

# Business Paper

## ORDINARY COUNCIL MEETING

**ALBY SCHULTZ MEETING CENTRE,  
COOTAMUNDRA**

**6:00PM, Tuesday 25th February, 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 Alby Schultz meeting Centre, Cootamundra on:

**Tuesday, 25th February, 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.



# AGENDA

## Order Of Business

<b>1</b>	<b>Acknowledgement of Country .....</b>	<b>5</b>
<b>2</b>	<b>Open Forum .....</b>	<b>5</b>
<b>3</b>	<b>Apologies .....</b>	<b>5</b>
<b>4</b>	<b>Disclosures of Interest .....</b>	<b>5</b>
<b>5</b>	<b>Confirmation of Minutes .....</b>	<b>6</b>
5.1	Minutes of the Ordinary Meeting of Council held on Tuesday 28 January 2025 .....	6
<b>6</b>	<b>Mayoral Minutes .....</b>	<b>18</b>
6.1	Mayoral Minute - Councillor Engagement .....	18
<b>7</b>	<b>Reports from Committees .....</b>	<b>20</b>
7.1	Minutes of the Cootamundra-Gundagai Local Traffic Committee Meeting held on Thursday 13 February 2025.....	20
<b>8</b>	<b>General Manager's Report.....</b>	<b>29</b>
<b>8.1</b>	<b>General Manager Office .....</b>	<b>30</b>
8.1.1	Australian Local Government Association (ALGA) National General Assembly 2025 - Registration.....	30
<b>8.2</b>	<b>Business .....</b>	<b>31</b>
8.2.1	Audit, Risk and Improvement Committee Strategic Plan and Internal Audit Charter .....	31
8.2.2	Tabling of Pecuniary Interest Returns - New Designated Person .....	57
8.2.3	Delivery Program - Operational Plan Quarterly Progress Report .....	59
8.2.4	Muttama Creek Regeneration Group s.355 Committee Meeting Minutes .....	91
8.2.5	Muttama Hall Management s.355 Committee Meeting Minutes .....	93
<b>8.3</b>	<b>Finance .....</b>	<b>97</b>
8.3.1	Investment Report - January 2025 .....	97
8.3.2	Restricted Cash Reconciliation - January 2025 .....	103
8.3.3	Finance Update - January 2025 .....	105
<b>8.4</b>	<b>Sustainable Development.....</b>	<b>108</b>
8.4.1	Annual Fire Safety Statement Policy and Program .....	108
8.4.2	Establishment Easement for Utilities on Council Owned Land.....	116
8.4.3	Management of Council Imposed Subdivision Covenant.....	121

8.4.4	DA 2024/148 - Proposed Carport at 74 Olney Street, Cootamundra .....	142
8.4.5	DA 2024/108 - Proposed Electronic Advertising Sign - 107 Sheridan Street, Gundagai.....	180
8.4.6	DA 2024/129 - Proposed Detached Shed - 8 Banjo Patterson Place, Gundagai .....	230
<b>8.5</b>	<b>Engineering Cootamundra .....</b>	<b>275</b>
8.5.1	Cootamundra Engineering Report - February 2025.....	275
<b>8.6</b>	<b>Engineering Gundagai.....</b>	<b>277</b>
8.6.1	Gundagai Engineering Report - February 2025.....	277
<b>8.7</b>	<b>Regional Services Gundagai .....</b>	<b>279</b>
8.7.1	Gundagai Regional Services Works Report .....	279
<b>8.8</b>	<b>Regional Services Cootamundra .....</b>	<b>287</b>
8.8.1	Regional Services - Cootamundra Monthly Report to Council .....	287
8.8.2	Review of Gundagai Waste Management Operations .....	293
<b>9</b>	<b>Motion of which Notice has been Given.....</b>	<b>302</b>
<b>10</b>	<b>Questions with Notice .....</b>	<b>302</b>
<b>11</b>	<b>Confidential Items .....</b>	<b>303</b>
11.1	Closed Council Report .....	303
11.2	RFT2024/04 Water Network Civil, Electrical and Mechanical Upgrades at Cootamundra & Gundagai.....	303
11.3	Resumption of Open Council Meeting .....	303
11.4	Announcement of Closed Council Resolutions .....	303

**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 28 JANUARY 2025

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 28 January 2025

### RECOMMENDATION

The Minutes of the Ordinary Meeting of Council held on Tuesday 28 January 2025 be confirmed as a true and correct record of the meeting.



**COOTAMUNDRA-  
GUNDAGAI REGIONAL  
COUNCIL**

ABN: 46 211 642 339  
PO Box 420, Cootamundra NSW 2590  
Email: [mail@cgrc.nsw.gov.au](mailto:mail@cgrc.nsw.gov.au)  
[www.cgrc.nsw.gov.au](http://www.cgrc.nsw.gov.au)

# Minutes

## ORDINARY COUNCIL MEETING

**COUNCIL CHAMBERS, GUNDAGAI**

**6:00PM, TUESDAY 28th January, 2025**

**Administration Centres: 1300 459 689**

**MINUTES OF COOTAMUNDRA-GUNDAGAI REGIONAL COUNCIL  
ORDINARY COUNCIL MEETING  
HELD AT THE COUNCIL CHAMBERS, GUNDAGAI  
ON TUESDAY, 28 JANUARY 2025 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:** Roger Bailey (Interim General Manager), Barry Paull (Interim Deputy General Manager - CCD), Linda Wiles (Manager Business), Michael Mason (Interim Manager Sustainable Development), Greg Ewings (Acting Manager Regional Services Gundagai), Trevor Dando (Acting Manager Engineering Gundagai), 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.

**ADJOURN MEETING FOR OPEN FORUM**

**RESOLUTION 001/2025**

Moved: Cr David Graham

Seconded: Cr Les Cooper

**Council adjourn for Open Forum.**

**CARRIED**

**2 OPEN FORUM**

List of Speakers

1. Paul Vercoe and Peter Hilton (RSL Gundagai) – 8.7.1 Gundagai RSL Commemoration Project / Coral/Norden Memorial

**RESUME OPEN MEETING**

**RESOLUTION 002/2025**

Moved: Cr Ethan Ryan

Seconded: Cr Rosalind Wight

**Council resume the Open Meeting.**

**CARRIED**

**3 APOLOGIES AND LEAVE OF ABSENCE**

**3.1 APOLOGIES**

**APOLOGY**

**RESOLUTION 003/2025**

Moved: Cr David Graham

Seconded: Cr Gil Kelly

**That the apology received from Cr Nicholson be accepted and leave of absence granted.**

**CARRIED**

**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 10 DECEMBER 2024****RESOLUTION 004/2025**

Moved: Cr David Graham

Seconded: Cr Les Cooper

**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.**

**CARRIED**

**6 MAYORAL MINUTES****6.1 MAYORAL MINUTE - COUNCILLOR ENGAGEMENT****RESOLUTION 005/2025**

Moved: Cr David Graham

Seconded: Cr Rosalind Wight

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

**CARRIED**

**PROCEDURAL MOTION****RESOLUTION 006/2025**

Moved: Cr Les Cooper

Seconded: Cr Danyal Syed

**That council bring forward items 8.7.1 and 8.3.4 on the agenda for consideration.**

**CARRIED**

**8.7.1 GUNDAGAI RSL COMMEMORATION PROJECT****RESOLUTION 007/2025**

Moved: Cr Ethan Ryan

Seconded: Cr David Graham

- 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.**

**CARRIED**

Min Lee NSW Audit Office presented the 2024 audited financial statements.

**8.3.4 PRESENTATION OF AUDITED FINANCIAL STATEMENTS****RESOLUTION 008/2025**

Moved: Cr Gil Kelly

Seconded: Cr Ethan Ryan

**The General-Purpose Financial Statements, Special-Purpose Financial Statements and Special Schedules for the year ended 30<sup>th</sup> June 2024, be adopted following consideration of any submissions received.**

**CARRIED**

**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****RESOLUTION 009/2025**

Moved: Cr Danyal Syed

Seconded: Cr David Graham

- 1. The Minutes of the Country Mayors Association Meetings held on 15 November 2024, attached to the report, be received and noted.**
- 2. Council send congratulatory letters to Cr Rick Firman and Jamie Chaffey.**

**CARRIED**



## **8.2 BUSINESS**

### **8.2.1 DELEGATIONS OF THE MAYOR**

#### **RESOLUTION 010/2025**

Moved: Cr Rosalind Wight

Seconded: Cr Danyal Syed

**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.**

**CARRIED**

### **8.2.2 REVIEW OF DELEGATIONS OF AUTHORITY OF GENERAL MANAGER**

#### **RESOLUTION 011/2025**

Moved: Cr David Graham

Seconded: Cr Ethan Ryan

- 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.**

**CARRIED**

### **8.2.3 MUTTAMA CREEK REGENERATION GROUP S.355 COMMITTEE MEETING MINUTES**

#### **RESOLUTION 012/2025**

Moved: Cr Les Cooper

Seconded: Cr Rosalind Wight

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

**CARRIED**

#### **8.2.4 COOTAMUNDRA HERITAGE CENTRE MANAGEMENT S.355 COMMITTEE MEETING MINUTES**

##### **RESOLUTION 013/2025**

Moved: Cr Les Cooper

Seconded: Cr Rosalind Wight

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

**CARRIED**

#### **8.2.5 INFORMATION SECURITY POLICY**

##### **RESOLUTION 014/2025**

Moved: Cr Danyal Syed

Seconded: Cr Ethan Ryan

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

**CARRIED**

#### **8.2.6 REQUEST FOR DONATION - MUTTAMA HALL S.355 COMMITTEE**

##### **RESOLUTION 015/2025**

Moved: Cr Gil Kelly

Seconded: Cr Ethan Ryan

**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.**

**CARRIED**

### **8.3 FINANCE**

#### **8.3.1 FINANCE UPDATE - DECEMBER 2024**

##### **RESOLUTION 016/2025**

Moved: Cr Les Cooper

Seconded: Cr Ethan Ryan

**The Finance Update report, be received and noted.**

**CARRIED**

8.3.2 RESTRICTED CASH RECONCILIATION - DECEMBER 2024

RESOLUTION 017/2025

Moved: Cr Rosalind Wight  
Seconded: Cr Ethan Ryan

The Restricted Cash Reconciliation report, be received and noted.

CARRIED

8.3.3 INVESTMENT REPORT - DECEMBER 2024

RESOLUTION 018/2025

Moved: Cr David Graham  
Seconded: Cr Rosalind Wight

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

CARRIED

8.4 SUSTAINABLE DEVELOPMENT

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

RESOLUTION 019/2025

Moved: Cr Danyal Syed  
Seconded: Cr Les Cooper

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.

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 Ethan Ryan	Nil

Cr Danyal Syed	
<b>ABSENT</b>	<b>DECLARED INTEREST</b>
Cr Penny Nicholson	Nil

**CARRIED****8.4.2 BUSHFIRE MAPPING UPDATE AND POLICY****RESOLUTION 020/2025**

Moved: Cr Les Cooper

Seconded: Cr Gil Kelly

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.

**CARRIED****8.5 ENGINEERING COOTAMUNDRA****8.5.1 COOTAMUNDRA ENGINEERING REPORT - JANUARY 2025****RESOLUTION 021/2025**

Moved: Cr Rosalind Wight

Seconded: Cr David Graham

**The Cootamundra Engineering Report for the month of January 2025 be noted.****CARRIED**

## **8.6 ENGINEERING GUNDAGAI**

### **8.6.1 GUNDAGAI ENGINEERING REPORT - JANUARY 2025**

#### **RESOLUTION 022/2025**

Moved: Cr David Graham

Seconded: Cr Danyal Syed

**The Gundagai Engineering Report for the month of January 2025 be noted.**

**CARRIED**

### **8.6.2 2024 NATIONAL LOCAL ROADS, TRANSPORT AND INFRASTRUCTURE CONGRESS**

#### **RESOLUTION 023/2025**

Moved: Cr Rosalind Wight

Seconded: Cr Ethan Ryan

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

**CARRIED**

## **8.7 REGIONAL SERVICES GUNDAGAI**

### **8.7.2 GUNDAGAI REGIONAL SERVICES WORKS REPORT**

#### **RESOLUTION 024/2025**

Moved: Cr Gil Kelly

Seconded: Cr Les Cooper

**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 025/2025**

Moved: Cr David Graham

Seconded: Cr Les Cooper

**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****10.1 QUESTION WITH NOTICE**

Verbal response by Manager Sustainable Development noted.

**11 CONFIDENTIAL ITEMS****11.1 CLOSED COUNCIL REPORT****RESOLUTION 026/2025**

Moved: Cr David Graham

Seconded: Cr Rosalind Wight

- 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.**

**CARRIED**

**RESUMPTION OF OPEN COUNCIL MEETING****RESOLUTION 027/2025**

Moved: Cr Les Cooper

Seconded: Cr Danyal Syed

**The Open Council meeting resume.**

**CARRIED**

**ANNOUNCEMENT OF CLOSED COUNCIL RESOLUTIONS**

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

**11.2 RFT 2024/05 GUNDAGAI WATER TREATMENT PLANT FILTER REAHBILITATION AND MEDIA REPLACEMENT TENDER****RESOLUTION 028/2025**

Moved: Cr Ethan Ryan

Seconded: Cr Rosalind Wight

- 1. That Water Treatment Australia Pty Ltd be awarded the tender as described within this report and attachment for a total of \$657,933.64 (ex GST).**

2. Delegate authority to the Interim General Manager to execute all necessary documentation associated with this contract and expend funds as per the contract.

**CARRIED**

### **11.3 RFT 2025/04 GUNDAGAI WATER TREATMENT PLANT RAW WATER INTAKE AND CHEMICAL DOSING UPGRADE DESIGN**

#### **RESOLUTION 029/2025**

Moved: Cr Rosalind Wight

Seconded: Cr David Graham

#### **That Council:**

1. Award the tender as described within this report and attachment to City Water Technology Pty Ltd for \$320,644.00 (ex GST).
2. Delegate authority to the Interim General Manager to execute all necessary documentation associated with this contract and expend funds as per the contract.
3. Note the construction of the raw water intake and chemical dosing upgrade of the Gundagai Water Treatment Plant will be undertaken in the 25/26 financial year, either through allocation from the water reserve or through external grants.

**CARRIED**

The Meeting closed at 6:50pm.

The minutes of this meeting were confirmed at the Ordinary Council Meeting held on 25 February 2025.

**CHAIRPERSON**

**GENERAL MANAGER**

## 6 MAYORAL MINUTES

### 6.1 MAYORAL MINUTE - COUNCILLOR ENGAGEMENT

DOCUMENT NUMBER	431219
AUTHORISING OFFICER	Abb McAlister, Mayor
REPORTING OFFICER	Abb McAlister, Mayor
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.**

#### 25 January 2025

I, Cr McAlister (Mayor), attended the Australia Day Ambassador Dinner in Gundagai.

Crs Wight (Deputy Mayor), Collins, Cooper, and Ryan attended the Australia Day Ambassador Dinner in Cootamundra.

#### 26 January 2025

I, Cr McAlister (Mayor), attended the Australia Day event in Gundagai.

Crs Wight (Deputy Mayor), Collins, Cooper, and Ryan attended the Australia Day event in Cootamundra.

#### 28 January 2025

Crs Wight (Deputy Mayor), Cooper, Graham, Kelly, Ryan, Syed, and I, Cr McAlister (Mayor) attended a Councillor Workshop and Council Meeting in Gundagai.

#### 31 January 2025

I, Cr McAlister (Mayor), attended the Mayoral Summit in Harden.

#### 4 February 2025

Crs Wight (Deputy Mayor), Cooper, Nicholson and I, Cr McAlister (Mayor) attended an Extraordinary Councillor Workshop regarding the Old Mill Gundagai project.

#### 5 February 2025

I, Cr McAlister (Mayor), attended a meeting with the member for Cootamundra Steph Cooke in Wallendbeen.

I, Cr McAlister (Mayor), attended a follow up meeting with the Member for Cootamundra Steph Cooke.



11 February 2025

Cr Graham, and I, Cr McAlister (Mayor) attended a meeting with Minister Hoenig and Member for Cootamundra Steph Cooke in Sydney.

Crs Wight (Deputy Mayor), Cooper, Nicholson, and Ryan attended a Councillor Workshop in Cootamundra.

12 February 2025

I, Cr McAlister (Mayor), attended a U3A Cootamundra Meeting.

13 February 2025

Crs Wight (Deputy Mayor), Cooper, Graham, Nicholson, Ryan and I, Cr McAlister (Mayor) attended an Extraordinary Councillor Workshop in Cootamundra.

## 7 REPORTS FROM COMMITTEES

### 7.1 MINUTES OF THE COOTAMUNDRA-GUNDAGAI LOCAL TRAFFIC COMMITTEE MEETING HELD ON THURSDAY 13 FEBRUARY 2025

REPORTING OFFICER	Kylie Grybaitis, Road Safety Officer
AUTHORISING OFFICER	Matt Stubbs, Deputy General Manager - Operations
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 Cootamundra-Gundagai Local Traffic Committee Meeting held on Thursday 13 February 2025

### RECOMMENDATIONS

1. The Minutes of the Cootamundra-Gundagai Local Traffic Committee Meeting held on Thursday 13 February 2025, attached to the report, be received and noted.
2. In consideration of the Cootamundra-Gundagai Local Traffic Committee recommendations detailed in the minutes, Council endorse the following:
  - 2.1. That Old Cootamundra Road from Sutton's Lane to the shire's border remain without weight restriction and continue to be excluded from the blanket B Double approval throughout Cootamundra pending further investigations.
  - 2.2. That Transport for NSW conduct a signage review along Berthong Road on approach to the Temora Street intersection, Cootamundra.
  - 2.3. That location defining *Loading Zone* signage be installed in Cooper Lane, south of Wallendoon Street, to determine a designated delivery space, and that *No Stopping* signs be installed 10m from the kerb of Wallendoon Street intersection as per Road Rules 2014 – Reg 170.
  - 2.4. That parking remain unrestricted between the *NO STOPPING* signs on the western side of Hovell Street between Temora Road and Sutton Street.
  - 2.5. That current *Reverse Angle Parking* signage be replaced with *Parallel Parking* signage on the western side of Murray Street between Adams Street and Bourke Street to ensure safe passage for motorists at all times of the day.
  - 2.6. That the two-hour parking restriction is NOT extended along Parker Street.
  - 2.7. That the two-hour parking restriction in front of the Cootamundra Council Administration Office be extended along Wallendoon Street to include the Cootamundra Library and Town Hall.
  - 2.8. That the *GIVE WAY* signs at the intersection of Temora Street and Parker Street be replaced with larger signs and the existing line marking is renewed.
  - 2.9. That approval be given for the Cootamundra Returned and Services League to hold the 2025 ANZAC Day March subject to the following conditions:

- (a) The event organiser complies with any conditions set by Council and the NSW Police,**
- (b) That all Traffic Control Plans are applied in accordance with the 'Traffic Control at Worksites Manual',**
- (c) All Traffic Controllers must have the appropriate traffic control tickets,**
- (d) Council will arrange for the placement and removal of all road barriers.**

**2.10. That approval be given for the Gundagai Returned and Services League to hold the 2025 ANZAC Day March subject to the following conditions:**

- (a) The event organiser complies with any conditions set by Council and the NSW Police,**
- (b) That all Traffic Control Plans are applied in accordance with the 'Traffic Control at Worksites Manual',**
- (c) All Traffic Controllers must have the appropriate traffic control tickets,**
- (d) Council will arrange for the placement and removal of all road barriers.**

**2.11. That approval be given to hold the Wallendbeen 2025 ANZAC Day Parade subject to the following conditions:**

- a) The event organiser complies with any conditions set by Council and the NSW Police**
- b) That all Traffic Control Plans are applied in accordance with the 'Traffic Control at Worksites Manual'**
- c) All Traffic controllers must have appropriate traffic control tickets**
- d) Council will arrange for the placement and removal of all road barriers.**

#### Discussion

The Minutes of the Cootamundra-Gundagai Local Traffic Committee Meeting held 13 February 2025 are submitted for the information of Council and the community.

# Minutes

## COOTAMUNDRA-GUNDAGAI LOCAL TRAFFIC COMMITTEE MEETING

**ALBY SCHULTZ MEETING CENTRE, COOTAMUNDRA**

**10:00AM, THURSDAY 13th February, 2025**

**Administration Centres: 1300 459 689**

**MINUTES OF COOTAMUNDRA-GUNDAGAI REGIONAL COUNCIL  
COOTAMUNDRA-GUNDAGAI LOCAL TRAFFIC COMMITTEE MEETING  
HELD AT THE ALBY SCHULTZ MEETING CENTRE, COOTAMUNDRA  
ON THURSDAY, 13 FEBRUARY 2025 AT 10:00AM**

**PRESENT:** Gwen Norman (Local Electorate Representative), Luke Parsons (Acting Sergeant Riverina Highway Patrol Cootamundra), Justin Knewstub (Sergeant-Crime Coordinator Riverina Police District), Wade Sheales (Community and Safety Support Officer)

**IN ATTENDANCE:** Kylie Grybaitis (Road Safety Officer), David Brodie (Operations Engineer)

**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 APOLOGIES AND LEAVE OF ABSENCE**

**2.1 APOLOGIES**

Bimal Shah (Interim Manager Engineering Cootamundra)  
Trevor Dando (Acting Manager of Engineering Gundagai)  
Thomas Hogg (Design Coordinator)  
Matt Stubbs (Deputy General Manager Operations)  
Logan Collins (Councillor)  
Greg Minehan (Lead Community & Safety Partner TfNSW)

**2.2 LEAVE OF ABSENCE**

Nil

**3 DISCLOSURES OF INTEREST**

Nil

**4 CONFIRMATION OF MINUTES**

**2.1 MINUTES OF THE COOTAMUNDRA-GUNDAGAI LOCAL TRAFFIC COMMITTEE MEETING HELD ON THURSDAY 7 NOVEMBER 2024**

**RECOMMENDATION**

**The Minutes of the Cootamundra-Gundagai Local Traffic Committee Meeting held on Thursday 7 November 2024 be confirmed as a true and correct record of the meeting.**

Moved: Gwen Norman

## 5 REPORTS

### 3.1 15T WEIGHT RESTRICTION ON OLD COOTAMUNDRA ROAD, COOTAMUNDRA

#### RECOMMENDATION

**That Old Cootamundra Road from Sutton's Lane to the shire's border remain without weight restriction and continue to be excluded from the blanket B Double approval throughout Cootamundra pending further investigations.**

#### Discussion:

The LTC discussed the necessity of a weight restriction imposed on Old Cootamundra Road and the current exclusion from the B Double blanket approval across the Cootamundra Shire. It was noted that complaints were received due to increased traffic movement resulting from the Wallendbeen Bridge closure on Burley Griffin Way. As no issues were reported prior to this incident, the LTC does not recommend a 15t weight restriction on Old Cootamundra Road at this stage. Council will continue to monitor the situation.

### 3.2 BERTHONG ROAD INTERSECTION SIGNAGE REVIEW, COOTAMUNDRA

#### RECOMMENDATION

**That Transport for NSW conduct a signage review along Berthong Road on approach to the Temora Street intersection, Cootamundra.**

#### Discussion:

TfNSW have investigated the intersection of concern and will provide Council with a suitable signage plan. The LTC discussed reinstating worn rumble strips and the possibility of utilising Vehicle Activated Giveway Signs. It was agreed that current signage was confusing and required a review.

### 3.3 COOPER LANE LOADING ZONE OBSTRUCTION, COOTAMUNDRA

#### RECOMMENDATION

**That location defining *Loading Zone* signage be installed in Cooper Lane, south of Wallendoon Street, to determine a designated delivery space, and that *No Stopping* signs be installed 10m from the kerb of Wallendoon Street intersection as per Road Rules 2014 – Reg 170.**

#### Discussion:

The LTC agreed that a designated Loading Zone is required in Cooper Lane for the essential delivery of operational goods for connected businesses. As per the NSW Parking Rules, Loading Zones are primarily intended to support businesses without access to off-street loading or parking facilities in areas with limited kerbside parking. The LTC recommended two loading zone signs that identify the boundaries of the loading zone. *No Parking* signs were considered but deemed unsuitable.

### 3.4 HOVELL STREET VISIBILITY CONCERNS, COOTAMUNDRA

#### RECOMMENDATION

**That parking remain unrestricted between the *NO STOPPING* signs on the western side of Hovell Street between Temora Road and Sutton Street.**

#### Discussion:

The LTC does not support the introduction of time restricted parking at this location as sight distance will continue to be an issue even when cars are legally parked. The LTC discussed ways of removing the sight obstructions by other means available to Council.

### 3.5 MURRAY STREET PARKING ARRANGEMENTS, COOTAMUNDRA

#### RECOMMENDATION

**That current *Reverse Angle Parking* signage be replaced with *Parallel Parking* signage on the western side of Murray Street between Adams Street and Bourke Street to ensure safe passage for motorists at all times of the day.**

#### Discussion:

The LTC agreed that the current signage on the western side of Murray Street between Adams Street and Bourke Street needs to be replaced with parallel parking signage. The Murray Street carpark owned by Council and located behind the IGA was identified as a suitable alternative parking option for patrons of surrounding businesses.

### 3.6 PARKER STREET TIME RESTRICTED PARKING EXTENSION, COOTAMUNDRA

#### RECOMMENDATION

**That the two-hour parking restriction is NOT extended along Parker Street.**

#### Discussion:

The LTC discussed the suitability of extending time restricted parking along the north side of Parker Street and determined that the majority of businesses operating within this locality required long term parking for customer vehicles. They expressed concern that time restrictions would be detrimental to the associated businesses. Council will conduct further investigations and monitor the situation.

### 3.7 TIME RESTRICTED PARKING ON WALLEDOON STREET, COOTAMUNDRA

#### RECOMMENDATION

**That the two-hour parking restriction in front of the Cootamundra Council Administration Office be extended along Wallendoon Street to include the Cootamundra Library and Town Hall.**

#### Discussion:

The LTC agreed with the need to extend the time restricted parking zone along Wallendoon Street between Cooper and Thompson Street but did express concern that this would undoubtedly push vehicles into other

popular parking locations. It was noted that Council will need to address staff parking availability and propose a solution for long-term parking that will not interfere with neighbouring businesses or schools.

### **3.8 TEMORA STREET & PARKER STREET GIVE WAY SIGNS, COOTAMUNDRA**

#### **RECOMMENDATION**

**That the *GIVE WAY* signs at the intersection of Temora Street and Parker Street be replaced with larger signs and the existing line marking is renewed.**

#### Discussion:

TfNSW investigated the intersection and determined that the required warrents for STOP signs were not meet. In light of this advice, the LTC recommended that the current Give Way signs be replaced with the larger size Give Way signs and that line marking is renewed.

### **3.9 2025 COOTAMUNDRA ANZAC DAY PARADE**

#### **RECOMMENDATION**

**That approval be given for the Cootamundra Returned and Services League to hold the 2025 ANZAC Day March subject to the following conditions:**

- (a) The event organiser complies with any conditions set by Council and the NSW Police,**
- (b) That all Traffic Control Plans are applied in accordance with the 'Traffic Control at Worksites Manual',**
- (c) All Traffic Controllers must have the appropriate traffic control tickets,**
- (d) Council will arrange for the placement and removal of all road barriers.**

#### Discussion:

NSW Police will provide final approval. Additional conditions will be noted with regards to participating motorcyclists wearing helmets and adhering to NSW Road Rules.

### **3.10 2025 GUNDAGAI ANZAC DAY PARADE**

#### **RECOMMENDATION**

**That approval be given for the Gundagai Returned and Services League to hold the 2025 ANZAC Day March subject to the following conditions:**

- (a) The event organiser complies with any conditions set by Council and the NSW Police,**
- (b) That all Traffic Control Plans are applied in accordance with the 'Traffic Control at Worksites Manual',**
- (c) All Traffic Controllers must have the appropriate traffic control tickets,**
- (d) Council will arrange for the placement and removal of all road barriers.**

#### Discussion:

NSW Police will provide final approval.



### **3.11 2025 WALLEND BEEN ANZAC DAY PARADE**

#### **RECOMMENDATION (SUBJECT TO THE SUBMISSION OF A CERTIFICATE OF CURRENCY)**

**That approval be given to hold the Wallendbeen 2025 ANZAC Day Parade subject to the following conditions:**

- a) The event organiser complies with any conditions set by Council and the NSW Police**
- b) That all Traffic Control Plans are applied in accordance with the 'Traffic Control at Worksites Manual'**
- c) All Traffic controllers must have appropriate traffic control tickets**
- d) Council will arrange for the placement and removal of all road barriers.**

#### Discussion:

Once received, Council will distribute the EMP and COC for Committee consideration. NSW Police will provide final approval.

### **3.12 UPCOMING EVENTS**

#### **RECOMMENDATION**

##### **For the Committee's information**

#### Discussion:

The LTC had a discussion regarding a possible convoy of 600 Land Rovers travelling along the Hume Highway from Yass to Gundagai in September 2025. As a moving convoy, no EMP, TGS or COC would be required. All participating vehicles must adhere to the NSW Road Rules.

### **3.13 GENERAL BUSINESS**

#### **RECOMMENDATION**

##### **For the Committee's discussion**

#### Discussion:

##### **1. Morris Street Shared Footpath Consultation Results.**

The LTC discussed community responses to the Morris Street survey and considered all suitable options available to Council regarding the popular path. The committee identified a number of safety and infrastructure issues relating to pedestrian safety, ongoing rate payer costs and infrastructure damage. These concerns will be raised in a report presented to Council.

##### **2. Parking Enforcement Community Opinion Survey.**

The LTC support community consultation to gauge public opinion concerning parking enforcement.

##### **3. Ryan's Lane Intersection Safety**

TfNSW have visited the location and will conduct further investigation.

##### **4. Nangus Intersection Safety**

TFNSW will review current signage.

**5. Road User Safety on Gundagai Road**

LTC discussed parking concerns of Gundagai Road and do not recommend any action at this time. No other complaints have been received and illegal parking is minimal. Council will continue to monitor the situation and educate as required.

**6. Muttama Speed Reduction Request**

Residents of Muttama have requested that the speed limit on Muttama Road be reduced from 80k/h to 60k/h within the township. TfNSW will investigate.

**7. Disabled Parking Reinstatement at the Cootamundra Police Statement**

Line marking to be scheduled.

**8. Shovel Horse Ride**

Committee members notified Council of their possible inclusion of a currently unapproved Horse Ride event. Further investigations noted that although Councils WHS Officer had been made aware of the event, no documentation or contact has been received by event organisers at this stage.

**The Meeting closed at 12:10pm.**

**The minutes of this meeting were confirmed at the Cootamundra-Gundagai Ordinary Council Meeting held on 25 February 2025.**

.....

**CHAIRPERSON**

.....

**GENERAL MANAGER**

**8        GENERAL MANAGER’S REPORT**

## 8.1 GENERAL MANAGER OFFICE

### 8.1.1 AUSTRALIAN LOCAL GOVERNMENT ASSOCIATION (ALGA) NATIONAL GENERAL ASSEMBLY 2025 - REGISTRATION

DOCUMENT NUMBER	431522
REPORTING OFFICER	Teresa Breslin, Executive Assistant to Mayor and General Manager
AUTHORISING OFFICER	Roger Bailey, Interim General Manager
RELEVANCE TO COMMUNITY STRATEGIC PLAN	<b>4. Collaborative and progressive leadership</b> 4.1 A clear strategic direction that is delivered upon
FINANCIAL IMPLICATIONS	Total cost will be between \$2217 - \$2537 Per Person.
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 attendance of the Mayor and Interim General Manager at the Australian Local Government Association (ALGA) National General Assembly in July, 2025 be considered.**

#### Introduction

The ALGA 2025 National General Assembly (NGA) (incorporating the Regional Cooperation and Development Forum) will again be held at the National Convention Centre in Canberra from 24-27 June 2025.

#### Discussion

The theme of this year's event will be "National Priorities Need Local Solutions", focusing on the key role that we all play delivering local-place based initiatives that help address our nation's big challenges.

#### Financial

Costs associated to attend, for Interim General Manager and Mayor, are:

- Early bird registration is \$979pp. (by 23 May 2025)
- Accommodation for each person for three (3) nights is between \$780-\$1100pp (*cost will depend on availability at time of booking*)
- General Assembly Dinner is \$179pp.
- Regional Forum Registration is \$479 (only) or additional \$279 with NGA registration.

Total estimated cost PP is between \$2217 - \$2537 from relevant Mayor/councillors and Executive office conferences/training budgets.

#### OLG 23a Guideline consideration

The objective of this report does not conflict with the Guidelines.

## 8.2 BUSINESS

### 8.2.1 AUDIT, RISK AND IMPROVEMENT COMMITTEE STRATEGIC PLAN AND INTERNAL AUDIT CHARTER

DOCUMENT NUMBER	430402
REPORTING OFFICER	Linda Wiles, Manager Business
AUTHORISING OFFICER	Barry Paull, Interim Deputy General Manager - CCD
RELEVANCE TO COMMUNITY STRATEGIC PLAN	<b>4. Collaborative and progressive leadership</b> 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	1. ARIC Strategic Plan 2024-2028 <a href="#">↓</a> 2. Revised Internal Audit Charter <a href="#">↓</a>

### RECOMMENDATION

**That Council adopts the amended Internal Audit Charter and ARIC Strategic Plan.**

#### Introduction

Council has established an Audit, Risk and Improvement Committee ('ARIC') and Internal Audit function as required by the Local Government Act 1993 ('the Act') s 428A and the Local Government (General) Regulation 2021 ('the Regulation') s 216O.

The functions of the ARIC and Internal Audit must comply with the Guidelines for Risk Management and Internal Audit for Local Government in NSW ('the Guidelines') issued by the Office of Local Government in November 2023 under the Act s 23A.

#### Discussion

##### **Internal Audit Charter**

At the 3 December 2024 ARIC meeting, a report was presented outlining proposed changes to the Internal Audit Charter previously adopted by Council to adapt to meet Internal Auditing standards issued under the International Professional Practice Framework. The main changes are:

Limiting Internal Audit's role in reviewing External Audit to reviewing plans and implementation of recommendations.

Amendments to review of financial management to avoid duplication with External Audit responsibilities.

Removal of operational statements (e.g. facilitate integration of risk management).

The amended Charter is now presented to Council for adoption with this report.

**ARIC Strategic Plan**

The ARIC is required to prepare a strategic work plan every four years to ensure that all the matters listed in section 428A of the Act are reviewed by the committee and considered by the internal audit function when developing their risk-based program of internal audits.

The Guidelines permit the Internal Audit Coordinator to assist with the development of this plan. A skeleton structure of the plan was presented to the August meeting for advice from the ARIC and based on the direction and feedback from the ARIC and management, a detailed version was presented for endorsement by the ARIC at the December 3 Meeting.

The Guidelines require that the Council endorse the Strategic Plan. Council will receive updates on the implementation of the plan through the following mechanisms:

Reporting of the minutes of each meeting to Council.

An annual report on the Committee will be presented to Council.

The attendance of a Councillor at ARIC Meetings.

Note that the ARIC has no delegation from Council and any decisions must be recommended to Council for endorsement.

The Independent Chair of the ARIC may provide additional communication to the Council on any matter they deem appropriate.

**Summary**

The ARIC Strategic Plan and amended Internal Audit Charter is presented to Council for adoption.

**Financial**

There are no unbudgeted financial implications associated with the recommendations of this report. Council has previously entered into a shared service arrangement with 5 other Councils to meet the requirements of the Guidelines in a significantly cost-effective, and higher performing structure.

**OLG 23a Guideline consideration**

The objective of this report does not conflict with the Guidelines.



---

# Audit, Risk and Improvement Committee Strategic Plan 2024-2028

## 1. Introduction

The Council of Cootamundra-Gundagai is committed to good governance and continuous improvement to ensure that the community continues to receive high quality and sustainable services from Council.

The Council's Audit, Risk and Improvement Committee ('**ARIC**') is established to offer independent assurance to the Council by overseeing, assessing, and advising on the governance processes, compliance with regulations, management of risks, control frameworks, external accountability responsibilities, and the general performance of the Council.

This document is developed to manage the elements mandated for continuous evaluation by the ARIC as per the *Local Government Act 1993* ('**the Act**'), the *Local Government (General) Regulation 2021* ('**the Regulation**') and considering the *Guidelines for Risk Management and Internal Audit for Local Government in NSW* ('**the Guidelines**'). It aims to ensure oversight of relevant areas of Council while providing the appropriate leeway for the Committee to adapt to evolving industry trends or specific risks faced by the Council over time, guided by yearly work plans.

The Guidelines provide acknowledgement that the exact nature of each ARIC's role and the specific activities it reviews on behalf of a council under section 428A of the Local Government Act will need to be flexible to deal with arising needs, risks and business functions. The strategic plan outlines the actions and activities that will be the focus of the Committee over its term from 2024 – 2028.



## 2. Governance Structure

The Act, Regulation and the Guidelines require each council in NSW to have 3 mandatory governance mechanisms to ensure that councils are on track to delivering their community's goals and objectives:

- an audit, risk and improvement committee that continuously reviews and provides independent advice to the council on how it is functioning and managing risk;
- a robust risk management framework that accurately identifies and mitigates the risks facing the council and its operations; and
- an effective internal audit function that provides independent advice as to whether the council is functioning effectively and the council's internal controls to manage risk are working.

The ARIC is a committee established by resolution of the elected Council and is accountable to the Council for delivering on this document. The Committee forms a part of the Council's Corporate Governance Framework, and in accordance with the terms of reference will provide independent advice and assurance to Council. The Committee reports to the Council's Governing body on strategic matters, but administratively to General Manager of the Council.

The ARIC is responsible for the functional operations of the Internal Audit Function of Council, through a shared Internal Audit Coordinator with 6 Councils, Bland, Cootamundra-Gundagai, Coolamon, Junee, Lockhart and Temora (**'Internal Audit Alliance'**). This role administratively is supported by Bland Shire Council.

The governance of the ARIC is set by the Council's endorsed terms of reference and internal audit charter. The ARIC is an advisory body only. It exercises no administrative functions, has no delegated financial responsibilities, and does not perform any management functions of council.

### Membership

The Committee is made of 3 independent members (inclusive of the chair) who are appointed by Council resolution. The members must satisfy the independence and eligibility criteria set out in the *Local Government (General) Regulation 2021* s 216D - 216F (**'Regulation'**). The ARIC has a shared chair with the Council's within the Internal Audit Alliance.

One non-voting Councillor may be appointed by resolution to attend as an observer to the ARIC under the Regulation s 216C(2).





### 3. Strategic Objectives

This document establishes the key matters to be kept under review by the Committee. The following matters are provided under section 428A of the Act as matters that must be reviewed by the ARIC and separated into the Audit, Risk and Improvement aspects for clarity of this plan.

#### Audit

The ARIC must keep the following audit functions under review:

- Internal Audit (Regulation s 216R), and
- External Audit (Guidelines, p 78)

#### Risk

The ARIC must keep the following risk functions under review:

- Compliance Framework (Act 428A(2)(a))
- Risk Management (Act 428A(2)(b))
- Fraud and Corruption Control Framework (Act 428A(2)(c))
- Financial Management Framework (Act 428A(2)(d))
- Governance Framework (Act 428A(2)(e))

#### Improvement

The ARIC must keep the following improvement functions under review:

- Strategic Planning (Act 428A(2)(f))
- Service Reviews (Act 428A(2)(g))
- Business Improvement (Act 428A(3))
- Performance Data and measurement (Act 428A(2)(h))

The following sections of this document break down the strategic objectives and assign activities to ensure that the purpose of the ARIC can be delivered effectively. It is noted that there is some crossover where activities will deliver multiple objectives.



## Audit

### Internal Audit

An internal audit function is an independent, objective assurance and consulting activity designed to add value and improve a Council's operations. It helps Council accomplish its objectives by bringing a systematic, disciplined approach to evaluate and improve the effectiveness of risk management, control, and governance processes.<sup>1</sup>

The structure of the Internal Audit program is to have a unified annual audit plan across the six Alliance Councils, with minor variation to match the risk profile of Council as required.

Council has adopted an Internal Audit Charter, and the ARIC has a functional responsibility for the Internal Audit program.

The ARIC will provide overall strategic oversight of internal audit activities including:

Code	Objective	Activities	Timeframe
1.1	Act as a forum for communication between the Council, General Manager, senior management, the internal audit function and external audit.	Attendance at ARIC meetings by key participants.	Quarterly
1.2		ARIC minutes provided to council after each meeting	Quarterly
1.3		ARIC meets with Internal Audit Coordinator and External Audit.	Annually
1.4	Coordinate, the work programs of internal audit and other assurance and review functions.	ARIC review and endorse strategic and annual internal audit plan.	Annually
1.5	Review and advise the Council of the strategic four-year plan and annual work plan of internal audits to be undertaken by the Council's internal audit function.	ARIC review other work plans including service reviews, governance, risk and control assurance work to determine any overlap with proposed IA work.	Annually
1.6	Review and advise the Council if it is complying with internal audit requirements, including: - Conformance with the International Professional Practices Framework (IPPF), - Risk Management and Internal Audit Guidelines.	Self-assessment against IPPF (IIA standards)	Annually
1.7		Review Council's attestation statement in annual report for conformance with OLG regulation and guidelines	Annually
1.8		Independent external quality assurance review	Once each Council term

<sup>1</sup> Adapted from the [IPPF definition of Internal Auditing](#)



1.9	Review and advise the Council on whether the Council is providing the resources necessary to successfully deliver the internal audit function.	Internal Audit Performance Report	Annually
1.10	Review and advise the Council if the internal audit function is structured appropriately and has sufficient skills and expertise to meet its responsibilities.	Communications between the General Manager, head of internal audit and Chair of the ARIC on annual performance appraisal of internal audit (in-house and external provider).	Annually
1.11	Review and advise the Council on the appointment of the head of the internal audit function and external providers.	Consultation with ARIC independent chair in recruitment and/or EOI. (As required for end of term or vacancies).	As required
1.12	Review and advise the Council of the findings and recommendations of internal audits conducted, and corrective actions needed to address issues raised.	Receive Internal Audit Reports and provide advice on the implementation of recommendations	Quarterly, with each report
1.13	Review and advise the Council of the implementation by Council of corrective actions.	Quarterly report monitoring implementation of recommendations	Quarterly report

## External Audit

The ARIC will assist Council achieve maximum value from its external audit engagement by acting as a forum for communication and coordinating (as much as practical) the approach of management to matters relating to internal and external audit. The ARIC will provide input into the financial statement and performance audit services as well as monitoring Council's implementation of findings.

Code	Objective	Activities	Timeframe
2.1	Act as a forum for communication between the Council, General Manager, senior management, the internal audit function, and external audit.	Resolved by 1.1	
2.2	Coordinate as far as is practicable, the work programs of internal audit and external audit.	Resolved by 1.3 and 1.4	
2.3	Provide input and feedback on the financial statement and performance audit coverage proposed by external	Review and provide advice in relation to the Audit Office of NSW plan for performance audit coverage.	Annually



2.4	audit and provide feedback on the audit services provided.	Review reports on progress on the financial statement audit and any relevant performance audit coverage.	Annually, or as required
2.5	Review all external plans and reports in respect of planned or completed audits and monitor Council's implementation of audit recommendations.	Review reports on implementation of recommendations for improvement arising from: <ul style="list-style-type: none"> <li>- External audit management letters</li> <li>- Performance audit reports relevant to council</li> <li>- Significant changes or issues raised in better practice guides/standards.</li> </ul>	Annually, or as required
2.6	Provide advice to Council and/or the General Manager on action taken on significant issues raised in relevant external audit reports and better practice guides.	Provide advice as required.	As required.



## Risk

### Financial Management

The ARIC will provide oversight of the financial management practices of the organisation and ensuring that they are consistent with the principles of sound governance, accountability and transparency. The ARIC plays a key role in ensuring the integrity and reliability of the financial statements and reports of the organisation; however, the ARIC does not duplicate the financial audits conducted by the NSW Audit Office but complements the external assurance with oversight of the broader practices of financial management. The ARIC advises on financial management matters such as the adequacy and effectiveness of internal controls with its broader knowledge of Council practice and provide feedback to Council on areas of concern or improvement as they arise.

The ARIC will:

Code	Objective	Activities	Timeframe
3.1	Review compliance with accounting standards and external accountability requirements.	Resolved by 2.2, 2.4 and 2.4.	
	Review the appropriateness of Council accounting policies and disclosures.		
3.2	Understand and facilitate communication with the General Manager, Council and External Audit on the implications for Council of the findings of external audits and performance audits and Council responses and implementation of recommendations.	As outlined in External Audit activities 2.1-2.6	As required



3.3	<p>Whether the Council financial statement preparation procedures and timelines are sound and the accuracy of the Council annual financial statements prior to external audit, including:</p> <ul style="list-style-type: none"> <li>- management compliance/representations</li> <li>- significant accounting and reporting issues</li> <li>- methods used by the Council to account for significant or unusual transactions and areas of significant estimates or judgements.</li> <li>- appropriate management signoff on the statements.</li> <li>- If effective processes are in place to ensure financial information included in the Council report is consistent with signed financial statements.</li> <li>- If the Council financial management processes are adequate.</li> </ul>	Review financial statements prior to Council endorsement for audit.	Annually, at an extraordinary meeting.
3.4	Review all external plans and reports in respect of planned or completed audits and monitor Council's implementation of audit recommendations.	Resolved by 2.4	
3.5	Review the adequacy of cash management policies and procedures.	Review of notes to annual financial statements at extraordinary meeting.	Annually
3.6		Review long term financial plan	Annually
3.7		Review investment policy	Once per term
3.8	<p>Advise if there are adequate controls over financial processes, including:</p> <ul style="list-style-type: none"> <li>- appropriate authorisation and approval of payments and transactions</li> </ul>	AP Audit included in Internal Audit Plan once/term	Once per term
3.9	<ul style="list-style-type: none"> <li>- adequate segregation of duties</li> <li>- timely reconciliation of accounts and balances</li> <li>- review of unusual and high value purchases</li> </ul>	Identified fraud instances reported to ARIC with investigation recommendations	As required



3.10	Advise if policies and procedures for management review and consideration of the financial position and performance of the Council are adequate.	Long term financial plan review will include appropriate detail on the development of the plan	As due for review
3.11	If Council grants and tied funding policies and procedures are sound.	Review of policies relating to grants are reported to ARIC.	As due for review.

## Compliance

Council is committed to working towards compliance with the requirements set for the organisation. These requirements can often be very complex and come from a range of sources. The ARIC has a responsibility for providing advice to Council to assist with achieving and maintaining compliance with all laws, regulations, internal policies and procedures. As matters are reported to the ARIC, the ARIC should provide advice on how to achieve compliance.

The ARIC will:

Code	Objective	Activities	Timeframe
4.1	Review and advise if the Council has appropriately considered legal and compliance risks as part of the Council risk management framework Review and advise on procedures relating to how the Council manages its compliance with applicable laws, regulations, policies, procedures, codes, and contractual arrangements, and whether appropriate processes are in place to assess compliance.	Legislative compliance mechanisms will be reported to ARIC for advice.	Annually
4.2	Provide advice on emerging issues or industry changes that arise	As required	As required

## Risk Management

The Council is committed to integrating risk management into every aspect of its business practices and decision-making processes. The Enterprise Risk Management Framework (ERM) is relevant to everyone within the organisation, such as Councillors, employees, management and contractors. It is relevant to all the council's existing and future strategic and operational projects, policies, strategies



and plans. The ERM is based on the principles of ISO 31000:2018 and the ARIC will support Council to integrate these standards into practice.

The ARIC will:

Code	Objective	Activities	Timeframe
5.1	Review and advise the Council: if the Council has in place a current and appropriate risk management framework that is consistent with the Australian risk management standard.	Report on review of the risk management framework against the Australian risk management framework and OLG guidelines in accordance with the annual attestation.	Annually
5.2	Advise Council if it is providing the resources necessary to successfully implement its risk management framework.	A regular risk management update report will be provided to the ARIC addressing these factors.	Quarterly
	Advise Council if the risk management framework is adequate and effective for identifying and managing the risks the Council faces, including those associated individual projects, programs, WHS and other activities.		
5.3	Assist Council understand how risk management can be integrated across all levels of the Council and across all processes, operations, services, decision-making, functions and reporting.	Strategic Risk register will be reported to ARIC.	Annually
	Advise Council of the adequacy of risk reports and documentation, for example, the Council risk register and risk profile		
5.4	Review whether a sound approach has been followed in developing risk management plans for major projects or undertakings.	Risk management plans for major projects (greater than \$1 million capex) will be reported to ARIC.	As required
5.5	Review whether appropriate policies and procedures are in place for the management and exercise of delegations.	Delegations register and associated policies will form part of the internal audit plan	Once per term
5.6	Assess if Council has taken steps to embed a culture which is committed to ethical and lawful behaviour.	Code of Conduct and Public Interest Disclosure complaint data will be reported	Annually





5.7	Advise Council if there is a positive risk culture within the Council and strong leadership that supports effective risk management.	Report on review of the risk management framework including any updates on embedded culture, leadership, training and any concerns with operation of the framework.	Once per term
5.8	Provide advice on the adequacy of staff training and induction in risk management.		
5.9	Assess if Council is able to demonstrate how the Council risk management approach impacts on the Council insurance arrangements.	Report to ARIC on insurance arrangements and claims data	At least annually
5.10	Assess the effectiveness of Council management of its assets.	Asset management to be considered as a topic for internal audit	Once per term
5.11	Provide advice on the effectiveness of business continuity arrangements, including business continuity plans, disaster recovery plans and the periodic testing of these plans.	Report to ARIC assessing efficacy of existing plans and testing of the sub-plans	Annually
5.12	Assess whether Council has in place relevant policies and procedures and that these are periodically reviewed and updated.	Council's Policy Framework will be subject to an internal audit	Once per term

## Fraud Control

The ARIC monitors the implementation of the Council's Fraud and Corruption Control Framework and receives regular reports on fraud prevention, detection, and response activities. The ARIC will (where appropriate) review the results of any fraud investigations and ensures that actions are taken to address any identified weaknesses or risks. The ARIC supports the Council's commitment to fostering a culture of integrity and ethical conduct and to protecting the Council's reputation, assets, and resources from fraud and corruption.

The ARIC will:

Code	Objective	Activities	Timeframe
6.1	Review and advise the Council of the adequacy and effectiveness of the Council fraud and corruption prevention framework and activities, including whether the Council has appropriate processes and systems in place to capture and effectively investigate fraud-related information.	Receive deidentified updates on any on-going Fraud and Corruption investigations permissible to be disclosed to the ARIC.	As required.
6.2		Include Fraud and Corruption control within the Internal Audit Plan	Once per term



## Governance

The ARIC will provide advice to the Council regarding what adequate governance practices within the Council should be. The ARIC will review compliance with legislative and statutory requirements, policies, procedures and standards relating to governance. The purpose of this oversight is to ensure that promotion of public confidence in Council. It is noted that this oversight has significant overlap with the other sections of the ARIC responsibilities but distinctly ensures that Council has a clear direction, planning and reporting.

The ARIC will:

Code	Objective	Activities	Timeframe
7.1	Review and advise the Council on the Governance Framework to ensure it is appropriately directing and controlling management of Council.	Council resolutions outstanding greater than 1 year reported to ARIC	As required.
7.2		Internal Audit Plan will review elements of the Governance Framework	As required
7.3		Review of Corporate Governance Framework aligned to NSW Audit Office Governance Lighthouse reported to ARIC.	Once per term
7.4	Review and advise Council on the adequacy of information and communications technology (ICT) governance, and the use of data, information and corporate knowledge	Cyber-security and Records Management included within Internal Audit Plan.	Once per term



## Improvement

### Implementation of the strategic plan, delivery program and strategies

The ARIC will provide feedback on Council's the Council corporate planning processes, which includes the strategic plan, the delivery program and other related strategies. The ARIC monitors how the Council aligns its strategic goals with its delivery plans, budgets and performance indicators. The ARIC helps the Council to improve its accountability, transparency and effectiveness in delivering services to the community.

The ARIC will:

Code	Objective	Activities	Timeframe
8.1	Review and advise the Council of the adequacy and effectiveness of the Council IP&R processes and if the Council is successfully implementing and achieving its IP&R objectives and strategies.	Report on IP&R plans (major revisions or significant matters identified through quarterly/annual reviews) - Long term financial planning - Workforce planning - Information on performance indicators setting and measuring performance.	As required with IP&R cycle.
8.2		Internal Audit Plan will review IP&R	Once per term
8.3	Assess if appropriate reporting and monitoring mechanisms are in place to measure progress against objectives,	Annual report (and financial statements) is reviewed by the ARIC.	Annually

### Service Reviews

Service reviews are a mechanism that Councils use to consider the services that Councils deliver and their delivery methods, including assessment of quantitative and qualitative data on the service. A service review should consider not only the service level, but also the structure and mechanisms used by Council to deliver the service. As service reviews are a newer part of NSW Local Government Integrated Planning and Reporting (IP&R) requirements, Councils are developing frameworks for the approach to service reviews and this part of the plan may need to be amended throughout the term of the plan to suit the emerging practices.

The ARIC will:

Code	Objective	Activities	Timeframe
------	-----------	------------	-----------



9.1	Review and advise the Council if Council has robust systems to set objectives and goals to determine and deliver appropriate levels of service to the community and business performance	Report/update on service review framework and planned program of work.	Annually
9.2		Reports on each Service Review will be presented to ARIC	As required.
9.3	Assess and provide advice if appropriate reporting and monitoring mechanisms are in place to measure service delivery to the community and overall performance.	Delivered through 9.1 and 9.2.	

### Collection of performance measurement data by the Council

An essential element of the Council's ability to understand performance is the accurate, regular and useful performance measurement data on Council's performance. The ARIC has a role in ensuring that Council is satisfactorily understanding the services it delivers to the community. This requirement forms the broader approach of the ARIC, and not specific actions for the Committee to review.

The ARIC will:

Code	Objective	Activities	Timeframe
10.1	Review and advise if Council has a robust system to determine appropriate performance indicators to measure the achievement of its strategic objectives	This is achieved through multiple actions on the reporting of service reviews (9.2) and IP&R documents to ARIC. It may also be achieved by Internal Audits through assessment of performance measures.	

### Continuous Improvement

The ARIC must provide information to the Council that will assist in improving the Council's functions in accordance with the *Local Government Act 1993* s 428A(3). This requirement is best met by the Council and the ARIC having strong communication and transparency in discussing matters that the ARIC may be able to assist with. The ARIC members have been selected based on their background and skills, and Council should leverage these skills for appropriate advice.

The ARIC will:

Code	Objective	Activities	Timeframe
------	-----------	------------	-----------



---

11.1	Advise how the Council can improve its service delivery and the Council performance of its business and functions generally.	This is achieved through multiple actions on the reporting of service reviews (9.2) and IP&R documents to ARIC. It may also be achieved by Internal Audits through assessment of performance measures. The ARIC may also provide ad hoc advice to the Council on emerging industry matters.
------	--	---

SUBJECT TO COUNCIL ENDORSEMENT



---

## 4. ARIC Operations

### Meeting dates and locations

The ARIC will meet four times per year, and extraordinary meetings may be called with consultation with the General Manager. At least one meeting per year should be held in person or hybrid.

### Agenda and Business Papers

This document provides the high-level plan for the ARIC over the term of the Committee and is supplemented by a 12 month forward agenda and annual workplan that provides for the items that will be included on each agenda. The General Manager, in consultation with the ARIC Chair may include additional items that should be reported to the ARIC in accordance with the terms of reference.

Business papers will be supplied to the Committee at least 5 days prior to each meeting, however late reports may be provided by the General Manager or the Chair at any time.

### Reporting and Communication

The minutes of the ARIC will be reported to Council for notation, along with a report on any particular matters that must be referred to the governing body for endorsement. The non-voting Councillor representative may also, where appropriate, consult with other Councillors on matters before the ARIC before or after the meeting.

The ARIC will also prepare an annual report to the Council providing an overview of the activities of the Committee over the preceding financial year.

Commencing with the 2024-2025 annual report, councils' annual reports must contain an attestation statement signed by the general manager on the council's compliance with the requirements prescribed in the Regulation relating to the membership and operations of its ARIC committee, its risk management framework and internal audit function (Regulation s 216T).

## Internal Audit Charter

Cootamundra-Gundagai Regional Council has established the Internal Audit function as a key component of the Council's governance and assurance framework, in compliance with the *Local Government (General) Regulation 2021* and the Departmental Chief Executive's *Guidelines for risk management and internal audit for local government in NSW*.

This charter provides the framework for the conduct of internal audit function at Cootamundra-Gundagai and has been approved by the governing body taking into account the advice of the Council's Audit, Risk and Improvement Committee (ARIC).

### Purpose of internal audit

Internal audit is an independent, objective assurance and consulting activity designed to add value and improve the Council's operations. It helps Cootamundra-Gundagai Regional Council accomplish its objectives by bringing a systematic, disciplined approach to evaluate and improve the effectiveness of risk management, control and governance processes<sup>1</sup>.

The mission of Internal Audit is to enhance and protect organisational value. This is achieved by providing an independent and objective review and advisory service to the Council, General Manager and ARIC about the Council's governance processes, risk management and control frameworks and its external accountability obligations. It also assists Cootamundra-Gundagai to improve its business performance.

Internal Audit services may include:

- Assurance Services – objective examination of evidence for the purpose of providing an independent assessment of risk management, control and governance processes.
- Advisory Services – advisory and related client activities, the nature and scope of which are agreed upon with the client and which are intended to add value and improve business operations.

### Independence

Council's internal audit function is to be independent of Cootamundra-Gundagai Shire Council so it can provide an unbiased assessment of the Council's operations and risk and control activities.

The internal audit function reports functionally to the Council's ARIC on the results of completed audits, and for strategic direction and accountability purposes, and reports administratively to the General Manager to facilitate day-to-day operations. Internal audit activities are not subject to direction by the Cootamundra-Gundagai Shire Council and Council's management has no role in the exercise of the internal audit activities.

