities shown graphically below were also compliant with policy requirements. All of the investments are short term to deal with liquidity and to be prepared for the demerger split.



Declaration

I hereby certify that investments listed in the report have been made in accordance with Section 625 of the Local Government Act 1993, Clause 212 of the Local Government (General) Regulation 2021 and Council's Investment Policy.

Signed

Zac Mahon
Responsible Accounting Officer

8.4 SUSTAINABLE DEVELOPMENT

8.4.1 DA2024/122 - 91-97 WALLENDOON STREET, COOTAMUNDRA - INSTALLATION OF COLUMNS TO SUPPORT EXISTING AWNING

DOCUMENT NUMBER	428004
REPORTING OFFICER	Laura Schweiger, Town Planner
AUTHORISING OFFICER	Barry Paull, Interim Deputy General Manager - CCD
RELEVANCE TO COMMUNITY STRATEGIC PLAN	**2. A region for the future** 2.2 A thriving region that attracts people to live, work and visit **3. Protected and enhanced environment** 3.2 We have attractive towns and villages
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. Development application assessment report ⇩ 2. Draft Notice of Determination ⇩

RECOMMENDATION

That Council approve the following development application, subject to the conditions of consent detailed in the draft Notice of Determination:

- **Application No.:** **DA 2024/122**
- **Property:** **Lots 1 and 2 SP 82001**
  91-97 Wallendoon Street
  COOTAMUNDRA NSW 2590
  (Including the footpath area adjacent to this property)
- **Development:** **Commercial premises (alterations and additions) – the installation of columns to support the existing footpath awning.**

Introduction

The above development application has been lodged with Council, seeking the erection of a number of columns, to support the existing awning at 91-97 Wallendoon Street, Cootamundra. The existing awning is a cantilever-style awning attached to the building and located over the footpath in Wallendoon Street and Cooper Street.

Staff delegations specifically exclude the determination of a development application on land-owned or controlled by Council, and accordingly, the application has been referred to Council for determination.

Discussion

Plans of the proposed work are contained in the attached development application assessment report (Pages 2, 3 and 4). Specifically, the works would involve:

- the installation of twenty-two (22) new support columns under the existing awning,
- columns to be located approximately 1.9 metres from the face of the existing kerb and gutter,
- columns to be setback approximately 0.5 metres behind the face of the existing awning,
- installation of a new support beam beneath the awning,
- retention of existing awning framing truss, and above awning steel suspension rods,
- beams and columns to be painted in Taubman's Albion Park.

The assessment report concludes that the proposed development is compatible with the existing character, heritage, and amenity of the locality, with no adverse impact anticipated on the streetscape, public domain, or surrounding infrastructure. The design and positioning of the columns are appropriate, ensuring minimal disruption to pedestrian access and safety, while also preserving the integrity of the Heritage Conservation Area. The development would not result in increased traffic, parking demand, or negative social, environmental, or economic impacts. Additionally, it does not affect utilities, land resources, or the natural environment, and would have no impact on the local community, flora, or fauna. The works are designed to improve the structural safety of the awning and would be carried out with necessary conditions to manage construction impacts, including traffic control and waste management. Overall, the development aligns with planning objectives and would contribute positively to the locality without any identified cumulative impacts.

Accordingly, approval is recommended subject to the conditions contained in the attached draft Notice of Determination.

Financial

Nil impact.

OLG 23a Guideline consideration

Nil conflict.

DEVELOPMENT ASSESSMENT REPORT

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

DATE OF REPORT COMMENCEMENT:

12th November 2024

COUNCIL OFFICER COMPLETING DEVELOPMENT ASSESSMENT:

Laura Schweiger

DEVELOPMENT REFERENCE:

DA2024/122

DEVELOPMENT ADDRESS:

Lots 1 and 2 SP 82001
91-97 Wallendoon Street
COOTAMUNDRA NSW 2590
(Including the footpath area adjacent to this property)

APPLICANT:

Mr B Dickinson
70 Lagoon Flats Place
CAWDOR NSW 2570

OWNER(S):

Elouera Association Incorporated
PO Box 271
COOTAMUNDRA NSW 2590

Cootamundra-Gundagai Regional Council
PO Box 420
COOTAMUNDRA NSW 2590

Dibblar Pty Limited
C/- Cootamundra Realty
251 Parker Street
COOTAMUNDRA NSW 2590

PROPOSED DEVELOPMENT:

Commercial premises (alterations and additions) – the installation of columns to support the existing footpath awning.

Specifically the works will involve:

- the installation of twenty-two (22) support columns under the existing awning,
- columns to be located approximately 1.9 metres from the face of the existing kerb and gutter,
- columns to be setback approximately 0.5 metres behind the face of the existing awning,
- installation of a new support beam beneath the awning,
- retention of existing awning framing truss, and above awning steel suspension rods,
- beams and columns to be painted in Taubman's Albion Park (mid-dark grey as shown in following colour sample.

The proposed works are shown on the following plans.

Figure 1 – Site plan (column locations circle red for wase of viewing)

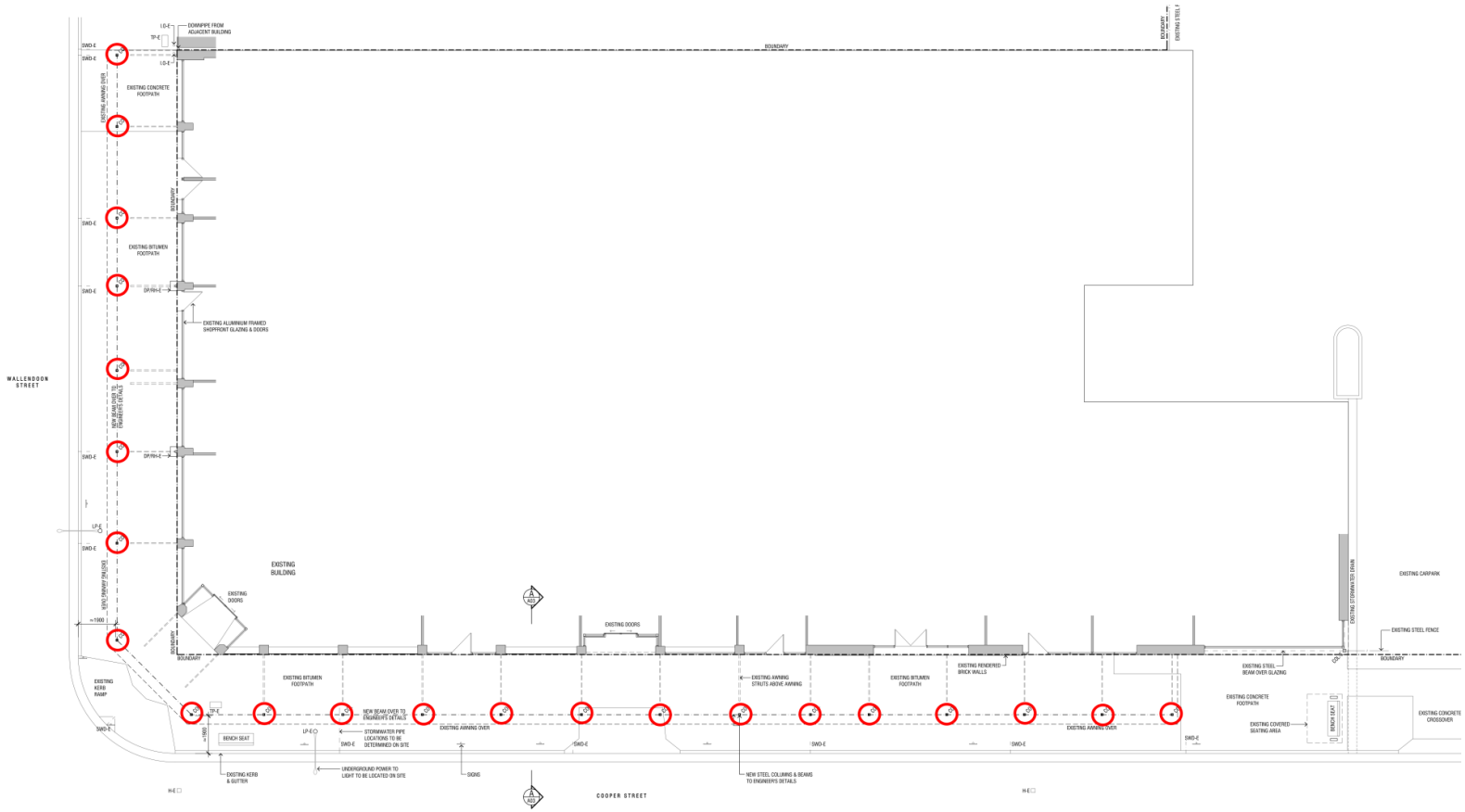


Figure 2 – Cooper Street elevation (columns highlighted yellow for ease of viewing)

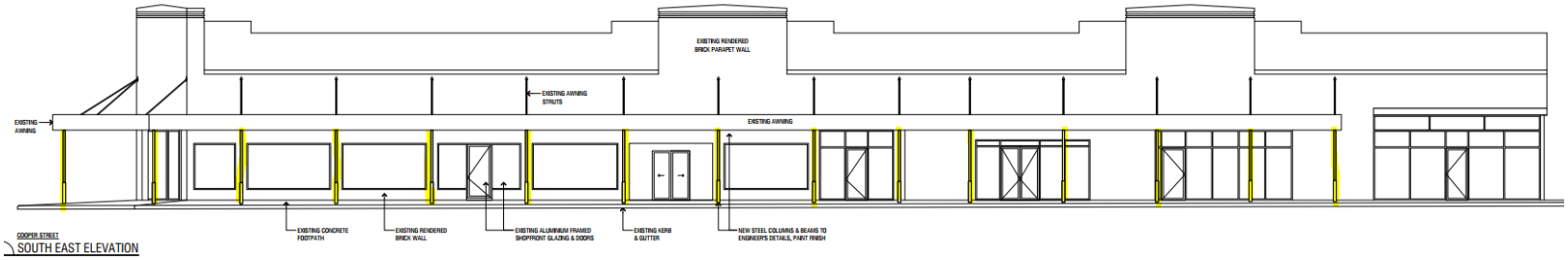


Figure 3 – Wallendoon Street elevation (columns highlighted yellow for ease of viewing)

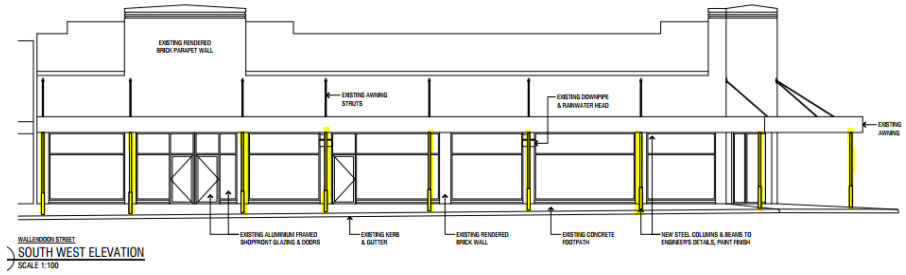
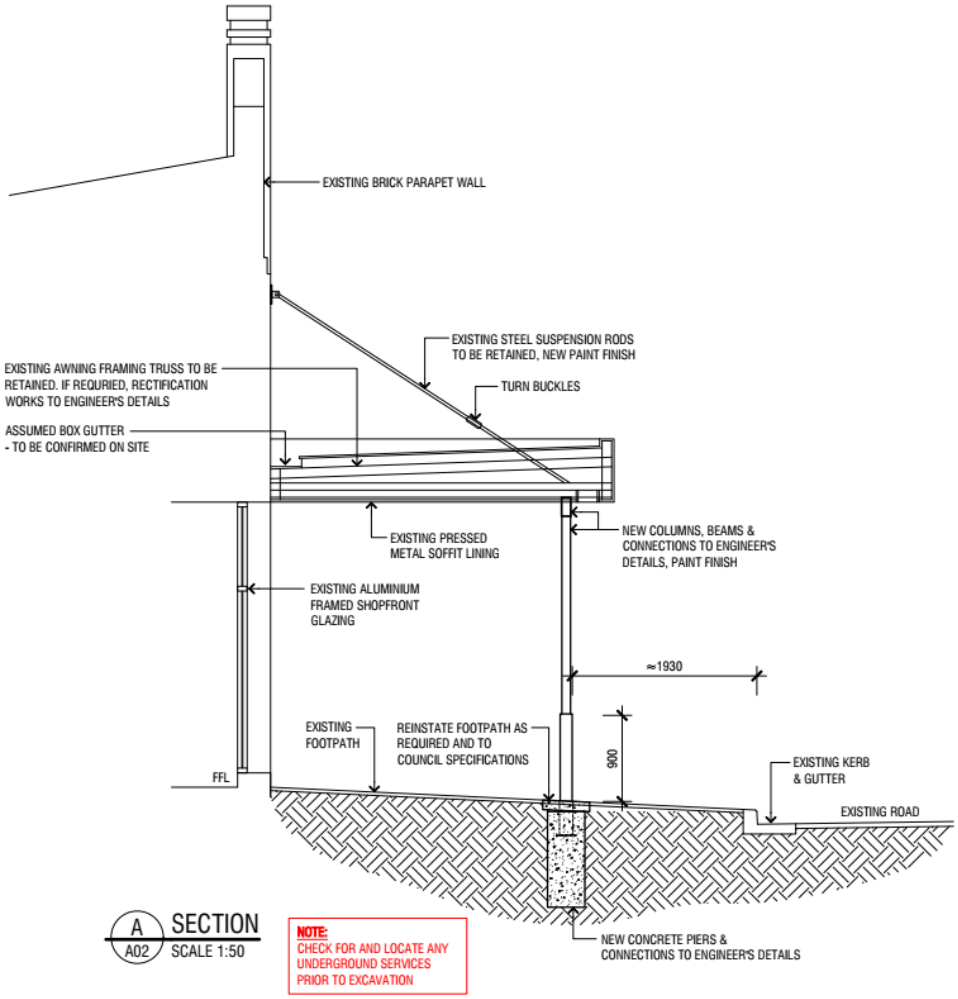


Figure 4 – Section



SITE:

The subject site is located on the northwest corner of Wallendoon Street and Cooper Street. It is in the centre of the Town, in the south-eastern section of the CBD, and is generally set amongst commercial, retail and community land uses, including shops, offices, and a school in the wider area. The site is adjoined by single storey commercial buildings to the west and the north, and is located directly opposite the Cootamundra-Gundagai Regional Council Administration Centre and Townhall, and the Post Office.

The 2740 m^2 site is a flat, L-shaped property, with a frontage of 31.2 metres to Wallendoon Street and a frontage of 73.9 metres to Cooper Street. There is an existing single storey building on the site, which covers 59% of the site, being the southern part, and the remainder of the site is used for car parking. There is a cantilevered awning that extends off the front of the building, over the footpath in both Wallendoon and Cooper Streets.

The building was formally a single occupancy building used as a supermarket, hardware store and variety store, but has since been converted into multiple tenancies, currently occupied by a variety of businesses, including a laundromat, Service NSW, insurance business, community service businesses, etc, along with some vacant tenancies.

Known approvals on the site include:

- BA151/74 – Alterations and additions to existing supermarket – approved 3.9.1974
- BA180/76 – To provide vehicular access to the existing bottle shop, by removing part of the western and eastern brick walls, and installing two (2) roller doors – approved 30.8.1976
- BA217/81 – To make internal alterations to the existing liquor department – approved 10.12.1981
- BA105/84 – To make internal alterations to the existing supermarket – approved 15.6.1984
- DA193/97 – To make internal and external alterations to the existing building, to create five (5) retail tenancies (3 addressing Wallendoon Street, 1 on the corner and 1 addressing Cooper Street) – approved 23.12.1997
- DA03/0122 – To establish and operate a commercial laundry and laundromat in an existing tenancy (on Wallendoon Street) - approved 31.7.20023
- DA04/0224 – Erection of a shed for the storage of timber – approved 22.10.2004 (did not proceed)
- DA08/136 – To make internal alterations, to create one (1) additional retail tenancy in the existing building (on Wallendoon Street) – approved 22.5.2008
- DA09/027 – Strata subdivision of existing building into two (2) lots – approved 2.10.2008
- DA12/052 – Fitout of tenancy, and to establish and operate an office in the existing the tenancy (on Cooper Street – Dunk Insurance) – approved 31.10.2011
- DA2017/070 – Change of use – establish and operate an office in the existing tenancy (on the corner of Wallendoon and Parker Streets – Intereach Pty Ltd – approved 15.8.2017
- DA2017/096 – Change of use – establish and operate a coffee shop in the existing tenancy (northern-most tenancy on Cooper Street – approved 26.10.2017
- S682018/005 – Approval for plumbing and drainage works in the existing tenancy (on Cooper Street – Service NSW) – approved 23.10.2018.

Figure 5 – Location plan (NSW Six Maps)

Figure 6 – Aerial view – neighbourhood (NSW Six Maps) – imagery date 14.2.2017

Figure 7 – Aerial view – site (NSW Six Maps) - imagery date 14.2.2017

Photo 1 – Cooper Street elevation

Photo 2 – Wallendoon Street elevation

Photo 3 – Combined elevation

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

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

The development will not significantly affect threatened species, populations or ecological communities, as it does not impact on any flora, fauna or their habitat, including terrestrial biodiversity and river systems.

2.22 Mandatory community participation requirements

The development was notified to seven (7) adjoining and adjacent land owners as per the CGRC Community Participation Plan (CPP), and no submissions were received.

4.5 Designation of consent authority

The development is not state significant or regionally significant, 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, but the application does not meet any of the criteria and therefore is not designated.

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 SEPP T&I section below, relating to Essential Energy and RMS comments and integrated development provisions).

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 subdivision, and is not for a special fire protection purposes, and therefore no referral to the NSW Rural Fire Service was, or is, required.

4.22 Concept development applications

The development is not a concept development (development undertaken in stages).

4.33 Determination of Crown development applications

The development is not a Crown development.

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).

4.46 Integrated development

The development is not integrated development (requires consent or an approval from another government agency).

4.55 Modification of consents - generally

Not applicable

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.

<u>SEPP (Resilience and Hazards) 2021</u>

Chapter 4 – Remediation of land

Council must not consent to the carrying out of any development on land, unless it has considered whether the land is contaminated, and if contaminated whether it is suitable for the intended use, or requires remediation. Whilst part of the site is identified as being potentially contaminated on Council's register (use of part of the property as a laundromat), this is internal of the site, and all proposed works are within the road reserve. There is no evidence to indicate that the footpath is a site of possible contamination from past landuses.

Accordingly, it is considered that the land is suitable for the proposed development, and no further investigation is warranted.

SEPP (Transport and Infrastructure) 2021
Chapter 2 - Infrastructure

- **Section 2.48 (Determination of development applications—other development)** applies to a development application for development in proximity to electricity infrastructure (e.g within 5 metres of an exposed overhead power line, near substations, etc). The development does not meet this criteria, so no formal referral to Essential Energy, was required.
- **Section 2.77 (Development adjacent to gas pipeline corridors) requires** applies to developments adjacent to a pipeline corridor, but there are none in the immediate area.
- **Division 15, Subdivision 2 Development in or adjacent to rail corridors and interim rail corridors—notification and other requirements**, *including Sections 2.97, 2.98, 2.99, 2.100, 2.101, 2.102 and 2.103* applies to developments in, above or adjacent a rail corridor or that involve a level crossing. The site is not adjacent the railway corridor, and therefore these clauses do not apply to this development.
- **Section 2.119 (Development with frontage to classified road)**, the development does not front a classified road and therefore this clause does not apply to this development.
- **Section 2.120 (Impact of road noise or vibration on non-road development)***,* does not apply as the AADT volume of the adjacent road is less than 20,000 vehicles, and/or the development is not for residential accommodation, a place of public worship, hospital, educational establishment or child care facility.
- **Section 2.121 (Excavation in or immediately adjacent to corridors)**, does not apply as the development will not result in the penetration of the ground to a depth of 3 m or greater, within or adjacent any of the nominated roads,
- **Section 2.122 and Schedule 3 (Traffic generating development)**, does not apply, as the type and/or scale of the works is not identified in the Schedule.

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 development is consistent with the following aims of the LEP, being to ensure that local amenity is maintained and enhanced, and to manage the heritage resources of Cootamundra.

1.4 Definitions
The development is ancillary to the use of the existing building, which is classified as a ***commercial premises*** which means *any of the following—*
(a) business premises,
(b) office premises,
(c) retail premises.

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 that apply to the land, but there is an easement to drain sewer and an easement for access, on the western part of the site. These easements are not impacted by the proposed development.

2.1 Land use zones

The site is zoned E2 Commercial Core, and the proposed development, which is ancillary to the use of the commercial premises, 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 the development. The development is not inconsistent with the following objectives, as it does not prevent these objectives being achieved:

- *to strengthen the role of the commercial centre as the centre of business, retail, community and cultural activity* – the development does not impact negatively on this objective,
- *to encourage investment in commercial development that generates employment opportunities and economic growth* – the development does not impact negatively on this objective,
- *to encourage development that has a high level of accessibility and amenity, particularly for pedestrians* – whilst the development will result in multiple posts being located within the footpath area, they will be located on the kerb side of the footpath, and positioned to allow a 3 metre wide clear pathway between the posts and the shopfronts, which will not impact negatively on pedestrian accessibility,
- *to enable residential development only if it is consistent with the Council's strategic planning for residential development in the area* – not applicable to this development,
- *to ensure that new development provides diverse and active street frontages to attract pedestrian traffic and to contribute to vibrant, diverse and functional streets and public spaces* – the development will contribute positively in this regard, with a more structurally-sound awning proposed, with the column design and colours appropriate for the streetscape (see also Heritage Advisor comments below).

