



COOTAMUNDRA-
GUNDAGAI REGIONAL
COUNCIL

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Business Paper

ORDINARY COUNCIL MEETING

COUNCIL CHAMBERS, GUNDAGAI

6:00PM, Tuesday 23rd September, 2025

Administration Centres: 1300 459 689

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

NOTICE OF MEETING

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

Tuesday, 23rd September, 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

1	Acknowledgement of Country	5
2	Open Forum	5
3	Apologies	5
4	Disclosures of Interest	5
5	Confirmation of Minutes	6
5.1	Minutes of the Ordinary Meeting of Council held on Tuesday 26 August 2025	6
5.2	Minutes of the Cootamundra-Gundagai Local Traffic Committee Meeting held on Thursday 14 August 2025	21
6	Mayoral Minutes	29
6.1	Mayoral Minute - Councillor Engagement	29
6.2	Mayoral Minute - Joint Advocacy - Community Benefit Sharing Payments - Transgrid Power Lines	31
7	Reports from Committees	33
8	General Manager's Report	33
8.1	General Manager Office	34
8.1.1	Establishment of a Demerger Transition Committee	34
8.1.2	ALGA 2025 National Local Roads and Transport Congress 11-12 November 2025	39
8.1.3	Country Mayors Association Meeting Minutes 8 August 2025	41
8.2	Business	51
8.2.1	Bradman Birthplace s.355 Committee AGM Meeting Minutes, Membership and Chairman's Report	51
8.2.2	Muttama Creek Regeneration Group s.355 Committee Meeting Minutes	57
8.2.3	The Arts Centre Cootamundra s.355 Committee Meeting Minutes	60
8.2.4	Muttama Hall Management s.355 Committee Meeting Minutes	69
8.3	Finance	75
8.3.1	Finance Update - August 2025	75
8.3.2	Restricted Cash Reconciliation - August 2025	79
8.3.3	Investment Report - August 2025	82
8.4	Sustainable Development	87

8.4.1	Local Heritage Grant Funding Allocation	87
8.4.2	DA 2025/89 - Proposed Farm Building - 3938 Snowy Mountains Highway, Mount Adrah	100
8.4.3	DA 2025/53 - Proposed Garaport - 26 Lawson Drive, Gundagai	172
8.5	Engineering Cootamundra	216
8.5.1	Cootamundra Engineering Report - August 2025	216
8.6	Engineering Gundagai.....	219
8.6.1	Gundagai Engineering Report - August 2025.....	219
8.7	Regional Services Gundagai	222
8.7.1	Gundagai Regional Services - August 2025	222
8.8	Regional Services Cootamundra	226
8.8.1	Cootamundra Regional Services - August 2025	226
9	Motion of which Notice has been Given.....	230
10	Questions with Notice	230
11	Confidential Items	231
11.1	Closed Council Report	231
11.2	Human Resources Report.....	231
11.3	Acquisition of dogonthetuckerbox.com.domain	231
11.4	Resumption of Open Council Meeting	231
11.5	Announcement of Closed Council Resolutions	231

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 26 AUGUST 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 26 August 2025

RECOMMENDATION

That the Minutes of the Ordinary Meeting of Council held on Tuesday 26 August 2025 be confirmed as a true and correct record of the meeting.

Minutes

ORDINARY COUNCIL MEETING

ALBY SCHULTZ MEETING CENTRE, COOTAMUNDRA

6:00PM, TUESDAY 26th August, 2025

Administration Centres: 1300 459 689

**MINUTES OF COOTAMUNDRA-GUNDAGAI REGIONAL COUNCIL
ORDINARY COUNCIL MEETING
HELD AT THE ALBY SCHULTZ MEETING CENTRE, COOTAMUNDRA
ON TUESDAY, 26 AUGUST 2025 AT 6:00PM**

PRESENT: Cr Abb McAlister (Mayor) via teams, 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), Trevor Dando (Acting Deputy General Manager - Operations), Damian Smith (Acting Manager Finance), Linda Wiles (Manager Business), Anne Chamberlain (Governance Officer)

2 OPEN FORUM

Nil

3 APOLOGIES AND LEAVE OF ABSENCE

3.1 APOLOGIES

Nil

3.2 LEAVE OF ABSENCE

Nil

4 DISCLOSURES OF INTEREST

Nil

5 CONFIRMATION OF MINUTES

5.1 MINUTES OF THE ORDINARY MEETING OF COUNCIL HELD ON TUESDAY 22 JULY 2025

RESOLUTION 151/2025

Moved: Cr Les Cooper

Seconded: Cr Gil Kelly

That the Minutes of the Ordinary Meeting of Council held on Tuesday 22 July 2025 were confirmed as a true and correct record of the meeting.

CARRIED

6 MAYORAL MINUTES

6.1 MAYORAL MINUTE - COUNCILLOR ENGAGEMENT

RESOLUTION 152/2025

Moved: Cr David Graham

Seconded: Cr Ethan Ryan

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

CARRIED

7 REPORTS FROM COMMITTEES

Nil

8 GENERAL MANAGER'S REPORT

8.1 GENERAL MANAGER OFFICE

8.1.1 CHRISTMAS AND NEW YEAR CLOSURE

RESOLUTION 153/2025

Moved: Cr Penny Nicholson

Seconded: Cr Ethan Ryan

The Christmas 2025 and New Year 2026 closures for Council facilities be noted.

CARRIED

8.1.2 DRAFT COUNCILLOR AND STAFF INTERACTION POLICY

RESOLUTION 154/2025

Moved: Cr Gil Kelly

Seconded: Cr Les Cooper

1. That subject to the authorised staff member names and the 'Interim' and 'Acting' be removed in the Policy
2. That the draft Councillor and Staff Interaction Policy be adopted.

CARRIED

8.1.3 DRAFT DISABILITY AND INCLUSION ACTION PLAN 2025-29

RESOLUTION 155/2025

Moved: Cr Logan Collins

Seconded: Cr Les Cooper

1. The draft Disability and Inclusion Action Plan, attached to the report, be publicly exhibited for twenty-eight (28) days.
2. If no submissions are received, endorse the Disability and Inclusion Action Plan at the completion of the exhibition period.

CARRIED

8.2 BUSINESS**8.2.1 THE ARTS CENTRE COOTAMUNDRA S.355 COMMITTEE ORDINARY MEETING MINUTES, AGM MINUTES AND MEMBERSHIP****RESOLUTION 156/2025**

Moved: Cr David Graham

Seconded: Cr Penny Nicholson

1. The Minutes of the Ordinary meeting held 17 July 2025, and the Minutes of the Annual General Meeting (AGM) held 17 July 2025 of The Arts Centre Cootamundra s.355 Committee, attached to the report, be received and noted.

2. The office bearers and membership of The Arts Centre Cootamundra s.355 Committee, be endorsed.

CARRIED

8.2.2 COOTAMUNDRA HERITAGE CENTRE MANAGEMENT S.355 COMMITTEE MEETING MINUTES**RESOLUTION 157/2025**

Moved: Cr Les Cooper

Seconded: Cr David Graham

The Minutes of the Cootamundra Heritage Centre Management s.355 Committee Meeting held 4 August 2025, attached to the report, be received and noted.

CARRIED

8.2.3 CUSTOMER SERVICE CHARTER**RESOLUTION 158/2025**

Moved: Cr Les Cooper

Seconded: Cr Ethan Ryan

That the Customer Service Charter, attached to the report, be endorsed.

CARRIED

8.2.4 PUBLIC LIBRARY FUNDING STRATEGY 2025-26**RESOLUTION 159/2025**

Moved: Cr Ethan Ryan

Seconded: Cr Danyal Syed

That the report on the Public Library Funding Strategy 2025-26 be noted.

CARRIED

8.2.5 DELIVERY PROGRAM - OPERATIONAL PLAN QUARTERLY PROGRESS REPORT**RESOLUTION 160/2025**

Moved: Cr Logan Collins

Seconded: Cr Gil Kelly

The Delivery Program incorporating the Operational Plan 2024/2025, quarterly progress report, (4th Quarter, April, May and June), attached to the report, be received and noted.

CARRIED

8.2.6 ESTABLISHMENT OF A DEMERGER TRANSITION COMMITTEE**RESOLUTION 161/2025**

Moved: Cr Logan Collins

Seconded: Cr Gil Kelly

That Council:

1. Authorise six Councillors to workshop with the Interim General Manager to develop recommendations for Council regarding the establishment of a Demerger Transition Committee, including:
 - i) the proposed composition of the Committee;
 - ii) draft Terms of Reference;
 - iii) any delegations to be conferred; and
 - iv) any other matters relevant to the Committee's establishment and the commencement of the demerger process.
2. Request that a report be presented to the September 2025 Council meeting outlining the outcomes of the workshop and recommendations for the establishment of the Committee.
3. Appoint the following Councillors to participate in the workshop:
 - o The Mayor;
 - o The Deputy Mayor;
 - o Two Councillors representing the Cootamundra area; and
 - o Two Councillors representing the Gundagai area.

PROCEDURAL MOTION

Moved: Cr Logan Collins

Seconded: Cr Gil Kelly

That Council break for up to five minutes to allow Councillors to discuss representation for the workshop.

Recess at 6:30pm

The meeting resumed: 6.33

RESOLUTION 162/2025

Moved: Cr Collins

Seconded: Cr Gil Kelly

Council made a further resolution in relation to item 8.2.6, that Council appoint the following Councillors for the workshop.

- **Cootamundra: Cr Gil Kelly and Cr Ethan Ryan**
- **Gundagai: Cr Penny Nicholson and Cr David Graham**

CARRIED

8.2.7 EASTERN RIVERINA ARTS (ERA) MEMBERSHIP RENEWAL

RESOLUTION 163/2025

Moved: Cr Penny Nicholson
Seconded: Cr David Graham

The proposed Membership Fee of \$8,720.21, for the Eastern Riverina Arts, as budgeted, be endorsed.

CARRIED

8.2.8 ACCESS AND INCLUSION ADVISORY COMMITTEE MEETING MINUTES

RESOLUTION 164/2025

Moved: Cr Logan Collins
Seconded: Cr Les Cooper

The Minutes of the Access and Inclusion Advisory Committee Meetings held, 23 July 2025 and 6 August 2025, attached to the report, be received and noted.

CARRIED

8.2.9 COOTAMUNDRA TURF CLUB SPONSORSHIP PROPOSAL

RESOLUTION 165/2025

Moved: Cr Ethan Ryan
Seconded: Cr Penny Nicholson

That Council decline the sponsorship request from the Cootamundra Turf Club on the basis that it does not align with current Council priorities and that available funding may be required to support the demerger process.

CARRIED

8.3 FINANCE

8.3.1 FINANCE UPDATE - JULY 2025

RESOLUTION 166/2025

Moved: Cr David Graham
Seconded: Cr Abb McAlister

That the Finance Update report, be received and noted.

CARRIED

8.3.2 INVESTMENT REPORT - JULY 2025**RESOLUTION 167/2025**

Moved: Cr David Graham

Seconded: Cr Penny Nicholson

The report detailing Council Cash and Investments as at 31st July 2025, be received and noted.

CARRIED

8.3.3 RESTRICTED CASH RECONCILIATION - JUNE 2025**RESOLUTION 168/2025**

Moved: Cr Les Cooper

Seconded: Cr Ethan Ryan

1. The Restricted Cash Reconciliation report, be received and noted.
2. That Council receive further advice on the transfer of internally restricted resources to unrestricted to compensate for the current shortfall as at 30 June 2025.

CARRIED

8.3.4 RESTRICTED CASH RECONCILIATION - JULY 2025**RESOLUTION 169/2025**

Moved: Cr Ethan Ryan

Seconded: Cr Logan Collins

The Restricted Cash Reconciliation report, be received and noted.

CARRIED

8.4 SUSTAINABLE DEVELOPMENT**8.4.1 DRAFT PLANNING AGREEMENT POLICY****RESOLUTION 170/2025**

Moved: Cr Ethan Ryan

Seconded: Cr Les Cooper

That Council:

1. Amend clause 43.1 of the draft policy to say "Where Council is the determining authority for a development application involving a planning agreement the Councillors will not be involved in the

negotiation of the planning agreement but a decision on whether the Council will enter into a planning agreement will be made by resolution of the governing body of the Council".

2. Endorse and publicly exhibit the Draft Planning Agreements Policy for a period of not less than 28 days; and
3. Adopt the Policy if no substantive submissions are received during the exhibition period; and
4. If substantive submissions are received, the draft policy be reviewed and further report be presented to the Council for consideration.

CARRIED

8.4.2 NEGOTIATION OF PLANNING AGREEMENT - BONDO WINDFARM

RESOLUTION 171/2025

Moved: Cr Penny Nicholson

Seconded: Cr Logan Collins

That Council:

1. Authorise the Mayor, Deputy Mayor and Interim General Manager to enter into negotiations with NEOEN on behalf of Cootamundra-Gundagai Regional Council for the purpose of securing Benefit Sharing Funds including a Planning Agreement in relation to the proposed Bondo Wind Farm subject of State Significant Development application (SSD-86276211); and
2. That such negotiations be undertaken in accordance with the Environmental Planning & Assessment Act 1979 and associated regulations and in consideration of Planning agreement Practice Note published by NSW Department of Planning, Housing and Industry May 2025 and Benefit-Sharing Guideline dated November 2024.