The ARIC is responsible for communicating any internal audit issues or information to the Council. Should the Council require additional information, a request for the information may be made to the chair by resolution. The chair is only required to provide the information requested by the Council where the chair is satisfied that it is reasonably necessary for the Council to receive the information for the purposes of performing its functions under the Local Government Act. Individual Councillors are not entitled to request or receive information from the committee.

The General Manager must consult with the chair of the ARIC before appointing or making decisions affecting the employment of the Internal Audit Coordinator. If the Internal Audit Coordinator is dismissed, the General Manager must report the reasons for their dismissal to the Council.

---

<sup>1</sup> As defined by the International Standards for the Professional Practice of Internal Auditing (2017)

Where the chair of the ARIC has any concerns about the treatment of the Internal Audit Coordinator, or any action taken that may compromise their ability to undertake their functions independently, they can report their concerns to the Council.

The Internal Audit Coordinator is to confirm at least annually to the ARIC the independence of internal audit activities from the Cootamundra-Gundagai Regional Council.

## Authority

Cootamundra-Gundagai Regional Council authorises the internal auditor to have full, free and unrestricted access to all functions, premises, assets, personnel, records and other documentation and information that the Internal Audit Coordinator considers necessary for the internal auditor to undertake its responsibilities.

All records, documentation and information accessed while undertaking internal audit activities are to be used solely for the conduct of those activities. The head of internal audit function and individual internal audit staff are responsible and accountable for maintaining the confidentiality of the information they receive when undertaking their work.

All internal audit documentation is to remain the property of Cootamundra-Gundagai Regional Council, including where internal audit services are performed by an external third-party provider.

Information and documents pertaining to Internal Audit are not to be made publicly available. The Internal Audit Coordinator may only release Cootamundra-Gundagai Regional Council information to external parties that are assisting the internal auditor to undertake its responsibilities with the approval of the General Manager, except where it is being provided to an external investigative or oversight agency for the purpose of informing that agency of a matter that may warrant its attention.

## Role

The Internal Audit Coordinator is to support the Council's audit, risk and improvement committee to review and provide independent advice to the Cootamundra-Gundagai Regional Council in accordance with section 428A of the *Local Government Act 1993*. This includes conducting internal audits of Cootamundra Gundagai Regional Council and monitoring the implementation of corrective actions.

The Internal Audit Coordinator is to also play an active role in:

- developing and maintaining a culture of accountability and integrity
- facilitating the integration of risk management into day-to-day business activities and processes, and
- promoting a culture of high ethical standards.

The Internal Audit Coordinator has no direct authority or responsibility for the activities it reviews. The Internal Audit Coordinator has no responsibility for developing or implementing procedures or systems and does not prepare records or engage in Cootamundra-Gundagai Regional Council functions or activities (except in carrying out its own functions).



## Internal Audit Function

Council's internal audit function is to be led by a member of Bland Shire Council's staff with sufficient skills, knowledge and experience to ensure it fulfils its role and responsibilities to the Cootamundra-Gundagai Regional Council and the ARIC. The head of internal audit function (known as Internal Audit Coordinator) must be independent, impartial, unbiased and objective when performing their work and free from any conflicts of interest.

Responsibilities of the Internal Audit Coordinator include:

- contract management
- managing the internal audit budget
- ensuring the external provider completes internal audits in line with the audit, risk and improvement committee's annual work plan and four-year strategic work plan
- forwarding audit reports by the external provider to the audit, risk and improvement committee
- acting as a liaison between the external provider and the audit, risk and improvement committee
- monitoring the Council's implementation of corrective actions that arise from the findings of audits and reporting progress to the audit, risk and improvement committee, and
- assisting the audit, risk and improvement committee to ensure the Council's internal audit activities comply with the *Guidelines for risk management and internal audit for local government in NSW*.

As the internal audit function will be provided on behalf of the six Audit Alliance Councils, the Internal Audit Coordinator will be required to liaise with the general manager and senior staff for the Councils of Bland, Coolamon, Cootamundra-Gundagai, Junee, Lockhart and Temora during the establishment and delivery of each internal audit process.

Bland Shire Council, on behalf of the Audit Alliance, is to contract an external third-party provider to undertake its internal audit activities. To ensure the independence of the external provider, the Internal Audit Coordinator is to ensure the external provider:

- does not conduct any audits on specific Council operations or areas that they have worked on within the last two years
- is not the same provider conducting the Councils' external audit
- is not the auditor of any contractors of the Councils that may be subject to the internal audit, and
- can meet the Councils' obligations under the Guidelines for risk management and internal audit for local government in NSW.

The Internal Audit Coordinator must consult with the General Manager regarding the appropriateness of the skills, knowledge and experience of any external provider before they are engaged.

## Performing internal audit activities

The work of the internal audit function is to be thoroughly planned and executed. The ARIC must endorse a strategic work plan every four years to ensure that the matters listed in Schedule 1 are reviewed by Internal Audit when developing the program of internal audits. The strategic work plan must be reviewed at least annually to ensure it remains appropriate.

The ARIC must endorse an annual work plan to guide the work of the internal audit function over the forward year.

All internal audit activities are to be performed in a manner that is consistent with relevant professional standards including the International Standards for the Professional Practice of Internal Auditing issued by the Institute of Internal Auditors and Australian risk management standards.

The internal auditor is to provide the findings and recommendations of internal audits to the audit, risk and improvement committee at the end of each audit. Each report is to include a response from the relevant staff member responsible for the function.

The Internal Audit Coordinator is to assist each Council to establish an ongoing monitoring system to follow up progress in implementing corrective actions. The Internal Audit Coordinator will report these matters to the ARIC at each regular meeting.

The General Manager, in consultation with the ARIC, is to develop and maintain policies and procedures to guide the operation of the Council's internal audit processes.

The Internal Audit Coordinator is to ensure that the audit, risk and improvement committee is advised at each of the committee's meetings of the internal audit activities completed during that quarter, progress in implementing the annual work plan and progress made implementing corrective actions.

## Conduct and Standards

Internal audit personnel must comply with the Council's code of conduct. Complaints about breaches of Council's code of conduct by internal audit personnel are to be dealt with in accordance with the *Procedures for the Administration of the Model Code of Conduct for Local Councils in NSW*. The General Manager must consult with the audit, risk and improvement committee before any disciplinary action is taken against the Internal Audit Coordinator in response to a breach of the code of conduct.

Internal auditors must also comply with the Code of Ethics for the Professional Practice of Internal Auditing issued by the Institute of Internal Auditors.

## Administrative arrangements

### Audit, Risk and Improvement Committee meetings

The Internal Audit Coordinator will:

- Will attend ARIC meetings as an independent non-voting observer. The Internal Audit Coordinator can be excluded from meetings by the committee at any time.
- Must meet separately with the ARIC at least once per year.
- Can meet with the Chair of the ARIC at any time, as necessary, between committee meetings.

### Relationship with external audit

Internal and external audit activities will be coordinated to help ensure the adequacy of overall audit coverage and to minimise duplication of effort.

Periodic meetings and contact between internal and external audit shall be held to discuss matters of mutual interest and to facilitate coordination.

External audit will have full and free access to all internal audit plans, working papers and reports.

### **Dispute resolution**

Internal Auditors and the Internal Audit Coordinator should maintain an effective working relationship with Council, Council Staff and ARIC and will seek to resolve any differences they may have in an amicable and professional way by discussion and negotiation.

In the event of a disagreement between the Internal Audit and Cootamundra-Gundagai Regional Council, the dispute is to be resolved by the General Manager and, if required, by the ARIC. Disputes between Internal Audit and the ARIC are to be resolved by the Council.

Unresolved disputes regarding compliance with statutory or other requirements are to be referred to the Departmental Chief Executive in writing.

### **Review arrangements**

The Council's ARIC must review the performance of the Internal Audit function each year and report its findings to the Council. A strategic review of the performance of the internal audit function must be conducted each council term that considers the views of an external party with a strong knowledge of internal audit and reported to the Council.

This charter is to be reviewed annually by the committee and once each council term by the Council. Any substantive changes are to be approved by the Council.

### **Further information**

(NB. Sections to be updated following Council endorsement and recruitment to specified positions)

For further information on Council's internal audit activities, contact Joshua Jongma on [council@cgrc.nsw.gov.au](mailto:council@cgrc.nsw.gov.au).

## **Schedule 1 – internal audit function responsibilities**

### **Audit**

#### **Internal audit**

- Conduct internal audits as directed by Cootamundra-Gundagai Regional Council's audit, risk and improvement committee.
- Implement the Council's annual and four-year strategic internal audit work plans.
- Monitor the implementation by the Cootamundra Gundagai Regional Council of corrective actions.
- Assist the Cootamundra Gundagai Regional Council to develop and maintain a culture of accountability and integrity.
- Promote a culture of high ethical standards.

#### **External audit**

- Review external plans and reports in respect of planned or completed audits and monitor Council's implementation of audit recommendations.

### **Risk**

#### **Risk management**

Review and advise:

- if Cootamundra Gundagai Regional Council has in place a current and appropriate risk management framework that is consistent with the Australian risk management standard
- whether the Council's risk management framework is adequate and effective for identifying and managing the risks Cootamundra Gundagai Regional Council faces, including those associated with individual projects, programs and other activities
- if risk management is integrated across all levels of the Cootamundra Gundagai Regional Council and across all processes, operations, services, decision-making, functions and reporting
- of the adequacy of risk reports and documentation, for example, the Council's risk register and risk profile
- whether a sound approach has been followed in developing risk management plans for major projects or undertakings
- whether appropriate policies and procedures are in place for the management and exercise of delegations
- if the Cootamundra Gundagai Regional Council has taken steps to embed a culture which is committed to ethical and lawful behaviour
- if there is a positive risk culture within the Cootamundra Gundagai Regional Council and strong leadership that supports effective risk management
- of the adequacy of staff training and induction in risk management
- how Council's risk management approach impacts on its insurance arrangements
- of the effectiveness of Council's management of its assets, and
- of the effectiveness of business continuity arrangements, including business continuity plans, disaster recovery plans and the periodic testing of these plans.

### **Internal controls**

Review and advise:

- whether the Council's approach to maintaining an effective internal audit framework, including over external parties such as contractors and advisors, is sound and effective
- whether the Cootamundra Gundagai Regional Council has in place relevant policies and procedures and that these are periodically reviewed and updated
- whether appropriate policies and procedures are in place for the management and exercise of delegations
- whether staff are informed of their responsibilities and processes and procedures to implement controls are complied with
- if the Council's monitoring and review of controls is sufficient, and
- if internal and external audit recommendations to correct internal control weaknesses are implemented appropriately.

### **Compliance**

Review and advise of the adequacy and effectiveness of the Council's compliance framework, including:

- if the Cootamundra Gundagai Regional Council has appropriately considered legal and compliance risks as part of Council's risk management framework
- how the Cootamundra Gundagai Regional Council manages its compliance with applicable laws, regulations, policies, procedures, codes, and contractual arrangements, and
- whether appropriate processes are in place to assess compliance.

### **Fraud and corruption**

Review and advise of the adequacy and effectiveness of Council's fraud and corruption prevention framework and activities, including whether the Cootamundra Gundagai Regional Council has appropriate processes and systems in place to capture and effectively investigate fraud-related information.

### **Financial management**

Review and advise:

- if the Council's financial management processes are adequate
- the adequacy of cash management policies and procedures
- if there are adequate controls over financial processes, for example:
  - appropriate authorisation and approval of payments and transactions
  - adequate segregation of duties
  - timely reconciliation of accounts and balances
  - review of unusual and high value purchases
- if policies and procedures for management review and consideration of the financial position and performance of the Cootamundra Gundagai Regional Council are adequate
- if the Council's grants and tied funding policies and procedures are sound.

### **Governance**

Review and advise of the adequacy of the Cootamundra Gundagai Regional Council governance framework, including the Council's:

- decision-making processes
- implementation of governance policies and procedures

- reporting lines and accountability
- assignment of key roles and responsibilities
- committee structure
- management oversight responsibilities
- human resources and performance management activities
- reporting and communication activities
- information and communications technology (ICT) governance, and
- management and governance of the use of data, information and knowledge.

## **Improvement**

### **Strategic planning**

Review and advise:

- of the adequacy and effectiveness of the Councils integrated, planning and reporting (IP&R) processes
- if appropriate reporting and monitoring mechanisms are in place to measure progress against objectives, and
- whether Cootamundra Gundagai Regional Council is successfully implementing and achieving its IP&R objectives and strategies.

### **Service reviews and business improvement**

Review and advise:

- if the Cootamundra Gundagai Regional Council has robust systems to set objectives and goals to determine and deliver appropriate levels of service to the community and business performance
- if appropriate reporting and monitoring mechanisms are in place to measure service delivery to the community and overall performance, and
- how the Cootamundra Gundagai Regional Council can improve its service delivery and the Council's performance of its business and functions generally

### **Performance data and measurement**

Review and advise:

- if the Cootamundra Gundagai Regional Council has a robust system to determine appropriate performance indicators to measure the achievement of its strategic objectives
- if the performance indicators the Cootamundra Gundagai Regional Council uses are effective, and
- of the adequacy of performance data collection and reporting.

**8.2.2 TABLING OF PECUNIARY INTEREST RETURNS - NEW DESIGNATED PERSON**

DOCUMENT NUMBER	430902
REPORTING OFFICER	Anne Chamberlain, Acting Governance Officer
AUTHORISING OFFICER	Barry Paull, Interim Deputy General Manager - CCD
RELEVANCE TO COMMUNITY STRATEGIC PLAN	<b>4. Good governance: an actively engaged community and strong leadership team</b>  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	In accordance with Section 440AAB Local Government Act, 1993.
POLICY IMPLICATIONS	To comply with the Code of Conduct.
ATTACHMENTS	Nil

**RECOMMENDATION**

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

Introduction

The Code of Conduct specifies that councillors and designated persons must make and lodge with the general manager a return, disclosing the designated person's or councillors' interests within 3 months after:

**(a) becoming a designated person or councillor, and**

**(b) 30<sup>th</sup> June of each year, and**

**(c) the designated person or councillor becoming aware of an interest they are required to disclose under schedule 1 that has not been previously disclosed in a return lodged under paragraphs (a) or (b).**

Returns required to be lodged with the general manager under (a) and (b) must be tabled at the first meeting of the council after the last day the return is required to be lodged.

Returns required to be lodged with the general manager under clause (c) must be tabled at the next council meeting after the return is lodged.

Discussion

Pecuniary interest returns from new designated person as of 24 January 2025, is tabled.

Register of disclosed Pecuniary Interest Returns, listed below:

Designated Person	Position	Return Type	Return received
Roger Bailey	Interim General Manager	New (a)	24 January 2025

Financial

There are no financial implications associated with this report.

OLG 23a Guideline consideration

The objective of this report does not conflict with guidelines.



**8.2.3 DELIVERY PROGRAM - OPERATIONAL PLAN QUARTERLY PROGRESS REPORT**

DOCUMENT NUMBER	430907
REPORTING OFFICER	Anne Chamberlain, Acting Governance Officer
AUTHORISING OFFICER	Barry Paull, Interim Deputy General Manager - CCD
RELEVANCE TO COMMUNITY STRATEGIC PLAN	<b>4. Collaborative and progressive leadership</b> 4.1 A clear strategic direction that is delivered upon
FINANCIAL IMPLICATIONS	There are no Financial implications associated with this report.
LEGISLATIVE IMPLICATIONS	In accordance with section 406 of the Local Government Act, 1993.
POLICY IMPLICATIONS	There are no Policy implications associated with this report.
ATTACHMENTS	1. Quarterly Progress Report - Quarter 2 <a href="#">↓</a>

**RECOMMENDATION**

**The Delivery Program incorporating the Operational Plan 2024/2025, quarterly progress report, (2nd Quarter October to December), attached to the report, be received and noted.**

Discussion

To comply with Section 406 of the Local Government Act, 1993 and in accordance with the Office of Local Government's Integrated Planning and Reporting guidelines 'The general manager must ensure that regular progress reports are provided to the council, reporting as to its progress with respect to the principal activities detailed in its delivery'.

Accordingly, attached to this report is the quarterly progress report outlining the extent to which performance measures and targets, set out in the Delivery Program and Operational Plan, have been achieved during the first quarter of the reporting year; that is between 1 October to 31 December 2024.

The next progress report will be presented to Council at the Ordinary Meeting of Council to be held 27 May 2025 and will consist of status updates for actions within the 24/25 Operational Plan (3<sup>rd</sup> quarter reporting period of January to March 2025).

Financial

There are no financial implications associated with this report.

OLG 23a Guideline consideration

The objective of this report does not conflict with guidelines.

## Delivery Program / Operational Plan - Quarterly Progress Report 2024/2025 Q2

### 1: A vibrant, safe, and inclusive community

#### 1.1: Our health and wellbeing needs are met

**1.1a: Provide quality health and well-being services that support the changing needs of the community throughout the lifecycle through government and non-government organisations**

Principal Activity	Action Code	Action Name	Responsible Officer Position	Status	Comments
Promote programs which encourage healthy lifestyle choices and activities	1.1a (2)	Council maintains its public open spaces in a safe and acceptable manner and ensures that all associated infrastructure is fit for purpose. The level of service delivery is to be reflected according to the allocated resources.	Manager Regional Services - Cootamundra	Ongoing	Activities such as Cleaning, tree trimming, spraying and watering are carried out on a regular basis to ensure public areas and facilities are clean and safe.

**1.1b: Provide opportunities for the recreational use of parks, sporting facilities, swimming pools by ensuring they are safe, maintained, managed and meet the needs of all community members**

Principal Activity	Action Code	Action Name	Responsible Officer Position	Status	Comments
Masterplan development for Fisher Park	1.1b (1)	Upgrade amenities at Fisher Park to meet the demands of local and regional Sporting associations and clubs	Manager Regional Services - Cootamundra	Ongoing	Upgrades will be made to toilets, change rooms, P.A. System, irrigation repairs and looking at pigeon control.
Promote year-round use of Council facilities	1.1b (2)	Continue to manage the existing contract for the Cootamundra Aquatic Centre to ensure all areas of service delivery meet Community and Council expectations	Manager Regional Services - Cootamundra	Ongoing	Regular meetings are held with L&R Group.

Principal Activity	Action Code	Action Name	Responsible Officer Position	Status	Comments
	1.1b (2)	Continue to manage the existing contract for the Cootamundra Sports Stadium to ensure all areas of service delivery meet Community and council expectations	Manager Regional Services - Cootamundra	Ongoing	Regular meetings are held with L&R Group.
	1.1b (2)	Cootamundra sportsgrounds are maintained within the allocated resources and finances available and delivered to the community and associated user groups in a safe and professional manner	Manager Regional Services - Cootamundra	Ongoing	Council continues with the general maintenance and preparation for events on sports grounds such as irrigation, line marking, Ensuring the grounds are fit for purpose.
	1.1b (2)	Monitor and maintain Cootamundra Aquatic Centre within the allocated resources and funding	Manager Regional Services - Cootamundra	Ongoing	Regular meetings with L&R Group to ensure facility is maintained to community expectation.
	1.1b (2)	Monitor and maintain Cootamundra Sports Stadium within the allocated resources and funding	Manager Regional Services - Cootamundra	Ongoing	Maintenance and repairs are carried out as required.
Prepare and deliver the CGRC Open Space Strategy / Management Plan	1.1a (2)	Council maintains its public open spaces in a safe and acceptable manner and ensures that all associated infrastructure is fit for purpose. The level of service delivery is to be reflected according to the allocated resources.	Acting Manager Regional Services - Gundagai	Ongoing	Maintenance continuing in line with budgetary allocations and historical or adopted service Levels.
	1.1b (3)	Ensure all Cootamundra Street tree enquiries are managed in a timely and professional manner	Manager Regional Services - Cootamundra	Ongoing	Council endeavours to respond to enquiries as set out in the Customer Service charter 'expected response times'.
	1.1b (3)	Ensure maintenance of council's facilities in the villages of Stockinbingal and Wallendbeen are in a safe and acceptable manner and considered fit for purpose.	Manager Regional Services - Cootamundra	Ongoing	Staff continue to mow, tree trim and clean council facilities at Wallendbeen and Stockinbingal.

Principal Activity	Action Code	Action Name	Responsible Officer Position	Status	Comments
	1.1b (3)	Ensure that the Cootamundra Street Trees are maintained within the allocated resources and funding available and deliver a safe streetscape to the Community and street users groups	Manager Regional Services - Cootamundra	Ongoing	Parks and Gardens staff continue to respond to service request to inspect tree. Trees are trimmed as required.
	1.1b (3)	Maintain Communication between council and the Village Communities of Stockinbingal and Wallendbeen via regular site meetings and attendance at Community meetings as and when required	Manager Regional Services - Cootamundra	Ongoing	Meetings with Community on a 3 monthly basis. Continue to respond to email request from Community members.
Work in partnership with active sporting associations, community groups and health providers to ensure sporting facilities are fit for current and future community need	1.1b (4)	Upgrade Nicholson Park drainage to improve playing surface and overseed in preparation for year-round use by sporting clubs.	Manager Regional Services - Cootamundra	In Progress	This has now been implemented. New drainage lines installed and top dressed.
	1.1b (4)	Work in partnership with Sportsground User Groups to ensure strong communication is maintained with Council and good service delivery and timely response to related issues	Manager Regional Services - Cootamundra	On hold (demerge)	On hold due to demerger Status.
Service and Maintenance of Cemeteries	1.1b (5)	Cootamundra and surrounding village cemeteries maintenance programs are delivered within the available resources and financial allocation and meet Councils and Community expectations	Manager Regional Services - Cootamundra	Ongoing	Staff continue to maintain cemeteries, mowing and cleaning as required.
	1.1b (5)	In dealing with Cemetery bookings and enquires, Council staff to maintain strong and professional communication between Council, funeral directors, and members of the public	Manager Regional Services - Cootamundra	Ongoing	Staff maintain strong communication with Funeral directors and deal with member of the public in a compassionate, respectful and professional manner.

**1.1c: Seek funding and investment for the revitalisation of the Gundagai Memorial Swimming Pool and existing sports and recreation facilities across Cootamundra, Gundagai and villages**

Principal Activity	Action Code	Action Name	Responsible Officer Position	Status	Comments
Gundagai Pool Renovation	1.1c (1)	Complete Gundagai Pool renovation project	Acting Manager Regional Services - Gundagai	In Progress	Works at practical completion. Minor defects to be attended to. Facility opened to the public in December 2024.

**1.2: A welcoming community that cares for and looks after each other**

**1.2a: Support initiatives and facilities that encourage social inclusion and community connections**

Principal Activity	Action Code	Action Name	Responsible Officer Position	Status	Comments
Update and implement accessibility strategies as identified in the Disability Inclusion Access Plan	1.2a (1)	Update Disability Inclusion Access Plan	Manager Business	In Progress	Youth and Inclusion Officer in the Process of Developing a Communications Strategy for Community Consultation.

**1.2c: Undertake an Aboriginal Heritage and Cultural Places Study**

Principal Activity	Action Code	Action Name	Responsible Officer Position	Status	Comments
Undertake a region wide Heritage Study to update current heritage plan	1.2c (1)	Seek funding to update the region's Heritage Plan	Manager Business	In Progress	Funding options being sought.

**1.2e: Increase focus on the Arts by providing accessible, functional, multi-purpose facilities and spaces suitable for culture, recreational, learning and information services and activates**

Principal Activity	Action Code	Action Name	Responsible Officer Position	Status	Comments
Deliver a diverse range of Art Gallery/Museum and Library events and programs that are accessible and relevant to the community	1.2e (3)	Work with partners including Eastern Riverina Arts to develop a diverse annual program of gallery exhibitions and events	Manager Business	Ongoing	<p>CGRC is an active member of Eastern Riverina Arts, with a Councillor and Staff representative attending meetings and facilitating programs.</p> <p>Individual facilities, such as The Arts Centre, Cootamundra develop events and programs relevant to community needs.</p> <p>Gundagai Museum and Goal provide tourist facilities incorporating cultural significance.</p> <p>Libraries implement a number of well attended events each month.</p>

**1.3: Maintaining low crime levels**

**1.3a: Deliver dependable emergency service management practices and responses which protect our community**

Principal Activity	Action Code	Action Name	Responsible Officer Position	Status	Comments
Continue maintenance and operations of Emergency Management Centres	1.3a (1)	Continue maintenance and operations of Emergency Management Centres	Deputy General Manager - Operations	Ongoing	Emergency Management Centres continue to be maintained with additional funding being sought to meet modern standards.
Continue to participate in Local Emergency Management Meetings with local emergency services	1.3a (2)	Continue to participate in Local Emergency Management Meetings with local emergency services	Deputy General Manager - Operations	Ongoing	Local Emergency Management Committee (LEMC) continues to meet on a regular basis.
Maintain and update Council's emergency response plans	1.3a (3)	Maintain and update Council's emergency response plans	Deputy General Manager - Operations	Ongoing	<p>Community Recovery Officer program has not been extended.</p> <p>Draft CGRC Emergency Management Plan has been sent to REMO for review.</p>

**1.3b: Support initiatives and facilities that encourage social inclusion and community connections**

Principal Activity	Action Code	Action Name	Responsible Officer Position	Status	Comments
Continue to work in partnership with local agencies such as Fire and Rescue NSW, Rural Fire Service and State Emergency Service, Health, Ambulance, Police, Local Land Services to identify and advocate for opportunities to improve overall community safety	1.3b (2)	Work in partnership with Fire and Rescue NSW, Rural Fire Service and State Emergency Service, NSW Health, Ambulance, Police and Local Land Services to implement community safety initiatives	Deputy General Manager - Operations	Ongoing	Local Emergency Management Committee (LEMC) has continued to meet on regular basis with relevant actions identified and implemented.

**1.3c: Installation of CCTV cameras in higher crime areas**

Principal Activity	Action Code	Action Name	Responsible Officer Position	Status	Comments
Review security contracts	1.3c (1)	Review security contracts for Closed-Circuit Televisions (CCTV) cameras	Acting Manager Regional Services - Gundagai	Ongoing	Currently Investigating existing contracts with a report to be delivered to council prior to the end of financial year.
	1.3c (1)	Review security contracts for closed-circuit televisions (CCTV) cameras.	Manager Regional Services - Cootamundra	On Hold	No action taken, waiting for demerger update.
Seek funding for Closed Circuit Television camera installation	1.3c (2)	Seek funding for the installation of Closed-Circuit Televisions (CCTV) cameras	Acting Manager Regional Services - Gundagai	Ongoing	Investigations continue. Source funding for CCTV that does not require council co-contribution and ongoing commitment of cost by council to operate.
	1.3c (2)	Seek Funding for the installation of closed-circuit televisions (CCTV) cameras.	Manager Regional Services - Cootamundra	On Hold	No funding sources identified for this type of work.

## 2: A region for the future

### 2.1: Recognised as a must-visit tourist destination

#### 2.1a: Seek funding and investment opportunities for tourism asset development

Principal Activity	Action Code	Action Name	Responsible Officer Position	Status	Comments
Gundagai Old Mill Redevelopment	2.1a (1)	Gundagai Old Mill Redevelopment Project. Development of the Masterplan and business case.	Manager Business	Ongoing	Business case received.  Further requirements for funding application being sourced.
Develop and issue an expression of interest for Wallendbeen silo art project	2.1a (4)	Develop EOI for Wallendbeen silo art project	Manager Business	Ongoing	TEDO's have recommenced discussions into this project.  The possibility exists to proceed with the project whilst still active. Discussions continue.

#### 2.1c: Growth and expansion of the region's events calendar and tourism products with a focus on agritourism opportunities

Principal Activity	Action Code	Action Name	Responsible Officer Position	Status	Comments
Work with Cootamundra and Gundagai business and tourism groups to help support and grow new events	2.1c (1)	Continue to Implement actions as identified in the Agri-tourism strategy	Manager Business	Ongoing	Looking into holding Business Awards Biannually.  CGRC along with consultants The Tilma Group received the 2024 National Economic Development Awards for Excellence (NEDA) for Regions Under 15,000 Residents.  The Award recognised CGRC's Agritourism Mentoring Project, a comprehensive, multi-faceted local capacity building project delivering a One stop shop' for farmers to find all the information they need in one place to support the development of an agritourism offering on their farm.
Establish Cycle Trails map for Cootamundra	2.1c (3)	Develop Cycle Trails map for Cootamundra and upload onto website for road cyclists	Acting Manager Engineering - Cootamundra (Contract)	Completed	Completed and on website



**2.1d: Increased marketing of the Cootamundra and Gundagai tourism brands**

Principal Activity	Action Code	Action Name	Responsible Officer Position	Status	Comments
Seek funding to continue delivering on the Tourism Communications Plan	2.1d (2)	Seek funding to continue delivery of actions identified in the Tourism Communications Plan	Manager Business	Ongoing	Staff have updated photographs. Tourism brands for Gundagai and Cootamundra are promoted through websites, Facebook, Instagram and events, consistent with platforms listed in our Communications Engagement Strategy.  Partnerships with surrounding LGA's have been activated. Billboards updated with existing TED Strategic Plan Funding.

**2.1e: Actively promote and develop the region's visitor accommodation, products, and recreational infrastructure**

Principal Activity	Action Code	Action Name	Responsible Officer Position	Status	Comments
Prepare masterplan for Caravan Parks	2.1e (1)	Cootamundra Caravan Parks existing contract managed to ensure that all areas of service delivery meet Community and Council Expectations	Manager Regional Services - Cootamundra	Ongoing	Regular meetings with Contractors.  New disabled emergency exit ramp being installed.

**2.1f: Maintain Visitor Information Centre services and Tourist attractions in Cootamundra and Gundagai**

Principal Activity	Action Code	Action Name	Responsible Officer Position	Status	Comments
Revisit Arts Centre Masterplan	2.1f (3)	Implement up-to-date fire safety measures and accessibility upgrades at Cootamundra Arts Centre	Manager Regional Services - Cootamundra	In Progress	New Disabled emergency ramp complete.
Gundagai Visitor Information Centre Upgrade	2.1f (4)	Gundagai Visitor Information Centre upgrades Completed and to include establishment of online sales capability.	Acting Manager Regional Services - Gundagai	In Progress	Negotiations with construction company currently underway.  Completions of work and proposed opening date to be advised.

Principal Activity	Action Code	Action Name	Responsible Officer Position	Status	Comments
Undertake connection of water supply to the Dog on the Tuckerbox site.	2.1f (5)	Investigate and deliver a potable water supply to the Dog on the Tuckerbox precinct at Annie Pyers Drive (partial funding identified and in Capital Expenditure Program)	Acting Manager Engineering - Gundagai (Contract)	Ongoing	<p>Ongoing discussions were held with the developer during the reporting period.</p> <p>A determination was made on the redevelopment of the site by the State Panel in Q2, The developer has provided their peak supply needs and the drafting of the agreement for water supply has commenced.</p> <p>The modelling to demonstrate that the Gundagai water supply will be able to adequately service the development will commence in Q3.</p>

**2.1g: Undertake community consultation and feasibility studies for Rail Trail between Cootamundra and Gundagai**

Principal Activity	Action Code	Action Name	Responsible Officer Position	Status	Comments
Undertake feasibility study into the development of a Cootamundra to Gundagai Rail Trail	2.1g (1)	Seek funding to undertake a feasibility study into the development of a Cootamundra-Gundagai Rail Trail	Manager Business	On Hold	<p>Study to commence when resources allow.</p> <p>Funding options being investigated.</p>

**2.2: A thriving region that attracts people to live, work and visit**

**2.2a: Support and facilitate economic development and employment opportunities**

Principal Activity	Action Code	Action Name	Responsible Officer Position	Status	Comments
Liveability information available on Council website	2.2a (1)	Update region liability information and upload onto Council website	Manager Business	Ongoing	Cootamundra-Gundagai Regional Council's website updates information regarding liability periodically.
Establish monthly communication to industry outlining opportunities and economic activity of the region	2.2a (3)	Continue monthly communication to business and industry outlining opportunities and economic activity of the region	Manager Business	Ongoing	<p>Relevant updates are emailed and distributed to the business contact list via Tourism and Economic Development Officers.</p> <p>Information relevant to individual operators is forwarded directly to them.</p>

**2.2b: Attract new business and employment opportunities to the region, supporting their establishment and retention**

Principal Activity	Action Code	Action Name	Responsible Officer Position	Status	Comments
Actively market the region targeting current and new residents	2.2b (2)	Actively market the region as a 'must visit' destination	Manager Business	Ongoing	TEDO staff work towards outcomes of CSP and TED Strategy, Tourism websites recently updated/renewed. Websites feature centralised information for residents and visitors encouraging liability, local product and event development.  Staff continue development of regional partnership with Destination NSW Riverina Murray.

**2.2d: Deliver Youth Strategy actions and promote existing Youth Council Resources including establishing Youth Hub**

Principal Activity	Action Code	Action Name	Responsible Officer Position	Status	Comments
Support Youth Council activities in both towns and assist in promotion and advocacy for Youth Council	2.2d (2)	Continue to support Youth Council activities in both towns and assist in promotion and Advocacy for Youth Councils.	Manager Business	Ongoing	Youth and Inclusion Officers continues to ensure the positive development of young people in the community.  Coordinate consultation with young people and stakeholders, planning and developing, managing and evaluating Council's Youth services, programs and facilities to ensure they are high quality, well promoted and meet the needs of young people in our communities.

**2.2e: Work with businesses, planners and governments to facilitate key infrastructure projects to support economic growth**

Principal Activity	Action Code	Action Name	Responsible Officer Position	Status	Comments
Council Depot Redevelopment	2.2e (2)	Develop strategy and action plan for a single works depot location in Cootamundra to enable pursuit of suitable funding source.	Manager Regional Services - Cootamundra	In Progress	Regional services have now moved to Bradman Street Depot.

**2.2h: Improving Council's focus on the Arts by providing accessible, functional and multi-purpose facilities and spaces suitable for cultural, recreational, learning and information services and activities**

Principal Activity	Action Code	Action Name	Responsible Officer Position	Status	Comments
Develop maintenance schedule for key sites, and any new sites that activate	2.2h (2)	Develop a region wide maintenance schedule for Council facilities and assets	Acting Manager Regional Services - Gundagai	Ongoing	Maintenance continuing in line with adopted service levels.

**2.3: A region that can accommodate and support strategic growth**

**2.3a: Pursue affordable housing opportunities in the region**

Principal Activity	Action Code	Action Name	Responsible Officer Position	Status	Comments
Develop planning policies to facilitate options for range of housing	2.3a (2)	Undertake housing investigate and report on housing issues in the region and identify strategies to mitigate	Interim Manager Sustainable Development	On hold (demerge)	Further action pending clarification of Demerger status.

**2.3b: Provide appropriate land development to meet market demand**

Principal Activity	Action Code	Action Name	Responsible Officer Position	Status	Comments
Access and determine planning and development applications to foster community growth	2.3b (2)	Develop Planning Policies to Facilitate options for a range of housing	Interim Manager Sustainable Development	On hold (demerge)	Further action pending clarification of Demerger status.

### 3: A protected and enhanced environment

#### 3.1: Our natural environment is valued and protected

##### 3.1b: Undertake active weed and pest management

Principal Activity	Action Code	Action Name	Responsible Officer Position	Status	Comments
Deliver increased weeds management program	3.1b (1)	Councils noxious weeds program is to be implemented in accordance with the Riverina Regional Biosecurity (Weeds) Local Land Services and maintain communication with the NSW Local Land Services Department	Manager Regional Services - Cootamundra	In Progress	Biosecurity Officer has completed LLS work schedule and is meeting CGRC Targets.
	3.1b (1)	Councils noxious weeds program is to be implemented in accordance with the Riverina Regional Biosecurity (Weeds) Local Land Services and maintain communication with the NSW Local Land Services Department	Acting Manager Regional Services - Gundagai	Ongoing	2024-2025 program has been released and funding application for the program has been completed.

##### 3.1c: Ensuring new developments minimise impacts on water catchments, including downstream and groundwater sources

Principal Activity	Action Code	Action Name	Responsible Officer Position	Status	Comments
Plan, construct, maintain and manage the water infrastructure network	3.1c (1)	Plan, construct, maintain and manage the regions water infrastructure network in accordance with land development, and asset management priorities and availability of funding for Cootamundra Area	Acting Manager Engineering - Cootamundra	Ongoing	Water infrastructure network under constant control and review.

Principal Activity	Action Code	Action Name	Responsible Officer Position	Status	Comments
	3.1c (1)	Plan, construct, maintain and manage the regions water infrastructure network in accordance with land development, and asset management priorities and availability of funding for Gundagai Area	Acting Manager Engineering - Gundagai	In Progress	Substantial progress has been made on the development of an Issues Paper for the Integrated Water Cycle Management study.  A draft of the paper will be finalised in Q3.

### ***3.2: We have attractive towns and villages***

#### **3.2a: Undertake place making and beautification activities at entrances to towns and villages**

Principal Activity	Action Code	Action Name	Responsible Officer Position	Status	Comments
Develop Place Activation Plans for villages to support Villages strategy and encourage activation of villages as opportunity arises	3.2a (2)	Seek funding to develop Place Activation Plans for villages in support of the Villages Strategy	Manager Business	In Progress	Commencing communication popup in Villages to ascertain community sentiment around the Villages strategy and priorities of the community.

#### **3.2c: Regeneration of creeks and waterways including Muttama Creek and Gundagai waterways**

Principal Activity	Action Code	Action Name	Responsible Officer Position	Status	Comments
Develop plan for the beautification and preservation of Muttama Creek	3.2c (1)	Seek funding to develop a plan for the beautification and preservation of Muttama Creek	Manager Regional Services - Cootamundra	Ongoing	Currently seeking Funding.

**3.2d: Planning for rural, urban and industrial development is complementary to the region's natural environment and heritage**

Principal Activity	Action Code	Action Name	Responsible Officer Position	Status	Comments
Implementation and Development of Flood Studies	3.2d (5)	Develop flood studies for Stockinbingal, Wallendbeen and Muttama Villages	Acting Manager Engineering - Cootamundra (Contract)	Ongoing	Continue to peruse grants.
	3.2d (5)	Implement Cootamundra Flood Study recommendations	Acting Manager Engineering - Cootamundra (Contract)	Ongoing	Being implemented as funding becomes available.

**3.3: Responsive and adaptive community to climate change risks and impacts****3.3a: Investigate and implement renewable energy technologies to reduce environmental impact including developing specific controls for solar farms and permissibility of landfills**

Principal Activity	Action Code	Action Name	Responsible Officer Position	Status	Comments
Install solar panels and Light-emitting diode (LED) lighting at all Council owned buildings	3.3a (2)	Continue standard fit out of LED lighting at all Council owned buildings at Cootamundra	Manager Regional Services - Cootamundra	Complete	Fit out completed at Cootamundra Library.
	3.3a (2)	Continue standard fit out of LED lighting at all Council owned buildings at Gundagai	Acting Manager Regional Services - Gundagai	Ongoing	Upgrading to LED in Council buildings to be done as required and within budgetary allocations, within funding streams.
Implement funded elements of the Council Waste Strategy	3.3a (3)	Construct Landfill 2nd hand shed that will cater for the recycling and sale of valued waste material which will allow for waste reduction in landfill and generate additional waste income	Manager Regional Services - Cootamundra	Completed	This has been completed. The 2nd hand shop is now open.

Principal Activity	Action Code	Action Name	Responsible Officer Position	Status	Comments
	3.3a (3)	Landfill Concrete Shredding to allow for the recycling and reuse of concrete providing additional space and added income to landfill operations	Manager Regional Services - Cootamundra	Completed	Pulverised 8000 Tonnes and sold 3000 Tonnes to date.
Introduction of Food Organics and Garden Organics (FOGO) collection to Cootamundra	3.3a (4)	Introduce Food Organics and Garden Organics (FOGO) collection for Cootamundra, similar to Gundagai	Manager Regional Services - Cootamundra	Ongoing	No progress to report at present.

### 3.3b: Investigate and implement sustainable water and waste strategies as outlined in CGRC Local Strategic Planning Statement

Principal Activity	Action Code	Action Name	Responsible Officer Position	Status	Comments
Support the implementation of potable water connections to existing residents in Nangus, and identify other urban release areas which can leverage off the asset	3.3b (1)	Deliver potable water connections to existing resident in Nangus	Acting Manager Engineering - Gundagai (Contract)	In Progress	Council is finalising the Nangus Village Flood Study which is a pre-requisite study that feeds into the design for the potable water supply to the township.

### 3.4: Greater efficiency in the use of resources

#### 3.4a: Improve waste minimisation and recycling practices in homes workplaces, development sites and public places

Principal Activity	Action Code	Action Name	Responsible Officer Position	Status	Comments
Closure of Wallendbeen and Stockinbingal landfills	3.4a (1)	Council monitors full contractor compliance associated with the Recycling Contract and strives to reduce waste going into landfill wherever possible.	Manager Regional Services - Cootamundra	Ongoing	Ongoing communication with Elouera, regular staff meetings to discuss waste minimisation strategies.
	3.4a (1)	Prepare business case/s for operations of transfer stations within CGRC	Acting Manager Regional Services - Gundagai	Ongoing	Report being prepared for Council regarding closures in accordance with waste strategy.



Principal Activity	Action Code	Action Name	Responsible Officer Position	Status	Comments
Undertake promotional campaign to increase community sustainability awareness	3.4a (2)	Ensure domestic waste, organics and recycling collection carried out in a professional and timely manner, ensuring minimal customer dissatisfaction	Manager Regional Services - Cootamundra	Ongoing	Staff are collecting waste on time and in a professional manner.
	3.4a (2)	Ensure domestic waste, organics and recycling collection carried out in a professional and timely manner, ensuring minimal customer dissatisfaction.	Acting Manager Regional Services - Gundagai	Ongoing	Staff are collecting waste on time and in a professional manner.

### 3.4c: Revise asset management strategy

Principal Activity	Action Code	Action Name	Responsible Officer Position	Status	Comments
Watermain Replacement and Reservoir Disinfection Projects	3.4c (1)	Deliver planned watermain replacement and reservoir disinfection projects	Acting Manager Engineering - Gundagai	In Progress	In Q2 the tenders for the Gundagai Water Treatment Plant filtration rehabilitation project as well as the upgrade of the Gundagai water Treatment Plant intake works was publicly advertised and assessed.  A report to the January Ordinary Council meeting has been prepared for Council to make a decision on the preferred tenderer for each project.  Tender documents were also prepared in Q2 for the sewer and water main replacement program. These projects will be advertised for tender in Q3.
	3.4c (1)	Deliver planned watermain replacement and reservoir disinfection projects	Acting Manager Engineering - Cootamundra (Contract)	In Progress	Water main replacement program completed.  Disinfection works underway.

**3.4d: Develop, implement and report on a Regional Sustainability Strategy**

Principal Activity	Action Code	Action Name	Responsible Officer Position	Status	Comments
Seek funding to engage a specialist to develop a regional sustainability strategy for Council	3.4d (1)	Seek funding to engage a specialist consultant to develop a Regional Sustainability Strategy for the region	Manager Business	In Progress	Discussions with Planning and Opportunities for Funding being researched.

## 4: Collaborative and progressive leadership

### 4.1: A clear strategic direction that is delivered upon

#### 4.1a: Continuous improvement in services delivery based on accountability, transparency and good governance

Principal Activity	Action Code	Action Name	Responsible Officer Position	Status	Comments
Develop and implement service review schedule and determine the number of reviews to conduct per Council term	4.1a (4)	Develop a service review schedule to determine the number of reviews per Council term	Manager Business	In Progress	CGRC has service catalogue finalised Information will be utilised to program services reviews into the future.

#### 4.1b: Provide the community with responsive customer service

Principal Activity	Action Code	Action Name	Responsible Officer Position	Status	Comments
Provide quality customer service during all "front line" interactions between Council and the community and in all other interactions between staff, agencies, Council and the community	4.1b (1)	Provide quality customer service during all front line interactions	Manager Business	Ongoing	Continual improvement process in place within customer service to ensure quality customer experience is maintained.
Council will track the progress towards the achievement of the corporate plan objectives against measurable outcomes	4.1b (2)	Ensure all Regulatory policies and reporting are managed in a professional and timely manner	Manager Regional Services - Cootamundra	Ongoing	The relevant staff have been trained to ensure legalities, operational activities, and reporting are in line with legislative requirements.
	4.1b (2)	Implement tracking and reporting of progress against strategic plans against objectives	Manager Business	Ongoing	Continual improvement solutions implemented periodically to ensure continued quality Customer Service in line with Strategic Plan objectives. Cootamundra-Gundagai Regional Council reports quarterly on outcomes of the Delivery Program.

**4.1c: Maintain a high-quality workforce that is committed to delivering on the community's and Council's vision and goals**

Principal Activity	Action Code	Action Name	Responsible Officer Position	Status	Comments
Provide a safe and healthy environment for staff and contractors through compliance with all Work, Health and Safety legislative requirements and minimising risk	4.1c (3)	Provide a safe and healthy environment for staff and contractors through compliance with all WH&S legislative requirements	Acting Manager Engineering - Cootamundra (Contract)	Ongoing	All Work Health and Safety legislative requirements are being met.
	4.1c (3)	Provide a safe and healthy environment for staff and contractors through compliance with all WH&S legislative requirements	Acting Manager Engineering - Gundagai (Contract)	Ongoing	All Work Health and Safety legislative requirements are being met.  There have been some incidents in Q2 that have been reported to Safework NSW who have since issued improvement notices.  Council staff are working to close out the improvement notices in Q3.
Develop and implement a Staff Wellbeing Program	4.1c (4)	Continue implementation of staff wellbeing program	Coordinator Human Resources	Ongoing	Working with WHS officers and the Cross Organisational working group to establish a program/policy/procedure.

**4.1e: Ensure long-term financial sustainability through short, medium and long-term financial planning**

Principal Activity	Action Code	Action Name	Responsible Officer Position	Status	Comments
Conduct Long Term Financial Plan review and update	4.1e (1)	Conduct a Long-Term Financial Plan review and update Council's Long-Term Financial Plan accordingly	Manager Finance	Ongoing	Ongoing, FSP & DTP and the principles enclosed will help guide the Long-Term Financial Plan once there is certainty around the future of CGRC.

#### 4.2: Proactive, practical Council leaders who are aligned with community needs and values

##### 4.2a: Elected representatives who are trained, skilled, resourced, and knowledgeable

Principal Activity	Action Code	Action Name	Responsible Officer Position	Status	Comments
Audit, Risk and Improvement Committee updates and compliance completed	4.2a (1)	Implement Audit, Risk and Improvement Committee updates and compliance requirements	Manager Business	Ongoing	In accordance with the Local Government (General) Amendment (Audit, Risk and Improvement Committees) Regulation 2023 Council is strengthening its Internal Audit and Audit, Risk and Improvement Committee ('ARIC') Structure to meet the prescribed standards.  The regulation is supported by a new Risk Management and Internal Audit Guidelines for Local Government in NSW. CGRC, as part of the Audit Alliance, has engaged an Independent Chair and Independent Members to our ARIC Committees.
	4.2a (2)	Develop Councillor Induction and Professional Development Programs as legislatively required	Manager Business	Ongoing	Councillors provided with induction training.  Further training options will be provided throughout their term.
Support Council's elected representatives in undertaking their role in the community	4.2a (2)	Undertake processes required to facilitate the Local Elections for 2024	Manager Business	Completed	Completed

##### 4.2b: Implementing, monitoring, review and reporting on Council strategic and operational plan outcomes

Principal Activity	Action Code	Action Name	Responsible Officer Position	Status	Comments
Council will adhere to Integrated Planning and Reporting framework, and continue to provide regular Council reports on progress	4.2b (1)	Regional Services Cootamundra to report to Council monthly and annually on projects, maintenance, community feedback and financial information	Manager Regional Services - Cootamundra	Ongoing	Monthly reports are being submitted highlighting works completed and progress reporting.

**4.2c: Deliver better online solutions to customers who engage with Council**

Principal Activity	Action Code	Action Name	Responsible Officer Position	Status	Comments
Migration of Council operating systems to cloud based technology	4.2c (2)	Migrate Council's operating system to cloud based technology	Manager Business	Ongoing	Migration to the Cloud of Councils Operating Systems continues.

**4.3: Actively engaged and supportive community**

**4.3b: Promoting and celebrating achievements of Council and the community**

Principal Activity	Action Code	Action Name	Responsible Officer Position	Status	Comments
Develop marketing campaigns for major Council projects to highlight project benefits and outcomes for the community	4.3b (1)	Develop marketing and communication plans for major Council projects to keep community informed, highlight successes and community benefits	Manager Business	Ongoing	Council's Media Office continues to communicate milestones and benefits of major CGRC's project development.  TEDO's develop and implement marketing strategies and campaigns to encourage visitation, and relocation to our region.

**4.3c: Facilitate more face-to-face community engagement/pop-up activities**

Principal Activity	Action Code	Action Name	Responsible Officer Position	Status	Comments
As the opportunity arises, Council will seek to facilitate face-to-face engagement activities for each of its engagement exercises	4.3c (1)	Facilitate face-to-face community engagement activities, as the opportunity arises for Council projects	Manager Business	Ongoing	CGRC is currently reviewing our Community Strategic Plan and has held Community Engagement sessions in Cootamundra, Gundagai and surrounding villages.  Cootamundra Gundagai Regional Council's Community Engagement Strategy was adopted by Council, including Pop-up activities and face-to-face community engagement.  Future Community Engagement will continue to include this element.

**4.3d: Develop and implement a Communications Plan for Council**

Principal Activity	Action Code	Action Name	Responsible Officer Position	Status	Comments
Develop a communications strategy for CGRC that will guide the Council's communication with the community and other key stakeholders	4.3d (1)	Develop an overarching Council communications strategy to guide Council's communication and engagement with the community	Manager Business	Ongoing	CGRC Communications Strategy is still current and implemented.  New and improved strategies are incorporated as appropriate.
	4.3d (1)	Develop an overarching Council communications strategy to guide Council's communication and engagement with the community	Manager Business	Ongoing	CGRC Communications Strategy is still current and implemented.  New and improved strategies are incorporated as appropriate.

**4.3e: Facilitate community consultation in line with Community Engagement Charter**

Principal Activity	Action Code	Action Name	Responsible Officer Position	Status	Comments
Ensure community consultation activities are designed to adhere to the Community Engagement Charter, and community engagement best practice (IAP2)	4.3e (1)	Design community consultation activities in-line with the Community Engagement Charter and community engagement best practice (IAP2)	Manager Business	Ongoing	Council focuses on transparent, authentic communication delivery to our residents and visitors via platforms detailed in our Communications and Engagement Strategy.

**4.3f: Active and robust Section 355 Working Committees**

Principal Activity	Action Code	Action Name	Responsible Officer Position	Status	Comments
Continue to support Section 355 Committees and encourage the development of Services and facilities in our communities	4.3f (1)	Support Section 355 Committees to deliver their services to communities	Manager Business	In Progress	S.355 Guidelines updated to incorporate roles, financial responsibilities, and governance.  Communication will continue with s.355 groups to implement changes.

#### 4.4: Recognised as a premier local government Council that represents and advocates for community needs

##### 4.4a: Maintaining a strong and robust financial position that supports the delivery of services and strategies ensuring long-term financial stability

Principal Activity	Action Code	Action Name	Responsible Officer Position	Status	Comments
Council will ensure statutory compliance is achieved and demonstrate good governance practices	4.4a (2)	Continue to progress with Demerge proposal as per the Detailed Implementation Plan adopted by Council	General Manager	Ongoing	<p>Funding provided within 2024/25 Operational Plan and Budget for the demerger process by proposed derestriction of internal reserves.</p> <p>Actual initiation of the Demerger Transition Plan is not able to be activated until CGRC has received a response from the Local Government Boundaries Commission and the Minister for Local Government.</p> <p>The Boundaries Commission is conducting hearings on 18 &amp; 19 February 2025. Council will await the outcome of this.</p>
Develop Asset Management plans which deliver Long Term financial sustainability and asset renewal	4.4a (4)	After demerge decision is finalised, develop Long-Term Asset Management Plans to deliver Long-Term Financial Sustainability and asset renewal	Acting Manager Regional Services - Gundagai	Ongoing	Regional Services, Gundagai, work with Engineering and Finance staff to contribute to Asset Management Planning.
	4.4a (4)	After demerge decision is finalised, develop Long-Term Asset Management Plans to deliver Long-Term Financial Sustainability and asset renewal	Manager Regional Services - Cootamundra	On hold (demerge)	No announcement of demerger status.



Principal Activity	Action Code	Action Name	Responsible Officer Position	Status	Comments
	4.4a (4)	After demerge decision is finalised, develop Long-Term Asset Management Plans to deliver Long-Term Financial Sustainability and asset renewal	Acting Manager Engineering - Gundagai (Contract)	Ongoing	As at the end of Q2 a decision has not been made regarding the demerger, however Council is being proactive and continuing to update the GIS database to accurately reflect the assets on the ground and provide condition ratings.  The work being undertaken as part of the Integrated Water Cycle Management project is also assisting with the development of long-term asset management plans for the water and sewer assets.
	4.4a (4)	After demerge decision is finalised, develop Long-Term Asset Management Plans to deliver Long-Term Financial Sustainability and asset renewal	Acting Manager Engineering - Cootamundra (Contract)	On hold (Demerger)	Demerger still pending.

**4.4b : By meeting all legislative requirements and operating within good governance practices and frameworks**

Principal Activity	Action Code	Action Name	Responsible Officer Position	Status	Comments
Implement Council's Governance and Risk Management Framework and Action Plan	4.4b (1)	Implement Council's Governance and Risk Management Framework and Action Plan	Manager Business	Ongoing	As a member of the Audit Alliance, Council participated in an audit of our Enterprise Risk Management Framework.  Recommendations of the Audit are being implemented including updates to CGRC documents and implementation of ERM Action Plan.  Council has also participated in ERM Audit Program with our insurers and is implementing recommendations from this Audit.

Principal Activity	Action Code	Action Name	Responsible Officer Position	Status	Comments
Implementation of Council's Corporate Business Continuity Plan including coordination of the IT Disaster Recovery Plan and Divisional Sub Plans	4.4b (2)	Continue Developing and maintain risk management and business continuity plans	Manager Business	In Progress	Contractor 'Marsh' has been engaged to develop CGRC Business Continuity Plan and is in the final stages of developing this plan.  SideEffekt continues to maintain and enhance ICT Continuity Plan, Tests and Reports.
Delivery of the Integrated Planning and Reporting framework	4.4b (3)	Start preparations for the Integrated Planning and Reporting framework required for 2025	Manager Business	In Progress	Community Consultations and Planning commenced.

## 5: Integrated and Accessible Region

### 5.1: Known for our good road network

#### 5.1a: Revising the asset management plan

##### 5.1a (1): Align Council's Assets and Civil Works Departments works programs

Action Code	Principal Activity	Action Name	Responsible Officer Position	Status	Comments
5.1a (1)	Align Council's Assets and Civil Works Departments works programs	Align Council's Assets and Civil Works Departments works programs	Acting Manager Engineering - Gundagai (Contract)	Ongoing	As part of the Integrated Water Cycle Management (IWCM) Planning the sewer and water assets are having their condition assessment which is being undertaken by Public Works Authority.
5.1a (1)		Assist with the development and updating of Councils Asset Managment Plan	Manager Regional Services - Cootamundra	Ongoing	Regional Services, Cootamundra, continue to work with internal assets and finance staff to contribute to Asset Management Planning.
5.1a (1)		Assist with the development and updating of Council's Asset Managment Plan	Acting Manager Regional Services - Gundagai	Ongoing	Regional Services, Gundagai, continue to work with internal assets and finance staff to contribute to Asset Management Planning.
5.1a (1)		Assist with the development and updating of Council's Asset Managment Plan	Acting Manager Engineering - Cootamundra	Ongoing	Plan currently under review.

**5.1b: Prioritising access road maintenance and future development to provide safe and efficient road and pathway network**

**5.1b (2): Deliver annual resealing program**

Action Code	Principal Activity	Action Name	Responsible Officer Position	Status	Comments
5.1b (2)	Deliver annual resealing program	Deliver the annual road resealing program as budgeted.	Acting Manager Engineering - Cootamundra	Ongoing	Only line marking pending for current financial year.
5.1b (2)		Deliver the annual road resealing program as budgeted.	Acting Manager Engineering - Gundagai	Ongoing	During the reporting period the road reseal program commenced, and the budget will cover 11 roads for a total 66,000 square metres in the 25FY.  The works commenced in November 24 and will continue through to March 25 when the weather is favourable for the works

**5.2: Easily accessible from major cities and other regional towns**

**5.2a: Feasibility study/ masterplan for development of Cootamundra airport into a true regional airport facilitating visitors, business, health services, and managing emergencies**

**5.2a (1): Develop feasibility study/ masterplan for Cootamundra Aerodrome, with consideration to revenue generating opportunities, and long-term commercial activities**

Action Code	Principal Activity	Action Name	Responsible Officer Position	Status	Comments
5.2a (1)	Develop feasibility study/ masterplan for Cootamundra Aerodrome, with consideration to revenue generating opportunities, and long-term commercial activities	Seek funding to develop a feasibility study and masterplan for the Cootamundra Aerodrome with consideration to revenue generating opportunities and long-term commercial activities	Acting Manager Engineering - Cootamundra	Ongoing	Funding being sought.

**5.2b: Improve road conditions across the region, and advocate to improve access to regional cities and connection out of the region****5.2b (1): Continue implementing the fixing local roads program**

Action Code	Principal Activity	Action Name	Responsible Officer Position	Status	Comments
5.2b (1)	Continue implementing the fixing local roads program	Continue to implement the approved and funded Fixing Local Roads Program	Acting Manager Engineering - Cootamundra	In Progress	Works in program being implemented.
5.2b (1)		Continue to implement the approved and funded Fixing Local Roads Program	Acting Manager Engineering - Gundagai	Ongoing	Council received the final payment of \$100,000 for Annie Pyers Drive.  During Q2 the heavy patching program was commenced and the major works included Muttama Road.  Heavy patching will continue through the Q3 reporting period.