2.7 Demolition requires development consent

This clause identifies that the demolition of a building or work may be carried out only with development consent. This application identifies that there will be some minor demolition works to the existing awning and footpath to allow for new structural components, which will be replaced / reinstated as part of the works. Appropriate demolition conditions will be imposed.

5.10 Heritage conservation

The consent authority must, before granting consent under this clause in respect of a heritage item or heritage conservation area, consider the effect of the proposed development on the heritage significance of the item or area concerned.

There are no State or local heritage items on-site, but the site is located in the heritage conservation area (HCA). The Cootamundra Community Based Heritage Study identifies that the crucial elements of the HCA are its setting, streetscape and views. It also identifies that the CBD is historically significant as a town centre and Federation Period streetscape.

The Applicant has addressed the issue of heritage in a statement of heritage impacts (SOHI), providing the following supporting statements:

- the proposed works are very simple with the addition of new columns that align with the existing rod struts,
- the addition of the columns will have negligible effect the heritage conservation area,
- the new columns are required to ensure the ongoing conservation of the awning,
- the columns have been designed to complement the style of the building and will contribute positively to the streetscape,

- the existing building is painted a combination of cream for the majority of the façade, with a few manor red highlights on the parapet,
- the multiple businesses have signage on the awning fascia and parapets and some different shop front materials, and windows frames of a multitude of colour,
- the new columns will have a paint finish, and it is proposed to paint the columns a mid-dark, grey-green to complement the main building colours while creating a dark element to help the columns blend into the streetscape,
- it was felt that matching either the cream or the manor red would make the columns too prominent,
- Cohen's Corner building is not a listed heritage item however there are several items within the vicinity, including Cootamundra Public School, Cootamundra Post Office, Westpac Bank Building, Former State Bank Building and Coralee Shop,
- the works will have no negative visual or heritage impact on these heritage items.

The application was also forwarded to Council's Heritage Advisor, who provided the following advice:

- the proposed work will improve the appearance and structural integrity of the existing building, but will not be a prominent feature for the street frontage,
- the colour option for the columns will assist in blending in the columns into the streetscape and agrees with the justification in the SOHI,
- the proposed addition of new columns that align with the existing diagonal rod is appropriate for the awning and its ongoing structural integrity,
- the heritage impacts of the development are minimal and maintain the aesthetics of the building,
- it is recommended for approval by Cootamundra-Gundagai Regional Council.

Based on this advice from Council's Heritage Advisor , it is considered that the development will have an acceptable impact on the HCA.

5.21 Flood planning

As per the 2023 Cootamundra Floodplain Risk Management Study and Plan (CFRM&P), the following flood characteristics apply to the footpath area:

- located in the flood planning area (Figure A29),
- subject to main streaming flooding (Figure A31),
- located in Flood Planning Constraint Category 3 (Figure A30) characterised as;
  - constraints: within the PMF extent (1% AEP + 0.5m),
  - implications: hazardous conditions may exist creating issues for vehicles and people, but structural damage to buildings is unlikely,
  - considerations: standard land use and development controls aimed at reducing damage and the exposure of the development to flooding are likely to be suitable,
- subject to peak flood depths of up to 0.5 metre in the 1% AEP (Figure A15),
- located in the flood fringe area for the 1% AEP (Figure A20) – development in flood fringe areas would not have any significant effect on the pattern of flood flows and/or flood levels,
- area is mapped as having a hydraulic hazard for the 1% AEP of H1 – no constraints (intramaps data).

Overall, whilst the site is mapped as flood affected, the area falls into the least impacted flood categories, with minimal impact expected. It is considered that the erection of a number of small diameter posts is compatible with the flood function and behaviour on the land, and will not adversely affect flood behaviour in a way that results in detrimental increases in the potential flood affectation of other development or properties. It will not adversely affect the safe occupation and efficient evacuation of people or exceed the

capacity of existing evacuation routes for the surrounding area in the event of a flood, and will not adversely affect the environment or cause avoidable erosion, siltation, destruction of riparian vegetation or a reduction in the stability of river banks or watercourses. There are no specific measures required to manage risk to life in the event of a flood, as a result of the development.

6.1 Earthworks
No earthworks are proposed.

6.3 Biodiversity protection
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**, and the whole of the site has been identified as being affected. However, the replacement of the awning will have no impact on groundwater.

6.5 Riparian land and watercourses
This clause applies to land that is identified as a watercourse on the **Watercourses Map**, but the site is not mapped as being affected, and is not withing 40 metres of mapped land, 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. No works carried out on the site will not project into the Airport airspace, with all works being below the existing awning.

6.9 Essential Services
This clause only applies to land that is zoned (a) Zone RU4 Primary Production Small Lots, and (b) 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 LEP's which apply to this land.

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

The Cootamundra Development Control Plan (DCP) applies to the land, and the provisions are discussed as follows:

- **Chapter 1 – General information**
  - Section 1.7 - Notification of Development Applications: The provisions of the Community Participation Plan takes precedence over this section of the DCP (see comments above in Section 2.22)
- **Chapter 2 - Residential Development** - Does not apply to this type of development.
- **Chapter 3 - Business & Industrial Development**
  - *Parking to be as per Chapter 5* – the replacement awning does not result in any increase in floor area, does not generate the need for any additional parking and does not impact any existing parking.
  - *Provision to be made for delivery vehicles* – the replacement awning does not affect how deliveries are made to the property, with delivery access via the carpark onsite.
  - *Waste to be disposed of in an environmentally acceptable manner* – the proposed works will only generate construction waste and does not change the existing operational waste stream.
- **Chapter 4 – Subdivision** – The development is not a subdivision.
- **Chapter 5 – Car parking and vehicle access**
  - *Car parking is provided at the rate set out in the DCP* - the replacement awning does not result in any increase in floor area, does not generate the need for any additional parking and does not impact any existing parking.
  - *Car parking is provided on the site of the development* – the proposed development does not change the existing parking arrangements.
  - *Vehicles enter and leave the site in a forward direction* – the development does not prevent vehicles from entering an exiting the parking area in a forward direction.
  - *All parking spaces are suitably marked by lines or spaces indicated by other approved means* – the development does not impact the existing parking area, or necessitate the need for line-marking
  - *All car parking areas, driveways, turning areas and loading areas are paved* – the development does not impact the existing surface of the carpark, and does not necessitate any upgrading works,
  - *Free and uninterrupted access to car parking areas is maintained at all times* – the development does not impact access to the carpark.
- **Chapter 6 – Environmental Management** – land is not bushfire prone or potentially contaminated. The issue of flooding has been discussed above.
- **Chapter 7 – Heritage** – As discussed above, the proposed development will not impact on the heritage significance of the existing or adjacent buildings or the HCA. The majority of the heritage provisions in this part of the DCP do not apply to the development, as they deal with such things as subdivision, multi-housing, etc. Some of the relevant consideration include:
  - *impact of new development is assessed* – the works have been assessed by the Council's heritage advisor, who has advised that the proposed work will improve the appearance and structural integrity of the existing building, but will not be a prominent feature for the street frontage and the impact is considered minor,
  - *the scale, form and detail must not detract from the scale, form, unity, cohesion and predominant character of buildings and development* – Council's heritage advisor, has advised that the colour option for the columns will assist in blending in the columns into the streetscape, and their alignment with the existing diagonal rods is appropriate for the awning,

- *scale of new development does not dominate existing heritage items* – the works are sufficiently distanced from the nearby heritage items, such that there will be no impact on their heritage significance,
- *design is to be integrated into the established character of the area* - the works are consistent with other post-supported awnings in the CBD,
- *total demolition is not permitted unless certain criteria is met* – total demolition is not proposed, with the main works being the installation of columns to support the existing awning,
- *scale, mass, form and proportion is to be maintained* – the awing will remain largely unchanged, and the size and location of the columns, are proportional to the awning and the building,
- *authentic reconstruction is encouraged* – not applicable to this development,
- *for corner lots, significant parts of the original building must be retained, including main frontage and side frontage* – the building façade will not be impacted, and the awning will incur only minor structural changes, to facilitate the installation of the support columns,
- *for corner lots, the scale of additions and alterations must respect the existing ridge or eaves height* – satisfied, with the columns being below the awning and well below the parapet wall.

Overall it is considered that the works are sympathetic to the heritage value of the HCA, with the essential heritage elements (awning and façade) of the building to be retained.

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 61 (Additional matters for consideration): -

- the development application does not involve demolition works,
- the development 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 development does not pertain to a manor house or multi dwelling housing (terraces),
- the development is not land to which the Penrith LEP applies to.

Clause 62 (Consideration of fire safety)

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

Clause 63 (Considerations for erection of temporary structures)

- the development is not for a temporary structure.

Clause 64 (Consent authority may require upgrade of buildings)

- the development does not involve the rebuilding, enlargement or extension of an existing building. Whilst the awning is being replaced, it is not considered that this constitute a rebuilding of the existing building

Clause 65 (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 works are considered to be in keeping with the character and amenity of the locality and the streetscape, particularly from a heritage perspective. The style, form, character and design of the columns is appropriate for the existing building and awning, and does not detract from the HCA. The development will have no impact on such matters as overshadowing, visual an acoustic privacy or views and vistas.

Access, Transport and Traffic:
The development will not result in the generation of any additional traffic or need for parking, and will have no impact on the surrounding road network. The columns will be setback 1.9 metres from the kerb face, and 0.5 metres behind the awing facia, which will be reinforced as a condition of consent. This setback should ensure that most vehicles when reverse-parking, would be unlikely to hit the columns and damage them, with a standard ute having a rear overhang of between 1.1 metres and 1.4 metres.

Public Domain:
The development will not impact negatively in terms of such things as recreational opportunities, or the amount, location, design, use and management of public spaces. Whilst a large number of columns are proposed to support the awning, there is ample room for pedestrian movement along the footpath area. It will however contribute positively in terms of pedestrian safety, as the awing overhangs the footpath, and presently is in questionable structural condition, with cracks in the façade, and it is potentially a risk to safety.

The majority of the footpath adjacent the property is asphalt, although there is one small section of concrete footpath on Wallendoon Street. Council will require both the concrete and the asphalt to be saw-cut, when preparing the footings of for the columns, and when the awning support columns have been installed, the asphalt/concrete shall be reinstated around the columns, to match the existing footpath levels.

Approval will be required under the *Roads Act 1993* for all works within the road reserve, and will require traffic control measures to be approved and implemented, to safety manoeuvrer pedestrians around the works.

The columns will not interfere with, or impact on, any known infrastructure on top of the footpath, such as the street bench, light poles, street signs, or the existing kerb pram ramp on the corner, as the columns are clear of these items. Furthermore, Council's water and sewer mains are located in the carriageway and not the footpath area, and will not be impacted. It is possible that there are other services located in the footpath, such as telecommunications, electricity or gas, therefore it is intended to impose a condition that requires the developer to undertake a "before you dig" enquiry. A condition will also be imposed that requires the developer to consult with the owner of any infrastructure impacted by the development, before work commences.

Utilities:
The development does not require any infrastructure such as water or sewer, and does not impact the management of stormwater from the existing awning.

Heritage:
This issue of heritage has been discussed at length above, and minimal impact is expected.

Other Land Resources:
The development will not have any adverse effect on conserving and using valuable land resources such as productive agricultural land, mineral extractive resources or water supply catchments.

Water:
There will be no impact on ground and surface waters.

Soil:
The development will have no impact on soils.

Air and Microclimate:
The development will have no effect on air quality and microclimatic conditions.

Flora and Fauna:
The development does not require the removal of any trees or groundcover, and therefore, the development will not have any impact on native fauna or vegetation.

Waste:
There will be no change to operational waste generated from the continued use of the building, as a result of the development. Conditions will be imposed regarding construction waste.

Energy:
There will have no impact in this regard.

Noise and Vibration
The development will not change the type or level of noise currently emitted from the use of the premises. Amenity conditions will be imposed, including hours of work.

Natural Hazards:
There are no known risks to people, property or the biophysical environment from – geologic or soil instability or bushfire. The issue of flooding has been discussed.

Technological hazards
There are no known risks to people, property or the biophysical environment from industrial and technological hazards, land contamination and remediation or building fire risk.

Safety, security and crime prevention
The woks will not result in any different impacts in terms of this issue.

Social Impacts in the Locality:
It is not considered that the 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, but rather will contribute positively to the local social fabric.

Economic Impact in the Locality:
It is not considered that there will be any negative impact in economic terms.

Site Design and Internal Design:
The works are proposed to improve the structural integrity of the existing awning, and as discussed previously the location, design and scale of the columns, will not impact of the

streetscape or the HCA. The development will not interfere with egress from the building, with the columns setback 3 metres from the front walls of the building.

Construction Matters:
The construction works will be appropriately conditioned to minimise impacts.

Cumulative impacts
No cumulative impacts have been identified.

4.15(1)(c) - The suitability of the site for the development:

Does the proposal fit in the locality ?
There are no constraints posed by adjacent developments that would prohibit the development. 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, bushfire, subsidence, slip or mass movement, and the issue of flooding has been discussed above, and minimal impact is expected. 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 development 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:

Nil submissions received.

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

The Riverina Murray Regional Plan 2041 has been developed to plan for future population's needs for housing, jobs, infrastructure and a healthy environment, in the Region. The development is not inconsistent any of the Directions in the Plan.

Staff are not aware of any other policy statements from either Federal or State Government that are relevant to this proposal, nor any planning studies or strategies. There is no management plan that is applicable to a development of this nature, and no codes or guidelines.

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 does not apply to this development.

Section 7.12 Contributions Plans

The *Cootamundra-Gundagai Regional Council Section 7.12 Fixed Development Consent Levy Contributions Plan 2018*, whilst applying to the land, is not triggered by this development, based on the following costings:

Proposed Cost of the Development	Maximum Percentage of the Levy	Contribution payable
Up to $100,000	**Nil**	**Nil - cost of works $ 69,500**
$100,001-$200,000	0.5 %	N/A
$200,001 +	1 %	N/A

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 impacts for Council

POLICY IMPACTS:

Nil

ORGANISATIONAL IMPACT:

Nil

RISK MANAGEMENT IMPACTS:

Nil

LEGAL ISSUES:

Nil

CONCLUSION:

The proposed development is considered to be compatible with the existing character, heritage, and amenity of the locality, with no adverse impacts anticipated on the streetscape, public domain, or surrounding infrastructure. The design and positioning of the columns are appropriate, ensuring minimal disruption to pedestrian access and safety, while also preserving the integrity of the Heritage Conservation Area. The development will not result in increased traffic, parking demand, or negative social, environmental, or economic impacts. Additionally, it does not affect utilities, land resources, or the natural environment, and will have no significant impact on the local community, flora, or fauna. The works are designed to improve the structural safety of the awning and will be carried out with necessary conditions to manage construction impacts, including traffic control and waste management. Overall, the development aligns with planning objectives and will contribute positively to the locality without any identified cumulative impacts.

RECOMMENDATION:

Determination:

That Council approve the following development, subject to the consent conditions detailed in the draft Notice of determination:

- Application No.: DA2024/122
- Property: Lots 1 and 2 SP 82001
  91-97 Wallendoon Street
  COOTAMUNDRA NSW 2590
  (Including the footpath area adjacent to this property)
- Development: Commercial premises (alterations and additions) – the installation of columns to support the existing footpath awning.

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 and how community views were taken into account, as it relates to this development application are:

- The impacts of the development are minimal.
- The development is permissible within the zone and aligns with land use objectives.
- The heritage value of the heritage conservation area has been preserved.
- The new works are in keeping with, the existing awning, building, streetscape and character of the area.
- The works are necessary to ensure the going safety of general public and users of the building, and to allow for the continued use of the property.
- The development complies with all local environmental planning instruments.
- Conditions have been imposed to preserve the amenity of the area.
- The development application was notified, and no submissions were received.

DEVELOPMENT ASSESSMENT SIGNING OFFICER:

Laura Schweiger
Town Planner

11th December 2024

COOTAMUNDRA GUNDAGAI REGIONAL COUNCIL
ABN: 46 211 642 339
PO Box 420, Cootamundra NSW 2590
Email: mail@cgrc.nsw.gov.au
www.cgrc.nsw.gov.au

Cootamundra Office
81 Wallendoon Street,
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Ph: 02 6940 2100 Fax: 02 6940 2127

Gundagai Office:
255 Sheridan Street,
Gundagai NSW 2722
Ph: 02 6944 0200 Fax: 02 6940 2127

NOTICE OF DETERMINATION OF A DEVELOPMENT APPLICATION

Application number	DA2024/122 PAN-477043
Applicant	Mr B Dickinson 70 Lagoon Flats Place CAWDOR NSW 2570
Description of development	Commercial premises (alterations and additions) – the installation of columns to support the existing footpath awning.
Property	Lots 1 and 2 SP 82001 91-97 Wallendoon Street COOTAMUNDRA NSW 2590 (Including the footpath area adjacent to this property)
Determination	TBD Consent Authority - Council
Date of determination	TBD
Date from which the consent operates	TBD
Date on which the consent lapses	TBD

Under section 4.18(1) of the EP&A Act, notice is given that the above development application has been determined by the granting of consent using the power in section 4.16(1)(a) of the EP&A Act, subject to the conditions specified in this notice.

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Reasons for approval

- The impacts of the development are minimal.
- The development is permissible within the zone and aligns with land use objectives.
- The heritage value of the heritage conservation area has been preserved.
- The new works are in keeping with, the existing awning, building, streetscape and character of the area.
- The works are necessary to ensure the going safety of general public and users of the building, and to allow for the continued use of the property.
- The development complies with all local environmental planning instruments.
- Conditions have been imposed to preserve the amenity of the area.
- The development application was notified, and no submissions were received.

Right of appeal / request a review of the determination

If you are dissatisfied with this determination:

Request a review

You may request a review of the consent authority's decision under section 8.3(1) of the EP&A Act. The application must be made to the consent authority within 6 months from the date that you received the original determination notice provided that an appeal under section 8.7 of the EP&A Act has not been disposed of by the Court.

Rights to appeal

You have a right under section 8.7 of the EP&A Act to appeal to the Court within 6 month after the date on which the determination appealed against is notified or registered on the NSW planning portal.

The Dictionary at the end of this consent defines words and expressions for the purposes of this determination.

Yours sincerely,

Laura Schweiger
Town Planner

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Terms and Reasons for Conditions

Under section 88(1)(c) of the EP&A Regulation, the consent authority must provide the terms of all conditions and reasons for imposing the conditions other than the conditions prescribed under section 4.17(11) of the EP&A Act. The terms of the conditions and reasons are set out below.

GENERAL CONDITIONS

	Condition
1	**Compliance with Building Code of Australia and insurance requirements under Home Building Act 1989**
	(a) It is a condition of a development consent for development that involves building work that the work must be carried out in accordance with the requirements of the *Building Code of Australia*. (b) It is a condition of a development consent for development that involves residential building work for which a contract of insurance is required under the *Home Building Act 1989*, Part 6 that a contract of insurance is in force before building work authorised to be carried out by the consent commences. (c) It is a condition of a development consent for a temporary structure used as an entertainment venue that the temporary structure must comply with Part B1 and NSW Part H102 in Volume 1 of the *Building Code of Australia*. (d) In subsection (1), a reference to the *Building Code of Australia* is a reference to the *Building Code of Australia* as in force on the day on which the application for the construction certificate was made. (e) In subsection (3), a reference to the *Building Code of Australia* is a reference to the *Building Code of Australia* as in force on the day on which the application for development consent was made. (f) This section does not apply— (i) to the extent to which an exemption from a provision of the *Building Code of Australia* or a fire safety standard is in force under the *Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021*, or (ii) to the erection of a temporary building, other than a temporary structure to which subsection (3) applies.
	Condition Reason: *Prescribed condition under section 69 of the Environmental Planning and Assessment Regulation 2021.*
2	**Erection of signs**
	(a) This section applies to a development consent for development involving building work, subdivision work or demolition work. (b) It is a condition of the development consent that a sign must be erected in a prominent position on a site on which building work, subdivision work or demolition work is being carried out—

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(i) showing the name, address and telephone number of the principal certifier for the work, and
(ii) showing the name of the principal contractor, if any, for the building work and a telephone number on which the principal contractor may be contacted outside working hours, and
(iii) stating that unauthorised entry to the work site is prohibited.

(c) The sign must be—
(i) maintained while the building work, subdivision work or demolition work is being carried out, and
(ii) removed when the work has been completed.

(d) This section does not apply in relation to—
(i) building work, subdivision work or demolition work carried out inside an existing building, if the work does not affect the external walls of the building, or
(ii) Crown building work certified to comply with the Building Code of Australia under the Act, Part 6.

Condition reason: *Prescribed condition under section 70 of the Environmental Planning and Assessment Regulation 2021.*

3 Approved plans and supporting documentation

Development must be carried out in accordance with the following approved plans and documents, except where the conditions of this consent expressly require otherwise.