CARRIED

8.4.3 NEGOTIATION OF AMENDED PLANNING AGREEMENT - EULONGA QUARRY

RESOLUTION 172/2025

Moved: Cr Logan Collins

Seconded: Cr Ethan Ryan

That Council resolve to:

1. Authorise the Mayor, Deputy Mayor and Interim General Manager to enter into negotiations with the Developer of the Eulonga Quarry on behalf of Cootamundra-Gundagai Regional Council for the purpose of an Amended Planning Agreement in relation to current Development Application DA 2025/32 and current approved quarry operations; and
2. That such negotiations be undertaken in accordance with the Environmental Planning & Assessment Act 1979 and associated regulations and in consideration of Planning agreement Practice Note published by NSW Department of Planning.

CARRIED

8.4.4 DA 2025/47 - PROPOSED DWELLING - 17 NEIL MCINERNEY STREET, GUNDAGAI**RESOLUTION 173/2025**

Moved: Cr Penny Nicholson

Seconded: Cr Les Cooper

That Council resolve to approve DA 2025/47 subject to conditions of consent as outlined in the accompanying Draft Notice of Determination and authorise minor amendments to correct any errors prior to issuing the final notice.

CARRIED

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

8.4.5 DA 2025/85 - ERECTION OF A GARAGE - 150 ADAMS STREET, COOTAMUNDRA**RESOLUTION 174/2025**

Moved: Cr David Graham

Seconded: Cr Les Cooper

That Council resolve to approve DA 2025/85 for the erection of a shed/garage, subject to the conditions of consent detailed in the accompanying Draft Notice of Determination and authorise minor amendments to correct any errors prior to issuing the final notice.

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

CARRIED

8.4.6 DA 2025/73 - PROPOSED CARPORT - 5 CAMPBELL STREET, COOTAMUNDRA**RESOLUTION 175/2025**

Moved: Cr Logan Collins

Seconded: Cr Ethan Ryan

That Council resolve to approve DA 2025/73 for the erection of a new carport attached to the existing dwelling, subject to the conditions of consent detailed in the accompanying Draft Notice of Determination and authorise minor amendments to correct any errors prior to issuing the final notice.

CARRIED

VOTING RECORD	
FOR RESOLUTION	AGAINST RESOLUTION
Cr Abb McAlister (Mayor)	Nil
Cr Rosalind Wight	
Cr Logan Collins	
Cr Les Cooper	

Cr David Graham Cr Gil Kelly Cr Penny Nicholson Cr Ethan Ryan Cr Danyal Syed	
ABSENT	DECLARED INTEREST
Nil	Nil

8.5 ENGINEERING COOTAMUNDRA

8.5.1 COOTAMUNDRA ENGINEERING REPORT - AUGUST 2025

RESOLUTION 176/2025

Moved: Cr David Graham

Seconded: Cr Logan Collins

That the Cootamundra Engineering Report for the month of July 2025 be noted.

CARRIED

8.5.2 TFNSW 2025 AUTHORISATION-DELEGATION INSTRUMENT

RESOLUTION 177/2025

Moved: Cr Les Cooper

Seconded: Cr Penny Nicholson

1. **That Council endorses the use of the new TfNSW 2025 Authorisation-Delegation – Prescribed Traffic Control Devices and Regulation of Traffic (the Instrument).**
2. **That Council staff proceed with approvals as outlined in the attached documents.**
3. **That the Local Transport Forum be consulted where required.**

CARRIED

8.5.3 HEAVY VEHICLE TRAVEL RESTRICTION ON LOCAL ROADS**MOTION**

Moved: Cr Logan Collins

Seconded: Cr Penny Nicholson

- 1. That Council prohibit vehicles exceeding 64.5 tonnes and 26 metres from using Council controlled roads, except for the following situations, which are to be assessed on a case by case basis:**
 - a. Indivisible Loads**
 - b. Vehicles which have been assessed to be suitable through the development approval processes.**
 - c. Where Council engineers have assessed infrastructure to warrant a different restriction on dimensions and/or weight of the vehicle.**
- 2. That Council liaise with industry stakeholders to implement the restriction.**

The MOTION was withdrawn.

RESOLUTION 178/2025

Moved: Cr Logan Collins

Seconded: Cr Gil Kelly

That a Council workshop in relation to Heavy vehicle Travel Restriction on local roads be held.

CARRIED

8.6 ENGINEERING GUNDAGAI**8.6.1 GUNDAGAI ENGINEERING REPORT - AUGUST 2025****RESOLUTION 179/2025**

Moved: Cr David Graham

Seconded: Cr Danyal Syed

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

CARRIED

8.7 REGIONAL SERVICES GUNDAGAI**8.7.1 GUNDAGAI REGIONAL SERVICES REPORT - JUNE 2025****RESOLUTION 180/2025**

Moved: Cr Les Cooper

Seconded: Cr Logan Collins

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

CARRIED

8.8 REGIONAL SERVICES COOTAMUNDRA**8.8.1 REGIONAL SERVICES - COOTAMUNDRA MONTHLY WORKS REPORT****RESOLUTION 181/2025**

Moved: Cr Ethan Ryan

Seconded: Cr Gil Kelly

The Regional Services – Cootamundra Monthly Works Report for the month of July 2025 be received and noted.

CARRIED

9 MOTION OF WHICH NOTICE HAS BEEN GIVEN

Nil

10 QUESTIONS WITH NOTICE

Nil

11 CONFIDENTIAL ITEMS**11.1 CLOSED COUNCIL REPORT****RESOLUTION 182/2025**

Moved: Cr Logan Collins

Seconded: Cr Gil Kelly

1. Council entered Closed Council at 7.06pm.
2. 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.
3. 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

11.2 HUMAN RESOURCES REPORT**RESOLUTION 183/2025**

Moved: Cr Gil Kelly

Seconded: Cr Logan Collins

That the information in the Human Resources Report be noted.

CARRIED

11.3 COOTAMUNDRA AND GUNDAGAI POOL CONTRACT EXTENSIONS**RESOLUTION 184/2025**

Moved: Cr Gil Kelly

Seconded: Cr David Graham

That Council authorises the Interim General Manager (IGM) to enter into negotiations to exercise a one-year contract extension with both the current contractor who manages the Cootamundra pool and stadium, and the current contractor who manages the Gundagai pool and gym.

CARRIED

11.4 RESUMPTION OF OPEN COUNCIL MEETING**RESOLUTION 185/2025**

Moved: Cr David Graham

Seconded: Cr Les Cooper

That the Open Council meeting resume at 7.08pm.

CARRIED

11.5 ANNOUNCEMENT OF CLOSED COUNCIL RESOLUTIONS

Note: The Interim General Manager announced the resolutions made in Closed Council.

The Meeting closed at 7.10pm.

CHAIRPERSON

GENERAL MANAGER

5.2 MINUTES OF THE COOTAMUNDRA-GUNDAGAI LOCAL TRAFFIC COMMITTEE MEETING HELD ON THURSDAY 14 AUGUST 2025

REPORTING OFFICER	Kylie Grybaitis, Road Safety Officer
AUTHORISING OFFICER	Trevor Dando, Acting 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 14 August 2025

RECOMMENDATION

1. That the Minutes of the Cootamundra-Gundagai Local Traffic Committee Meeting held on Thursday 14 August 2025, attached to the report, be received and noted.
2. In consideration of the Cootamundra-Gundagai Local Transport Forum recommendations detailed in the minutes, Council endorse the following:
 - 2.1. That the *GIVE WAY* signs and Advanced Warning *GIVE WAY* signs on Boundary Road and Berthong Road at the Temora Street intersection are replaced with *STOP* signs and Advanced Warning *STOP* signs.
 - 2.2. That Reef Creek Bridge signage on Muttama Road be updated to ensure adequate warning of the upcoming narrow bridge.
 - 2.3. That the current *GIVE WAY* signs on Temora Street are replaced with 'C' size *STOP* signs and a continuous control line on both sides of the Parker Street intersection.
 - 2.4. That approval be given to Cootamundra Health Care Co-Operative Ltd to hold the 2026 Coota Beach Volleyball Carnival from the 13 - 15 February 2026 subject to the following conditions:
 1. The temporary closure of Murray Street (Wallendoon Street to Bourke Street) between Tuesday 10th February and Monday the 16th February inclusive;
 2. The event organiser complies with any conditions set by Council and the NSW Police;
 3. The Event Management Plan (EMP) is completed and submitted to Council (attached);
 4. A current Certificate of Currency (COC) is submitted to Council noting Council, TfNSW and NSW Police as interested parties (to be submitted closer to the event date);
 5. Council provides a Traffic Guidance Scheme and associated traffic control (attached).
 - 2.5. That approval be given to Sacred Heart Central School to hold the 2026 All Schools Beach Volleyball Carnival on the 13 February 2026 subject to the following conditions:
 1. The temporary closure of Murray Street (Wallendoon Street to Bourke Street) between Tuesday 10 February and Monday 16 February inclusive (closure included in the Coota Beach Volleyball Carnival proposal).

- 2. The event organiser complies with any conditions set by Council and the NSW Police.**
- 3. The Event Management Plan (EMP) is completed and submitted to Council (attached).**
- 4. A current Certificate of Currency (COC) is submitted to Council.**
- 5. Council provides a Traffic Guidance Scheme and associated traffic control (attached).**

Discussion

The Minutes of the Cootamundra-Gundagai Local Transport Forum held on the 14 August 2025 are submitted for the information of Council and the community.



Minutes

COOTAMUNDRA-GUNDAGAI LOCAL TRANSPORT FORUM

ALBY SCHULTZ MEETING CENTRE, COOTAMUNDRA

10:00AM, THURSDAY 14th August, 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, 14 AUGUST 2025 AT 10:00AM**

PRESENT: Gwen Norman (Local Electorate Representative), Dennis Palmer (Local Electorate Representative), Greg Mineham (Lead Community & Safety Partner), Logan Collins (CGRC Councillor), Les Cooper (CGRC Councillor), Ben Smith (Sergeant Riverina Highway Patrol), Maxine Imrie (Bus Service Operators Representative)

IN ATTENDANCE: David Brodie (Acting Manager Engineering Cootamundra), Thomas Hogg (Acting Manager Engineering Gundagai), Kylie Grybaitis (Road Safety Officer)

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

Justin Knewstub (Sergeant Riverina Police Department)

2.1 APOLOGIES

Nil

2.2 LEAVE OF ABSENCE

Nil

3 DISCLOSURES OF INTEREST

Gwen Norman notified the Local Transport Forum (LTF) that she will be stepping down from her position due to a potential conflict of interest arising from a newly obtained role. Gwen introduced Dennis Palmer as the new Local Electorate Representative for the Local Transport Forum.

4 CONFIRMATION OF MINUTES

4.1 MINUTES OF THE COOTAMUNDRA-GUNDAGAI LOCAL TRAFFIC COMMITTEE MEETING HELD ON THURSDAY 8 MAY 2025

RECOMMENDATION

That the Minutes of the Cootamundra-Gundagai Local Traffic Committee Meeting held on Thursday 8 May 2025 be confirmed as a true and correct record of the meeting.

Discussion

Agreed as a true and correct record of the meeting.

5 REPORTS

5.1 BOUNDARY, BERTHONG AND TEMORA ROAD INTERSECTION SAFETY

RECOMMENDATION

That the GIVE WAY signs and Advanced Warning GIVE WAY signs on Boundary Road and Berthong Road at the Temora Street intersection are replaced with STOP signs and Advanced Warning STOP signs.

Discussion

Endorsed by the LTF and referred to Council for adoption.

The LTF discussed the four sign designs presented at the Forum in detail. NSW Police raised the importance of the reduce speed signage for residents unfamiliar with the intersection which was supported by the remaining Forum members.

Line marking was raised as an issue that needs to be rectified and the removal of a speed sign near Racecourse Road is to be investigated by TfNSW.

Council will utilise VMS boards to notify road users of changed traffic conditions and will provide AMG Labour Hire Companies with road safety information to support local workers.

Note: The Forum agreed that lighting or redesign of the intersection would improve the safety of the intersection and may need to be revisited in the future if compliance does not improve.

5.2 REEF CREEK BRIDGE WARNING SIGNAGE, MUTTAMA

RECOMMENDATION

That Reef Creek Bridge signage on Muttama Road be updated to ensure adequate warning of the upcoming narrow bridge.

Discussion

Endorsed by the LTF and referred to Council for adoption.

5.3 TEMORA STREET AND PARKER STREET INTERSECTION SAFETY, COOTAMUNDRA

RECOMMENDATION

That the current GIVE WAY signs on Temora Street are replaced with 'C' size STOP signs and a continuous control line on both sides of the Parker Street intersection.

Discussion

The LTF revised the recommendation to replace 'C' size GIVE WAY signs with 'C' size STOP signs on Temora Street on both sides of the Parker Street intersection. Advanced STOP warning signs were deemed unnecessary due to the 40km/h speed zone.

Council will provide VMS support alerting road users of the changed traffic conditions. Council will also notify Sacred Heart School of the new conditions.

Note: TfNSW have stated that technical direction fails to meet the warrant for STOP signs at this location. The warrant was not met due to clear, unobstructed sight distance for more than 30m in both directions with no significant crash history recorded in the past five years.

5.4 COOTA BEACH VOLLEYBALL 2026

RECOMMENDATION

That approval be given to Cootamundra Health Care Co-Operative Ltd to hold the 2026 Coota Beach Volleyball Carnival from the 13 - 15 February 2026 subject to the following conditions:

1. The temporary closure of Murray Street (Wallendoon Street to Bourke Street) between Tuesday 10th February and Monday the 16th February inclusive;
2. The event organiser complies with any conditions set by Council and the NSW Police;
3. The Event Management Plan (EMP) is completed and submitted to Council (attached);
4. A current Certificate of Currency (COC) is submitted to Council noting Council, TfNSW and NSW Police as interested parties (to be submitted closer to the event date);
5. Council provides a Traffic Guidance Scheme and associated traffic control (attached).