**5.2b (2): Seek funding for upgrades to Stockinbingal and Muttama Roads**

Action Code	Principal Activity	Action Name	Responsible Officer Position	Status	Comments
5.2b (2)	Seek funding for upgrades to Stockinbingal and Muttama Roads	Seek funding to deliver upgrades to Stockinbingal and Muttama Roads	Acting Manager Engineering - Gundagai (Contract)	Ongoing	Council continues to advocate for funding, including funds from the Block Grant.

**5.2b (4): Seek funding to build a bridge over low level causeway at Muttama**

Action Code	Principal Activity	Action Name	Responsible Officer Position	Status	Comments
5.2b (4)	Seek funding to build a bridge over low level causeway at Muttama	Seek funding to build a bridge over the low-level causeway at Muttama	Acting Manager Engineering - Gundagai	Ongoing	Continue to seek funding for this project.

**5.2c: Establish linked network of pedestrian footpaths and cycle paths through continued extension and upgrade of pedestrian and cycle paths**

**5.2c (2): Develop cycleway and pedestrian access plan for the region**

Action Code	Principal Activity	Action Name	Responsible Officer Position	Status	Comments
5.2c (2)	Develop cycleway and pedestrian access plan for the region	Following completion of Pedestrian and Mobility Plans (PAMP) seek funding to develop cycleway and pedestrian access plan for the region.	Acting Manager Engineering - Cootamundra	Ongoing	Funding being sought.
5.2c (2)		Following completion of Pedestrian and Mobility Plans (PAMP) seek funding to develop cycleway and pedestrian access plan for the region.	Acting Manager Engineering - Gundagai	Ongoing	PAMP has been completed, and two funding applications were submitted in Q2.

**5.2c (3): Deliver footpath extensions and safe footpath / disabled access**

Action Code	Principal Activity	Action Name	Responsible Officer Position	Status	Comments
5.2c (3)	Deliver footpath extensions and safe footpath / disabled access	Undertake the footpath asset renewal and extension program as per Asset Condition Report and Pedestrian and Mobility Plans (PAMP's) program	Acting Manager Engineering - Cootamundra	In Progress	Footpath renewal and replacement underway.

Action Code	Principal Activity	Action Name	Responsible Officer Position	Status	Comments
5.2c (3)		Undertake the footpath asset renewal and extension program as per Asset Condition Report and Pedestrian and Mobility Plans (PAMP's) program	Acting Manager Engineering - Gundagai	Ongoing	<p>Council continues to advocate for additional funding, both at the State and Federal level, i.e. Get Active NSW program.</p> <p>Council submitted two applications through the Get Active NSW program in Q2.</p> <p>The results of the application will be announced in Q4.</p>

#### 5.2d: Seek funding to enable electric charging infrastructure

##### 5.2d (1): Investigate funding opportunities for installation of electric car charging facilities

Action Code	Principal Activity	Action Name	Responsible Officer Position	Status	Comments
5.2d (1)	Investigate funding opportunities for installation of electric car charging facilities	Council to apply for grant funding to install 6 (six) x 7kw electronic vehicle charging stations to be installed behind the Library in Cootamundra	Manager Regional Services - Cootamundra	In Progress	<p>Two double EV charging stations have been installed.</p> <p>They are located in the CGRC Carpark behind the Cootamundra War Memorial Library.</p>

### ***5.3: Secure Cootamundra as an Inland Port location serving to transfer rail freight between the Inland Rail and Sydney-Melbourne line***

#### **5.3b: Identify, coordinate and prioritise the delivery of local road projects that help support the regional freight network**

##### ***5.3b (1): Continue to seek funding from the Roads to Recover and Fixing Local Roads grants for ongoing road projects***

Action Code	Principal Activity	Action Name	Responsible Officer Position	Status	Comments
5.3b (1)	Continue to seek funding from the Roads to Recover and Fixing Local Roads grants for ongoing road projects	Allocate funds to the Roads to Recovery annually for ongoing road maintenance and infrastructure projects as per condition report	Acting Manager Engineering - Gundagai	Ongoing	Works are progressing in line with the 5 year Roads to Recovery funding deed that commenced in July 2024.
5.3b (1)		Allocate funds to the Roads to Recovery annually for ongoing road maintenance and infrastructure projects as per condition report	Acting Manager Engineering - Cootamundra	In Progress	Roads to Recovery being developed for increased funding allocation.

### ***5.4: Functional communications technologies to improve services and facilities across the region***

#### **5.4a: Develop a digital services strategy**

##### ***5.4a (1): Review existing digital platforms and consider cost effective solutions within existing budget to provide improved functionality and usability for our community in a digital services strategy***

Action Code	Principal Activity	Action Name	Responsible Officer Position	Status	Comments
5.4a (1)	Review existing digital platforms and consider cost effective solutions within existing budget to provide improved functionality and usability for our community in a digital services strategy	Seek funding to develop a digital services strategy for council including a review of digital platforms and investigation of cost effective solutions	Manager Business	In Progress	Funding being sought.  Discussions commenced with IT Contractor. DSS under development.



**8.2.4 MUTTAMA CREEK REGENERATION GROUP S.355 COMMITTEE MEETING MINUTES**

DOCUMENT NUMBER	431319
REPORTING OFFICER	Anne Chamberlain, Governance Officer
AUTHORISING OFFICER	Barry Paull, Interim Deputy General Manager - CCD
RELEVANCE TO COMMUNITY STRATEGIC PLAN	<b>4. Collaborative and progressive leadership</b> 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 Meeting Minutes - 9 December 2024 <a href="#">↓</a>

**RECOMMENDATION**

**The Minutes of the Muttama Creek Regeneration Group s.355 Committee meeting held 9 December 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 9 December 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

Minutes: Monday 9 December, 2024

Muttama Creek



Regeneration  
Group

**Present:** Graeme Johnson, Di Pearton, Lin Chaplin, Paulina Butler, Doug Butler, Betti Punnett, Wendy Griffiths, Isolde Kerman, Marilyn Cooper, Mary O'Connor, Stuart Moorby.

**Apologies:** Nil

**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 8 October 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-** Council action- Stuart Moorby told the group that after Risk Assessment, some exotics have been cut to ground level on the banks of the creek, and poisoned to stop regrowth. For exotics growing IN the creek, this is a more difficult procedure. With increased park staff, 8 now, the exotic removal can continue.
- **Attending Councillor-** New Council member, Rosalind Wight will be attending our meetings (not available for today's meeting).
- **Improving communication-** Stuart Moorby attended today's meeting with the goal of improving communication between the group and the Cootamundra-Gundagai Regional Council. We welcome Stuart's knowledge and contribution to our discussion today.
- **Water Testing-** Applications have closed for this year, - Stuart Moorby will ask if there is any water testing done.
- **Working bees-** Three working bees were held since October with lots of weeding, mulching, planting grasses and watering, pruning dead branches, and removing general rubbish- Mackay St entrance to Bird Walk, Betti's Happy Wanderer garden, Pat's seat, Casuarina Walk. Many thanks to Doug, Paulina and Graeme who have been watering new plants.

### **GENERAL BUSINESS:**

- Working Bee dates- Saturday 8 am, 14 December, Thompson Street, Bird Walk entrance, Doug and Paulina, Graeme to get mulch 13 December.
- Saturday 8 am, 16 November, Casuarina Walk

**Meeting closed at 6.05 pm.**

**Next Meeting: Monday, 3 February at 5pm, Stephen Ward Rooms**

**8.2.5 MUTTAMA HALL MANAGEMENT S.355 COMMITTEE MEETING MINUTES**

DOCUMENT NUMBER	431320
REPORTING OFFICER	Anne Chamberlain, Governance Officer
AUTHORISING OFFICER	Barry Paull, Interim Deputy General Manager - CCD
RELEVANCE TO COMMUNITY STRATEGIC PLAN	<b>4. Collaborative and progressive leadership</b> 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. MHMC Minutes - 29 January 2025 <a href="#">↓</a>

**RECOMMENDATION**

**The Minutes of the Muttama Hall Management s.355 Committee Ordinary Meetings held, 29 January 2025, attached to the report, be received and noted.**

Introduction

The attached Minutes of the Muttama Hall Management s.355 Committee Ordinary Meetings held, 29 January 2025, attached to the report, 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.



ABN: 46 211 642 339  
PO Box 420, Cootamundra NSW 2590  
Phone: 1300 459 689  
Email: mail@cgrc.nsw.gov.au  
www.cgrc.nsw.gov.au

# Minutes

## MUTTAMA HALL MANAGEMENT COMMITTEE SECTION 355 COMMITTEE

### MUTTAMA HALL

6.45 PM WEDNESDAY, 29<sup>TH</sup> JANUARY, 2025. (MEETING 22<sup>ND</sup> JANUARY POSTPONED DUE TO A LACK OF QUORUM)

#### 1 MINUTES

##### 1.1 Attendance and Confirmation of Quorum

**Present:** President/Chairperson: Robert Flint

**Secretary:** Cathy Last

**Treasurer:** Lien Puddicombe

**Councillor:**

**General Members:** Eliza Butt, Bill Buckley, Sam Puddicombe, Trevor Glover, Anne Last, Kate Last.

**Cootamundra-Gundagai Regional Council representatives:**

**Confirmation of a Quorum:** There are **13** Members appointed to this Committee.

Quorum numbers are met **yes**

*Note: If quorum numbers are not met no actions can be made at this meeting. An informal discussion on items on the agenda can only take place. All agenda items from this meeting will be transferred to the next meeting for determination. Notes on the informal discussion can be made for reference at the next meeting.*

##### 1.2 Apologies

Kaede Ingold, Sarah Ingold, Hilary Connors, Abb McAlister, Darrell Edwards.

##### 1.3 Disclosure of Interests

There were **no** Disclosures of Interest.

##### 1.4 Confirmation of previous meeting Minutes

The minutes of the last **Muttama Hall Management Committee** Section 355 Committee meeting dated **4<sup>th</sup> December, 2024** are confirmed as true and correct. Moved by Bill Buckley seconded by Trevor Glover.

**Business Arising from previous Minutes:**

**1.5 Correspondence in/out: (as per agenda)****1.6 Report from the Treasurer/President/Secretary****\$8,589.60 (Balance includes tickets for dinner 17<sup>th</sup> May)****1.7 General Business (List Agenda Items)**

100 Year Anniversary opening of the Muttama Hall 18<sup>th</sup> & 18<sup>th</sup> May, 2025.

**Special Guests**

**Action:** Invitations to special guests attending the official opening of the hall on Sunday 18<sup>th</sup> May need to be sent out as soon as possible. Special guests will be served light refreshments after the official opening.

**Guest speakers for Dinner on Saturday night.**

**Action:** Committee to decide on guest speakers.

**Raffle prizes.**

Moved by Eliza Butt, seconded by Bill Buckley that we have a silent auction on Saturday night as well as a lucky door prize. Other prizes suggested gift cards, Mother's Day gifts.

**Advertising**

**Action:** Flyers to be distributed in March advertising 100 Year celebration. Approximately 400 need to be printed and distributed throughout the district.

**Purchase of banners.**

Moved by Trevor Glover, seconded by Anne Last that Lien and Sam Puddicombe purchase two banners at a cost of \$75.00 each advertising the 100 Year celebration.

**Electronic signs.**

**Action:** Anne Last will speak to Council regarding advertising on electronic signs.

**Hire of tables for 100 Year Celebration**

**Action:** Tables will be supplied by members of the hall committee.

**Photos of headstones at the Muttama cemetery.**

**Action:** Anne Last advised that photos of headstones at the Muttama cemetery have been taken.

**Straw for maze**

**Action:** Robert Flint advised the committee that Romani Pastoral Company will supply straw for the maze. Cost of bailing straw to be paid to contractor. Straw will be auctioned at the 100 Year celebration to cover costs.

**Local History**

The local history display for the 100 Year celebration will be in the hall.

**Cake for official opening.**

The committee needs to obtain a price.

**Generator**

The Committee to consider hiring a generator if more power is needed.

**Hire of toilets**

**Action:** At least six toilets will be needed.

**Time capsule.**

Members of the community are invited to submit articles to put in the time capsule. On Sunday 18<sup>th</sup> of May children will be invited to make their own drawings, paintings, write stories or any other articles that represents life in Muttama in 2025.

Re-opening of the time capsule in 30 years.

**Lights for Hall**

**Action:** Bill Buckley will obtain quote for solar lights to be used on Saturday night at the hall.

**Decorations for dinner tables.**

**Action:** Decorations will be left in the hands of Anne Last.

**Rural Fire Service, SES, Stock squad.**

**Moved** by Eliza Butt and seconded by Robert Flint that the hall committee invite Rural Fire Service, SES and Stock squad to the 100 Year celebration.

**Carpet Sheep**

There will be a display of sheep at the Fun day on Sunday.

**1.8 Maintenance**

Equipment for the kitchen. Re: grant from Council.

**Action:** Bill Buckley obtained a quote for stove in kitchen.

Cost \$597.00. Stove has been delivered to the hall and will be installed as soon as possible. The remaining funds from the Council grant needs to be spent by 25<sup>th</sup> May. Items needed in the kitchen are microwave, food warmers etc.

**Repairs to brick work and chimneys in kitchen.**

This work has been completed.

**Internet Banking**

**Action:** Internet banking has been set up waiting for final details from NAB Bank.

**Action:** Bill Buckley to check light.

**Action:** Robert Flint and Bill Buckley will connect tank as soon as possible.

There will be a working bee at the Hall and Recreation ground on Sunday 16<sup>th</sup> March at 2:00pm.

The hall committee at the last meeting asked for support from Cootamundra-Gundagai Regional Council in the form of a loan for \$5,000.00.

The committee is very grateful to Council for their financial support.

### 8.3.1 INVESTMENT REPORT

--	--

DOCUMENT NUMBER	Community Building Grants 431054
REPORTING OFFICER	Steph Cooke forwarded email advising of Community Building Partnership Grants Zac Mahon, Manager Finance Opening on Wednesday 28 <sup>th</sup> January and closing on 21 <sup>st</sup> February, 2025.
AUTHORISING OFFICER	The Committee will approve the grant for the electrical system. Barry Paul, Interim Deputy General Manager CCD
RELEVANCE TO COMMUNITY STRATEGIC PLAN	<b>4. Collaborative and progressive leadership</b>
1.9 Date and Time of Next Meeting	Next Meeting strategic direction that is delivered upon Wednesday 12 <sup>th</sup> February at 6:30pm.
FINANCIAL IMPLICATIONS	Council's cash and investment portfolio decreased \$621,785.60 from \$31,058,822.40 as at 31 <sup>st</sup> December 2024 to \$30,437,036.80 as at 31 <sup>st</sup> January 2025. Wednesday 19 <sup>th</sup> February at 6:30pm
1.10 Time Meeting Closed	8:15pm.
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

**The report detailing Council Cash and Investments as at 31<sup>st</sup> January 2025, be received and noted.**

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.

Page 4

## Financial

Council's cash and investment portfolio decreased \$621,785.60 from \$31,058,822.40 as at 31<sup>st</sup> December 2024 to \$30,437,036.80 as at 31<sup>st</sup> January 2025.

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	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	14/01/2025	15/07/2025	182	5.10	4.42	\$4,000,000.00
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	\$2,251,112.12
CASH	AA-	A1+	NAB	Monthly				3.10	4.35	\$163,036.20
<b>Total</b>										<b>\$30,437,036.80</b>

\*Benchmarks

On Call - RBA Cash

Floating Rate Deposit - 3m BBSW

Term Deposit - BBSW

## Performance

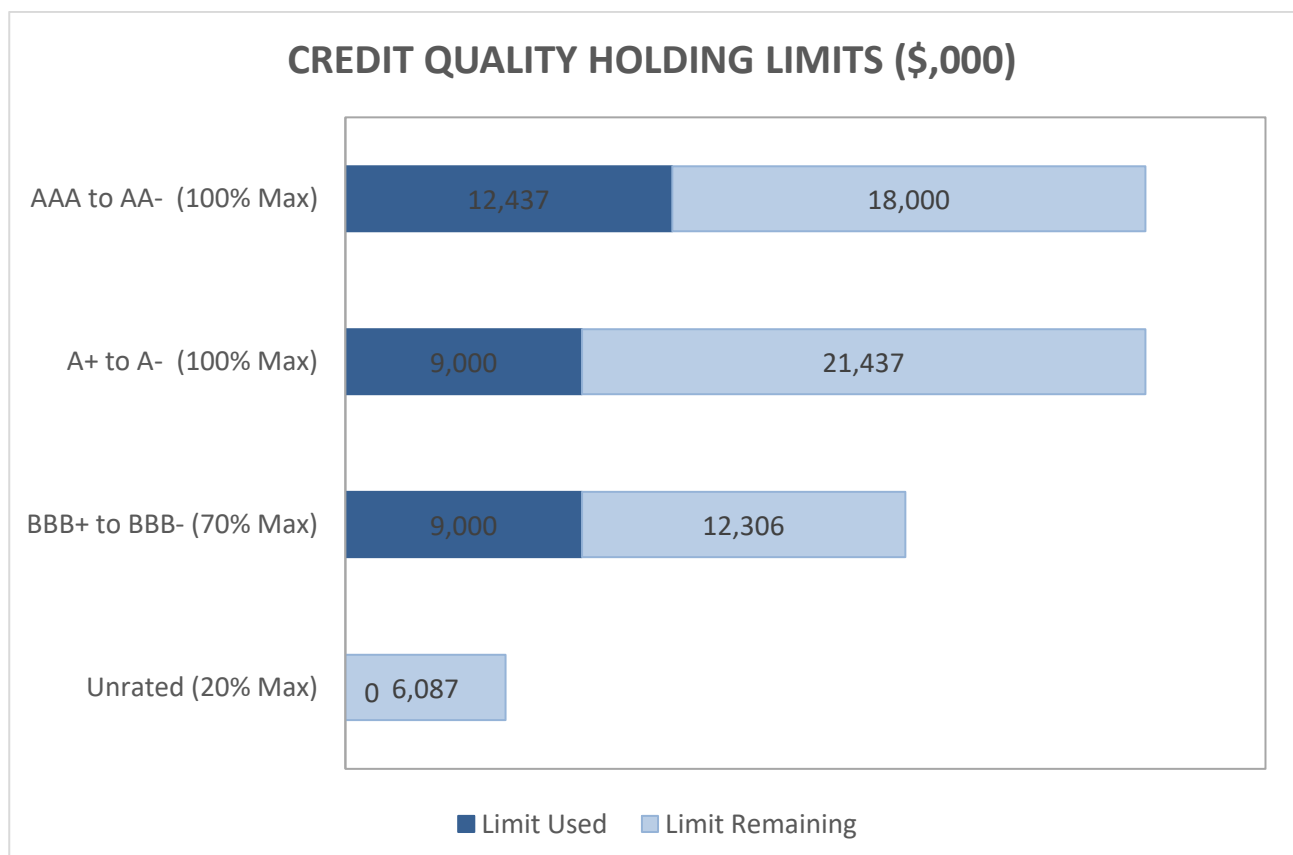
Cootamundra-Gundagai Regional Council's investment portfolio outperformed the relevant BBSW Index benchmark by 11.12%. The average weighted yield for January was 4.88%, over an average weighted term of 90 days, with a benchmark of 4.42%.

Please note that Council have tried to invest in longer term investments but the rate is far below the required benchmark and it isn't a financially viable alternative.

<b>Total Cost</b> <b>30,437,037</b>	<b>Monthly Interest Received</b> <b>129,969</b>	<b>Weighted Average Term</b> <b>90 Days</b>
<b>Total Value</b> <b>30,437,037</b>	<b>Yearly Interest Received</b> <b>899,038</b>	<b>Weighted Average Yield</b> <b>4.88%</b>

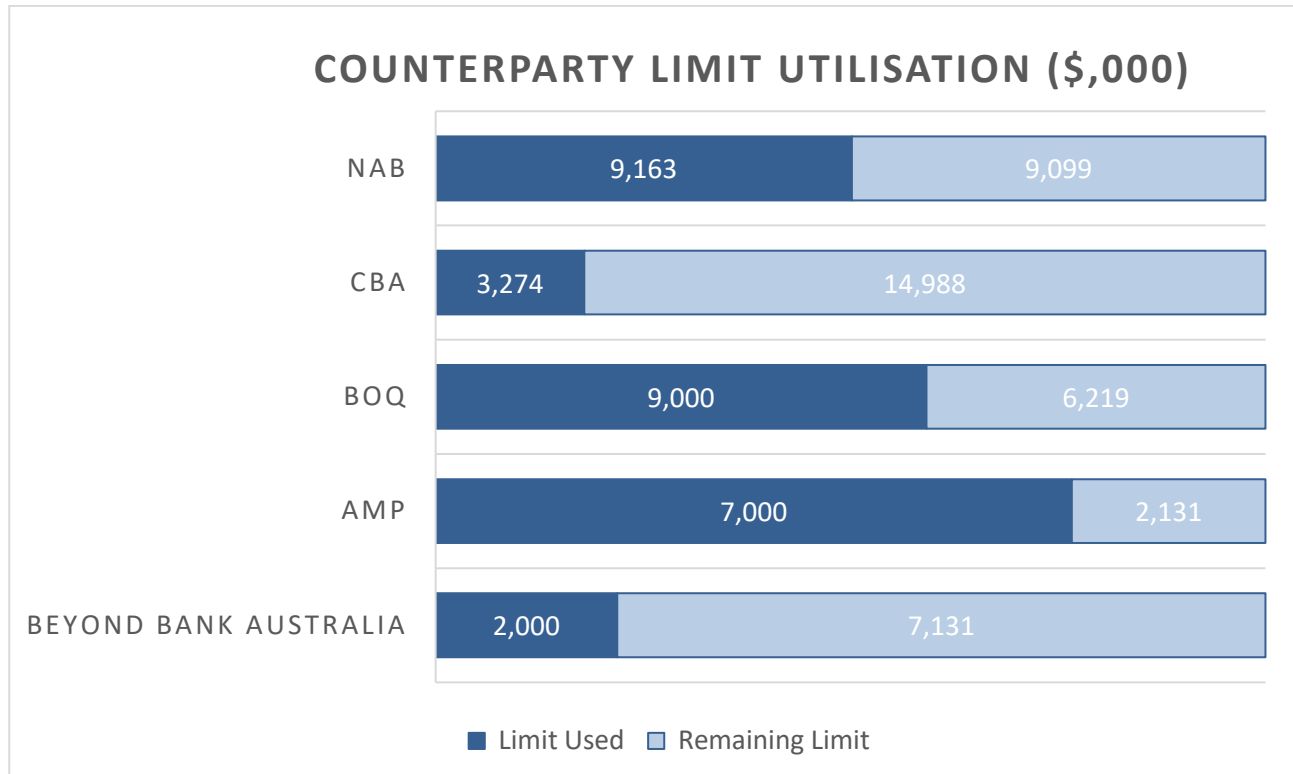
## Credit Quality Compliance

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



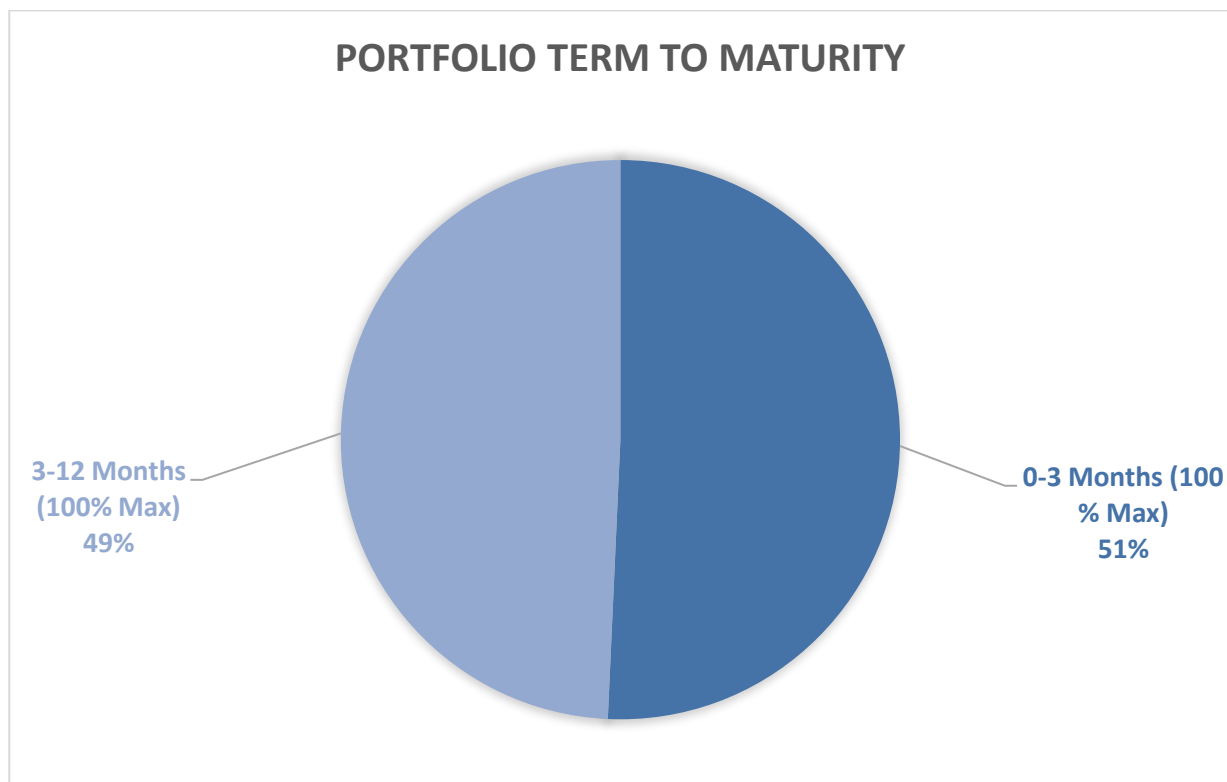
### Counter Party Compliance

As at the end of January, 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

A handwritten signature in black ink that reads "Zac Mahon". The signature is written in a cursive, flowing style.

Zac Mahon  
Responsible Accounting Officer

**8.3.2 RESTRICTED CASH RECONCILIATION - JANUARY 2025**

DOCUMENT NUMBER	431474
REPORTING OFFICER	Zac Mahon, Manager Finance
AUTHORISING OFFICER	Barry Paull, Interim Deputy General Manager - CCD
RELEVANCE TO COMMUNITY STRATEGIC PLAN	<b>4. Collaborative and progressive leadership</b> 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 January 2025 as shown in the below table.

Internally Restricted Reserves	Bal 30 June 2024	Transfers To	Transfers From	Bal 31 Jan 2025
Aerodrome Bitumen Resurfacing	\$165,588			\$165,588
Bradman's Birthplace	\$94,337			\$94,337
Cootamundra Caravan Park	\$213,037		\$5,681	\$207,356
Heritage Centre	\$27,490	\$1,091	\$0	\$28,581
Development - Land & Buildings	\$1,767,204			\$1,767,204
Employee Leave Entitlements	\$1,798,460			\$1,798,460
Quarries & Pit Restoration	\$476,387		\$111,662	\$364,725
Bangus Landfill	\$329,938	\$181,311		\$511,249
Plant Replacement	\$3,720,480	\$2,502,029	\$3,336,126	\$2,886,383
Cemetery	\$133,710	\$162,241	\$212,178	\$83,773
Southern Phone	\$586,464		\$12,000	\$574,464
Waste Management	\$500,000			\$500,000
<b>Total Internal</b>	<b>\$9,813,095</b>	<b>\$2,846,672</b>	<b>\$3,677,647</b>	<b>\$8,982,120</b>

<b>Externally Restricted Reserves</b>				
Domestic Waste	\$1,334,928	\$1,214,845	\$1,024,672	\$1,525,101
Water Supply	\$7,826,732	\$2,288,749	\$2,718,292	\$7,397,189
Sewerage Service	\$5,172,930	\$1,464,409	\$1,421,119	\$5,216,220
Stormwater Infrastructure Renewal	\$389,985	\$63,500		\$453,485
Developer Contributions	\$1,310,465	\$52,350		\$1,362,815
General Fund Unspent Grants & Contributions	\$5,633,377		\$1,746,286	\$3,887,091
<b>Total External</b>	<b>\$21,668,417</b>	<b>\$5,083,853</b>	<b>\$6,910,369</b>	<b>\$19,841,901</b>
<b>TOTALS</b>	<b>\$31,481,512</b>	<b>\$7,930,525</b>	<b>\$10,588,016</b>	<b>\$28,824,021</b>

Restricted Cash Reconciliation

Restricted Cash	\$28,824,021
Cash at 31 Jan 2025	\$30,437,036
Unrestricted Balance	\$1,613,016
Grant Debtors Outstanding	\$281,670
Balance	\$1,894,686

Financial

There are no financial implications associated with this report.

OLG 23a Guideline consideration

Report purpose does not conflict with guidelines.

**8.3.3 FINANCE UPDATE - JANUARY 2025**

DOCUMENT NUMBER	431523
REPORTING OFFICER	Zac Mahon, Manager Finance
AUTHORISING OFFICER	Barry Paull, Interim Deputy General Manager - CCD
RELEVANCE TO COMMUNITY STRATEGIC PLAN	<b>4. Collaborative and progressive leadership</b> 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 January Finance Update has been reviewed and no issues have been detected.

**Operations**Income

The operational income is at 63% 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	\$411,489	\$647,616	64%	😊	Fees from new development in Cootamundra received
Business Department	\$59,048	\$311,600	19%	😊	
Engineering Cootamundra	\$1,479,370	\$6,642,489	22%	😊	
Engineering Gundagai	\$107,515	\$2,654,988	4%	😊	
Executive Department	\$43,863	\$223,600	20%	😊	
Finance Department	\$6,300,254	\$10,517,795	60%	😊	
Rates Cootamundra	\$6,801,789	\$7,028,139	97%	😊	
Rates Gundagai	\$4,407,916	\$4,532,162	97%	😊	
Services Cootamundra	\$3,262,705	\$3,633,750	90%	😊	
Services Gundagai	\$1,186,919	\$1,610,000	74%	😊	
Sewer Cootamundra	\$1,818,691	\$2,910,807	62%	😊	
Sewer Gundagai	\$428,079	\$768,442	56%	😊	
Water Cootamundra	\$1,835,631	\$3,267,356	56%	😊	

Department	Income Actual	Income Budget	Variance	Result	Comment
Water Gundagai	\$916,285	\$1,629,444	56%	😊	
<b>Total</b>	<b>\$29,059,553</b>	<b>\$46,378,188</b>	<b>63%</b>	😊	

### Expenditure

Operational Expenditure is at 50% when comparing actual to budget.

Department	Expense Actual	Expense Budget	% Spent	Result	Comment
Building Department	\$949,589	\$1,763,671	54%	😊	
Business Department	\$2,143,067	\$3,499,004	61%	😊	
Engineering Cootamundra	\$5,658,544	\$9,576,544	59%	😊	
Engineering Gundagai	\$3,661,198	\$5,210,819	70%	😊	
Executive Department	\$1,179,942	\$2,348,537	50%	😊	
Finance Department	\$8,612,439	\$20,447,706	42%	😊	
Services Cootamundra	\$3,098,886	\$5,744,946	54%	😊	
Services Gundagai	\$1,377,839	\$2,608,305	53%	😊	
Sewer Cootamundra	\$370,153	\$1,581,693	23%	😊	
Sewer Gundagai	\$363,636	\$784,319	46%	😊	
Water Cootamundra	\$1,148,466	\$2,812,625	41%	😊	
Water Gundagai	\$437,266	\$1,210,655	36%	😊	
<b>Total</b>	<b>\$29,001,025</b>	<b>\$57,588,824</b>	<b>50%</b>	😊	

### **Capital**

#### Income

Capital income is at 20% 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	\$216,382	\$498,950	43%	😊	
Property Disposal – Cootamundra	\$0	\$1,000,000	0%	😊	
Property Disposal – Gundagai	\$0	\$0	0%	😊	
<b>TOTAL</b>	<b>\$385,786</b>	<b>\$1,972,500</b>	<b>20%</b>	😊	



Expenditure

Capital expenditure is at 41% of budget when comparing actual to budget.

Asset Category	Total YTD	Budget	% Spent	Result	Comments
Cootamundra Land	\$151,945	\$301,785	50%	😊	Oliver Selwyn purchase to be reimbursed by insurance
Cootamundra Plant	\$1,847,342	\$2,142,264	86%	😊	
Cootamundra Roads	\$644,425	\$3,697,854	17%	😊	Works schedule to be completed by EOFY
Cootamundra Building	\$471,956	\$1,059,556	45%	😊	
Cootamundra Recreation	\$394,650	\$594,117	66%	😊	
Cootamundra Waste	\$194,485	\$242,000	80%		
Cootamundra Bridges	\$0	\$0	0%	😊	
Cootamundra Water	\$802,213	\$1,036,527	77%	😊	
Cootamundra Sewer	\$644,963	\$3,070,300	21%	😊	
Gundagai Building	\$300,419	\$931,858	32%	😊	
Gundagai Recreation	\$493,041	\$1,071,273	46%	😊	
Gundagai Waste	\$0	\$720,000	0%	😊	
Gundagai Bridges	\$1,364,810	\$1,480,757	92%	😊	
Gundagai Plant	\$973,925	\$1,300,000	75%	😊	
Gundagai Roads	\$1,279,584	\$2,815,746	45%	😊	
Gundagai Water	\$291,407	\$3,241,336	9%	😊	
Gundagai Sewer	\$165,915	\$633,000	26%	😊	
IT	\$0	\$50,000	0%	😊	
<b>Total</b>	<b>\$10,021,080</b>	<b>\$24,388,373</b>	<b>41%</b>	😊	

Financial

There are no financial implications associated with this report.

OLG 23a Guideline consideration

Report purpose does not conflict with guidelines.

## 8.4 SUSTAINABLE DEVELOPMENT

### 8.4.1 ANNUAL FIRE SAFETY STATEMENT POLICY AND PROGRAM

DOCUMENT NUMBER	430279
REPORTING OFFICER	Lauren Dawes, Senior Building Surveyor
AUTHORISING OFFICER	Barry Paull, Interim Deputy General Manager - CCD
RELEVANCE TO COMMUNITY STRATEGIC PLAN	<b>1. A vibrant, safe, and inclusive community</b> 1.1 Our health and wellbeing needs are met
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 Annual Fire Safety Statement Policy and Program <a href="#">↓</a>

### RECOMMENDATION

That:

1. Council endorse the Draft Annual Fire Safety Statement Policy & Program for the purpose of public exhibition for a period of 28 days, in accordance with Council's Community Participation Plan
2. If no material submissions are received during the exhibition period, the Draft Annual Fire Safety Statement Policy & Program be adopted without further resolution.
3. A report be provided to Council should any material submissions be received, for consideration prior to final adoption of the policy.

### Introduction

Fire safety is a critical aspect of protecting lives, property, and the overall well-being of our community. Many building owners remain unaware of their legislative responsibilities regarding the maintenance and annual certification of fire safety measures within their buildings.

This report recommends the public exhibition and adoption of a Annual Fire Safety Statement Policy & Program aimed at fostering education and awareness, particularly among building owners, while promoting improved fire safety standards across the local government area. This proactive approach seeks to ensure compliance, enhance community safety, and mitigate potential risks associated with inadequate fire safety measures.

### Discussion

#### Legislative Responsibility of Commercial Building Owners

Under the *Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021*, owners of existing commercial buildings classified as 1b or classes 2 to 9 under the

Building Code of Australia are required to obtain an Annual Fire Safety Statement (AFSS) for their buildings. A copy of the AFSS must be submitted to both the Council and NSW Fire and Rescue.

Despite this requirement, compliance among building owners has been notably low. The Draft Annual Fire Safety Statement Policy and Program aims to address this issue by enhancing education and promoting compliance with the regulation. The ultimate goal is to achieve a measurable improvement in building fire safety across the local government area, ensuring safer outcomes for the community.

#### Enforcement Powers of Council

It is important to note that Council is not legally obligated to monitor or verify whether building owners comply with their requirements to obtain an Annual Fire Safety Statement (AFSS). However, Council has a responsibility to the community to promote and ensure public safety.

To uphold this responsibility, Council has enforcement powers, including the authority to issue Fire Safety Orders and Penalty Infringement Notices (PIN). The penalties for non-compliance are substantial; the penalties for failing to submit an AFSS for both individuals and corporations are set by the Regulations and are currently:

(a) the first week after time for giving statement ends	\$1,000
(b) the second week after time for giving statement ends	\$2,000
(c) the third week after time for giving statement ends	\$3,000
(d) the fourth or subsequent week after time for giving statement ends	\$4,000

Higher penalties can also be imposed by the Court should prosecution be sought; current penalties are \$16,500.00 for an individual and \$33,000 for a corporation.

Rather than relying on enforcement measures such as penalty infringement notices, the Draft Annual Fire Safety Statement Policy and Program aims to prioritise education as the primary means of improving compliance and achieving better fire safety outcomes. By focusing on raising awareness and understanding among building owners, the program seeks to foster voluntary adherence to fire safety obligations while reducing the need for punitive actions.

#### Proposed Policy and Program as Tool for Education and Improvement

The proposed program as outlined seeks to apply the following in place of enforcement measures:

- 1. Maintain a Fire Safety Register:** Develop and manage a comprehensive database to improve tracking, workflow efficiency, and customer service.
- 2. Identify Class 1b–9 Buildings:** Locate all eligible buildings using rate data and site visits and ensure inclusion within the register.
- 3. Education and Promotion:** Inform property owners of their responsibilities under the *Environmental Planning and Assessment (Development, Certification, and Fire Safety) Regulation 2021* through letters aimed at education and voluntary compliance. Additionally, conduct outreach targeting council staff, businesses, developers, property owners, and the broader community to enhance engagement with fire safety requirements.
- 4. Availability of Fire Safety Schedules:** Where building owners are unsure of critical fire safety measures that apply to their buildings, an application may be made for a Fire Safety

Schedule. Schedules will be issued by a suitability qualified building surveyor following review building files and inspections to determine required critical fire safety measures and verify building use/s.

5. **Risk Based Audits and Inspections:** Compliance audits will be conducted by staff based on an assessment of building risk. High-risk tenancies, such as seniors housing and multi-residential developments, pose a greater risk to life due to potential inadequacies in fire safety measures. These will be prioritised for audits and inspections over lower-risk commercial uses, such as storage premises, as part of the risk-based audit program.
6. **Enforcement:** Where non-compliant buildings are identified as part of audits:
  - a. Engage with property owners to encourage participation before taking regulatory action.
  - b. Issue warnings and penalty infringement notices (PINs) for non-compliance.
  - c. Issue Orders where voluntary compliance unsuccessful.
7. **Registration Fee:** Charge an annual fee per submitted Annual Fire Safety Statement (AFSS) to support the program's administration. Additional fees apply for overdue notices.

### Financial

The administration of the Annual Fire Safety Program will place resource demands on Council's Building Team, particularly in relation to establishing and maintaining the Fire Safety Register, auditing buildings, and conducting public education.

Provisions have been included in Council's Fees and Charges to support the program and recover costs associated with staff time. These fees are designed to ensure that the financial burden falls on the owners of buildings required to comply, rather than on the broader ratepayer base.

The adopted fees and charges for the 2024/2025 financial year are as follows:

#### **FIRE SAFETY SCHEDULES, CERTIFICATES & STATEMENT LODGEMENT**

Inspection for FSS or Inspection Program for premises < 300m2	\$0.00	\$200.00	
Inspection for FSS or Inspection Program for premises > 300m2	\$0.00	\$320.00	
Issue of Fire Safety Schedule (FSS) for premises >300m2	\$0.00	\$580.00	
Issue of Fire Safety Schedule (FSS) not previously issued/no valid current FSS for premises < 300m2	\$250.00	\$300.00	
Lodgement/Registration of AFSS Statement	\$46.00	\$73.00	each
Lodgement/Registration of AFSS Statement > 3 months past required lodgement date	\$0.00	\$176.00	
Reminder of Annual Fire Safety Standard	\$37.00	\$54.00	

Fees for the late registration of an Annual Fire Safety Statement are higher than those for statements submitted on time. This approach is designed to incentivise voluntary compliance and encourage timely submissions.

Council currently relies on contract building certifiers for issuing Fire Safety Schedules. To address this, the existing fees will be reviewed and amended for the 2025/26 financial year to ensure cost recovery and prevent financial loss to Council. Proposed fee adjustments will be included in the draft Fees and Charges for Council's consideration and adoption.

### OLG 23a Guideline consideration

Does not conflict with Guidelines.



ABN: 46 211 642 339  
 PO Box 420, Cootamundra NSW 2590  
 Ph: 1300 459 689 Fax: 02 6940 2127  
 Email: mail@cgrc.nsw.gov.au  
[www.cgrc.nsw.gov.au](http://www.cgrc.nsw.gov.au)

**Cootamundra Office**  
 81 Wallendoon Street,  
 Cootamundra NSW 2590

**Gundagai Office:**  
 255 Sheridan Street,  
 Gundagai NSW 2722

# Draft Annual Fire Safety Statement Policy and Program

## Policy Approval and Distribution

Approved by	Council resolution
Responsible Officer	Lauren Dawes
Council Service Unit	Sustainable Development
Next Review Date	dd-MMM-yyyy
<b>RELEVANCE TO COMMUNITY STRATEGIC PLAN</b>	<b>4. Good governance: an actively engaged community and strong leadership team</b> 1.3 Our community members are healthy and safe

## Version Control

Ref	Date	Description	Resolution Number
0.1		<i>Presented to Council to facilitate public exhibition process</i>	

## Purpose

To assist the community to meet fire safety obligations under the *Environmental Planning and Assessment Act 1979* within the Cootamundra-Gundagai Regional Council area.

## Scope

Applies to all buildings within the local government area required to maintain essential and/or critical fire safety measures.

## Definitions

**approved form** means a form approved by the Planning Secretary and published on the NSW planning portal.

As defined in Schedule 2 Dictionary of the Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021.

**accredited practitioner (fire safety)** means the holder of an accreditation under the Building and Development Certifiers Act 2018 that authorises the holder to exercise the functions of an accredited practitioner (fire safety) who is acting in relation to matters to which the accreditation relates.

As defined in Schedule 2 Dictionary of the Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021.

**annual fire safety statement (AFSS)** is means:

- (1) An annual fire safety statement is a statement issued by or on behalf of the owner of a building to the effect that—
  - (a) each essential fire safety measure specified in the statement has been assessed by an accredited practitioner (fire safety) as capable of performing—
    - (i) for an essential fire safety measure specified in the fire safety schedule—to a standard no less than that specified in the schedule, or
    - (ii) for an original measure within the meaning of section 81—to a standard no less than that to which the measure was originally designed and implemented, and
  - (b) the building has been inspected by an accredited practitioner (fire safety) and was found, when it was inspected, to be in a condition that did not disclose grounds for a prosecution under Part 15.

As defined by Section 88 of the Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021.

**critical fire safety measure**, in relation to a building, means a fire safety measure that—

- (a) requires periodic assessment and certification at intervals of less than 12 months, because of its nature, the environment or the circumstances, and
- (b) is identified as a critical fire safety measure in a fire safety schedule.

As defined in Schedule 2 Dictionary of the Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021.

**essential fire safety measure**, in relation to a building, means a fire safety measure that—

- (a) is or was included in the fire safety schedule for the building, or
- (b) was included in the essential services, within the meaning of Ordinance No 70 under the Local Government Act 1919, attached to an approval or order referred to in that Ordinance, Part 59, being an approval or order that was in force immediately before 1 July 1993, or
- (c) was included in the essential services, within the meaning of the Local Government (Approvals) Regulation 1993, attached to an approval referred to in that Regulation, clause

- 22, being the latest approval granted during the period from 1 July 1993 to 30 June 1997,  
or  
(d) was included in the essential services, within the meaning of the Local Government (Orders) Regulation 1993, attached to an order referred to in that Regulation, clause 6(1), being the latest order given during the period from 1 July 1993 to 30 June 1997.

As defined in Schedule 2 Dictionary of the *Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021*.

**fire safety schedule**, means a schedule issued under Section 78 of the *Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021* in the approved form.

## Legislative Framework

Obligations of property owners regarding statutory fire safety measures are set out by:

- Environmental Planning & Assessment Act 1979; and
- Environmental Planning and Assessment (Development Certification & Fire Safety) Regulation 2021.

## Related CGRC Documents

- Complaints handling policy and procedure
- Compliance and Enforcement Policy
- Legislative Compliance Policy

## Review Period

This document is to be reviewed every five (5) years to ensure that it remains relevant and meets legislative requirements.

## Policy Statement: Fire Safety

Fire safety is fundamental to protecting lives, property, and the well-being of our community. Fostering awareness and shared responsibility through education and engagement is essential to creating a safer, more resilient region.

Cootamundra-Gundagai Regional Council is committed to supporting fire safety compliance across the diverse industries and businesses that contribute to our community. This diversity presents unique challenges in applying fire safety regulations equitably, which the Council addresses with diligence, fairness, and transparency.

Under State regulations and Australian Standards:

- **Class 1b–9 Buildings:** Owners must maintain statutory fire safety measures, conduct regular inspections, and submit an Annual Fire Safety Statement (AFSS) with a maintenance report to Council for registration. A copy must also be sent to Fire and Rescue NSW.

Council works in collaboration with property owners, businesses, and the broader community to uphold fire safety standards and protect the people and assets that define the Cootamundra-Gundagai region. To support this, the Council will:

- Ensure fire safety assessments, education, and compliance efforts are conducted by appropriately skilled, qualified, and accredited professionals.
- Facilitate training opportunities for relevant personnel and, where necessary, engage external expertise.
- Allocate administrative resources for the development of a property database within IT systems to enhance fire safety management and record-keeping.

By maintaining a strong commitment to fire safety, Council aims to create a safer, more prepared community while ensuring compliance with legislative requirements.

## Program: Fire Safety Management

### Aims and Objectives

1. **Fire Safety Register:** Record all Class 2–9 buildings in the Council’s Fire Safety Register.
2. **Auditing:** Implement a program to audit Class 2–9 buildings, ensuring statutory fire safety measures are certified and functional.
3. **Risk Mitigation:** Minimise fire safety risks to the community through compliance and proactive measures.
4. **Education and Awareness:** Promote fire safety among industry participants, building managers, property owners, and developers.
5. **Compliance Enforcement:** Address non-compliance with fire safety standards through enforcement.
6. **Enhance Building Fire Safety for Occupants and Visitors** – To progressively improve fire safety standards within buildings by identifying necessary upgrades and supporting long-term compliance measures.

### Program Outline

1. **Maintain a Fire Safety Register:** Develop and manage a comprehensive database to improve tracking, workflow efficiency, and customer service.
2. **Identify Class 1b–9 Buildings:** Locate all eligible buildings using rate data and site visits and ensure inclusion within the register.
3. **Education and Promotion:** Inform property owners of their responsibilities under the *Environmental Planning and Assessment (Development, Certification, and Fire Safety) Regulation 2021* through letters aimed at education and voluntary compliance. Additionally, conduct outreach targeting council staff, businesses, developers, property



owners, and the broader community to enhance engagement with fire safety requirements.

4. **Availability of Fire Safety Schedules:** Where building owners are unsure of essential and/or critical fire safety measures that apply to their buildings, an application may be made for a Fire Safety Schedule. Schedules will be issued by a suitability qualified building surveyor following review building files and inspections to determine required critical fire safety measures and verify building use/s.
5. **Risk Based Audits and Inspections:** Compliance audits will be conducted by staff based on an assessment of building risk. High-risk tenancies, such as seniors housing and multi-residential developments, pose a greater risk to life due to potential inadequacies in fire safety measures. These will be prioritised for audits and inspections over lower-risk commercial uses, such as storage premises, as part of the risk-based audit program.
6. **Enforcement:** Where non-compliant buildings are identified as part of audits:
  - a. Engage with property owners to encourage participation before taking regulatory action.
  - b. Issue warnings and penalty infringement notices (PINs) for non-compliance.
  - c. Issue Orders where voluntary compliance unsuccessful.
7. **Registration Fee:** Charge an annual fee per submitted Annual Fire Safety Statement (AFSS) to support the program's administration. Additional fees apply for overdue notices.

**8.4.2 ESTABLISHMENT EASEMENT FOR UTILITIES ON COUNCIL OWNED LAND**

DOCUMENT NUMBER	428809
REPORTING OFFICER	Lauren Dawes, Senior Building Surveyor
AUTHORISING OFFICER	Barry Paull, Interim Deputy General Manager - CCD
RELEVANCE TO COMMUNITY STRATEGIC PLAN	<b>3. Protected and enhanced environment</b> 3.4 Greater efficiency in the use of resources
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. Proposed easement location <a href="#">↓</a>

**RECOMMENDATION**

**That council resolve to grant owners consent and for the registration of an easement for utilities over lots:**

- **Lot 21 Sec: 37 DP: 758785**
- **Lot: 2 Sec: 37 DP: 758785**
- **Lot: 3 Sec: 37 DP: 758785; and**
- **Lot: 1 DP: 155943**

**To the benefit of:**

- **Lot: 2 DP: 506531**
- **Lot: 2 DP: 201705**
- **Lot: 3 DP: 201705**
- **Lot: 2 DP: 802021; and**
- **Lot: 5 DP: 201705**

Introduction

Existing developed areas of the Gundagai township do not have access to stormwater infrastructure such as kerb and gutter or inter-allotment drainage. The lack of infrastructure results in adverse impacts including the discharge of stormwater onto adjoining land and can lead to damage to buildings, structures and infrastructure such as roads as well as instances of stormwater discharge into the towns reticulated sewer system placing demand on the systems capacity. Issues created by stormwater discharge result in conflict between landholders and limit development potential.

It has been identified that the following properties do not have access to both legal and practical point for the discharge of stormwater generated by roof and hardstand areas:

- 114 Punch Street, Gundagai - Lot: 2 DP: 506531
- 1 Carberry Place, Gundagai - Lot: 2 DP: 201705 and Lot: 3 DP: 201705
- 2 Carberry Place, Gundagai - Lot: 2 DP: 802021
- 3 Carberry Place, Gundagai - Lot: 5 DP: 201705

These properties represent a small portion of the existing township that do not have access to stormwater infrastructure. However, their proximity to Council-owned land, combined with a

favourable gravity fall, presents an opportunity to address these issues. Specifically, a legal and practical point of stormwater discharge can be established through the creation of an easement and inter-allotment drainage across Council land.

The establishment of this stormwater easement would not only benefit the identified properties but also improve broader stormwater management outcomes in the area. Additionally, the proposed easement would accommodate all utilities within the same corridor, noting that water and sewer services already exist in the area where the stormwater easement is proposed.

### Discussion

#### Proposal

The subject properties currently contain existing buildings, with roof water discharging directly onto the ground and flowing downhill onto Council-owned land behind the Gundagai Council Office and Library. Stormwater runoff is contributing to visible damage to Council assets, including the carpark surface and retaining walls at the rear of the library and carpark.

Establishment of an inter-allotment easement for utilities which burdens the following Council owned properties will provide for future infrastructure works as part of Council's capital works program:

- Lot 21 Sec: 37 DP: 758785
- Lot: 2 Sec: 37 DP: 758785
- Lot: 3 Sec: 37 DP: 758785; and
- Lot: 1 DP: 155943



Figure 1 - Location plan identifying lots

The services easement can be established concurrently with easement for access detailed under DA 2022/24 approved on 19 May 2022 for the purposes of a boundary adjustment. The boundary adjustment and associated easement for access has not yet been registered. Details of the location of the proposed easement along with pending boundary adjustments are provided in the attached plan.

#### Background and Identification of the Issue

The opportunity to establish this proposed easement was identified by planning and engineering staff during the assessment of DA 2024/146, which proposes the construction of a detached garage at 114 Punch Street, Gundagai. Without the proposed easement, council would need to mandate the installation of a pumpwell with a submersible pump to discharge roofwater into the street gutter on Punch Street. This solution would be costly for the property owner due to the approximately 7-meter fall and 75-meter distance from the proposed garage to the street gutter. Furthermore, such a system would only address the stormwater discharge from the garage, leaving current drainage issues unresolved for the dwelling and other nearby properties that do not have legal access to Punch Street. Pump systems, unlike gravity systems, are also more susceptible to issues such as power failures, technical malfunctions and pose ongoing maintenance, repair and replacement costs.

Additionally, the drainage problem has been noted and is being monitored by Council's Regional Services team due to damage identified in the retaining walls behind the car park and the Mirrabooka building. The height of the latter poses a risk, with replacement costs likely to be significant for Council and the public purse. Installation of inter-allotment drainage would extend the operational life of the retaining walls and carpark surface.

It is important to clarify that the establishment of the easement is not being proposed to benefit any individual property owner, but rather a timely opportunity to address a longstanding issue and provide cumulative benefits for the wider community and public assets.

#### Relationship to Capital Works Program & Budget

The proposed easement and stormwater infrastructure is not currently included in the capital works program or budget. However, the registration of the easement will allow for provisions to be made that facilitate stormwater generated by the proposed garage at 114 Punch Street to be discharged to the kerb in the laneway which services the SES Gundagai Unit. Additionally, the registration of the easement will create the opportunity for future more substantial stormwater infrastructure works as part of a capital works program, benefiting the other identified properties and mitigating impacts on council assets.

#### Benefits of Proposal

The proposed easement provides a practical and sustainable solution to existing stormwater issues while ensuring the protection of existing utilities within the area. In the short term, it facilitates the effective disposal of stormwater from the proposed development at 114 Punch Street, while in the long term, it creates an opportunity for more substantial stormwater infrastructure to be implemented as part of a capital works program.

The inclusion of stormwater infrastructure will help mitigate impacts on Council assets, including retaining walls and the car park surface, by more effectively diverting runoff. This proactive approach will extend the lifespan of these structures and ultimately result in long-term cost savings.

By addressing the drainage issue with a gravity-fed system, the proposal eliminates the need for costly and less reliable pump systems, reducing the risk of further damage to Council assets.

Additionally, it delivers broader community benefits by alleviating drainage concerns for affected properties and improving stormwater management across the surrounding area.

The proposal will also help address issues identified in the *Gundagai Flood Study 2018*. The study highlights that 114 Punch Street, Gundagai, is prone to inundation from overland flow. The installation of stormwater infrastructure at the rear of the property would enable the capture and redirection of surface water into Council's stormwater system, mitigating overland flows to some extent. While the proposed infrastructure would not manage all overland flows during a 1% AEP flood event, as modelled in the flood study, it would provide measurable benefits.

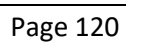
#### Financial

At this stage, it is proposed that the easement for utilities be established, enabling the future installation of physical infrastructure, subject to detailed design and cost assessment as part of a capital works program and budget.

The immediate costs associated with creating the easement would include surveying and registration expenses, estimated at approximately \$10,000.

#### OLG 23a Guideline consideration

Does not conflict with Guidelines.



**8.4.3 MANAGEMENT OF COUNCIL IMPOSED SUBDIVISION COVERNANT**

DOCUMENT NUMBER	429020
REPORTING OFFICER	Lauren Dawes, Senior Building Surveyor
AUTHORISING OFFICER	Barry Paull, Interim Deputy General Manager - CCD
RELEVANCE TO COMMUNITY STRATEGIC PLAN	<b>2. A region for the future</b> 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	<ol style="list-style-type: none"> <li>1. Deposited Plan &amp; Instrument for DP851885 <a href="#">↓</a></li> <li>2. Deposited Plan and Instrument for DP1110255 <a href="#">↓</a></li> <li>3. Deposited Plan &amp; Instrument for DP1173450 <a href="#">↓</a></li> </ol>

**RECOMMENDATION**

**That Council resolve to continue to assess and determine development applications which propose the use of building materials that are contrary to the restrictive instrument applicable to the land on an individual basis, giving consideration to the public interest and any relevant changes to the legislation.**

Introduction

The former Gundagai Shire Council undertook a staged subdivision development between the years of 1995 to 2012.

The development included three stages-

- Stage 1 – Residential Lots 1 to 24 in DP 851885 located along Lawson Drive and the Western side of Gilmore Place, registered 24 August 1995. The subdivision also included Lot 25, being a public reserve and Lot 26, being reserve lot subject of subsequent stages.
- Stage 2 – Registered Lots 26 to 34 in DP 1110255 located on Lawson Drive and Gilmore Place, registered 12 June 2007; and
- Stage 3 – Registered Lots 35 to 57 in DP 1173450 located along Lawson Drive and Banjo Patterson Place, registered 26 November 2012.

All three stages of the subdivision are subject to restrictions as to user applied by Council at the time of subdivision under *Section 88B of the Conveyancing Act 1919*. While exact wording of the restriction and number of restrictions vary between the three 88B instruments, all prevent the erection of any building on the land with metal wall cladding such as colorbond cladding. The instrument wording does not distinguish between wall cladding permitted on dwellings and outbuildings such as detached garages and garden sheds.

The restriction has become a matter of contention for a number of residents within the area noting that it inhibits the erection of kit garages and sheds with colorbond wall cladding. The use of other permitted wall claddings resulting in significantly increased building costs.

This report presents potential options for Council to address the issue and seeks a resolution that provides guidance on managing the restriction to reduce its impact on affected landowners.

## Discussion

### Identification and Explanation of the Issue

#### *Development Applications*

In assessing development applications, consent authorities, are ordinarily not bound to enforce covenants and restrictions as to user applied under *Section 88B of the Conveyancing Act 1919*. The provisions of *Clause 1.9A Suspension of covenants, agreements and instruments*, contained within all standard instrument Local Environmental Plans details that such restrictions do not apply when assessing such applications, except in specific circumstances.