Approved plans

Project / plan number	Revision number	Plan title	Drawn by	Date of plan
24-04d / A01	1	Site plan	Icono Building Design	24/09/2024
24-04d / A01	1	Site plan – aerial overlay	Icono Building Design	24/09/2024
24-04d / A02	2	Floor plan	Icono Building Design	24/09/2024
24-04d / A03	2	Elevations and sections	Icono Building Design	24/09/2024

Approved documents

Document title	Version number	Prepared by	Date of document
Statement of environmental effects	-	-	-
Statement of heritage impact	A	Icono Building Design	-

In the event of any inconsistency between the plans/documentation referred to in this condition, the most recent plan/document shall prevail to the extent of the inconsistency.

In the event of any inconsistency with the approved plans and a condition of this consent, the condition prevails.

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

4 Compliance with legislation

Any building and associated works shall comply with the statutory requirements of the *Environmental Planning & Assessment Act 1979*, *Local Government Act, 1993* and the *National Construction Code/Building Code of Australia*.

	Condition reason: *To ensure compliance with the governing legislation*
5	**Cost of works**
	All works associated with the proposal, or required by this consent, will be at no cost to Council.
	Condition reason: *To ensure Council does not incur any expenses in the carrying out of the development.*

BUILDING WORK

BEFORE ISSUE OF A CONSTRUCTION CERTIFICATE

	Condition
6	**138 Approval for New Access Works and Works in the Road Reserve**
	Prior to the issue of a construction certificate the proponent is required to obtain approval under Section 138 of the *Roads Act 1993*, for all works constructed or undertaken on public roads, including any works required by this consent. The application is to be accompanied by a Traffic Guidance Scheme (TGS).
	Condition reason: *To ensure that the required approval for works in the road reserve are obtained, and the works are regulated for the safety of road users and occupants/users of the development.*

BEFORE BUILDING WORK COMMENCES

7	**Construction Certificate**
	A Construction Certificate must be submitted to and approved by a nominated Certifier prior to any building works taking place on the subject site. The Construction Certificate must be lodged via the NSW Planning Portal.
	Condition Reason: *To ensure compliance with the requirements of the Environmental Planning and Assessment Regulation 2021.*
8	**Appointment of a Principal Certifier**
	Prior to the commencement of any construction works, the person having benefit of this Development Consent must appoint a Principal Certifier.
	Condition reason: *To ensure legislative requirements are met*.
9	**Notice of intention to commence erection of building work**
	The proponent must give the Principal Certifier at least 2 days notice of their intention to commence building works. The notice of intention to commence building works must be lodged on the NSW Planning Portal in accordance with Section 6.6 of *Environmental Planning and Assessment Act 1979* and Section 59 of *Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021*.
	Condition reason: *To ensure legislative requirements are met.*
10	**Erosion and sediment controls in place**
	Before any site work commences the principal certifier must be satisfied that erosion and sediment controls, consistent with the guidelines *Managing Urban Stormwater - Soils and Construction* (Volumes 1 and 2A), are in place, where necessary.
	Condition Reason: *To ensure sediment laden runoff and site debris do not impact local stormwater systems and waterways.*
11	**Underground Services**

	The proponent 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. Where services are impacted by the proposed development, the developer shall consult with the owner/authority of the impacted services before work commences, and all works shall be carried out in accordance with any directions issued by the owner/authority.
	Condition reason: *To ensure the utility services are protected and while work is being carried out.*
12	**Traffic control measures**
	Prior to work commencing, all traffic control measures shall be implemented in accordance with the Section 138 approval issued under Roads Act 1993.
	Condition reason: *To ensure public safety and minimise any impacts to the adjoining pedestrian and vehicular traffic systems*
13	**Builders Toilet**
	The applicant shall ensure that a suitable builders' toilet is situated on the property prior to commencing construction.
	Condition reason: *To service the builders during construction*

DURING BUILDING WORK

	Condition
14	**Approved Plans**
	A copy of the endorsed plans, specifications, development consent, the construction certificate and any other certificates to be relied upon shall be available on site at all times during construction.
	Condition reason: *To ensure compliance with relevant plans and approvals*
15	**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.
	Condition Reason: *Ensure all works are carried out in accordance with the development consent.*
16	**Procedure for critical stage inspections**
	While building work is being carried out, the work must not continue after each critical stage inspection unless the principal certifier is satisfied the work may proceed in accordance with this consent and the relevant construction certificate.
	Condition Reason: *To require approval to proceed with building work following each critical stage inspection.*
17	**Hours of Work**
	Site work must only be carried out between the following times – ▪ Mondays to Fridays - 7:00am to 6:00pm; ▪ Saturdays - 8:00am to 1:00pm; and ▪ No work is permitted on Sundays and Public Holidays. Site work is not to be carried out outside of these times except where there is an emergency, or for urgent work directed by a police officer or a public authority.
	Condition reason: *To protect the amenity of the surrounding area.*
18	**Deliveries**
	While site work is being carried out, deliveries of material and equipment must only be carried out between— ▪ Mondays to Fridays - 7:00am to 6:00pm; ▪ Saturdays - 8:00am to 1:00pm;

	▪ No work permitted on Sundays and Public Holidays.
	Condition reason: *To protect the amenity of neighbouring properties.*
19	**Amenity**
	The carrying out of work during the construction of the development shall be done in such a manner as to not to interfere with the amenity of the locality by reason of the emission of noise, vibration, dust, smell, fumes, smoke vapour, steam, soot, ash, waste water, waste products or grit, oil or otherwise.
	Condition reason: *To protect the amenity of the neighbourhood during construction.*
20	**Building and construction waste**
	All building waste, rubbish and debris, including that which can be windblown, shall be contained on site in a suitable container, and shall be disposed of to a licensed waste disposal facility, on a regular basis. Records of the disposal must be retained, and copies provided to the Principal Certifier or Council upon request.
	Condition reason: *To protect the amenity of the neighbourhood during construction, and to ensure that waste is appropriately and lawfully disposed of.*
21	**Restricted Public Access**
	It is the responsibility of the proponent 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 SafeWork NSW Regulations.
	Condition reason: *To ensure public safety is maintained.*
22	**Footpath Storage**
	Building materials are not to be stored on Council footway or nature strip at any time, unless located within the fenced construction area, **and** it is in accordance with the Section 138 approval.
	Condition reason: *To ensure an adequate level of public safety is maintained.*
23	**Responsibility for changes to public infrastructure**
	While site work is being carried out, any costs incurred as a result of the approved removal, relocation or reconstruction of infrastructure (including ramps, footpaths, kerb and gutter, light poles, kerb inlet pits, service provider pits, street trees or any other infrastructure in the street footpath area) must be paid as directed by the consent authority.
	Condition Reason: *To ensure the developer is responsible for the payment of approved changes to public infrastructure.*
24	**Stormwater infrastructure**
	All existing stormwater downpipes and outlets shall be maintained.
	Condition Reason: *To ensure the proposed works do not adversely impact the existing stormwater drainage.*
25	**Footpath works**
	Compliance is required with the following conditions: (a) Where the existing asphalt/concrete pavement is to be removed, for the footings of the awning support columns, it shall be saw cut. (b) When the awning support columns have been installed, the asphalt/concrete shall be reinstated around the columns, to match the existing footpath levels.
	Condition Reason: *For visual amenity and pedestrian safety.*
26	**Damage to Council assets**
	Council's Engineering team shall be contacted within 24 hours of causing or discovering, damage to any of Council's assets during the carrying out of work.
	Condition Reason: *To manage risks to public safety.*

BEFORE ISSUE OF AN OCCUPATION CERTIFICATE

	Condition
27	**Repair of infrastructure**
	Before the issue of an occupation certificate: (a) any public infrastructure damaged as a result of the carrying out of work approved under this consent (including damage caused by, but not limited to, delivery vehicles, waste collection, contractors, sub-contractors, concreting vehicles) must be fully repaired to the written satisfaction of Council, and at no cost to Council, or (b) if the works in (a) are not carried out to Council's satisfaction, Council may carry out the works required and the costs of any such works must be paid as directed by Council.
	Condition Reason: *To ensure any damage to public infrastructure is rectified*
28	**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 Certifier.
	Condition reason*: To ensure the development is completed to a safe standard to allow use or occupatio and to ensure compliance with the requirements of this consent.*
29	**Removal of waste upon completion**
	Before the issue of an Occupation Certificate all refuse, spoil and material unsuitable for use on-site must be removed from the site and disposed of to a licenced waste disposal facility.
	Condition Reason: *To ensure waste material is appropriately disposed or satisfactorily stored.*
30	**Completion of Works**
	Before the issue of an occupation certificate, all works identified on the approved plans and as required by the conditions of this consent, shall be completed.
	Condition reason: *To ensure the development is completed in accordance with the approved plans and the development consent.*

ONGOING / OPERATIONAL CONDITIONS

31	**Awning maintenance**
	The owners of the awning (being the owners of Lots 1 and 2 SP 82001), must maintain the awning in a satisfactory state of repair, in accordance with Clause 142(1) of the *Roads Act, 1993*.
	Condition reason: *To ensure an adequate level of public safety is maintained.*

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General advisory notes

This consent contains the conditions imposed by the consent authority which are to be complied with when carrying out the approved development. However, this consent is not an exhaustive list of all obligations which may relate to the carrying out of the development under the EP&A Act, EP&A Regulation and other legislation. Some of these additional obligations are set out in the *Conditions of development consent: advisory notes* [https://www.planning.nsw.gov.au/sites/default/files/2023-07/condition-of-consent-advisory-note.pdf]. The consent should be read together with the *Conditions of development consent: advisory notes* to ensure the development is carried out lawfully.

The approved development must be carried out in accordance with the conditions of this consent. It is an offence under the EP&A Act to carry out development that is not in accordance with this consent.

Building work or subdivision work must not be carried out until a construction certificate or subdivision works certificate, respectively, has been issued and a principal certifier has been appointed.

A document referred to in this consent is taken to be a reference to the version of that document which applies at the date the consent is issued, unless otherwise stated in the conditions of this consent.

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Dictionary

The following terms have the following meanings for the purpose of this determination (except where the context clearly indicates otherwise):

Approved plans and documents means the plans and documents endorsed by the consent authority, a copy of which is included in this notice of determination.

AS means Australian Standard published by Standards Australia International Limited and means the current standard which applies at the time the consent is issued.

Building work means any physical activity involved in the erection of a building.

Certifier means a council or a person that is registered to carry out certification work under the *Building and Development Certifiers Act 2018*.

Construction certificate means a certificate to the effect that building work completed in accordance with specified plans and specifications or standards will comply with the requirements of the EP&A Regulation and *Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021*.

Council means Cootamundra-Gundagai Regional Council.

Court means the Land and Environment Court of NSW.

EPA means the NSW Environment Protection Authority.

EP&A Act means the *Environmental Planning and Assessment Act 1979.*

EP&A Regulation means the *Environmental Planning and Assessment Regulation 2021.*

Independent Planning Commission means Independent Planning Commission of New South Wales constituted by section 2.7 of the EP&A Act.

Occupation certificate means a certificate that authorises the occupation and use of a new building or a change of building use for an existing building in accordance with this consent.

Principal certifier means the certifier appointed as the principal certifier for building work or subdivision work under section 6.6(1) or 6.12(1) of the EP&A Act respectively.

Site work means any work that is physically carried out on the land to which the development the subject of this development consent is to be carried out, including but not limited to building work, subdivision work, demolition work, clearing of vegetation or remediation work.

Stormwater drainage system means all works and facilities relating to:
the collection of stormwater,

the reuse of stormwater,

the detention of stormwater,

the controlled release of stormwater, and

connections to easements and public stormwater systems.

Strata certificate means a certificate in the approved form issued under Part 4 of the *Strata Schemes Development Act 2015* that authorises the registration of a strata plan, strata plan of subdivision or notice of conversion.

Subdivision certificate means a certificate that authorises the registration of a plan of subdivision under Part 23 of the *Conveyancing Act 1919*.

Subdivision works certificate means a certificate to the effect that subdivision work completed in accordance with specified plans and specifications will comply with the requirements of the EP&A Regulation.

Sydney district or regional planning panel means Southern Regional Planning Panel.

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8.4.2 BUSHFIRE MAPPING UPDATE AND POLICY

DOCUMENT NUMBER	428277
REPORTING OFFICER	Lauren Dawes, Senior Building Surveyor
AUTHORISING OFFICER	Barry Paull, Interim Deputy General Manager - CCD
RELEVANCE TO COMMUNITY STRATEGIC PLAN	**1. A vibrant, safe, and inclusive community** 3.3 Responsive and adaptive community to climate change risks and impacts
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 Bushfire Prone Land Mapping Policy.pdf ⇩ 2. Draft Bushfire Prone Land Maps for Exhibition.pdf ⇩ 3. Guideline for Councils to Bushfire Prone Area Land Mapping ⇩

RECOMMENDATION

1. That Council resolve to:

(a) Publicly exhibit the proposed Bushfire Prone Land Map attached to this report for a period of not less than 28 days.

(b) Ensure that the public exhibition process is advertised and promoted through appropriate channels, including local newspapers, Council's website, and community noticeboards, to inform our community of the proposed changes and how they can make submissions.

(c) Receive a further report following the conclusion of the public exhibition period, to consider submissions received and formal endorsement of the proposed Bushfire Prone Land Map.

2. That Council resolve to:

(a) Publicly exhibit the Draft Bushfire Mapping Policy provided attached to this report for a period of not less than 28 days.

(b) Ensure that the public exhibition process is advertised and promoted through appropriate channels, including local newspapers, Council's website, and community noticeboards, to inform our community of the proposed changes and how they can make submissions.

(c) Receive a further report following the conclusion of the public exhibition period, to consider any submissions received and to seek formal endorsement of the policy.

Introduction

This report is presented to Cootamundra-Gundagai Regional Council to seek approval for the public exhibition of the draft amended Bushfire Prone Land Map for the region. The amended map reflects updated bushfire risk in line with mapping guidelines and published by the NSW RFS. The amended

map has been prepared by NSW Rural Fire Service in consultation with Council staff. The public exhibition of the draft amended map is a voluntary step in the endorsement process, proposed to ensure that our community is aware of proposed changes and is provided with an opportunity to comment before the map is formally endorsed and sent to the New South Wales Rural Fire Service (NSW RFS) Commissioner for implementation.

In addition, this report introduces a new Bushfire Mapping Policy, for public exhibition. The purpose of the policy is to formalise the Council's commitment to regularly review and update the Bushfire Prone Land Map every five years, in line with legislative requirements and best practice risk management. The policy will ensure that the Council continues to meet its obligations to provide an accurate and up-to-date bushfire prone land map, safeguarding the community and improving resilience to bushfire risks.

Discussion

Legislative Requirements Relating to Bushfire Prone Land Map

Section 10.3 Bush fire prone land of the *Environmental Planning & Assessment Act 1979* (The Act) requires that Council review the designated bushfire prone land map which applies to its local government area every 5 years and request that the Commissioner of the NSW RFS certify any amended map as a Designated Bushfire Prone Land Map.

Additionally, the provisions of this section provide for the Commissioner of the NSW RFS to review the designation of land on a bush fire prone land map for an area at any time and does not necessitate the agreement or consultation of Council.

In preparing and reviewing the Designated Bushfire Prone Land Map, Council and the Commissioner of the NSW RFS must consider the requirements of mapping guidelines published by NSW RFS – currently Guide for Bush Fire Prone Land Mapping Version 5b, November 2015 (attached).

Purpose of Designated Bushfire Prone Land Map

The Designated Bushfire Prone Land Map serves to identify areas at risk of bushfire, enabling effective planning, risk management, and safety measures. Its key purposes are:

1. **Risk Identification:** The map highlights regions prone to bushfire, based on factors like vegetation, topography, and climate, guiding informed planning and development.
2. **Planning and Development Controls:** This information is used to inform land-use policies such as Local Environmental Plans and act as a trigger for consideration of *Planning for Bushfire Protection 2019* under Section 4.14 of the *Environmental Planning & Assessment Act 1979*. The map doesn't detail the extent of any bushfire control measures required to be implemented for a development but does identify if consideration of bushfire risk is required.
3. **Emergency Response and Preparedness:** The map aids emergency services in planning firefighting efforts and evacuation routes, improving disaster response.
4. **Community Safety:** It raises public awareness about bushfire risks, encouraging residents to take proactive safety measures.
5. **Environmental Considerations:** The map supports environmental planning by considering bushfire impacts on natural landscapes and wildlife.

Overall, the map helps mitigate bushfire risks by guiding development, enhancing safety, and supporting emergency management.

Current Bushfire Prone Land Map

The current bushfire-prone land map for the Cootamundra-Gundagai Regional Council area was adopted in 2002/2003, following the introduction of the Rural Fires and *Environmental Assessment Legislation Amendment Act 2002*. This Act amended both the *Rural Fires Act 1997* and the *Environmental Planning and Assessment Act 1979*, including the addition of Section 10.3, which addresses bushfire-prone land.

Since its adoption, the map has not undergone any review or update as required by Section 10.3. The existing map identifies only Category 1 and Category 2 Vegetation, omitting Category 3 Vegetation. The requirement to include Category 3 Vegetation was introduced in 2015, with a three-year transition period during which councils were instructed to review and update their mapping accordingly. The expectation was that all councils would have incorporated Category 3 Vegetation by the end of 2018.

For reference the vegetation categories are:

- **Category 1** - is the highest risk for bush fire. Areas of forest, woodlands, heaths (tall and short), forested wetlands and timber plantations.
- **Category 2** - is a lower bush fire risk than Category 1 and Category 3 but higher than the excluded areas. This vegetation category has lower combustibility and/or limited potential fire size due to the vegetation area shape and size, land geography and management practices. Vegetation Category 2 consists of rainforests and remnant vegetation.
- **Category 3** - is medium bush fire risk vegetation. It is higher in bush fire risk than category 2 (and the excluded areas) but lower than Category 1. This category consists of grasslands, freshwater wetlands, semi-arid woodlands, alpine complex and arid shrublands.

Draft Bushfire Prone Land Map

The primary difference between the current endorsed Designated Bushfire Prone Land Map and the draft version is the inclusion of Category 3 Bushfire Prone Vegetation, which significantly broadens the scope of areas identified as bushfire prone. This key update reflects the growing bushfire risks associated with land types that were previously not mapped, particularly grassland areas, which are widespread across the Cootamundra-Gundagai Regional Council area.

The draft map now includes grasslands, which cover grazing lands and areas used for farming of curable crops such as wheat, canola, barley, and oats. These crops, when they dry out, can significantly increase fuel loads and heighten bushfire risk. While non-curing crops like broccoli and strawberries, which do not dry out, are less common in the region and may be rotated with curing crops, the updated map reflects the higher bushfire risk posed by the majority of crop lands due to their potential to dry out and add to fire fuel loads.

It is important to note that the actual bushfire risk of these areas would still be assessed on a case-by-case basis at the time of a development application, ensuring a tailored approach to each property.

Another important update in the draft map is the adjustment of many areas of remnant vegetation. Previously classified as Vegetation Category 2, many areas have now been reclassified as Vegetation Category 3 due to the ongoing loss of remnant vegetation and its transformation into grassland over time. This reflects both natural changes and land use practices in the region, highlighting the increasing bushfire risk in these areas.

As a result of including grasslands and reclassifying vegetation, the draft map now covers a larger portion of rural land, particularly outside of town and village areas. While this expansion reflects the broader bushfire risk posed by grassland and agricultural zones, it is important to emphasize that not all land within the mapped areas would pose an equal risk. The actual bushfire risk for specific properties would still be evaluated during the development application or CDC process, with consideration given to the type of vegetation, land use, and proximity and slope of the vegetation.

Benefits of Amending the Designated Bushfire Prone Land Map

Amending and exhibiting the Designated Bushfire Prone Land Map provides several key benefits to Council, the community, and applicants, ensuring better alignment with legislative requirements and improved clarity in development processes. These benefits include:

- **Legislative Compliance:** Amending the map ensures Council meets its obligations under the Environmental Planning and Assessment Act 1979 and aligns with current bushfire mapping guidelines. This process helps Council remain compliant with state-level requirements while addressing evolving bushfire risks.

- **Transparency and Community Involvement:** While community consultation is not legally required for the map amendment, Council's decision to publicly exhibit the draft map demonstrates a commitment to transparency and engaging the community in the process. This offers an opportunity for residents and stakeholders to provide input and ensures a fair and inclusive approach to decision-making. Importantly, the NSW RFS has indicated a willingness to amend the map directly if Council does not take action to incorporate grasslands into the current mapping.

- **Consistency and Certainty for Development Applications:** Amending the map will provide greater clarity for applicants and Council staff when assessing development proposals. The Planning for Bushfire Protection 2019 guidelines must be considered for all mapped bushfire-prone areas under Section 4.14 of the EP&A Act. However, unlisted properties, especially those in grassland areas not currently captured on the map, often create uncertainty for applicants. In these cases, the Section 4.15 Evaluation under the EP&A Act requires still Council to assess bushfire risk, leading to unexpected delays and confusion. The benefits of updating the map include:
    - **Faster Development Assessment:** With an up-to-date map, developers and Council staff will have clearer guidance, reducing delays in processing applications.
    - **Reduced Costs for Applicants:** Applicants would avoid unforeseen expenses related to bushfire risk mitigation measures that may arise unexpectedly during the assessment process. By identifying the bushfire risk early in the process, design measures can be applied at the initial stages of a development. This provides opportunity for decisions to be made that reduce cost implications of bushfire protection measures from the outset such as window locations, setbacks from boundaries and proximity to vegetation and/or steep slopes and building materials can all be considered to balance and reduce costs. By contrast, the lack of Category 3 Vegetation on the current bushfire prone land map can result in instances where the risk and need to address *Planning for Bushfire Protection 2019* is only identified during assessment after the location and design of a proposed development has been finalised, reducing opportunity for such matters to be considered from the outset or resulting in increased fees associated with plan amendments.