Discussion

The Bus Services Representative confirmed that this closure would have no direct repercussions on local transport services.

Approval will be given on submission of the COC. Final approval will be issued by NSW Police.

5.5 ALL SCHOOLS BEACH VOLLEYBALL 2026

RECOMMENDATION

That approval be given to Sacred Heart Central School to hold the 2026 All Schools Beach Volleyball Carnival on the 13 February 2026 subject to the following conditions:

1. The temporary closure of Murray Street (Wallendoon Street to Bourke Street) between Tuesday 10 February and Monday 16 February inclusive (closure included in the Coota Beach Volleyball Carnival proposal).
2. The event organiser complies with any conditions set by Council and the NSW Police.
3. The Event Management Plan (EMP) is completed and submitted to Council (attached).
4. A current Certificate of Currency (COC) is submitted to Council.
5. Council provides a Traffic Guidance Scheme and associated traffic control (attached).

Discussion

It is noted that the Department of Education do not need to nominate interested parties on the Public Liability Insurance Certificate (Council, TfNSW and NSW Police).

Final approval will be issued by NSW Police.

5.6 UPCOMING EVENTS

RECOMMENDATION

For the Committee's information.Discussion

A report highlighting approved local events will be included in the LTF agenda moving forward.

5.7 GENERAL BUSINESSDiscussion**1. Eagle Street Intersection Safety**

The LTF noted a low traffic environment with good sight visibility. Council will conduct a community awareness campaign reminding drivers to obey road signs and line marking.

2. Hoskins Street, Stockinbingal Traffic Data

In response to the traffic data presented to the LTF, and the proximity of Hoskins Street to a State Highway, Council will submit a report for inclusion in the next LTF agenda identifying infrastructure concerns and the safety implications of excessive heavy vehicle usage.

3. Stratton Avenue, Cootamundra Traffic Data

The Forum agreed that there was no further action required.

4. Stockinbingal Cemetery Speed Zone Extension

A temporary speed restriction was initially declined by TfNSW and referred to Council for consideration under section 116 and 138 of the Local Roads Act 2013. Council has approved an 18 month temporary speed reduction under this legislation.

5. Dirnaseer Road and Olympic Highway Intersection Safety

The Centre for Road Safety have conducted a risk based analysis on roads throughout NSW and this location is not currently considered as a high priority. No further community speed based investigations will be conducted until the identified risk locations have been completed.

6. The Authorisation and Delegation Instrument

Points of discussion:

- The LTF Forum quorum is a TfNSW and NSW Police
- Delegation is given to elected Council members and can be sub-delegated to Council staff through the General Manager.
- The LTF is not a committee but rather a Forum.
- The structure can remain similar to the LTC.
- TfNSW are still the authority for speed zones and the State network.
- Objections on behalf of members must be lodged through TfNSW as a 'Statement of Concern'.
- Council can not commence work until a 'Statement of Concern' has been addressed.
- Races and events that exceed 24 hours must be presented to the LTF. A report notifying the LTF of all other approved on-road events must be provided by Council.
- The CGRC Councillor raised the appointment of a Chairperson for the LTF.
- LTF meeting frequency was raised and members agreed to keep meetings on the same schedule as the LTC meetings.

Late Items:**7. Request for reclassification of Taxi rank to include booked vehicles**

TfNSW provided advice that Taxi Ranks zones are a separate zone from hire or booked vehicle services zone, and that these zones can not be combined (a location can only be one or the other). Suggestion was made

to retain the Taxi rank and encourage hired/booked parking to utilise available parking spaces within the vicinity of the Taxi rank.

The Meeting closed at 12:20pm.

The minutes of the Local Traffic Forum were confirmed at the Cootamundra-Gundagai Ordinary Council Meeting held on 26 August 2025.

.....
CHAIRPERSON

.....
GENERAL MANAGER

6 MAYORAL MINUTES

6.1 MAYORAL MINUTE - COUNCILLOR ENGAGEMENT

DOCUMENT NUMBER	444868
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.

20 August 2025

Crs McAlister (Mayor), Cr Nicholson attended the Citizenship Ceremony in Gundagai.

Crs McAlister (Mayor), Wight (Deputy Mayor), Cr Collins and Cr Cooper attended the Citizenship Ceremony in Cootamundra.

Crs McAlister (Mayor), Wight (Deputy Mayor), Kelly, Graham, Nicholson, Collins, Cooper, and Syed attended a meeting with the Hon Ron Hoenig, Minister for Local Government, in Cootamundra.

22 August 2025

Cr McAlister (Mayor) attended a Riverina Eastern Regional Organisation of Council (REROC) Board Meeting with the Interim General Manager, in Wagga Wagga.

26 August 2025

Crs McAlister (Mayor) (online), Wight (Deputy Mayor), Kelly, Graham, Nicholson, Collins, Ryan, Cooper, Cr Syed (arrived 5.05pm) attended the Councillor workshop and Council Meeting in Cootamundra.

28 August 2025

Cr Cooper attended an Ellwood's Hall s.355 Committee meeting.

1 September 2025

Crs Wight (Deputy Mayor) and Cr Ryan attended the ABC Radio outdoor broadcast from the Heritage Centre Cootamundra.

Cr McAlister (Mayor) attended the Cootamundra Heritage Centre AGM.

2 September 2025

Cr Cooper attended a meeting with the Acting Deputy General Manager and Acting Engineering Manager Cootamundra regarding Heavy Vehicle Access, Permits and Enforcement in CGRC area.

9 September 2025

Crs McAlister (Mayor), Wight (Deputy Mayor), Collins (online), Cooper, Graham, Kelly, Nicholson, and Cr Ryan (online) attended a Councillor Workshop in Gundagai.

10 – 11 September 2025

Cr Cooper attended the Innovation in Energy, Waste and the Circular Economy Conference in Wagga Wagga.

6.2 MAYORAL MINUTE - JOINT ADVOCACY - COMMUNITY BENEFIT SHARING PAYMENTS - TRANSGRID POWER LINES

DOCUMENT NUMBER	445827
AUTHORISING OFFICER	Abb McAlister, Mayor
REPORTING OFFICER	Abb McAlister, Mayor
ATTACHMENTS	Nil

RECOMMENDATION
That Council:

1. **Formally write to the Australian Energy Regulator (AER), Chair Clare Savage and CEO Anthea Harris requesting a meeting with all five Mayors of Snowy Valleys Council, Upper Lachlan Shire Council, Yass Valley Council, Wagga Wagga City Council, and Cootamundra-Gundagai Regional Council regarding the AER's immediate consideration and support to require or facilitate Transgrid's agreement to community benefit-sharing payments, with payments commencing in 2027 at the completion of the HumeLink Project.**
2. **Advocate jointly with Upper Lachlan Shire Council, Yass Valley Council, Wagga Wagga City Council, and Cootamundra-Gundagai Regional Council to Transgrid and the NSW Government for establishment of an annual payment of \$10,000 per kilometre indexed for the lifetime of the transmission lines.**
3. **Thank Minister Sharpe, Energy Commissioner Tony Maher and Transgrid CEO Brett Redman for past meetings with the host councils and seek their ongoing support in advocating for fair and meaningful benefit-sharing arrangements for host communities. Council and communities are giving the cities power security while the amenity of the regions is being adversely affected for decades.**

Purpose:

This report recommends joint advocacy by the five councils impacted by HumeLink infrastructure for an ongoing community benefit contribution payment scheme made to the councils in order to support the ongoing provision of infrastructure and services, therefore benefiting the whole community.

Background:

The HumeLink project will see approximately 365km of transmission lines constructed across five local government areas, including Snowy Valleys.

While landowners are compensated under the strategic benefit payments scheme, no equivalent framework exists for councils, despite their responsibility for maintaining local infrastructure and delivering community services that will support and be impacted by the project.

TransGrid and HumeLink's current Community Benefits and Investment Plan offers some grants and sponsorships, but these are short-term and fragmented, and do not deliver the ongoing net community benefit that host councils seek.

The host councils' proposal seeks contributions of \$10,000 per kilometre of transmission lines within each local government area, to be paid annually over the lifetime of the transmission lines being in the Council area with payments commencing in October 2027 at the completion of the Humelink Project.

These payments would be untied contributions for operational or capital costs of council infrastructure and services, including but not limited to:

- roads, bridges and drainage;
- water and sewerage;
- sporting, cultural, learning and community services;
- waste management and parks.

This approach ensures that communities hosting critical energy infrastructure receive a direct, ongoing benefit in recognition of their role in supporting projects that deliver for NSW and beyond.

Council notes the work undertaken by the Canberra Region Joint Organisation (CRJO) on behalf of Snowy Valleys Council, Upper Lachlan Shire Council, Yass Valley Council, Wagga Wagga City Council and Cootamundra-Gundagai Regional Council (the host councils) in preparing a joint advocacy proposal.

7 REPORTS FROM COMMITTEES

Nil

8 GENERAL MANAGER'S REPORT

8.1 GENERAL MANAGER OFFICE

8.1.1 ESTABLISHMENT OF A DEMERGER TRANSITION COMMITTEE

DOCUMENT NUMBER	446004
REPORTING OFFICER	Roger Bailey, Interim General Manager
AUTHORISING OFFICER	Roger Bailey, Interim General Manager
RELEVANCE TO COMMUNITY STRATEGIC PLAN	<p>4. Collaborative and progressive leadership</p> <p>4.1 A clear strategic direction that is delivered upon</p>
FINANCIAL IMPLICATIONS	There are no Financial implications associated with this report.
LEGISLATIVE IMPLICATIONS	Section 355 and Section 377(1)Local Government Act 1993 (NSW)
POLICY IMPLICATIONS	There are no Policy implications associated with this report.
ATTACHMENTS	1. Draft Demerger Transition Committee Terms of Reference Download

RECOMMENDATION

That Council:

1. Endorse the establishment of a Demerger Transition Committee pursuant to Section 355(c) of the *Local Government Act 1993 (NSW)*.
2. Approve the draft Terms of Reference for the Committee.
3. Authorise the Demerger Transition Committee to make decisions necessary to achieve the orderly demerger of the Cootamundra Gundagai Regional Council and creation of the two new councils. Such decisions must be made via an absolute majority of councillors present at the time of the meeting.
4. Appoint the Mayor and Councillors Wight, Nicholson, Graham, Kelly, and Ryan to the Committee.
5. Note that there will be no alternate representatives.
6. Receive ongoing reports from the Committee at each Ordinary Council Meeting.

Introduction

The purpose of this report is to seek Council's endorsement to establish a dedicated Demerger Transition Committee to oversee and guide the planning, communication, and implementation of the demerger process in line with statutory obligations and community expectations.

Background

Following recent developments regarding the proposed demerger of Cootamundra-Gundagai Regional Council (CGRC), a formal structure is required to ensure a coordinated, transparent, and accountable approach to transition planning.

At its August 2025 meeting, Council resolved to authorise six Councillors to workshop with the Interim General Manager on:

- The proposed composition of the Committee;
- Draft Terms of Reference;
- Any delegations to be conferred; and
- Any other matters relevant to the Committee's establishment and commencement of the demerger process.

The establishment of a Demerger Transition Committee will provide governance oversight, strategic coordination, and stakeholder engagement to address the complex financial, administrative, infrastructure, and workforce implications of the demerger.

Discussion

The demerger process will involve a wide range of issues, including:

- Asset and liability division;
- Workforce planning;
- Financial and budget separation;
- Re-establishment of two independent governance and operational frameworks;
- Community engagement and communication;
- Alignment with NSW Government requirements and timelines.

Given this complexity, it is proposed that the Demerger Transition Committee be established as a formal Advisory Committee of Council under Section 355 of the *Local Government Act 1993 (NSW)*.

Legislative Framework

- Section 355 of the *Local Government Act 1993 (NSW)* allows a council to exercise its functions by a committee of the council.
- Section 377(1) allows the council to delegate many of its functions to a committee (with certain exceptions). Delegated powers can enable the Transition Committee to provide timely recommendations back to the elected Council.

The Committee will operate under an adopted Terms of Reference covering:

- Membership and structure;
- Meeting frequency;
- Reporting obligations;
- Key responsibilities and scope of authority.

Important Note: while the demerger of the Cootamundra-Gundagai Regional Council is a unique situation, the Council is still obligated through the process to follow the NSW Local Government Act 1993.

Proposed Committee Composition

It is proposed that the Committee comprise of those councillors that undertook the workshop, including the Mayor and Councillors Wight, Nicholson, Graham, Kelly, and Ryan.

Secretariat support will be provided by Council staff.

Objectives of the Committee

The Transition Committee will:

1. Provide strategic oversight of the demerger process.
2. Facilitate clear and consistent communication with the community, staff, and NSW Government.
3. Develop a Demerger Transition Plan and monitor progress against agreed milestones.
4. Provide recommendations to Council on significant risks, issues, and budget implications.
5. Monitor community feedback and ensure transparency throughout the process.

Additional Information

Following discussions with the NSW Office of Local Government (OLG) on 8 August 2025, the following points are noted:

- The demerger is Council's responsibility to manage.
- OLG's preferred completion date is 30 June, requiring Council's preparatory work to be finalised by mid-December to allow the Proclamation to be drafted.
- A likely commencement date for the two new councils is 1 July 2027. Bringing this forward could create accounting complexities.
- OLG recommended a Transition Committee reporting directly to Council as the appropriate governance model.
- OLG may prepare Section 23A Guidelines once Council's Transition Plan is submitted.
- Council's Transition Plan should simplify the existing draft into clear, actionable steps.
- Financial sustainability options (beyond Special Rate Variations) should be considered, including service adjustments or alternative funding sources.
- A shared services approach requires a clear policy decision.
- A dispute resolution process will need to be established.
- OLG will not have a formal place on the Committee but may occasionally attend as observers.
- The Minister has confirmed that no funding will be provided to support the demerger process.