The clause allows consent authorities to disregard covenants imposed by developers. Such covenants are typically implemented to maintain or enhance property values and the desirability of a subdivision by restricting factors such as dwelling density, building materials, and building sizes. However, these restrictions do not always align with planning controls applicable to the land. The clause empowers consent authorities to set aside these covenants in favor of development that complies with LEP and DCP provisions.

However, when a restriction or covenant has been imposed by Council or that Council required to be imposed, the provisions of subclause (2)(a) mean the clause ceases to apply and cannot be used to suspend or set aside the provisions of the 88B Instrument. In the case of the subject properties, Council acted as the developer and imposed the restrictions. Consequently, when assessing a DA the clause cannot be utilized.

#### **1.9A Suspension of covenants, agreements and instruments (Standard Instrument LEP)**

- (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)."*

Notwithstanding Clause 1.9A cannot be used to suspend the covenant, legal advice obtained advises that while the clause does not permit the suspension or setting aside of the covenant, it also does not expressly require compliance with the instrument. Furthermore, no provision within the *Environmental Planning and Assessment Act 1979* (the Act) mandate compliance with the instrument or the Conveyancing Act 1919 as part of the development application assessment process.

However, in accordance with Section 4.15 Evaluation of the Act, consideration must still be given to whether approving a development that is inconsistent with the instrument is in the public interest.

#### *Exempt and Complying Development*

Similarly to the above, the provisions *Clause 1.20 Suspension of covenants, agreements and instruments of State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* applies to exempt and complying development to facilitate development.

As above, there are circumstances where the clause does not apply and cannot be used to set aside the requirements of an instrument. The circumstances where the clauses do or does not apply are much more nuanced with regard to exempt and complying development as it depends on the specifics of the development standards applicable to the development under the SEPP as well as the specifics of the covenant. As such, staff in assessing compliance must consider the development at hand and a standardized position for considering such developments cannot be employed, especially giving consideration to the changing nature of development standards set out by the SEPP.

In instances where the provisions of clause 1.20 cannot be utilized for development that is contrary to the covenant for exempt or complying development, landowners should consider seeking consent under a development application.

#### ***1.20 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 Policy, 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 a council, or that a council requires to be imposed, requiring compliance with a development standard that is—*
    - (i) consistent with the development standards specified for the development concerned under this Policy, or*
    - (ii) not dealt with by the development standards specified for the development concerned under this Policy, or*

- (b) to a covenant that is specifically required by another environmental planning instrument, or*
- (c) to a covenant imposed by an owner or former owner of the land concerned, other than a covenant that has been required by a council to be imposed, or*
- (d) to any relevant instrument within the meaning of section 13.4 of the Crown Land Management Act 2016, or*
- (e) to any conservation agreement within the meaning of the National Parks and Wildlife Act 1974, or*
- (f) to any Trust agreement within the meaning of the Nature Conservation Trust Act 2001, or*
- (g) to any property vegetation plan approved under the Native Vegetation Act 2003, or*
- (h) to any biobanking agreement within the meaning of Part 7A of the Threatened Species Conservation Act 1995, or*
- (i) to any planning agreement within the meaning 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 28 of the Act, the Governor, before the making of this clause, approved of subclauses (1)–(3).*

Current Wording of the Subject Restriction

The subject restriction varies slightly between each instrument as detailed below.

Terms identified as (3)(e) within the 88B Instrument for Deposited Plan 851885:

- “ (e) 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.”*

Terms identified as (2)(d) within the 88B Instrument for Deposited Plan 110255:

- “ (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.”*

Terms identified as (3)(d) within the 88B Instrument for Deposited Plan 1173450:

- “(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.*

A later subdivision of Lot 25 DP 851885, being the public reserve, was also undertaken in 2010 creating Lots 1 and 2 in DP 1161945. Lot 1 is an additional residential lot and lot 2 the public reserve. The restriction as to user applicable to other lots in the surrounding area was not applied, noting that the original lot (Lot 25 DP 851885) was a public reserve and was not subject to the restrictions as to user, as such, the restrictions were not carried forward onto lot 1.

*Background on Existing buildings that are contrary to the restriction*

It is acknowledged that several metal-clad outbuildings currently exist within the subdivision on lots subject to the restriction. These structures have been erected over time through various means. Some were constructed by owners under exempt development provisions of the *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*, while others were built without approval and outside the scope of the SEPP's exempt development provisions. Additionally, some were approved by Council.

A review of existing structures within the subdivision identified 21 metal-clad buildings. The presence of so many clad structures calls into question the practicality and suitability of the restriction. The existence of so many existing metal clad buildings is a relevant factor to whether it is appropriate to authorize development that is contrary to the covenant when considering the public interest.

*Process of Amending or Removing Restriction*

While implementing such instruments at the time of subdivision registration is straightforward, amending or removing 88B Instruments after allotments have been sold becomes significantly more complex.

The process for removing or altering a 88B requires:-

1. The Council and any other party with an interest in the land including the owners of all lots and any mortgagee to enter into an agreement in the form of a Deed of Variation setting out the terms of the variation to the restriction on the of the land; and
2. Registration of a Variation of Restriction on the Use of Land dealing form with Land Registry Services.

Noting that the restrictions apply to three separate deposited plans, the process would require the preparation and submission of three Deeds, each signed by all owners and mortgagees of the affected lots. This approach places a significant resource burden on Council and carries a high risk,

as the refusal of a single landowner or mortgagee could prevent the removal of the instrument for all impacted properties.

On 31 January 2025, the The Office of the Registrar General published a discussion paper, *Contracts and Covenants: reform proposals to support the development of land*, exploring options to:

- provide greater protections to buyers in off the plan contracts, while balancing the flexibility developers require to complete a project; and
- simplify the process for removing obsolete covenants from land titles, to help unlock potential development sites and remove unnecessary red tape.

Should proposed amendments proceed, there is potential for covenant to amended or removed in future without significant cost or time to Council.

### **Conclusion**

Given the ongoing discussion on covenant reforms, along with the significant risk and resource demands associated with removing or amending the 88B Instrument, it is recommended that Council:

1. Assess development applications that seek to depart from the Instrument on a case-by-case basis, with such applications referred to Council for determination; and
2. Continue to monitor legislative developments and any changes to the process for modifying or removing covenants.

### **Financial**

If Council resolves to vary the restriction, the following costs would apply:

- Legal fees for the preparation of the Deed of Variation;
- Title searches to obtain owner and mortgagee details for each lot, at a cost of \$26.79 per lot; and
- Staff time required to contact, liaise with, and obtain signed documents from all landowners and mortgagees.

Given the risk that a single landowner or mortgagee refusal could prevent the removal of the instrument for all affected properties, it is not recommended that Council proceed with this action.

### **OLG 23a Guideline consideration**

Does not conflict with Guidelines.

SIGNATURE AND SEALS ONLY.

The Common Seal of the Council of the Shire of Gundagai was hereunto affixed pursuant to a Resolution of 27 June 1995

*f.a.f. de la...* GENERAL MANAGER  
*G.A. Lindley* Mayor

**STATUS CHECKED**  
 IN L.T.O. 9-8-1995  
 DATE

Crown Lands Office Approval

PLAN APPROVED ..... Authorised Officer .....  
 Land District .....  
 Paper No. .... Page .....  
 Field Book ..... Page .....

Council's Certificate

I hereby certify that -

(a) the requirements of the Local Government Act, 1919 (other than the requirements for the registration of plans), and

(b) the requirements of Part 3 Division 2 of the Water Board Act, 1987, or Part 3 Division 2 of the Hunter Water Board Corporation Act, 1991,

have been complied with by the applicant in relation to the proposed SUBDIVISION (insert "new road", "subdivision of consolidated lot" and/or "new road" as appropriate)

Subdivision No. 7/95  
 Date 28-6-1995  
 (Signature) *f.a.f. de la...*  
 Council File No. 28-6-1995

\*This part of certificate to be deleted where the application is only for a consolidated lot or the opening of a new road or where the land to be subdivided is wholly outside the area of operation of the Water Board and the Hunter Water Corporation Ltd.

Delete if inapplicable

10 20 30 40 50 60 70 80 90 100 110 120 130 140 150 160 170 180 190 200 210 220 230 240 250 260 270 280 290 300 310 320 330 340 350 360 370 380 390 400

WARNING: CRFARING OR FOLDING WILL LEAD TO REJECTION

PLAN OF SUBDIVISION OF LOT 1 D.P. 793503

Registered 24-8-1995  
 CA No. 7195 OF 28-6-1995  
 Title System TORRENS  
 Purpose SUBDIVISION  
 Ref Map GUNDAGAI SH. 21\*  
 Last Plan D.P. 793503

Lengths are in metres. Reduction Ratio 1:800

LGA GUNDAGAI  
 Locality: NORTH GUNDAGAI  
 Parish: NORTH GUNDAGAI  
 County: CLARENDON

This is a sheet of a plan in sheets. (Delete if inapplicable)

1. MALCOLM L. GRAY  
 of 56, CAPPER STREET, TUMUT  
 a surveyor registered under the Surveyors Act, 1920, as amended, hereby certifies that the survey represented in this plan is accurate and has been made in accordance with the Survey Practice Regulation 1980 and was completed on 6TH JUNE 1995.

Plans used in preparation of survey/compilation: 2895-1578, 4140-1578, 39-102B, 29-102B, D.P. 606603, 809154, 793503

PANEL FOR USE ONLY for statements of intention to dedicate public roads, to create public reserves, drainage reserves, easements, restrictions on the use of land or positive covenants.

PURSUANT TO SEC 88B OF THE CONVEYANCING ACT, IT IS INTENDED TO CREATE:

- EASEMENT TO DRAIN WATER & SEWER 3 WIDE
- EASEMENT TO DRAIN SEWAGE 2.5 WIDE
- EASEMENT TO DRAIN SEWAGE 2 WIDE
- RESTRICTION AS TO USER

IT IS INTENDED TO DEDICATE THE 4m WIDE STRIP BETWEEN LOTS 2, 13 AND LOTS 3 & 12 TO THE PUBLIC AS PATHWAY.

IT IS INTENDED TO DEDICATE LOT 25 AS PUBLIC RESERVE.

IT IS INTENDED TO DEDICATE LAWSON DRIVE 15 WIDE & VARIABLE GILMORE PLACE 15 WIDE & VARIABLE & THE ROAD VARIABLE WIDTH AT THE CORNER OF WEST STREET & O'HAGAN STREET TO THE PUBLIC FOR ROAD PURPOSES.

REFERENCE MARKS

COR	BEARING	DISTANCE	FROM
A	311° 23'	2.175	
B	81° 40'	4.375	
C	259° 47'	3.42	
D	311° 58'	3.745	
E	188° 38'	3.465	
F	341° 06'	3.175	
G	293° 29'	3.055	
H	87° 51'	3.805	
I	266° 39'	4.125	

Table of mm 210 220 230 240 250 260 270 280 290 300 310 320 330 340 350 360 370 380 390 400

**INSTRUMENT SETTING OUT TERMS OF EASEMENTS AND  
RESTRICTIONS GRANTED PURSUANT TO SECTION 88B  
OF THE CONVEYANCING ACT, 1919**

Lengths are in metres

(Sheet 1 of 4 Sheets)

**DP 851885**

**PART 1**

Plan: Subdivision covered by General Manager's Certificate

Full Name and address of Proprietor of the Land The Council of the Shire of Gundagai

- |   |   |
|---|---|
| 1. <u>Identity of Easement firstly referred to in abovementioned plan</u> | Easement to Drain water and sewage 3 wide |
|---|---|

Schedule of Lots. etc. affected

<u>Lots Burdened</u>	<u>Lots, Name of Road of Authority Benefited</u>
1, 13, 14, 15, 16, 12, 11, 10, 9, 8, 21, 22, 23, 24	Gundagai Shire Council

- |  |                                   |
|--|-----------------------------------|
| 2. <u>Identity of Easement secondly referred to in abovementioned plan</u> | Easement to drain sewage 2.5 wide |
|--|-----------------------------------|

Schedule of Lots etc. affected

<u>Lots Burdened</u>	<u>Lots, Name of Road or Authority Benefited</u>
1, 2, 3, 4, 5, 6, 7, 20, 21	Gundagai Shire Council

- |   |                                 |
|---|---------------------------------|
| 3. <u>Identity of Easement thirdly referred to in abovementioned plan</u> | Easement to drain sewage 2 wide |
|---|---------------------------------|

**REGISTERED**



24-8-1995

**INSTRUMENT SETTING OUT TERMS OF EASEMENTS AND  
RESTRICTIONS GRANTED PURSUANT TO SECTION 88B  
OF THE CONVEYANCING ACT, 1919**

Lengths are in metres

(Sheet 2 of 4 Sheets)

DP851885

**Schedule of Lots etc. affected**

<u>Lots Burdened</u>	<u>Lots, Name of Road or Authority Benefited</u>
17, 18, 19, 20, 24	Gundagai Shire Council
4. <u>Identity of easement or restrictions fourthly referred to in abovementioned plan</u>	Restrictions as to user

**Schedule of Lots etc. affected**

<u>Lots Burdened</u>	<u>Lots, Name of Road or Authority Benefited</u>
Each Lot	Every other Lot

**PART 2**

1. Terms of Easement firstly referred to in the abovementioned plan  
 Easement to drain sewage  
 Easement to drain water
2. Terms of Easement secondly and thirdly referred to in the abovementioned plan  
 Easement to drain sewage
3. Terms of Restriction as to user fourthly referred to in the abovementioned plan
  - (a) That one main building only shall be erected or permitted to remain on the land.

REGISTERED  26-8-1995

**INSTRUMENT SETTING OUT TERMS OF EASEMENTS AND  
RESTRICTIONS GRANTED PURSUANT TO SECTION 88B  
OF THE CONVEYANCING ACT, 1919**

Lengths are in metres

(Sheet 3 of 4 Sheets)

DP851885

- (b) That such main building and any building ancillary to such main building shall be designed and utilised solely for residential purposes.
- (c) That such main building and any building ancillary to such main building shall not be built or erected on any part of the Lot a distance of 8.0 metres from the street frontage boundary of the Lot **PROVIDED THAT** nothing in this covenant shall preclude or prohibit the erection of such main building or ancillary building on any part of the Lot a distance of 4.0 metres from the street frontage boundary where such Lot has more than one street frontage.
- (d) That no building shall be erected upon or encroach on any part of the Lot which is the subject of the sewage easements firstly secondly and thirdly referred to in the abovementioned plan.
- (e) 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 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 **PROVIDED FURTHER 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.
- (f) That no building shall be erected on the land with external roof or roofs of material other than tile, colourbond material, glass or perspex or any combination of the same **PROVIDED THAT** glass or perspex shall not be used in external roofs except as sky light panels or as solar heating panels in conjunction with all or any of the other materials above referred to and the proportion of glass and perspex shall not exceed fifteen per cent (15%).
- (g) That no fence shall be erected or permitted to remain between the building alignment and the street frontage to any Lot and no fence of greater height than 1.80 metres shall be erected or permitted to remain along any boundary of any house erected on any lot.





INSTRUMENT SETTING OUT TERMS OF EASEMENTS AND  
RESTRICTIONS GRANTED PURSUANT TO SECTION 88B  
OF THE CONVEYANCING ACT, 1919

Lengths are in metres

(Sheet 4 of 4 Sheets)

DP 851885

The benefit of the foregoing covenants (a) to (g) inclusive shall be appurtenant to the land in the said Deposited Plan and each and every Lot thereon except Lot 25.

- (h) That dual occupancy developments shall not be built or erected on any Lot not being one of the Lots specified herein and PROVIDED ALSO THAT no dual occupancy development shall be built or erected without the prior approval in writing from the Gundagai Shire Council to such dual occupancy development as proposed on the lots herein
- (i) That no Lot shall be subdivided not being a Lot specified herein and PROVIDED THAT subdivision shall be for the sole purpose of a dual occupancy development pursuant to covenant (h)

The benefit of the foregoing covenants (h) and (i) shall be appurtenant to Lots 3, 8 and 19 in the said Deposited Plan.

The Council of the Shire of Gundagai shall have the right to release, vary or modify the foregoing covenants (a) to (i) inclusive in respect of any Lot and there is no person whose consent to such release, variation or modification of any of the said covenants is stipulated.

THE COMMON SEAL of THE COUNCIL OF )  
THE SHIRE OF GUNDAGAI was hereunto )  
 affixed in pursuance of a Resolution of )  
 Council and in the presence of: )

General Manager

*G. G. Lickens*

Mayor

*G. A. Lindley*

[illegible]

**INSTRUMENT SETTING OUT TERMS OF EASEMENTS OR  
PROFITS À PRENDRE INTENDED TO BE CREATED  
OR RELEASED AND OF RESTRICTIONS ON THE USE  
OF LAND OR POSITIVE COVENANTS INTENDED TO  
BE CREATED PURSUANT TO SECTION 88B CONVEYANCING  
ACT 1919**

(Sheet 1 of 3 sheets)

Plan: **DP1110255**

Subdivision of Lot 100 DP 1066569, Lot  
26 DP 851885 & Lots 354, ~~DP 751421~~ PT 351, PT 352, PT 353 &  
covered by Subdivision Certificate No ~~DP 751421~~  
of 29/11/2006

Full name and address of the  
owner of the land:

**COUNCIL OF THE SHIRE OF  
GUNDAGAI**

## Part 1 (Creation)

Number of item shown in the intention panel on the plan	Identity of easement, profit à prendre, restriction or positive covenant to be created and referred to in the plan	Burdened lot(s) or parcel(s)	Benefited lot(s), road(s), bodies or Prescribed Authorities
1	Easement for Services 2.5 wide	28	Council of the Shire of Gundagai
2	Easement for Water Supply 2 wide	34	Council of the Shire of Gundagai
3	Easement to Drain Water 3 wide	31, 32	Council of the Shire of Gundagai
4	Easement to Drain Sewage 2.5 wide	26,27,28,29	Council of the Shire of Gundagai
5	Restriction as to User	26, 27, 28, 29, 30, 31, 32, 33, 34	26, 27, 28, 29, 30, 31, 32, 33, 34

*G. G. J. Lickne*  
*R. D. Mear*

*J. Hoggan*

**INSTRUMENT SETTING OUT TERMS OF EASEMENTS OR  
PROFITS À PRENDRE INTENDED TO BE CREATED  
OR RELEASED AND OF RESTRICTIONS ON THE USE  
OF LAND OR POSITIVE COVENANTS INTENDED TO  
BE CREATED PURSUANT TO SECTION 88B CONVEYANCING  
ACT 1919**

(Sheet 2 of 3 sheets)

Plan:

**DP1110255**

Subdivision of Lot 100 DP 1066569, Lot  
26 DP 851885 & Lots ~~331 DP 751421~~ PT 351, PT 352, PT 353, PT  
covered by Subdivision Certificate No ~~DP 751421~~ *DP 751421*  
of ~~29/11/2006~~ *29/11/2006*

**Part 2 (Terms)**

*NOTE: Where the terms of the easement are defined in the Conveyancing Act 1919, no terms are to be included in Part 2 of the Section 88B Instrument unless the statutory terms are to be modified*

**2. Terms of Restriction as to User Fifthly Referred to**

- (a) That not more than one main building shall be erected or permitted to remain on the land;
- (b) That no main building nor any building ancillary to such main building shall be designed and utilised for any purpose other than solely for residential purposes.
- (c) That no main building and any building ancillary to such main building shall be built or erected on any part of the Lot a distance of 8.0 metres from the street frontage boundary of the Lot PROVIDED THAT nothing in this covenant shall preclude or prohibit the erection of such main building or ancillary building on any part of the Lot a distance of 4.0 metres from the street frontage boundary where such Lot has more than one street frontage.
- (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 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.
- (e) That no building shall be erected on the land with external roof or roofs of material other than tile, colourbond material, glass or perspex or any combination of the same PROVIDED THAT glass or perspex shall not be used in external roofs except as sky light panels or as solar heating panels in conjunction with all or any of the other materials above referred to and the proportion of glass and perspex shall not exceed fifteen per cent (15%).

x *G. A. J. Tichner*  
x *R. Rogers*

*W. Hayman*

INSTRUMENT SETTING OUT TERMS OF EASEMENTS OR  
PROFITS A PRENDE INTENDED TO BE CREATED  
OR RELEASED AND OF RESTRICTIONS ON THE USE  
OF LAND OR POSITIVE COVENANTS INTENDED TO  
BE CREATED PURSUANT TO SECTION 88B CONVEYANCING  
ACT 1919

(Sheet 3 of 3 sheets)

Plan: **DP1110255**

Subdivision of Lot 100 DP 1066569, Lot  
26 DP 851885 & Lots ~~DP 751421, DP 351, DP 352, DP 353, DP 354~~  
covered by Subdivision Certificate No **DP 751421**  
of **29/ 11 /2006**

- (f) That no fence shall be erected or permitted to remain between the building alignment and the street frontage to any Lot and no fence of greater height than 1.80 metres shall be erected or permitted to remain along any boundary of any house erected on any Lot.

Name of the Authority empowered  
to release vary or modify the Restriction  
as to User Fourthly referred to

THE COUNCIL OF THE SHIRE OF  
GUNDAGAI

EXECUTED by THE COUNCIL  
OF THE SHIRE OF GUNDAGAI  
by the authorised persons whose  
signatures appear below:

x *G.A.J. Tickner*  
Signature of Authorised Person  
*G.A.J. TICKNER*  
Name of Authorised Person  
*General Manager*  
Office Held

x *L.W. Tozer*  
Signature of Authorised Person  
*L. W. TOZER*  
Name of Authorised Person  
*Mayor*  
Office Held

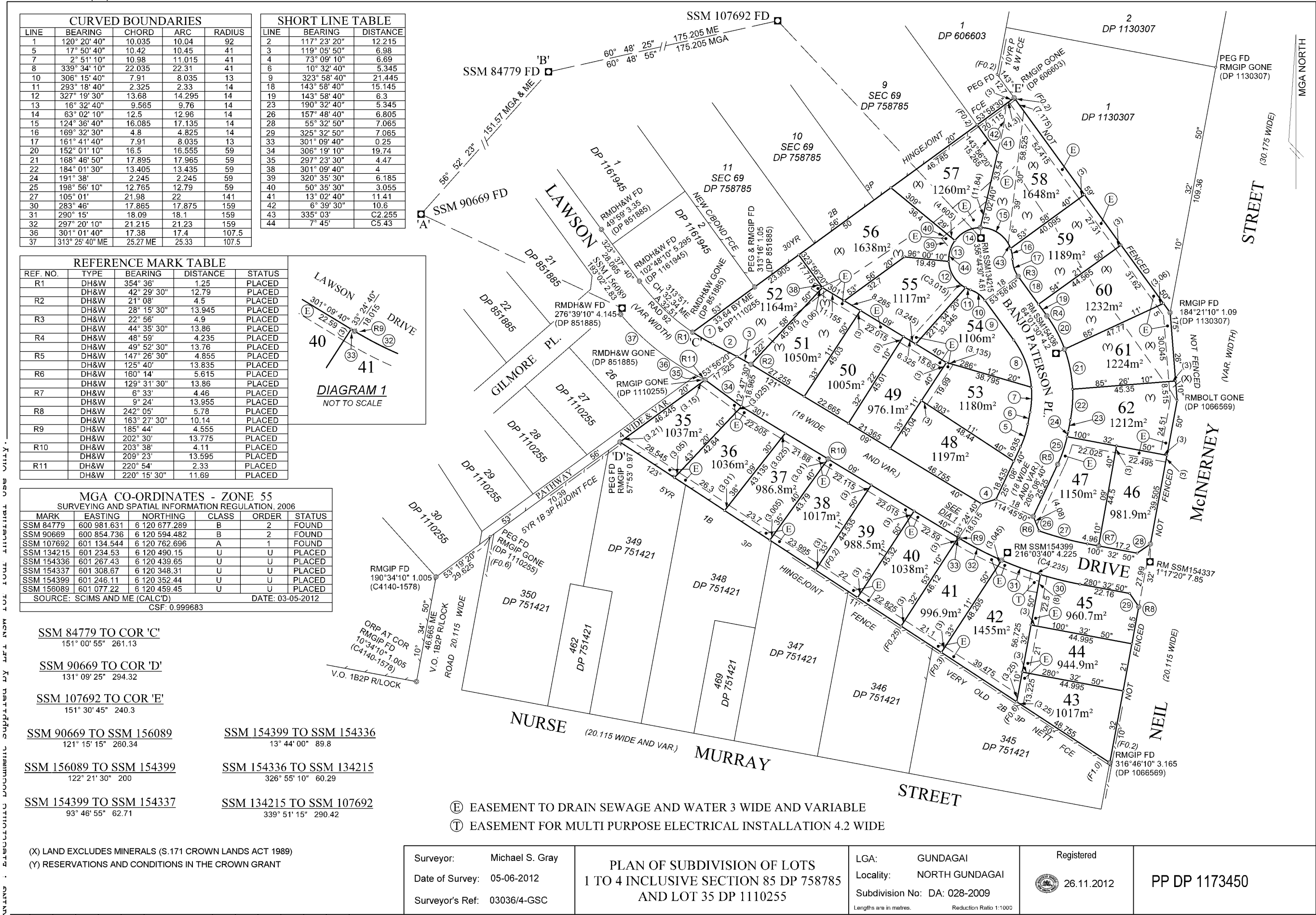
EXECUTED BY THE DEPARTMENT  
OF LANDS by the authorised person whose  
signature appear below.

*[Signature]*  
Signature of Authorised Person.

GRANT THOMAS MACINTYRE.  
Name of Authorised Person.

Senior Property Officer - LANDS ADMINISTRATION  
Office Held.





# DEPOSITED PLAN ADMINISTRATION SHEET

Sheet 1 of 2 sheet(s)

SIGNATURES, SEALS and STATEMENTS of intention to dedicate public roads, to create public reserves, drainage reserves, easements, restrictions on the use of land or positive covenants.

PURSUANT TO SECTION 88B OF THE CONVEYANCING ACT, 1919, IT IS INTENDED TO

CREATE:

1. EASEMENT TO DRAIN SEWAGE AND WATER 3 WIDE AND VARIABLE
2. EASEMENT FOR MULTI-PURPOSE ELECTRICAL INSTALLATION 4.2 WIDE
3. RESTRICTION ON THE USE OF LAND

IT IS INTENDED TO DEDICATE LAWSON DRIVE 18 WIDE AND VARIABLE TO THE PUBLIC AS ROAD.

IT IS INTENDED TO DEDICATE BANJO PATERSON PLACE 18 WIDE AND VARIABLE TO THE PUBLIC AS ROAD.

Use PLAN FORM 6A

for additional certificates, signatures, seals and statements

## Crown Lands NSW/Western Lands Office Approval

I, .....in approving this plan certify  
(Authorised Officer)  
that all necessary approvals in regard to the allocation of the land shown herein have been given

Signature: .....  
Date: .....  
File Number: .....  
Office: .....

## Subdivision Certificate

I certify that the provisions of s.109J of the Environmental Planning and Assessment Act 1979 have been satisfied in relation to:

the proposed.....SUBDIVISION..... set out herein  
(insert 'subdivision' or 'new road')

\* Authorised Person/General Manager/Accredited Certifier

Consent Authority: ..... GUNDAGAI SHIRE COUNCIL.....  
Date of Endorsement: ~~23 April 2009~~ 23 July 2012  
Accreditation no: .....  
Subdivision Certificate no: DA: 028-2009  
File no: .....

\* Delete whichever is inapplicable.

# DP1173450

Registered:  26.11.2012

Title System: TORRENS

Purpose: SUBDIVISION

**PLAN OF SUBDIVISION OF LOTS 1 TO 4 INCLUSIVE  
SECTION 85 DP 758785 AND LOT 35 DP 1110255**

LGA: GUNDAGAI

Locality: NORTH GUNDAGAI

Parish: NORTH GUNDAGAI

County: CLARENDON


## Survey Certificate

Surveying and Spatial Information Regulation, 2006

I, .... MICHAEL STEWART GRAY.....  
of GRAY SURVEYORS P/L, 56 CAPPER ST, TUMUT,  
a surveyor registered under the *Surveying and Spatial Information Act, 2002*, certify that the survey represented in this plan is accurate, has been made in accordance with the *Surveying and Spatial Information Regulation, 2006* and was completed on:  
.....5<sup>th</sup> JUNE, 2012.....

The survey relates to: Lots 35 to 62 incl., & Connections

(specify the land actually surveyed or specify any land shown in the plan that is not the subject of the survey)

Signature  Dated: 05-06-12  
Surveyor registered under the *Surveying and Spatial Information Act, 2002*

Datum Line:.....'A' - 'B'.....

Type: Urban

## Plans used in the preparation of survey

DP's 606603, 851885, 1066569, 1110255, 1110587,  
1130307, & 1161945, AND  
CP's 39-1028, 40-1028, 41-1028, 2895-1578,  
& 4140-1578.

(if insufficient space use Plan Form 6A annexure sheet)

SURVEYOR'S REFERENCE: 03036.4-GSC

\* OFFICE USE ONLY

DP1173450

AMENDED MS&G 26-07-12

WARNING: Electronic document supplied by LPI NSW for your internal use only.

PLAN FORM 6A	WARNING: Creasing or folding will lead to rejection	ePlan
<b>DEPOSITED PLAN ADMINISTRATION SHEET</b> <span style="float: right;">Sheet 2 of 2 sheet(s)</span>		
PLAN OF SUBDIVISION OF LOTS 1 TO 4 INCLUSIVE SECTION 85 DP 758785 AND LOT 35 DP 1110255	Office Use Only  <div style="font-size: 2em; font-weight: bold;">DP1173450</div>	
	Office Use Only  Registered:  26.11.2012	
Subdivision Certificate No.: DA:028-2009 <span style="float: right;">Date of Endorsement: 23 JULY 2012</span>		
<div style="margin-bottom: 20px;"> <hr style="border-top: 1px dashed black;"/>                 Signature  <u>Paul Michael Luff</u>  <hr style="border-top: 1px dashed black;"/>                 Name  <u>Director, Administration &amp; Finance</u>  <hr style="border-top: 1px dashed black;"/>                 Office Held             </div> <div> <hr style="border-top: 1px dashed black;"/>                 Signature of Witness  <u>Rebecca Therese Martin</u>  <hr style="border-top: 1px dashed black;"/>                 Name of Witness  <u>'Flower Hill' O'Hagan St</u>  <hr style="border-top: 1px dashed black;"/> <u>GUNDAGAI NSW 2722</u>  <hr style="border-top: 1px dashed black;"/>                 Address of Witness             </div>	<div style="margin-bottom: 20px;"> <hr style="border-top: 1px dashed black;"/>                 SIGNATURE  <u>DAVID JOHN GRAHAM</u>  <hr style="border-top: 1px dashed black;"/>                 NAME OF AUTHORISED PERSON  <u>DEPUTY MAYOR</u>  <hr style="border-top: 1px dashed black;"/>                 OFFICE HELD             </div> <div> <hr style="border-top: 1px dashed black;"/>                 SIGNATURE  <u>Mason Crane</u>  <hr style="border-top: 1px dashed black;"/>                 NAME OF AUTHORISED PERSON  <u>COUNCILLOR</u>  <hr style="border-top: 1px dashed black;"/>                 OFFICE HELD             </div>	
Surveyor's Reference: 03036.4-GSC		

DP1173450



**INSTRUMENT SETTING OUT TERMS OF EASEMENTS OR PROFITS À PRENDRE  
INTENDED TO BE CREATED OR RELEASED AND OF RESTRICTIONS ON THE USE OF  
LAND OR POSITIVE COVENANTS INTENDED TO BE CREATED PURSUANT TO  
SECTION 88B OF THE CONVEYANCING ACT 1919**

(Sheet 1 of 3 Sheets)

**Deposited Plan:** **DP1173450**

Plan of Subdivision of Lots 1 to 4 Inclusive  
Section 85 DP 758785 and Lot 35  
DP 1110255 in the Parish of North  
Gundagai, County of Clarendon, Locality of  
Gundagai and Local Government area of  
Gundagai covered by Subdivision  
Certificate No. DA: 028-2009  
dated 23 July 2012

**Full name and address  
of the owner of the land:**

GUNDAGAI SHIRE COUNCIL of 255  
Sheridan Street, Gundagai NSW 2722

**Part 1 (Creation)**

<b>Number of item shown in the intention panel on the Plan.</b>	<b>Identity of easement, profit à prendre, restriction or positive covenant to be created and referred to in the Plan.</b>	<b>Burdened lots or parcels:</b>	<b>Benefited lots, roads, bodies or Prescribed Authorities:</b>
1	Easement to Drain Sewage and Water 3 wide and Variable	Each of Lots 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 49, 50, 51, 52, 53, 55, 56, 57, 58, 59, 60, 61 & 62	Every other Lot and Gundagai Shire Council
2	Easement for Multi Purpose Electrical Installation 4.2 wide	42	Essential Energy
3	Restriction on the Use of Land	Each of Lots 35 to 62 inclusive	Every other Lot

**Part 2 (Terms)**

**1. Terms of Easement to Drain Sewage and Water 3 wide and Variable numbered 1 in the Plan**

Statutory Terms in accordance with Schedule 4A of the Conveyancing Act 1919 No 6;  
Part 4 Easement to Drain Sewage and Part 3 Easement to Drain Water.

**Name of Authority empowered  
to release vary or modify the  
Easement to Drain Sewage and  
Water 3 and 8 wide and Variable  
numbered 1 in the Plan:**

Gundagai Shire Council

**INSTRUMENT SETTING OUT TERMS OF EASEMENTS OR PROFITS À PRENDRE  
INTENDED TO BE CREATED OR RELEASED AND OF RESTRICTIONS ON THE USE OF  
LAND OR POSITIVE COVENANTS INTENDED TO BE CREATED PURSUANT TO  
SECTION 88B OF THE CONVEYANCING ACT 1919**

(Sheet 2 of 3 Sheets)

Deposited Plan: **DP1173450**

Plan of Subdivision of Lots 1 to 4 Inclusive  
Section 85 DP 758785 and Lot 35  
DP 1110255 in the Parish of North  
Gundagai, County of Clarendon, Locality of  
Gundagai and Local Government area of  
Gundagai covered by Subdivision  
Certificate No. DA: 028-2009  
dated 23 July 2012

**2. Terms of Easement for Multi Purpose Electrical Installation 4.2 wide numbered 2 in the Plan**

Terms in accordance with Part C of Memorandum AA26009 as registered at the Land & Property Information NSW.

**3. Terms of Restriction on the Use of Land numbered 3 in the Plan**

- (a) That not more than one main building shall be erected or permitted to remain on the land unless subdivided or approval granted by Council compliant to the provisions of the State Environmental Planning Policy (Affordable Rental Housing) 2009.
- (b) That no main building nor any building ancillary to such main building shall be designed and utilised for any purpose other than solely for residential purposes.
- (c) That no main building and any building ancillary to such main building shall be built or erected on any part of the Lot a distance of less than 7.0 metres from the street frontage boundary of the Lot PROVIDED THAT nothing in this covenant shall preclude or prohibit the erection of such main building or ancillary building on any part of the Lot a distance of 3.0 metres from the street frontage boundary where such Lot has more than one street frontage.
- (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 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. Texture coated fibrous cement sheeting may be used as external walls, provided that all sections of such building below any finished floor level are 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.
- (e) That no building shall be erected on the land with external roof or roofs of material other than tile, colourbond material, glass or perspex or any combination of the same PROVIDED THAT glass or perspex shall not be used in external roofs except as sky light panels or as solar heating panels or solar electricity panels in conjunction with all or any of the other materials above referred to and the proportion of glass and perspex shall not exceed forty per cent (40%).

**INSTRUMENT SETTING OUT TERMS OF EASEMENTS OR PROFITS À PRENDRE  
INTENDED TO BE CREATED OR RELEASED AND OF RESTRICTIONS ON THE USE OF  
LAND OR POSITIVE COVENANTS INTENDED TO BE CREATED PURSUANT TO  
SECTION 88B OF THE CONVEYANCING ACT 1919**

(Sheet 3 of 3 Sheets)

**Deposited Plan:** **DP1173450**

Plan of Subdivision of Lots 1 to 4 Inclusive  
Section 85 DP 758785 and Lot 35  
DP 1110255 in the Parish of North  
Gundagai, County of Clarendon, Locality of  
Gundagai and Local Government area of  
Gundagai covered by Subdivision  
Certificate No. DA: 028-2009  
dated 23 July 2012

- (f) That no fence shall be erected or permitted to remain between the building alignment and the street frontage to any Lot and no fence of greater height than 1.80 metres above the natural ground level shall be erected or permitted to remain along any boundary of any house erected on any Lot. Any fence erected must be erected using colorbond fencing materials or equivalent with a colour known as Pale Eucalypt.

**Name of Authority empowered  
to release vary or modify the  
Restriction on the Use of Land  
numbered 3 in the Plan:**

Gundagai Shire Council

**Executed by THE COUNCIL OF THE SHIRE OF  
GUNDAGAI by the authorised persons whose  
signatures appear below:**

Signature of Authorised Person

*DAVID JOHN CRANE*

Name of Authorised Person

*DEPUTY MAYOR*

Office Held

Signature of Authorised Person

*MASON CRANE*

Name of Authorised Person

*COUNCILLOR*

Office Held

REGISTERED



26.11.2012

**8.4.4 DA 2024/148 - PROPOSED CARPORT AT 74 OLNEY STREET, COOTAMUNDRA**

DOCUMENT NUMBER	429070
REPORTING OFFICER	Lauren Dawes, Senior Building Surveyor
AUTHORISING OFFICER	Barry Paull, Interim Deputy General Manager - CCD
RELEVANCE TO COMMUNITY STRATEGIC PLAN	<b>3. Protected and enhanced environment</b> 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	<ol style="list-style-type: none"> <li>1. Assessment Report <a href="#">↓</a></li> <li>2. Draft Notice of Determination <a href="#">↓</a></li> <li>3. Plans &amp; DCP Variation Request <a href="#">↓</a></li> </ol>

**RECOMMENDATION**

**That Council resolve to approve DA 2024/148 subject to conditions of consent as outlined in the accompanying Draft Notice of Determination.**

Introduction

The proposed development involves the construction of a carport at 74 Olney Street, Cootamundra. The proposal includes a variation to the secondary setback requirements of the Cootamundra Development Control Plan. As the extent of the variation exceeds staff delegations, the application is referred to Council for determination.

DiscussionSummary of variation

The DCP requires a minimum setback for garages and carports of 1m behind the secondary frontage of the dwelling. The dwelling has a setback of 2.4m from Hurley Street, as such the minimum setback for the proposed carport is 3.4m under the DCP. The development seeks a variation to allow for a 0.7m setback to the proposed carport.

Summary of Staff Assessment and Recommendation

In considering the request for variation, assessing officers agree that the proposed carport would not detract from the existing streetscape. While visible from the street, its design and placement ensure it would remain visually appropriate. Established street trees and the existing property fence would largely obscure the structure from public view.

The carport features an open-sided design with a roof height and pitch matching the existing garage, allowing it to blend with the streetscape and minimise any visual impact.

Located west of the adjoining dwelling at 79 Hurley Street, the carport may generate some afternoon shading over the front yard of the neighbouring property. However, due to its open-sided

design, the shading impact is expected to be minimal. Furthermore, the affected area is a front yard rather than a primary living space or private open space, making any additional overshadowing less significant.

Financial

Nil.

OLG 23a Guideline consideration

Does not conflict with Guidelines.

# DEVELOPMENT ASSESSMENT REPORT

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

**DATE OF REPORT COMMENCEMENT:**

10 December 2024

**COUNCIL OFFICER COMPLETING DEVELOPMENT ASSESSMENT:**

Alexandra Marshall, supervised by Lauren Dawes

**DEVELOPMENT REFERENCE:**

DA 2024/148

**DEVELOPMENT ADDRESS:**

74 Olney Street COOTAMUNDRA

**DEVELOPMENT LOT / SEC / PLAN:**

Lot: B DP: 414532

**OWNER(S):**

Genevieve Hearne & Peter Hearne  
74 Olney Street  
COOTAMUNDRA NSW 2590

**APPLICANT:**

Peter Hearne  
74 Olney Street  
COOTAMUNDRA NSW 2590

**PROPOSED DEVELOPMENT:**

Proposed New Carport (attached to existing shed) ancillary to existing dwelling house

**SITE:**

The site is located on the corner of Olney and Hurley Street in Cootamundra in an existing established residential area.

The site contains an existing single storey clad dwelling and detached garage. The site is predominately flat.

The carport subject of this application is proposed to be located over the existing driveway attached to the front of the detached garage.

# DEVELOPMENT ASSESSMENT REPORT

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



COOTAMUNDRA-  
GUNDAGAI  
REGIONAL COUNCIL



Figure 1, existing dwelling, (viewed from Olney Street)



Figure 2, side of dwelling, (viewed from Hurley street). The proposed carport will be adjoining to the existing shed.

# DEVELOPMENT ASSESSMENT REPORT

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



COOTAMUNDRA-  
GUNDAGAI  
REGIONAL COUNCIL



Figure 3, Access to the existing shed, (viewed from Hurley Street). Access to the proposed carport will also be here.



# DEVELOPMENT ASSESSMENT REPORT

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



Figure 4, Existing shed and driveway and neighbouring property (viewed from Hurley Street)

## BACKGROUND:

The application was lodged on 5 December 2024.

Site inspection was carried out on the 16/12/2024.

Application proposes DCP variation, determination by council is therefore required as the variation exceeds staff delegations.

## 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 is not a key threatening process under either Act, and the site contains no known threatened species or EECs, has not been declared critical habitat or an area of outstanding biodiversity value, and is not mapped on the Biodiversity Values Map. It is not considered that the development is likely to 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.

# DEVELOPMENT ASSESSMENT REPORT

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



## 2.22 Mandatory community participation requirements

As per this section and Schedule 1, of the Act, the development was notified in accordance with the CGRC Community Participation Plan (CPP), for a period of not less than fourteen (14) days. Notification period was from 10 December 2024 to 15 January 2025. The period for submissions was extended on account of the Christmas and New Year period and Council shutdown.

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

Concurrence was not required from the subject development. However, referral to Essential Energy and consideration of comments received required under SEPP (Transport and Infrastructure) 2021.

## 4.14 Consultation and development consent—certain bush fire prone land

The land is not bushfire prone and therefore consideration of *Planning for Bush Fire Protection*, is not 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:

# DEVELOPMENT ASSESSMENT REPORT

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



## 4.15(1)(a)(i) The provisions of any environmental planning instrument:

### **State Environmental Planning Policies (SEPPs) and deemed SEPP's**

The following SEPPs are relevant to the development.

#### SEPP (Resilience and Hazards) 2021

##### *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.

The site is currently used for residential purposes and the application does not propose a change of use. Council's records do not identify the site as having potential contamination and no further investigation is required.

#### SEPP (Transport and Infrastructure) 2021

##### *Chapter 2 - Infrastructure*

- *Section 2.48 (Determination of development applications—other development)* requires referral to the electricity supply authority, for development comprising:
  - penetration of ground within 2m of an underground electricity power line or an electricity distribution pole or within 10m of any part of an electricity tower,
  - development within or immediately adjacent to an easement for electricity purposes
  - development immediately adjacent to an electricity substation
  - development within 5m of an exposed overhead electricity power line
  - installation of a swimming pool any part of which is within 30m of a structure supporting an overhead electricity transmission line, measured horizontally from the top of the pool to the bottom of the structure at ground level,
  - installation of a swimming pool any part of which is within 5m of an overhead electricity power line, measured vertically upwards from the top of the pool
  - involving or requiring the placement of power lines underground.

The development is located approximately 4.8m from overhead powerlines measured using mapping (plans don't detail clearance). The application was referred to Essential Energy on 3 February 2025. Comments received on 6 February 2025.

*Strictly based on the documents submitted, Essential Energy has the following comments to make as to potential safety risks arising from the proposed development:*

- *As the plans provided do not show the distances from Essential Energy's infrastructure and the development, there may be a safety risk. A distance of 3.3m*

## DEVELOPMENT ASSESSMENT REPORT

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



*from the nearest part of the development to Essential Energy's infrastructure (measured horizontally) is required to ensure that there is no safety risk.*

- *It is also essential that all works comply with SafeWork clearance requirements. In this regard it is the responsibility of the person/s completing any works to understand their safety responsibilities. The applicant will need to submit a [Request for Safety Advice](#) if works cannot maintain the safe working clearances set out in the [Working Near Overhead Powerlines Code of Practice](#), or [CEOP8041 - Work Near Essential Energy's Underground Assets](#).*
- *If the proposed development changes, there may be potential safety risks, and it is recommended that Essential Energy is consulted for further comment;*
- *Any existing encumbrances in favour of Essential Energy (or its predecessors) noted on the title of the above property should be complied with;*
- *Any activities in proximity to electrical infrastructure must be undertaken in accordance with the latest industry guideline currently known as ISSC 20 Guideline for the Management of Activities within Electricity Easements and Close to Infrastructure;*
- *Prior to carrying out any works, a "Dial Before You Dig" enquiry should be undertaken in accordance with the requirements of Part 5E (Protection of Underground Electricity Power Lines) of the Electricity Supply Act 1995 (NSW); the location of overhead and underground powerlines are also shown in the Look Up and Live app [essentialenergy.com.au/lookupandlive](http://essentialenergy.com.au/lookupandlive).*

The above shall be included as conditions in any consent for the proposed carport.

- *Section 2.77 (Development adjacent to gas pipeline corridors) requires referral to the pipeline operator, for development compromising:*
  - within the licence area of a pipeline for gas
  - within 20m of the centreline of a pipeline
  - within 20m of land the subject of an easement for a relevant pipeline.

The development does not meet this criteria, so no formal referral to APA Group, was required.

- *Division 15, Subdivision 2 Development in or adjacent to rail corridors and interim rail corridors—notification and other requirements, requires referral to the rail authority, for development compromising:*
  - *Section 2.97 - access via a level crossing*
  - *Section 2.98 development adjacent a rail corridor that is likely to have an adverse effect on rail safety, places a metal finish on a structure and the corridor is used by*

# DEVELOPMENT ASSESSMENT REPORT

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



- electric trains, use of a crane in the air space above the corridor, within 5 m of an exposed overhead power line used for railway purposes and infrastructure,
- **Section 2.99** – penetration of the ground to a depth of 2 m or greater, within a rail corridor or within 25 metres of a rail corridor

The development does not meet this criteria, so no formal referral to the rail authority, was required.

- **Section 2.100 (Impact of rail noise or vibration on non-rail development)**, requires consideration of the impact of noise and vibration on residential accommodation, a place of public worship, hospital, educational establishment or child care facility, where they are located in or adjacent a rail corridor.

The development is not for this form of development and/or is not located adjacent a rail corridor, and therefore consideration of this clause is not required.

- **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 the Hume Motorway.
- **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 not inconsistent the aims of the LEP.

### 1.4 Definitions

A garage/shed is not a defined land use under the LEP, but is permitted as ancillary to the existing dwelling and residential use of the property.

### 1.6 Consent authority

# DEVELOPMENT ASSESSMENT REPORT

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



The consent authority for the purposes of this Plan is (subject to the Act) the Council.

## 2.1 Land use zones

The site is zoned as R1 - General Residential, and the proposed development is permitted in the zone with consent.

## 2.3 Zone objectives

The proposed development is not inconsistent with the objectives of the zone.

## 2.7 Demolition requires development consent

There are no demolition works required.

## COOTAMUNDRA CLAUSES

## 5.10 Heritage conservation

There are no heritage items on-site (identified on either the SHR or in the LEP), and the site is not located in a HCA.

## 5.16 Subdivision of, or dwellings on, land in certain rural, residential or conservation zones

Provide an assessment under this clause if building a dwelling or subdividing land in RU1, RU2, RU3, RU4, RU6, R5, C2, C3 or C4 zones.

## 5.21 Flood planning

The subject property is located with the flood planning area. This clause therefore applies.

### **5.21 Flood planning**

(1) *The objectives of this clause are as follows—*

- (a) *to minimise the flood risk to life and property associated with the use of land,*
- (b) *to allow development on land that is compatible with the flood function and behaviour on the land, taking into account projected changes as a result of climate change,*
- (c) *to avoid adverse or cumulative impacts on flood behaviour and the environment,*
- (d) *to enable the safe occupation and efficient evacuation of people in the event of a flood.*

(2) *Development consent must not be granted to development on land the consent authority considers to be within the flood planning area unless the consent authority is satisfied the development—*

- (a) *is compatible with the flood function and behaviour on the land, and*

# DEVELOPMENT ASSESSMENT REPORT

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



- (b) will not adversely affect flood behaviour in a way that results in detrimental increases in the potential flood affectation of other development or properties, and*
- (c) 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*
- (d) incorporates appropriate measures to manage risk to life in the event of a flood, and*
- (e) 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.*
- (3) In deciding whether to grant development consent on land to which this clause applies, the consent authority must consider the following matters—*
  - (a) the impact of the development on projected changes to flood behaviour as a result of climate change,*
  - (b) the intended design and scale of buildings resulting from the development,*
  - (c) whether the development incorporates measures to minimise the risk to life and ensure the safe evacuation of people in the event of a flood,*
  - (d) the potential to modify, relocate or remove buildings resulting from development if the surrounding area is impacted by flooding or coastal erosion.*
- (4) A word or expression used in this clause has the same meaning as it has in the Considering Flooding in Land Use Planning Guideline unless it is otherwise defined in this clause.*

The proposed development involves the construction of an open-sided carport. The property is located within Hazard Category 1, classified as having "no constraints" and being generally safe for vehicles, people, and buildings. In the event of a flood, the site is expected to experience minimal inundation of up to 300mm. There are no specific development controls related to flooding for non-habitable structures adopted by Council in this area, and no changes to the existing ground level are proposed.

Given these factors, Council is satisfied that the development will not conflict with the flood function or behaviour of the land. The carport will not alter flood patterns in a way that compromises safety or increases potential damage to neighbouring properties. Additionally, it will not obstruct safe evacuation or place undue strain on surrounding evacuation routes, nor will it pose a risk to human life during a flood event.

The potential impacts of climate change have been considered as part of the broader flood study. Given the open design and non-habitable nature of the structure, the development is not expected to be significantly affected by future changes in flood



# DEVELOPMENT ASSESSMENT REPORT

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



levels. The carport is anticipated to remain structurally stable and resilient under flood conditions and provisions allowing it to be removed or relocated in the event of a flood unnecessary.



Figure 5 - Flood Planning area



Figure 6 - 1% AEP Map (H1)

## 6.1 Earthworks

There are no earthworks needed for the proposed development.

## 6.3 Terrestrial biodiversity

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



## DEVELOPMENT ASSESSMENT REPORT

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



### 6.4 Groundwater vulnerability

This clause applies to land that is identified as groundwater vulnerable on the *Groundwater Vulnerability Map*, but the site is not mapped as being affected, and accordingly this clause is not applicable

### 6.5 Riparian land and watercourses

This clause applies to land that is identified as a watercourse on the *Watercourses Map*, or is within 40 metres of a mapped watercourse, but the site is not mapped as being affected, 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. Works carried out on the site will not project into the Airport airspace.

### 6.9 Essential Services

This clause only applies to land that is zoned RU4 Primary Production Small Lots, and 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 relevant provisions are discussed as follows:

# DEVELOPMENT ASSESSMENT REPORT

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



## CHAPTER 2 – RESIDENTIAL DEVELOPMENT

### **Setbacks For Garages, Sheds and Carports - General Requirements:**

A variation has been sought for the setback of the carport from the secondary street frontage to Hurley Street.

The DCP requires a minimum setback of 1m behind the secondary frontage of the dwelling. The dwelling has a setback of 2.4m from Hurley Street, as such the minimum setback for the proposed carport is 3.4m under the DCP. The development seeks a variation to allow for a 0.7m setback.

The DCP requires the following in regard to building line variations:

*1. The written application must outline the reasons why the proposal cannot meet the policy provisions, (ie. An existing easement has reduced available building envelope). It must outline what extra measures have been employed to enhance the appearance of the proposal and lessen its impacts on the existing streetscape, (ie. The use of a mixture of materials and the inclusion of screening landscaping).*

A written application has been provided and is attached to this report.

While the submitted justification does not propose any measures proposed to lessen impacts it details existing site features which will reduce the visibility of the proposed structure.

*2. The application will be notified to both adjoining and adjacent land owners who are deemed by Council, to be impacted on by proposal. These landowners will be invited to view plans of the proposal and submit comments as they deem appropriate.*

The application has been notified to adjoining land owners and no submissions received.

*3. Council's determining officer may choose to grant variations to the building line under delegated authority so long as the variation is considered minor and will have minimal impacts on the locality.*

Proposed variation of the required setback from 3.4m to 0.7m is not regarded as minor, as such the application is referred to Council for determination.

Noted that constitutes 'minor' variations is not defined by the DCP.

*4. Council's determining officer will prepare a report to Council outlining the proposal and the variations to the policy provisions. The report will make a recommendation as to whether the variation should be supported or rejected based on the applicants consideration to the performance criteria and likely impacts on the locality.*

# DEVELOPMENT ASSESSMENT REPORT

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



Assessing officers agree that the proposed carport would not detract from the existing streetscape. While visible from the street, its design and placement ensure it would remain visually appropriate. Established street trees and the existing property fence would largely obscure the structure from public view.

The carport features an open-sided design with a roof height and pitch matching the existing garage, allowing it to blend with the streetscape and minimise any visual impact.

Located west of the adjoining dwelling at 79 Hurley Street, the carport may generate some afternoon shading over the front yard of the neighboring property. However, due to its open-sided design, the shading impact is expected to be minimal. Furthermore, the affected area is a front yard rather than a primary living space or private open space, making any additional overshadowing less significant.

*5. Council will determine the outcome of the application to vary the policy provisions based on the report.*

*6. If the variation was supported, Council's determining officer will continue to assess the Development Application in accordance with the Environmental Planning and Assessment Act 1979 and make an appropriate determination.*

*7. If the variation was rejected, the applicant will be given the opportunity to vary the design of the proposal and resubmit an additional building line variation if warranted. Otherwise Council's determining officer will determine the Development Application as refused based on non-compliance with Council's DCP and the considerations under the Environmental Planning and Assessment Act 1979.*

Matters subject of items 5-7, to be determined by council.

## **4.15(1)(a)(iia) 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:

Section 61 (Additional matters for consideration): -

- There is no demolition proposed for the development.
- 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),

## DEVELOPMENT ASSESSMENT REPORT

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



- the development does not pertain to a manor house or multi dwelling housing (terraces),
- the development is not land to which the Penrith LEP, Wagga LEP or Moree Plains LEP applies to,

### Section 62 (Consideration of fire safety)

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

### Section 63 (Considerations for erection of temporary structures)

- the development is not for a temporary structure.

### Section 64 (Consent authority may require upgrade of buildings)

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

### Section 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 overall context and setting of the proposed development are considered acceptable. The design aligns with the character of the surrounding residential area. The carport proposed is of an open sided design with a roof height and pitch that matches the existing garage on the site. The design is expected to reduce the visibility of the structure within the context of the streetscape and would be largely screened by existing street trees.

#### ***Access, Transport and Traffic:***

The site has existing legal and practical access via Hurley Street. The proposed development is not expected to significantly impact existing access or generate notable traffic effects. The use of the site will remain as a single dwelling house, traffic movements – apart from those during construction – are not anticipated to change as a result of the proposed development.

#### ***Public Domain:***

The development is not expected to have any significant impact on the public domain. The property is situated in an established residential area and the carport will be visible from the street. However, it is not expected to have any significant impact on the streetscape or public areas.

#### ***Utilities:***

The development has access to all relevant services and utilities for the site.

#### ***Heritage:***

Nothing for the site is identified as a heritage item or within heritage conservation area, no adverse heritage impacts are anticipated.

# DEVELOPMENT ASSESSMENT REPORT

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

**Other Land Resources:**

The proposed development is not expected to have any significant detrimental impact on land resources. The site is already used for residential purposes. The proposed carport does not involve any activities likely to degrade the land or its resources.

**Water:**

The proposed development is not expected to result in any significant adverse impacts on the groundwater systems, drinking water catchments, or natural waterways.

**Soil:**

The proposed development is not anticipated to result in adverse soil impacts. The works do not include significant amounts of earthworks, with appropriate measures implemented to manage erosion and sedimentation during construction. No significant alteration to the sites natural soil profile or drainage is expected.

**Air and Microclimate:**

The proposed development is not expected to adversely impact air quality or the local microclimate. The nature and scale of the project will generate minimal emissions during construction, which can be effectively managed through standard dust separation measures. Once complete, the development would have negligible ongoing effects on air quality or climatic conditions in the area.

**Flora and Fauna:**

The proposed development is not expected to have a significant impact on flora and fauna. The site is already used for residential purposes, with no identified threatened species, habitats or ecological communities present. Any vegetation removal will be minimal and restricted to ground cover and existing shrubs, no significant trees are proposed to be removed. Protective measures including sediment and erosion controls will be required to prevent unintended harm to surrounding natural areas during construction.

**Waste:**

Conditions shall be imposed on any consent detailing required processes for construction waste. The development is not anticipated to result in any increase or change to existing residential waste generated by the property.

**Energy:**

The proposed development would not result in any significant draw on existing power likely to impact surrounding properties and developments connected to the grid.

**Noise and Vibration**

Ongoing noise generated by the development will be of a residential nature not out of place within the area and consistent with the existing use of the site.

## DEVELOPMENT ASSESSMENT REPORT

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



### **Natural Hazards:**

The site is not identified as being subject to bushfire or landslip. Flood risk has been considered and addressed above.

### **Technological hazards**

No technological hazards have been identified beyond proximity to electrical powerlines which has been addressed above.

### **Safety, security and crime prevention**

The proposed addition would unlikely result in any increased safety or security risks to the area.

### **Social Impacts in the Locality:**

The proposed carport is not expected to have any adverse social impact on the locality. Its design aligns with the residential character of the area and is unlikely to generate noise, traffic, or other disturbances.