- **Consistency in Decision-Making:** Staff would have clearer, more consistent criteria for applying the *Planning for Bushfire Protection 2019* guidelines, minimising confusion and ensuring consistent and more predictable outcomes for applicants.

- **Consistency with Councils in the Region:** Surrounding councils, including Goulburn-Mulwaree, Yass Valley, Wagga Wagga City, Griffith City, Edward River, and Albury, have adopted updated bushfire-prone land mapping that incorporates Category 3 Vegetation in accordance with current guidelines. Aligning with these councils ensures consistency in how bushfire hazards are addressed, fostering a cohesive approach across the region. This benefits applicants by providing clarity, reducing complexity when navigating development requirements, and promoting equitable treatment across jurisdictions. Such consistency also enhances regional preparedness and compliance with state planning and bushfire risk management strategies.

- **Compliance with CGRC Rural Land Strategy:** The Rural Land Strategy was adopted by Council in June 2020. Under *Considerations of Directions Issued by the Minister (Section 9.1 Directions)* of the Strategy Council made a commitment to undertake a "*review of the bushfire mapping for the local government area will be undertaken in the near future*".

Benefits of Adopting a Policy for Bushfire Mapping

The proposed policy aims to ensure that Council fulfills its legislative obligation of Section 10.3 of The Act to review bushfire-prone land mapping every five years. It also provides for a transparent process that includes community consultation and engagement. Additionally, the draft policy ensures that any impending changes to the Designated Bushfire-Prone Land Map are publicly accessible and that details of these changes are included on Section 10.7 Planning Certificates. This approach informs potential purchasers of pending updates, acknowledging that a delay may occur between the map's endorsement by Council and its certification by the NSW RFS Commissioner.

Financial

No financial impacts for Council.

OLG 23a Guideline consideration

No impact identified.

COOTAMUNDRA-GUNDAGAI REGIONAL COUNCIL

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Draft Bush Fire Prone Land Mapping Policy

Policy Approval and Distribution

Approved by	Council resolution
Responsible Officer	Manager Sustainable Development
Council Service Unit	Sustainable Development
Next Review Date	dd-MMM-yyyy
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

Version Control

Ref	Date	Description	Resolution Number
V1	*28/01/2025*	*Presented to Council to facilitate public exhibition process*	

Purpose

The purpose of this policy is to:

- Meet Councils obligations under Section 10.3 Bush fire prone land of the Environmental Planning and Assessment Act 1979 (as amended), by establishing an on-going process for the review of Councils bush fire prone land map; and
- Minimise risks to life and property associated with bush fire hazards.

Scope

This policy applies to all land within the Cootamundra-Gundagai Local Government Area and outlines Council's roles and responsibilities in the ongoing review and identification of bush fire prone land.

Definitions

CGRC

Cootamundra Gundagai Regional Council

Bush Fire Prone Land Map

A map prepared in accordance with NSW RFS requirements and certified by the Commissioner of the NSW RFS under Environmental Planning & Assessment Act 1979 Section 10.3(2).

As defined by Planning for Bushfire Protection.

Draft Bush Fire Prone Land Map

A map endorsed by Council and the relevant NSW RFS District Office awaiting endorsement from Commissioner of the NSW RFS.

Development

As defined by Section 1.5 of the Environmental Planning and Assessment Act 1979

Development Application

As defined by Section 1.4 of the Environmental Planning and Assessment Act 1979

RFS

NSW Rural Fire Service

Legislative Framework

- Environmental Planning and Assessment Act 1979
- Environmental Planning and Assessment Regulation 2021
- Rural Fires Act 1997
- Rural Fires Regulations 2022
- Guide for Bush fire Prone Land Mapping Version 5b, published by NSW RFS

Related CGRC Documents

Nil

Review Period

This document is to be reviewed every 5 years, or as legislative requirements are updated to ensure that it remains relevant and meets legislative requirements.

Policy Statement

Introduction

The Cootamundra-Gundagai Regional Council area includes extensive bush fire prone land, such as National Parks, State forests, bushland reserves, and farmlands.

Development on bush fire prone land must incorporate measures that protect human life, property, and valuable environmental assets from bush fire threats, while avoiding unacceptable environmental impacts. The application of these requirements is largely determined by whether a development site is identified as being at risk on the Bush Fire Prone Land Map.

As the local government authority, Council is legally obligated to establish, regularly review, and update the Bush Fire Prone Land Map.

Legislative requirements for mapping of bush fire prone land

Section 10.3 of the Environmental Planning and Assessment Act 1979 (EP&A Act)

Section 10.3 of the EP&A Act requires that Council must review the adopted Bush Fire Prone Land Map for the area and send the map to the Commissioner of the NSW Rural Fire Service for designation and certification of the map every 5 years.

The identification and categorization of bush fire prone land are carried out in accordance with the guidelines set by the Rural Fires Act 1997, as published by the NSW RFS.

Before submitting the reviewed map for endorsement by the NSW Fire Commissioner, Council must consult with the local NSW RFS District (South West Slopes) and obtain a letter from the District Manager confirming their agreement with the proposed amendments.

Exhibition and Community Consultation of draft mapping

Public exhibition of the Bush Fire Prone Land Map prior to Council endorsement is not required under the Rural Fires Act 1997 or the Environmental Planning and Assessment Act 1979. However, as part of this policy, Council will conduct a public exhibition of the draft map for a minimum of 28 days and will consider any submissions received before final endorsement and submission to the Commissioner of the NSW Rural Fire Service (RFS).

Adoption of Draft Bushfire Prone Land Map

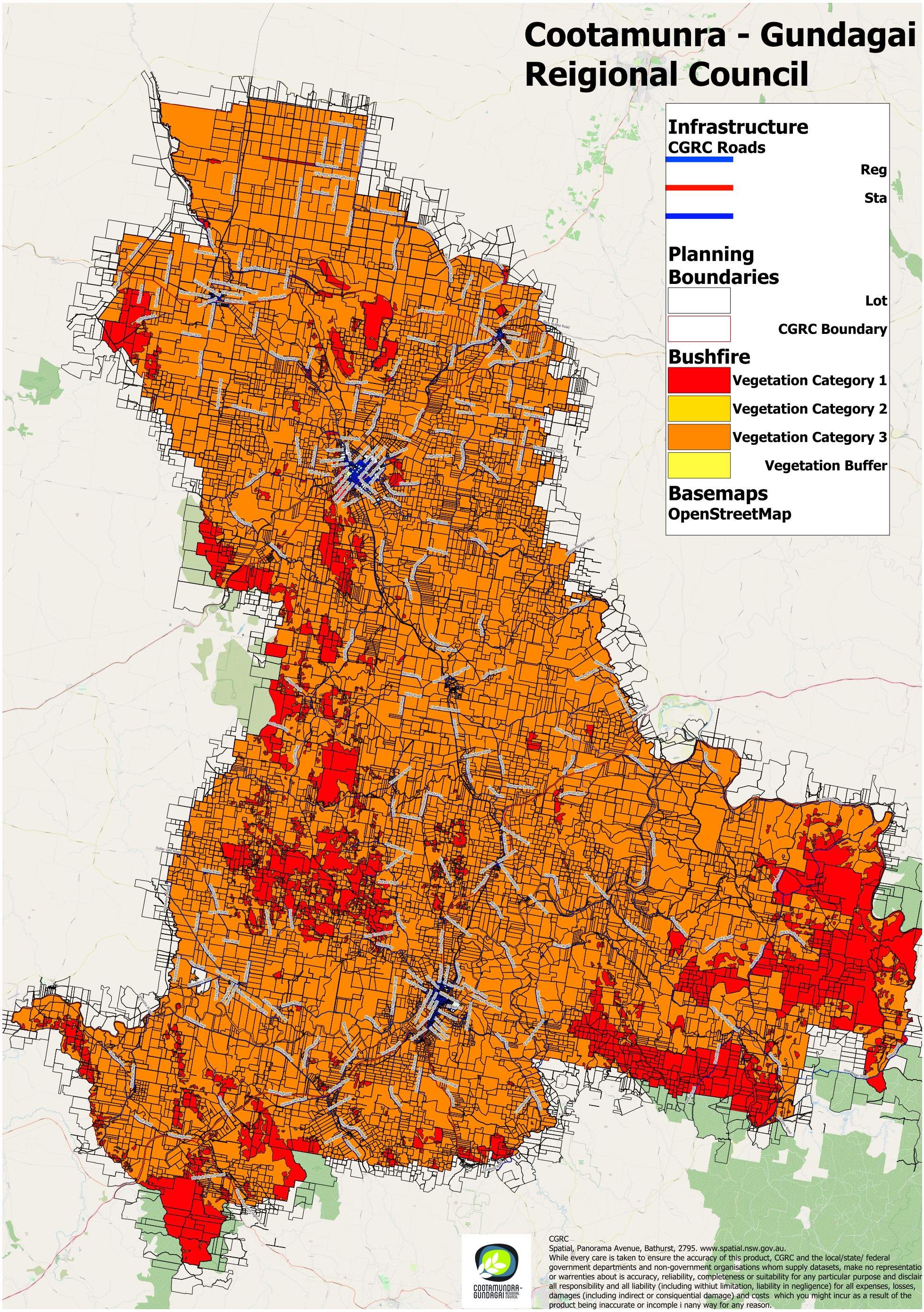
Following the endorsement of the Bush Fire Prone Land Map by Council, the local NSW Rural Fire Service (RFS) District, and its submission to the Commissioner of the NSW RFS for designation, the map will be adopted by Council as a Draft Bush Fire Prone Land Map until the designation process is completed.

The Draft Bush Fire Prone Land Map will be used by Council staff to identify developments that must comply with the specifications and requirements of Planning for Bushfire Protection under Section 4.15 of the EP&A Act.

The Draft Bush Fire Prone Land Map will be made publicly available on Council's website. Additionally, Section 10.7 Planning Certificates issued by Council will identify:

a) Whether the lot or part of the lot is designated as bush fire prone land on the current Designated Bush Fire Land Map; and
b) Whether the lot or part of the lot is identified as bush fire prone land on Council's adopted Draft Bush Fire Land Map.

Council acknowledges that the designation process by the Commissioner of the NSW RFS may take time. In the interim, adopting and making the Draft Bush Fire Prone Land Map available for the purposes of Section 10.3 of the EP&A Act ensures greater transparency and provides valuable information to the public and applicants while awaiting the final designation of the map.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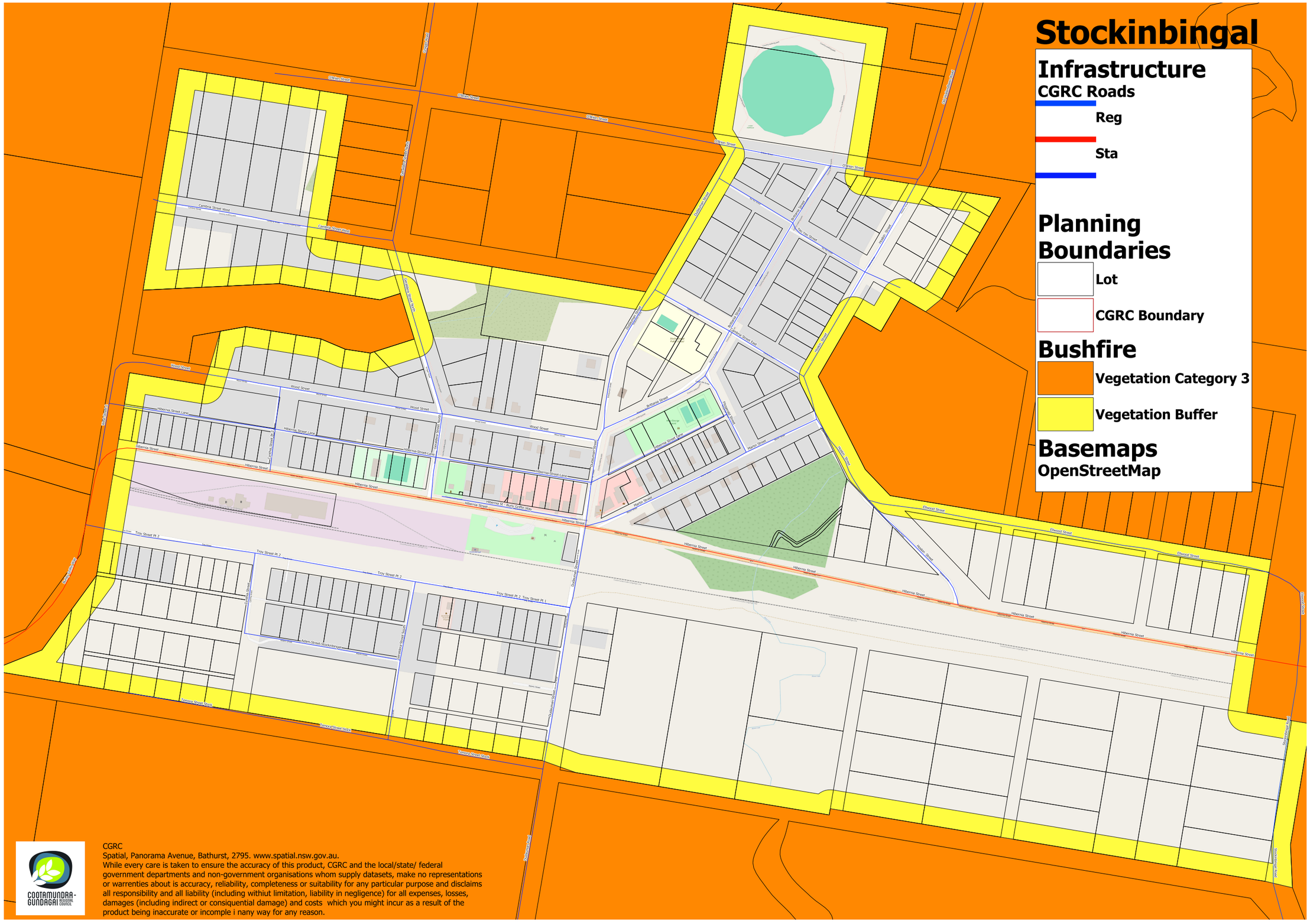
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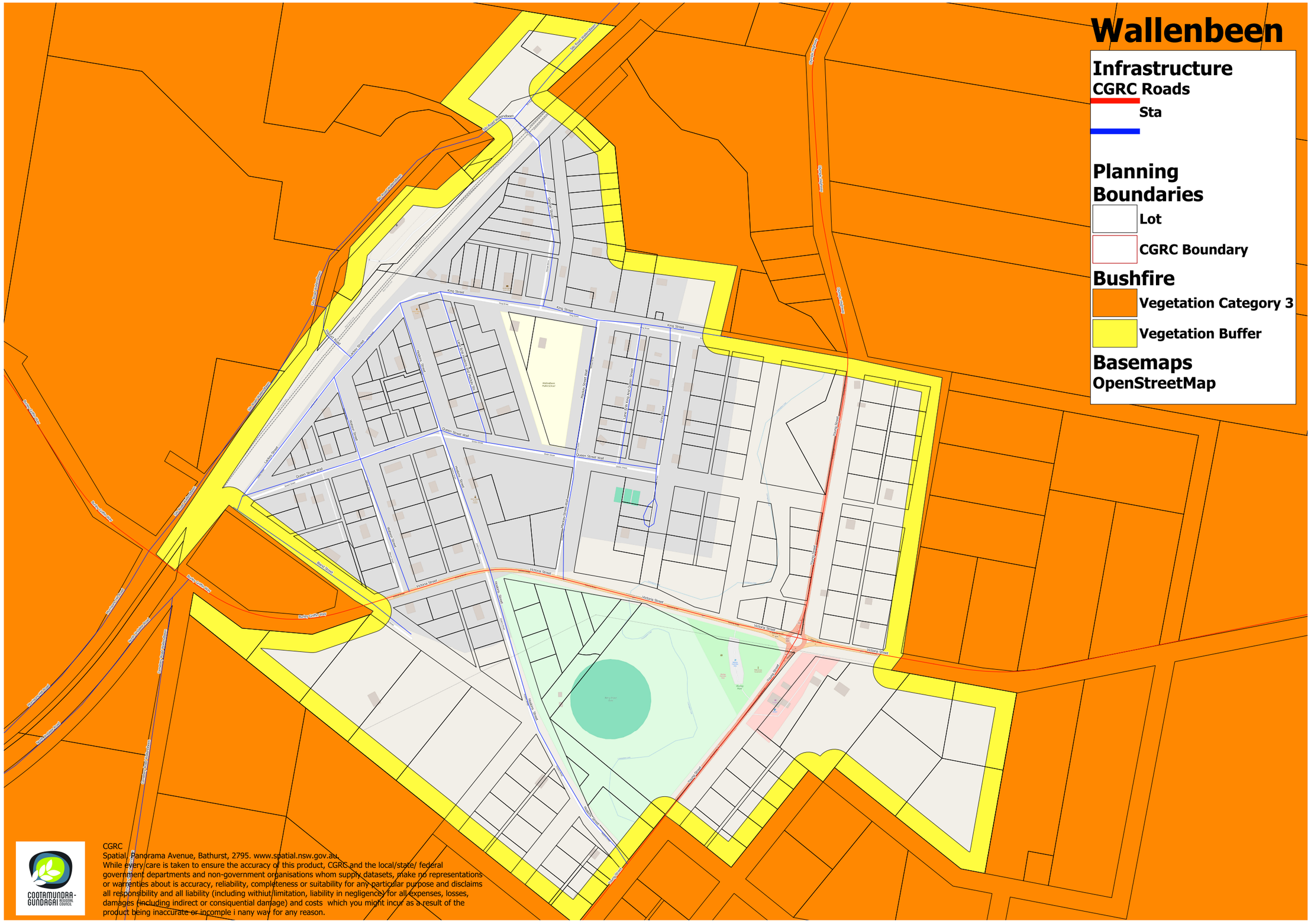
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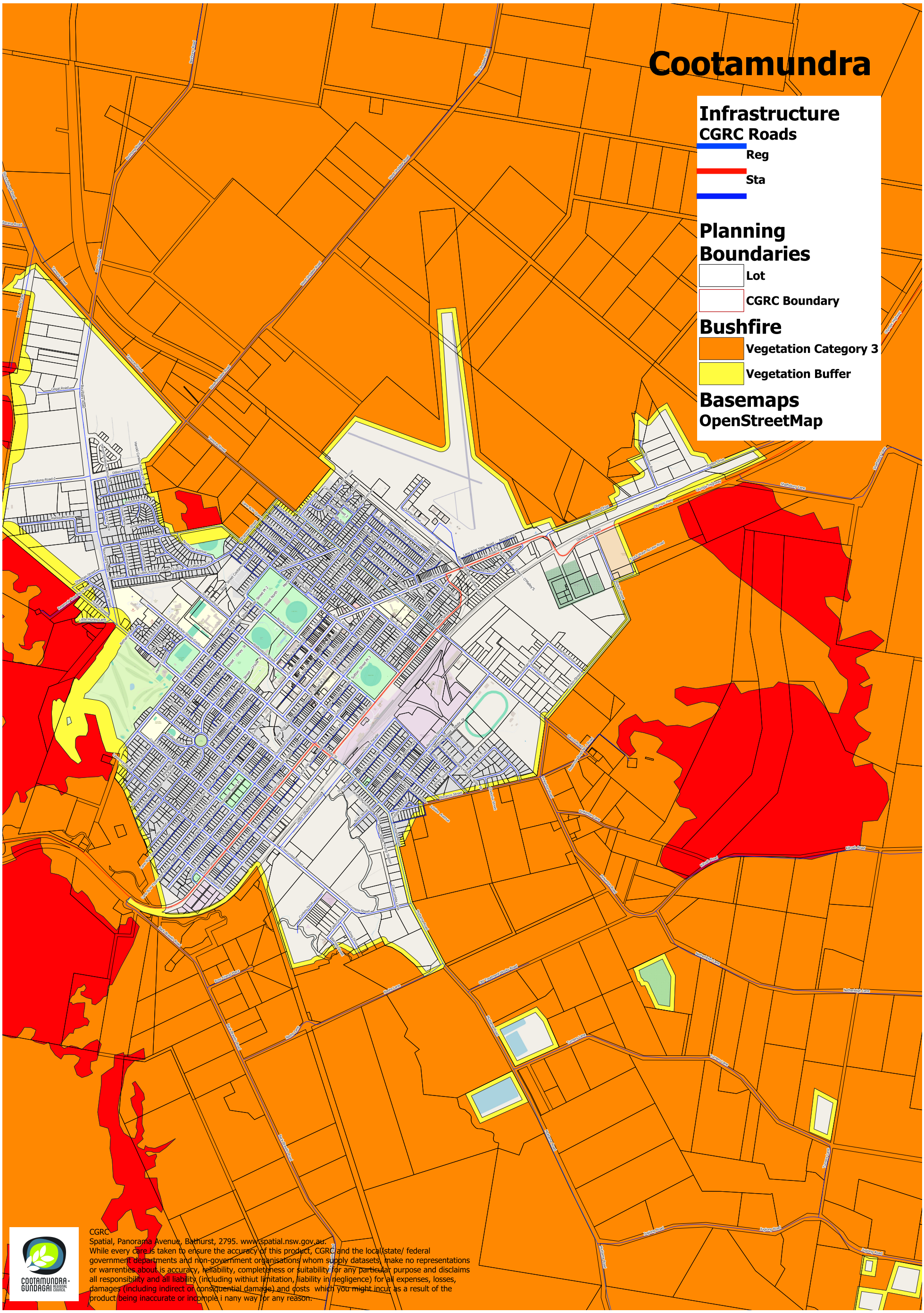
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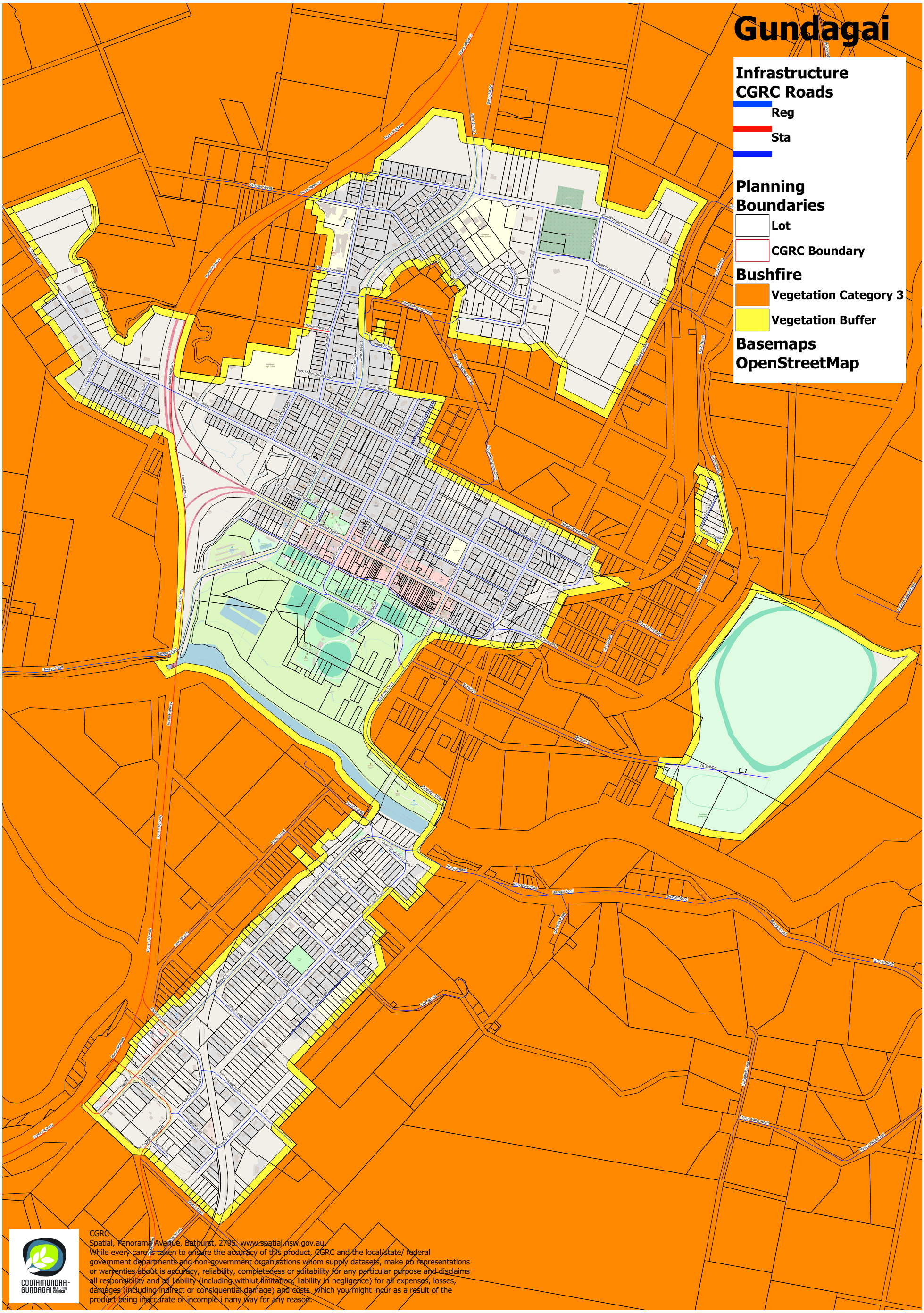
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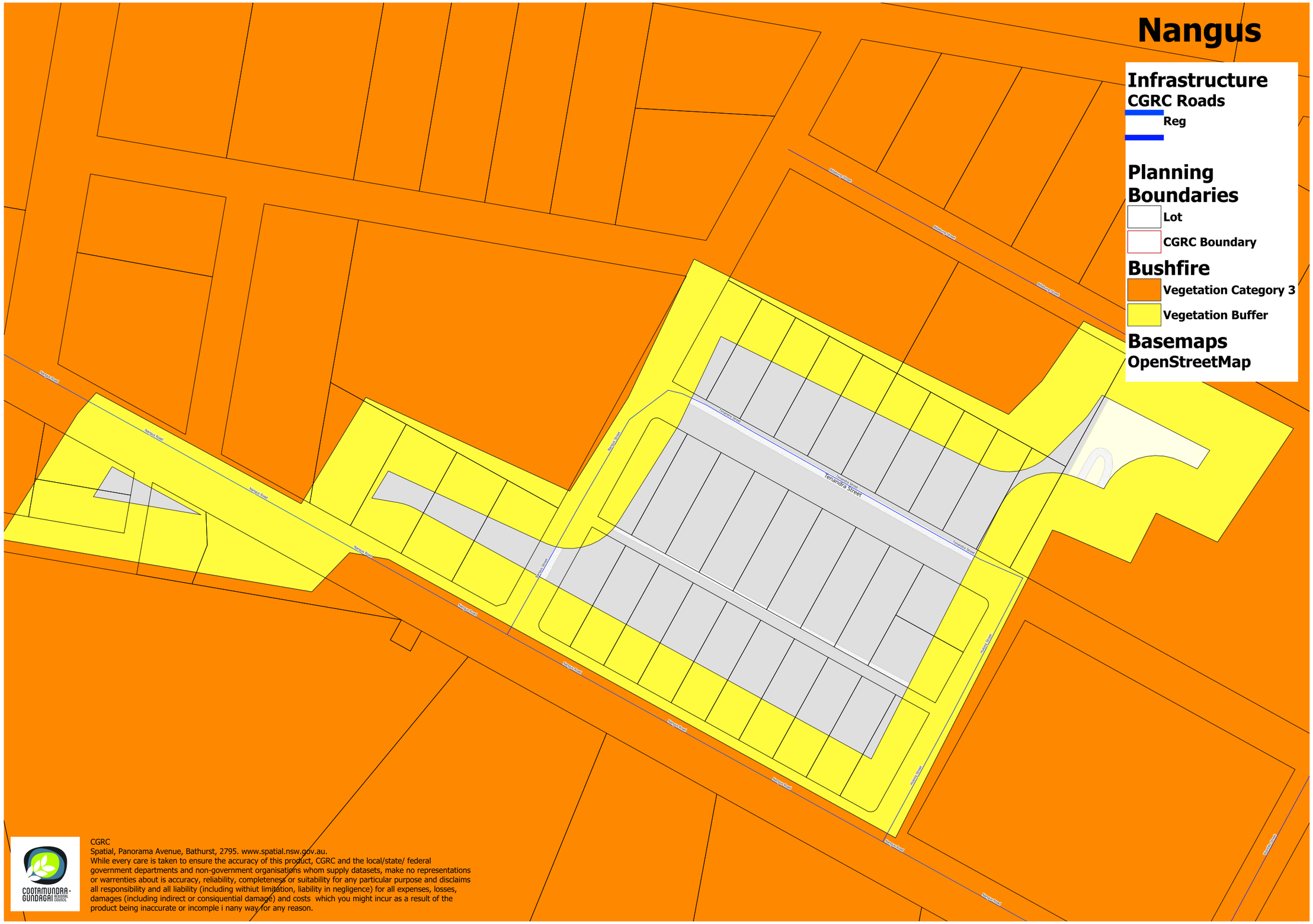
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NSW RURAL FIRE SERVICE