Financial

There are no direct financial implications arising from this report.

OLG 23a Guideline consideration

This report is consistent with the *Local Government Act 1993 (NSW)* and does not conflict with existing OLG 23A Guidelines.



DRAFT Demerger Transition Committee – Terms of Reference

Adopted: [Insert Date]

1. Purpose

The Demerger Transition Committee (the Committee) is established to provide strategic oversight, guidance, and advice to Council on matters relating to the implementation of the demerger of Cootamundra-Gundagai Regional Council into the former Cootamundra Shire and Gundagai Shire Councils.

The Committee will ensure the demerger is implemented efficiently, transparently, and in the best interests of both communities.

2. Objectives

The Committee will be responsible for the orderly demerger of the Cootamundra-Gundagai Regional Council and preparation for the creation of the two new councils. Included in this will be:

- Overseeing the planning and coordination of the demerger process.
- Monitoring the delivery of the Demerger Transition Plan and associated actions.
- Identifying and assessing key risks and provide mitigation strategies.
- Facilitating communication and engagement with the community and stakeholders.
- Providing advice to Council on key decisions impacting the transition.
- Ensuring compliance with legislative and NSW Government requirements.

3. Authority

The Committee is established under Section 355(c) of the *Local Government Act 1993 (NSW)* and reports directly to Council.

The Committee is delegated by Council to make decisions necessary to achieve the orderly demerger of the Cootamundra-Gundagai Regional Council and creation of the two new councils. Such decisions must be made via an absolute majority of councillors present at the time of the meeting.

4. Membership

The Committee will comprise:

- Mayor (Chair)
- Five (5) Councillors, as appointed by Council resolution

Secretariat support will be provided by Council staff including the Interim General Manager and Transition Manager.

5. Quorum

A quorum will consist of 50% plus one of the appointed members (excluding any vacancies).

6. Meetings

- The Committee will meet at least monthly, or more frequently as required.
- Extraordinary meetings may be convened by the Chair if urgent matters arise.
- Attendance may be in person or via approved remote/online means.
- Agendas and minutes will be prepared by Council staff and circulated at least 3 business days before each meeting.
- Minutes will be reported to Council at the next available Ordinary Council Meeting.

6. Roles and Responsibilities

All Committee members will:

- Act in good faith and in the best interests of the community.
- Respect confidentiality and disclose any conflicts of interest.
- Participate actively and constructively in discussions.
- Represent their constituents and ensure balanced consideration of issues affecting both communities.
- Support transparent and timely communication with the community.
- Contribute to the orderly separation of services, staff, assets and liabilities.

7. Decision Making

Decisions must be made via an absolute majority of councillors present at the time of the meeting.

8. Reporting

The Committee will provide a standing report to each Ordinary Council Meeting outlining:

- Progress against the Demerger Transition Plan,
- Key issues and risks, and
- Costs incurred in the demerger process.

The Committee may also provide interim briefings to Councillors as required.

10. Term of the Committee

The Committee shall remain in place until:

- The completion of the demerger of Cootamundra-Gundagai Regional Council and the commencement of Cootamundra and Gundagai Councils; or
- Council resolves to wind up the Committee.

Note: At that time, it may be appropriate for the two new councils to continue with a joint working party to finalise any outstanding matters.

8.1.2 ALGA 2025 NATIONAL LOCAL ROADS AND TRANSPORT CONGRESS 11-12 NOVEMBER 2025

DOCUMENT NUMBER	445670
REPORTING OFFICER	Teresa Breslin, Executive Assistant to Mayor and General Manager
AUTHORISING OFFICER	Roger Bailey, Interim General Manager
RELEVANCE TO COMMUNITY STRATEGIC PLAN	5. Integrated and accessible region 5.1 Known for our good road network
FINANCIAL IMPLICATIONS	Total estimated cost \$3,400, split between Operating Budget and Councillor Training Budget.
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 one (1) councillor and one (1) appropriate staff member, at the Australian Local Government Association 2025 National Local Roads and Transport Congress from 11-12 November 2025, be endorsed.

Introduction

The Australian Local Government Association (ALGA) represents Local Government to advocate for funding to help build and upgrade the facilities our communities want and need.

The ALGA National Local Roads and Transport Congress is to be held in Bendigo, Victoria, from 11–12 November 2025.

Discussion

This year's Congress, themed *Driving National Productivity*, will focus on the critical role local roads and infrastructure play in strengthening communities, enabling freight and supply chains, and supporting Australia's economic growth.

The keynote speakers this year is Rupert Hoskin AM with his keynote on "The Human Side of Infrastructure Leadership". As a former Army Brigadier, and current strategist Rupert brings a unique perspective to community infrastructure. Drawing on a career spanning global military command, diplomacy, humanitarian action, and business leadership, his keynote will focus on how projects need both technical and people skills for success.

The program will also include in-depth and practical sessions on:

- Road funding, maintenance, and productivity
- Building better roads and integrating resilience into construction
- Circular economy opportunities in infrastructure

- Managing Coastal Erosion and Infrastructure Resilience

Delegates will also have the opportunity to hear from key Federal Government Ministers and Shadow Ministers on their priorities and what's ahead for local government.

The Congress is also a valuable opportunity to expand your professional networks and connect with suppliers and partners who support councils in delivering for their communities.

Financial

Registration fees (early registration, by 26 September 2025) - \$979PP

Accommodation 2 nights - est. between \$440-\$721PP

Travel – CAR

Total estimated cost: \$1,700PP to be funded from the training allocation within the operating and Councillor budgets.

8.1.3 COUNTRY MAYORS ASSOCIATION MEETING MINUTES 8 AUGUST 2025

DOCUMENT NUMBER	445179
REPORTING OFFICER	Anne Chamberlain, Governance Officer
AUTHORISING OFFICER	Roger Bailey, Interim General Manager
RELEVANCE TO COMMUNITY STRATEGIC PLAN	4. Collaborative and progressive leadership 4.2 Proactive, practical Council leaders who are aligned with community needs and values
FINANCIAL IMPLICATIONS	There are no Financial implications associated with this report.
LEGISLATIVE IMPLICATIONS	There are no Legislative implications associated with this report.
POLICY IMPLICATIONS	There are no Policy implications associated with this report.
ATTACHMENTS	1. CMA Meeting Minutes - 8 August 2025 ↓

RECOMMENDATION

The Minutes of the Country Mayors Association Meetings held on 8 August 2025, attached to the report, be received and noted.

Introduction

The Minutes and supporting documentation of the Country Mayors Association Meeting held 8 August 2025, are attached for the information of Council and the community.

Financial

There are no financial implications associated with this report.

OLG 23a Guideline consideration

This report does not conflict with the guidelines.



The Country Mayors Association of NEW SOUTH WALES Inc

Chairman: Mayor Rick Firman OAM
 C/- Temora Shire Council,
 PO Box 262, Temora NSW 2666
Contact: 0429 204 060
Email: admin@nswcountrymayors.com.au
ABN: 92 803 490 533

MINUTES

A General Meeting of the Country Mayors Association of NSW Inc, was held on **Friday 8 August 2025**, in the Theatrette, Parliament House, Macquarie Street, SYDNEY commencing from 8:20am.

THEME: Crime, Law and Order

A warm welcome from CMA Chairman and Temora Shire Mayor Rick Firman OAM;

- Mayor Firman reflected on an exclusive workshop with NSW Environment Minister the Hon Penny Sharpe MP and her advisors, plus over 100 CMA members took place in the Theatrette NSW Parliament House, 2-5pm Thursday 7 August, 2025. The topics of Biodiversity Conservation Offsets and Waste were broken up by a CMA catered afternoon tea, which was much needed, due to the intensity of the workshop. Biodiversity offsets as barriers to housing developments and FOGO costs were key concerns discussed. Mayor Firman thanked Deputy Chairman (Mayor Russell Fitzpatrick – Bega Valley Shire) for serving as MC for the session.
- Mayor Firman reflected on the evening of Thursday 7 August 2025, a dinner with Former PM, the Hon Tony Abbott AC which saw 85 Board, Members and MPs enjoy a first-class venue, cuisine, service and camaraderie. The CMA catered a special dessert and shouted a drink. Mr Abbott donated his time for the CMA and it was a topical, engaging talk, warmly received by those in attendance.

1. Presentation – NSW Police Minister, the Hon. Mrs Yasmin Catley MP

- Reducing Community Crime is about partnership - State and Local Government working together in partnership with First Nations people and the broader community to improve safety in the community and address local challenges.
- The best way to reduce crime is to make sure it is not committed in the first place
- There has been a Youth Command developed - they work with PCYC to support young people.
- The Community Safety Report will be addressed by November 2025.
- 'Operation Soteria' is making significant impacts to date. This strategic initiative by NSW Police focusing on aggravated break, enter and steal offences, stealing motor vehicles and 'post and boast' offences where social media has been used to gain notoriety. It also involves a focus on improving police response to victims of sexual assault.
- Positive results so far - 189 charged and 137 of those charged were juveniles.

Page 1 of 9

- There is an emphasis on diversion to keep young people out of the justice system - Youth Engagement Officers work in this space - hold Youth Action Meetings in key locations.
- The Minister said she is aware that they need more officers on the ground - Recruitment strategy has been successful with 4600 recruit applications over last 18months. Improved workforce benefits include a once in a generation pay rise, and the move to flexible working hours (FTE model) and opportunity to job share.
- New Initiative "Be a cop in your hometown" is seeing positive results
- Members questions, brought up changes in Bail legislation, AV bail hearings seem to be missing the regional context, and additional police needed in holiday hot spots.

A token of appreciation was presented to Minister Catley MP by Mayor Firman.

2. Presentation – Acting Deputy Commissioner Brett Greentree, acting as Deputy Commissioner - NSWPF Regional NSW Field Operations.

- The 'perception' of crime, is sometimes as difficult to address as the actual crime.
- Sees Community safety as a joint venture - everyone knows who the criminals are in regional areas.
- Operation Soteria - is working across North and Western NSW.
 - So far they have addressed 340 break and enters
 - 137 juveniles were charged with 34% of them already charged or on bail at the time.
 - 'Boast and Post' - 92 have been charged
- Trends in regional crime - Robbery is down by 8%, Steal from Motor vehicle down 11%, Break and enter is down 4%, Sexual assault and drug related crime is stable, with increase in MV theft up 3.3%, DV related crime up 4%, breach of bail up 12.3% (result of targeted operations).
- Thanked Local Government for the work that they do in the Emergency management space in partnership.
- Re: Crime perception - it is important to communicate with community to instil confidence - there is a big role for the media - everyone needs to spread the good word and highly publicise positive outcomes.
- Members noted concerns about little to no police presence in some regional areas. Advised to report into the district office - more reports highlight the need and allows them to access other resources to ensure that coverage will come from other areas.
- Hoping that the 'Doli Incapax' review will bring about change and some tangible outcomes

A token of appreciation was presented to Acting Deputy Commissioner Brett Greentree by Mayor Firman.

3. Presentation – Chief Magistrate of NSW, His Honour Judge Michael Allen

- A compelling presentation allowing a glimpse into the career and work of the Chief magistrate of NSW, who has an extensive background living and working in regional NSW.
- He stated that NSW is unique - we have an independent judiciary which makes us very lucky.
- Expressed the fact that the Courts do not make the Law, that Parliament makes the Law and the Courts enforce the Laws.
- Local Court has 48 magistrates servicing 109 courts across NSW - Country service policy to be implemented - no more FIFO - suggested that magistrates need to have a min. 2 years in the bush to urge that they feel and understand these communities.

- Dealing with 45000 bail applications annually.
- DV is the scourge of the nation that needs to be dealt with - there are 80000 matters annually. The voice that HASNT been heard is that of the complainant/ victim. There is a pilot program
- Bail is a concern for a lot of people - Magistrates don't make decisions up - they rely on information from Police. If there is concern that a mistake has been made - there is an inbuilt appeal system available. Less than 0.5% are appealed by the Police.

A token of appreciation was presented to Chief Magistrate of NSW, His Honour Judge Michael Allen by Mayor Sharon Cadwallader.

4. Acknowledgements by Mayor Rick Firman OAM, CMA NSW Chairman

- Acknowledgement and Congratulations to Mayor Abb McAlister and his team for the successful de-merger announcement. Mayor McAlister thanked all Mayors in CMA for their support over this time.
- The CMA Chairman (Mayor Firman) acknowledged Mr. George Cowan, General Manager Leeton Shire Council for 50 years of service to Local Government. Mr. Cowan will retire in September 2025.

5. Excelling CMA Members Segment – Crime, Law and Order Theme

Mr Nick Mamouzelos, Warrumbungle Shire Council Investigator

Detailed presentation on the recent investigation into Illegal Tobacco trade in Warrumbungle Shire, something that is affecting most LGAs.

Mr Greg McDonald, General Manager – Upper Hunter Shire Council

Excellent initiative being delivered to new young drivers involving police, emergency services, heavy vehicle providers and numerous support services to provide a practical educational opportunity for new drivers to understand the reality of being on the road and the brutal reality of accidents and why they can occur.

A token of appreciation was presented to Mr Mamouzelos and Mr McDonald by Mayor Josh Black.

Morning Tea was attended by a broad cross-section of Parliamentarians, from Government, Opposition (including Leader, the Hon Mark Speakman MP), Greens and Independents.