No submissions were received from neighbours raising concerns regarding setbacks or other matters.

### **Economic Impact in the Locality:**

The proposed development is believed to have reasonable economic impact on the locality. The works will create short-term economic activity through construction works and associated services. Has potential to increase the housing price. The development is not expected to place a strain on existing infrastructure or resources.

### **Site Design and Internal Design:**

The design of the proposed carport aligns with the allotment and surrounding streetscape.

### **Construction Matters:**

There is no matter identifiable that would prevent the proposed development from complying with the relevant provisions of the Building Code of Australia.

### **Cumulative impacts**

The proposed development is not expected to result in any cumulative impacts. As the site is already subject to residential development, the proposed development aligns with the existing land use and does not represent an intensification likely to overwhelm local infrastructure or services.

### **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, given the size of the property, the likely impacts and the setbacks proposed. It is considered that the air quality and microclimate are appropriate for the development, and

# DEVELOPMENT ASSESSMENT REPORT

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



there are no hazardous land uses or activities nearby, and ambient noise levels are suitable for the development.

## **Are the site attributes conducive to development ?**

The site's topography and features are well-suited to the proposed development. Any impacts on the adjoining neighbours are of an acceptable nature.

### **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 within the region. The development is not inconsistent with any of the directions in this plan.

Staff are not aware of any other policy statements from either Federal or State Government that are relevant to this proposal. There are also no relevant planning studies or strategies that staff are aware of. There is no management plan that is applicable to a development of this nature, and no codes or guidelines.

Overall, the proposal would not interfere with 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**

There is no section 7.11 plan in force in the former Cootamundra LGA.

#### **Section 7.12 Contributions Plans**

The Cootamundra-Gundagai Regional Council Section 7.12 Fixed Development Consent Levy Contributions Plan 2018, applies to the land and this development, based on the following costings:

Proposed Cost of the Development	Maximum Percentage of the Levy	Contribution payable
Up to \$100,000	Nil	Applicable – no payment required
\$100,001-\$200,000	0.5 %	N/A
\$200,001 +	1 %	N/A

# DEVELOPMENT ASSESSMENT REPORT

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



## Section 64 water and sewer contributions policies:

Neither the Goldenfields Water s64 water contributions plan or the Cootamundra s64 sewer contributions plan, applies to this development.

## 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 assessing officer has considered all relevant matters under the applicable legislation and finds the proposed development to be appropriate in light of these considerations. Any potential impacts are deemed manageable through the implementation of suitable conditions. Consequently, no reasonable grounds exist to warrant refusal of the application.

## RECOMMENDATION:

### Determination:

That Council approve the following development, subject to the consent conditions below:

- Application No.: DA 2024/148
- Property: Lot: B DP: 414532  
74 Olney Street COOTAMUNDRA
- Development: Proposed New Carport (attached to existing shed) ancillary to existing dwelling house

### Conditions:

Draft conditions of consent are provided in the attached document.

## REASONS FOR CONDITIONS:



## DEVELOPMENT ASSESSMENT REPORT

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



- To confirm the details of the application as submitted by the applicant and as approved by Council;
- To manage any inconsistencies between the approved plan/documents and conditions of consent;
- To achieve the objectives of section 1.3 of the *Environmental Planning and Assessment Act 1979*, having regard to the relevant matters for consideration contained in section 4.15 of the Act and the Environmental Planning Instruments applying to the land;
- To ensure necessary approvals are applied for and are in force, before the facility operates;
- To protect the amenity of the local environment, residents and adjoining landowners; and
- To ensure the development complies with all relevant legislation, Regulations, standards and approvals.

### 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 proposed development is not inconsistent with the objectives of the zone,
- the proposed development is permitted in the zone,
- the proposed development does not compromise the relevant Environmental Planning Instruments,
- the proposal will be compatible with the built form and character, established by existing developments in the area,
- any potential concerns have been ameliorated by appropriate conditions, with those conditions ensuring compliance with relevant legislation, Regulations and standards;
- the proposal is not inconsistent with the key planning provisions contained within the applicable environmental planning instruments,
- the proposal will have an acceptable environmental impact, and
- the proposal is consistent with the zone and desired future character of the area.

### DEVELOPMENT ASSESSMENT SIGNING OFFICER:

Lauren Dawes

7 February 2025



**COOTAMUNDRA-  
GUNDAGAI REGIONAL  
COUNCIL**

ABN: 46 211 642 339  
PO Box 420, Cootamundra NSW 2590  
Email: [mail@cgrc.nsw.gov.au](mailto:mail@cgrc.nsw.gov.au)  
[www.cgrc.nsw.gov.au](http://www.cgrc.nsw.gov.au)

**Cootamundra Office**  
81 Wallendoon Street,  
Cootamundra NSW 2590  
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

<b>Application number</b>	DA2024/148 PAN-494480
<b>Applicant</b>	Peter Arthur Hearne 74 OLNEY STREET COOTAMUNDRA 2590
<b>Description of development</b>	Erection of proposed new carport (attached to existing shed) ancillary to existing dwelling house
<b>Property</b>	74 OLNEY STREET COOTAMUNDRA 2590 B/-/DP414532
<b>Determination</b>	Approved Consent Authority - Council
<b>Date of determination</b>	25/02/25
<b>Date from which the consent operates</b>	25/02/25
<b>Date on which the consent lapses</b>	25/02/30
<b>Building Code of Australia building classification</b>	10a

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.

**Reasons for approval**

Council has considered all relevant matters under the applicable legislation and finds the proposed development to be appropriate in light of these considerations. Any potential impacts are deemed manageable through the implementation of suitable conditions. Consequently, no reasonable grounds exist to warrant refusal of the application.

**Right of appeal / review of 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 months 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.

Lauren Dawes  
Senior Building Surveyor  
Person on behalf of the consent authority

### 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

1

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

Plan number	Revision number	Plan title	Drawn by	Date of plan
MAST37792	-	Frame section	FDS	4/12/2024
-		Site Plan	Uploaded to planningportal by Peter Hearne	5/12/2024
MAST37792		Elevations	FDS	4/12/2024
MAST37792		Foundation Plan	FDS	4/12/2024

Approved documents

Document title	Version number	Prepared by	Date of document
Statement of Environmental Effects	-	Uploaded by Peter Hearne	5/12/2024

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

**Condition reason:** To ensure all parties are aware of the approved plans and supporting documentation that applies to the development.

2

Proximity to Overhead Powerlines

	Despite any measurements or details on the plans a distance of 3.3m from the nearest part of the development to Essential Energy's infrastructure (measured horizontally) is required to ensure that there is no safety risk.
	<b>Condition reason:</b> Essential Energy requested condition

### Building Work

#### Before issue of a construction certificate

No additional conditions have been applied to this stage of development.

#### Before building work commences

3	<b>Appointment of a Principal Certifier</b>
	Prior to the commencement of any construction works, the person having benefit of this Development Consent must appoint a Principal Certifier.
	<b>Condition reason:</b> To ensure legislative requirements are met.
4	<b>Construction Certificate</b>
	A Construction Certificate must be submitted 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.
	<b>Condition reason:</b> To ensure compliance with the requirements of the Environmental Planning and Assessment Regulation 2021.
5	<b>Erosion and sediment controls in place</b>
	Before any site work commences, the Principal Certifier, must be satisfied that erosion and sediment controls in the erosion and sediment control plan are in place. These controls must remain in place until any bare earth has been restabilised in accordance with 'Managing Urban Stormwater: Soils and Construction' prepared by Landcom (the Blue Book) (as amended from time to time).
	<b>Condition reason:</b> To ensure sediment laden runoff and site debris do not impact local stormwater systems and waterways.
6	<b>Notice of intention to commence building work</b>
	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.

	<b>Condition reason:</b> To ensure legislative requirements are met
7	<b>Underground Services</b>  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.  <b>Condition reason:</b> To ensure the utility services are protected and satisfactory for the proposed development.
8	<b>Safety of Working Near Overhead Powerlines</b>  It is the responsibility of the person/s completing any works to understand their safety responsibilities. The applicant will need to submit a <a href="#">Request for Safety Advice</a> if works cannot maintain the safe working clearances set out in the <a href="#">Working Near Overhead Powerlines Code of Practice</a> , or <a href="#">CEOP8041 - Work Near Essential Energy's Underground Assets</a> .  <b>Condition reason:</b> Essential Energy requested condition
9	<b>Proximity to Overhead Powerlines</b>  Prior to works commencing the proponent must ensure that the a distance of 3.3m from the nearest part of the development to Essential Energy's infrastructure (measured horizontally) is achieved to ensure that there is no safety risk.  <b>Condition reason:</b> Essential Energy requested condition
10	<b>Before You Dig Enquiry</b>  Prior to carrying out any works, a "Before You Dig" enquiry should be undertaken in accordance with the requirements of Part 5E (Protection of Underground Electricity Power Lines) of the Electricity Supply Act 1995 (NSW); the location of overhead and underground powerlines are also shown in the Look Up and Live app <a href="https://essentialenergy.com.au/lookupandlive">essentialenergy.com.au/lookupandlive</a> .  <b>Condition reason:</b> Essential Energy requested condition
11	<b>Survey Set-Out</b>  <ol style="list-style-type: none"> <li><b>Survey Set-Out</b> - Prior to the commencement of works for the construction of the carport, a registered surveyor must set out the location of all works in accordance with the approved plans.</li> <li><b>Set-Out Report</b> - A set-out report prepared by the registered surveyor must be submitted to the Principal Certifier confirming accurate placement of the shed and retaining walls relative to the property boundaries. Works must not commence until the PC has reviewed and accepted the set-out report.</li> <li><b>Protection and Maintenance of Markers</b> - Survey set-out markers must be clearly identified, protected and maintained in their original position on-site</li> </ol>

	throughout the construction period. Any disturbance to the markers must be immediately rectified by a registered surveyor.
	<b>Condition reason:</b> To ensure the development is located in accordance with the approved plans

**During building work**

12	<b>Discovery of relics and Aboriginal objects</b>  While site work is being carried out, if a person reasonably suspects a relic or Aboriginal object is discovered: <ul style="list-style-type: none"> <li>a. the work in the area of the discovery must cease immediately;</li> <li>b. the following must be notified                             <ul style="list-style-type: none"> <li>i. for a relic – the Heritage Council; or</li> <li>ii. for an Aboriginal object – the person who is the authority for the protection of Aboriginal objects and Aboriginal places in New South Wales under the <i>National Parks and Wildlife Act 1974</i>, section 85.</li> </ul> </li> </ul> Site work may recommence at a time confirmed in writing by: <ul style="list-style-type: none"> <li>a. for a relic – the Heritage Council; or</li> <li>b. for an Aboriginal object – the person who is the authority for the protection of Aboriginal objects and Aboriginal places in New South Wales under the <i>National Parks and Wildlife Act 1974</i>, section 85.</li> </ul>
	<b>Condition reason:</b> To ensure the protection of objects of potential significance during works.
13	<b>Procedure for critical stage inspections</b>  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.  <b>Condition reason:</b> To require approval to proceed with building work following each critical stage inspection.
14	<b>Approved Plans</b>  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.  <b>Condition reason:</b> To ensure compliance with relevant plans and approvals

15	<b>Deliveries</b>
	While site work is being carried out, deliveries of material and equipment must only be carried out between—
	<ul style="list-style-type: none"> <li>• Mondays to Fridays - 7:00am to 6:00pm;</li> <li>• Saturdays - 8:00am to 1:00pm;</li> <li>• No work permitted on Sundays and Public Holidays.</li> </ul>
	<b>Condition reason:</b> To protect the amenity of neighbouring properties.
16	<b>Earthworks</b>
	No earthworks are permitted to be undertaken beyond those detailed on the approved plans unless otherwise permitted by the exempt development provisions of State Environmental Planning Policy (Exempt and Complying Development Codes) 2008
	<b>Condition reason:</b> To ensure that the development is consistent with the approval
17	<b>Footpath Storage</b>
	Building materials not to be stored on Council footway or nature strip at any time.
	<b>Condition reason:</b> To ensure an adequate level of public safety is maintained.
18	<b>Hours of Work</b>
	Site work must only be carried out between the following times –
	<ul style="list-style-type: none"> <li>• Mondays to Fridays - 7:00am to 6:00pm;</li> <li>• Saturdays - 8:00am to 1:00pm; and</li> <li>• No work is permitted on Sundays and Public Holidays.</li> </ul>
	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.
	<b>Condition reason:</b> To protect the amenity of the surrounding area.
19	<b>Restricted Public Access</b>
	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.
	<b>Condition reason:</b> To ensure public safety is maintained.
20	<b>Roof Water</b>
	Roof water generated by the development must be disposed of
	<ul style="list-style-type: none"> <li>• To the curb and gutter on Hurley Street</li> </ul>



	<p>The point of discharge from the overflow must be</p> <ul style="list-style-type: none"> <li>Protected from being crushed or damaged.</li> </ul>
	<p><b>Condition reason:</b> To ensure that roof water is disposed of without nuisance to neighbours, damage to property or the environment.</p>
21	<p><b>Requirements for Activities Near Electrical Infrastructure</b></p> <p>Any activities in proximity to electrical infrastructure must be undertaken in accordance with the latest industry guideline currently known as ISSC 20 Guideline for the Management of Activities within Electricity Easements and Close to Infrastructure.</p> <p><b>Condition reason:</b> Essential Energy requested condition</p>
<b>Before issue of an occupation certificate</b>	
22	<p><b>Removal of waste upon completion</b></p> <p>Before the issue of an Occupation Certificate:</p> <ol style="list-style-type: none"> <li>all refuse, spoil and material unsuitable for use on-site must be removed from the site and disposed of in accordance with the approved waste management plan; and</li> <li>written evidence of the waste removal must be provided to the satisfaction of the <b>principal certifier</b>.</li> <li>Any chemical waste generated throughout construction must be disposed of to an approved waste management facility or otherwise lawfully managed.</li> </ol> <p><b>Condition reason:</b> To ensure waste material is appropriately disposed or satisfactorily stored.</p>
23	<p><b>Works-as-executed plans and any other documentary evidence</b></p> <p>Before the issue of an Occupation Certificate, works-as-executed plans, any compliance certificates and any other evidence confirming the following completed works must be submitted to the satisfaction of the principal certifier:</p> <ol style="list-style-type: none"> <li>All stormwater drainage systems and storage systems.</li> </ol> <p><b>Condition reason:</b> To confirm the location of works once constructed that will become Council assets.</p>
24	<p><b>Occupation of building</b></p> <p>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.</p>

	<p><b>Condition reason:</b> To ensure the development is completed to a safe standard to allow use or occupation and to ensure compliance with the requirements of this consent.</p>

**Occupation and ongoing use**

No additional conditions have been applied to this stage of development.

**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](#). 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.

### 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.

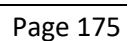
**Stormwater drainage system** means all works and facilities relating to:

- 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.

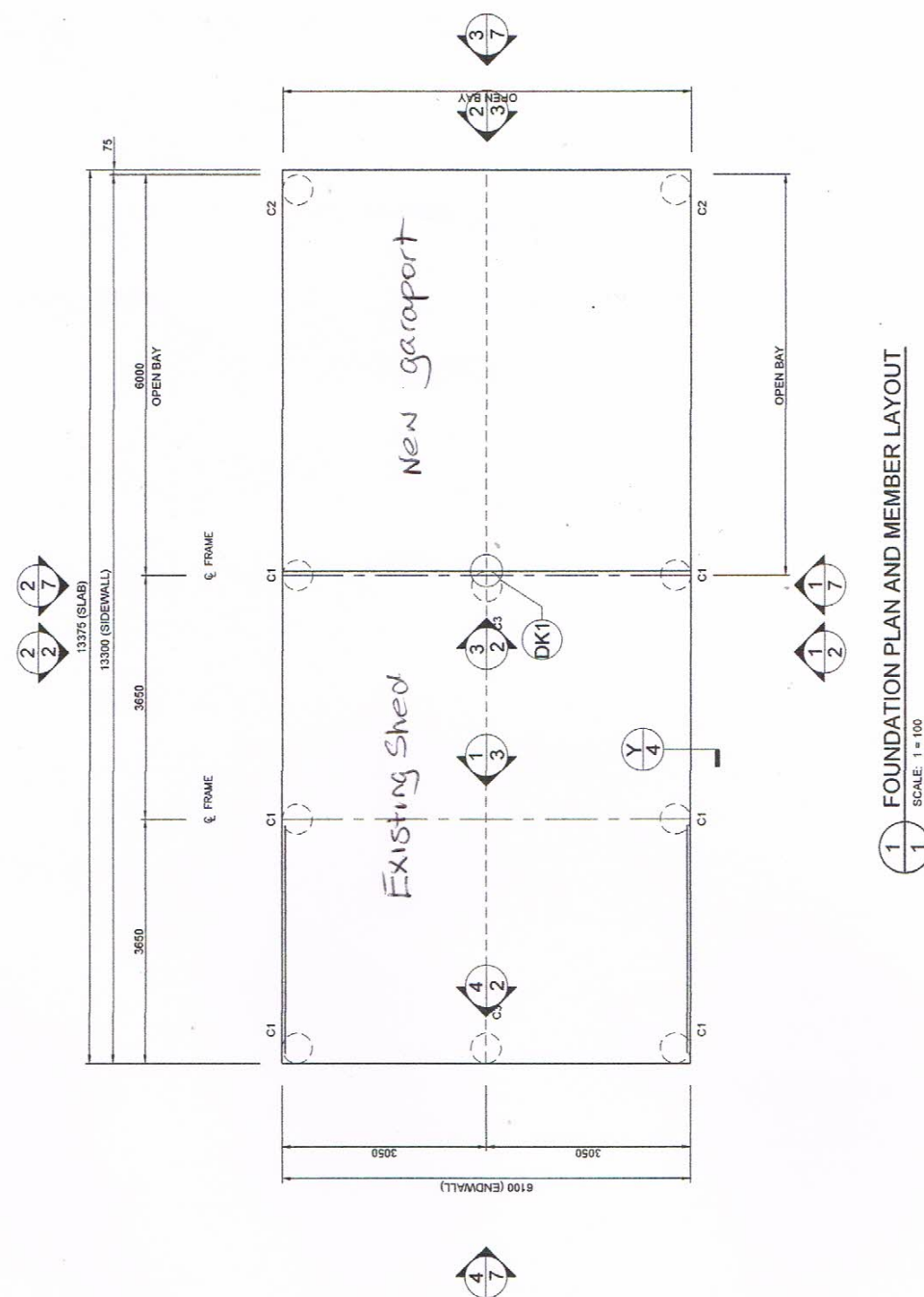
**Strata certificate** means a certificate in the approved form issued under Part 4 of the *Strata Schemes Development Act 2015* that authorises the registration of a strata plan, strata plan of subdivision or notice of conversion.

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

79 Hurley Street Lot A DP:414532



IF IN DOUBT, ASK.



DO NOT SCALE THIS DRAWING. USE FIGURED DIMENSIONS ONLY. ALL DIMENSIONS TO BE VERIFIED ON SITE.

MEMBER LEGEND	
C1	C15024
C2	SHS1004
C3	C15012

STEEL BUILDING BY  
**M.A. STEEL PTY. LTD. (LIC 225516C)**  
FOR 02 6382 4387  
**PETER HEARNE EXTENDED**  
AT 74 OLNEY ST  
**COOTAMUNDRA**

(CONTACT)

DRAWN FDS

CHECKED TM

DATE 4/12/2024

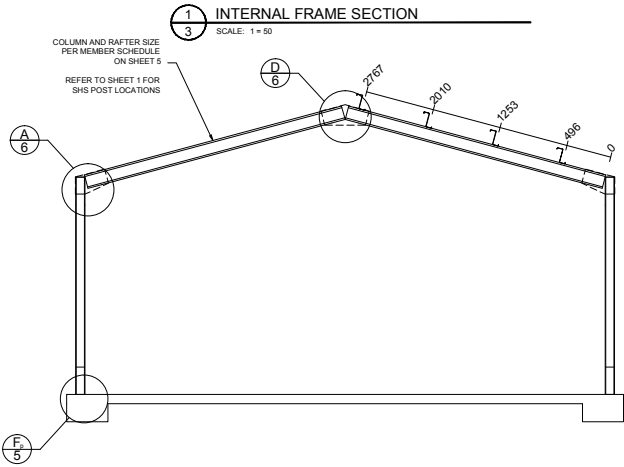
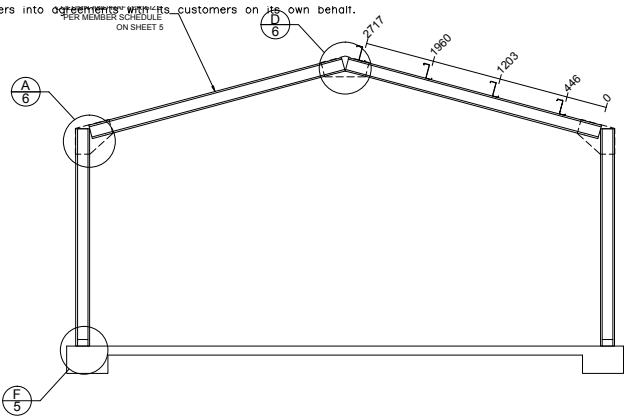
JOB NO. MAST37792

SHEET 1

NCC 2022

7

The local distributor you are dealing with is an authorised independent distributor and enters into agreements with its customers on its own behalf.



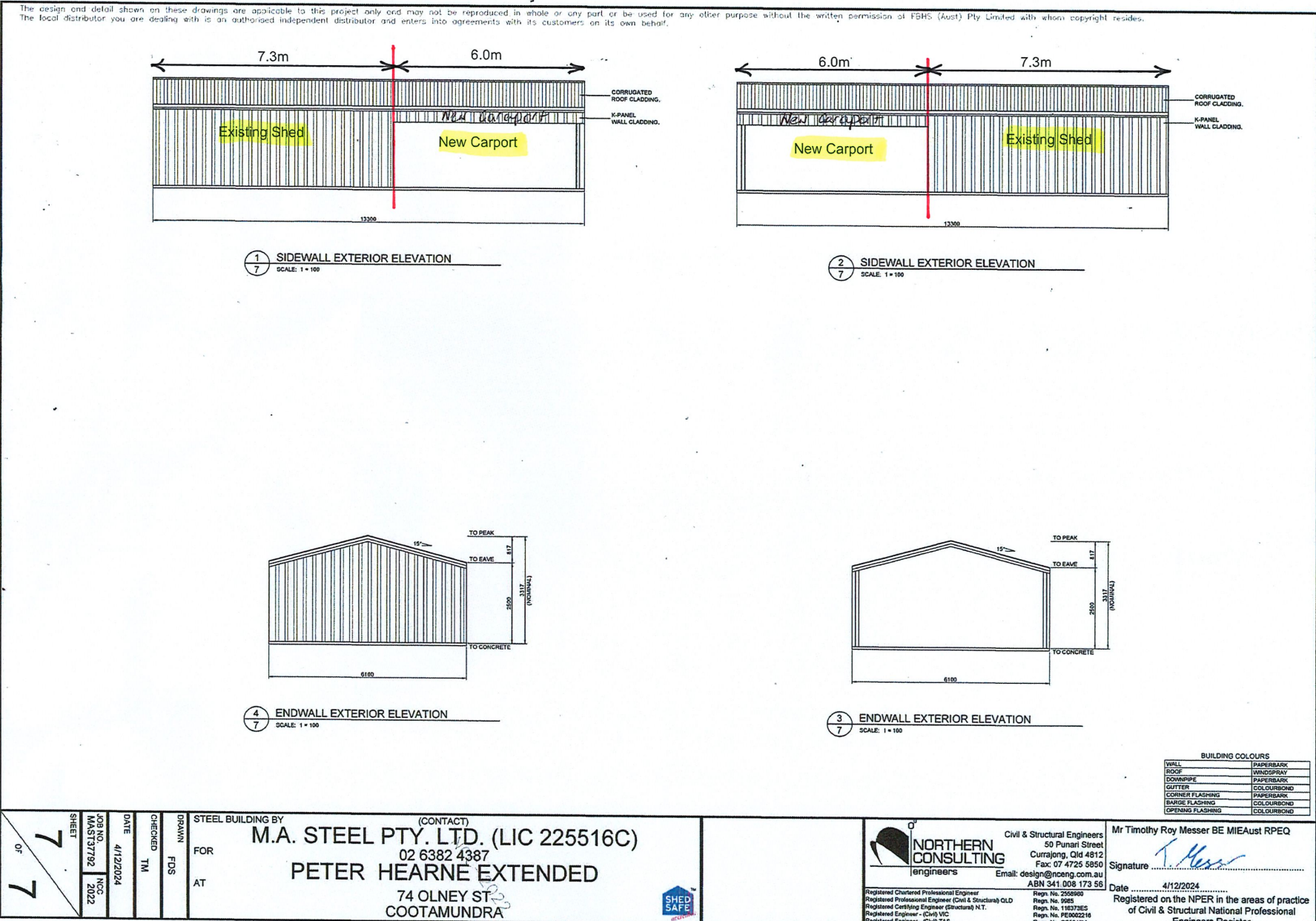
2 INTERNAL FRAME SECTION  
3 SCALE: 1 = 50

2 RIGHT END FRAME SECTION  
3 SCALE: 1 = 50

Refer to Sheet #4 for concrete specification.

3 OF 7	JOB NO. 144537792	DATE 4/12/2024	CHECKED TM	DRAWN FDS	STEEL BUILDING BY	(CONTACT)	FOR	AT	M.A. STEEL PTY. LTD. (LIC 225516C) 02 6382 4387 PETER HEARNE EXTENDED 74 OLNEY ST	NORTHERN CONSULTING Civil & Structural Engineers 50 Punari Street Currajong, Qld 4812 Fax: 07 4725 5850 Email: design@nrceng.com.au ABN 341 008 173 56	Mr Timothy Roy Messer BE MIEAust RPEQ Signature Date 4/12/2024 Registered on the NPQR in the areas of practice of Civil & Structural National Professional
					REGISTERED PROFESSIONAL ENGINEER (CIVIL & STRUCTURAL) QLD REGISTERED CERTIFYING ENGINEER (STRUCTURAL) N.T.						







Peter Hearne, 74 Olney Street Cootamundra  
Carport Development Variation Justification

***Statement Regarding Variation Application to Development Standards – distance between structure and boundary.***

Issue

The existing residence is located 2.4m from the property boundary. For the carport to satisfactorily perform it's intended function of providing adequate shelter to a large vehicle, the carport needs to be a minimum of 6.0m in length. On average, carports are generally between 6.0m and 9.0m in length. This will require the carport finishing 0.6m from the property gate which is 100mm inside the boundary fence line. This will provide an actual distance of 0.7m from the boundary fence.

If the carport was to finish 2.4m from the boundary fence line, as per the existing residence, the carport would only be 4.2m in length. Totally inadequate for the intended purpose.

Justification

As pictures show, the single span carport will be largely hidden by the 1.8m corrugated boundary fence, large mature trees located on the footpath and a large mature tree located directly adjacent to the proposed carport inside the neighbouring property.

The completed structure will be largely unobtrusive to passers by and the neighbouring property.

In addition, the residence is situated on a corned block, with one neighbour able to partially see the structure.

We ask the proposed carport be 6.0m in length.



#### 8.4.5 DA 2024/108 - PROPOSED ELECTRONIC ADVERTISING SIGN - 107 SHERIDAN STREET, GUNDAGAI

DOCUMENT NUMBER	430697
REPORTING OFFICER	Lauren Dawes, Senior Building Surveyor
AUTHORISING OFFICER	Barry Paull, Interim Deputy General Manager - CCD
RELEVANCE TO COMMUNITY STRATEGIC PLAN	<b>2. A region for the future</b> 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	<ol style="list-style-type: none"> <li>1. Assessment Report <a href="#">↓</a></li> <li>2. Draft Notice of Determination <a href="#">↓</a></li> <li>3. Plans <a href="#">↓</a></li> </ol>

#### RECOMMENDATION

**Council resolve to approve development application 2024/108 subject to conditions of consent as outlined in the accompanying Draft Notice of Determination.**

#### Introduction

Development Application 2024/108 seeks consent for the erection of advertising structure containing an electronic sign at 107 Sheridan Street, Gundagai, located at the corner of Sheridan and Homer Streets. Although the sign is proposed to be situated on land owned by the Catholic Church, it is intended to replace an existing static sign that currently serves St. Patrick's Public School, which is located a block away on Homer Street.

The application is referred to Council for determination due to the visual prominence of the proposed sign. Additionally, the provisions of *Chapter 3 Advertising and Signage* of the *State Environmental Planning Policy (Industry and Employment) 2021* outline specific requirements that must be met before granting consent for advertising signage. Notably, the SEPP stipulates that a consent authority must ensure that the signage complies with detailed objectives and assessment criteria, including whether the development aligns with the desired future character of the area.

In the absence of adopted strategic documents to guide assessment, these outcomes remain largely subjective. As such, considerations regarding consistency with the existing and likely desired future character and amenity are best determined by the elected representatives of Cootamundra-Gundagai Regional Council.

#### Discussion

#### *Requirements of State Environmental Planning Policy (Industry and Employment) 2021*

Most notably, *Section 3.6 Granting of consent to signage* details:

**“3.6 Granting of consent to signage**

*A consent authority must not grant development consent to an application to display signage unless the consent authority is satisfied—*

- (a) that the signage is consistent with the objectives of this Chapter as set out in section 3.1(1)(a), and*
- (b) that the signage the subject of the application satisfies the assessment criteria specified in Schedule 5.”*

As such, consent cannot be granted to the subject development unless council is satisfied the development meets the objectives of 3.1(1)(a) and assessment criteria under Schedule 5. While other clauses apply under the SEPP and have been addressed in the attached assessment report, these provisions are critical to the capacity for consent to be granted. Assessment of these provisions are outlined below.

<b>Objectives of 3</b>	
<b>Criteria</b>	<b>Assessment</b>
<p><i>(1) This Chapter aims—</i></p> <p><i>(a) to ensure that signage (including advertising)—</i></p> <p><i>(i) is compatible with the desired amenity and visual character of an area, and</i></p>	<p>No existing plans or documents have been identified which detail council’s desired amenity or visual character for the subject area.</p>
<p><i>(ii) provides effective communication in suitable locations, and</i></p>	<p>It is anticipated that the communications provided by the proposed sign would be effective. While there are notable links between the church and the school, it is important to note the proposed electric sign would replace an existing timber painted static sign used by the school.</p>
<p><i>(iii) is of high-quality design and finish</i></p>	<p>Proposed signage is of acceptable high quality and finish.</p>
<b>Schedule 5</b>	
<b>Criteria</b>	<b>Assessment</b>
<b>1 Character of the area</b>	
<p><i>Is the proposal compatible with the existing or desired future character of the area or locality in which it is proposed to be located?</i></p>	<p>There are no existing plans or documents outlining Council’s desired amenity or future character for the subject area. As a result, Council staff are unable to provide an informed assessment of whether the proposed sign aligns with the intended character and amenity of the area.</p>
<p><i>Is the proposal consistent with a particular theme for outdoor advertising in the area or locality?</i></p>	<p>Proposed electronic sign is consistent with signage currently serving other schools within the Gundagai township. Similar electronic signs are located at Gundagai Public School and Gundagai High School.</p>

	However, the proposed electronic sign is not consistent with any existing outdoor advertising within the immediate Gundagai main street or CBD area which is proposed. Signage within the area is predominately business or building identification signs that are not internally illuminated or electronic and are located on the property/building containing the subject business or building.
<b>2 Special areas</b>	
<i>Does the proposal detract from the amenity or visual quality of any environmentally sensitive areas, heritage areas, natural or other conservation areas, open space areas, waterways, rural landscapes or residential areas?</i>	<p>While not listed as a heritage item under the Gundagai LEP both St Patrick's Church and Patrick's Hall buildings located on the property are identified as having local heritage significance and are recommended to be included in the LEP as heritage items.</p> <p>The subject sign is proposed to be located at the front of the hall replacing the existing. The new sign has a proposed height of 4.3m, at such a height, and noting the location at the top of an embankment the proposal may detract from the heritage value of the building it is proposed to be located before. Reducing the height and locating the sign further down the embankment away from the building may lessen any perceived impact on the building.</p>
<b>3 Views and vistas</b>	
<i>Does the proposal obscure or compromise important views?</i>	It is not considered that the proposed sign would obscure or compromise any important views or vistas.
<i>Does the proposal dominate the skyline and reduce the quality of vistas?</i>	It is not considered that the proposed sign would dominate the skyline or negatively impact the quality of vistas. Positioned below the existing buildings, the sign would not obstruct or overpower views.
<i>Does the proposal respect the viewing rights of other advertisers?</i>	Proposed sign is replacement of an existing sign, and would not add to the number of signs within the locality. There are no other advertising signs, beyond building and business identification signs within the immediate area.
<b>4 Streetscape, setting or landscape</b>	
<i>Is the scale, proportion and form of the proposal appropriate for the streetscape, setting or landscape?</i>	The proposed height of the sign is considered disproportionate to the surrounding setting by the <b>Heritage Adviser and recommends that:</b> Reducing the height to no more than 3 meters and relocating

	the sign further from the building would lessen its impact on the overall setting.
<i>Does the proposal contribute to the visual interest of the streetscape, setting or landscape?</i>	The proposed sign is not expected to make a significant contribution to the visual interest of the area. However, given that it serves the existing nearby school, the information displayed is considered appropriate and serves a practical purpose, as the school is a key service provider within the local area. Locating the sign on the school site may further enhance its relevance and connection to the community it serves.
<i>Does the proposal reduce clutter by rationalising and simplifying existing advertising?</i>	Yes, the proposal seeks to replace the existing sign, with an electronic board allowing for the updating of information. This would reduce the need for multiple signs, offering an ongoing opportunity for rationalization.
<i>Does the proposal screen unsightliness?</i>	The proposed sign would not screen any unsightly or unappealing view or structure.
<i>Does the proposal protrude above buildings, structures or tree canopies in the area or locality?</i>	The proposed sign would not protrude above buildings, it would, however, protrude above the height of some existing street trees.
<i>Does the proposal require ongoing vegetation management?</i>	No, there is no vegetation within immediate surround of the sign that would require on-going management. Street trees may partially obscure the sign depending on the location it is being viewed from. It would not be appropriate to trim or maintain the trees to be of a height that prevents the sign from being obscured.
<b>5 Site and building</b>	
<i>Is the proposal compatible with the scale, proportion and other characteristics of the site or building, or both, on which the proposed signage is to be located?</i>	Proposed height of the sign as proposed is regarded as being unproportional to the setting. A reduction in height of the sign to being no more than 3m and located further front the building would lessen the impact on the setting.
<i>Does the proposal respect important features of the site or building, or both?</i>	Proposed location would not block any significant views features of the existing hall building but would detract from and the building and it's features and the features of the overall site.
<i>Does the proposal show innovation and imagination in its relationship to the site or building, or both?</i>	Proposed sign does not propose any particularly innovative or imaginative response to the site but would not result in any significant adverse impact.
<b>6. Associated devices and logos with advertisements and advertising structures</b>	
<i>Have any safety devices, platforms, lighting devices or logos been designed as an integral part</i>	Proposed lighting forms an integral part of the sign noting it's electronic display.

<i>of the signage or structure on which it is to be displayed?</i>	
<b>7 Illumination</b>	
<i>Would illumination result in unacceptable glare?</i>	No, subject to automated adjustment being integrated into the sign.
<i>Would illumination affect safety for pedestrians, vehicles or aircraft?</i>	No, subject to automated adjustment being integrated into the sign to reduce lumens of a night.
<i>Would illumination detract from the amenity of any residence or other form of accommodation?</i>	No, subject to automated adjustment being integrated into the sign to reduce lumens of a night in addition to timers requiring the sign to turn off. Proposal seeks 24 hour operation however, to reduce impacts on accommodation located on opposite side of Sheridan Street it is recommended that a timer be required and the sign restricted to operate not outside of 7am to 7pm.  Noted that documents received direct from P&C representative, not the applicant for the development, expressed a willingness for a timer to be installed.
<i>Can the intensity of the illumination be adjusted, if necessary?</i>	Submitted documents suggest this is possible. The requirement can also be reinforced by conditions of consent to ensure compliance.
<i>Is the illumination subject to a curfew?</i>	The application seeks 24 hour operation, however, communications from P&C representative detailed willingness for a curfew to be imposed by Council.
<b>8 Safety</b>	
<i>Would the proposal reduce the safety for any public road?</i>	No, subject to suitable brightness adjustment in low light.
<i>Would the proposal reduce the safety for pedestrians or bicyclists?</i>	No, subject to suitable brightness adjustment in low light.
<i>Would the proposal reduce the safety for pedestrians, particularly children, by obscuring sightlines from public areas?</i>	No, the sign would not obscure sightlines required for drivers or pedestrians.

### Areas of Uncertainty

The following matters remain for Council to determine as part of the SEPP requirements:

1. Whether the proposed sign is compatible with the desired amenity and visual character of the area.
2. The suitability of the proposed location, given its distance from the school.
3. The proposal's consistency with the existing theme for outdoor advertising in the area.

4. Whether the sign would unduly impact the amenity or visual quality of the heritage buildings on the property where it is proposed, or whether Council considers the level of impact to be acceptable.

To address these concerns, several conditions of consent are recommended to reduce the perceived impacts should Council resolve to approve the development. These include:

1. **Height Reduction** – Limiting the sign's height to a maximum of 3 meters to ensure a more appropriate scale and minimise its visual impact on the building and property behind it.
2. **Minimum Setback** – Requiring a minimum separation of 1.5 meters between the building and the sign to allow for effective building maintenance and to position the sign lower on the embankment, further reducing its height and visual prominence.
3. **Luminance Control** – Mandating a light sensor and automatic luminance adjustment to prevent excessive brightness to ensure the safety and amenity of drivers and pedestrians.
4. **Operational Hours** – Requiring the installation of an automatic timer to limit operational hours to 7:00 AM – 9:00 PM, preventing potential adverse impacts on any existing or future residential accommodation in the area.

#### Financial

Nil

#### OLG 23a Guideline consideration

Does not conflict with Guidelines.

# DEVELOPMENT ASSESSMENT REPORT

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

**DATE OF REPORT COMMENCEMENT:**

25 September 2024

**COUNCIL OFFICER COMPLETING DEVELOPMENT ASSESSMENT:**

Lauren Dawes

**DEVELOPMENT REFERENCE:**

DA 2024/108

**DEVELOPMENT ADDRESS:**

107 Sheridan Street GUNDAGAI

**DEVELOPMENT LOT / SEC / PLAN:**

Lot: 22 DP: 1078525

**OWNER(S):**

Roman Catholic Church  
PO Box 600  
Tumut NSW 2720

**APPLICANT:**

Geoff Whitnall on behalf of Catholic Education Office  
52-54 Franklin Street  
MANUKA ACT 2603

**PROPOSED DEVELOPMENT:**

Demolition of existing advertising structure and erection of a new advertising structure with electronic signboard for the purpose of advertising associated with St Patrick's School.

**SITE:**

The advertising structure is proposed to be located at 107 Sheridan Street, Gundagai, being the corner of Sheridan and Homer Streets. The structure is proposed to replace an existing freestanding structure located at in front of the Catholic Hall located on the property.

The location is a prominent location within the Gundagai central business area. The sign is proposed to display information for St Patrick's School located on Homer Street.



# DEVELOPMENT ASSESSMENT REPORT

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



Google Maps: Aerial Image of St Patricks – 107 Sheridan St, Gundagai

**Figure 1 - Proposed Location - Extract from Heritage Report**



**Figure 2 - Location of proposed structure in relation to St Patrick's School**

# DEVELOPMENT ASSESSMENT REPORT

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



Figure 3 - Proposed advertising structure (source: Submitted SoEE)

## 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 is not a key threatening process under either Act, and the site contains no known threatened species or EECs, has not been declared critical habitat or an area of outstanding biodiversity value, and is not mapped on the Biodiversity Values Map. It is not considered that the development is likely to 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.

No vegetation clearing is required or proposed as part of the development.

### 2.22 Mandatory community participation requirements

# DEVELOPMENT ASSESSMENT REPORT

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



As per this section and Schedule 1, of the Act, the development was notified in accordance with the CGRC Community Participation Plan (CPP), for a period of fourteen (14) days from 24 September 2024 to 10 October 2024.

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

The application was referred to Essential Energy.

## 4.14 Consultation and development consent—certain bush fire prone land

The land is not bushfire prone and therefore consideration of *Planning for Bush Fire Protection*, is not 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***

# DEVELOPMENT ASSESSMENT REPORT

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



The following SEPPs are relevant to the development.

## SEPP (Resilience and Hazards) 2021

### *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.

The site is not identified as potential contaminated. Further the site has no known historical use that is likely to have resulted in contamination. Given this and noting the proposed purpose of the development for a sign, no further investigation of possible contamination is required and the site is considered suitable for proposed use.

The above notwithstanding the site is mapped as high risk of containing naturally occurring asbestos. As such, any development consent shall require a condition for the notification of trades where ground penetrating works are proposed.



## SEPP (Transport and Infrastructure) 2021

### *Chapter 2 - Infrastructure*

- *Section 2.48 (Determination of development applications—other development)* requires referral to the electricity supply authority, for development comprising:
  - penetration of ground within 2m of an underground electricity power line or an electricity distribution pole or within 10m of any part of an electricity tower,

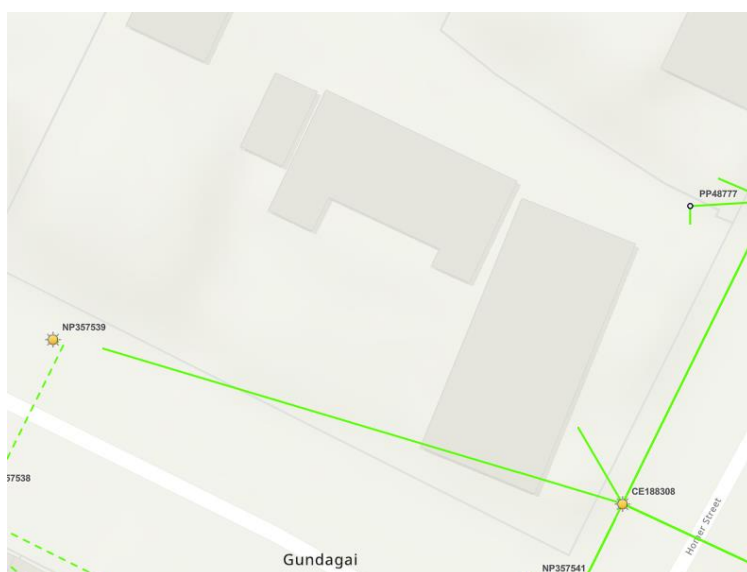
## DEVELOPMENT ASSESSMENT REPORT

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



- development within or immediately adjacent to an easement for electricity purposes
- development immediately adjacent to an electricity substation
- development within 5m of an exposed overhead electricity power line
- installation of a swimming pool any part of which is within 30m of a structure supporting an overhead electricity transmission line, measured horizontally from the top of the pool to the bottom of the structure at ground level,
- installation of a swimming pool any part of which is within 5m of an overhead electricity power line, measured vertically upwards from the top of the pool
- involving or requiring the placement of power lines underground.

Essential energy mapping identifies an overhead powerline over the site of the proposed sign (within 5m). Site inspection did not identify the line, referral was undertaken on 25 September 2024 seeking comments and questioning accuracy of infrastructure mapping, noting that Asset (CE188308) is identified as overhead powerlines running across the front corner of property but no powerline is visible.



Comments were received on 16 October 2024. Comments provided are:



# DEVELOPMENT ASSESSMENT REPORT

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



Thank you for seeking comment from Essential Energy in relation to the proposed development at the above property.

Strictly based on the documents submitted, Essential Energy has no comments to make as to potential safety risks arising from the proposed development.

Essential Energy makes the following general comments:

- If the proposed development changes, there may be potential safety risks and it is recommended that Essential Energy is consulted for further comment;
- Any existing encumbrances in favour of Essential Energy (or its predecessors) noted on the title of the above property should be complied with;
- Any activities in proximity to electrical infrastructure must be undertaken in accordance with the latest industry guideline currently known as ISSC 20 Guideline for the Management of Activities within Electricity Easements and Close to Infrastructure;
- Prior to carrying out any works, a "Dial Before You Dig" enquiry should be undertaken in accordance with the requirements of *Part 5E (Protection of Underground Electricity Power Lines)* of the *Electricity Supply Act 1995* (NSW); and
- It is the responsibility of the person/s completing any works around powerlines to understand their safety responsibilities. SafeWork NSW ([www.safework.nsw.gov.au](http://www.safework.nsw.gov.au)) has publications that provide guidance when working close to electricity infrastructure. These include the Code of Practice – Work near Overhead Power Lines and Code of Practice – Work near Underground Assets.

Should you require any clarification, please do not hesitate to contact us.  
Information about when and how to request safety advice from Essential Energy.  
[Request for Safety Advice \(essentialenergy.com.au\)](http://essentialenergy.com.au)

Regards,



E: [te\\_technical.enquiries@essentialenergy.com.au](mailto:te_technical.enquiries@essentialenergy.com.au)  
PO Box 5730, Port Macquarie NSW 2444  
[essentialenergy.com.au](http://essentialenergy.com.au)  
General Enquiries: 13 23 91  
Outages & Faults (24hrs): 13 20 80

The comments received do not clarify the existence or accuracy of Essential Energy's asset map. This has been further queried with no response received. A precautionary approach should therefore be applied and the above comments integrated into any approval as conditions of consent.

- *Section 2.77 (Development adjacent to gas pipeline corridors)* requires referral to the pipeline operator, for development compromising:
  - within the licence area of a pipeline for gas
  - within 20m of the centreline of a pipeline
  - within 20m of land the subject of an easement for a relevant pipeline.

The development does not meet this criteria, so no formal referral to APA Group, was required.

- *Division 15, Subdivision 2 Development in or adjacent to rail corridors and interim rail corridors—notification and other requirements*, requires referral to the rail authority, for development compromising:
  - *Section 2.97* - access via a level crossing
  - *Section 2.98* development adjacent a rail corridor that is likely to have an adverse effect on rail safety, places a metal finish on a structure and the corridor is used by electric trains, use of a crane in the air space above the corridor, within 5 m of an exposed overhead power line used for railway purposes and infrastructure,

# DEVELOPMENT ASSESSMENT REPORT

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



- **Section 2.99** – penetration of the ground to a depth of 2 m or greater, within a rail corridor or within 25 metres of a rail corridor

The development does not meet this criteria, so no formal referral to the rail authority, was required.

- **Section 2.100 (Impact of rail noise or vibration on non-rail development)**, requires consideration of the impact of noise and vibration on residential accommodation, a place of public worship, hospital, educational establishment or child care facility, where they are located in or adjacent a rail corridor.

The development is not for this form of development and/or is not located adjacent a rail corridor, and therefore consideration of this clause is not required.

- **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 the Hume Motorway.
- **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.

## State Environmental Planning Policy (Transport and Infrastructure) 2021

### *Chapter 3 Educational establishments and childcare facilities*

Proposed advertising structure is not for the purpose of a 'school' as defined by the SEPP. As such, the provisions of the SEPP have been considered but do not apply.

## State Environmental Planning Policy (Industry and Employment) 2021

### **Chapter 3 Advertising and signage**

- **3.6 Granting of consent to signage**  
A consent authority must not grant development consent to an application to display signage unless the consent authority is satisfied—  
(a) that the signage is consistent with the objectives of this Chapter as set out in section 3.1(1)(a), and

# DEVELOPMENT ASSESSMENT REPORT

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



*(b) that the signage the subject of the application satisfies the assessment criteria specified in Schedule 5.*

Provisions of 3.1(1)(a) is addressed below. Assessment if criteria detailed in schedule 5 is detailed at the end of this section of the report. Development satisfies the subject criteria.

## **3.1 Aims, objectives etc**

*(1) This Chapter aims—*

*(a) to ensure that signage (including advertising)—*

*(i) is compatible with the desired amenity and visual character of an area, and*

No existing plans or documents have been identified which detail council's desired amenity or visual character for the subject area. Noting this, Council staff cannot provide informed comment on whether the proposed sign is compatible with the desired amenity and future character of the area.

Accordingly, the application shall be referred to Council for determination and consideration of this matter.

*(ii) provides effective communication in suitable locations, and*

It is anticipated that the communication provided by the proposed sign would be effective. While there are notable links between the church and the school, it is important to note that the school is located two blocks away from the proposed sign. This distance could impact the immediate relevance and visibility for the school community, while potentially exposing the broader community to information and advertising that may be unnecessary.

*(iii) is of high quality design and finish*

Proposed signage is considered by the assessing officer as being of acceptable quality and finish.

## ▪ **3.7 Advertisements to which this Part applies**

*(1) This Part applies to all signage to which this Chapter applies, other than the following—*

*(a) business identification signs,*

*(b) building identification signs,*

*(c) signage that, or the display of which, is exempt development under an environmental planning instrument that applies to it,*

*(d) signage on vehicles.*



# DEVELOPMENT ASSESSMENT REPORT

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



*(2) Despite subsection (1)(d), section 3.26 applies to signage on a trailer (within the meaning of the Road Transport Act 2013).*

Proposed signage falls within provisions of this section. The sign does not meet the definitions of subclause (1)(a),(b) or (c).

## ▪ **3.8 Prohibited advertisements**

*(1) Despite the provisions of any other environmental planning instrument, the display of an advertisement is prohibited on land that, under an environmental planning instrument, is within any of the following zones or descriptions—*

- *environmentally sensitive area*
- *heritage area (excluding railway stations)*
- *natural or other conservation area*
- *open space*
- *waterway*
- *residential (but not including a mixed residential and business zone, or similar zones)*
- *scenic protection area*
- *national park*
- *nature reserve*

The site of the proposed sign is not identified as any of the above by the LEP.

*(2) This section does not apply to the following—*

- (a) the Mount Panorama Precinct,*
- (b) the display of an advertisement at a public sporting facility situated on land zoned public recreation under an environmental planning instrument, being an advertisement that provides information about the sponsors of the teams or organisations using the sporting facility or about the products of those sponsors.*

Subclause (2) does not apply in this instance.

## ▪ **3.11 Matters for consideration**

*(1) A consent authority (other than in a case to which subsection (2) applies) must not grant consent to an application to display an advertisement to which this Chapter applies unless the advertisement or the advertising structure, as the case requires—*

- (a) is consistent with the objectives of this Chapter as set out in section 3.1(1)(a), and*

Addressed above.

*(b) has been assessed by the consent authority in accordance with the assessment criteria in Schedule 5 and the consent authority is satisfied that the proposal is acceptable in terms of its impacts, and*

# DEVELOPMENT ASSESSMENT REPORT

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



COOTAMUNDRA-  
GUNDAGAI  
REGIONAL COUNCIL

Addressed below, at the end of the section.

*(c) satisfies any other relevant requirements of this Chapter.*

Addressed below.

## ▪ 3.12 Duration of consents

- (1) A consent granted under this Part ceases to be in force—
  - (a) on the expiration of 15 years after the date on which the consent becomes effective and operates in accordance with section 83 of the Act, or
  - (b) if a lesser period is specified by the consent authority, on the expiration of the lesser period.
- (2) The consent authority may specify a period of less than 15 years only if—
  - (a) before the commencement of this Part, the consent authority had adopted a policy of granting consents in relation to applications to display advertisements for a lesser period and the duration of the consent specified by the consent authority is consistent with that policy, or
  - (b) the area in which the advertisement is to be displayed is undergoing change in accordance with an environmental planning instrument that aims to change the nature and character of development and, in the opinion of the consent authority, the proposed advertisement would be inconsistent with that change, or
  - (c) the specification of a lesser period is required by another provision of this Chapter.

A condition shall be applied to any consent for the proposed development detailing a 15 year expiry in accordance with subclause (1)(a). Council does not have an adopted policy for the display of advertisements. Further, the area is not undergoing change under an EPI. No other provision of the chapter requires consent to be for a lesser period.

## ▪ 3.18 Location of certain names and logos

- (1) The name or logo of the person who owns or leases an advertisement or advertising structure may appear only within the advertising display area.
- (2) If the advertising display area has no border or surrounds, any such name or logo is to be located—
  - (a) within the advertisement, or
  - (b) within a strip below the advertisement that extends for the full width of the advertisement.
- (3) The area of any such name or logo must not be greater than 0.25 square metres.
- (4) The area of any such strip is to be included in calculating the size of the advertising display area.

The logo for the school is located within the advertising area and forms part of the proposed advertisement. No leasing of the sign is proposed as part of the development

# DEVELOPMENT ASSESSMENT REPORT

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



COOTAMUNDRA-  
GUNDAGAI  
REGIONAL COUNCIL

and as such it is taken that the 0.25sqm restriction does not apply to the subject development. Conditions shall be applied to any consent in this regard.

Content of the sign does not propose any logo or contact details of the owner for the purposes of leasing or advertising the sign.

## ▪ 3.21 Freestanding advertisements

(1) The consent authority may grant consent to the display of a freestanding advertisement only if the advertising structure on which the advertisement is displayed does not protrude above the dominant skyline, including any buildings, structures or tree canopies, when viewed from ground level within a visual catchment of 1 kilometre.

(2) This section does not prevent the consent authority, in the case of a freestanding advertisement on land within a rural or non-urban zone, from granting consent to the display of the advertisement under section 3.13.

Proposed sign would not protrude above the dominant skyline, including any buildings, structures or tree canopies, when viewed from ground level within a visual catchment of 1 kilometre.

## ▪ Schedule 5 Assessment criteria

Schedule 5	
Criteria	Assessment
<b>1 Character of the area</b>	
<i>Is the proposal compatible with the existing or desired future character of the area or locality in which it is proposed to be located?</i>	There are no existing plans or documents outlining Council's desired amenity or future character for the subject area. As a result, Council staff are unable to provide an informed assessment of whether the proposed sign aligns with the intended character and amenity of the area.
<i>Is the proposal consistent with a particular theme for outdoor advertising in the area or locality?</i>	Proposed electronic sign is consistent with signage currently serving other schools within the Gundagai township. Similar electronic signs are located at Gundagai Public School and Gundagai High School. However, the proposed electronic sign is not consistent with any existing outdoor advertising within the immediate Gundagai main street or CBD area within which it is proposed. Signage within the area is predominately business or building identification signs that are not internally illuminated or electronic and are located on the property/building containing the subject business or building.
<b>2 Special areas</b>	

# DEVELOPMENT ASSESSMENT REPORT

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



Does the proposal detract from the amenity or visual quality of any environmentally sensitive areas, heritage areas, natural or other conservation areas, open space areas, waterways, rural landscapes or residential areas?	<p>While not listed as a heritage item under the Gundagai LEP both St Patrick's Church and Patrick's Hall buildings located on the property are identified as having local heritage significance and are recommended to be included in the LEP as heritage items.</p> <p>The subject sign is proposed to be located at the front of the hall replacing the existing. The new sign has a proposed height of 4.3m, at such a height, and noting the location at the top of an embankment the proposal would detract from the heritage value of the building it is proposed to be located before. Reducing the height and locating the sign further down the embankment away from the building would lessen but not remove the impact on the building.</p>
<b>3 Views and vistas</b>	
Does the proposal obscure or compromise important views?	It is not considered that the proposed sign would obscure or compromise any important views or vistas.
Does the proposal dominate the skyline and reduce the quality of vistas?	It is not considered that the proposed sign would dominate the skyline or negatively impact the quality of vistas. Positioned below the existing buildings, the sign does not obstruct or overpower views.
Does the proposal respect the viewing rights of other advertisers?	Proposed sign is replacement of existing sign, as such it does not add to the number of signs within the locality. There are no other advertising signs, beyond building and business identification signs within the immediate area.
<b>4 Streetscape, setting or landscape</b>	
Is the scale, proportion and form of the proposal appropriate for the streetscape, setting or landscape?	The proposed height of the sign is considered disproportionate to the surrounding setting. Reducing the height to no more than 3 meters and relocating the sign further from the building would help lessen its impact on the overall setting.
Does the proposal contribute to the visual interest of the streetscape, setting or landscape?	The proposed sign is not expected to make a significant contribution to the visual interest of the area. However, given that it serves the existing nearby school, the information displayed is considered appropriate for the community, as the school is a key service provider within the local area. Locating the sign on the school site could further enhance its relevance and connection to the community it serves.