NSW GOVERNMENT

GUIDE FOR BUSH FIRE PRONE LAND MAPPING

VERSION 5b

November 2015

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The NSW Rural Fire Service reserves the right to review this guideline. The information contained in this document is subject to change from time to time.

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1 Definitions

Agricultural land - A piece of land used for agricultural purposes including, but not limited to, dairying, pig-farming, poultry farming, viticulture, orchards, bee-keeping, horticulture, vegetable growing, the growing of crops of any kind, or any combination of these, but excluding forestry and plantations (e.g. tea tree).

Bush fire hazard - The potential for land to carry a bush fire, utilising materials or fuels that can be ignited.

Bush fire prone area - An area of land that can support a bush fire or is likely to be subject to bush fire attack, as designated on a bush fire prone land map.

Bush fire prone vegetation map (BFPV) - A map prepared in accordance with this guide and defining areas of vegetation by BFPV categories. This map may be prepared by Council or Urban Release Area developers.

Bush fire prone land map (BFPL) - A map prepared in accordance with this guide and certified by the Commissioner of the NSW RFS under section 146(2) of the *Environmental Planning and Assessment Act 1979*.

Bush fire risk evacuation map - A map developed by council in consultation with the NSW RFS which identifies land that is susceptible to evacuation difficulties in the event of a bush fire. Certain Special Fire Protection Purpose developments may be deemed inappropriate for these areas and may be prohibited. The map will identify these areas via cross-hatching.

The bush fire risk evacuation map is held by the Department of Planning and Environment. A copy of this map also needs to be provided to the NSW RFS.

Council/s - The council of a local government area (LGA).

Designated bush fire prone land - In relation to an area, means land recorded for the time being as bush fire prone land on a bush fire prone land map for the area.

Digital data - The electronic datasets comprising the certified bush fire prone land polygons and the related metadata (in MapInfo TAB or ESRI Shapefile format).

Grasslands - Grassed areas capable of sustaining a fire. Under *Australian Standard 3959 Construction of buildings in bushfire-prone areas,* identified as low open shrubland, hummock grassland, closed tussock grassland, tussock grassland, open tussock, sparse open tussock, dense sown pasture, sown pasture, open herbfield, and sparse open herb field.
Grass, whether exotic or native, which is regularly maintained at or below 10cm in height (includes maintained lawns, golf courses, maintained public reserves, parklands, nature strips and commercial nurseries) are regarded as managed land.

LPI – NSW Land and Property Information

Managed Land - Managed land is land that has vegetation removed or maintained to limit the spread and impact of bush fire. It may include existing developed land (i.e. residential, commercial or industrial), roads, golf course fairways, playgrounds or sports fields, vineyards, orchards, cultivated ornamental gardens and commercial nurseries. Most common will be gardens and lawns within curtilage of buildings. These areas will be managed to meet the requirements of an Asset Protection Zone.

Remnant Vegetation – For purposes of this guide, remnant vegetation is vegetation that is considered to be of a lower bush fire risk (than Category 1 and Category 3) due to the size and/or shape of the parcel. This includes areas of vegetation greater than one hectare, but less than 2.5 hectares in size.

Urban Release Area (URA) – Land that is defined as being located within an urban release area by NSW Department of Planning & Environment.

2 Introduction

On 1 August 2002, the *Rural Fires and Environmental Assessment Legislation Amendment Act 2002* amended the *Rural Fires Act 1997* and the *Environmental Planning and Assessment Act 1979* (*EP&A Act*) to provide significant improvements in bush fire safety. This included a requirement for the preparation of a bush fire prone land map identifying vegetation within LGAs that has the potential to support a bush fire. The bush fire prone land map is the trigger for the consideration of bush fire protection measures for new development (*Planning for Bush Fire Protection* and Australian Standard 3959-2009 – *Construction of buildings in bush fire prone areas*).

On 1 March 2013, the *EP&A Act* was amended allowing the NSW Rural Fire Service (NSW RFS) to update bush fire prone land maps for urban release areas in a streamlined fashion.

This guide provides the details for the mapping of bush fire prone land as required under section 146 of the *EP&A Act*. It is to be used by the NSW RFS, councils, and those involved in the mapping of urban release areas.

The methodology is one that is to be applied State wide for comparative purposes. The data set created for the purposes of mapping bush fire prone land can also be used by Councils to create other maps like a Bush Fire Property Map and Bush Fire Risk Evacuation Map.

3 Legislation

This section outlines the legislative context for the mapping of bush fire prone land and the assessment of Development Applications on such land.

Section 146 of the *EP&A Act* requires councils, where a Bush Fire Risk Management Plan applies, to record a bush fire prone land map after consulting with the Commissioner of the NSW RFS. The Commissioner will designate lands to be bush fire prone within an area and, when satisfied that the lands have been recorded on a map, certify the map as the Bush Fire Prone Land map. Councils are required to make these maps available for public inspection.

Section 149 of the *EP&A Act* requires that a council will, in the planning certificate, include advice on relevant matters affecting a parcel of land of which it may be aware. This includes Bush Fire Prone Land, as specified in Schedule 4 of *Environmental Planning and Assessment Regulation 2000*. The section 149 certificate is an important mechanism for councils to inform people living in or looking to purchase into a bush fire prone area, that bush fire is a consideration.

Section 79BA of the *EP&A Act* requires that where development of bush fire prone land occurs, the consent authority must be satisfied that the development complies with *Planning for Bush Fire Protection* 2006 or has consulted with the Commissioner of the NSW RFS.

Complying development is permitted on bush fire prone land for the lower risk bush fire attack levels (Australian Standard 3959 BAL levels 12.5, 19, and 29). Such development is required to meet development standards complying with *Planning for Bush Fire Protection 2006*.

Section 100B of the *Rural Fires Act 1997* requires that a Bush Fire Safety Authority is issued by the Commissioner of the NSW RFS for all residential subdivision or special fire protection purpose developments on Bush Fire Prone Land. A Bush Fire Safety Authority is issued where the Commissioner believes that the development complies with standards that provide the development with appropriate protection measures against bush fire.

4 Limitations

Bush Fire Prone Land mapping is intended to designate areas of the State that are considered to be higher bush fire risk for development control purposes. Not being designated bush fire prone is not a guarantee that losses from bush fires will not occur.

Changes to the landscape may occur from time to time and therefore the certified bush fire prone land maps may not be a true indication of bush fire risk.

5 Monitoring and Review

Council, having had its Bush Fire Prone Land certified by the Commissioner of the NSW RFS, should regularly monitor and review the information to ensure currency and reliability of data depicted.

Monitoring and review of the bush fire prone land should reflect required certification and approval standards within legislative timeframes (i.e. before the end of the period of every five years after the certification date of the map as outlined in section 146 of the EP&A Act).

Notwithstanding, bush fire prone land maps may need to be reviewed and prepared on a more frequent basis depending on the extent of vegetation changes within the LGA (e.g. annually). In its review, council should consider any areas of expanding residential development leading to vegetation loss or areas of vegetation regrowth. Factors to consider in mapping vegetation change include data currency, resolution and availability of air photography/satellite imagery and vegetation maps plus mapping accuracy.

6 Bush Fire Prone Mapping Process

6.1 Process for Amendments and Certification of a Bush Fire Prone Land Map

For Urban Release Areas section 6.2 and 6.3 of this document will apply.

The following describes the process for re-certification of Bush Fire Prone Land maps for Council. An amendment is treated as a re-certification.

- Council should initially contact NSW RFS Headquarters (HQ) regarding the review of the map to obtain requirements for re-certifying.
- NSW RFS HQ will notify and liaise with the relevant NSW RFS District Office (or NSW Fire & Rescue section for non NSW RFS districts) to assist in coordinating the recertification process.
- NSW RFS HQ will provide Council a digital copy of the Bush Fire Prone Land map plus 1 kilometre buffer into adjoining Council areas (allowing for consistency along boundaries).
- Council to review bush fire prone vegetation and update then refer back to NSW RFS HQ.
- Once satisfied NSW RFS will forward map to Council
- Once satisfied with the content of the map, Council to provide Bush Fire Prone Land map to NSW RFS HQ for approval and certification as follows:
  - Council to forward the data file to NSW RFS Headquarters for processing. This shall be provided as digital data (e.g. MapInfo Tab File or ESRI Shape File, with the map projection defined).
  - Council shall include with the digital dataset a letter requesting the Commissioner certify Council's map and detail the proposed changes.
  - Council is also to include an accompanying letter from the manager of the local NSW RFS District responsible for that council (or relevant NSW RFS Customer Service Centre in non rural fire districts), confirming the proposed amendments and its concurrence to them.
  - Any contentious issues are to be resolved prior to the recertification and printing of final bush fire prone land maps. Where anomalies or issues are identified during the recertification

process, the NSW RFS will contact the local council. Any amendments to the map are the responsibility of the council.

- The NSW RFS will commence the recertification process once amendments have been agreed to by NSW RFS district staff (or relevant NSW RFS Customer Service Centre in non rural fire districts) and council, and all information is complete and accepted as being accurate.
- The NSW RFS will endeavour to provide a hard copy of the Bush Fire Prone Land map certified by the Commissioner and accompanying digital data to the council within 28 days of processing the final amendments.

All communication regarding bush fire prone land is to be provided to the NSW RFS by mail or email. Refer to NSW RFS contacts in Section 8.9 of this document.

6.2 Process for Amendments and Certification of a Bush Fire Prone Land Map for Urban Release Areas (URA)

Any proposed amendment to a bush fire prone land map is to be regarded as requiring re-certification. A draft map does not constitute a certified map.

This document is to be used in conjunction with the URA User Guide. The User Guide and other supplementary documentation to assist in the application process will be available on the NSW RFS website.

Before an applicant decides to go through this process, the applicant must confirm the site is located within a defined Urban Release Area. Please check the NSW Department of Planning & Environment website for details.

The following is the process for re-certification of Bush Fire Prone Land maps for those developing urban release.

a. The applicant is to request a bush fire prone land map dataset for the subject area from NSW RFS Headquarters.
b. The NSW RFS will electronically provide this in the form of a shape file of the existing BFPV plus buffer and surrounding 200 metres of site.
c. NSW RFS HQ will notify and liaise with the relevant NSW RFS District Office (or Fire & Rescue NSW section for non NSW RFS districts) to assist in coordinating the recertification process.
d. Applicant to review dataset and update in accordance with this guide.
e. The applicant is to submit an application form (Appendix 1) with an amended data set to the NSW RFS Planning and Development at Headquarters for processing. This shall be provided as digital data (e.g. MapInfo Tab File or ESRI Shape File, with the map projection defined).
f. NSW RFS Headquarters advises relevant council that an application has been received for an amendment to the Bush Fire Prone Land Map.
g. Liaison will occur if required with the relevant NSW RFS office, which will provide written confirmation of the proposed amendments and its concurrence to NSW RFS Headquarters.
h. Where anomalies or issues are identified during the recertification process, the NSW RFS will liaise with the applicant. If issues cannot be resolved and the NSW RFS does not support the amendments, the applicant will be contacted to discuss the disparity with NSW RFS. NSW RFS reserves the right to be the absolute arbiter and will advise applicants in writing of determinations.

i. The NSW RFS will commence the recertification process once amendments have been agreed to and all information is complete and accepted as being in accordance with the guidelines.

j. Once certified the NSW RFS will provide a hard copy of the BFPLM and accompanying digital data to the council and a soft copy (pdf) to the proponent as soon as possible after processing the amendments.

k. All communication regarding bush fire prone land is to be delivered to the NSW RFS by mail or email. Refer to NSW RFS contacts in Section 8.9 of this document.

6.3 Mapping Category 3 Vegetation

As part of the introduction of Category 3 into the Bush Fire Prone Land system, a 3 year transition period will occur. During this period councils will need to recertify their bush fire prone land maps and incorporate the new Category 3 layer.

To assist councils with mapping Category 3 vegetation, the NSW RFS has created a Category 3 vegetation layer. This layer could assist councils in mapping Grasslands along with the other Category 3 vegetation types. If Councils are interested in obtaining a copy of this data, please contact the Co-ordinator or NSW RFS HQ GIS section for the dataset. This dataset is intended to be used as a draft for mapping bush fire prone vegetation.

6.4 Interim Measures for Mapping Urban Release Areas

Due to the introduction of Category 3, it is necessary to clarify these requirements when mapping urban release areas. Given the URA process is intended to be streamlined; the NSW RFS will liaise with Council in relation to the inclusion of Category 3 and, depending on circumstances, may recertify the application under the 2014 version of the guide (Category 1 and Category 2 vegetation only). Any rectifications outside the URA process will require incorporation of Category 3 as per Section 7.

6.5 Map for Commissioner's Approval

The NSW RFS will print the final Bush Fire Prone Land map using the standard NSW RFS template for approval by the Commissioner.

Any contentious issues are to be resolved prior to the recertification and printing of final Bush Fire Prone Land maps.

The NSW RFS will produce three hard copies of the certified Bush Fire Prone Land map (at A0 size for the LGA) to be filed and distributed as follows:

- Copy 1 – for NSW RFS, Planning and Development section;
- Copy 2 – for NSW RFS, District Manager (or Fire and Rescue NSW);
- Copy 3 – for Council records.