6. Presentation - The Hon. Paul Toole MP - NSW Shadow Police Minister

- Stated there are less Police 'boots on the ground' from when they were in Government
- 86% of stations are closed at nighttime, and some haven't opened in 12 months.
- Stated that there is a reduction in attested classes - dropped from 5 to 4.
- Re the parliamentary enquiry for youth crime - there has been an interim report provided with 19 recommendations - this has been driven by the CMA.
- Where has the funding gone to support Youth programs? E.g. Regional Youth Funding, SCCF
- Bail Laws are being debated in Parliament this week - Many police are frustrated
- Looking to introduce a Bill for 14-18 year olds
 - They want to introduce a curfew
 - Electronic Monitoring
 - Introduce Victim impact statements

A token of appreciation was presented to Shadow Police Minister the Hon Paul Toole MP by Mayor Sue Moore.

7. Presentation -The Hon. Daniel Mookhey MLC – NSW Treasurer

- Re: Disaster Affected Communities - issues with under insurance / no insurance. Natural Disaster funding is driving up premiums.
- Treasurer will seek input / feedback from councils to find a better way to fund emergency services.
- The Treasurer has met with Auditor General about the Red Fleet - he will have a position soon and advised that there will be cause for optimism for the CMA members.
- Workers Compensation - the scheme is NOT sustainable. There will be a minimum 36% increase in premiums in the absence of a reform.
- Members asked questions about:
 - Equitable remuneration for Councillors,
 - The need for NSW Government to support the restoration of FAGS to 1% of GDP from Federal Government,
 - The Southern NSW drought - desperate need for reclassification of drought as disaster - immediate need for freight and fodder assistance - it has been stated by Regional agriculture professionals that this is the worst drought ever experienced.
 - Councils dealing with an extraordinary amount of renewable energy impacts (in a non-REZ zone) What can be done to support councils with dealing with this?
 - What is the appetite of the Government for a combined Emergency Services sector - bringing all under one Department?
- The Treasurer advised that he was the current Chair of the Board of Treasurer's, who are meeting this week.
- GST - needs change, NSW is being short changed, in a significant way

A token of appreciation was presented to Treasurer Mookhey MLC by Mayor Phyllis Miller.

8. Mr. Barry Irvin AM - Chairman of Bega Cheese

Presentation about the growth and development of Bega Cheese Company - and their ability to 'buy back' some Aussie brands e.g. Vegemite, Dare Iced Coffee, Farmers Union Yoghurt Their involvement in a significant whole of Community approach to developing a full Circular Economy in Bega Valley.

The Bega Circular Valley video:

[Australia's National Centre for Circular Discovery - Bega Circular Valley](#)

And the website: [Home - Bega Circular Valley](#)

A token of appreciation was presented to Mr Irvin by Deputy CMA Chairman Mayor Russell Fitzpatrick.

General Business;**9. Attendance**

Cr. Claire Pontin	Mayor	MidCoast Council
Cr. R Firman OAM	CMA Chairman / Mayor	Temora Shire Council
Melissa Boxall	CMA Secretary / GM	Temora Shire Council
Cr. Greg Whiteley	Mayor	Warren Shire Council
Gary Woodman	GM	Warren Shire Council
Cr. Kevin Beatty	Mayor	Cabonne Shire Council
Brad Byrnes	GM	Cabonne Shire Council
Cr. Kinne Ring	Mayor	Kempsey Shire Council
Andrew Meddle	CEO	Kempsey Shire Council
John Scarce	GM	Murrumbidgee Council
Cr R McRae OAM	Mayor	Murrumbidgee Council
Cr. Susannah Pearse	Mayor	Moree Plains Shire Council
Natalia Cowley	GM	Moree Plains Shire Council
Cr. Bronwyn Petrie	Mayor	Tenterfield Shire Council
Cr. Sharon Cadwallader	Mayor	Ballina Shire Council
Cr. Margot Davis	Mayor	Glen Innes Severn Council
Bernard Smith	GM	Glen Innes Severn Council
Cr. Colleen Fuller	Mayor	Gunnedah Shire Council
Eric Groth	GM	Gunnedah Shire Council
Cr. Sarah Ndiaye	Mayor	Byron Shire Council
Mark Arnold	GM	Byron Shire Council
Cr. Daniel Linklater	Mayor	Wentworth Shire Council
Ken Ross	GM	Wentworth Shire Council
Cr. John Harvie	Mayor	Murray River Council
Stacy Williams	CEO	Murray River Council
Cr. Kenrick Winchester	Mayor	Queanbeyan-Palerang Regional Council
Ruth Ormella	Acting GM	Queanbeyan-Palerang Regional Council
Cr. Steve Krieg	Mayor	Lismore City Council
Eber Butron	Acting GM	Lismore City Council
Cr. Bruce Reynolds	Mayor	Blayney Shire Council
Mark Dicker	GM	Blayney Shire Council
Toni Averay	GM	Uralla Shire Council
Kathryn Rindfleish	Mayor	Warrumbungle Shire Council
Lindsay Mason	GM	Warrumbungle Shire Council
Cr. Brian Ingram	Mayor	Hilltops Council
Anthony O'Reilly	GM	Hilltops Council
Cr. Sally Davis	Deputy Mayor	Bourke Shire Council
Leonie Brown	GM	Bourke Shire Council
Cr. Ewen Jones	Mayor	Narromine Shire Council
Jane Redden	GM	Narromine Shire Council
Phil Johnston	Director Community and Economic Development	Narromine Shire Council
Cr. Craig Davies	Councillor	Narromine Shire Council
Cr. Nikki Williams	Mayor	Coffs Harbour City Council

Cr. John Burley	Deputy Mayor	Kyogle Council
Cr. Danielle Mulholland	Mayor	Kyogle Council
Cr. Josh Black	Mayor	Dubbo Regional Council
Laura Black	GM	Clarence Valley Council
Cr. Ray Smith	Mayor	Clarence Valley Council
Cr. Tiffany Galvin	Mayor	Gwydir Shire Council
Leeah Daley	Acting GM	Gwydir Shire Council
Cr. Patricia White	Mayor	Shoalhaven City Council
Cr. Andrew McKibbin	Mayor	Oberon Council
Gary Wallace	GM	Oberon Council
Paul Bennett	GM	Tamworth Regional Council
Cr. Kevin Mack	Mayor	Albury City Council
Cr. Doug Batten	Mayor	Gulgandra Shire Council
David Neeves	GM	Gulgandra Shire Council
Cr. Ash Walker	Deputy Mayor	Gulgandra Shire Council
Adam Shultz	Mayor	Lake Macquarie City Council
Lisa Miscamble	Mayor	Wingecarribee Shire Council
Cr. Jesse Fitzpatrick	Mayor	Wingecarribee Shire Council
Greg Tory	GM	Lachlan Shire Council
Cr. Maurice Collison	Mayor	Upper Hunter Shire Council
Greg McDonald	GM	Upper Hunter Shire Council
Cr. D McCann OAM	Mayor	Coolamon Shire Council
T Donoghue PSM	GM	Coolamon Shire Council
Cr. James Angel	Acting Mayor	Nambucca Valley Council
Bede Spannagle	GM	Nambucca Valley Council
Cr. Nina Dillon	Mayor	Goulburn Mulwaree Council
Marina Hollands	Acting Chief Executive Officer	Goulburn Mulwaree Council
Cr. Michael Kidd	Deputy Mayor	Leeton Shire Council
Megan Mulrooney	CEO	REROC
Shaun Elwood	Director of People and Places	Lithgow City Council
Cr. Cassandra Coleman	Mayor	Lithgow City Council
Paul Smith	Mayor	Cowra Council
Paul Devery	GM	Cowra Council
Cr. Kellie Crossley	Acting Mayor	Edward River Council
Jack Bond	CEO	Edward River Council
Cr. Neil Westcott	Mayor	Parkes Shire Council
Cr. Abb McAlister	Mayor	Cootamundra-Gundagai Regional Council
Roger Bailey	Interim GM	Cootamundra-Gundagai Regional Council
Cr. Sue Moore	Mayor	Singleton Council
Justin Fitzpatrick-Barr	GM	Singleton Council
Cr. Tony Miletto	Mayor	Orange City Council
Barry Omundson	Interim CEO	Orange City Council
Cr. Jasmine Jones	Mayor	Yass Valley Council
Gayleen Burley	CEO	Yass Valley Council
Cr. Glen Neill	Mayor	Bogan Shire Council
Derek Francis	GM	Bogan Shire Council

Cr. Ken Cudmore	Mayor	Liverpool Plains Shire Council
Cian Middleton	GM	Liverpool Plains Shire Council
Cr. Eric Noakes	Mayor	Walcha Council
Cr. Tommy Stanton	Mayor	Brewarrina Shire Council
David Kirby	GM	Brewarrina Shire Council
Jane Stroud	CEO	Kiama Municipal Council
Cr. Melinda Lawton	Councillor	Kiama Municipal Council
Cameron Templeton	Council Engagement Manager Riverina & Far South West	OLG
Katrina Annis-Brown	Council Engagement Manager Central West and Far West	OLG
Cr. Jim Hickey	Deputy Mayor	Broken Hill City Council
Jay Nankivell	GM	Broken Hill City Council
Cr. Penny Pedersen	Councillor/LGNSW Board member	City of Ryde Council
Cr. Leah Anderson	Mayor	Port Stephens Council
Cr. Daniel Keady	Mayor	Coonamble Shire Council
Kerrie Murphy	Director Infrastructure Kerrie Murphy	Coonamble Shire Council
Nick Mamouzelos	Investigator	Warrumbungle Shire Council
Cr. Paul Culhane	Mayor	Upper Lachlan Shire Council
Ms Alex Waldron	CEO	Upper Lachlan Shire Council
Cr. Paul Best	Mayor	Weddin Shire Council
Luke Sheehan	GM	Weddin Shire Council
Cr. Darrell Tiemens	Mayor	Narrabri Shire Council
George Cowan	GM	Narrandera Shire Council
Cr. Sam Coupland	Mayor	Armidale Regional Council
Cr. P Miller OAM	Mayor	Forbes Shire Council
Richard Jane	Acting GM	Forbes Shire Council
Cr. Matt Gould	Mayor	Wollondilly Shire Council
Stephen Gardiner	Manager Shire Planning and Head of Advocacy	Wollondilly Shire Council
Cr. Robert Taylor	Mayor	Bathurst Regional Council
Cr. Russell Fitzpatrick	Mayor	Bega Valley Shire Council
Anthony McMahon	CEO	Bega Valley Shire Council
Cr. Steve Allan	Mayor	Bellingen Shire Council
Mark Griffioen	GM	Bellingen Shire Council
Cr. Cheryl Cook	Mayor	Federation Council
Brett McInnes	GM	Inverell Shire Council
Cr. Peter Sharp	Mayor	Lockhart Shire Council
Gavin Rhodes	GM	Lockhart Shire Council
Cr. Adam Roberts	Mayor	Port Macquarie Hastings Council
Jonathan Malota		NRMA
Ms Linda Scott	Chairman	NSW Grants Commission

12. Apologies

Mr Adrian Butler	GM	Federation Council
Mr Murray Wood	CEO	Dubbo Regional Council

Cr. Doug Curran	Mayor	Griffith City Council
Mr Brett Stonestreet	GM	Griffith City Council
Mr Frank Zatkovich	GM	Albury City Council
Cr. George Weston	Mayor	Leeton Shire Council
Ms Jackie Kruger	GM	Leeton Shire Council
Cr. Dallas Tout	Mayor	Wagga Wagga City Council
Cr. Brian Monaghan	Mayor	Bland Shire Council
Mr Grant Baker	GM	Bland Shire Council
Cr. N Kschenka OAM	Mayor	Narrandera Shire Council
Cr. Lea Parker	Mayor	Greater Hume Council
Mr Colin Kane	Acting GM	Greater Hume Council
Cr. Robert Bell	Mayor	Uralla Shire Council
Cr. Kate Dight	Mayor	Inverell Shire Council
Cr. Greg Kachel	Councillor	Inverell Shire Council
Cr. John Medcalf OAM	Mayor	Lachlan Shire Council
Cr. Russell Webb	Mayor	Tamworth Regional Council
Mrs Julie Briggs	Policy Advisor	CMA
Mr. Gary Fry	Secretariat	CMA
Cr. Sam Coupland	Mayor	Armidale Regional Council
The Hon Jenny Aitchison MP	Roads and Transport Minister	NSW Government

Mayor Fitzpatrick (Bega Valley Shire Council) moved that the apologies be accepted. Mayor Cadwallader (Ballina Shire Council) seconded. CARRIED. Unanimous.

13. Adoption of Minutes from 9 May 2025.

Mayor Allen (Bellingen Shire Council) moved. Mayor Ring (Kempsey Shire) seconded. CARRIED. Unanimous.

14. Nil

15. Correspondence

Mayor Ingram (Hilltop Council) moved. Mayor Roberts (Port Macquarie Hastings) seconded. CARRIED. Unanimous.

16. Media releases

Mayor Cadwallader (Ballina Shire) moved. Mayor Winchester (Queanbeyan–Palerang Regional Council) seconded. CARRIED. Unanimous.

17. Reports

ALGA - Mayor Miller (LGNSW President/Forbes Shire) moved. Mayor Allen (Bellingen Shire) seconded. CARRIED. Unanimous.

LGNSW - Mayor Miller (LGNSW President/Forbes Shire) moved. Mayor Ndiaye (Byron Shire) seconded. CARRIED. Unanimous.

CMA Chairman - Mayor Coleman (Lithgow City Council) moved. Mayor Miller (LGNSW President/Forbes Shire) seconded. CARRIED. Unanimous.

Policy Advisor Report - Received & noted and adopt recommendations - Mayor Allen

(Bellingen Shire) moved. Mayor Whately (Warren Shire) seconded. CARRIED. Unanimous.
CMA Financial report - Mayor Jones (Yass Valley) moved. Mayor Cadwallader (Ballina Shire) seconded. CARRIED. Unanimous.