# DEVELOPMENT ASSESSMENT REPORT

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



COOTAMUNDRA-  
GUNDAGAI REGIONAL COUNCIL

<i>Does the proposal reduce clutter by rationalising and simplifying existing advertising?</i>	Yes, the proposal seeks to replace the existing sign, with the electronic board allowing for the updating of information. This would reduce the need for multiple signs, offering an ongoing opportunity for rationalization.
<i>Does the proposal screen unsightliness?</i>	The proposed sign would not screen any unsightly or unappealing view or structure.
<i>Does the proposal protrude above buildings, structures or tree canopies in the area or locality?</i>	The proposed sign won't protrude above buildings, it will protrude above the height of some existing street trees noting proposed height and elevated location. This can be reduced by limiting the height of the sign and amending it's proposed location.
<i>Does the proposal require ongoing vegetation management?</i>	No, there is no vegetation within immediate surround of the sign that would require on-going management. Street trees may partially obscure the sign depending on the location it is being viewed from. It would not be appropriate to trim or maintain the trees to be of a height that prevents the sign from being obscured.
<b>5 Site and building</b>	
<i>Is the proposal compatible with the scale, proportion and other characteristics of the site or building, or both, on which the proposed signage is to be located?</i>	Proposed height of the sign as proposed is regarded as being unproportional to the setting. A reduction in height of the sign to being no more than 3m and located further front the building would lessen the impact on the setting.
<i>Does the proposal respect important features of the site or building, or both?</i>	Proposed location would not block any significant views features of the existing hall building but would detract from and the building and it's features and the features of the overall site.
<i>Does the proposal show innovation and imagination in its relationship to the site or building, or both?</i>	Proposed sign does not propose any particularly innovative or imaginative response to the site but would not result in any significant adverse impact.
<b>6. Associated devices and logos with advertisements and advertising structures</b>	
<i>Have any safety devices, platforms, lighting devices or logos been designed as an integral part of the signage or structure on which it is to be displayed?</i>	Proposed lighting forms an integral part of the sign noting it's electronic display.
<b>7 Illumination</b>	
<i>Would illumination result in unacceptable glare?</i>	No, subject to automated adjustment being integrated into the sign.
<i>Would illumination affect safety for pedestrians, vehicles or aircraft?</i>	No, subject to automated adjustment being integrated into the sign to reduce lumens of a night.
<i>Would illumination detract from the amenity of any residence or other form of accommodation?</i>	No, subject to automated adjustment being integrated into the sign to reduce lumens of a night in

# DEVELOPMENT ASSESSMENT REPORT

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



COOTAMUNDRA-  
GUNDAGAI REGIONAL COUNCIL

	addition to timers requiring the sign to turn off. Proposal seeks 24 hour operation however, to reduce impacts on accommodation located on opposite side of Sheridan Street it is recommended that a timer be required and the sign restricted to operate not outside of 7am to 6pm, 7pm during daylight savings. Noted that documents received direct from P&C representative, not the applicant for the development, expressed a willingness for a timer to be installed.
<i>Can the intensity of the illumination be adjusted, if necessary?</i>	Submitted documents suggest this is possible. The requirement can also be reinforced by conditions of consent to ensure compliance.
<i>Is the illumination subject to a curfew?</i>	The application seeks 24 hour operation, however, communications from P&C representative detailed willingness for a curfew to be imposed by Council.
<b>8 Safety</b>	
<i>Would the proposal reduce the safety for any public road?</i>	No, subject to suitable brightness adjustment in low light.
<i>Would the proposal reduce the safety for pedestrians or bicyclists?</i>	No, subject to suitable brightness adjustment in low light.
<i>Would the proposal reduce the safety for pedestrians, particularly children, by obscuring sightlines from public areas?</i>	No, the sign would not obscure sightlines required for drivers or pedestrians.

## Local Environmental Plan (LEP)

The applicable LEP is the Gundagai LEP 2011, and the relevant provisions of the LEP are discussed as follows.

### 1.2 Aims of Plan

The development is not inconsistent the aims of the LEP.

### 1.4 Definitions

**advertising structure** has the same meaning as in the Act.

#### Note—

*The term is defined as a structure used or to be used principally for the display of an advertisement.*

*Advertising structures are a type of **signage**—see the definition of that term in this Dictionary.*

**signage** means any sign, notice, device, representation or advertisement that advertises or promotes any goods, services or events and any structure or vessel that

# DEVELOPMENT ASSESSMENT REPORT

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



*is principally designed for, or that is used for, the display of signage, and includes any of the following—*

- (a) an advertising structure,*
  - (b) a building identification sign,*
  - (c) a business identification sign,*
- but does not include a traffic sign or traffic control facilities.*

## 1.6 Consent authority

The consent authority for the purposes of this Plan is (subject to the Act) the Council.

## 1.9A Suspension of covenants, agreements and instruments

The site contains existing easement but proposed development is located away from restricted areas.

## 2.1 Land use zones

The site is zoned E1 Local Centre, and the proposed development is permitted in the zone with consent.

## 2.3 Zone objectives

The proposed development is not inconsistent with the objectives of the zone.

## 2.7 Demolition requires development consent

Demolition/removal of existing sign promoting the school is proposed as part of the application.

## 5.10 Heritage conservation

There are no heritage items on-site (identified on either the SHR or in the LEP), and the site is not located in a HCA as such the provisions of this clause do not apply.

## 5.21 Flood planning

The land is not in the flood planning area.

## 6.1 Biodiversity protection

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

## 6.2 Land protection

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

## 6.3 Water protection

# DEVELOPMENT ASSESSMENT REPORT

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



This clause applies to land that is identified as “sensitive land” on the *Natural Resources Sensitivity Water Map*, the site mapped as being affected, and accordingly this clause is applicable.

In considering the provisions of this clause it is noted that the proposed sign will not result in discharge of any pollutants which could adversely impact natural water resources. A small amount of excavation associated with construction of footings is proposed and risk of sediment entering waterways managed through conditions requiring sediment and erosion controls during construction.

## 6.5 Earthworks

A small amount of excavation associated with construction of footings is proposed and risk of sediment entering waterways managed through conditions requiring sediment and erosion controls during construction.

## 6.6 Essential Services

Council must be satisfied that any of the following services that are essential for the proposed development are available or that adequate arrangements have been made to make them available when required—

- (a) the supply of water – not required for proposed development
- (b) the supply of electricity – existing connection
- (c) the disposal and management of sewage - not required for proposed development
- (d) stormwater drainage or on-site conservation - not required for proposed development
- (e) suitable road access - not required for proposed development

### **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 former Gundagai Shire Council did not have a Development Control Plan (DCP).

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



# DEVELOPMENT ASSESSMENT REPORT

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



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:

### Section 61 (Additional matters for consideration): -

- Demolition of the existing sign is proposed. Conditions shall be applied to any consent requiring demolition works to comply with AS 2601,
- 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, Wagga LEP or Moree Plains LEP applies to,

### Section 62 (Consideration of fire safety)

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

### Section 63 (Considerations for erection of temporary structures)

- the development is not for a temporary structure.

### Section 64 (Consent authority may require upgrade of buildings)

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

### Section 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 development is inconsistent with the context and setting of the site. St Patrick's Church, presbytery, and hall collectively contribute to the site's historic character. The hall, erected in 1924, holds local heritage significance despite not being formally listed as a heritage item under the LEP. The proposed electronic sign, to be located in front of the hall facing Sheridan Street, is not in keeping with the site's established character or heritage value. Its modern appearance would detract from the hall's traditional aesthetic and disrupt the cohesive historical streetscape. While not formally designated as a heritage item, the site's cultural and architectural significance warrants careful consideration, and the placement of an electronic sign would create a visually intrusive element within the existing streetscape.

## DEVELOPMENT ASSESSMENT REPORT

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



COOTAMUNDRA-  
GUNDAGAI  
REGIONAL COUNCIL

### ***Access, Transport and Traffic:***

Vehicle access to the proposed sign is not required.

The application was referred to Council's engineering team, who raised no concerns regarding the safety of the intersection for vehicles or pedestrians. However, to mitigate potential impacts at night or in low-light conditions, an automatic luminance/brightness adjustment must be installed to ensure the sign does not create visibility issues.

### ***Public Domain:***

The proposed sign would be highly visible from the public domain due to its prominent location along the main street of Gundagai and its elevated position on an embankment in front of a building of local heritage value. The visual impact of the sign could be mitigated by reducing its height, repositioning it lower on the embankment, and restricting its operating hours. While these measures would lessen the impact, they would not eliminate it entirely.

### ***Utilities:***

The proposed development is not anticipated to result in any adverse impacts on existing utilities or services in the area.

### ***Heritage:***

The application has been referred to council heritage advisor for comment, noting that the site does have local heritage significance despite not being listed as a heritage item.

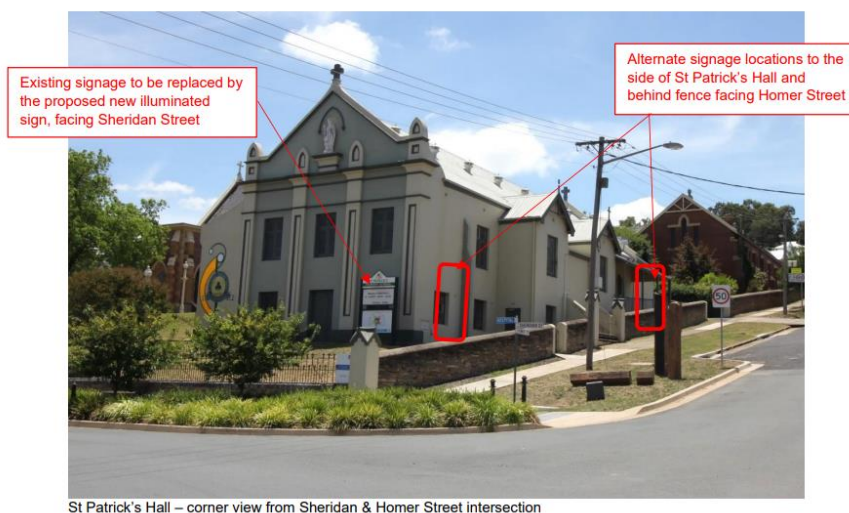
Original comments were received on 13 November 2024. Comments:-

- Sought a change in location of the proposed advertising structure, to shift the structure to not be in front of the Sheridan Street façade of St Patrick's Hall;
- A reduction in height to a maximum of 3m

Alternate locations suggested by council's heritage advisor where identified below:

# DEVELOPMENT ASSESSMENT REPORT

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



A request for additional information was issued to the applicant on 14 November 2025, the request included a copy of the heritage report and sought that the applicant give consideration to amending the proposed location in accordance with the recommendations of the heritage advisor.

A response was received from P&C representative on 27 November noting the following in regard to the recommended alternative locations, noting the following.

*"We visited the site yesterday to see if the heritage advisor's suggested site locations for the sign would work. Unfortunately we do not believe that it is possible to put the sign to the side of the building. The location immediately around the corner from the current site is where the water mains are located and what appears to be an electrical cable coming out of the building and going underground. Secondly we also believe that the sign will be too close to the overhead power lines and present issues for Essential Energy."*

*The second suggested location further up the hill also presents the same problem with the overhead power lines and furthermore there is no space between the ramp and rock wall that borders the property to complete the work. It is also the main access point for entry to the Church and Presbytery which also makes it a less than ideal location.*

*We believe the current site is the best location and would be prepared to redesign the sign to fit with the style of the building and consider reducing the overall height to 3.5m. We would also be happy to consider moving the sign down the slope away from the building, but still facing Sheridan Street. We believe that moving the sign downslope and swinging it to face Homer Street would present the back of the sign to Sheridan Street and be aesthetically displeasing to the surrounding businesses. Lauren, I also feel the need to clarify that the intent*

## DEVELOPMENT ASSESSMENT REPORT

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



*to replace the current sign with a modern equivalent arises from a desire to protect staff from a work safety point of view"*

A revised report from the Heritage Advisor was received on 24 January 2025 (attached).

Recommendation detailed:

- Reduction in height to maximum of 3m
- Separation between the structure and building
- Restriction in hours of operation of the electronic display.

The advisor while recommending the above noted that "In summary, the proposed new "Electronic / illuminated" signage to be placed adjacent St Patrick's Church Hall for St Patrick's School where the location of the sign although not attached to the building, the illuminated sign will have an impact on the significance and setting of the Sheridan Street, Gundagai."

### **Other Land Resources:**

The proposed development is not expected to have any significant detrimental impact on land resources. The proposed advertising structure does not involve any activities likely to degrade the land or its resources.

### **Water:**

The proposed development is not expected to result in any significant adverse impacts on the groundwater systems, drinking water catchments, or natural waterways.

### **Soil:**

The proposed development is not anticipated to result in adverse soil impacts. The works do not include significant amounts of earthworks, with appropriate measures implemented to manage erosion and sedimentation during construction. No significant alteration to the sites natural soil profile or drainage is expected.

### **Air and Microclimate:**

The proposed development is not expected to adversely impact air quality or the local microclimate. The nature and scale of the project will generate minimal emissions during construction, which can be effectively managed through standard dust separation measures. Once complete, the development would have negligible ongoing effects on air quality or climatic conditions in the area.

### **Flora and Fauna:**

The development would not result in any significant adverse impact on flora or fauna. The site of the proposed sign is clear of any existing trees or vegetation beyond groundcover.

### **Waste:**

The development would not result in any ongoing waste.

## DEVELOPMENT ASSESSMENT REPORT

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



A condition shall be applied to any consent requiring appropriate disposal of the demolished sign.

### **Energy:**

The proposed development would not have a significant energy demand.

### **Noise and Vibration**

The development would not generate noise or vibration.

### **Natural Hazards:**

The site is not bushfire or flood prone. It is mapped as high potential for naturally occurring asbestos as addressed above. A condition shall be applied to any consent advising of the risk that NOA may be encountered and detailing required actions if that occurs.

### **Technological hazards**

No significant adverse impacts anticipated as a result of the proposed development. Conditions sought by Essential Energy to be imposed as a precaution noting inability to confirm accuracy of their infrastructure map.

### **Safety, security and crime prevention**

The proposed development is unlikely to impact safety, security or crime prevention for the area.

### **Social Impacts in the Locality:**

The proposed development has the potential to generate glare and light pollution, leading to adverse social impacts. These risks can be mitigated through measures such as restricting operating hours and implementing an automatic luminance adjustment system to regulate brightness levels.

### **Economic Impact in the Locality:**

The development is unlikely to generate either positive or adverse economic impacts for the area.

### **Site Design and Internal Design:**

The proposed sign's placement on an elevated embankment in front of a locally significant heritage building raises concerns regarding its integration with the site's historical context. The positioning and scale of the sign do not align with the established character of the site and may detract from its visual and heritage value, the impacts of which can be reduced but not removed.

In terms of internal design, the sign's functionality, including its brightness and operational settings, should be carefully managed to minimise adverse impacts on the surrounding environment. Implementing automatic luminance adjustment and restricting operating hours would help mitigate potential light pollution and glare, reducing its overall impact on both the site and the broader public domain.

# DEVELOPMENT ASSESSMENT REPORT

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



## **Construction Matters:**

No issues identified that would prevent construction complying the Building Code of Australia.

## **Cumulative impacts**

Proposed removal of the existing freestanding sign from the site reduces cumulative impacts of the development.

### **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, given the size of the property, the likely impacts and the setbacks proposed. It is considered that the air quality and microclimate are appropriate for the development, and there are no hazardous landuses or activities nearby, and ambient noise levels are suitable for the development.

#### ***Are the site attributes conducive to development ?***

The site is not subject to natural hazards including flooding, bushfire, subsidence, slip or mass movement. The soil characteristics are appropriate for the development, and there are no critical habitats, or threatened species, populations, ecological communities or habitats on the site. The development would not prejudice development 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. The issue of easements has been discussed above.

Overall, the proposal would not contravene the public interest.

## **OTHER MATTERS:**

# DEVELOPMENT ASSESSMENT REPORT

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



## 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 “Development Generating Heavy Vehicle Usage of Local Road” contribution plan, 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, applies to the land and this development, based on the following costings:

Proposed Cost of the Development	Maximum Percentage of the Levy	Contribution payable
Up to \$100,000	Nil	applicable
\$100,001-\$200,000	0.5 %	N/A
\$200,001 +	1 %	N/A

## Section 64 water and sewer contributions policies:

There are no water or sewer contribution plans that apply to the former Gundagai LEP.

## 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:

Council has considered all matters under the relevant legislation, and it considers that the proposed development is appropriate having regard to those matters, and that any impacts

## DEVELOPMENT ASSESSMENT REPORT

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



can be managed through appropriate conditions. It has been determined that there are no reasonable grounds upon which to refuse the application.

### RECOMMENDATION:

#### Determination:

That Council give consideration to the desired future character of the Gundagai main street prior to either approving the development subject to conditions or refusing the proposed development.

- Application No.: DA 2024/108
- Property: Lot: 22 DP: 1078525  
107 Sheridan Street GUNDAGAI
- Development: Demolition of existing advertising structure and erection of a new advertising structure with electronic signboard for the purpose of advertising associated with St Patrick's School.

#### Conditions:

See accompanying Draft Notice of Determination.

### REASONS FOR CONDITIONS:

- To confirm the details of the application as submitted by the applicant and as approved by Council;
- To manage any inconsistencies between the approved plan/documents and conditions of consent;
- To achieve the objectives of section 1.3 of the *Environmental Planning and Assessment Act 1979*, having regard to the relevant matters for consideration contained in section 4.15 of the Act and the Environmental Planning Instruments applying to the land;
- To ensure necessary approvals are applied for and are in force, before the facility operates;
- To reduce impacts of the proposed development on the locality and surrounding premises;
- To protect the amenity of the local environment, residents and adjoining landowners; and
- To ensure the development complies with all relevant legislation, Regulations, standards and approvals.

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



## DEVELOPMENT ASSESSMENT REPORT

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



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 proposed development is not inconsistent with the objectives of the zone,
- the proposed development is permitted in the zone,
- the proposed development does not compromise the relevant Environmental Planning Instruments,
- the proposal will be compatible with the built form and character, established by existing developments in the area,
- any potential concerns have been ameliorated by appropriate conditions, with those conditions ensuring compliance with relevant legislation, Regulations and standards;
- the proposal is not inconsistent with the key planning provisions contained within the applicable environmental planning instruments,
- the proposal will have an acceptable environmental impact, and
- the proposal is consistent with the zone and desired future character of the area.

### DEVELOPMENT ASSESSMENT SIGNING OFFICER:

Lauren Dawes

11 February 2025

## **COOTAMUNDRA-GUNDAGAI REGIONAL COUNCIL**

### **HERITAGE REPORT**

To: Cootamundra-Gundagai Regional Council

JAN 2025

By: Noel Thomson – Heritage Advisor

Subject: Proposed replacement signage at St Patricks Hall,  
107 Sheridan St, Gundagai

DA No,: DA2024/108

#### **PROPOSED SIGNAGE AT ST PATRICKS HALL, 107 SHERIDAN ST, GUNDAGAI**

Noel Thomson, Heritage Advisor to the Cootamundra-Gundagai Regional Council has received Development Application (DA2024/108) documentation regarding the proposed replacement / new illuminated signage to the south end of St Patrick's Hall at 107 Sheridan Street, Gundagai and having reviewed the documentation the following advice is provided;

It is noted that the St Patrick's Church buildings at 107 Sheridan Street, Gundagai are not currently a heritage item or part of any Heritage Conservation Area listed in the Gundagai Local Environmental Plan 2011 despite having significance to the Gundagai. It is recommended that the building be officially added to the Heritage Register for the Local Government Area at the next available opportunity with the Dept of Planning. The following report will discuss the proposed new illuminated signage to the building and the impacts of this development.



Google Maps: Aerial Image of St Patricks – 107 Sheridan St, Gundagai

With reference to Gundagai Heritage Study (Comber Consultants-2006), the significance of St Patrick's Church, the history of the building and the Catholic Community of Gundagai is as follows: *"The foundation stone for a new larger church was laid in 1883. Fr Finnigan opened the new St Patrick's Church in 1885. Donations of 600 Pounds towards building costs were collected on the day. The Neo Gothic Style Church is positioned on a prominent site on Sheridan St. The former church continued to be used by the Catholic School. St Patrick's was extended c1953 while Fr Leonards was Gundagai's parish priest. Bishop Young blessed the work on 23 August 1953. Fr Leonard served the parish for 23 years. St Patrick's Presbytery was built c.1890 and converted for use by St Patrick's School in 1979. St Patricks Catholic Church and Presbytery are included in the Register of the National Trust of Australia (NSW) as part of the St Patrick's Church Group."*

## COOTAMUNDRA-GUNDAGAI REGIONAL COUNCIL

### HERITAGE REPORT

Noel Thomson notes that the Statement of Environmental Effects submitted with the application does not address the brightness/illumination of the proposed signage, nor the hours of operation. The specification for the LED screen is for a “P6 Pixel Resolution SMD Full Colour Single Sided LED Digital Sign” set in an aluminium Outdoor H Frame style with a screen size of 1647mm wide x 1000mm high – see extract adjacent. Subsequent to the Heritage Report to Council in Nov 2024, the applicant has provided additional information in email (24 Nov 2024)

– see extract below;

- 1. The sign will be installed with an automatic brightness sensor which measures the ambient light around it and adjusts the screen's brightness accordingly.*
- 2. Maximum Brightness is 5500 Lumens. At nighttime, the brightness sensor will reduce the brightness of the sign down to 5-10% of its maximum brightness, depending on the ambient light around it (street lights etc) which would equate to 275 - 550 lumens at nighttime.*
- 3. The sign can be set to turn on/off at desired times so could be turned off at night time all together if that's easier/ more appealing to the public and we have no objection to this.*



Noel Thomson notes that the signage as proposed with its location in front of the hall facing Sheridan Street will have an impact this prominent building, despite not having a heritage listing. Recommendation is that the proposed sign be to an overall maximum sign height of 3000mm, not as per drawing JDS001a\_b which indicates that the overall height of the sign is 4300mm high with NT noting that this is not appropriate. NT also notes that the proposed colours are relate to the school and along with the LED illumination this proposed sign will stand out against the historic styling of the building, detracting from its aesthetic and heritage significance. On review, recommendation is for the sign to be located say 1000-1500mm away from the building and slightly down the slope to ensure adequate area for building maintenance / future painting – as indicated on the following photographs + refer to the markup of the attached drawing and above sign image which is to 'scale'.

In summary, the proposed new “electronic / illuminated” signage to be placed adjacent St Patrick’s Church Hall for St Patrick’s School where the location of the sign although not attached to the building, the illuminated sign will have an impact on the significance and setting of the Sheridan Street, Gundagai. Firstly, recommendation is for the overall sign height be reduced and that the placement of the “electronic / illuminated” sign be away from the building / slightly down the slope. Secondly recommendation is for ‘condition of consent’ that restricts its operating times and brightness of the “electronic sign”, indicated by the applicant in recent email as part of the DA approval by Council.

Trusting this foregoing advice is of assistance and if any queries please call.

NOEL THOMSON FRAIA  
COOTAMUNDRA-GUNDAGAI REGIONAL COUNCIL HERITAGE ADVISOR



## COOTAMUNDRA-GUNDAGAI REGIONAL COUNCIL HERITAGE REPORT

### Building / Street Photographs

2024



St Patrick's Hall – elevation facing Sheridan Street



St Patrick's Hall – corner view from Sheridan & Homer Street intersection



**COOTAMUNDRA-  
GUNDAGAI** REGIONAL  
COUNCIL

ABN: 46 211 642 339  
PO Box 420, Cootamundra NSW 2590  
Email: [mail@cgrc.nsw.gov.au](mailto:mail@cgrc.nsw.gov.au)  
[www.cgrc.nsw.gov.au](http://www.cgrc.nsw.gov.au)

**Cootamundra Office**  
81 Wallendoon Street,  
Cootamundra NSW 2590  
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

<b>Application number</b>	DA 2024/108 PAN-470574
<b>Applicant</b>	Geoff Whitnall 54 Franklin Street Manuka ACT 2603
<b>Description of development</b>	Demolition of existing advertising structure and erection of a new advertising structure with electronic signboard for the purpose of advertising associated with St Patrick's School.
<b>Property</b>	107 SHERIDAN STREET GUNDAGAI 2722 22/-/DP1078525
<b>Determination</b>	Approved Consent Authority - Council
<b>Date of determination</b>	25/02/25
<b>Date from which the consent operates</b>	25/02/25
<b>Date on which the consent lapses</b>	25/02/30

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.

### Reasons for approval

DA 2024/108

1

Council has considered all matters under the relevant legislation, and it considers that the proposed development is appropriate having regard to those matters, and that any impacts can be managed through appropriate conditions. It has been determined that there are no reasonable grounds upon which to refuse the application.

**Right of appeal / review of 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 months 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.

Lauren Dawes  
Senior Building Surveyor  
Person on behalf of the consent authority

### 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

1	<p><b>Compliance with Building Code of Australia and insurance requirements under Home Building Act 1989</b></p> <ol style="list-style-type: none"> <li>1. 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.</li> <li>2. 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.</li> <li>3. 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.</li> <li>4. 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.</li> <li>5. 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.</li> <li>6. This section does not apply— <ol style="list-style-type: none"> <li>a. 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</li> <li>b. to the erection of a temporary building, other than a temporary structure to which subsection (3) applies.</li> </ol> </li> </ol> <p><b>Condition reason:</b> Prescribed condition under section 69 of the Environmental Planning and Assessment Regulation 2021.</p>
2	<p><b>Erection of signs</b></p> <ol style="list-style-type: none"> <li>1. This section applies to a development consent for development involving building work, subdivision work or demolition work.</li> <li>2. 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— <ol style="list-style-type: none"> <li>a. showing the name, address and telephone number of the principal certifier for the work, and</li> </ol> </li> </ol>

	<div><div><div><div><div><div></div><div>b. 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</div><div>c. stating that unauthorised entry to the work site is prohibited.</div></div></div><div><div>3. The sign must be—</div><div><div>a. maintained while the building work, subdivision work or demolition work is being carried out, and</div><div>b. removed when the work has been completed.</div></div></div><div><div>4. This section does not apply in relation to—</div><div><div>a. 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</div><div>b. Crown building work certified to comply with the Building Code of Australia under the Act, Part 6.</div></div></div></div></div></div>																		
	<div><div><div>Condition reason:</div><div>Prescribed condition under section 70 of the Environmental Planning and Assessment Regulation 2021.</div></div></div>																		
3	<div><div><div>Approved plans and supporting documentation</div><div>Development must be carried out in accordance with the following approved plans and documents, except where the conditions of this consent expressly require otherwise.</div><div><div>Approved plans</div><table><tr><th>Plan number</th><th>Revision number</th><th>Plan title</th><th>Drawn by</th><th>Date of plan</th></tr><tr><td>Job no. JDS001A_b</td><td>0</td><td>H Frame Freestanding sign FS [2.2x5]</td><td>VISTEK - handwritten markups by Noel Thompson CGRC Heritage Advisor</td><td>15 MAY 2024</td></tr></table></div><div><div>Approved documents</div><table><tr><th>Document title</th><th>Version number</th><th>Prepared by</th><th>Date of document</th></tr><tr><td>Statement of Environmental Effects</td><td>-</td><td>St Patrick's Primary School, Gundagai</td><td>-</td></tr></table></div><div><div>In the event of any inconsistency with the approved plans and a condition of this consent, the condition prevails.</div><div><div>Condition reason:</div><div>To ensure all parties are aware of the approved plans and supporting documentation that applies to the development.</div></div></div></div></div>	Plan number	Revision number	Plan title	Drawn by	Date of plan	Job no. JDS001A_b	0	H Frame Freestanding sign FS [2.2x5]	VISTEK - handwritten markups by Noel Thompson CGRC Heritage Advisor	15 MAY 2024	Document title	Version number	Prepared by	Date of document	Statement of Environmental Effects	-	St Patrick's Primary School, Gundagai	-
Plan number	Revision number	Plan title	Drawn by	Date of plan															
Job no. JDS001A_b	0	H Frame Freestanding sign FS [2.2x5]	VISTEK - handwritten markups by Noel Thompson CGRC Heritage Advisor	15 MAY 2024															
Document title	Version number	Prepared by	Date of document																
Statement of Environmental Effects	-	St Patrick's Primary School, Gundagai	-																
4	<div><div><div>Removal of Advertising Structure</div><div>The advertising structure subject of this consent must be completely removed within 7 days of the 15th anniversary of the date of this consent, at the expense of the proponent</div></div></div>																		



	or owner of the land. The site must be reinstated to a tidy and safe condition to the satisfaction of the consent authority.
	<b>Condition reason:</b> Provisions of Section 3.12 Duration of consents under State Environmental Planning Policy (Industry and Employment) 2021, prevents consent being issued for a duration of more than 15 years

### Building Work

#### Before issue of a construction certificate

5	<b>Design amendments</b>
	Before the issue of a construction certificate, the certifier must ensure the construction certificate plans and specifications detail the following required amendments to the approved plans and documents: <ol style="list-style-type: none"> <li>1. Reducing the height of the proposed advertising structure to be not more than 3m above existing ground level and corresponding to markups provided in red on the approved plans.</li> <li>2. Increasing the setback between St Patrick's Hall and the proposed advertising structure to be 1.5m to ensure suitable access to the facade of the hall for maintenance.</li> </ol>
	<b>Condition reason:</b> To require minor amendments to the plans endorsed by the consent authority following assessment of the development.

#### Before building work commences

6	<b>Appointment of a Principal Certifier</b>
	Prior to the commencement of any construction works, the person having benefit of this Development Consent must appoint a Principal Certifier.
	<b>Condition reason:</b> To ensure legislative requirements are met.
7	<b>Construction Certificate</b>
	A Construction Certificate must be submitted 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.
	<b>Condition reason:</b> To ensure compliance with the requirements of the Environmental Planning and Assessment Regulation 2021.
8	<b>Erosion and sediment controls in place</b>

	<p>Before any site work commences, the Principal Certifier, must be satisfied that erosion and sediment controls are in place. These controls must remain in place until any bare earth has been restabilised in accordance with 'Managing Urban Stormwater: Soils and Construction' prepared by Landcom (the Blue Book) (as amended from time to time).</p> <p><b>Condition reason:</b> To ensure sediment laden runoff and site debris do not impact local stormwater systems and waterways.</p>
9	<p><b>Notice of intention to commence building work</b></p> <p>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.</p> <p><b>Condition reason:</b> To ensure legislative requirements are met</p>
10	<p><b>Underground Services</b></p> <p>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.</p> <p><b>Condition reason:</b> To ensure the utility services are protected and satisfactory for the proposed development.</p>
11	<p><b>Naturally occurring asbestos – notification of trades and contractors</b></p> <p>Prior to the commencement of any ground penetrating works the proponent is required to advise all contractors engaged of the potential that naturally occurring asbestos may be encountered.</p> <p>If naturally occurring asbestos material is encountered during excavation works on site, the works are to cease immediately, and Council is to be notified.</p> <p>Interception of any naturally occurring asbestos will require specific processes to be implemented to secure the site and to manage any further works in accordance with the requirements of SafeWork NSW.</p> <p><b>Condition reason:</b> To protect to the health and safety of persons on and adjoining the site and to facilitate preparation of appropriate management measures in accordance with the requirements of SafeWork NSW</p>
12	<p><b>Before You Dig</b></p> <p>Prior to carrying out works, a 'Before You Dig' enquiry should be undertaken in accordance with the requirements of Part 5E (Protection of Underground Electricity Power Lines) of the Electricity Supply Act 1995 (NSW).</p> <p><b>Condition reason:</b> Essential Energy recommended condition</p>
13	<p><b>Responsibilities of Person/s Undertaking Works</b></p>

	It is the responsibility of person/s completing any works around powerlines to understand their safety responsibilities. SafeWork NSW ( <a href="http://www.safework.nsw.gov.au">www.safework.nsw.gov.au</a> ) has publications that provide guidance when working close to electricity infrastructure. these include Code of Practice - Work near Overhead Power Lines and Code of Practice - Work near Underground Assets.
	<b>Condition reason:</b> Essential Energy recommended condition

**During building work**

14	<b>Discovery of relics and Aboriginal objects</b>
	<p>While site work is being carried out, if a person reasonably suspects a relic or Aboriginal object is discovered:</p> <ul style="list-style-type: none"> <li>a. the work in the area of the discovery must cease immediately;</li> <li>b. the following must be notified <ul style="list-style-type: none"> <li>• for a relic – the Heritage Council; or</li> <li>• for an Aboriginal object – the person who is the authority for the protection of Aboriginal objects and Aboriginal places in New South Wales under the <i>National Parks and Wildlife Act 1974</i>, section 85.</li> </ul> </li> </ul> <p>Site work may recommence at a time confirmed in writing by:</p> <ul style="list-style-type: none"> <li>a. for a relic – the Heritage Council; or</li> <li>b. for an Aboriginal object – the person who is the authority for the protection of Aboriginal objects and Aboriginal places in New South Wales under the <i>National Parks and Wildlife Act 1974</i>, section 85.</li> </ul>
	<b>Condition reason:</b> To ensure the protection of objects of potential significance during works.
15	<b>Procedure for critical stage inspections</b>
	<p>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.</p> <p><b>Condition reason:</b> To require approval to proceed with building work following each critical stage inspection.</p>
16	<b>Responsibility for changes to public infrastructure</b>
	<p>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.</p>

	<b>Condition reason:</b> To ensure payment of approved changes to public infrastructure.
17	<b>Soil management</b>  While site work is being carried out, the principal certifier must be satisfied all soil removed from or imported to the site is managed in accordance with the following requirements: <ul style="list-style-type: none"> <li>a. All excavated material removed from the site must be classified in accordance with the Environment Protection Authority's Waste Classification Guidelines before it is disposed of at an approved waste management facility or otherwise lawfully managed, and the classification, and the volume of material removed, and the receival facility's details must be reported to <b>principal certifier</b>.</li> <li>b. All fill material imported to the site must be:                             <ul style="list-style-type: none"> <li>a. Virgin Excavated Natural Material as defined in Schedule 1 of the <i>Protection of the Environment Operations Act 1997</i>; or</li> <li>b. a material identified as being subject to a resource recovery exemption by the NSW EPA; or</li> <li>c. a combination of Virgin Excavated Natural Material as defined in Schedule 1 of the <i>Protection of the Environment Operations Act 1997</i> and a material identified as being subject to a resource recovery exemption by the NSW EPA.</li> </ul> </li> </ul>
	<b>Condition reason:</b> To ensure soil removed from the site is appropriately disposed of and soil imported to the site is not contaminated and is safe for future occupants.
18	<b>Approved Plans</b>  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.  <b>Condition reason:</b> To ensure compliance with relevant plans and approvals
19	<b>Deliveries</b>  While site work is being carried out, deliveries of material and equipment must only be carried out between— <ul style="list-style-type: none"> <li>• Mondays to Fridays - 7:00am to 6:00pm;</li> <li>• Saturdays - 8:00am to 1:00pm;</li> <li>• No work permitted on Sundays and Public Holidays.</li> </ul>
	<b>Condition reason:</b> To protect the amenity of neighbouring properties.
20	<b>Earthworks</b>  No earthworks are permitted to be undertaken beyond those detailed on the approved plans.  <b>Condition reason:</b> To ensure that the development is consistent with the approval
21	<b>Footpath Storage</b>

	Building materials are not to be stored on Council footway or nature strip at any time. <b>Condition reason:</b> To ensure an adequate level of public safety is maintained.
22	<b>Hours of Work</b>  Site work must only be carried out between the following times – <ul style="list-style-type: none"><li>• Mondays to Fridays - 7:00am to 6:00pm;</li><li>• Saturdays - 8:00am to 1:00pm; and</li><li>• No work is permitted on Sundays and Public Holidays.</li></ul> 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. <b>Condition reason:</b> To protect the amenity of the surrounding area.
23	<b>Activities Near Electrical Infrastructure</b>  Any activities in proximity to electrical infrastructure must be undertaken in accordance with the latest industry guideline currently known as ISSC 20 guideline for Management of Activities within electrical Easements and Close to Infrastructure. <b>Condition reason:</b> Essential Energy recommended condition

**Before issue of an occupation certificate**

24	<b>Repair of infrastructure</b>  Before the issue of an Occupation Certificate: <ol style="list-style-type: none"><li>1. 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</li><li>2. 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 and in the first instance will be paid using the security deposit required to be paid under this consent.</li></ol> <b>Condition reason:</b> To ensure any damage to public infrastructure is rectified.
----	--

**Occupation and ongoing use**

25	<b>Advertising Content Restriction</b>  The approved sign shall only be used to display content directly associated with St Patrick's Primary School, Gundagai. Advertising of third-party businesses, services, or events not related to the school is not permitted.
----	--

	<b>Condition reason:</b> To ensure the sign remains consistent with the intended purpose and to prevent unrelated third-party advertising within the public domain.
26	<b>Operating Hours Limitation</b>  The electronic display shall only operate between the hours of 7:00 AM and 7:00 PM, daily, during daylight savings time, and between 7:00 AM and 6:00 PM during non-daylight saving time. On up to four occasions per year, the sign may operate until 9:00 PM for events at St Patrick's Primary School. Council must be notified in writing not less than one week prior to any event where extended operating hours are intended.  <b>Condition reason:</b> To minimise the impact of the electronic display on the surrounding area while allowing flexibility for special events at the school. The notification requirement ensures Council is informed of any extended operating hours.
27	<b>Automatic Brightness Adjustment</b>  The electronic display shall be equipped with an automatic brightness adjustment system that adjusts the luminance based on ambient light levels to prevent excessive glare and light pollution, particularly during night-time or low-light conditions. The automatic brightness adjustment system must be maintained for the life of the development.  <b>Condition reason:</b> To minimise light pollution and ensure the electronic display does not cause excessive glare or visual disturbance, particularly during the evening and in low-light conditions.
28	<b>Operation and Display Standards</b>  The operation of the electronic sign must be managed in a manner that prevents excessive brightness, flashing images, or flashing text. The display shall not cause a distraction or adverse impact on drivers or occupants of surrounding premises, ensuring safety and minimising disturbance to the surrounding environment.  <b>Condition reason:</b> To ensure safety of vehicles and pedestrians and minimise impacts to surrounding premises.
29	<b>Maintenance of Advertising Structure</b>  The approved advertising structure must be maintained for the life of the development in a safe, secure, and structurally sound condition. The signage must be kept clean, free from damage, vandalism, or excessive deterioration. If the sign becomes faded, damaged, or otherwise falls into disrepair, it must be promptly repaired to ensure it remains in a visually acceptable and functional state.  <b>Condition reason:</b> To ensure the advertising structure remains safe, visually acceptable, and does not detract from the amenity of the area or pose a risk to public safety.
30	<b>Relevance of the Advertising Structure</b>  If the approved advertising structure is no longer in use or no longer relevant to the premises or activities it is approved for, it must be removed by the proponent or the owner of the land within 30 days, and the site must be reinstated to a tidy and safe condition to the satisfaction of the consent authority.

	<b>Condition reason:</b> To prevent redundant signage from contributing to visual clutter, ensure the site remains visually appealing.
--	--

### 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](#). 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.

## 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.

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

SIGNATURE AND SEALS ONLY.

THE TRUSTEES OF THE ROMAN CATHOLIC CHURCH FOR THE ARCHDIOCESE OF CANBERRA AND GUNBURN

Francis P. Carroll  
FRANCIS PATRICK CARROLL  
ARCHBISHOP OF CANBERRA  
AND GUNBURN

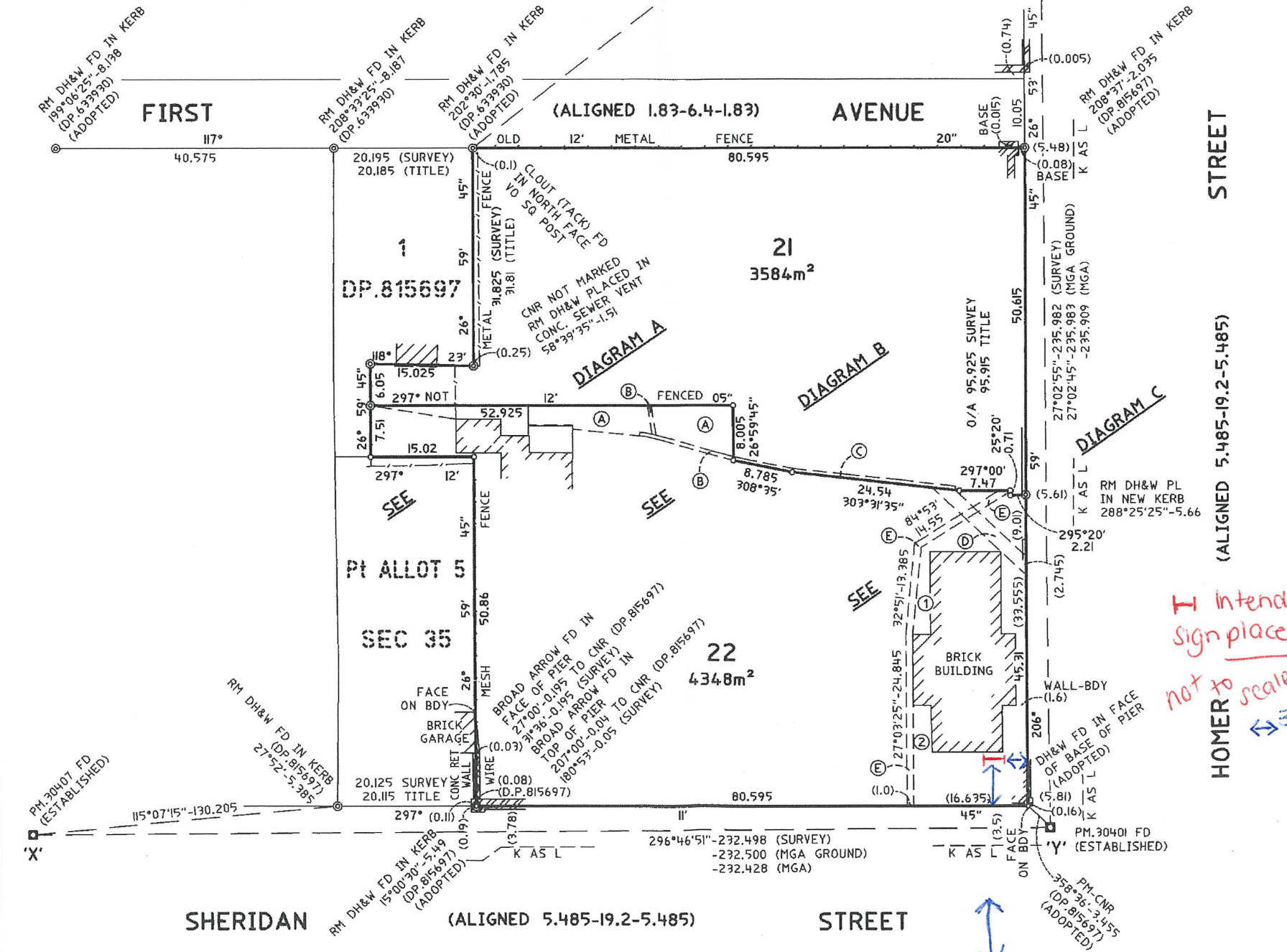
TRUSTEE

SURVEYING REGULATION 2001 CLAUSE 32(2)				
M.G.A. COORDINATES - ZONE 55				
MARK	EASTING	NORTHING	CLASS	ORDER
PM 30401	600 977.970	6 119 145.625	B	U
PM 30407	600 770.473	6 119 250.352	B	U
PM 30398	601 085.239	6 119 355.736	B	U

SOURCE: MGA CO-ORDINATES ADOPTED FROM SCIMS 19/05/04  
COMBINED SEA LEVEL & SCALE FACTOR 0.999691

SHORT LINE TABLE		
No.	BEARING	DISTANCE
1	212° 51' 05"	12.845
2	207° 03' 25"	24.8

- (A) EASEMENT FOR ACCESS VARIABLE WIDTH
- (B) EASEMENT FOR DRAINAGE OF WATER 0.55 WIDE
- (C) EASEMENT FOR DRAINAGE OF WATER 0.55 WIDE
- (D) EASEMENT FOR DRAINAGE OF WATER 2 WIDE
- (E) EASEMENT FOR DRAINAGE OF SEWAGE 1 WIDE



Crown Lands Office Approval  
AN APPROVED .....  
Land District .....  
Paper No. ....  
Field Book ..... pages

Subdivision Certificate  
I hereby certify that the provisions of s.109J of the Environmental Planning and Assessment Act 1979 have been satisfied in relation to the proposed subdivision.  
Subdivision ..... set out herein  
\* (insert "subdivision" or "new road")  
4.0.9. Ticker  
\* Authorised Person/General Manager/Accredited Certifier  
Consent Authority: Gundagai Shire Council  
Date of endorsement: 21 December 2004  
Accreditation no.:  
Subdivision Certificate no.: 108-03/04  
File no.:  
Note: When the plan is to be lodged electronically in the land Titles Office, it should include a signature in an electronic or digital format approved by the Registrar-General.  
\* Delete whichever is inapplicable

DP1078525

Registered 4-2-2005

Title System: TORRENS

Purpose: SUBDIVISION

Ref map: GUNDAGAI SH. 20 #

Last Plan: DP815697

PLAN OF SUBDIVISION OF  
LOT 2 IN D.P.815697.

Lengths are in metres. Reduction Ratio 1:500

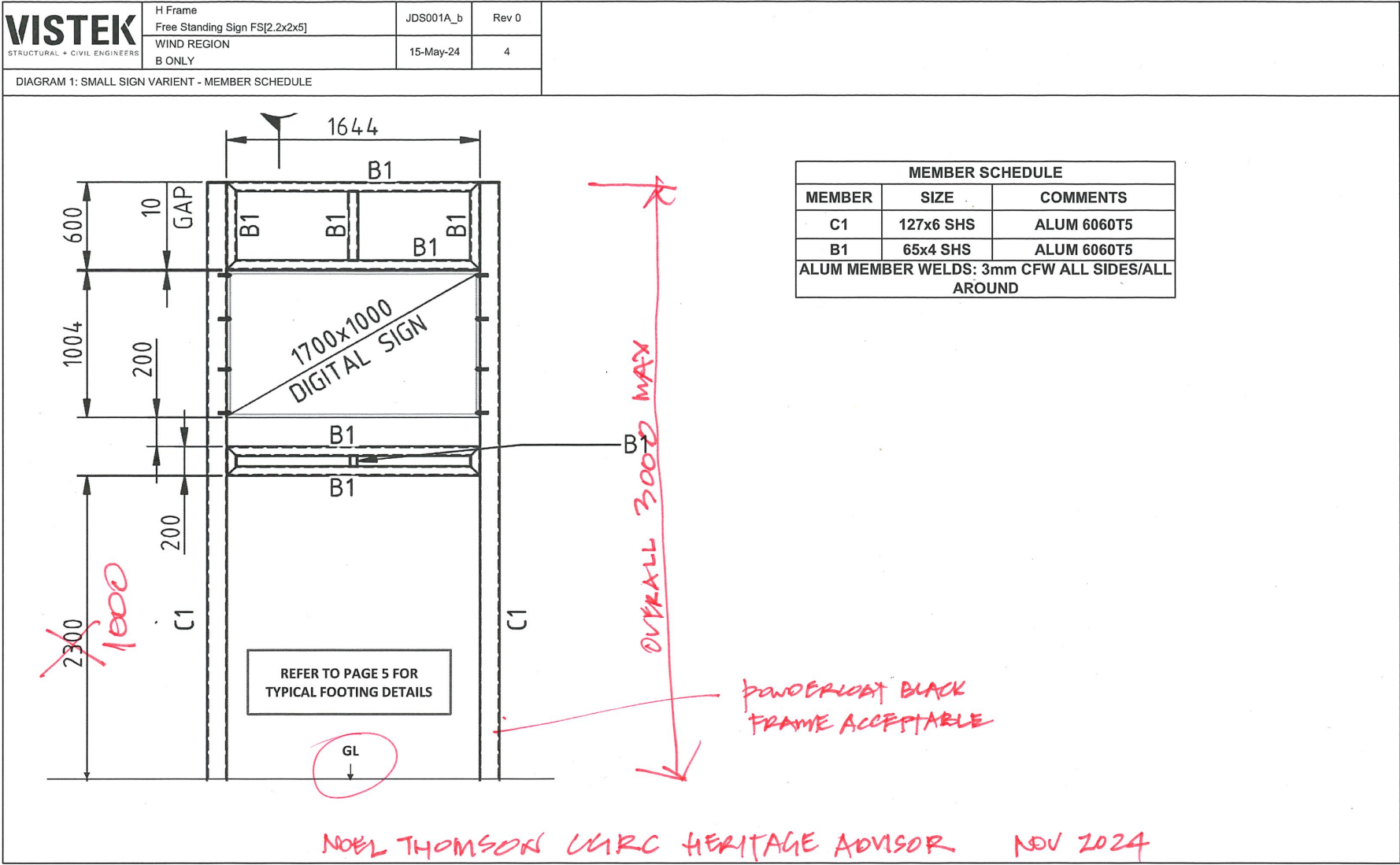
L G A GUNDAGAI  
Suburb/Locality: GUNDAGAI  
Parish: NORTH GUNDAGAI  
County: CLAREDON

This is sheet 1 of my plan in 2 sheets.  
(Delete if inapplicable)

Surveying Regulation 2001  
I, STUART R. MCEVOY,  
CMS SURVEYORS P/L  
PO BOX 453 DEE WHY 2089  
of  
a surveyor registered under the Surveying Act, 2002, hereby  
certify that the survey represented in this plan is accurate,  
has been made in accordance with the Surveying Regulation  
2001 and was completed on 14.11.2004.  
The survey relates to LOT 21 & 22  
(here specify the land actually surveyed, or specify any land  
shown in the plan that is not the subject of the survey)  
(Signature) [Signature] Dated: 15/11/04  
Surveyor registered under the Surveying Act 2002  
Datum Line: X  
Type: Urban/Rural

Plans used in preparation of survey/compilation:  
D.P.633930  
D.P.815697

PANEL FOR USE ONLY for statements of intention  
to dedicate public roads, to create public reserves,  
drainage reserves, easements, restrictions on the  
use of land or positive covenants.  
PURSUANT TO SECTION 88B OF THE  
CONVEYANCING ACT 1919, IT IS  
INTENDED TO CREATE:  
1) EASEMENT FOR ACCESS VARIABLE  
WIDTH  
2) EASEMENT FOR DRAINAGE OF  
WATER 0.55 WIDE  
3) EASEMENT FOR DRAINAGE OF  
WATER 0.55 WIDE  
4) EASEMENT FOR DRAINAGE OF  
WATER 2 WIDE  
5) EASEMENT FOR DRAINAGE OF  
SEWAGE 1 WIDE  
6) RESTRICTION ON THE USE OF LAND



**8.4.6 DA 2024/129 - PROPOSED DETACHED SHED - 8 BANJO PATTERSON PLACE, GUNDAGAI**

DOCUMENT NUMBER	431194
REPORTING OFFICER	Lauren Dawes, Senior Building Surveyor
AUTHORISING OFFICER	Barry Paull, Interim Deputy General Manager - CCD
RELEVANCE TO COMMUNITY STRATEGIC PLAN	<b>3. Protected and enhanced environment</b> 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	<ol style="list-style-type: none"> <li>1. Assessment Report <a href="#">↓</a></li> <li>2. Draft Notice of Determination <a href="#">↓</a></li> <li>3. Plans <a href="#">↓</a></li> </ol>

**RECOMMENDATION**

**That Council resolve to approve DA 2024/129 subject to conditions of consent as outlined in the accompanying Draft Notice of Determination.**

Introduction

The proposed development involves the construction of a detached shed with attached awning and ancillary retaining walls at 8 Banjo Patterson Place, Gundagai. The proposed shed is 30 meters long and 4meters wide and is proposed to be clad with colorbond custom orb cladding in the colour Pale Eucalypt.

The proposed shed does not comply with Restriction on the Use of Land identified as 3(d) in the registered 88B Instrument imposed by Council at the time of subdivision. The Restrictions on the Use of Land were imposed by Council, as the owner and developer of the land at the time of subdivision. Given Council's implementation of the Restriction the application is referred to Council for determination.

DiscussionSummary of Departure from Instrument

The proposed development does not meet the requirements of the Restriction on the Use of Land identified as 3(d), noting that external wall cladding is proposed to be colorbond cladding and not brick, stone, concrete, glass, timber or any combination of the same nor is it proposed to be clad with texture coated fibrous cement sheeting with a 160mm frame width and 80mm recessed windows.

Terms identified as (3)(d) within the 88B Instrument for Deposited Plan 1173450:

*“(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."*

*Implications of Clause 1.9A Suspension of covenants, agreements and instruments (Standard Instrument LEP)*

In assessing development applications, consent authorities, are ordinarily not bound to enforce covenants and restrictions as to user applied under *Section 88B of the Conveyancing Act 1919*. The provisions of *Clause 1.9A Suspension of covenants, agreements and instruments*, contained within all standard instrument Local Environmental Plans (provided below for reference), details that such restrictions do not apply when assessing such applications, except in specific circumstances.

***"1.9A Suspension of covenants, agreements and instruments (Standard Instrument LEP)***

- (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)."*

The clause allows consent authorities to disregard covenants imposed by developers. Such covenants are typically implemented to maintain or enhance property values and the desirability of a subdivision by restricting factors such as dwelling density, building materials, and building sizes. However, these restrictions do not always align with the planning controls applicable to the land. The legislation empowers consent authorities to set aside these covenants in favor of development that complies with LEP and DCP provisions.

Noting that the subject 88B instrument was imposed by Council as the developer of the land, in accordance with subclause (2)(a), clause 1.9A does not apply to the subject development and its provisions cannot be used to set aside or suspend the covenant in order to facilitate development.

#### Legal Advice Obtained

Notwithstanding that Clause 1.9A cannot be used to suspend the covenant, legal advice obtained advises that while the clause does not permit the suspension or setting aside of the covenant, it also does not expressly require compliance with the instrument. Furthermore, no provisions within the *Environmental Planning and Assessment Act 1979* (the Act) mandate compliance with the instrument or the *Conveyancing Act 1919* as part of the development application assessment process.

However, in accordance with Section 4.15 Evaluation of the Act, consideration must still be given to whether approving a development that is inconsistent with the instrument is in the public interest.

#### Consideration of Public Interest

When assessing the public interest, it is necessary to consider the appropriateness of approving a development that does not comply with a Council-imposed 88B instrument. This instrument forms part of the contract of sale documents for land within the area and is therefore available to all landowners and any mortgagee.

No written record has been found detailing the reasons for imposing these restrictions. However, it is presumed that the intent was to establish a residential area with a high standard of aesthetic appeal, thereby maintaining property values. The restriction in question seeks to preclude certain building materials, which are generally more affordable and perceived as less visually appealing or of lower quality.

In determining whether approval of the proposed structure, contrary to the instrument, aligns with the public interest, it is important to consider any potential impact on the value or visual appeal of surrounding properties. In this case, there are several existing structures, primarily outbuildings, that do not comply with the restriction. Given this context, the proposed development is unlikely to cause any significant adverse impact on the public domain and is not regarded as contrary to the public interest.

Notably, the deviation from the instrument relates solely to building materials and aesthetics. It does not affect any easements traversing the property or the critical infrastructure contained within.

#### Conclusion

As the provisions of the *Environmental Planning & Assessment Act 1979* do not mandate compliance with the instrument or the *Conveyancing Act 1919* as part of the development application assessment process and noting assessment that approval of the development, including the

departure from the 88B instrument, is not contrary to the public interest it is considered appropriate that the application be approved by council subject to conditions.

Financial

Nil.

OLG 23a Guideline consideration

Does not conflict with Guidelines.

# DEVELOPMENT ASSESSMENT REPORT

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

**DATE OF REPORT COMMENCEMENT:**

28 November 2024

**COUNCIL OFFICER COMPLETING DEVELOPMENT ASSESSMENT:**

Lauren Dawes

**DEVELOPMENT REFERENCE:**

DA 2024/129

**DEVELOPMENT ADDRESS:**

8 Banjo Paterson Place, GUNDAGAI

**DEVELOPMENT LOT / SEC / PLAN:**

Lot: 55 DP: 1173450

**OWNER(S):**

William Spargo & Katy Spargo  
8 Banjo Paterson Place,  
GUNDAGAI NSW 2722

**APPLICANT:**

Tumut Building Design  
PO Box 177  
TUMUT NSW 2720

**PROPOSED DEVELOPMENT:**

Erection of a Colorbond-clad storage shed, containing a water closet and erection of associated retaining walls, ancillary to the existing dwelling.

**SITE:**

The development site is located on Banjo Patterson Place within the Bourke Estate in Gundagai. The property fronts the cul-de-sac and contains an existing single storey dwelling house with attached double garage.

The property has a moderate slope from the rear of the property down to the cul-de-sac.

**BACKGROUND:**

Application lodged 11 November 2024.

**PREVIOUS DEVELOPMENT PROPOSALS AND DECISIONS:**

DA 2025/94 – dwelling house – approved 31/08/2025

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



# DEVELOPMENT ASSESSMENT REPORT

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



COOTAMUNDRA-  
GUNDAGAI  
REGIONAL COUNCIL

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

The development is not a key threatening process under either Act, and the site contains no known threatened species or EECs, has not been declared critical habitat or an area of outstanding biodiversity value, and is not mapped on the Biodiversity Values Map. It is not considered that the development is likely to 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**

As per this section and Schedule 1, of the Act, the development was notified in accordance with the CGRC Community Participation Plan (CPP), for a period of fourteen (14) days from 12 November 2024 to 27 November 2024.

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**

Nil required

## **4.14 Consultation and development consent—certain bush fire prone land**

The land is not bushfire prone and therefore consideration of *Planning for Bush Fire Protection*, is not 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).

# DEVELOPMENT ASSESSMENT REPORT

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



## 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.

##### SEPP (Resilience and Hazards) 2021

###### *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.

The subject site is not identified as potentially contaminated on Council's register. There is no known historical use of the site likely to have resulted in contamination. Further, the proposed development is for the erection of structures ancillary to the existing residential use of the property, it does not seek change of use of the property. No further investigation is required.

The above notwithstanding, the property is mapped as 'low asbestos potential' for naturally occurring asbestos. A precautionary condition shall be applied to any consent identifying that naturally occurring asbestos may be encountered and detailing relevant requirements should it be encountered.

##### SEPP (Transport and Infrastructure) 2021

###### *Chapter 2 - Infrastructure*

- *Section 2.48 (Determination of development applications—other development)* requires referral to the electricity supply authority, for development comprising:
  - penetration of ground within 2m of an underground electricity power line or an electricity distribution pole or within 10m of any part of an electricity tower,
  - development within or immediately adjacent to an easement for electricity purposes
  - development immediately adjacent to an electricity substation

## DEVELOPMENT ASSESSMENT REPORT

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



- development within 5m of an exposed overhead electricity power line
- installation of a swimming pool any part of which is within 30m of a structure supporting an overhead electricity transmission line, measured horizontally from the top of the pool to the bottom of the structure at ground level,
- installation of a swimming pool any part of which is within 5m of an overhead electricity power line, measured vertically upwards from the top of the pool
- involving or requiring the placement of power lines underground.

The development does not meet this criteria, so no formal referral to Essential Energy/ Transgrid, was required.