The NSW RFS will also distribute a digital version of the map back to Council along with the associated metadata.

The NSW RFS may also display the Bush Fire Prone Land data and maps on the NSW RFS website. Data will also be made available for download from data.nsw (http://data.nsw.gov.au/) in alignment with NSW Government Open Government Policy.

The Commissioner shall certify the Bush Fire Prone Land map under section 146 of the *EP&A Act.* upon advice of the Manager, Development Planning and Policy.

7 Steps to Prepare a Bush Fire Prone Land Map

Bush Fire Prone Land maps are required to be reviewed at least every five years. When preparing a map it should be based on the most up to date aerial photography, or satellite imagery and where necessary field inspection/ground truthing to ensure accuracy.

The methodology for preparing a bush fire prone mapping products is outlined in sections 6.1 - 6.4.

7.1 Step 1 - Identification of BFPV

RESPONSIBILITY: Council / Applicant in URA process
CUSTODIAN: NSW RFS DATA BROKER: Council

This section defines the methodology and criteria for determining what is categorised as BFPV. Council may undertake their own vegetation mapping studies, source vegetation information from Local Vegetation Studies, or utilise satellite or air photography. State government agencies such as National Park and Wildlife Services and the Office of Environment and Heritage have also conducted vegetation mapping. Care must be taken when sourcing vegetation information to ensure it is fit for purpose. When undertaking mapping the following considerations are to be taken into account:

- vegetation regrowth and clearing
- likely urban development upon approved development land
- boundary alignment with adjoining councils
- land management practices
- mapping accuracy and quality, refer to section 8; and
- for URAs, land/vegetation should be mapped as bush fire prone where it
  - has been rezoned as environmental protection or
  - areas where a riparian corridor, nature reserve or similar is proposed and management is not guaranteed.
  - this is applied even if the area has not been fully established or the vegetation in its current form is in its infancy.

*Note: As part of the transition period for Category 3, council should contact the NSW RFS to obtain a copy of the draft Category 3 dataset.

Council may use various sources to build the most current vegetation map including air photography, satellite imagery and vegetation maps. The data sources and methods used to map the BFPV need to be set out in ANZLIC/ISO compliant metadata statement and provided to the NSW RFS.

7.1.1 Methodology

The methodology for categorising bush fire prone land is as follows:

Identify and determine vegetation types (Keith, 2005) for all land within the local government area (both private and public tenure), using *Planning for Bush Fire Protection*. Vegetation is to be classified into the following categories based on vegetation types and potential risk:

Vegetation Category 1

Vegetation Category 1 is considered to be the highest risk for bush fire. It is represented as red on the bush fire prone land map and will be given a 100m buffer. This vegetation category has the highest combustibility and likelihood of forming fully developed fires including heavy ember production. Vegetation Category 1 consists of:

- Areas of forest, woodlands, heaths (tall and short), forested wetlands and timber plantations.

Vegetation Category 2

Vegetation Category 2 is considered to be a lower bush fire risk than Category 1 and Category 3 but higher than the excluded areas. It is represented as light orange on a bush fire prone land map and will be given a 30 metre buffer. This vegetation category has lower combustibility and/or limited potential fire size due to the vegetation area shape and size, land geography and management practices. Vegetation Category 2 consists of:

- Rainforests.
- Lower risk vegetation parcels. These vegetation parcels represent a lower bush fire risk to surrounding development and consist of:
  - Remnant vegetation;
  - Land with ongoing land management practices that actively reduces bush fire risk. These areas must be subject to a plan of management or similar that demonstrates that the risk of bush fire is offset by strategies that reduce bush fire risk; AND include:
    - Discrete urban reserve/s;
    - Parcels that are isolated from larger uninterrupted tracts of vegetation and known fire paths;
    - Shapes and topographies which do not permit significant upslope fire runs towards development;
    - Suitable access and adequate infrastructure to support suppression by firefighters;
    - Vegetation that represents a lower likelihood of ignitions because the vegetation is surrounded by development in such a way that an ignition in any part of the vegetation has a higher likelihood of detection.

Vegetation Category 3

Vegetation Category 3 is considered to be medium bush fire risk vegetation. It is higher in bush fire risk than category 2 (and the excluded areas) but lower than Category 1. It is represented as dark orange on a Bush Fire Prone Land map and will be given a 30 metre buffer. This category consists of:

- Grasslands, freshwater wetlands, semi-arid woodlands, alpine complex and arid shrublands.

7.1.2 **Exclusions**

Vegetation excluded from being mapped as bush fire prone includes:

- Single areas of vegetation less than 1 hectare in area and greater than 100 metres separation from other areas of Category 1, 2 or 3 vegetation;
- Multiple areas of vegetation less than 0.25 hectares in area and not within 30 metres of each other;
- Strips of vegetation less than 20 metres in width, regardless of length and not within 20 metres of other areas of Category 1, 2 or 3 vegetation;
- Areas of “managed grassland” including grassland on, but not limited to, recreational areas, commercial/industrial land, residential land, airports/airstrips, maintained public reserves and parklands, commercial nurseries and the like;

- Areas of managed gardens and lawns within curtilage of buildings;
- Non-vegetated areas, including waterways, roads, footpaths, buildings and rocky outcrops.
- Managed botanical gardens;
- Agricultural lands used for annual and/or perennial cropping, orchard, market gardens, nurseries and the likes are excluded;
- Saline wetlands including mangroves.
- Other areas that, due to their size, shape and overall risk are not considered Category 1, 2 or 3 vegetation.

NOTE:

- The BFPV dataset must exclude any vegetation identified as an 'Exclusion' (see above).
- NSW RFS has an automated Geographic Information Support process to determine the size and lateral separation of areas of remnant vegetation according to the 'exclusions'. Vegetation may be downgraded by this process.
- Councils will need to concentrate on both the classification of vegetation of and determined land management practices for the vegetated areas being assessed.
- Councils do not need to buffer the vegetation. Buffering is undertaken in step 2, using the NSW RFS automated processes.
- Further advice is available from the NSW RFS GIS Unit.

At the conclusion of this part of the process there will be a spatial dataset named 'BFPV'.

7.2 Step 2 - Preparation of Bush Fire Prone Land Map

RESPONSIBILITY: NSW RFS/Council
CUSTODIAN: NSW RFS/Council DATA BROKER: Council/NSW RFS

The BFPLM consists of buffered vegetation (produced in Step 1). Before the BFPV is buffered, NSW RFS will undertake quality checking as outlined in section 8.6, including checking remnant vegetation and compliance to exclusions. Any identified changes to the supplied BFPV map will be confirmed with Council.

7.3 BFPV Buffer

This section defines the criteria for determining the BFPV buffer. Once areas of vegetation have been defined and the appropriate bush fire vegetation categories have been applied, it will be necessary to apply the buffering criteria.

The method for the determination of bush fire vegetation buffering is as follows: -

- BFPV Category 1 – apply a 100 metre external buffer to each vegetation polygon.
- BFPV Category 2 – apply a 30 metre external buffer to each vegetation polygon.
- BFPV Category 3 – apply a 30 metre external buffer to each vegetation polygon.

At the conclusion of this process there will be one dataset; comprising of four parts; Vegetation Category 1, Vegetation Category 2, Vegetation Category 3 and Buffer. This will be used to define 'Bush Fire Prone Land' and will be displayed on a map.

8 Map Publishing, Data Management and Quality

These map and data requirements are necessary to ensure a coordinated and standardised approach to generating and maintaining Bush Fire Prone Land maps. These requirements apply only to map outputs, not to data structures or formats within local council database environments.

8.1 Copyright and Licensing

Given that bush fire prone land maps are published under control of the State of NSW (through the NSW RFS, section 146 *EPA Act* and associated guidelines), copyright is owned by the NSW RFS pursuant to sections 176 and 177 of the *Copyright Act 1979*.

AusGOAL and creative commons licensing "provides a framework for government and other organisations affected by Right To Information to give full effect to its underlying policy. It supports open licensing decisions that enable the community to re-use the information as intended by the legislative reforms." (AusGoal, 2011). In NSW this right to information is enacted through the *Government Information (Public Access) Act 2009*, and open data policy.

The NSW RFS applies Creative Commons by Attribution (CC BY) open access licensing to the NSW Bush Fire Prone Land map. To the extent that Creative Commons licensing applies, all data and other material produced by NSW RFS constitutes Crown copyright, save for the logos of Council, NSW RFS, NSW Government and any material protected by a trade mark. NSW RFS has applied the Creative Commons Attribution 3.0 Australia Licence.
NSW RFS asserts the right to be attributed as author of the original material in the following manner:

© NSW Rural Fire Service [Year]

As far as practicable, material for which the copyright is owned by a third party will be clearly labelled and attributed in the metadata statement and on printed / pdf versions of the NSW Bush Fire Prone Land maps. NSW RFS has made all reasonable efforts to ensure that this material reproduced by the NSW RFS with the full consent of the copyright owners.

It is requested that all Council supplied BFPV maps be correctly attributed to source datasets or work from which they may be derived. This may be done within the supplied metadata or printed maps and written documentation.

8.2 Custodianship and Data Brokerage

The data custodianship of the various data sets that are produced by the Bush Fire Prone Land mapping process follows the principles outlined in the NSW Custodianship Guidelines for Spatial Data (2013).

The Guidelines for Custodianship also set out the principles of: trusteeship, standard setting, maintenance of information, authoritative source, accountability, information collection and maintenance of access.

Brokerage of data refers to the exchange of data and information. A data broker in each organisation would arrange the provision and receipt of data and information in an organisation. When data is owned by one organisation (or custodian) permission must be given to a second organisation to broker the data or information, on the custodian's behalf. This arrangement is set out in a data license agreement.

Under these principles, responsibilities are split between Council and NSW RFS for the Bush Fire Prone Land mapping digital datasets and components of the Bush Fire Prone Land maps. These responsibilities are summarised below:

Dataset	Custodian	Data Broker	Data Licence / Copyright
Bush Fire Prone Vegetation	NSW RFS	Council	© NSW Rural Fire Service [Year]
Bush Fire Prone Land Map (Dataset)	NSW RFS	NSW RFS and Council	© NSW Rural Fire Service [Year]
Cadastre	LPI, Council or Developer (three possible sources)	LPI or Council	© NSW Government
Bush Fire Prone Property Map This is a selection of the cadastre lots that intersect Bush Fire Prone Land Map. This map could be remade at various points in time as the cadastre changes.	Council or Developer	Council Provided as separate digital data sets (BFPLM and Cadastre) The certified printed maps or PDF versions can be supplied by both organisations. Maps may be made available on both organisations' websites as PDF documents or via web maps.	Council Determined, with attribution in regard to the BFPL dataset to © NSW Rural Fire Service [Year]

The NSW RFS responsibilities with regard to copyright and ownership are as follows:

Provide, manage and maintain a central repository for all bush fire prone land mapping data across NSW.

The NSW RFS will manage data held within the central repository in accordance with the NSW Metadata Element Set User Guidelines for Vector Datasets (NSW Govt 2012) and NSW Custodianship Guidelines for Spatial Data (2013)

Individual Council Bush Fire Prone Land map metadata statements will be compiled in consultation with the council, for information on broker details, lineage, maintenance, and citation information.

Copyright and ownership of the end output digital Bush Fire Prone Land data and certified hardcopy Bush Fire Prone Land map, will reside with the NSW RFS. However, the NSW RFS will allow each council the authority to broker (release) their BFPLM data for whichever purpose that they deem to be appropriate.

Where the NSW RFS produces Bush Fire Prone Land maps (printed or PDF) on behalf of councils, the NSW RFS will provide the Bush Fire Prone Land map dataset to councils.

Council responsibilities with regard to data brokerage are as follows:
Council will ensure Bush Fire Prone Land map (printed or PDF) outputs are in accordance with this Guide.

Council is to have the Bush Fire Prone Land map available for public inspection during normal business hours pursuant to section 146 of *EP&A Act.*

Council is a broker of the Bush Fire Vegetation Map.

Councils are given permission under CC BY open data licensing to broker the data, printed map and PDF version.

8.3 Metadata Requirements

Metadata provides the means for discovering spatial information by identifying the 'what', 'where', 'who', 'when' and 'how' the data behind the information is constructed. Metadata is the means to disclose what the spatial data describes, as well as how it should and can be used (NSW Govt 2012).

Metadata must be provided by all organisations in the MS Word and/or XML format abiding by ISO19139 standard and ANZLIC/NSW profiles. This can be done by adhering to the NSW Metadata Element Set for Vector Datasets User Guidelines (NSW Govt 2012).

Organisations may use any of the metadata creation software available that conforms to the ISO19139 standard and ANZLIC/NSW Guidelines.

Once the NSW Bush Fire Prone Land map is updated the metadata will be made available on the NSW Spatial Data Catalogue and linked to data.nsw.gov.au.

8.4 Data Format and Structure

When councils send BFPV and property map layers to the NSW RFS the data must be in accordance with the following:

BFPV map

a. One data set is required, consisting of the Vegetation Categories;

b. The Council cadastre layer may be provided otherwise the NSW RFS will use the latest LPI cadastre as an overlay layer to the BFPLM;

c. Data can be supplied in the following proprietary formats: ESRI Arc Geodatabase (Personal or File), ESRI shape or MapInfo tab/mid/mif;

d. Supplied data must include all files that are required for display and storage of the data.
Eg. MapInfo tab file includes files with the suffix: .tab/.dat/.id/.map/.ind.
Arcview Shape includes files with the suffix: shp, dbf, shx, prj, xml, See:
http://webhelp.esri.com/arcgisdesktop/9.2/index.cfm?TopicName=Shapefile_file_extensions;

e. All data provided must be in the datum GDA 94 and in either of the following map projections: Geographics, Lamberts or Transverse Mecator Projection (MGA54, 55 or 56). This must clearly be identified in the meta-data statement or file name;

f. The data must not be password protected or locked in any way that denies the NSW RFS full and complete access to the data; and

g. The required attribute fields for the bush fire vegetation dataset are: -

Field Name	Type	Size	Example
Vegetation Category	Character	1	1, 2 , 3
BFP_DESC	Character	32	Vegetation Category 1
LGA_NAME	Character	50	Central Darling
Date Certified	*Character*	*8*	*ddmmyyyy*

Note: *Date Certified* Field will be filled in by the NSW RFS once the map has been certified by the Commissioner of the NSW RFS.

8.5 File Naming Conventions

When sharing datasets between the organisations it is recommended that the following conventions are used.

BFPV dataset files are to use the following naming convention:

- BFV_CouncilName_DateSaved
- BFV – This designates Bush Fire Vegetation.
- CouncilName – sentence case: if more than one word do not leave spaces (e.g. CentralDarling).
- Date Saved – formatted as YYYYMMDD.

Where produced, the bush fire prone land dataset is to use the following naming convention:

- BFPL_CouncilName_DateSaved
- BFPL – This designates bush fire prone land.
- CouncilName – sentence case: if more than one word do not leave spaces.
- Date Saved – formatted as YYYYMMDD.

8.6 Data Quality

All data will be checked by the NSW RFS Headquarters for quality, including a visual check against the most recent air photos or satellite imagery available and against data quality checks.

Visual checks will check for presence and absence of the correct vegetation types, holes and gaps in the data along Council boundaries.

Quality checking will check both the completeness of the attributing, topological errors such as overlapping polygons, gaps between polygons and overlapping council boundaries. National Park and State Forest boundaries will also be used where necessary. Further information is available from the NSW RFS GIS unit.

8.7 Depiction

It is important to maintain a consistent presentation to the maps. The depiction as stated here is not software specific; however it is generic and can be applied to all GIS software. The colour definitions for each Category of vegetation are as follows:-

- Vegetation Category 1 polygons shall be coloured solid red without a borderline.
- Vegetation Category 2 polygons shall be coloured solid light orange without a borderline.
- Vegetation Category 3 polygons shall be coloured solid dark orange without a borderline.
- BFPV Buffer polygons shall be coloured solid yellow without a borderline.

8.8 Provision of Source Data

If Council utilised different procedures or source data to develop the vegetation map please provide documentation or data with submitted Bush Fire Vegetation dataset. Council will need to provide details such as: the data source, date, currency, projection. This should be recorded in the metadata statement with the BFV dataset.

For example: Vegetation interpretation was derived from Spot 5 Satellite data captured on August 2005.

8.9 Delivery of BFPV Data to the NSW RFS

The mechanisms for delivering datasets to the NSW RFS are as follows:

8.9.1 Files Sent Electronically

Files sent electronically (i.e. email) shall have all files saved into WinZip files and attached to the email. Each WinZip file will include all applicable files. The attached WinZip files shall be named in accordance with 8.5 – File Naming Conventions.
Files sent electronically with a subject title of XX Council Bush Fire Prone Land map dataset to: bushfireprone.mapping@rfs.nsw.gov.au

Files may also be transferred via file transfer protocol (ftp) sites (either Council's site or NSW RFS ftp site), contact gis@rfs.nsw.gov.au for further information.

8.9.2 Files Sent by Post

Files may be sent to the NSW RFS via normal postal service. Files sent in this way shall be copied to a standard compact disc (CD). The CD shall be posted in a package that has been specifically designed for CD postage. CDs should be a closed session and written for standard CD reader access. The NSW RFS will not accept any other delivery mechanism without prior approval.

Files sent by post to:
The Commissioner
NSW Rural Fire Service
Attn Manager Development Planning & Policy
Locked Bag 17
GRANVILLE NSW 2142

9 References

ANZLIC (1998) Guidelines for Custodianship, ANZLIC, ACT, Australia.
ANZLIC (2007) ANZLIC Metadata Profile Guidelines, ANZLIC – the Spatial Information Council, ACT, Australia.
NSW Government (2010) NSW Spatial Metadata Policy, CS2i, NSW.
NSW Government (2012) ver. 2.8 NSW Metadata Element Set for Vector Datasets User Guidelines, NSW LPI, NSW.
NSW Government (2013) ver. 1.5 NSW Custodianship Guidelines for Spatial Data, online http://www.finance.nsw.gov.au/ict/sites/default/files/NSW%20Government%20Custodianship%20Guidelines%20for%20Spatial%20Data.pdf.
Additional reference material for vegetation classification can be found in *Planning for Bush fire Protection 2006* (or subsequent versions).
NSW Government (2012) M2012-10 Open Government, online http://arp.nsw.gov.au/m2012-10-open-government.
NSW Government (2013) NSW Government Open Data Policy, online http://www.finance.nsw.gov.au/ict/sites/default/files/NSW%20Government%20Open%20Data%20Policy%201.0.pdf.

Appendix 1 – URA Application Form

NSW RURAL FIRE SERVICE

NSW GOVERNMENT

Urban Release Area (URA) – Bush Fire Prone Land Map (BFPLM) Amendment Application Form

APPLICATION

Name	
Company	
Telephone	
Mobile	
Email	

PROPERTY DETAILS

Lot/s		DP/SP	
URA NAME		STAGE No/s	
SUBURB/s:			
LOCAL GOVERNMENT AREA/s:			

DETAILS OF PROPOSED AMENDMENTS

CHECKLIST

- ☐ Amended shapefile
- ☐ Lot Layout / Matserplan
- ☐ Extract of existing BFPLM
- ☐ Aerial photography of site (if available)

8.5 ENGINEERING COOTAMUNDRA

8.5.1 COOTAMUNDRA ENGINEERING REPORT - JANUARY 2025

DOCUMENT NUMBER	429543
REPORTING OFFICER	Julie Buckley, Operations Support Officer
AUTHORISING OFFICER	Matt Stubbs, Deputy General Manager - Operations
RELEVANCE TO COMMUNITY STRATEGIC PLAN	**5. Integrated and accessible region** 5.2 Easily accessible from major cities and other regional towns
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 Cootamundra Engineering Report for the month of January 2025 be noted.

Introduction

The Cootamundra Engineering Report for the month of January 2025 is submitted for the information of Council and the community.

Discussion

Fixing Local Roads

Pavement works on the Hovell Street rehabilitation are expected to commence early February 2025 and it is anticipated that the project will be completed late May 2025.

State Roads

The annual resealing program has commenced and will be completed in late January / early February.

Shoulder widening south of Cootamundra at Yarrowee is planned to commence in February 2025.

Council's RMCC crew are currently undertaking routine maintenance and spraying works on the State Roads.

Local Roads & Community Infrastructure R4 Footpaths

Footpath replacement works on Cooper Street (Wallendoon to Mackay Streets) are progressing and are expected to be completed by the end of January, weather permitting.

Water and Sewer

- Water Main Replacement Cootamundra – completed. Final invoices pending, awaiting WAE drawings to finalise contract requirements.

- Res 1 & 2 Chlorination Upgrade - design phase underway, currently working through easement and electrical supply. Ongoing.
- Betts Street Rising Main
    - 90% Detail Design Completed. Detailed cost estimate expected from GHD December, Tender expected to be opened December close and confirmed January 25. Ongoing.
- Vent Shaft Replacement Program
    - 8 x Sewer Vent Shafts scheduled to be replaced. Materials Procured. Works commenced on 6 January and completed on 15 January 2025.

General Works

Crews undertook a cleanup of Sutton Street, prior to the completion of resealing works on Sutton Street between Campbell and Mackay Street and Hovell Street between Mackay and Temora Streets.