18. Business with Notice - CMA Survey

- Mayor Fitzpatrick (Bega Valley Shire) moved. Mayor Miller (LGNSW President / Forbes Shire) seconded that the CMA consider the survey results at its November meeting. CARRIED. Unanimous.

19. Urgent Business - The CMA Chairman asked Members if the Board should consider having the business meeting of CMA on Thursday afternoon, and the Friday morning for Guest speakers. Members agreed overwhelmingly for the Board to consider this action, to spend more time on policy setting/advocacy and lobbying.

The Chairman thanked all for attending and with no further business, declared the meeting closed at 12:48pm.

The next meeting will be held in the Theatrette, NSW Parliament House on 14 November 2025, followed by the AGM.

8.2 BUSINESS

8.2.1 BRADMAN BIRTHPLACE S.355 COMMITTEE AGM MEETING MINUTES, MEMBERSHIP AND CHAIRMAN'S REPORT

DOCUMENT NUMBER	444646
REPORTING OFFICER	Anne Chamberlain, Governance Officer
AUTHORISING OFFICER	Linda Wiles, Manager Business
RELEVANCE TO COMMUNITY STRATEGIC PLAN	<p>4. Good governance: an actively engaged community and strong leadership team</p> <p>4.2 Active participation and engagement in local decision-making</p>
FINANCIAL IMPLICATIONS	There are no financial implications associated with this report.
LEGISLATIVE IMPLICATIONS	There are no Legislative implications associated with this report.
POLICY IMPLICATIONS	To comply with the s.355 Committee Management Manual.
ATTACHMENTS	<ol style="list-style-type: none">Bradman Birthplace - AGM Minutes 11 August 2025 DownloadTreasurers Report and Chairmans Report Download

RECOMMENDATION

1. The Minutes, Treasurers Report and Chairman's report of the Bradman Birthplace s.355 Committee Annual General Meeting (AGM) held on 11 August 2025, attached to the report, be received and noted.
2. The office bearers and membership of the Bradman Birthplace s.355 Committee as detailed in the report, be endorsed.

Minutes

The attached Minutes, Chairman's report and Confirmation of Committee Members of the Bradman Birthplace s.355 Committee Annual General Meeting (AGM) held on 11 August 2025, are submitted for the information of Council.

Membership

The Bradman Birthplace s.355 Committee conducted their Annual General Meeting (AGM) on 11 August 2025. The details of office bearers and membership is provided for Council's consideration, as follows:

Chairperson: Eric Thorburn

Deputy Chairperson: Graeme Worboys

Secretary/Treasurer: Charles Donoghue

Other Members: Ray Hyland, Jenny Hockey, Val White, Ray McDonnell.

Council's endorsement of the Committee's elected office bearers and membership is requested.

Financial

There are no financial implications associated with this report.

OLG 23a Guideline consideration

Report purpose does not conflict with guidelines.

BRADMAN'S BIRTHPLACE VOLUNTEERS 2025 AGM**11.8.2025****Attendance**

Eric Thorburn, Ray Hyland, Charles Donoghue, Jenny Hockey, Graeme Worboys, Leah Sutherland (CGRC).

Apologies

Ethan Ryan (CGRC Councillor), Sue Jorgenson, Val White, Ray McDonnell, Linda Wiles (CGRC)

Minutes

Minutes of 2024 AGM were read. Moved Graeme Worboys, Sec. Ray Hyland. Carried.

Business Arising

New front fence costs were paid by Council with assistance of \$4500 Heritage grant. Council has not asked the Lions Club for assistance in this regard.

Chairman's Report

Eric Thorburn presented his annual report. Sec. G Worboys. Adopted. (copy attached)

Treasurer's Report

Charles Donoghue presented the Treasurer's report showing a Credit balance of \$43,856.29 with Souvenirs on hand \$12,932.56. Sec. Ray Hyland. Adopted. (copy of Treasurers report and stock take attached)

Elections

Chairman: Eric Thorburn

Deputy Chairman: Graeme Worboys

Secretary/Treasurer: Charles Donoghue

Committee: Ray Hyland, Jenny Hockey, Val White, Ray McDonnell

These people were elected on the committee for next 12 months.

General Business

1. Quotes for painting of the two building exteriors and toilets has been obtained and a contractor engaged for painting in Spring.

RECOMMENDATION: that Council proceed with the painting of the two buildings but inspection and an assessment of the known drainage issue at Memorabilia Cottage be undertaken as well.

2. The committee will organise the planting of wattle trees at the site with their gardener.

RECOMMENDATION: that a small grove of Cootamundra Wattle trees be planted at the museum to allow visitors to view the wattle.

3. Volunteers to be gifted a Bradman's Birthplace t-shirt to wear when at the museum. Ray Hyland to coordinate distribution of the items to volunteers.

RECOMMENDATION: Volunteers to be gifted a t-shirt from committee funds to assist in the promotion and professionalism of the Museum.

4. Roster hours are determined by the committee, with the winter opening hours of 10am-4pm working well and all volunteers are to adhere to these opening hours, including weekend staff. Eric to liaise with Leah Sutherland (CGRC) re this stipulation.

5. There are several bus tours in the coming months and a minimum of two volunteers are to be present at these times to assist with the visitors.

6. Leah Sutherland stated the Council Volunteers Luncheon will be held at the Civic Hall at 12-2pm on 1/12/2025.

7. Leah thanked the volunteers for their assistance at the Museum and especially Eric Thorburn for his commitment to the facility.

8. Daryl Hockey and Karen Martin were thanked for their work maintaining the lawn and gardens at the site.

Meeting Closure

Meeting Closed at 11.25am.

BRADMAN'S BIRTHPLACE MUSEUM

STATEMENT OF BALANCE = 2024 - 2025

CREDIT BALANCE = 30-6-2024 = \$31,944-14

INCOME

ADMISSIONS = \$17,725-00

MERCHANDISE SALES = \$12,522-10

PETTY CASH FLOAT = \$ 200-00

DONATION BOX = \$ 139-00

BANK INTEREST = \$ 3-94 = \$ 30,590-04
\$ 62,534-18

EXPENDITURE

SOUVENIRS = \$ 7,999-24

FARDING = \$ 3,375-50

MOWING = \$ 2,160-00

MISSION TICKETS = \$ 1,298-00

ELECTRICAL REPAIRS = \$ 2,606-00

B-A. MERCHANT FEE = \$ 139-15

FENCE PANEL = \$ 1,100-00 = \$ 18,677-89

BALANCE AT S-W-S BANK = \$ 43,856-29

STATEMENT AS AT 30-6-2025 EVERYDAY ACT-SI NUMBER 100019082

SOUVENIRS STOCK ON HAND AS AT 30-6-25 = \$12,932-56

ERIC THORBURN CHAIRMAN

E. Thorburn 15/7/2025

CHARLIE DONOGHUE TREASURER

Charlie Donoghue 15/7/2025

BRADMAN BIRTHPLACE MUSEUMChairman's report section 3.55 Committee 2024-2025

It is with pleasure that I present my report for this committee's third year.

Thank you to our volunteers who give a large amount of their time to keep the museum open seven days a week.

The museum was established 30 years ago and still the visitor numbers continue to be strong with 3,545 visitors visiting in the past year.

Thank you:-

:- Graeme Worboys for arranging the monthly rosters and providing tea, coffee and biscuits for the volunteers.

:- Ray Hyland for co-ordinating the souvenirs for sale.

:- Charlie Donoghue - recording and banking the daily takings.

Our merchandise sales of \$12,522.00 are similar to the last 3 years. (Thank you again Ray)

Thanks to the Council we have had a new front fence erected.

The employment of a gardener and mowing contractor have ensured that we have a well kept museum for tourists to visit.

Once again thank you to our volunteers for helping to make our museum one of the best attractions for visitors to our region.

ERIC Thorburn

8.2.2 MUTTAMA CREEK REGENERATION GROUP S.355 COMMITTEE MEETING MINUTES

DOCUMENT NUMBER	445506
REPORTING OFFICER	Anne Chamberlain, Governance Officer
AUTHORISING OFFICER	Linda Wiles, Manager Business
RELEVANCE TO COMMUNITY STRATEGIC PLAN	4. Collaborative and progressive leadership 4.3 Actively engaged and supportive community
FINANCIAL IMPLICATIONS	There are no financial implications associated with this report.
LEGISLATIVE IMPLICATIONS	There are no Legislative implications associated with this report.
POLICY IMPLICATIONS	To comply with the Section 355 Committee Management Manual.
ATTACHMENTS	1. MCRG Minutes - 4 August 2025 ↓

RECOMMENDATION

The Minutes of the Muttama Creek Regeneration Group s.355 Committee meeting held, 4 August 2025, attached to the report be, received and noted.

Introduction

The attached Minutes of the Muttama Creek Regeneration Group s.355 Committee meeting held on 4 August 2025, is submitted for the information of council and the community.

Financial

There are no financial implications associated with this report.

OLG 23a Guideline consideration

The objective of this report does not conflict with guidelines.

Muttama Creek**Regeneration
Group****Muttama Creek Regeneration Group****Minutes: Monday 4 August, 2025**

Present: Graeme Johnson, Di Pearton, Lin Chaplin, Paulina Butler, Doug Butler, Betti Punnett, Margaret Chapman.

Apologies: Anthony Meyer, Annette Haines.

Welcome: Meeting opened at 5.00 pm.

GJ presented the evacuation plan as required prior to every meeting.

GJ read the 2 June 2025 meeting minutes, and they were accepted by Betti Punnett, seconded by Paulina Butler. Amendment: Di not listed as attending.

BUSINESS ARISING:

- **Exotic removal/Master Plan for Muttama Creek-** The group is surprised and disappointed that Council has not included our group, a Section 355 Committee, in the consultation process.
Members noted that the group's photos of the flooded creek featured in the information material distributed. DP and GJ have emailed Martens attaching and the Peter Bacon plan, with no response.
- **MCRG concerns-**
GJ emailed Steven Lowe re the clearing done in the creek, asking why it was done prior to the Martens environmental report, our concern that the clearing has gone well beyond 10m permitted by the Natural Resource Access Regulator. Steven Lowe did reply, explaining that the works have been preapproved, completed under flood funding.

The Cootamundra Floodplain Risk Management study's recommended- 'continuation of existing and extension of Council's vegetation management program to maintain native vegetation, bank stability and weed removal'.

GJ replied suggesting that the cleared banks were excavated might be well planted now with native grasses to stabilise the banks, prevent regrowth of exotics and cut down future maintenance.

It was discussed whether we need a special meeting to discuss the draft Creek Master Plan Report, when it is available, and the group decided to meet.

- **Attending Councillor, improving communication-** The new Council member, Rosalind Wight has phoned Di to explain why she has not attended our meetings and to resign as a Council Rep for our group. Ethan Ryan has introduced himself at our working Bee, an apology for today's meeting due to work commitments.
Again, no CGRC employee attended today's meeting. This is very disappointing, as there is a lot of activity on the creek and it is an important time for effective communication between MCRG, Martens and Associates and the CGRC.

- **Water Testing** – No further information from Council. Particularly concerning with the Abattoir extension.
- **Working bees**- Two working bees were held June and July- weeding, mulching, planting saltbush, correas, and removing general rubbish- Mackay St entrance to Bird Walk, Betti's Happy Wanderer garden, Pat's seat, Casuarina Walk.

GENERAL BUSINESS:

- **Working Bee dates**- Saturday 9.00 am, 6 September- Mackay Street Bird Walk Casuarina Walk.

Saturday 9.00 am, 27 September Mackay Street Bird Walk Casuarina Walk.

Meeting closed at 6 pm.

Next Meeting: Monday, 13 October at 5pm, Stephen Ward Rooms

8.2.3 THE ARTS CENTRE COOTAMUNDRA S.355 COMMITTEE MEETING MINUTES

DOCUMENT NUMBER	445536
REPORTING OFFICER	Anne Chamberlain, Governance Officer
AUTHORISING OFFICER	Linda Wiles, Manager Business
RELEVANCE TO COMMUNITY STRATEGIC PLAN	4. Collaborative and progressive leadership 4.3 Actively engaged and supportive community
FINANCIAL IMPLICATIONS	There are no Financial implications associated with this report.
LEGISLATIVE IMPLICATIONS	There are no Legislative implications associated with this report.
POLICY IMPLICATIONS	To comply with the Section 355 Committee Management Manual
ATTACHMENTS	1. TACC Minutes - 21 August 2025 Download

RECOMMENDATION

- 1. The Minutes of The Arts Centre Cootamundra s.355 Committee Meeting held, 21 August 2025, attached to the report, be received and noted.**
- 2. That Denise Price be endorsed as a Committee Member of The Arts Centre Cootamundra.**

Introduction

The attached Minutes of The Arts Centre Cootamundra s.355 Committee meeting held on 21 August 2025, are submitted for the information of Council and the community.

We make note of the following:

Item 1.9 – New/General Business:

Addendum from AGM 2025: due to clerical error on the part of Eric Steinke Denise Price was left out of the incoming committee in the AGM minutes, this was an omission made in error, Denise is an elected member of the arts centre committee.

Financial

There are no financial implications associated with this report.

OLG 23a Guideline consideration

Report purpose does not conflict with guidelines.