- *Section 2.77 (Development adjacent to gas pipeline corridors)* requires referral to the pipeline operator, for development compromising:
  - within the licence area of a pipeline for gas
  - within 20m of the centreline of a pipeline
  - within 20m of land the subject of an easement for a relevant pipeline.

The development does not meet this criteria, so no formal referral to APA Group, was required.

- *Division 15, Subdivision 2 Development in or adjacent to rail corridors and interim rail corridors—notification and other requirements*, requires referral to the rail authority, for development compromising:
  - *Section 2.97* - access via a level crossing
  - *Section 2.98* development adjacent a rail corridor that is likely to have an adverse effect on rail safety, places a metal finish on a structure and the corridor is used by electric trains, use of a crane in the air space above the corridor, within 5 m of an exposed overhead power line used for railway purposes and infrastructure,
  - *Section 2.99* – penetration of the ground to a depth of 2 m or greater, within a rail corridor or within 25 metres of a rail corridor

The development does not meet this criteria, so no formal referral to the rail authority, was required.

- *Section 2.100 (Impact of rail noise or vibration on non-rail development)*, requires consideration of the impact of noise and vibration on residential accommodation, a place of public worship, hospital, educational establishment or child care facility, where they are located in or adjacent a rail corridor.

The development is not for this form of development and/or is not located adjacent a rail corridor, and therefore consideration of this clause is not required.

- **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.

# DEVELOPMENT ASSESSMENT REPORT

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



- **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 the Hume Motorway.
- **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 Gundagai LEP 2011, and the relevant provisions of the LEP are discussed as follows.

### 1.2 Aims of Plan

The development is not inconsistent the aims of the LEP.

### 1.4 Definitions

A shed is not a defined land use under the LEP, but is permitted as ancillary to the existing dwelling and use of the property.

### 1.6 Consent authority

The consent authority for the purposes of this Plan is (subject to the Act) the Council.

### 1.9A Suspension of covenants, agreements and instruments

The subject property contains a easement for services along the eastern boundary. The proposed development is located outside of the registered easement.

The lot is also subject to covenants imposed under 88b of the Conveyancing Act 1919. The instrument includes restrictions as to user as outlined in the annexed. The proposed development does not meet the requirements of the Restriction on the Use of Land identified as 3(d) - below, noting that external wall cladding is proposed to be colorbond cladding.

# DEVELOPMENT ASSESSMENT REPORT

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



- (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 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. Texture coated fibrous cement sheeting may be used as external walls, provided that all sections of such building below any finished floor level are 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.

The 88b instrument was imposed by Council as the developer of the land. As such, in accordance with subclause (2)(a) the clause does not apply to the subject development and its provisions cannot be used to set aside or suspend the covenant in order to facilitate development. Notwithstanding this, legal advice has been obtained and while the clause cannot be used to suspend or set aside the covenant the clause does not otherwise specify that the development must comply with the instrument; nor do any provisions in the EP&A Act 1979 detail that compliance with the instrument or the Conveyancing Act 1919 is required as part of the assessment of a development application.

Notwithstanding this, consideration must be given to whether approving a development that is inconsistent with the instrument serves the public interest, in accordance with the provisions of Section 4.15 of the Act, addressed elsewhere in this report.

## **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

# DEVELOPMENT ASSESSMENT REPORT

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



(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).

## 2.1 Land use zones

The site is zoned R1 – General Residential, and the proposed development is permitted in the zone with consent.

## 2.3 Zone objectives

The proposed development is not inconsistent with the objectives of the zone; being:

- To provide for the housing needs of the community.
- To provide for a variety of housing types and densities.
- To enable other land uses that provide facilities or services to meet the day to day needs of residents.

## 5.10 Heritage conservation

There are no heritage items on-site (identified on either the SHR or in the LEP), and the site is not located in a HCA.

## 5.21 Flood planning

The land is not in the flood planning area.

## 6.1 Biodiversity protection

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

## 6.2 Land protection

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

## 6.3 Water protection

This clause applies to land that is identified as “sensitive land” on the *Natural Resources Sensitivity Water Map*, the site is mapped as being affected, and accordingly this clause is applicable.

# DEVELOPMENT ASSESSMENT REPORT

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



**Figure 1 – Extract - Natural Resources Sensitivity Water Map**

## 6.3 Water protection

- (1) *The objective of this clause is to maintain the hydrological functions of riparian land, waterways and aquifers, including protecting the following—*
  - (a) *water quality,*
  - (b) *natural water flows,*
  - (c) *the stability of the bed and banks of waterways,*
  - (d) *groundwater systems.*
- (2) *This clause applies to land identified as “sensitive land” on the Natural Resources Sensitivity Water Map.*
- (3) *Before determining a development application for development on land to which this clause applies, the consent authority must consider any adverse impact from the proposed development on the following—*
  - (a) *the water quality of receiving waters,*
  - (b) *the natural flow regime,*
  - (c) *the natural flow paths of waterways,*
  - (d) *the stability of the bed, shore and banks of waterways,*
  - (e) *the flows, capacity and quality of groundwater systems.*
- (4) *Development consent must not be granted to development on land to which this clause applies unless the consent authority is satisfied that—*
  - (a) *the development is designed, sited and will be managed to avoid any adverse environmental impact, or*
  - (b) *if that impact cannot be avoided—the development is designed, sited and will be managed to minimise that impact, or*
  - (c) *if that impact cannot be minimised—the development will be managed to mitigate that impact.*

# DEVELOPMENT ASSESSMENT REPORT

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



The subject site is mapped as “Groundwater Vulnerable” on the Groundwater Vulnerability Map. As such, the provisions of this clause apply, and Council must consider the matters outlined in subclause (3).

The submitted Statement of Environmental Effects addresses this clause, stating: *“It is considered that the proposed dwelling additions & garage have been located and designed, and that the construction phase will be managed, to avoid any adverse environmental impact in terms of water balance on the underlying geology or hydrogeology.”*

Notwithstanding this, the following detailed assessment is provided:

## **Likelihood of Groundwater Contamination and Impact on Groundwater-Dependent Ecosystems**

- The development is residential in nature and does not propose the discharge of pollutants other than wastewater, which will be directed to Council’s reticulated sewage system. As such, adverse impacts on groundwater quality or dependent ecosystems are unlikely.
- Proposed conditions of consent will require the implementation and maintenance of sediment and erosion control measures during construction to mitigate the risk of sediment-laden water entering the stormwater system or groundwater.
- The depth of proposed excavations for residential footings is unlikely to encounter groundwater. However, a condition will be applied detailing the required process if groundwater is encountered during construction.

## **Cumulative Impact on Groundwater**

- The development does not involve groundwater extraction. Additionally, there are no known groundwater-dependent developments or activities in the surrounding area, such as stock or potable water supply extraction.
- The proposed increase in impervious surfaces (e.g., roof area) will slightly reduce natural rainwater infiltration. However, the extent of this reduction is considered minimal and acceptable.
- Neighbouring developments have extensive open spaces and permeable surfaces, which will help maintain overall groundwater recharge in the area.
- A condition shall be applied to any consent requiring works to cease and council be contact should groundwater be encountered during excavation works.

### **6.5 Earthworks**

Earthworks are proposed as part of the development to establish a level building pad for the erection of the shed. Earthworks are proposed to consist predominately of cut to a depth of 1600mm.



# DEVELOPMENT ASSESSMENT REPORT

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



COOTAMUNDRA-  
GUNDAGAI  
REGIONAL COUNCIL

In considering the below requirements it is noted that the earthworks that are part of the proposed development:

- a) Would not disrupt existing drainage patterns or soil stability;
- b) Would not adversely impact future uses or potential for redevelopment of the site;
- c) Quality of the soil is anticipated to be appropriate for the proposed use. No fill is proposed to be imported and the site does not appear to have been significantly disturbed.
- d) Can be appropriately managed within the subject property and would not adversely impact amenity of adjoining properties.
- e) Does not involve any risks regarding importation of fill. However, in the unlikely instance fill is imported conditions can be placed on a consent to manage potential risks;
- f) Would unlikely result in the disturbing of relics noting current and historical use. However, a condition can be applied to any consent to further manage this risk and ensure correct procedures are undertaken should relics be encountered.

## 6.5 Earthworks

(1) *The objectives of this clause are as follows—*

- (a) *to ensure that earthworks for which development consent is required will not have a detrimental impact on environmental functions and processes, neighbouring uses, cultural or heritage items or features of the surrounding land,*
- (b) *to allow earthworks of a minor nature without requiring separate development consent.*

(2) *Development consent is required for earthworks unless—*

- (a) *the work is exempt development under this Plan or another applicable environmental planning instrument, or*
- (b) *the work is ancillary to other development for which development consent has been given.*

(3) *Before granting development consent for earthworks, the consent authority must consider the following matters—*

- (a) *the likely disruption of, or any detrimental effect on, existing drainage patterns and soil stability in the locality,*
- (b) *the effect of the proposed development on the likely future use or redevelopment of the land,*
- (c) *the quality of the fill or the soil to be excavated, or both,*
- (d) *the effect of the proposed development on the existing and likely amenity of adjoining properties,*
- (e) *the source of any fill material and the destination of any excavated material,*
- (f) *the likelihood of disturbing relics,*

# DEVELOPMENT ASSESSMENT REPORT

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



*(g) the proximity to and potential for adverse impacts on any watercourse, drinking water catchment or environmentally sensitive area.*

*Note—*

*The National Parks and Wildlife Act 1974, particularly section 86, deals with disturbing or excavating land and Aboriginal objects.*

The proposed development includes earthworks that are not exempt under the provisions of the LEP or any other environmental planning instrument (EPI) and are not ancillary to development that is permitted without consent. As such, the provisions of this clause apply, and Council must consider the matters outlined in subclause (3).

The following assessment is provided:

## **Drainage Patterns and Soil Stability**

The proposed development is unlikely to detrimentally impact drainage patterns or soil stability in the locality. Plans indicate that earthworks will be retained using retaining wall within the property and along the boundary of two adjoining lots.

To mitigate potential risks, the following conditions will be imposed on any consent:

- Retaining walls and earthworks must be wholly contained within the subject allotment.
- Earthworks must be limited to those approved by the consent and associated plans.
- All earthworks must be appropriately retained or battered to ensure stability prior to the issue of any occupation certificate.
- Ground surfaces must be finished to ensure surface water is not directed to adjoining properties.

## **Impact on Future Use or Redevelopment & Quality of Imported and Exported Material**

The proposed earthworks are not anticipated to affect the future use or redevelopment of the site adversely. To mitigate any risks, the following conditions will apply:

- Any imported fill must be certified as Virgin Excavated Natural Material as defined in Schedule 1 of the *Protection of the Environment Operations Act 1997* or subject to a resource recovery exemption by the NSW EPA. Documentation verifying the source, quantity, and suitability of imported fill must be provided to the principal certifier. This ensures the site is not inadvertently contaminated during works.
- Reuse and Disposal of Excavated Material must be in accordance with Environment Protection Authority's Waste Classification Guidelines.

## **Amenity of Adjoining Properties**

# DEVELOPMENT ASSESSMENT REPORT

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



The proposed cut poses a potential subsidence risk to adjoining properties. A condition shall be applied to any consent requiring prompt erection of the retaining walls to prevent subsidence of adjoining properties.

## Heritage Considerations

The residential nature of the site and the absence of any known heritage items reduce the likelihood of disturbing relics of European or Aboriginal heritage significance. However, conditions will be applied detailing the process to follow should any relics be uncovered during works.

## Environmental Protection

The site is not located near any waterways and does not propose the discharge of pollutants, aside from wastewater, which will be discharged to the sewer main. To prevent sediment-laden water from entering the stormwater system, conditions will require sediment and erosion control measures to be installed and maintained until disturbed areas are stabilized or revegetated.

These conditions ensure that the proposed earthworks are managed responsibly and that risks to the environment, adjoining properties, and heritage are mitigated.

## 6.6 Essential Services

Council must be satisfied that any of the following services that are essential for the proposed development are available or that adequate arrangements have been made to make them available when required—

- (a) the supply of water – existing mains connection
- (b) the supply of electricity – existing mains connection
- (c) the disposal and management of sewage – existing mains connection
- (d) stormwater drainage or on-site conservation – discharge to street gutter or inter-allotment drainage via gravity fall is available.
- (e) suitable road access – Existing lawful and practical access in place. Proposed development does not alter existing vehicle access.

## 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:

## DEVELOPMENT ASSESSMENT REPORT

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



The former Gundagai Shire Council did not have a Development Control Plan (DCP).

### **4.15(1)(a)(iia) 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:

#### Section 61 (Additional matters for consideration): -

- demolition works not proposed
- 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, Wagga LEP or Moree Plains LEP applies to,

#### Section 62 (Consideration of fire safety)

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

#### Section 63 (Considerations for erection of temporary structures)

- the development is not for a temporary structure.

#### Section 64 (Consent authority may require upgrade of buildings)

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

#### Section 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 subject site is located within an established residential area characterized by relatively new, low-density housing comprising single-storey detached dwellings on individual lots.

The proposed shed has atypical dimensions for the area, measuring 30 meters in length and 4 meters in depth, extending nearly the full length of the rear boundary. However, it will not be

## DEVELOPMENT ASSESSMENT REPORT

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



COOTAMUNDRA-  
GUNDAGAI  
REGIONAL COUNCIL

highly visible from adjoining properties. The existing dwelling will largely screen the shed from view when viewed from the street.

The shed is positioned near perpendicular to the site's contours, necessitating a significant cut at the western corner. This excavation will further reduce the shed's visibility from surrounding properties.

### **Access, Transport and Traffic:**

Lawful and practical access to the property is existing.

The proposed development is not anticipated to result in an increase in vehicle movement to the property beyond a small increase during construction.

### **Public Domain:**

The development is located in a residential area, it is located behind the existing dwelling house and while it will be partially visible from the road and surrounds is not anticipated to result in any significant adverse impact on the public domain.

### **Utilities:**

Required utilities are available to the site.

The proposed development is not anticipated to result in any adverse impact on existing infrastructure and utilities.

### **Heritage:**

The site is not identified as a heritage item and no known sites of aboriginal heritage significance have been identified in the area.

### **Other Land Resources:**

The development is not anticipated to have any significant impact on land resources in the area.

### **Water:**

The proposed development is not expected to result in any significant adverse impacts on groundwater systems, drinking water catchments, or natural waterways. As outlined above, conditions will be imposed on any consent to mitigate risks to water systems, including requirements for sediment and erosion controls and the management of imported and exported fill or excavated material.

### **Soil:**

The proposed development is not anticipated to result in adverse soil impacts.

### **Air and Microclimate:**

## DEVELOPMENT ASSESSMENT REPORT

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



The proposed development is not expected to adversely impact air quality or the local microclimate. The nature and scale of the project will generate minimal emissions during construction, which can be effectively managed through standard dust suppression measures. Once complete, the development would have negligible ongoing effects on air quality or climatic conditions in the area.

### **Flora and Fauna:**

The proposed development is not expected to have a significant impact on flora and fauna. The site has no identified threatened species, habitats, or ecological communities present. Any vegetation removal will be minimal and restricted to ground cover, no significant trees are proposed to be removed. Protective measures including sediment and erosion controls will be required to prevent unintended harm to surrounding natural areas during construction.

### **Waste:**

Conditions shall be applied to any consent requiring appropriate disposal of waste during and after the completion of works.

The existing development is residential and currently serviced by a waste and recycling collection service. The proposed ancillary storage shed is not expected to generate any significant ongoing waste beyond the construction phase.

### **Energy:**

The proposed development would not result in any significant draw on existing power likely to impact surrounding properties and developments connected to the grid.

### **Noise and Vibration**

Conditions shall be applied to any consent limiting timeframes during which construction noise can be generated.

Ongoing noise generated by the development would be consistent with existing residential use of the property.

### **Natural Hazards:**

The site is not identified as being subject to any natural hazards.

### **Technological hazards**

No technological hazards have been identified. The proposed development is clear of known/mapped service and utility locations.

To ensure utilities are not impacted a survey set out should be required prior to commencement of works.

### **Safety, security and crime prevention**

## DEVELOPMENT ASSESSMENT REPORT

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



COOTAMUNDRA-  
GUNDAGAI REGIONAL COUNCIL

The proposed development is unlikely result in any increased safety or security risks to the area.

### ***Social Impacts in the Locality:***

Proposed use of the shed for storage of model trains would be unlikely to result in adverse social impacts arising as a result of the proposed development.

### ***Economic Impact in the Locality:***

The proposed development would have a small positive economic impact. The works would generate short-term economic activity through construction and associated services.

### ***Site Design and Internal Design:***

The proposed shed is designed for the specific purpose of storing model trains, resulting in an unconventional shape and layout for a detached shed ancillary to a dwelling. The structure is 30 meters long and 4 meters deep, with a 3m x 3.7m awning at one end. It features only personal access doors, with no provisions for vehicle access or for storing larger items typically kept in a residential storage shed, such as wheelbarrows.

Due to its design, the shed may not be easily repurposed for general storage if the property is rented or sold. While this is not a strict planning consideration, it is encouraged that buildings be designed and located with adaptability and long-term viability in mind to accommodate potential future uses.

General length and orientation of the proposed shed along the rear boundary against the contours of the site, necessitate significant earthworks with retaining walls being proposed to two boundaries with a length of approximately 56m, being 32.8m along the rear and 23.2 along the side. Additional retaining walls are also proposed on the downslope side of the proposed shed with a combined length of approximately 25.3m.

Measurements of the retaining walls are approximate only noting that the submitted site plan details a scale of 1:200 at A3. Actual scale applied has been calculated be approximately 1:258 at A3.

While such significant earthworks are not encouraged, the proposed retaining walls would mitigate impacts, reducing the height and visibility of the proposed shed. Further, mitigation measures can be imposed through conditions of consent to limit the impacts of the earthworks and significant soil disturbance.

The proposed shed is to be located south of the dwelling and, as such, will not cause significant shading or loss of solar access to the dwelling's living spaces or private open space. While the shed's size will reduce the available private open space, sufficient space will remain for the occupants' use. Notably, no Development Control Plan (DCP) applies to the subject property that prescribes specific private open space requirements.

### ***Construction Matters:***

## DEVELOPMENT ASSESSMENT REPORT

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



There is no matter discernible which would prevent the proposed development from complying with the relevant provisions of the Building Code of Australia as a Class 10 building.

The applicant has detailed that the building will not be used for habitable purposes. A condition shall be applied to any consent reinforcing that the building is not to be used as a habitable room as defined by the BCA.

### **Habitable room**

*A room used for normal domestic activities, and—*

1. *includes a bedroom, living room, lounge room, music room, television room, kitchen, dining room, sewing room, study, playroom, family room, home theatre and sunroom; but*
2. *excludes a bathroom, laundry, water closet, pantry, walk-in wardrobe, corridor, hallway, lobby, photographic darkroom, clothes-drying room, and other spaces of a specialised nature occupied neither frequently nor for extended periods.*

The design of the proposed building—including the inclusion of a water closet, high-set windows, and the absence of roller doors and vehicle access—makes it easily adaptable for habitable use. However, it is unlikely that the structure could be modified to achieve compliance with Building Code of Australia (BCA) requirements for a Class 1a building.

Therefore, the inclusion of a condition reinforcing the approved non-habitable use is essential. This condition will help ensure the building is used as intended and will also serve to inform any future owners or potential purchasers conducting due diligence.

### **Cumulative impacts**

The proposed development is not expected to result in significant cumulative impacts. As the site is already subject to residential development, the proposed development aligns with existing land use and does not represent an intensification likely to overwhelm local infrastructure or services.

### **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, given the size of the property, the likely impacts and the setbacks proposed. 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's topography presents challenges for the proposed development, requiring substantial excavation. However, the design effectively addresses these constraints by incorporating extensive retaining walls to mitigate impacts. Any effects on adjoining properties and the public domain are considered acceptable.



## DEVELOPMENT ASSESSMENT REPORT

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



The inclusion of conditions within any consent will further assist to minimise and mitigate impacts to the area.

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

Nil submissions received.

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

When considering the public interest, it is necessary to assess the appropriateness of approving development that does not comply with a Council-imposed 88B instrument. This instrument is included in the contract of sale documents for land within the area.

No written record has been found detailing the reasons for imposing these restrictions. However, it is presumed that the intent was to establish a residential area with a high standard of aesthetic appeal, thereby maintaining property values. The restriction in question seeks to preclude certain building materials, which are generally more affordable and perceived as less visually appealing or of lower quality.

In determining whether approval of the proposed structure, contrary to the instrument, aligns with the public interest, it is important to consider any potential impact on the value or visual appeal of surrounding properties. In this case, there are several existing structures, primarily outbuildings, that do not comply with the restriction. Given this context, the proposed development is unlikely to cause a significant adverse impact on the public domain.

Notably, the deviation from the instrument relates solely to building materials and aesthetics. It does not affect any easements traversing the property or the critical infrastructure contained within.

### 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 "Development Generating Heavy Vehicle Usage of Local Road" contribution plan, does not apply to this development.

#### Section 7.12 Contributions Plans

# DEVELOPMENT ASSESSMENT REPORT

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



The Cootamundra-Gundagai Regional Council Section 7.12 Fixed Development Consent Levy Contributions Plan 2018, applies to the land and this development, based on the following costings:

Proposed Cost of the Development	Maximum Percentage of the Levy	Contribution payable
Up to \$100,000	Nil	Applicable (ESD of \$94,440)
\$100,001-\$200,000	0.5 %	N/A
\$200,001 +	1 %	N/A

## Section 64 water and sewer contributions policies:

There are no water or sewer contribution plans that apply to the former Gundagai LEP.

## 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:

Council has considered all relevant matters under the applicable legislation and finds the proposed development to be appropriate in light of these considerations. Any potential impacts are deemed manageable through the implementation of suitable conditions. Consequently, no reasonable grounds exist to warrant refusal of the application.

## RECOMMENDATION:

### Determination:

That Council approve the following development, subject to the consent conditions in attached draft consent:

- Application No.: DA 2024/129

# DEVELOPMENT ASSESSMENT REPORT

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



- Property: Lot: 55 DP: 1173450  
8 Banjo Paterson Place GUNDAGAI
- Development: Erection of a Colorbond-clad storage shed, containing a water closet and erection of associated retaining walls, ancillary to the existing dwelling.

## REASONS FOR CONDITIONS:

- To confirm the details of the application as submitted by the applicant and as approved by Council;
- To manage any inconsistencies between the approved plan/documents and conditions of consent;
- To achieve the objectives of section 1.3 of the *Environmental Planning and Assessment Act 1979*, having regard to the relevant matters for consideration contained in section 4.15 of the Act and the Environmental Planning Instruments applying to the land;
- To ensure necessary approvals are applied for and are in force, before the facility operates;
- To protect the amenity of the local environment, residents and adjoining landowners; and
- To ensure the development complies with all relevant legislation, Regulations, standards and approvals.

## 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 proposed development is not inconsistent with the objectives of the zone,
- the proposed development is permitted in the zone,
- the proposed development does not compromise the relevant Environmental Planning Instruments,
- the proposal will be compatible with the built form and character, established by existing developments in the area,
- any potential concerns have been ameliorated by appropriate conditions, with those conditions ensuring compliance with relevant legislation, Regulations and standards;
- the proposal is not inconsistent with the key planning provisions contained within the applicable environmental planning instruments,
- the proposal will have an acceptable environmental impact, and
- the proposal is consistent with the zone and desired future character of the area.

# DEVELOPMENT ASSESSMENT REPORT

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



COOTAMUNDRA-  
GUNDAGAI  
REGIONAL COUNCIL

## DEVELOPMENT ASSESSMENT SIGNING OFFICER:

Lauren Dawes

11 February 2025



**COOTAMUNDRA-  
GUNDAGAI REGIONAL  
COUNCIL**

ABN: 46 211 642 339  
PO Box 420, Cootamundra NSW 2590  
Email: [mail@cgrc.nsw.gov.au](mailto:mail@cgrc.nsw.gov.au)  
[www.cgrc.nsw.gov.au](http://www.cgrc.nsw.gov.au)

**Cootamundra Office**  
81 Wallendoon Street,  
Cootamundra NSW 2590  
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

<b>Application number</b>	DA 2024/129 PAN-483620
<b>Applicant</b>	Mel Tsarevich PO Box 177 Tumut NSW 2720
<b>Description of development</b>	Erection of a Colorbond-clad storage shed, containing a water closet and erection of associated retaining walls, ancillary to the existing dwelling.
<b>Property</b>	8 BANJO PATERSON PLACE GUNDAGAI 2722 55/-/DP1173450
<b>Determination</b>	Approved Consent Authority - Council
<b>Date of determination</b>	25/02/25
<b>Date from which the consent operates</b>	25/02/25
<b>Date on which the consent lapses</b>	25/02/30

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.

### Reasons for approval

DA 2024/129

1

Council has considered all relevant matters under the applicable legislation and finds the proposed development to be appropriate in light of these considerations. Any potential impacts are deemed manageable through the implementation of suitable conditions. Consequently, no reasonable grounds exist to warrant refusal of the application.

**Right of appeal / review of 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 months 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.

Lauren Dawes  
Senior Building Surveyor  
Person on behalf of the consent authority

### 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

1	<p><b>Compliance with Building Code of Australia and insurance requirements under Home Building Act 1989</b></p> <ol style="list-style-type: none"> <li>1. 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.</li> <li>2. 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.</li> <li>3. 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.</li> <li>4. 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.</li> <li>5. 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.</li> <li>6. This section does not apply— <ol style="list-style-type: none"> <li>a. 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</li> <li>b. to the erection of a temporary building, other than a temporary structure to which subsection (3) applies.</li> </ol> </li> </ol> <p><b>Condition reason:</b> Prescribed condition under section 69 of the Environmental Planning and Assessment Regulation 2021.</p>
2	<p><b>Notification of Home Building Act 1989 requirements</b></p> <ol style="list-style-type: none"> <li>1. This section applies to a development consent for development involving residential building work if the principal certifier is not the council.</li> <li>2. It is a condition of the development consent that residential building work must not be carried out unless the principal certifier for the development to which the work relates has given the council written notice of the following— <ol style="list-style-type: none"> <li>a. for work that requires a principal contractor to be appointed—</li> </ol> </li> </ol>





4	In the event of any inconsistency with the approved plans and a condition of this consent, the condition prevails.
	<b>Condition reason:</b> To ensure all parties are aware of the approved plans and supporting documentation that applies to the development.
	<b>Works Restricted to Development Site</b>
4	All works, including excavation, retaining walls and associated drainage infrastructure, must be wholly contained within the subject property. No earthworks, structural elements or drainage infrastructure shall encroach onto adjoining properties.
	<b>Condition reason:</b> To ensure all development remains within the site boundaries and does not adversely impact neighboring properties

### Building Work

#### Before issue of a construction certificate

5	<b>Plumbing and Drainage Works</b>
	Approval shall be obtained under Section 68 of the Local Government Act 1993 for proposed water, sewerage and stormwater works prior to the issue of a Construction Certificate.
	<b>Condition reason:</b> Statutory compliance with the Local Government Act 1993

#### Before building work commences

6	<b>Appointment of a Principal Certifier</b>
	Prior to the commencement of any construction works, the person having benefit of this Development Consent must appoint a Principal Certifier.
	<b>Condition reason:</b> To ensure legislative requirements are met.
7	<b>Construction Certificate</b>
	A Construction Certificate must be submitted 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.

	<b>Condition reason:</b> To ensure compliance with the requirements of the Environmental Planning and Assessment Regulation 2021.
8	<b>Erosion and sediment controls in place</b>  Before any site work commences, the Principal Certifier, must be satisfied that erosion and sediment controls in the erosion and sediment control plan are in place. These controls must remain in place until any bare earth has been restabilised in accordance with 'Managing Urban Stormwater: Soils and Construction' prepared by Landcom (the Blue Book) (as amended from time to time).  <b>Condition reason:</b> To ensure sediment laden runoff and site debris do not impact local stormwater systems and waterways.
9	<b>Notice of intention to commence building work</b>  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.  <b>Condition reason:</b> To ensure legislative requirements are met
10	<b>Underground Services</b>  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.  <b>Condition reason:</b> To ensure the utility services are protected and satisfactory for the proposed development.
11	<b>Survey Set-Out</b>  <ol style="list-style-type: none"> <li><b>Survey Set-Out</b> - Prior to the commencement of works for the construction of the detached shed and retaining walls, a registered surveyor must set out the location of all works in accordance with the approved plans.</li> <li><b>Set-Out Report</b> - A set-out report prepared by the registered surveyor must be submitted to the Principal Certifier confirming accurate placement of the shed and retaining walls relative to the property boundaries. Works must not commence until the PC has reviewed and accepted the set-out report.</li> <li><b>Protection and Maintenance of Markers</b> - Survey set-out markers must be clearly identified, protected and maintained in their original position on-site throughout the construction period. Any disturbance to the markers must be immediately rectified by a registered surveyor.</li> </ol>

	<p>4. <b>Compliance with Set-Out</b> - All works must be undertaken in accordance with the approved set-out. Any deviations must be immediately rectified to ensure compliance with the approved plans.</p>
	<p><b>Condition reason:</b> To ensure the development is located in accordance with the approved plans</p>
12	<p><b>Naturally Occurring Asbestos - Notification of Trades and Contractors</b></p> <p>Prior to the commencement of any ground penetrating works the proponent is required to advise all contractors and/volunteers engaged of the potential that naturally occurring asbestos may be encountered.</p> <p>If naturally occurring asbestos material is encountered during excavation works on-site, the works are to cease immediately, and Council is to be notified.</p> <p>Interception of any naturally occurring asbestos will require specific processes to be implemented to secure the site and to manage any further works in accordance with the requirements of SafeWork NSW.</p> <p><b>Condition reason:</b> To protect the health and safety of persons on and adjoining the site and to facilitate preparation and implementation of appropriate management measures in accordance with the requirements of SafeWork NSW.</p>

**During building work**

13	<p><b>Responsibility for changes to public infrastructure</b></p> <p>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.</p> <p><b>Condition reason:</b> To ensure payment of approved changes to public infrastructure.</p>
14	<p><b>Soil management</b></p> <p>While site work is being carried out, the principal certifier must be satisfied all soil removed from or imported to the site is managed in accordance with the following requirements:</p> <ol style="list-style-type: none"> <li>a. All excavated material removed from the site must be classified in accordance with the Environment Protection Authority's Waste Classification Guidelines before it is disposed of at an approved waste management facility or otherwise lawfully managed, and the classification, and the volume of material removed, and the receival facility's details must be reported to the principal certifier.</li> <li>b. All fill material imported to the site must be:             <ol style="list-style-type: none"> <li>a. Virgin Excavated Natural Material as defined in Schedule 1 of the <i>Protection of the Environment Operations Act 1997</i>; or</li> </ol> </li> </ol>

	<p>b. a material identified as being subject to a resource recovery exemption by the NSW EPA; or</p> <p>c. a combination of Virgin Excavated Natural Material as defined in Schedule 1 of the <i>Protection of the Environment Operations Act 1997</i> and a material identified as being subject to a resource recovery exemption by the NSW EPA.</p> <p><b>Condition reason:</b> To ensure soil removed from the site is appropriately disposed of and soil imported to the site is not contaminated and is safe for future occupants.</p>
15	<p><b>Approved Plans</b></p> <p>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.</p> <p><b>Condition reason:</b> To ensure compliance with relevant plans and approvals</p>
16	<p><b>Deliveries</b></p> <p>While site work is being carried out, deliveries of material and equipment must only be carried out between—</p> <ul style="list-style-type: none"> <li>• Mondays to Fridays - 7:00am to 6:00pm;</li> <li>• Saturdays - 8:00am to 1:00pm;</li> <li>• No work permitted on Sundays and Public Holidays.</li> </ul> <p><b>Condition reason:</b> To protect the amenity of neighbouring properties.</p>
17	<p><b>Earthworks</b></p> <p>No earthworks are permitted to be undertaken beyond those detailed on the approved plans unless otherwise permitted by the exempt development provisions of State Environmental Planning Policy (Exempt and Complying Development Codes) 2008</p> <p><b>Condition reason:</b> To ensure that the development is consistent with the approval</p>
18	<p><b>Footpath Storage</b></p> <p>Building materials not to be stored on Council footway or nature strip at any time.</p> <p><b>Condition reason:</b> To ensure an adequate level of public safety is maintained.</p>
19	<p><b>Hours of Work</b></p> <p>Site work must only be carried out between the following times –</p> <ul style="list-style-type: none"> <li>• Mondays to Fridays - 7:00am to 6:00pm;</li> <li>• Saturdays - 8:00am to 1:00pm; and</li> <li>• No work is permitted on Sundays and Public Holidays.</li> </ul>

	<p>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.</p> <p><b>Condition reason:</b> To protect the amenity of the surrounding area.</p>
20	<p><b>Restricted Public Access</b></p> <p>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.</p> <p><b>Condition reason:</b> To ensure public safety is maintained.</p>
21	<p><b>Roof Water</b></p> <p>Roof water generated by the development must be directed to:-</p> <ul style="list-style-type: none"> <li>• The gutter in Banjo Patterson Place; or</li> <li>• The interallotment stormwater easement that traverses the property</li> </ul> <p>The point of discharge from the overflow must be</p> <ul style="list-style-type: none"> <li>• Protected from being crushed or damaged.</li> </ul> <p><b>Condition reason:</b> To ensure that roof water is disposed of without nuisance to neighbours, damage to property or the environment.</p>
22	<p><b>Soil Retention and Subsidence Management</b></p> <p>The proposed retaining walls along property boundaries must be constructed and stabilised as a priority, with works commencing immediately following bulk earthworks and completed prior to any further construction on site. This is to minimise the risk of subsidence to adjoining properties.</p> <p>In the event that subsidence occurs as a result of the development, the proponent is responsible for all necessary rectification works to affected adjoining properties, at their cost.</p> <p><b>Condition reason:</b> To ensure the stability of the site and adjoining properties by minimising the risk of subsidence and requiring prompt rectification if damage occurs.</p>
23	<p><b>Groundwater Management</b></p> <p>If groundwater is encountered during excavation works, all works in the affected area must cease immediately, and Council must be notified. Works must not recommence until appropriate management measures, as approved by a suitably qualified engineer and accepted by Council, are implemented to prevent adverse impacts on the site, adjoining properties, and the public domain.</p> <p><b>Condition reason:</b> To ensure groundwater is managed appropriately and to prevent potential structural or environmental impacts.</p>

**Before issue of an occupation certificate**

24	<b>Repair of infrastructure</b>
	<p>Before the issue of an Occupation Certificate:</p> <ol style="list-style-type: none"> <li>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</li> <li>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 and in the first instance will be paid using the security deposit required to be paid under this consent.</li> </ol>
	<b>Condition reason:</b> To ensure any damage to public infrastructure is rectified.
25	<b>Works-as-executed plans and any other documentary evidence</b>
	<p>Before the issue of an Occupation Certificate, works-as-executed plans, any compliance certificates and any other evidence confirming the following completed works must be submitted to the satisfaction of the principal certifier:</p> <ol style="list-style-type: none"> <li>All stormwater drainage systems and storage systems; and</li> <li>A copy of the plans must be provided to Council with the Occupation Certificate</li> </ol>
	<b>Condition reason:</b> To confirm the location of works once constructed that will become Council assets.
26	<b>Completion of Plumbing &amp; Drainage Works</b>
	<p>Prior to the issue of an Occupation Certificate for the works, all requirements of relevant approvals issued under Section 68 of the Local Government Act 1993 associated with water, sewer and stormwater works must be satisfied. Confirmation that works have been completed in accordance with the requirements of the associated Section 68 application must be obtained from Council and provided to the Principal Certifier for the development.</p>
	<b>Condition reason:</b> To ensure plumbing and drainage has been undertaken in accordance with relevant requirement.
27	<b>Occupation of building</b>
	<p>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.</p>
	<b>Condition reason:</b> To ensure the development is completed to a safe standard to allow use or occupation and to ensure compliance with the requirements of this consent.
28	<b>Stabilisation of Earthworks</b>

	<p>Prior to the issue of an Occupation Certificate all earthworks must be appropriately retained or battered in accordance with the requirements of the Building Code of Australia and vegetated to prevent erosion.</p> <p>Any retaining wall constructed on-site must comply with the exempt development provisions of State Environmental Planning Policy (Exempt and Complying development Codes) 2007 or have necessary development and construction approval.</p> <p><b>Condition reason:</b> To ensure earthworks are appropriately protected.</p>
--	---

**Occupation and ongoing use**

29	<p><b>Restriction on Use of Outbuilding</b></p> <p>Use of the shed approved under this consent is to be for storage of possessions ancillary to the residential use of the dwelling. Use is strictly for non-habitable purposes. Any use of the shed for commercial or residential/habitable activities is prohibited unless separate development consent has been obtained or the use is exempt under an environmental planning instrument.</p> <p>For the purposes of this condition any habitable use is defined as:</p> <p>A room or area used for normal domestic activities, and—</p> <ol style="list-style-type: none"> <li>1. includes a bedroom, living room, lounge room, music room, television room, kitchen, dining room, sewing room, study, playroom, family room, home theatre and sunroom; but</li> <li>2. excludes a bathroom, laundry, water closet, pantry, walk-in wardrobe, corridor, hallway, lobby, photographic darkroom, clothes-drying room, and other spaces of a specialised nature occupied neither frequently nor for extended periods.</li> </ol> <p><b>Condition reason:</b> Prevent building from being used for unapproved purposes</p>
----	--

**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](#). 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.

DRAFT



### 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.

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

PROPOSED SHED WITH TOILET & RETAINING WALL  
8 BANJO PATERSON PL, GUNDAGAI NSW 2722



LOCATION MAP

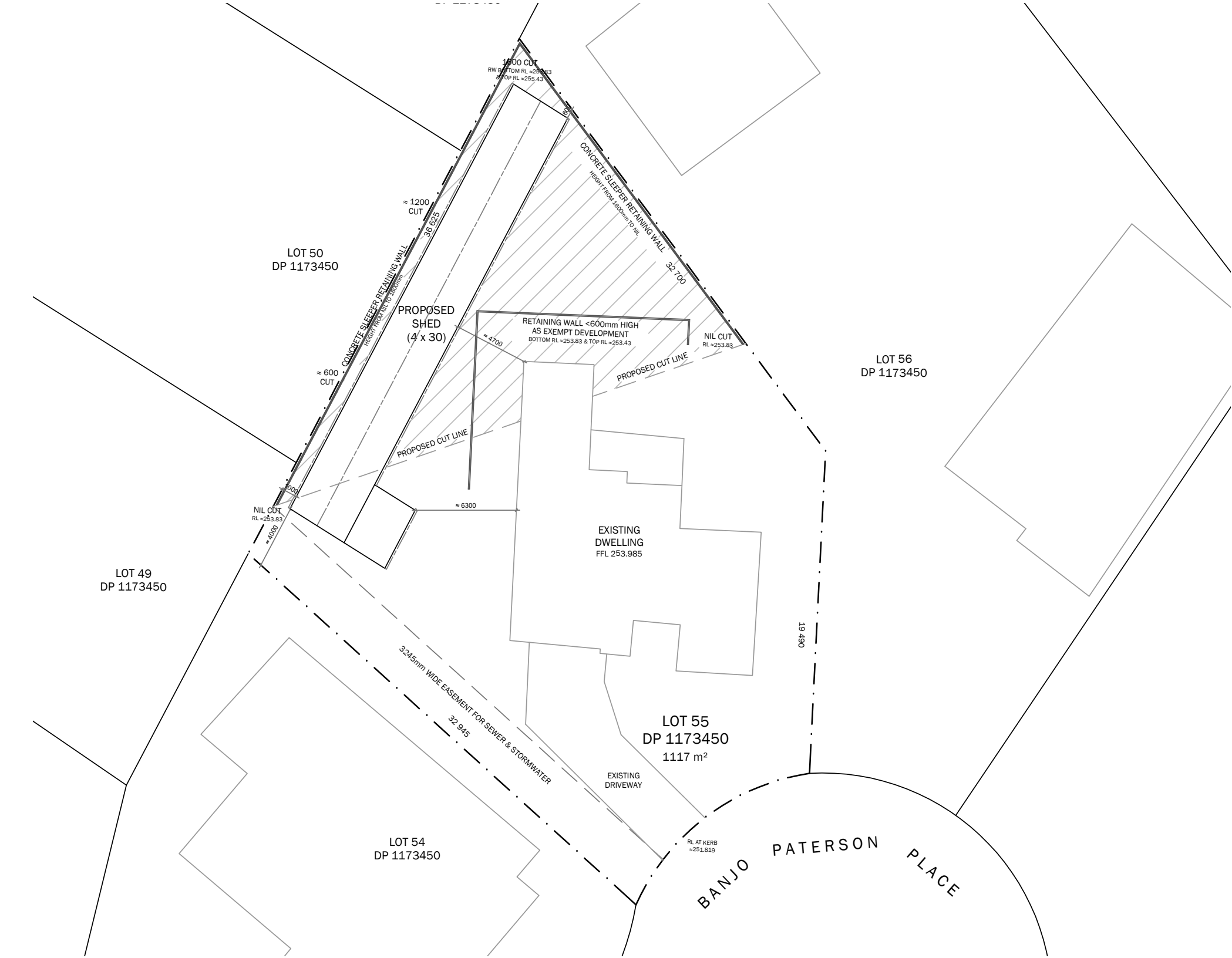
IMAGE SOURCE: SIX MAPS NSW

SHEET LIST

- 01 TITLE PAGE
- 02 PROPOSED SITE PLAN
- 03 PROPOSED FLOOR PLAN

<div><div><div>© COPYRIGHT</div><div>The information and design contained in this document are the property of Tumut Building Design and are not to be used or reproduced without their written permission.</div></div><div><div><div>TUMUT BUILDING DESIGN</div><div>Mel Tsarevich 0413 997 717 tumutbuildingdesign@outlook.com</div></div><div><div>1- Issued for DA/CC</div><div>1- Issued to client for approval</div><div>Issue/Amendments</div></div><div><div>30.10.24</div><div>25.10.24</div><div>Date</div></div></div></div>	Project Name <b>PROPOSED SHED WITH TOILET &amp; RETAINING WALL</b>	Date 30.10.24	Issue 1
		Scale N.T.S	Plan & Sheet Number
		Sheet size A3	<b>SP02- 01</b>
		Drawn M.T	Sheets in set 3

Client  
**BILL SPARGO**



PROPOSED SITE PLAN

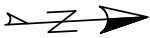
**IMPORTANT NOTE:**


Boundaries shown here are depicted by remote sensing techniques. Site plan dimensions, contours & boundary setbacks to be confirmed onsite or by a registered surveyor prior to commencement of any works

**GENERAL NOTES:**

Builder to confirm location of services & all levels onsite prior to the commencement of any works.  
Builder/contractors are to confirm all measurements on plan & any other detail with an onsite inspection prior to the commencement of any works or the ordering of materials/products.  
Building design drawings are to be read in conjunction with the specifications and any applicable professional engineer plans.  
Figured dimensions to take precedence over scale.

All works to comply with the National Construction Code Series (NCC) volume 2 & all relevant current Australian Standards.  
All plumbing & drainage work to be in accordance with the National Plumbing & Drainage Code & AS3500.



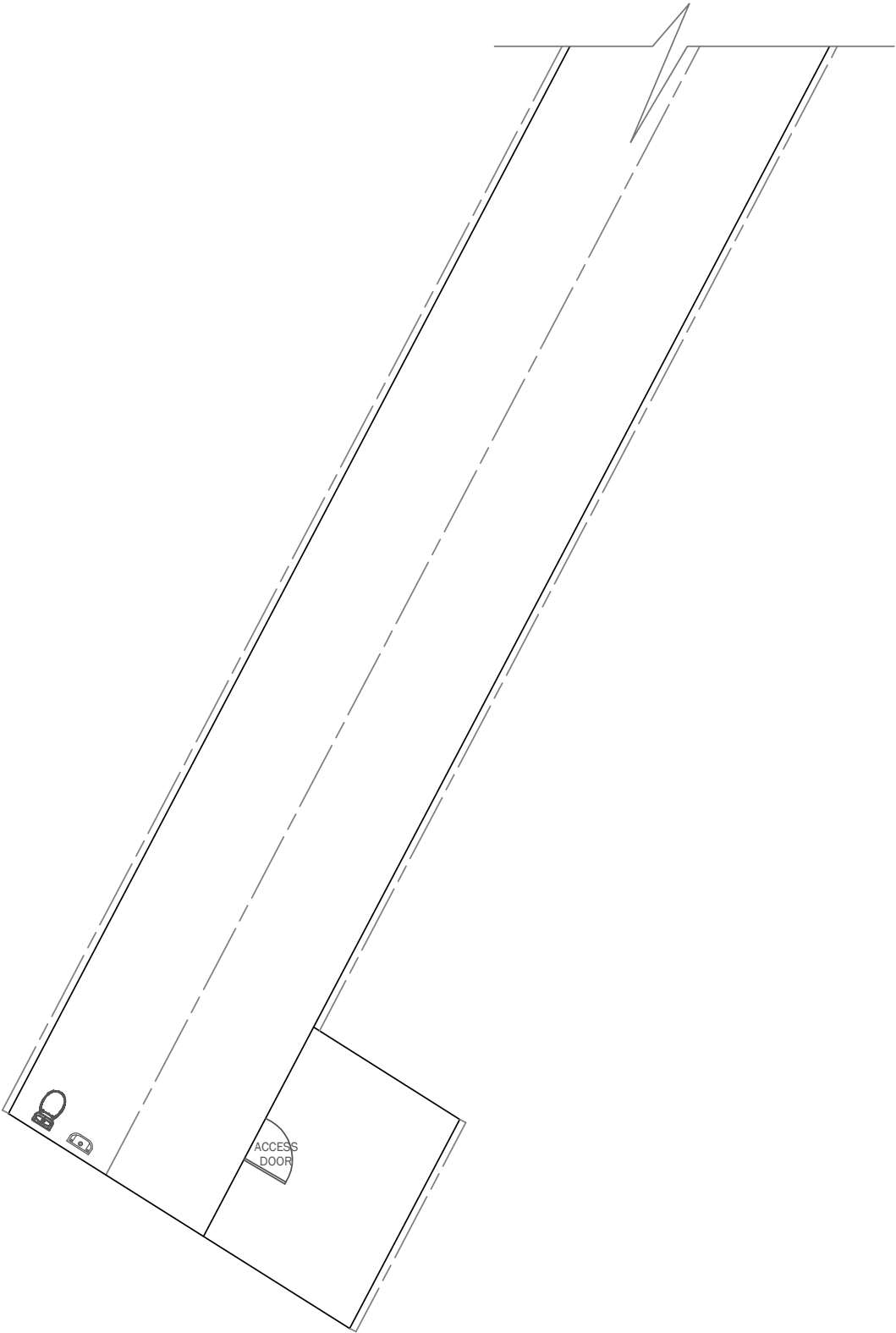


**TUMUT BUILDING  
DESIGN**

Mel Tsarevich  
0413 997 717  
tumutbuildingdesign@outlook.com

**© COPYRIGHT**  
The information and design concepts herein remain the property of Tumut Building Design and are not to be used or copied without their written permission

Project Name		<b>PROPOSED SHED WITH TOILET &amp; RETAINING WALLS</b>	
Address		<b>8 BANJO PATERSON PLACE, GUNDAGAI</b>	
1 - Issued for DA/DC		30.10.24	
1 - Issued to client for approval		25.10.24	
Issue/Amendments		Date	
Date	30.10.24	Issue	1
Scale	1:200	Plan & Sheet Number	
Sheet size	A3	<b>SP02- 02</b>	
Drawn	M.T	Sheets in set	3



PROPOSED FLOOR PLAN

**GENERAL NOTES:**

Builder to confirm location of services & all levels onsite prior to the commencement of any works.  
Builder/contractors are to confirm all measurements on plan & any other detail with an onsite inspection prior to the commencement of any works or the ordering of materials/products.  
Building design drawings are to be read in conjunction with the specifications and any applicable professional engineer plans. Figured dimensions to take precedence over scale.

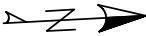
All works to comply with the National Construction Code Series (NCC) volume 2 & all relevant current Australian Standards.


**CONSTRUCTION SPECIFICATIONS:**

**DRAINAGE & WASTE WATER TREATMENT**  
All drainage work to be carried out by a licensed drainer. Stormwater drainage shall be carried out in accordance with the BCA.

**PLUMBING**  
All plumbing & drainage work to be in accordance with the National Plumbing & Drainage Code & AS3500.  
All plumbing works must be carried out by a licensed plumber and drainer.  
Ensure all inspections are carried out and certificates issued, including a Certificate of Compliance upon final inspection.  
An approved hot water heater is to be installed in accordance with the manufacturer's instructions and located to ensure ease of maintenance  
Sanitary plumbing and drainage shall be undertaken by an appropriately licensed person.


**ELECTRICAL**  
All electrical work shall be undertaken by a licensed electrician and in accordance with AS/NZS 3000.  
A Certificate of Compliance Electrical Work shall be provided at the completion of the electrical work.  
Install all lights, power outlets and electrical fixtures as nominated by the owner/s.





TUMUT BUILDING  
DESIGN

Mel Tsarevich  
0413 997 717  
tumutbuildingdesign@outlook.com

 **COPYRIGHT**  
The information and design concepts herein remain the property of Tumut Building Design and are not to be used or copied without their written permission

Project Name

**PROPOSED SHED WITH TOILET & RETAINING WALLS**

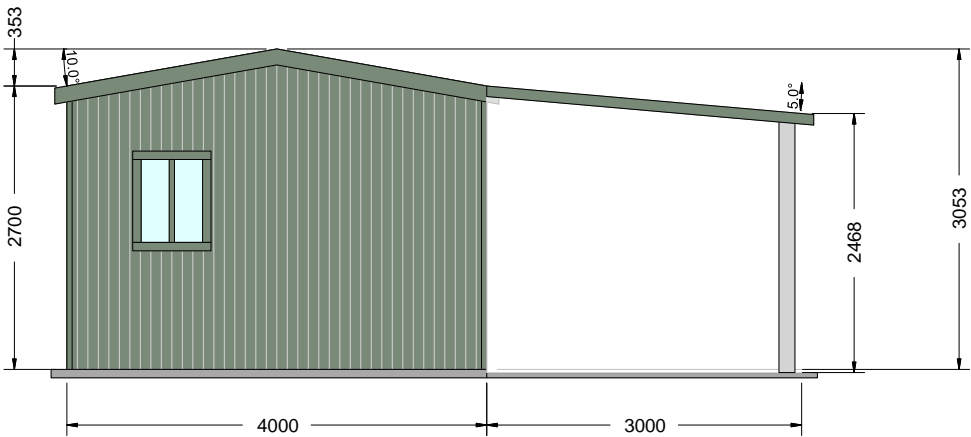
Address

**8 BANJO PATERSON PLACE, GUNDAGAI**

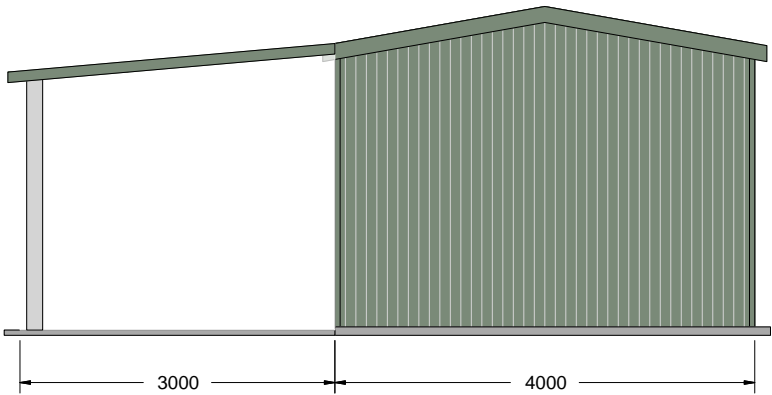
1 - Issued for DA/CC  
1 - Issued to client for approval

30.10.24  
25.10.24

Issue/Amendments		Date	
Date	30.10.24	Issue	1
Scale	1:100	Plan & Sheet Number <b>SP02- 03</b>	
Sheet size	A3		
Drawn	M.T	Sheets in set	3



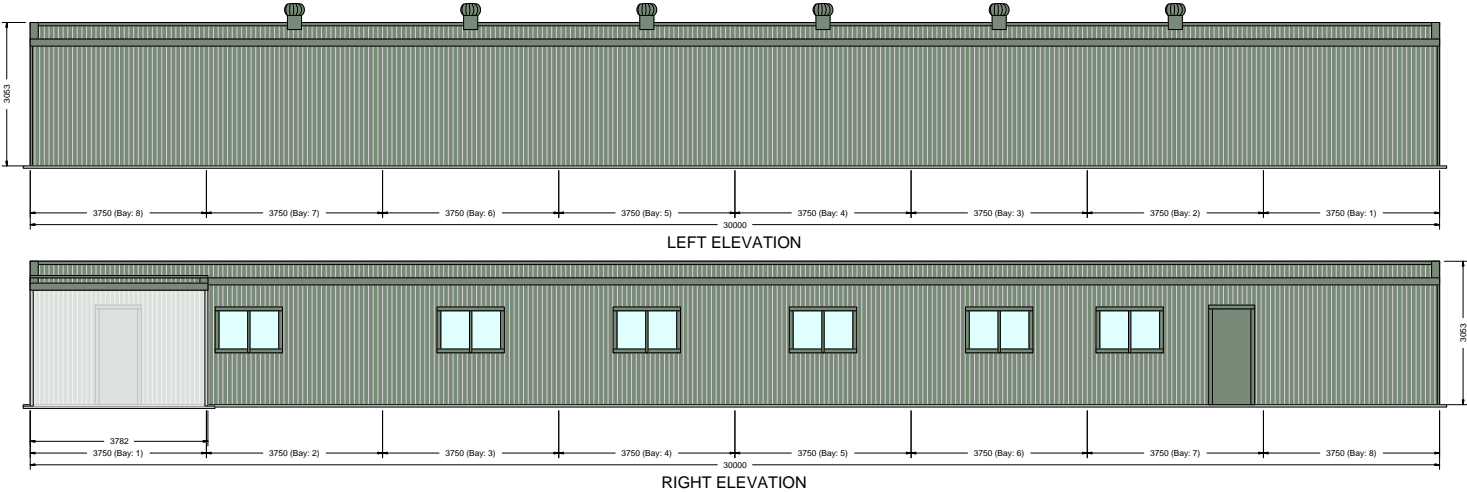
FRONT ELEVATION



REAR ELEVATION

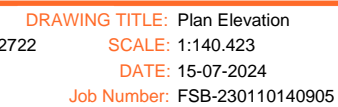


CLIENT: William Spargo  
SITE ADDRESS: 8 Banjo Patterson Place, Gundagai, NSW, 2722  
PHONE:  
EMAIL:  
DRAWING TITLE: End Elevations  
SCALE: 1:60.954  
DATE: 15-07-2024  
Job Number: FSB-230110140905



CLIENT: William Spargo  
SITE ADDRESS: 8 Banjo Patterson Place, Gundagai, NSW, 2722  
PHONE:  
EMAIL:

DRAWING TITLE: Side Elevations  
SCALE: 1:136.194  
DATE: 15-07-2024  
Job Number: FSB-230110140905





## 8.5 ENGINEERING COOTAMUNDRA

### 8.5.1 COOTAMUNDRA ENGINEERING REPORT - FEBRUARY 2025

DOCUMENT NUMBER	431586
REPORTING OFFICER	Julie Buckley, Operations Support Officer
AUTHORISING OFFICER	Matt Stubbs, Deputy General Manager - Operations
RELEVANCE TO COMMUNITY STRATEGIC PLAN	<b>5. Integrated and accessible region</b> 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 February 2025 be noted.**

#### Introduction

The Cootamundra Engineering Report for the month of February 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 late February 2025 and it is anticipated that the project will be completed late May 2025.

RFT is being prepared and ready for advertising through Vendorpanel in the week of 10 February 2025

##### State Roads

The annual resealing program has been completed.

Council's line marking contractor is preparing to commence reseal segment line marking commencing 17 February, 2025.

Shoulder widening south of Cootamundra at Yarrawee is planned to commence on 17 February, 2025 and be completed in six weeks.

##### 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 February, weather permitting.

Water and Sewer

Flushing of watermains commenced in the week of 10 February, 2025.

General Works

Gravel patching and maintenance grading has been carried out on Sheep Station Road, Racecourse Road and Shaftsbury Lane.

Jet patching has been carried out at various locations throughout the shire including Old Gundagai Road, West Jindalee Road and Stockinbingal Road.

Culvert cleaning has been carried out on Rosehill and Beggan Beggan Roads and open drain works on Florance Street.

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 - FEBRUARY 2025

DOCUMENT NUMBER	431543
REPORTING OFFICER	Belle Mooney, Operations Support Officer
AUTHORISING OFFICER	Matt Stubbs, Deputy General Manager - Operations
RELEVANCE TO COMMUNITY STRATEGIC PLAN	<b>5. Integrated and accessible region</b> 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 February 2025 be noted.**

#### Introduction

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

#### Natural Disaster

The Natural Disaster restoration works continued throughout the area with identified damages being completed on Long Tunnel Road and Reno Road throughout January. Grading teams have now moved to Coggan's Road, they are expected to have the identified damages completed by the end of February. All natural disaster works associated with AGRN Event 1001 (Storms and floods from 5 January 2022 onwards) have been completed and satisfactorily signed off with the funding body.

#### **Hillas Creek Bridge**

Hillas Creek Bridge is progressing with offsite pre-cast works still being completed by the contractor. It is expected that the contractor will commence back onsite within the next few weeks to complete wingwalls, headstocks and the bridge deck.

#### Local Roads and Community Infrastructure Program (LRCI)

#### **Sheridan Street Block 3 Stage 2 upgrade:**

Sheridan Street Block 3 Stage 2 construction has been completed, with the exception of defect repairs.