Gravel patching and maintenance grading has been carried out on Rawilla Road, Ingolds Lane and Wavehill Road, Muttama.

Jet patching has been carried out at various locations throughout the shire including Old Gundagai Road, Jugiong Road and Berthong Road.

Cleaning of surface drains has been undertaken in the Cootamundra township.

Crews have carried out patrols of roads after the recent storms, looking for damage and undertaken the necessary clean-ups.

Financial

Projects funded from various funding sources, as noted above.

Maintenance works funded from the General Fund.

OLG 23a Guideline consideration

Report purpose does not conflict with guidelines.

8.6 ENGINEERING GUNDAGAI

8.6.1 GUNDAGAI ENGINEERING REPORT - JANUARY 2025

DOCUMENT NUMBER	429580
REPORTING OFFICER	Belle Mooney, Operations Support Officer
AUTHORISING OFFICER	Matt Stubbs, Deputy General Manager - Operations
RELEVANCE TO COMMUNITY STRATEGIC PLAN	**5. Integrated and accessible region** 5.2 Easily accessible from major cities and other regional towns
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 Gundagai Engineering Report for the month of January 2025 be noted.

Introduction

The Gundagai Engineering Report for the month of January 2025 is submitted for the information of Council and the community.

Natural Disaster Reconstruction Works

The Bundarbo Causeway is now complete and open to traffic with the signage installed and the temporary road removed early December.

This project was completed as part of the Natural Disaster funding provided to Council from the Federal government.

Rural & Regional Roads

Muttama Road has undertaken heavy patching with gravel overlay and stabilising being completed by Council staff in various locations and finished with a two coat seal. Additional locations along Muttama Road are currently undertaking heavy patching where identified throughout January. Line marking will occur on the completed locations once all rehabilitation works are completed.

Hillas Creek Bridge

Following the determination from the Fisheries Permit in early December, construction has begun onsite by the contractors for the reconstruction of Hillas Creek Bridge. The installation of piles has been completed and the pouring of pre-cast concrete elements has commenced offsite. The approach structures are expected to be installed in the coming weeks with an expected completion date of the project to be in May 2025.

Local Roads and Community Infrastructure Program (LRCI)

Sheridan Street Block 3 Stage 2 upgrade:

Sheridan Street upgrade is now in the final stages of construction. The completion of paving and sealing of roadway was completed in December and the contractor is now installing handrailing. The streetlights are currently being prepared for installation and landscaping and the installation of garden beds is set to be completed by Council staff as soon as the contractor has completed the handover of the site.

General Works

Maintenance grading has been completed on Bundarbo Road and various roads within the Bundarbo and Nanangroe area. Council staff continued to complete various earthworks and maintenance jobs within town streets and work through vegetation clearing where required.

Slashing and weed spraying has been completed on various roads including:

- Threeways Road
- Nanangroe Road
- O'Briens Road
- Edwardstown Road
- Adelong Road
- Happy Valley Road

Council's tar patching team have completed pothole repairs where required.

Water and Sewer

Telemetry upgrades have now been completed in Gundagai by the contractor 360 Engineering. Programming of the equipment has been finalised and Council staff have completed the required training.

Council Water and Sewer staff are undertaking required water and sewer maintenance of the treatment plants as well as mains maintenance and new connections as required.

The assessment of the submitted tenders for the Gundagai WTP Filtration and the Gundagai WTP Intake has been completed with the recommendation being submitted to Council for a decision.

Work, Health and Safety

Following from SafeWork NSW advice, SWMS are being reviewed with the intention to update and make improvements to the Sewer Treatment Plant.

Training providers are being sourced to assist with training for Outdoor staff in Situational Awareness. This training will potentially assist with the number of incidents that occur within the workplace. Additionally, training providers are being sourced for various training to ensure all staff are kept updated with all training requirements and renewals.

Financial

Projects funded from various funding sources, as noted above.

Maintenance works funded from the General Fund.

OLG 23a Guideline consideration

Report purpose does not conflict with guidelines.

8.6.2 2024 NATIONAL LOCAL ROADS, TRANSPORT AND INFRASTRUCTURE CONGRESS

DOCUMENT NUMBER	429635
REPORTING OFFICER	Matt Stubbs, Deputy General Manager - Operations
AUTHORISING OFFICER	Roger Bailey, Interim General Manager
RELEVANCE TO COMMUNITY STRATEGIC PLAN	**4. Collaborative and progressive leadership** 4.4 Recognised as a premier local government Council that represents and advocates for community needs
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. National Congress Communique ⇩

RECOMMENDATION

The 2024 National Local Roads, Transport and Infrastructure Congress Report be received and noted.

Introduction

The 2024 National Local Roads, Transport and Infrastructure Congress was held across 2 days from 3rd – 4th December 2024 at Margaret River, WA. The 2024 conference had a significant focus on road safety, asset management and emergency resilience. Council representatives, Matt Stubbs, Deputy General Manager of Operations and Councillor Logan Collins were in attendance along with representatives from Councils throughout the nation.

Discussion

The Congress provides a forum for local government leaders across the country to gather and discuss important matters impacting Council Roads and Infrastructure. The 2024 Congress had a significant focus on Road Safety, recognising the key role local governments play in addressing the unacceptable national road toll.

A sentiment that was consistent across those in attendance was the need for continued lobbying to achieve sustainable funding models that will enable Councils to improve the condition, safety and productivity of Australia's road network, of which 75% is maintained by Councils.

The Congress Communique is attached to this report which provides an executive summary of the discussions and actions moving forward.

Financial

Nil

OLG 23a Guideline consideration

No conflict.

Communique

2024 National Local Roads, Transport and Infrastructure Congress

220 local government leaders and engineering and works staff from across Australia gathered in Margaret River, Western Australia from 3-4 December for the 2024 National Local Roads, Transport and Infrastructure Congress.

We acknowledged the Wadandi and Pibelmen peoples as traditional custodians of the lands on which we met, and paid our respects to their elders past, present and emerging.

This year's Congress included a significant focus on road safety. Congress delegates acknowledged that local governments manage more than 75% of Australia's road network and have a key role to play addressing Australia's unacceptable national road toll.

Delegates acknowledged the importance of prioritising road safety in infrastructure investments, and discussed opportunities to deliver safer roads in both regional and urban settings.

Sustainable funding is a significant barrier, and ALGA will continue to advocate for more federal support for councils to improve the condition, safety and productivity of Australia's road network.

We welcomed and thanked the federal politicians who addressed our Congress, including Minister for Local Government the Hon Kristy McBain, and Shadow Minister for Infrastructure, Transport and Regional Development Senator the Hon Bridget McKenzie.

This year's Congress included sessions on improving freight productivity, decarbonising Australia's transport sector, water management, regional airports, addressing the housing crisis, renewable energy transition, the circular economy, and active transport and electric vehicle trends.

The event also covered effective asset management, which is vital to the broad range of services and functions delivered by councils.

We also heard from National Emergency Management Coordinator-General Brendan Moon about recent national emergency management reviews, and how councils can support the implementation of their recommendations.

Sustainably funded, councils can deliver roads and community infrastructure that will support local solutions to national priorities.

Increasing federal formula-based funding to local government will assist councils to build stronger, more productive and resilient communities.

In the lead up to the next federal election, councils will be calling on all parties and candidates to put our communities first, and provide fair funding to local government for the benefit of all Australians.

8.7 REGIONAL SERVICES GUNDAGAI

8.7.1 GUNDAGAI RSL COMMEMORATION PROJECT

DOCUMENT NUMBER	429631
REPORTING OFFICER	Matt Stubbs, Deputy General Manager - Operations
AUTHORISING OFFICER	Roger Bailey, Interim General Manager
RELEVANCE TO COMMUNITY STRATEGIC PLAN	**4. Collaborative and progressive leadership** 4.3 Actively engaged and supportive community
FINANCIAL IMPLICATIONS	Costs associated with ongoing maintenance of memorial.
LEGISLATIVE IMPLICATIONS	There are no Legislative implications associated with this report.
POLICY IMPLICATIONS	There are no Policy implications associated with this report.
ATTACHMENTS	1. Correspondance from Gundagai RSL ⇩

RECOMMENDATION

1. **Council provide a letter of support for the Gundagai RSL Sub Branch regarding their grant application for the commemoration project recognising the Battle of Fire Support Base Coral and the actions of Private Richard Norden, VC, DCM.**
2. **Should funding be obtained, Council provide a suitable location for construction of the memorial and commit to the ongoing maintenance of the structure.**

Introduction

Gundagai RSL, in partnership with RSL NSW, intends applying for Federal funding support through the Department of Veterans' Affairs 'Saluting Their Service' Commemorative Grants Program. The final round for applications for this grant in FY 24/25 closes on 5 February 2025.

The Gundagai RSL Club has approached Council requesting a letter of support for this project along with provision of a suitable location and commitment to ongoing maintenance.

Discussion

The award of Private Richard Norden's Victoria Cross was announced by the Governor General, Her Excellency Sam Mostyn, AC on Remembrance Day, 11 November 2024.

A meeting was held at the Gundagai Services Club on Wednesday 11 December, attended by RSL Gundagai committee members, the Honourable Michael McCormack MP (Federal Member for Riverina), and Mayor Abb McAlister (Cootamundra- Gundagai Regional Council CGRC). At the meeting it was proposed that a memorial and life-sized bronze statue be erected in Gundagai displaying the action at Fire Support Base Coral in which Private Norden won his bravery awards.

The memorial would provide an overview of the battle and then describe the particular action which resulted in the bravery awards won by Private Norden saving the life of his badly wounded Section Commander, Lance Corporal (Joe) Kelly.

The proposed statue would show Lance Corporal Kelly being supported and carried by Private Norden, as described by two eyewitness members of their platoon (veterans Stan Barrett and Platoon Commander Chris Forde). The Fire Support Base Coral battle and the two soldiers would be collectively commemorated, with the story told through the statue, information plaques and audio/visual technology.

Preliminary discussions with Council staff and the Gundagai RSL Sub Branch have discussed Carberry Park as a potential location for the memorial should Council wish to proceed.

Financial

Capital works would be covered by the grant sought by the Gundagai RSL Club. Ongoing maintenance of the structure would be considered minimal with the construction anticipated to consist of concrete paving, a bronze sculpture and minor landscaping.

Council has access to external grants for the maintenance of commemorative infrastructure.

OLG 23a Guideline consideration

No conflict.

Gundagai RSL Sub-Branch Update Brief

Proposed Commemoration of Fire Support Base Coral and Private Richard Norden VC, DCM

as at 6 January 2025

Gundagai RSL is proposing the construction and dedication of a memorial and statue to commemorate the Battle of Fire Support Base Coral and the actions of Private Richard Norden VC, DCM, to be erected in Carberry Park at the intersection of Sheridan and West Street, Gundagai.

Proposal Outline

The award of Private Richard Norden's Victoria Cross was announced by the Governor General, Her Excellency Sam Mostyn, AC on Remembrance Day, 11 November 2024.

A meeting was held at the Gundagai Services Club on Wednesday 11 December, attended by RSL Gundagai committee members, the Honourable Michael McCormack MP (Federal Member for Riverina), and Mayor Abb McAlister (Cootamundra- Gundagai Regional Council CGRC). At the meeting it was proposed that a memorial and life-sized bronze statue be erected in Gundagai displaying the action at Fire Support Base Coral in which Private Norden won his bravery awards.

The memorial would provide an overview of the battle and then describe the particular action which resulted in the bravery awards won by Private Norden saving the life of his badly wounded Section Commander, Lance Corporal (Joe) Kelly.

The proposed statue would show Lance Corporal Kelly being supported and carried by Private Norden, as described by two eyewitness members of their platoon (veterans Stan Barrett and Platoon Commander Chris Forde). The Fire Support Base Coral battle and the two soldiers would be collectively commemorated, with the story told through the statue, information plaques and audio/visual technology,

The meeting determined that Gundagai would be an appropriate location for the memorial, given that Richard Norden was born and raised in Gundagai, and family members still reside within Gundagai and the region. Given the high profile of Gundagai as an iconic Australian town and national tourist location, the memorial would serve to commemorate the Battle of Coral and the actions of Private Norden at a community, regional, state and national level.

The meeting also identified that the cost of this project (estimated at $300,000), would be well beyond the financial capacity of the Gundagai RSL Sub-Branch, and recommended an approach be made for Federal funding support. A letter supporting the commemoration project

and a request for consideration for Federal funding was sent to the Minister for Veterans' Affairs, the Hon Matt Keogh MP by Mr McCormack on 19 December 2024.

Proposed Federal Funding Request

Gundagai RSL, in partnership with RSL NSW, intends applying for Federal funding support through the Department of Veterans' Affairs 'Saluting Their Service' Commemorative Grants Program. The final round for applications for this grant in FY 24/25 closes on **5 February 2025**.

As detailed in the Minutes from the 11 December meeting, and the letter forwarded to Minister Keogh, we believe that the timeframe for the commemoration project should be no longer than 18 months, given that an announcement for a formal investiture of the VC to Private Norden's family is expected to be made by the Governor General towards the end of 2025. This will again result in National coverage and provide further support and momentum for a commemoration and memorial opening ceremony on 14 May 2026, the anniversary of the date on which Private Norden won his bravery awards

Gundagai RSL will be working in partnership with RSL NSW in Sydney in applying for the DVA funding. This will include support in preparation of the application and the meeting of appropriate financial and compliance responsibilities.

Prepared by:

Paul Vercoe
Secretary
Gundagai RSL

paul.vercoe@gmail.com
Mob: 0428 904 181

8.7.2 GUNDAGAI REGIONAL SERVICES WORKS REPORT

DOCUMENT NUMBER	430024
REPORTING OFFICER	Greg Ewings, Acting Manager Regional Services Gundagai
AUTHORISING OFFICER	Matt Stubbs, Deputy General Manager - Operations
RELEVANCE TO COMMUNITY STRATEGIC PLAN	**5. Integrated and accessible region** 1.2 A welcoming community that cares for and looks after each other
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 Gundagai Regional Services Department, Monthly works report be received and noted.

Introduction

The report aims to provide an overview of the varied works undertaken by the Gundagai Regional Services Team over the previous month and intends to give an update on the ongoing works and projects.

Discussion

This report covers the Regional Services projects and works over the month of December 2024, detailing the operational activities, information on the progress of projects and the routine duties of this division.

Gundagai Parks & Gardens Section – Parks, Reserves, Sporting Fields, and Playgrounds - Achievements for the month include:

- Preparation of the streets and parks for the holiday period.
- Spraying of town streets and roadside drainage structures.
- Line marking in preparation for sporting events.
- Hedging and crown lifting in Sheriden Street and parks.
- Mowing, edging, and watering of parks and gardens.
- Swimming pool grounds and preparation works.
- Irrigation repairs to Sheridan Street Gardens.

Cemeteries – North Gundagai Lawn & Monumental, South Gundagai, Tumblong, Coolac, Mount Adrah, Muttama, Adjungbilly, Nangus, Wagragobilly (Darbalara). Cemetery happenings this month include:

- Council have had six interments for the month of December.
- Irrigation repairs were completed at North Gundagai Lawn Cemetery.

- CCNSW have advised of the decision on GST associated with burial rights has with final GST determination released December 2024. The determination removes the GST from the CCNSW levy and the interment right portions of the cost of an interment. Staff have worked on the breakdown of the cost with the necessary GST amendments to the be introduced by March 1st, 2025.

Biosecurity -

- Applications for the 2024/2025 WAP funding has opened with staff currently preparing the 2024/2025 application and are in communication with DPI staff in the process.

Spray Records for the month of December 2024

Regional Services Roadside and General Spray Records for December 2024							
Date	Location	Application	Land Use	Weed	Chemical	Quantity	Amountof Spray Mix
27/12/2024	Gobarralong Road	Spot	Roadside	Blackberry, St Johns Wort, Johnson Grass	Dicamba	1.9ltr	600l
	Red Hill Road		Coolac		Metsulfuron	60g	
	Adjungbilly				Musta 450	4.8ltr	
					Wetter 1000	600ml	
31/12/2024	South Gundagai	Spot	Roadside	Blackberry, St Johns Wort, Johnson Grass	Dicamba	1.9ltr	600l
					Metsulfuron	60g	
					Musta 450	4.8ltr	
					Wetter 1000	600ml	

Spraying completed by the Civil Department for the month of December 2024.							
Date	Location	Application	Land Use	Weed	Chemical	Quantity	Amountof Spray Mix
10/12/2024	O Brien's Road	Side Jet	Roadside	All	Round Up	8 litres	600 litres
	Three Ways Road				Metsulfuron	120 grams	
	Nanangroe Road						
11/12/2024	Burra Road	Side Jet	Roadside	All	Round Up	8 litres	600 litres
	Brungle Road				Metsulfuron	120 grams	
	Jessops Lagoon Road						
16/12/2024	Burra Road	Spot	Roadside	All	Round Up	8 litres	600 litres
	Brungle Road				Metsulfuron	120 grams	
17/12/2024	Gundagai Streets	Spot	Roadside	All	Round Up	8 litres	600 litres
					Metsulfuron	120 grams	
18/12/2024	Edwards Town Road	Spot	Roadside	All	Round Up	8 litres	600 litres
	Tumbalong				Metsulfuron	120 grams	
	Muttama						
	Coolac						

Gundagai Public & Council Facilities:

Sherwood Forest –

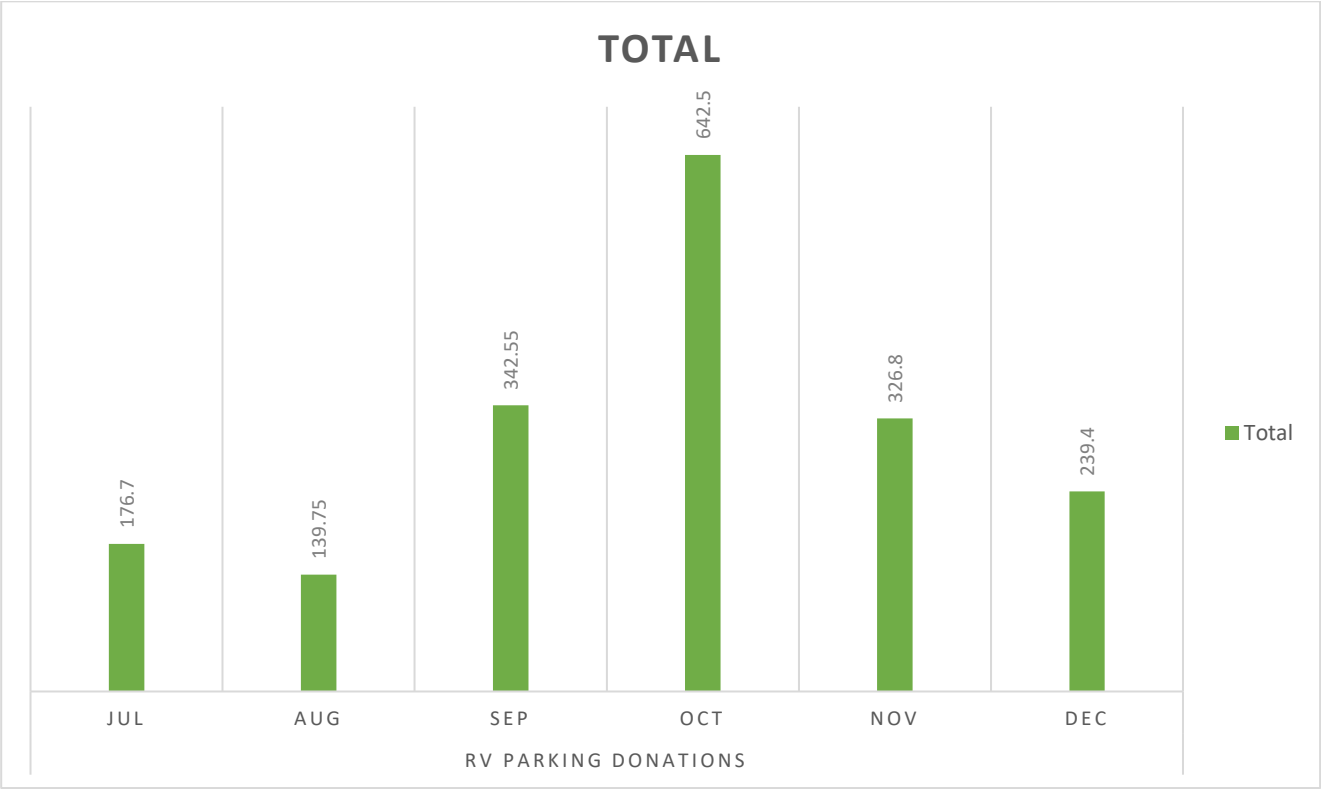
The flood damage rehabilitation works to Sherwood Forest continued in December with the dry river bed being completed, Top soil and new plants installed.
Outdoor furniture is yet to be installed around the precinct.

Gundagai Pool Amenities Refurbishment –

- External concrete pathways and drainage installed.
- New turf laid.
- Internal and external painting continued.