COOTAMUNDRA-
GUNDAGAI REGIONAL
COUNCIL



Minutes

THE ARTS CENTRE COOTAMUNDRA
SECTION 355 COMMITTEE

THE ARTS CENTRE COOTAMUNDRA, 18 WALLENDOON STREET

THURSDAY 21 AUGUST 2025



1.1	Attendance and Confirmation of Quorum	2
1.2	Apologies.....	2
1.3	Disclosure of Interests	2
1.4	Confirmation of previous meeting Minutes	2
1.5	Correspondence in/out.....	2
1.6	WHS.....	2
1.7	Reports	2
1.7.1	Financial Report	2
1.7.2	Report for Administration & Movies	4
1.7.3	Reports for Comms and marketing	5
1.8	Business Arising from previous Minutes	6
1.9	New/General Business.....	6
1.10	Date and Time of Next Meeting	7
1.11	Time Meeting Closed	7

MINUTES: SECTION 355 COMMITTEE THE ARTS CENTRE COOTAMUNDRA

1.1 Attendance and Confirmation of Quorum

Attendance: President/Chairperson:

Vice Chairperson:

Secretary:

Treasurer:

Council Representative:

General Members:

Confirmation of a Quorum:

There are [10] Members appointed to this Committee.

Quorum numbers are met yes/no

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. See Section 355 Committee Manual to identify if quorum numbers are met.*

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

1.2 Apologies

Sarah Hughes

1.3 Disclosure of Interests

None disclosed.

1.4 Confirmation of previous meeting Minutes

The minutes of the last The Arts Centre Cootamundra Section 355 Committee meeting dated 17th July 2025 to be confirmed as true and correct. (Appendix A).

Minutes: Moved Eric Steinke; Seconded: Mackenzie Bird

1.5 Correspondence in/out

- Reply from Opera House relation to the lights, we have been provided a location and size of the donation, the contents are on 4 pallets, each measuring 1200mm x 1200mm x 600mm high. Total combined weight is approx. 500kg. there is a forklift onsite that can load them onto the courier vehicle
- Julie has extended thanks to Louise Herron via Simon Bragg for receipt of the above donation

1.6 WHS

- Sensor light outside messy arts room does turn on but the sensor is broken in some manner so it cannot register anyone underneath it.
- Ambulance called for a Baptist care patron; the paramedics were easily able to access and retrieve the patient.

1.7 Reports

1.7.1 Financial Report

COOTAMUNDRA-GUNDAGAI REGIONAL COUNCIL

Profit and Loss

The Arts Centre Cootamundra
For the month ended 31 July 2025

	Jul 2025	Jul 2024	Jul 2023
Trading Income			
Membership	172.72	190.91	-
Sales	2,597.50	1,357.50	3,312.29
Total Trading Income	2,770.22	1,548.41	3,312.29
Gross Profit	2,770.22	1,548.41	3,312.29
Other Income			
Casual hire	1,541.82	60.00	331.50
Friendship group	185.46	205.47	117.72
movie	3,232.39	4,923.61	3,630.00
PA workshop	-	268.18	-
Performance	3,772.71	684.54	118.18
sales bar	490.09	-	-
sales kiosk	541.27	791.13	454.54
VA workshops	-	100.00	1,640.91
Total Other Income	9,763.74	7,032.93	6,292.85
Operating Expenses			
Advertising	10.91	129.09	739.36
alcohol	506.00	-	-
Bank Fees	45.58	-	-
Catering	54.89	90.91	104.80
Cleaning	300.00	300.00	-
Consulting & Accounting	68.18	63.64	53.64
Contract	973.50	976.50	698.64
Donation	-	(86.36)	-
Fees for performers	4,790.91	1,200.00	-
Film Hire	-	-	6,380.73
Freight & Courier	3.09	-	-
Furniture	-	3,057.80	-
kiosk	168.59	564.46	235.36
License	62.90	60.50	-
Movie contract	330.00	346.50	649.10
Movie hire	1,690.68	2,033.69	658.28
Natural Gas	-	-	143.27
Repairs and Maintenance	2,185.45	60.00	25.36
Security	40.91	40.91	40.91
Telephone & Internet	221.46	213.08	204.00
Total Operating Expenses	11,453.05	9,050.72	9,933.45
Net Profit	1,080.91	(469.38)	(328.31)

COOTAMUNDRA-GUNDAGAI REGIONAL COUNCIL

Balance Sheet

The Arts Centre Cootamundra
As at 31 July 2025

	31 July 2025	30 June 2025	30 June 2024
Assets			
Bank			
CCACC	59,956.79	51,130.12	40,192.85
Mastercard	929.31	930.30	1,103.50
Money Held	800.00	800.00	500.00
Total Bank	61,686.10	52,860.42	41,796.35
Current Assets			
Accounts Receivable	1,961.25	3,491.90	4,374.10
Petty Cash and Float	(286.50)	(286.50)	(286.50)
Total Current Assets	1,674.75	3,205.40	4,087.60
Fixed Assets			
Computer Equipment	3,688.06	3,688.06	955.15
Office Equipment	1,062.84	1,062.84	1,062.84
Security deposit	500.00	500.00	500.00
Total Fixed Assets	5,250.90	5,250.90	2,517.99
Total Assets	68,611.75	61,316.72	48,401.94
Liabilities			
Current Liabilities			
Accounts Payable	6,303.62	237.00	695.00
Customer Deposits	800.00	800.00	500.00
Donations for specific purposes	(28.59)	(28.59)	(28.59)
Grant /Donations	800.00	800.00	800.00
GST	(1,114.08)	(1,261.58)	(3,853.22)
Rounding	(0.06)	(0.06)	(0.06)
Total Current Liabilities	6,760.89	546.77	(1,886.87)
Non-current Liabilities			
Theatre lights	300.00	300.00	300.00
Total Non-current Liabilities	300.00	300.00	300.00
Total Liabilities	7,060.89	846.77	(1,586.87)
Net Assets	61,550.86	60,469.95	49,988.81
Equity			
Current Year Earnings	1,080.91	10,481.14	13,617.35
Retained Earnings	60,469.95	49,988.81	36,371.46
Total Equity	61,550.86	60,469.95	49,988.81

1.7.2 Report for Administration & Movies

- JMA legal - changing dates for pottery day with Lyn – 25th of Jul to 8th of Aug to 15th of Aug- thank you Lyn and Natalie for being so accommodating
- Mackenzie, Eric and Don Oliver (plumber) did some clean up and moving plumbing on Tues 22nd July
- Meanwhile I did not make it back from Sydney with Eliza until Tues evening, so Eric minded the office (sold many Darren Coggan tix)
- Darren Coggan up to 99 tix by Thurs 24th end of hours. Ended up with 109 tix (including his parents for free) He was happy with the venue, but asked for a \$500 discount because he had to hire feedback speakers (foldbacks/ wedges) as well as a tech person. He has booked in for 15th March 2026 and we have cleared up our expectations to only include the elements that are within the tech specs of the centre. He was happy, and Eric and I now know more...

COOTAMUNDRA-GUNDAGAI REGIONAL COUNCIL

- Mastercard is topped up (\$1002.21) - bought a lot of alcohol (\$550) for the Comedy and sold about \$400 worth - still a large amount of beer, wine and spirits left. Will need to get more kiosk food and drink before Darren Coggan.
- Dale Gilders came on Thurs 24th - to check out the site and made an appointment to start Monday 28th July on ripping cement and replacing it. Worked on the prep and rip up for 7 days. Complete on Tues 12th Aug. The same morning, a patron of an Intereach/rebus Peter Theatre workshop walked across it, then tried to fix it. Dale was called and he returned to repair the footsteps. A new barrier was erected to try to stop people walking on it for another three days.
- Have had some dealings with Kuon (Tom) Vincent about performing here - a jazz pianist monk. He complained on the phone about the piano, and disregarded the emails I sent about hire, so I am hoping he doesn't book for a show in September.
- Disney has sent three invoices and asked for reports for three others, when I looked back, I saw that none have been previously invoiced for, but all have been reported at the times of screening. I'm not sure what is going wrong there, but I am investigating. Still awaiting a reply (I bet they are rude about the payments not being made). Emailed 23rd July & 7th Aug. I have been updated that most Disney movies will be a percentage, or minimum guarantee whichever is larger. So, we have a \$910 statement to pay this week.
- Thurs 31st July - emailed Lachlan at the Opera House about the lights. We have not heard anything from them since 8th July. As of Tues 12th Aug - have signed off on them, now really need to work out how to get them from St Peter's. I will ask Sutherland's about back loads. Peter Steinke has offered to do the pick up!

1.7.3 Reports for Comms and marketing

TACC Comms Report – as at 19th August 2025

- TACC Facebook
 - Followers = 1,623 (up by 29 since June 2025 meeting)
 - In the last 28 days we had one post with a reach of 2.9K – It was promotion for the movies
 - “Bride Hard” and “Jurassic World: Rebirth”. This post had 3 likes.
 - In the last 28 days the post with the most likes was promoting the Book Making Workshop with Sue Wood. It had 19 likes.
- TACC Instagram
 - Followers = 479 (up by 1 since June 2025 meeting)
 - In the last 28 days the post with the largest reach and the most likes was again for the Book Making Workshop with Sue Wood. It had a reach of 162 and 9 likes.
- TACC Mailchimp
 - Total email subscribers = 605 (down by 5 since June 2025 meeting).
 - The email sent on the 15TH of August was opened by 254 people with 19 people clicking on links. The most popular link was to view the trailer for the featured movie “Tina”.
 - 8TH of August was opened by 252 people with 13 people clicking on links. The most popular link was to view more info about the Matt Arthur performance.
 - 1ST of August was opened by 273 people with 29 people clicking on links. The most popular link was to view more info about the Weaving Workshop.
 - The most popular links were all for the featured activity of that particular email – i.e. the first activity at the top of the email.
- Current Promotional Activities
 - Movies: business as usual.
 - Musicals / CinemaLive Screenings: “Les Miserables” is booked in for October, “Bat Out of Hell” is booked in for November and a special documentary style show called “John Cleese Packs It In” is booked for December.
 - Movie Fundraisers: CHS are hosting a screening of “Freakier Friday” on Friday 5th of Sept and Wallendbeen Red Cross are hosting a screening of “The Penguin Lessons” on Friday 12th Sept.
 - Exhibition: Anne Steinke is currently hosting an Exhibition of her original artworks. Open until the 18th of September.

COOTAMUNDRA-GUNDAGAI REGIONAL COUNCIL

- Workshops: Book Making with Sue Wood ended up with 8 people and weaving with Aunty Barb Walker currently has 8 people with a week left to go before bookings close.
- External Bookings:
 - Darren Coggan (27th July) Darren had a fantastic turn out – he almost sold out!
 - Matt Arthur (4th Sept). has so far sold 76 seats. We still have a week and a half so fingers crossed!

Any thoughts, comments or suggestions please let me know.

Reports: Moved: Eric Steinke; Seconded: Hannah Northey

1.8 Business Arising from previous Minutes

- Subcommittee formed to discuss website, style guide, marketing & social media – On Hold
 - Subcommittee formed to discuss website, style guide, marketing & social media
 - Compliance, Infrastructure and Grants subcommittee met. Next steps:
 - Comprehensive plan from a draftsperson, designer, architect in relation to building repair/maintenance needed before any grants are applied for.
- COOTAMUNDRA-GUNDAGAI REGIONAL COUNCIL
 - Priority to make centre accessible
 - Studio will be for hire.
 - Removing the evaporative coolers - \$500 - \$600 each. Possible that the contractor can install a reverse cycle air conditioner and remove the evaporative coolers at the same time.
- Facebook Group for Volunteer Members; Nat Lucy and Rachel to have a meeting to determine best path forward for social media for members
- Community chest: Lucy to review Community chest to iron out any Kinks in the wording of the
- Future Planning
 - 1 year plan: compliance (sliding doors, bio box, fireproofing, ~~electrical~~, egress, etc. as per report), roller door in kitchen, ~~clean up~~, paint, foyer lighting
- Proposal to hire an architect to begin the grant ball rolling as our volunteer draftsmen have yet to get back to us.
- Items on hold
 - Photos of various layouts for website (Nat) – For 2024
 - Refresh/painting – after building/compliance changes.
 - Signage in car park
 - 2-year plan: ceilings, furniture refresh
 - 3-year plan: secure storage, bar area
 - 4-year plan: Men's shed rebuild
 - 10-year plan: theatre rejig
 - Registered volunteer organisation for pensioners (revisit august meeting 2025)
 - Dance with Miss Em space issues. (awaiting written correspondence from DWME)

1.9 New/General Business

- Addendum from AGM 2025: due to clerical error on the part of Eric Steinke Denise Price was left out of the incoming committee in the AGM minutes, this was an omission made in error, Denise is an elected member of the arts centre committee.
- Rotary pavers-\$50 committee has agreed to pay for a paver.
- Cootamundra Turf Club - \$770 - \$2,200 sponsorship: the committee has declined the offer of a committee booth from the turf club.