Council staff are currently sourcing streetlights to ensure quality control is met. The streetlights will be the last item to complete in the project. The final seal has been completed east of Homer Street.

First Avenue Upgrades

Council staff have commenced upgrades to First Avenue beginning with stormwater upgrades. Once the stormwater has been completed, they will continue with the installation of new kerb and gutter, footpath replacement and repaving of the road.

General Works

Reseal preparations have been completed on O'Briens Road, Happy Valley Road and Wee Jasper Road with the works crew now moving on to Burra Road and Edwardstown Road. This work is part of the reseal program which will see reseals completed on the below locations:

- Burra Rd – 13,000 m<sup>2</sup>
- Gobaralong Rd Sandy Falls 1,500m<sup>2</sup>
- Wee Jasper Road 9,960m<sup>2</sup>
- Three Ways Road 6,900m<sup>2</sup>
- Muttama Road 4,000m<sup>2</sup>
- Coolac Road 18,000m<sup>2</sup>
- O'Briens Road 6,500m<sup>2</sup>
- Happy Valley Road 5,555m<sup>2</sup>
- Bus Bay at Jackalass
- Sheridan St – east of Homer Street

Roadside spraying has been completed on various locations including Long Tunnel Road, Reno Road and Muttama Road.

Council's tar patching team have been assisting with reseal preparations as well completing required repairs when identified.

Water and Sewer

Water and Sewer teams are completing ongoing maintenance and operations to the treatment plants, as well as mains repairs when required.

The quarterly water meter readings were undertaken in February.

Asset Management Plan

Council Engineering staff are currently working on updating relevant asset management documents. These documents provide the foundations and guidance on how Council manages assets which are under the care and control of Council and will include Policy. The Asset Management Policy has been completed and will go to the next Council meeting for adoption.

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.

## 8.7 REGIONAL SERVICES GUNDAGAI

### 8.7.1 GUNDAGAI REGIONAL SERVICES WORKS REPORT

DOCUMENT NUMBER	431544
REPORTING OFFICER	Donna Britton, Operations Support Officer - Facilities
AUTHORISING OFFICER	Matt Stubbs, Deputy General Manager - Operations
RELEVANCE TO COMMUNITY STRATEGIC PLAN	<b>1. A vibrant, safe, and inclusive community</b> 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	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

This report is a snapshot of the diverse works Gundagai Regional Services performed over the previous month and intends to give an update on the ongoing works being conducted.

#### Discussion

This report covers the Regional Services projects and works over the month of November, 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:**

- Regular street cleaning and maintenance.
- Spraying of town Streets.
- Removal of limbs and debris after storm damage.
- Hedging in main street and parks.
- Mowing, edging, and watering of recreational areas.
- Irrigation works and repairs to areas in need of maintenance.

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

- Bases to the new beam in Gundagai Lawn are being installed.
- Council staff have completed the CCA NSW training online webinars in preparation for the NSW Licensing requirements for cemeteries.

- Lawns and garden maintenance are conducted across all cemetery locations.
- There was one interment into the Gundagai Lawn Cemetery in January.

**Biosecurity** - Councils Biosecurity Officer is continuing to increase his knowledge base with required training in this area.

Compliance/control inspections are being completed as below.

Region	Activity	Date	LCA	Weed	Latitude	Longitude
Riverina	Control	31/01/2025	Cootamundra-Gundagai Regional Council	Blackberry	<a href="#">-35.0571</a>	<a href="#">147.916608</a>
Riverina	Control	31/01/2025	Cootamundra-Gundagai Regional Council	Johnson grass	<a href="#">-35.0816</a>	<a href="#">148.075235</a>
Riverina	Control	30/01/2025	Cootamundra-Gundagai Regional Council	Johnson grass	<a href="#">-35.0604</a>	<a href="#">147.918449</a>
Riverina	Control	30/01/2025	Cootamundra-Gundagai Regional Council	Johnson grass	<a href="#">-35.0613</a>	<a href="#">147.92034</a>
Riverina	Control	30/01/2025	Cootamundra-Gundagai Regional Council	Blackberry	<a href="#">-35.0724</a>	<a href="#">147.951182</a>
Riverina	Control	30/01/2025	Cootamundra-Gundagai Regional Council	Blackberry	<a href="#">-35.0701</a>	<a href="#">147.964507</a>
Riverina	Control	30/01/2025	Cootamundra-Gundagai Regional Council	Bathurst burr	<a href="#">-35.0751</a>	<a href="#">148.000202</a>
Riverina	Control	29/01/2025	Cootamundra-Gundagai Regional Council	Johnson grass	<a href="#">-35.076</a>	<a href="#">148.008329</a>
Riverina	Control	29/01/2025	Cootamundra-Gundagai Regional Council	Johnson grass	<a href="#">-35.0765</a>	<a href="#">148.015761</a>
Riverina	Control	29/01/2025	Cootamundra-Gundagai Regional Council	Johnson grass	<a href="#">-35.0769</a>	<a href="#">148.017308</a>
Riverina	Control	29/01/2025	Cootamundra-Gundagai Regional Council	Bathurst burr	<a href="#">-35.0769</a>	<a href="#">148.017198</a>
Riverina	Control	29/01/2025	Cootamundra-Gundagai Regional Council	Sticky nightshade	<a href="#">-35.0769</a>	<a href="#">148.017175</a>
Riverina	Control	29/01/2025	Cootamundra-Gundagai Regional Council	Johnson grass	<a href="#">-35.0837</a>	<a href="#">148.062259</a>
Riverina	Control	29/01/2025	Cootamundra-Gundagai Regional Council	Johnson grass	<a href="#">-35.0829</a>	<a href="#">148.071681</a>
Riverina	Control	29/01/2025	Cootamundra-Gundagai Regional Council	Johnson grass	<a href="#">-35.0818</a>	<a href="#">148.075309</a>
Riverina	Control	29/01/2025	Cootamundra-Gundagai Regional Council	Blackberry	<a href="#">-35.0786</a>	<a href="#">148.079787</a>
Riverina	Control	29/01/2025	Cootamundra-Gundagai Regional Council	Johnson grass	<a href="#">-35.0735</a>	<a href="#">148.085443</a>
Riverina	Control	29/01/2025	Cootamundra-Gundagai Regional Council	Johnson grass	<a href="#">-35.0702</a>	<a href="#">148.086437</a>
Riverina	Compliance	29/01/2025	Cootamundra-Gundagai Regional Council	Johnson grass	<a href="#">-35.0689</a>	<a href="#">148.086973</a>
Riverina	Compliance	29/01/2025	Cootamundra-Gundagai Regional Council	Johnson grass	<a href="#">-35.0683</a>	<a href="#">148.092801</a>
Riverina	Control	29/01/2025	Cootamundra-Gundagai Regional Council	Johnson grass	<a href="#">-35.0661</a>	<a href="#">148.096062</a>
Riverina	Control	24/01/2025	Cootamundra-Gundagai Regional Council	Johnson grass	<a href="#">-35.0806</a>	<a href="#">148.093576</a>
Riverina	Control	24/01/2025	Cootamundra-Gundagai Regional Council	Johnson grass	<a href="#">-35.0619</a>	<a href="#">148.097474</a>
Riverina	Control	24/01/2025	Cootamundra-Gundagai Regional Council	Johnson grass	<a href="#">-35.0633</a>	<a href="#">148.09517</a>
Riverina	Control	23/01/2025	Cootamundra-Gundagai Regional Council	Johnson grass	<a href="#">-35.0656</a>	<a href="#">148.095272</a>
Riverina	Control	23/01/2025	Cootamundra-Gundagai Regional Council	Johnson grass	<a href="#">-35.0981</a>	<a href="#">148.073165</a>
Riverina	Control	23/01/2025	Cootamundra-Gundagai Regional Council	Johnson grass	<a href="#">-35.1061</a>	<a href="#">148.063384</a>
Riverina	Control	23/01/2025	Cootamundra-Gundagai Regional Council	Johnson grass	<a href="#">-35.117</a>	<a href="#">148.0532</a>

Riverina	Control	23/01/2025	Cootamundra-Gundagai Regional Council	Blackberry	<a href="#">-35.1374</a>	<a href="#">148.007913</a>
Riverina	Control	23/01/2025	Cootamundra-Gundagai Regional Council	Johnson grass	<a href="#">-35.1134</a>	<a href="#">148.045581</a>
Riverina	Control	23/01/2025	Cootamundra-Gundagai Regional Council	Johnson grass	<a href="#">-35.1102</a>	<a href="#">148.053607</a>
Riverina	Control	21/01/2025	Cootamundra-Gundagai Regional Council	Blackberry	<a href="#">-35.0873</a>	<a href="#">148.08901</a>
Riverina	Control	21/01/2025	Cootamundra-Gundagai Regional Council	Johnson grass	<a href="#">-35.0844</a>	<a href="#">148.091437</a>
Riverina	Control	21/01/2025	Cootamundra-Gundagai Regional Council	Johnson grass	<a href="#">-35.0837</a>	<a href="#">148.09148</a>
Riverina	Control	21/01/2025	Cootamundra-Gundagai Regional Council	Johnson grass	<a href="#">-35.062</a>	<a href="#">148.098783</a>
Riverina	Control	21/01/2025	Cootamundra-Gundagai Regional Council	Johnson grass	<a href="#">-35.0631</a>	<a href="#">148.102027</a>
Riverina	Control	21/01/2025	Cootamundra-Gundagai Regional Council	Blackberry	<a href="#">-35.0536</a>	<a href="#">148.101518</a>
Riverina	Control	20/01/2025	Cootamundra-Gundagai Regional Council	Coolatai grass	<a href="#">-35.1434</a>	<a href="#">147.992608</a>
Riverina	Control	20/01/2025	Cootamundra-Gundagai Regional Council	Serrated tussock	<a href="#">-35.0526</a>	<a href="#">148.114906</a>
Riverina	Control	16/01/2025	Cootamundra-Gundagai Regional Council	Serrated tussock	<a href="#">-35.0172</a>	<a href="#">148.11082</a>
Riverina	Control	15/01/2025	Cootamundra-Gundagai Regional Council	Johnson grass	<a href="#">-35.0756</a>	<a href="#">148.107316</a>
Riverina	Control	15/01/2025	Cootamundra-Gundagai Regional Council	Blackberry	<a href="#">-35.056</a>	<a href="#">148.106463</a>
Riverina	Control	15/01/2025	Cootamundra-Gundagai Regional Council	Johnson grass	<a href="#">-35.056</a>	<a href="#">148.106463</a>
Riverina	Inspection	15/01/2025	Cootamundra-Gundagai Regional Council	Coolatai grass	<a href="#">-35.0555</a>	<a href="#">148.106531</a>
Riverina	Control	14/01/2025	Cootamundra-Gundagai Regional Council	St. John's wort	<a href="#">-35.118</a>	<a href="#">147.962313</a>
Riverina	Control	10/01/2025	Cootamundra-Gundagai Regional Council	Silverleaf nightshade	<a href="#">-35.0515</a>	<a href="#">148.12165</a>
Riverina	Control	10/01/2025	Cootamundra-Gundagai Regional Council	Johnson grass	<a href="#">-35.0482</a>	<a href="#">148.123668</a>
Riverina	Control	8/01/2025	Cootamundra-Gundagai Regional Council	St. John's wort	<a href="#">-35.0679</a>	<a href="#">148.113677</a>
Riverina	Control	7/01/2025	Cootamundra-Gundagai Regional Council	St. John's wort	<a href="#">-35.0361</a>	<a href="#">148.110715</a>
Riverina	Control	7/01/2025	Cootamundra-Gundagai Regional Council	Giant Parramatta grass	<a href="#">-35.007</a>	<a href="#">148.112112</a>
Riverina	Control	6/01/2025	Cootamundra-Gundagai Regional Council	Khaki weed	<a href="#">-35.0972</a>	<a href="#">148.092221</a>
Riverina	Control	3/01/2025	Cootamundra-Gundagai Regional Council	Johnson grass	<a href="#">-35.0698</a>	<a href="#">148.115188</a>
Riverina	Control	2/01/2025	Cootamundra-Gundagai Regional Council	St. John's wort	<a href="#">-35.0956</a>	<a href="#">148.390371</a>
Riverina	Control	2/01/2025	Cootamundra-Gundagai Regional Council	St. John's wort	<a href="#">-35.1034</a>	<a href="#">148.381018</a>

# Spray Records for the month of January 2025

Date	Location	Application	Land Use	Weed	Chemical	Quantity	Amountof Spray Mix
2/01/2025	Adjungbilly	Spot	Roadside	St John's Wort, Blackberry	Dicamba Musta Metsulfuron Genwett	1.6L 4.0L 50g 500ml	500L
3/01/2025	Charlotte St Brungle Rd Slate Quarry Rd	Spot	Roadside	Johnsons Grass, St John's Wort, Blackberry	Dicamba Musta Metsulfuron Genwett	1.9L 4.8L 60g 600ml	600L
6/01/2025	South Gundagai Cemetery	Sport	Reserve	Khaki Weed	Dicamba Musta Metsulfuron Genwett	1.9L 4.8L 60g 600ml	600L
7/01/2025	South Gundagai Cemetery Spring Flat Rd	Spot	Roadside Reserve	Giant Parramatta Grass, St John's Wort, Patersons Curse, Khaki Weed, Blackberry	Dicamba Musta Metsulfuron Genwett	1.9L 4.8L 60g 600ml	600L
8/01/2025	North Gundagai	Spot	Sporting Reserve	All Weeds	Musta Metsulfuron Genwett	3L 30g 500ml	300L
8/01/2025	Brungle Rd	Spot	Roadside	Johnsons Grass, St John's Wart, Blackberry	Dicamba Musta Metsulfuron Genwett	2.1L 4.8L 60g 600ml	600L
8/01/2025	Sporting Grounds	Spot	Sporting	All Weeds	Musta Metsulfuron Genwett	3L 30g 500ml	300L
9/01/2025	Palmer Park Friendship Park	Spot	Reserve Residential	All Weeds	Musta Metsulfuron Genwett	4L 30g 500ml	300L
9/01/2025	Coolac Rd Charlotte St	Spot	Roadside	Johnsons Grass, St John's Wort, Patersons Curse, Blackberry	Dicamba Musta Metsulfuron Genwett	2.1L 4.8L 60g 600ml	600L
10/01/2025	Charlotte St O'Briens Rd Quidong Rd	Spot	Roadside	St John's Wort, Blackberry, Johnsons Grass, Silver Leaf Nightshade	Dicamba Musta Metsulfuron Genwett	2.1L 4.8L 60g 600ml	600L
13/01/2025	Lindley Park South Lookout	Spot	Reserve Residential	All Weeds	Musta Metsulfuron Genwett	4L 30g 500ml	300L
13/01/2025	Mount Parnassus Nurse Murray St	Spot	Reserve Residential	All Weeds	Musta Metsulfuron Genwett	4L 30g 500ml	300L
13/01/2025	North Gundagai	Spot	Roadside	All Weeds	Musta Metsulfuron Genwett	4L 30g 500ml	300L
14/01/2025	Old Hume Highway	Spot	Roadside	St John's Wort, Johnson's Grass	Dicamba Musta Metsulfuron Genwett	1.8L 4.0L 50g 500ml	500L
15/01/2025	North Gundagai	Spot	Roadside	All Weeds	Musta Metsulfuron	8L 60g	600L



15/01/2025	Water Filtration Plant South Gundagai Service Station Sonowball Rd	Spot	Roadside	Johnson's Grass, Blackberry	Dicamba Musta Metsulfuron Genwett	1.0L 2.4L 30g 300ml	300L
16/01/2025	South Gundagai	Spot	Roadside	All Weeds	Musta Metsulfuron Genwett	8L 60g 1L	600L
16/01/2025	DOTT Walking Track Monumental Cemetery	Spot	Reserve	Serrated Tussock, Fleabane	Dicamba Musta Metsulfuron Genwett	2.1L 4.8L 60g 600ml	600L
17/01/2025	Monumental Cemetery	Spot	Reserve	Fleabane	Dicamba Musta Metsulfuron Genwett	1.8L 4.0L 50g 500ml	500L
17/01/2025	South Gundagai	Spot	Roadside	All Weeds	Musta Metsulfuron Genwett	8L 60g 1L	
20/01/2025	Catholic Cemetery Tumblong	Spot	Roadside Reserve	Serrated Tussock, Fleabane, Coolatai Grass, Blackberry, Johnson's Grass	Dicamba Musta Metsulfuron Genwett	2.1L 4.8L 60g 600ml	600L
21/01/2025	Attwood Ave Pool Burra Rd Sth Gun Exit Ramps Walking Track	Spot	Roadside	Blackberry, Johnson's Grass, St John's Wort	Dicamba Musta Metsulfuron Genwett	1.8L 4.0L 50g 500ml	500L
21/01/2025	North Gundagai South Gundagai	Spot	Roadside Reserve	Fleabane/All	Musta Metsulfuron Buffer	8L 60g 400L	
21/01/2025	Sheridan St Highway Exit Tip	Spot	Roadside	Johnson's Grass, Blackberry	Dicamba Musta Metsulfuron Genwett	2.1L 4.8L 60g 600ml	600L
22/01/2025	Judy St Tuckerbox Trail	Spot	Roadside	All Weeds	Musta Metsulfuron Buffer	7L 105g 1L	600L
23/01/2025	DOTT Gundagai Tip	Spot	Reserve	All Weeds	Musta Metsulfuron Genwett	15L 90g 1.5L	900L
23/01/2025	Tumblong Sheahan Bridge Nth Exit	Spot	Roadside	Johnson's Grass, Blackberry, St John's Wort	Dicamba Musta Metsulfuron Genwett	2.1L 4.8L 60g 600ml	600L
24/01/2025	Sheahan Bridge Nth Exit Sth Exit - Nth Bound	Spot	Roadside	St John's Wort, Johnson's Grass, Blackberry, Fleabane	Dicamba Musta Metsulfuron Genwett	2.1L 4.8L 60g 500ml	600L
28/01/2025	Coolac Grounds Dodd St	Spot	Roadside	All Weeds	Musta Metsulfuron Buffer	12L 90g 1.5L	900L
29/01/2025	Nangus Rd	Spot	Roadside	Johnson's Grass	Dicamba Musta Metsulfuron Genwett	2.1L 4.8L 60g 400ml	600L
29/01/2025	Middleton Drive Nangus Rd	Spot	Roadside	St John's Wort, Johnson's Grass, Blackberry	Dicamba Musta Metsulfuron	2.1L 4.8L 60g	600L
29/01/2025	South/Depot	Spot	Reserve	All/Catheads	Musta Metsulfuron Buffer	4L 30g 500ml	300L
30/01/2025	Depot Gundagai Tip	Spot	Reserve	All	Musta Metsulfuron Genwett	8L 60g 1L	600L
30/01/2025	Nangus Rd	Spot	Roadside	Johnson's Grass, Bathurst Burr	Dicamba Musta Metsulfuron Genwett	1.8L 4.0L 50g 500ml	500L
31/01/2025	Nangus Rd	Spot	Roadside	Johnson's Grass, Bathurst Burr, St John's Wort, Blackberry	Dicamba Musta Metsulfuron Genwett	1.4L 3.2L 40g 400ml	400L

Gundagai Public & Council Facilities:

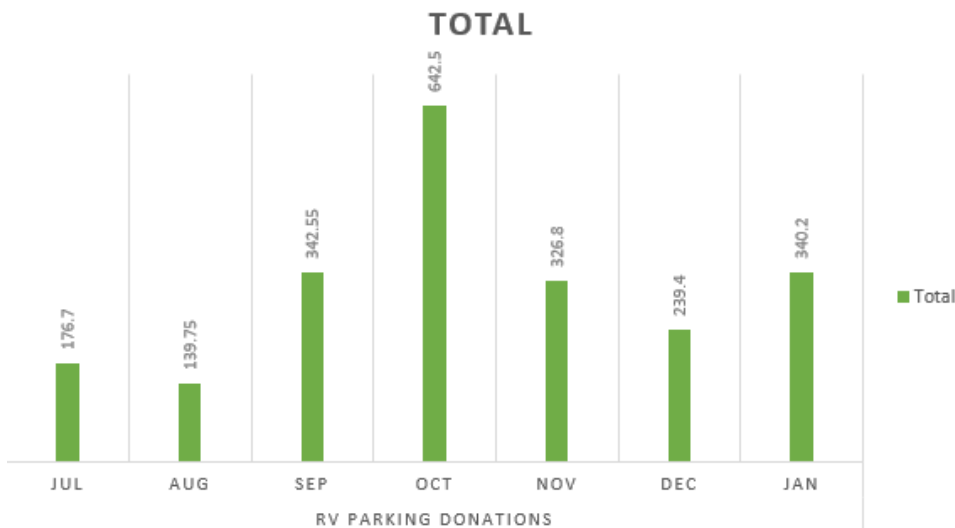
Gundagai Pool –

Gundagai Pool has had great attendance this season with an outstanding number of people attending the pool to enjoy the inflatable equipment in the week prior to Australia Day and then to also attend the Australia Day pool parties. Everyone is enjoying the fantastic canteen facilities and coffee’s being provided by the lessees.



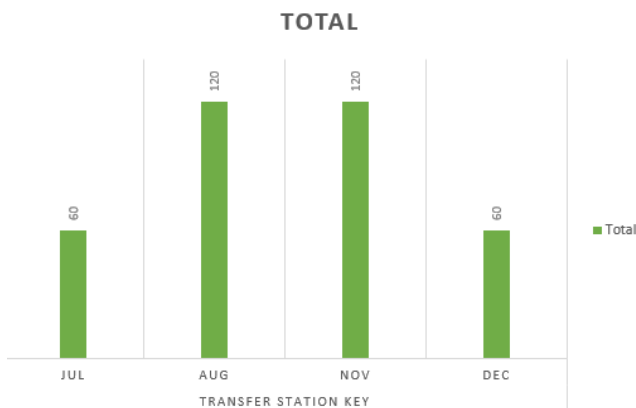
Gundagai RV Park Income January 2025

- 01/01/25 – 31/01/25 - Total Income \$340.20



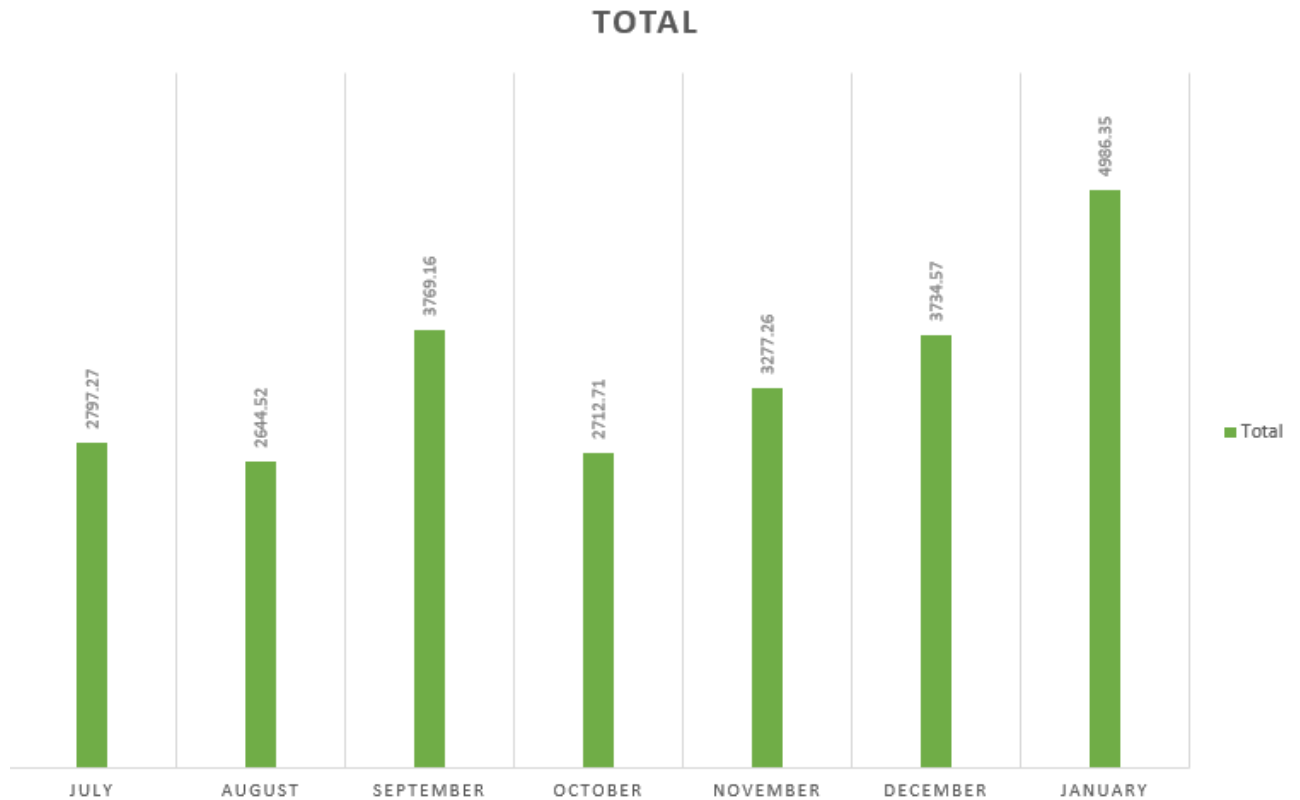
Gundagai Transfer Station Key January 2025

- 01/01/25 – 31/01/25 - General Income \$0.00



**Gundagai Landfill/Transfer January 2025**

- 01/01/25 – 31/01/25 - General Income \$4986.35

**Gundagai Saleyards January 2025**

- Income from the Saleyards Truck wash for the month of November amount yet to be received. *Note\* Figures are GST inclusive.*

2024/2025		Avdata Payments /Council Income	Usage - Customers /Account Holders
		GST Incl.	
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	\$ 3,250.47	33
2025	February		
2025	March		
2025	April		
2025	May		
2025	June		
2024/2025	Totals	\$ 19,975.66	223

**Compliance:**

*Compliance with the Companion Animals Act 1998*

*Local Government (General) Regulation 2021 – Reg 217(1)(f)*

- Issues with roaming stock have been reported and addressed with the stock being returned and notices given.
- Several 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 MONTHLY REPORT TO COUNCIL

DOCUMENT NUMBER	430683
REPORTING OFFICER	Shelley Liehr, Operations Support Officer
AUTHORISING OFFICER	Matt Stubbs, Deputy General Manager - Operations
RELEVANCE TO COMMUNITY STRATEGIC PLAN	<b>2. A region for the future</b> 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 January 2025.

#### Discussion

##### **Saleyards**

No sheep sales have occurred.

The saleyard's holding paddocks agistment has ended. The holding paddocks have been grazed to a level where the fire risk has been reduced significantly and enough ground cover remains to protect the soil from degradation from wind/rain erosion. The paddocks will now be rested until suitable stock feed is available after the autumn break. Paddocks will be agisted once the level of feed is available.

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.

##### **Truck Wash**

As of the reporting date January, the truck wash recorded 137 transactions, invoicing a total of \$7,873.77.

Truck wash area was cleaned and emptied twice during January, removing approximately 16 tonne of animal faeces.

Preparation works are being undertaken to install a second tank for potable water. The truck wash has run out of water several times and to mitigate the issue, a second tank is required to supply the

pump house. The original design was for approximately 10 trucks per week – current average use is approximately five trucks per day and in some instances up to 7 trucks per day. Transport drivers prefer the Cootamundra truck wash due to the ease of entry, good pressure, cleanliness and safety improvements (lights, concrete paths, guarded areas).

Council will also install a second pump to maintain the pressure when two trucks are simultaneously using the truck wash. The second pump is a surplus and has been in storage from an early change to the truck wash. Extra taps will be installed so staff can wash down the pits and sieve grates without dragging heavy hoses around the yards and pits.

Recycled crushed concrete has been used to fill in ruts in the parking areas around the pump house to mitigate slips trips and falls and for ease of maintenance.

### **Cemeteries**

During the Christmas break, two burials took place on the 31<sup>st</sup> December 2024 at the Cootamundra Lawn Cemetery.

January had three burials in the Cootamundra Lawn and one interment of ashes in the Cootamundra Lawn Niche. One plaque was affixed at Stockinbingal Lawn Cemetery and two ceramics at the Cootamundra Lawn Cemetery.

Conservation grants for Stockinbingal and Wallendbeen Cemeteries were submitted in October and Council are still waiting to hear back if we were successful from the Biodiversity Conservation Trust. If awarded, these grants will support the preservation of small areas of natural Grassy Box woodlands, two of the few remaining habitats of this kind in NSW.

Cootamundra Cemetery masterplan has been discussed with planning underway.

### **Regulatory Services**

Council Rangers seized ten dogs during the month of January. Of these, one dog, which was microchipped and registered, was returned directly to its owner without impounding, while another seven were impounded and later reclaimed. Two dogs were surrendered and were released to rescue for rehoming.

Council Rangers seized twenty-two cats. One was microchipped and impounded, and was later reclaimed by their owners. One cat has been rehomed, while a further nine are awaiting rehoming. Thirteen feral cats were euthanised.

Council Rangers responded to various concerns about barking dogs, straying animals, and non-compliance for both cats and dogs.

Council Rangers continue to monitor and refill waste stations.

The Council Ranger attended a dog incident. As a result of the investigation, one dog has had an Intention of Menacing Dog issued.

Total registration fees collected for January amounted to \$2,608.00.

Additionally, Rangers issued warnings for illegal parking to owners. Two vehicles were impounded for breaches under the NSW Public Spaces Act.

### **Parks and Gardens**

Due to the Christmas leave, staff levels were lower than usual.

Mowing maintenance was reduced through the month due to no rain and the irrigation being only a supplementary process – sports fields, surrounds, irrigated small spaces, villages of Stockinbingal

and Wallendbeen and town open spaces was reduced considerably. Due to equipment breakdowns only one mower has been available, the other two will be repaired and returned to service.

Cootamundra hosted the Touch Football Carnival in mid-January. Staff maintained the area and extra water was allocated to have a safe and useable playing surface for the competition. The drainage work had trenches that needed extra water for kikuyu coverage. Four new touch fields were marked out on the newly finished fields. Extra event bins were delivered to facilitate the rubbish requirements for the weekend.

Albert Park was maintained on the Thompson Street side, including the Gallipoli Rose Garden, in preparation for Australia Day events. Staff made themselves available to set up marquees, tables, chairs and flag pole for the day. Pack up was also undertaken by Parks staff at the conclusion of the event.

Sutton Street trees were trimmed and maintained from Mackay Street through to Campbell/Hovell Street intersection for the purpose of road sealing and pedestrian access in collaboration with RMS and Council's Civil Works team to complete the project.

The town Christmas tree was removed in preparation for Australia Day, then erecting the town flagpole and flying the Australian Flag. A new flag was installed due to the existing flag reaching its useable lifespan.

Top dressing of Nicholson Park was undertaken after the touch football carnival as a preventative measure to mitigate the recently dug drainage trenches that had begun to subside due to the dry weather shrinking the soil. This work is part of the contractors agreement, there was no additional cost to Council.

Staff commenced work at the permanent Beach Volleyball site, weeding, edging the court and applying extra water to green up the area. Trees along Murray Street were maintained to allow the event to be held unhindered by low branches and for the tipping trucks to apply the sand.

General town maintenance to main street Gardens, including extra watering due to the hot weather.

## Bio Security

### General and WAP Activity January 2025

Activity	Location	Km/Count	Date
<b>Regional Inspection Program - Inspection of High-Risk Pathways (roadsides) (Inspection) (Inspection) 1000km</b>	Stockinbingal RD	19.5	8/1/25
	Olympic HWY	14	7/1/25
	Burley Griffin Way	25	8/1/25
	Olympic HWY	5	9/1/25
	Olympic HWY	14.6	10/1/25
	Burley Griffin Way	4.7	14/1/25
	Old Gundagai Rd	21.6	15/1/25
	Rosehill Rd	21.5	15/1/25
		<b>TOTAL: 126km</b>	

<b>(HRS) Inspection of named HRS.</b> <b>(7 Cootamundra x 2 inspections)</b> <b>Nursery (3)</b> <b>Saleyards (1)</b> <b>Abattoir (1)</b> <b>Jugiong feedlot (1)</b> <b>Conqueror grain (1)</b>	Cootamundra Saleyards	1 inspection and spraying.	9/1/25
<b>Inspection of High Risk Sites- Travelling Stock Reserves (TSRs) (Inspection) 35 TSR CGRC</b> <b>≥ 1 inspection every 3 years. Target 30</b>	Wallendbeen Crown Reserve	1 inspection	9/1/25
<b>Inspection of HRS – Water ways and foreshore inspections.</b> <b>100km annually.</b> <b>Muttama Ck</b> <b>Hillas Ck</b> <b>Bland Ck</b> <b>Cunninbgham Ck.</b> <b>Target 100km</b>	Cunningham Ck	1km	9/1/25
<b>Private Property Inspections. Target 120</b>	14 Williams Avenue	1 inspection	17/1/2025
	16 Williams Avenue	1 Inspection	17/1/2025
	18 Williams Avenue	1 inspection	17/1/2025
	0 Warralong Rd	1 inspection	28/1/25
	216 Sutton's Lane	1 inspection	28/1/25
	91 Warralong Rd	1 inspection	29/1/25
	92 Warralong Rd	1 inspection	29/1/25
	184 Sutton's Lane	3 inspection	30/1/25



	81 Warralong Rd	1 inspection	31/1/25
	60 Warralong Rd	1 inspection	31/1/25
	59 Warralong Rd	1 inspection	31/1/25
		<b>TOTAL: 53/60</b>	
<b>Provide landholders with education, training &amp; technical advice &amp; support on weed management (Extension)</b>	Privet broad-leaf information package	3 packages	17/1/2025
	Sticky Nightshade package	1 package	29/1/25
	Silverleaf nightshade package	1 package	29/1/25
	Weeds of Riverina booklet	1 package	31/1/25
	Post inspection Reports	11 units	31/1/25
<b>Other</b>			
Spot Spray Local Roads – Local priority weeds			
	Rosehill	Spot Spray	15/1/25
	Kilrush	Spot spray	7/1/25
	Old Gundagai	Spot spray	15/1/25
	Stockinbingal Rd	Spot spray	14/1/25
	Muttama Rd	Spot spray	8/1/25
	Olympic HWY	Spot spray	10/1/25
	Burley Griffin Way	Spot spray	14/1/25
	Wallendoon Lane	Spot spray	7/1/25

**General Comments:**

- The Landcruiser (spray unit) out of order at start of month.
- Focus on highway roadside inspections and control of Johnson and African Lovegrass.
- Summer maintenance side spray planned on several roads.
- St. John's Wort largely entering summer dormancy (shorter season – dry conditions - Cootamundra).

- Local road spraying African Lovegrass, Johnson Grass, Silverleaf Nightshade and Bathurst Burr.
- Private property inspections to continue.
- New incursion of Sticky Nightshade identified on Burley Griffin Way. Treated, BIS reported and new RGP area to be erected in incursion zone. Seasonal monitoring required.
- Continued work on WAP application. Several online meetings attended, and draft responses sent to DPI and Regional Weeds Coordinator. Feedback implemented. Final draft responses nearing completion. Section B funding allocations to be finalised before Feb 19<sup>th</sup>.

**Waste Services**

The Cootamundra tip shop is becoming quite popular with locals exploring the range of options to secure a bargain whilst assisting with the reduction in waste going into the landfill.

The recycled compost sold 61 tonnes, and the crushed concrete sold 336 tonnes over the January period.

Work has been completed for capping and cleaning up for builders' rubble and other waste at the Cootamundra, Stockinbingal and Wallendbeen landfills as per EPA requirements.

A new haulage contractor has been engaged through the South West Regional Waste Management Group. This was awarded to Elliotts in Tumut which commenced on 1/2/2025.

**Facilities**

The roof at the Wallendoon Street toilet block was repaired to prevent the men's toilet leaking through the ceiling.

**Capital Works**

Ellwood Hall update – It was anticipated to have the new toilet block completed by the end of December. Due to supply delays it is now expected to be completed at the end of February. The builder is waiting on the partitions for final the fit out.

Quad Scull update – The Men's Shed have completed the restoration work to the Quad Scull and it is now ready to be displayed. The Heritage Centre The story board is being.

**Financial**

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

**OLG 23a Guideline consideration**

No impacts associated with this report.

**8.8.2 REVIEW OF GUNDAGAI WASTE MANAGEMENT OPERATIONS**

DOCUMENT NUMBER	431550
REPORTING OFFICER	Greg Ewings, Acting Manager Regional Services Gundagai
AUTHORISING OFFICER	Matt Stubbs, Deputy General Manager - Operations
RELEVANCE TO COMMUNITY STRATEGIC PLAN	<b>2. A region for the future</b> 2.2 A thriving region that attracts people to live, work and visit
FINANCIAL IMPLICATIONS	Funding of \$720,000 in the 2024/2025 budget for the Gundagai Landfill upgrades including entrance upgrade with weighbridge, power and new site office amenities building.
LEGISLATIVE IMPLICATIONS	The Waste budget must be managed and be compliant with the terms and conditions as outlined within the relevant sections of LG Act. specifically related to domestic waste management services under Section 469 of the Local Government Act 1993 (NSW).
POLICY IMPLICATIONS	There are no Policy implications associated with this report.
ATTACHMENTS	Nil

**RECOMMENDATION**

- 1. Council acknowledges receipt of the report on the current Waste Services Operations across the CGRC area.**
- 2. That Tenders be called for the provision of the Waste collection services for Council's Transfer Stations and the Gundagai Burra Road Waste Facility.**
- 3. Council proceeds with the capital improvement program for the Gundagai Burra Road Waste Facility as detailed in the 2024/2025 Budget.**

Introduction

This report is in response to Council's request for the provision of Councils waste operations information, be provided for a Councillor workshop. The request was following a report to the July 23 Meeting 2024 which addressed the possible addition of a new transfer station in the Adjungbilly area.

In addition to addressing the immediate requirement outlined, this report delves into the broader context of council's waste operation. By examining financial sustainability and evaluating the current waste management practices, the purpose of this report is to provide the Council with informed insights that will help to guide future decisions.

The management of waste operations is complex, and council must consider all factors that may influence the impact of their choices. Therefore, it is essential to recognise that when contemplating the development of a new services, the potential impacts of a new service on other areas of waste operations must be thoroughly understood.

The subsequent sections will reach into the specifics of staff findings and recommendations.

### Discussion

To enhance clarity, this report is structured into six distinct sections:

1. Current Waste Operation Details and Contracts
2. Licencing and Compliance
3. Potential Capital Improvements - Gundagai
4. Gundagai Transfer Stations – Cost Comparison for Council to Undertake Full Service.
5. Alternative Service Options for Gundagai Waste Services
6. Summary

## **1. CURRENT WASTE OPERATION DETAILS AND CONTRACTS**

### **COOTAMUNDRA LANDFILL**

The Cootamundra Landfill covers an area of 20.52 ha and operates under Environmental Protection License (EPL) being 5985 issued by the NSW EPA, which relates to a General Solid Waste (Putrescible) Landfill. Under this license agreement, the landfill operates under the Environmental Protection Authority (EPA) conditions and guidelines. This landfill licence allows a total tonnage of waste disposed of at the premises not exceeding 20,000 tonnes per year. All waste streams that enter this facility is captured and recorded through the weighbridge and waste software, identifying materials and weights that are collected for the EPA reports.

Cootamundra Waste Facility receives and manages both domestic and non-domestic waste. At Cootamundra, general waste is hauled to Ecofill, Jugiong, as part of the South West Regional Waste Management Group haulage agreement, with a total of 1,718 tonnes recorded for FY 2024.

The Cootamundra Waste Facility incorporates a Material Recovery Facility (MRF) which Elouera Association Inc operate under contract. All recycling collected is sorted and separated onsite and then transported off site for reuse.

Approximately two-thirds of domestic waste managed by Council is collected at the kerbside. Council recycles around 40% of all kerbside waste streams collected.

CGRC residents generate significantly lower amounts of household kerbside waste compared with an average of all NSW Councils. Within the co-mingled recycling stream, approximately 15% of the collection is landfilled as non-recyclable material, whilst very little contamination is reported within kerbside organics.

A revolve shop has recently been installed as per the Waste Strategy Delivery Action Plan 2020-2030 with the initiative to further reduce the amount of material going into landfill.

Residents of Cootamundra, Stockinbingal and Wallendbeen are provided with a three mobile garbage bin (MGB) Council kerbside service. This service is comprised of one 140L general waste bin collected weekly, one 240L recycling bin collected fortnightly, and one 240L green waste bin collected on the alternative fortnight. A relatively small number of kerbside services are also provided to businesses within the Cootamundra township.

Income received for FY 2024 over the Cootamundra Waste Facility totaled \$869,948.14, with 26,043.61 tonnes of waste received over all waste streams.

### **Village Landfills**

Stockinbingal and Wallendbeen landfills are managed under contract by Elouera Association Inc which is up for renewal in June 2025.

The life of both Stockinbingal and Wallendbeen villages is nearing completion. Council is exploring funding opportunities for the closure of these landfills and constructing transfer stations to those utilized in Muttama, Tumblong, Nangus and Coolac to service these communities to encourage resource recovery options, and alleviate the potential environmental risks associated with a traditional landfill.

Opportunities for recycling are limited at these sites. Recyclables are manually sorted by residents and collected in MGB's which are supervised by contracted staff.

### **Stockinbingal**

Stockinbingal landfill is a smaller rural landfill staffed by Elouera Association Inc. when open. The site is fenced with stock-proof fencing but due to its proximity to roads and villages. The installation of man-proof fencing and a remotely connected multi-camera CCTV system would provide better site security, reduce the risk of inappropriate dumping, scavenging and vandalism, and allow Council to respond should an incident occur.

There are a very limited opportunities at the site to separate and recovery resources and reduce the amount of material going to the pit.

### **Wallendbeen**

Wallendbeen landfill is also operated by Elouera Association Inc. and has limited capacity to receive more waste. The larger open pit has limited capacity and is being capped as it nears its limit.

The site has stock-proof fencing, but due to the proximity of the site to main roads and the Wallendbeen village, there is a risk of dumping and unauthorized use. A third-party review recommend that the site have man-proof fencing and a remotely connected multi-camera CCTV system to provide better site security, reduce the risk of inappropriate dumping, scavenging and vandalism, and allow Council to respond should an incident occur.

As with the Stockinbingal landfill, there are limited opportunities to dispose of segregated recyclable materials at the landfill and it would be beneficial to install improved infrastructure improved recycling and resource recovery.

### **GUNDAGAI LANDFILL**

The Gundagai Landfill operates as an unlicensed landfill, exempt from the same Environmental Protection Authority (EPA) conditions and operational requirements applicable to the Cootamundra Landfill. However, the Gundagai Landfill remains subject to stringent EPA waste regulations associated with unlicensed landfills.

In the waste report to council 23 July 2024 the inefficiencies and cost involved with the use of the Cleanaway 23m<sup>3</sup> hook bins in the current service were highlighted. Staff are still compiling data from old service records to establish the amount of waste transported in the bins from the Gundagai landfill site over the past 3 years to enable an accurate \$ per tonne cost. Once established the \$per tonne cost will be used to compared with alternative services such as onsite compaction and joining the South West Regional Waste Management Group transport system.

Waste management involves interconnected components, each impacting the final outcome. To address the existing information deficiency, a comprehensive review of waste operations is imperative and is ongoing. The review aims to identify areas requiring correction and implement appropriate changes, ensuring full compliance with the LG Act and securing the long-term financial viability of the Gundagai waste operations.

The Waste Operations and Financial Divisions of the Council are collaboratively addressing the existing deficiencies. They are implementing new accounting procedures to enhance data collection, ensuring accurate accountability for the entire waste operations. These efforts aim to secure both the current and long-term sustainability of waste operations, meeting community expectations.

### **Transfer Stations**

Within the former Gundagai Shire area, there are currently four (4) village transfer stations situated as follows:

- Muttama
- Tumblong
- Nangus
- Coolac

The Council presently oversees day-to-day operations at these stations, which encompass tasks such as litter collection, bin repairs, fence and gate maintenance, scanner and camera monitoring, tag issuance, and skip bin management.

Previously, the Council held a Service agreement with Cleanaway for servicing the skip bins, but this Agreement expired in 2019. Since then, Cleanaway continued to provide service on a service-by-service basis. The delay in not re-negotiating the service agreement or commencing a new competitive procurement process for the service meant that there was no market cost comparison received at the time. This resulted in Council not knowing if it was receiving value for money at the time. In 2022 a decision not to renew the contract was based on the need for a comprehensive review to determine the most cost-effective and efficient approach to skip bin servicing. This evaluation was to weigh internal operations against external options. It could be reasonably assumed that not re-negotiating or going to market over this time led to increased prices.

In March 2024, after negotiations with Cleanaway new 12-month service agreements for the Transfer station servicing were signed with an average saving across the four sites of 11% from the 2023/2024 charges. This contract expires in March 2025 and during its term there has been several inefficiencies in its delivery in which if rectified Council could save cost.

Considering the above it is timely that Council go out to the market and call for tenders for the provision of the service.

Prices received can then be received and compared to the cost of Council undertaking the operation in house.

Included below are plans that give details of the location of the current sites and the coverage within the council boundaries.

Figure 1a below shows the location of Councils current waste facilities

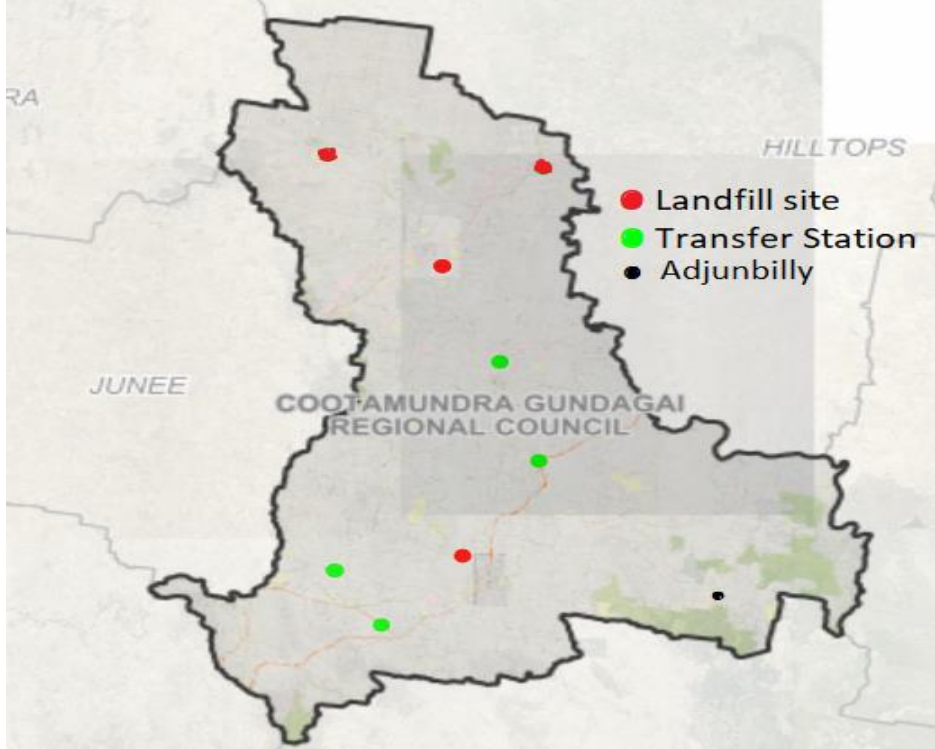


Figure 1a

Figure 1b below shows the coverage of the current facilities using a 15km radius from each site.

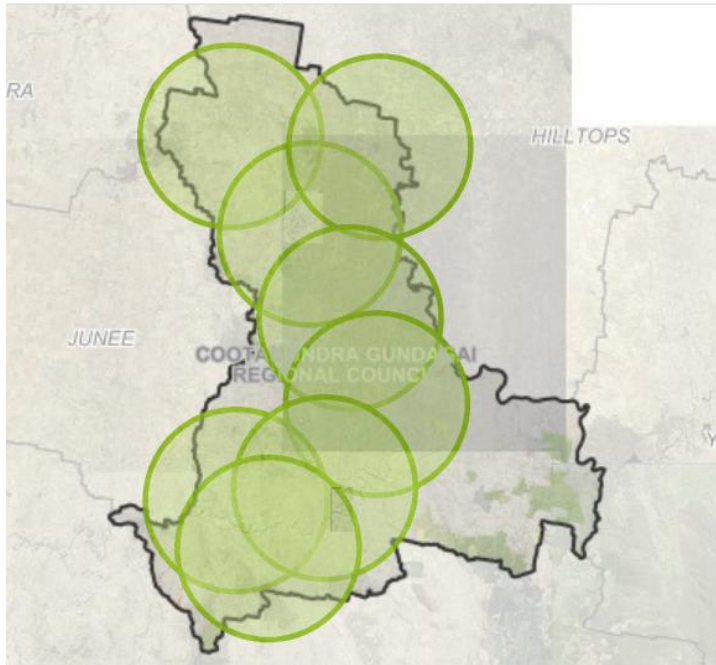


Figure 1b

## OPERATING COST

Below is a summary of the income and operating cost of the Gundagai waste services for the 2023/2024 Financial year.

**23/24    Waste Income Domestic**

- Number of current bins serviced (as per rate notices) – DWC 951, CWC 115 assessments – 259 services.
- Total Income from Domestic Waste Charge - \$494,520.00
- Number of rural properties that receive a rural waste levy Gundagai (RWC) – 1297.
- Total income from RWC - \$99,869.00.

**Total Annual Domestic Income - \$594,389.00**

**Income General Waste**

- Gundagai Landfill Fee & Chargers - \$69,303.00 (2023/24)
- Sale Scrap Steel – \$29,000.00.

**Total Income General Waste - \$98,954.00**

**Total Waste Annual Income - \$693,343.00**

**Waste Expenditure**

- Operating Costs Domestic Waste Collection - \$236,456.00
- External Operational Costs Gundagai Landfill - \$221,593.00
- Internal Operating Costs four (4) Transfer Stations - \$6,712.00
- External Operating Costs Four (4) Transfer Stations - \$191,085.00.

**Total Waste Operations Expenditure Gundagai - \$655,846.00**

**Income 23/24 F/Y \$693,343.00 - 23/24 F/Y Expenditure \$655,846.00 = \$37,497.00 result**

**23/24 Annual Gundagai Waste Operating Result positive \$37,497.00.**

Regarding the financials related to Domestic Waste, the income amounts to \$549,380.00, with a total operating expenditure of \$432,892.00. This results in a surplus of \$116,488.00 for the Domestic Waste Reserve.

The operational cost compared to the income generated by the Gundagai Landfill is a concern. While there has been areas of the operation where cost savings have been identified which are described in part 4 of this report it also should be noted that the fees and charges and service delivery at the site need reviewed to determine a more sustainable outcome.

As an example, in 2023/24 there were 1973 manually recorded transaction at the site with \$33,863.00 income recorded for the transactions. This equates to an average price of \$17.16 per transaction recorded manually at the gate in operating hours.

The difference between the gate income of \$33,863.00 and the total recorded income of \$69,303.00 was \$35,440.00 which was charged to account holders.

If the average charge of \$17.16 was divided into the total site income of \$69,303.00 it equates to 4038 transactions in total.

In the same period the Cootamundra Landfill had recorded a total of 20557 transactions over the weighbridge with an income of \$841,935.00. When divided by the transactions this equates to an average transaction price of \$40.95.



If assuming the Gundagai site had a weighbridge and charged by weight using the same fees and charges structure as Cootamundra, then the 4038 transactions through the Gundagai site would have generated \$165,381.00.

This example highlights the need to be able to have detailed information on who is using the facility the products being delivered or taken and the amount in out of the site. Without having detailed information, it is hard to set fees and charges that cover the current cost of operating a landfill and the cost required to be used in the future for upgrades and rehabilitation the site will require.

## **2. LICENCING AND COMPLIANCE**

### **Licencing;**

Cootamundra Landfill is operated under the EPA licence 5985 for waste disposal to land not exceeding 20,000 tonne per annum.

Gundagai is a non-licenced small, rural landfill.

### **Compliance;**

#### **Cootamundra Landfill annual licence return.**

#### **Domestic Waste Management Services Under Section 469 of the Local Government Act 1993 (NSW)**

Domestic waste operations encompass the collection and management of various materials, as outlined in the Local Government Act. These services include:

- 1. Household Putrescible Waste Bins**
- 2. Household Green Waste Bins**
- 3. FOGO (Food Organics, Garden Organics) Waste Collection**
- 4. Recyclable Material Collection Bins**

The costs associated with these domestic waste operations are covered by the Domestic Waste Management Charge, which forms part of the annual ratable waste charges imposed by CGRC.

The provisions outlined in the Local Government Act:

#### **1. Annual Charges for Domestic Waste Management Services:**

- Councils are obligated to establish and levy an annual charge for providing domestic waste management services.
- This charge applies to each rateable land parcel where the service is available.
- Importantly, the charges must not exceed the reasonable cost of providing these essential services.
- Revenue collected through these charges is earmarked exclusively for domestic waste management purposes.

#### **2. Restrictions on Using Ordinary Rate Income:**

- Councils are expressly prohibited from allocating income from an ordinary rate toward the cost of domestic waste management services.

- However, subsection (1A) allows for income from an ordinary rate to be internally lent, specifically for meeting the costs associated with providing domestic waste management services.

In summary, Section 469 ensures that local councils effectively fund and manage domestic waste services while maintaining transparency and cost-effectiveness.

As detailed above it is not permissible to have a waste management charge that exceeds the actual costs to deliver the service to the community.

Under the Local Government Act (LGA) Waste provisions, waste is classified into two main categories: Domestic and General waste. According to the Local Government Act 1993 (NSW), councils are obligated to levy an annual charge for providing domestic waste management services to each rateable parcel of land where this service is available.

These charges related to Domestic Waste must be exclusively utilised for managing and servicing Domestic Waste, not for General Waste. Furthermore, these charges should not exceed the reasonable cost incurred by the council in delivering waste services to the community.

### 3. POTENTIAL CAPITAL IMPROVEMENTS - GUNDAGAI

The capital improvements identified as being required for the Gundagai Burra Road Site are

- Weighbridge
- Associated amenities and weighbridge building
- Provision of power or solar option / generator back up option
- Potential installation of waste compactor unit (New Wastech Unit \$164,373 inc. GST in 2020)
- Upgrade internal roads and parking area
- Renew fencing on Burra Road frontage.
- Indicative quotes have been received for the provision and installation of a new weighbridge with an associated weighbridge office and amenities building including solar power, with battery storage costing \$280,000.00

### 4. ALTERNATIVE SERVICE OPTIONS FOR GUNDAGAI WASTE SERVICES

**Removing Landfill from Transfer Operations:** By separating landfill operations from transfer activities, we can streamline processes and enhance accountability.

**Internalising Landfill Management:** Transitioning from external to internal management can improve cost control and operational effectiveness.

**Adjusting Landfill Operating Hours:** Exploring the possibility of operating the landfill only three days a week could yield efficiency gains.

**Implementing a Weigh Bridge and Data Management System:** Installing a weigh bridge and associated waste data management system will ensure accurate tracking of data and fees. The Data gained will enable the breakdown of cost of all Gundagai waste operations to cost per tonne as well as giving better control and security to the Burra Road site.

**Evaluating FOGO Operations:** Investigating the current FOGO (Food Organics, Garden Organics) operations and processing to identify options and potential cost savings.

**Introducing Kerbside Collection:** The introduction of a kerbside collection for General Waste and recycling to the Gundagai villages of Muttama, Tumblong, Nangus and Coolac may reduce the use and demand of the transfer stations.

These opportunities represent a starting point for addressing the current issues, problems and ensuring the long-term sustainability of our waste operations.

## 5. SUMMARY

This report identifies the current operational waste services and the cost to council to provide the services, additionally the report indicates areas of the current waste operations that may be improved and demonstrates the need to have a new Waste Management Policy.

The report also details the need to consider the wider issue of what parameters should be considered when looking at where a waste service is provided. While the report focuses more within the Gundagai area the implications apply equally to the Cootamundra Waste operations. By examining financial sustainability and evaluating current waste management practices, the purpose of this report is to provide Council with informed insights that will help guide future decisions.

It is for the above reasons it is not recommended that Council proceed at this time with the construction of any additional Transfer Stations, however pending the results of cost savings by that may be gained by going to the market or alternatively servicing in house if more cost effective the issue could be reconsidered and included in a new CGRC Waste Management Policy (WMP).

While it is acknowledged that all waste service operations do not provide equality of services to all property owners and residents by having a policy that clearly defines Council's Waste Management services, operations and the areas within the Council Boundaries that receive each type of service, and the levels of service gives clarity and consistency that can be easily communicated to the community.

### Financial

Funding of \$720,000 in the 2024/2025 budget for the Gundagai Landfill upgrades including entrance upgrade with weighbridge, power connection and new site office /amenities building. Potential projected expenses associated with Waste Transfer Station at Adjungbilly in future budget.

### OLG 23a Guideline consideration

Does not conflict with Guidelines.

**9        MOTION OF WHICH NOTICE HAS BEEN GIVEN**

Nil

**10       QUESTIONS WITH NOTICE**

Nil

## 11 CONFIDENTIAL ITEMS

### 11.1 CLOSED COUNCIL REPORT

DOCUMENT NUMBER	431660
REPORTING OFFICER	Teresa Breslin, Executive Assistant to Mayor and General Manager
AUTHORISING OFFICER	Roger Bailey, Interim General Manager
RELEVANCE TO COMMUNITY STRATEGIC PLAN	<b>4. Collaborative and progressive leadership</b> 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. 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.

#### 11.2 RFT2024/04 WATER NETWORK CIVIL, ELECTRICAL AND MECHANICAL UPGRADES AT COOTAMUNDRA & GUNDAGAI

##### 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

Discloses commercial information.