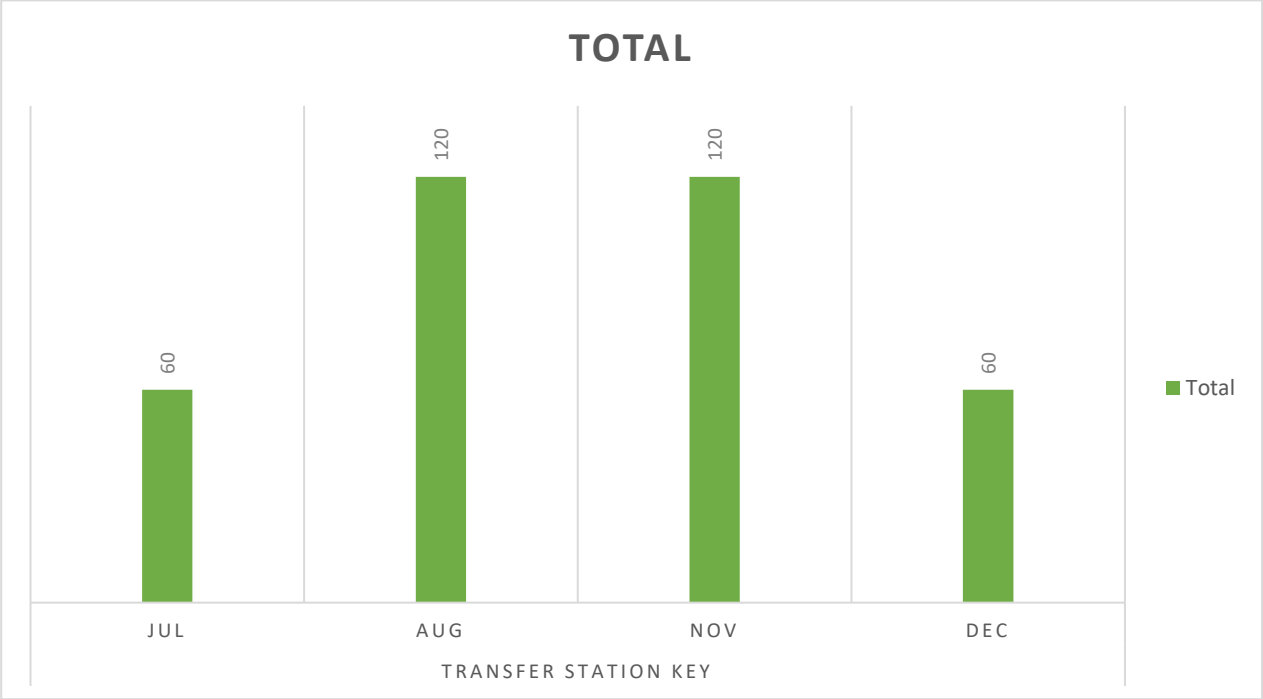
Gundagai RV Park Income December 2024

- 01/12/24 – 31/12/24 - Total Income $239.40



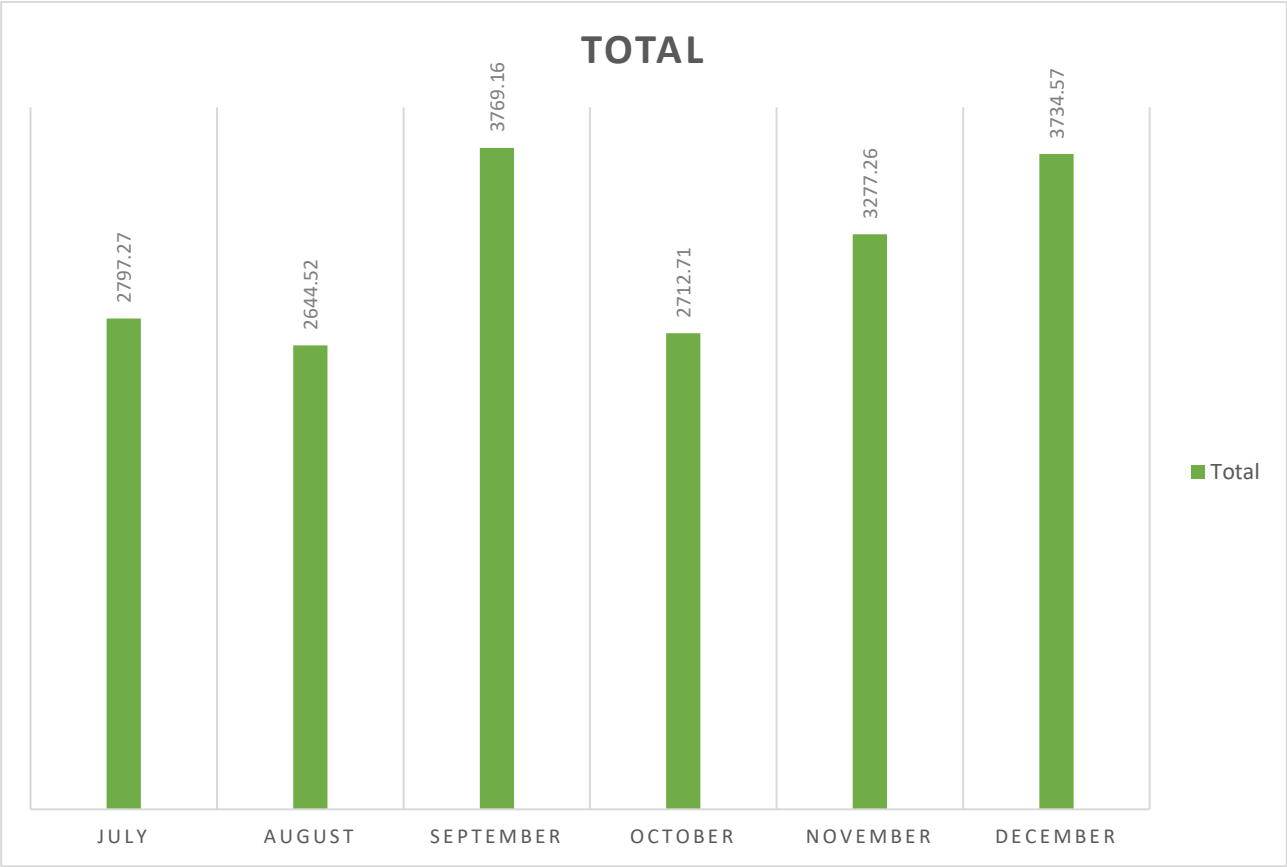
Gundagai Transfer Station Key November 2024

- 01/12/24 – 31/12/24 - General Income $60.00



Gundagai Landfill/Transfer November 2024

- 01/12/24 – 31/12/24 - General Income $3734.57



Gundagai Saleyards December 2024

Income from the Saleyards Truck wash for the month of December.

Note Figures are GST inclusive.*

		Avdata Payments /Council Income GST Incl.	Usage - Customers /Account Holders
2024	July	$ 3,157.14	35
2024	August	$ 2,123.91	35
2024	September	$ 3,313.23	30
2024	October	$ 2,418.47	28
2024	November	$ 2,277.33	30
2024	December	$ 3,435.11	32
2025	January		
2025	February		
2025	March		
2025	April		
2025	May		
2025	June		
2024/2025	Totals	$ 16,725.19	190

Compliance:
Compliance with the Companion Animals Act 1998
Local Government (General) Regulation 2021 – Reg 217(1)(f)

- One instance of roaming stock (Sheep) was reported on Slate Quarry Road with the stock being returned.
- Two instances of Illegal dumping have occurred with investigations ongoing.

Financial

There are no further financial implications as all work has been carried out as per the approved 23/24 budget allocations.

OLG 23a Guideline consideration

There are no implications to the guidelines.

8.8 REGIONAL SERVICES COOTAMUNDRA

8.8.1 REGIONAL SERVICES - COOTAMUNDRA DIVISIONAL MONTHLY REPORT TO COUNCIL

DOCUMENT NUMBER	429259
REPORTING OFFICER	Steven Lowe, Acting Manager Regional Services Cootamundra
AUTHORISING OFFICER	Matt Stubbs, Deputy General Manager - Operations
RELEVANCE TO COMMUNITY STRATEGIC PLAN	**2. A region for the future** 2.2 A thriving region that attracts people to live, work and visit
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 Regional Services Cootamundra Department Monthly Works Report be received and noted.

Introduction

This report has been prepared to inform Council of the activities undertaken by the Regional Services – Cootamundra Department over the month of December 2024.

Discussion

Saleyards

Ongoing weed maintenance has been conducted to keep the yards at a manageable level. No sheep sales have occurred.

The saleyard's holding paddocks are in good condition and holding up well, the agistment will finish at the end of January. This has been helping manage excess feed in the paddocks, reducing future fire risk and generating income.

Claron Estate land is on a 12-month lease contract. The fire risk has been reduced significantly with the use of sheep to graze the bulk of the fodder.

Reinstatement of the stolen and damaged cameras was completed in December.

Truck Wash

The truck wash during December recorded 106 transactions, invoicing a total of $5,363.95.

Truck wash area wash cleaned and emptied, removing approximately 10 tonne of animal faeces. The pumping system required repairs and modifications to move the excess water from the pits and now runs automatically with reduced maintenance required.

Cemeteries

December saw five burials and one ashes interment at Cootamundra Lawn Cemetery. Additionally, four plaques at the cemetery were reaffixed and one lawn niche affixed.

Council staff met with members of the Stockinbingal Community Association and have voted on the headstones for the new Lawn beam at the Stockinbingal Cemetery. The community voted unanimity to move away from the plaques and move to the etched headstones.

There has been no update on the Biodiversity Conservation Trust grant for Stockinbingal and Wallendbeen Cemeteries.

Regulatory Services

During the month of December four dogs were seized. One of the dogs was microchipped and registered and returned directly to its owner. Two dogs were impounded and later reclaimed by their owner after relevant fees were paid were released. One dog was surrendered to Council for rehoming. Five dogs headed off to new homes or rescue organisations. One is waiting currently waiting for a new home.

During the month of December twelve cats were seized. One cat was impounded and later reclaimed by their owner after relevant fees were paid were released. Seven cats headed off to new homes or rescue organisations. Seven are waiting currently waiting for a new home.

Council Rangers collaborated with the RSPCA to assist in 4 callouts.

Total registration fees collected for December amounted to $846.00.

Council Rangers are monitoring multiple vehicles for breaches of the NSW Public Spaces Act.

Council Rangers are working with the local Police regarding straying goats at the Stockinbingal Village. Council Rangers have issued 1 PIN in relation to this matter.

An extra waste station was erected in Wallendoon Street following feedback from the Community.

Council Rangers had one call in relation to overgrown land in Cootamundra, landowners have since cleaned up the land in response to Ranger's request.

Cootamundra's Council Ranger has competed her microchip course.

Parks and Gardens

Mowing maintenance was a main priority for the early part of December – sports fields, surrounds, irrigated small spaces, villages of Stockinbingal and Wallendbeen and town open spaces. Cootamundra received approximately 100mm of rain at the end of November early December – with the warm conditions and moisture the staff were busy mowing and whipper snipping.

Nicholson Park drainage has been completed, the area will now be maintained by staff to get the turf to a playable standard for the Touch Football Carnival in early January. Extra water and maintenance has been allocated to showcase Nicholson Park to the multiple out of town visitors.

Installation of a Discus Safety cage at Albert Park sporting facility has been completed, a collaboration of a local Engineering company and Council to complete the task for Cootamundra Little Athletics and Local Schools.

Muttama Creek vegetation removal was undertaken by Council Staff to remove the exotic trees growing in and on the edge of the Muttama Creek as part of the Muttama Creek Regeneration Group project to revegetate and care for the Muttama Creek.

Several storms ravaged the region over December – the Parks Team was busy clearing and cleaning up the Town and the villages to be respectable for the Christmas Break.

The Town Christmas tree was erected on the Wallendoon/Parker Roundabout. A local family facilitated the decorations and wanted to remain anonymous. Council Staff appreciate the input and assistance in the decoration of the tree.

The Sparkling Street Christmas Party was held – Parks Staff provided assistance with the set up. Each internal team of Regional Services Cootamundra provided information packs and flyers relating to each section – Bio Security, Companion Animals.

The Parks team planted the yearly annuals early December in the main street and also maintained the hedges and gardens to provide a pleasant main street for the Christmas period.

Bio Security

General and WAP Activity December 2024

Activity	Location	Km/Count	Date
Regional Inspection Program - Inspection of High-Risk Pathways (roadsides) (Inspection) (Inspection) 1000km	North Jindalee Rd	6.2	12/12/24
	Jugiong Rd	5.5	18/12/24
	Kilrush Rd	6.1	19/12/24
	Old Gundagai Rd	11.4	19/12/24
	Yammatree Rd	5.3	20/12/24
		TOTAL: 34.5km	
Inspection of High-Risk Sites-Travelling Stock Reserves (TSRs) (Inspection) 35 TSR CGRC **≥ 1 inspection every 3 years. Target 30**	Yammatree TSR	1 inspection	20/12/24
	Herrings TSR	1 inspection	20/12/24
	Crowley''s TSR	1 inspection	20/12/24
Private Property Inspections. Target 120	North Jindalee Rd	1 inspection	12/12/24
		TOTAL: 41/60	
Provide landholders with education, training & technical advice & support on weed management (Extension)	Coolatai information package.	10 units	19/12/24
	Chilean needle information package.	10 units	19/12/24
	Serrated tussock information package.	10 units	19/12/24
	Riverina weed ID Booklet	10 units	19/12/24

Activity	Location	Km/Count	Date
Engage in public awareness events for new weeds incursion reporting & promote land tenure Biosecurity Act 2015 obligations (Extension). Target 1 Henty	Cootamundra street stall event	1 event	19/12/24
Other			
Spot Spray Local Roads – Local priority weeds	Back Brawlin Rd	Spot Spray	2/12/24
	Brawlin Rd	Spot spray	13/12/24
	Ryans Lane	Spot spray	15/12/24
	Boundary Rd	Spot spray	20/12/24
	Pioneer Park Entry	Spot Spray	2/12/24
	Cootamundra Cemetery	Spot Spray	18/12/24
	Stockinbingal Cemetery	Spot Spray	18/12/24

General Comments:

- Lack of Summer rainfall reducing weed vigor and suitability for spraying (heat/moisture stress).
- Few Johnson grass incursions in table drains of several roads prioritised.
- Spray unit out of working order (seized pump).
- Section A Weed Action Program funding completed and sent to Gundagai for review.

Facilities

General building maintenance has been undertaken throughout December as per the work schedule.

The new automated chemical dosing system and acid tank has been installed at the Cootamundra 50m pool. This was an unexpected expense that required urgent action to ensure compliance with NSW Health.

A water leak in the air conditioning units at the Cootamundra sports stadium was promptly repaired to ensure the units could be used.

Capital Works Projects

The Ellwood's Hall new toilet block was tiled and fitted out, with only the painting left to be done early in the new year.

Waste Services

The Landfill second hand tip shop was opened to the public. Currently the shop is open on Saturdays and staff are trying to keep the shop stocked full of bargains.

The Southwest Regional Waste Management Group undertook the tender evaluation process to award the new haulage contract. The new contract will commence at the start of February providing the service ability to meet the demand for an increase in haulage loads.

The crushed concrete product is continuing to be popular with over 1,900 tonnes being sold to date. The compost and mulch sales are steady with 298 tonnes of compost and 46 tonnes of mulch being sold this financial year.

Financial

All areas of expenditure relating to the operations within Regional Services – Cootamundra are in most part within the allocated budgets.

OLG 23a Guideline consideration

No impacts associated with this report.

9 MOTION OF WHICH NOTICE HAS BEEN GIVEN

Nil

10 QUESTIONS WITH NOTICE

10.1 QUESTION WITH NOTICE

DOCUMENT NUMBER	429993
REPORTING OFFICER	Teresa Breslin, Executive Assistant to Mayor and General Manager
AUTHORISING OFFICER	Roger Bailey, Interim General Manager

QUESTIONS WITH NOTICE

The following 'question with notice' from Mayor McAlister has been received with the response from Council officer provided respectively:

Cr Abb McAlister – Could Council staff provide an update on the efforts being made to review and possibly remove the Section 88b covenant on the Bourke Estate Subdivision in Gundagai?

Background:

Some years ago, Council developed land in Gundagai. This development was done in stages and, unfortunately, at the time a very restrictive covenant was placed onto these lands that restricted the material that could be used to clad walls on structures within the subdivisions. This is a restriction that Council is required to enforce.

With regard to the first two stages of the subdivision in DP 851885 (item (3)(e)) and DP 110255 (item (2)(d)), the covenant provides:

(*d*) *That no building shall be erected on the land with external walls or walls of materials other than brick, stone, concrete, glass, timber or any combination of the sale PROVIDED THAT timber shall not be used in external walls except as in-fill in conjunction with all or any of the other materials above referred to and the proportion of timber so used shall not exceed fifteen per cent (15%) thereof FURTHER PROVIDED THAT nothing in this covenant shall preclude or prohibit a building having an inner framework of its external walls constructed of timber or other materials with an external brick face.*

The latest stage within DP 1173450 (item (3)(d)) provides slightly different wording largely to the same effect.

(d) That no building shall be erected on the land with external walls or walls of materials other than brick, stone, concrete, glass, timber or any combination of the same PROVIDED THAT timber shall not be used in external walls referred except as in-fill in conjunction with all or any of the other materials above referred to and proportion of timber so used shall not exceed fifteen per cent (15%) thereof FURTHER PROPOVIDED THAT nothing in this covenant shall preclude or prohibit a building having an inner framework of its external walls constructed of timber or other materials with an external brick face. Texture coated fibrous cement sheeting may be used as external walls, provided that all sections of such building below any finished floor level re-erected using brick, stone, concrete or any combination of the same, PROVIDED THAT the framework of any building constructed of timber or other materials with external walls as texture coated fibrous cement sheeting has frame width of at least 160mm and that any window inserted into such frame is recessed a minimum of 80mm from the external face of the cement sheeting.

It was my understanding that the covenant was to apply to houses within the subdivision, however as you can see by the wording the covenant states 'no building shall be erected with external walls….'. Thus, the restriction is being applied to all buildings, which I believe is an unintended consequence and is far too restrictive.

To further complicate the issue Council is restricted by the wording of the LEP. The matter that we are dealing with here is set out in clause 1.9A of the LEP:

1.9A Suspension of covenants, agreements and instruments

(1) For the purpose of enabling development on land in any zone to be carried out in accordance with this Plan or with a consent granted under the Act, any agreement, covenant or other similar instrument that restricts the carrying out of that development does not apply to the extent necessary to serve that purpose.

(2) This clause does not apply—

(a) to a covenant imposed by the Council or that the Council requires to be imposed, *or*

(b) to any relevant instrument within the meaning of section 13.4 of the Crown Land Management Act 2016, or

(c) to any conservation agreement within the meaning of the National Parks and Wildlife Act 1974, or

(d) to any Trust agreement within the meaning of the Nature Conservation Trust Act 2001, or

(e) to any property vegetation plan within the meaning of the Native Vegetation Act 2003, or

(f) to any biobanking agreement within the meaning of Part 7A of the Threatened Species Conservation Act 1995, or

(g) to any planning agreement within the meaning of Subdivision 2 of Division 7.1 of the Act.

(3) This clause does not affect the rights or interests of any public authority under any registered instrument.

*(4) Under section 3.16 of the Act, the Governor, before the making of this clause, approved of subclauses (*1)–(3).

Hence, subclause (1) allows Council to suspend covenants, except in those circumstances outlined in (2)(a). Which is the case here.

It should be emphasised that Council works under the standard LEP required by the NSW State Government, thus it cannot change the wording of the LEP.

I am aware that staff have been seeking advice on dealing with this and to help the community understand the situation an update of this matter would be appreciated.

Response from Council Officer – Council staff have received legal advice which is being considered. Council staff will provide an update to Councillors at the Council Meeting.

11 CONFIDENTIAL ITEMS

11.1 CLOSED COUNCIL REPORT

DOCUMENT NUMBER	429640
REPORTING OFFICER	Teresa Breslin, Executive Assistant to Mayor and General Manager
AUTHORISING OFFICER	Roger Bailey, Interim General Manager
RELEVANCE TO COMMUNITY STRATEGIC PLAN	**4. Collaborative and progressive leadership** 4.1 A clear strategic direction that is delivered upon
FINANCIAL IMPLICATIONS	There are no Financial implications associated with this report.
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	Nil

Note

Council's Code of Meeting Practice allows members of the public present to indicate whether they wish to make representations to the meeting, before it is closed to the public, as to whether that part of the meeting dealing with any or all of the matters listed should be closed.

RECOMMENDATION

1. **Items 11.2 and 11.3 be considered in closed Council at which the press and public are excluded in accordance with the applicable provisions of the Local Government Act, 1993 and related public interest reasons detailed.**
2. **In accordance with section 11 (2) and (3) of the Local Government Act, 1993, the reports, correspondence and other documentation relating to Items 11.2 and 11.3 be withheld from the press and public.**

11.2 RFT 2024/05 GUNDAGAI WATER TREATMENT PLANT FILTER REAHBILITATION AND MEDIA REPLACEMENT TENDER

Provisions for Confidentiality

Section 10A (2) (d(i)) – The Confidential Report contains commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it.

Public Interest

Commercial In-Confidence information provided by Tenderers is included in this report.

11.3 RFT 2025/04 GUNDAGAI WATER TREATEMENT PLANT RAW WATER INTAKE AND CHEMICAL DOSING UPGRADE DESIGN

Provisions for Confidentiality

Section 10A (2) (d(i)) – The Confidential Report contains commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it.

Public Interest

Commercial In-Confidence information provided by Tenderers is included in this report.