COOTAMUNDRA-GUNDAGAI REGIONAL COUNCIL

- Pavers at council depo have been recovered, no longer an issue for the committee
- Committee has declined a stall provided by the turf club at the races due to cost
- Sales exhibition: can Natalie and Lucy meet with Sarah and Anne to work out the kinks of the setup for the September exhibition.
- Rocky horror picture for Halloween night, Natalie organising the packs again
- Christmas party for members, held same night as Christmas karma movie, send invites to volunteers
- Social media members page to be set up so the TACC volunteers/patrons can interact with each other and the committee. (Eric)
- Social media posts/photo booth for movies (Eric)
- Deliver one or two meeting room tables up to the men's shed for repair. (Eric)
- corrugated iron decorations to be pulled off the toilet block (Mackenzie)
- alterations to the movie play times, moving the Wednesday matinee to Thursdays to align the playtimes with the distributors systems, and moving the start time to 2:00PM to hopefully capture more patrons.
- Mackenzie asked to invite Mariah Foley to a committee meeting so we may ask them on their opinion of the building planning.
- Asking Julie to chase a secondary quote for replacing our stock of chairs to compare before deciding on whether we pay out of pocket or pursue a grant.
- Asking Julie to chase a second quote for evaporative air conditioner replacements for comparison.
- 2026 events calendar Initiation of internal events for 2026 potential events listed below dates to be confirmed
 - Mother's Day markets
 - Festival of turtles: potential to revisit to maintain "brand recognition" would allow an "event" that encompasses many ideas
 - Cadas production: Cadas has asked for a tentative booking in march for a potential performance
 - Make it local: dinner night with homemade meals
 - Open day: to display both the centre facilities and the friendship groups/ activities available at TACC.
 - Art-fest/Art-fair: local artist running their own stalls, potential to run instead of fibre fest
 - Workshops: with the centre being used more and more workshops are becoming more desirable events potential to ask our volunteer base to run workshops as part of their volunteer hours so we can cut back on the costs involved. Pursuing school holiday workshops to provide more activities for children.
 - Workshop examples: theatre, makeup/ facepainting, directing, cake decorating, photography, water colour, charcoal, stencils, weaving,

1.10 Date and Time of Next Meeting

Thursday 18th September 5:15pm

1.11 Time Meeting Closed

Meeting closed 6:58PM

Sign Off in the Volunteer Attendance Register

8.2.4 MUTTAMA HALL MANAGEMENT S.355 COMMITTEE MEETING MINUTES

DOCUMENT NUMBER	445550
REPORTING OFFICER	Anne Chamberlain, Governance Officer
AUTHORISING OFFICER	Linda Wiles, Manager Business
RELEVANCE TO COMMUNITY STRATEGIC PLAN	4. Collaborative and progressive leadership 4.3 Actively engaged and supportive community
FINANCIAL IMPLICATIONS	There are no Financial implications associated with this report.
LEGISLATIVE IMPLICATIONS	There are no Legislative implications associated with this report.
POLICY IMPLICATIONS	To comply with the Section 355 Committee Management Manual.
ATTACHMENTS	1. MHMC Minutes - 13 August ↓

RECOMMENDATION

- 1. The Minutes of the Muttama Hall Management s.355 Committee Ordinary Meetings held, 13 August 2025, attached to the report, be received and noted.**
- 2. That Council notes the resignations of Anne Last and Hilary Connors from the Muttama Hall Management s.355 Committee.**

Introduction

The attached Minutes of the Muttama Hall Management s.355 Committee Ordinary Meetings held, 13 August 2025, attached to the report, are submitted for the information of Council and the community.

We note the resignations of Anne Last and Hilary Connors and on behalf of Cootamundra-Gundagai Regional Council we would like to thank them for the giving and their time to the Muttama Hall S.355 Committee and wish them well in their future endeavours.

Financial

There are no financial implications associated with this report.

OLG 23a Guideline consideration

Report purpose does not conflict with guidelines.



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Minutes

MUTTAMA HALL MANAGEMENT COMMITTEE SECTION 355 COMMITTEE

MUTTAMA HALL

6.30 PM WEDNESDAY, 13TH AUGUST, 2025.

1 MINUTES

1.1 Attendance and Confirmation of Quorum

Present: President/Chairperson: Robert Flint.

Secretary: Cathy Last

Treasurer: Lien Puddicombe

Councillor:

General Members: Trevor Glover, Sarah Ingold, Sam Puddicombe.

Cootamundra-Gundagai Regional Council representatives: Darrell Edwards.

Confirmation of a Quorum: There are 11 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

Eliza Butt, Emily Flint, Kate Last, Kaede Ingold, Bill Buckley, Abb McAlister, Darrell Edwards.

1.3 Disclosure of Interest

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 **11th June, 2025** are confirmed as true and correct.
Moved by Trevor Glover seconded by Lien Puddicombe.

Business Arising from previous Minutes:

Correspondence in/out: (as per agenda)

100 Year Celebration any outstanding accounts.**Tax invoice**

Invoice for straw Robert Flint. Invoice to be drawn up for \$5,500.00.
Ingold family to be paid for bailing straw for 100 Year Celebration \$2,200.00.

Tax invoice received from Trevor Glover for \$402.00 cost of meat etc. for Time capsule B-B-Q.

Tax invoice received from Robert Flint \$118.00 for concrete to seal Time capsule

1.5 Report from the Treasurer/President/Secretary

Balance \$11,142.02 Moved by Robert Flint seconded by Cathy Last that the Treasurers report be accepted.

1.6 General Business (List Agenda Items)

Letter from Anne Last informing the Committee of her resignation from the Muttama Hall Management Committee.

Moved by Robert Flint and seconded by Trevor Glover that Anne's resignation be accepted with regret and a letter of thanks be forwarded to Anne.

Letter from Hilary Connors informing the Committee of her resignation from the Muttama Hall Management Committee.

Moved by Sam Puddicombe and seconded by Cathy Last that Hilary's resignation be accepted with regret and a letter of thanks be forwarded to Hilary.

Annual Community Donation from Council \$1,175.00.

Expenditure \$1,073.80.

Balance \$101.20

Moved by Sarah Ingold and seconded by Trevor Glover that the remaining funds be used to purchase 2 slow cookers.

Air Conditioning for Hall & Kitchen.

Action: The Hall Committee to speak to Bill Buckley seeking his advice on installing air conditioning.

Blinds for windows in the kitchen.

Moved by Sarah Ingold and seconded by Robert Flint that the Committee obtain a quote to have block out blinds installed in the kitchen.

Model Railway Display.

Email was received from Peter Beyer requesting details of hall measurements and availability of electricity and power outlets.

A discussion was held regarding a date for the Railway celebration, also what the Committee needs to hire toilets etc will we have market stalls. If the celebration was to go head it will be on a smaller scale than the 100-year celebration.

Action: Cathy Last to email details of hall measurements and other information to Peter Beyer, also speak to Peter on 31st August when in Goulburn.

Community Recognition Statement.

Muttama Hall Management Committee received Certificate of Community Recognition Statement from Steph Cooke member for Cootamundra.

M/s Cooke mentioned the 100 Year Celebration opening in the New South Wales Parliament on 25th June, 2025. Thank you, Steph Cooke.

Certificate of Recognition can be viewed on Muttama Face book page.

Action: Certificate to be framed and hung in the hall.

Honour Boards

Robert Flint addressed the committee suggesting names on the Honour Boards be displayed in an area outside the hall so that members of the public can view the names when travelling through the area or seeking information on family members that served in both World Wars.

Action: Further discussion to be held at the next meeting.

Maintenance:

Trees. The trees near the kitchen need to be trimmed.

1.9 Meeting Wednesday 17th September 6:30pm.

1.10 Time Meeting Closed 7.48pm.

CHAIRPERSON'S REPORT

Good evening all thank you for attending this meeting.

Over the last 12months we have seen an increase in the number of members on the committee which is great to see especially the number of younger members in the community becoming involved.

A number of big improvements have been made to the Hall in the past 12months.

Construction of a new kitchen including lining of the kitchen area.

Construction of paths from the kitchen door to the toilets, path from the front door to side door.

New water tank and refrigerator.

New vacuum cleaner.

Grants from Community War Memorials Funds. Grant application for \$10,000.00 was successful.

Work is being carried out at present - sealing of the kitchen ovens, repairs to chimneys, repairs to back wall.

Grant from Cootamundra Gundagai Regional Council – Annual Community Donations.

The Muttama Hall Committee was successful in obtaining a grant from Council for \$1,175.00

This grant is to be used to purchase various items for the kitchen, within 12 months.

Fund raising event – Movie Night - \$1,300.00 was raised.

A very successful B-B-Q and Movie Night was held on Saturday 13th April with approximately 73 people in attendance. Not only a successful fund raiser but a coming together of the Muttama Community.

100 Year Celebration 17th & 18th May, 2025

It was decided to have a Dinner on Saturday 17th May and Fun Day 18th May. A lot preparation is needed for this event to be a success.

Thank you to the Cootamundra Gundagai Regional Council especially Darrell Edwards and Andrew Bock for their many hours they both spent above and beyond their duties to help advise the Hall Committee on what repairs were needed to bring the building to a heritage status level.

Thank you, Trevor Glover, for being Council reprehensive on the Hall Committee.

Thank you to **all** members of the Committee for their time and effort they have put into making the past year very successful.

Robert Flint
Chairperson
Muttama Hall Management Committee

8.3 FINANCE

8.3.1 FINANCE UPDATE - AUGUST 2025

DOCUMENT NUMBER	445778
REPORTING OFFICER	Damian Smith, Acting Manager Finance
AUTHORISING OFFICER	Roger Bailey, Interim General Manager
RELEVANCE TO COMMUNITY STRATEGIC PLAN	<p>4. Collaborative and progressive leadership</p> <p>4.1 A clear strategic direction that is delivered upon</p>
FINANCIAL IMPLICATIONS	There are no Financial implications associated with this report.
LEGISLATIVE IMPLICATIONS	There are no Legislative implications associated with this report.
POLICY IMPLICATIONS	There are no Policy implications associated with this report.
ATTACHMENTS	Nil

RECOMMENDATION

That the Finance Update report, be received and noted.

Report

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

Operations

Income

The operational income is at 47% 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	\$154,414	\$445,000	35%	😊	
Business Department	\$11,506	\$240,000	5%	😊	
Engineering Cootamundra	\$202,097	\$3,143,489	6%	😊	
Engineering Gundagai	\$38,648	\$858,488	5%	😊	
Executive Department	\$32,986	\$40,000	82%	😊	
Finance Department	\$2,083,642	\$8,286,920	25%	😊	
Rates Cootamundra	\$6,930,098	\$7,287,312	95%	😊	
Rates Gundagai	\$4,789,534	\$4,799,875	100%	😊	
Services Cootamundra	\$2,710,612	\$3,733,588	73%	😊	
Services Gundagai	\$1,006,176	\$1,741,700	58%	😊	
Sewer Cootamundra	\$733,019	\$3,204,437	23%	😊	
Sewer Gundagai	\$194,853	\$895,677	22%	😊	

Department	Income Actual	Income Budget	Variance	Result	Comment
Water Cootamundra	\$974,731	\$3,777,200	26%	😊	
Water Gundagai	\$480,091	\$1,913,587	25%	😊	
Plant Hire - Gundagai	\$188,473	\$1,900,000	10%	😊	
Plant Hire - Cootamundra	\$332,441	\$1,900,000	17%	😊	
Total	\$20,863,321	\$44,167,272	47%		

Expenditure

Operational Expenditure is at 13% when comparing actual to budget.

Department	Expense Actual	Expense Budget	% Spent	Result	Comment
Building Department	\$207,067	\$1,886,675	11%	😊	
Business Department	\$697,342	\$4,201,251	17%	😊	
Engineering Cootamundra	\$1,238,454	\$8,054,208	15%	😊	
Engineering Gundagai	\$465,896	\$4,856,380	10%	😊	
Executive Department	\$427,690	\$2,600,713	16%	😊	
Finance Department	\$2,106,040	\$11,033,752	19%	😊	
Services Cootamundra	\$899,417	\$6,232,936	14%	😊	
Services Gundagai	\$409,988	\$2,926,363	14%	😊	
Sewer Cootamundra	\$75,682	\$2,237,237	3%	😊	
Sewer Gundagai	\$97,625	\$1,528,624	6%	😊	
Water Cootamundra	\$43,293	\$3,431,089	1%	😊	
Water Gundagai	\$144,413	\$1,713,593	8%	😊	
Total	\$6,812,908	\$50,702,821	13%		

Capital

Income

Capital income is at 0% of budget when comparing actual to budget.

Asset Category	Total YTD.	Budget	%Received	Result	Comments
Plant & Equipment - Cootamundra	\$32,771	\$0	0%	😊	
Plant & Equipment - Gundagai	\$53,779	\$0	0%	😊	
Property Disposal – Cootamundra	\$0	\$0	0%	😊	
Property Disposal – Gundagai	\$0	\$0	0%	😊	
TOTAL	\$86,550	\$0	0%		

Expenditure

Capital expenditure is at 16% of budget when comparing actual to budget.

Asset Category	Total YTD	Budget	% Spent	Result	Comments
Cootamundra Land	\$2,737	\$50,000	5%	😊	
Cootamundra Plant	\$654,841	\$1,300,000	50%	😊	
Cootamundra Roads	\$154,752	\$1,873,589	8%	😊	
Cootamundra Building	\$0	\$120,000	0%	😊	
Cootamundra Recreation	\$50,015	\$260,000	19%	😊	
Cootamundra Waste	\$0	\$0	0%	😊	
Cootamundra Bridges	\$0	\$20,000	0%	😊	
Cootamundra Water	\$141,584	\$923,943	15%	😊	
Cootamundra Sewer	\$282,042	\$1,895,000	15%	😊	
Cootamundra Demerger	\$154,851	\$1,500,000	10%	😊	
Cootamundra Property	\$0	\$0	0%	😊	
Gundagai Bridges	\$53,433	\$150,000	36%	😊	
Gundagai Building	\$85,238	\$155,000	55%	😊	
Gundagai Demerger	\$154,851	\$1,500,000	10%	😊	
Gundagai Plant	\$419,315	\$1,300,000	32%	😊	
Gundagai Property	\$16,600	\$0	0%	😊	
Gundagai Recreation	\$0	\$460,000	0%	😊	
Gundagai Roads	\$305,420	\$2,273,859	13%	😊	
Gundagai Sewer	\$5,000	\$1,169,610	1%	😊	
Gundagai Waste	\$0	\$0	0%	😊	
Gundagai Water	\$563,882	\$3,625,145	16%	😊	
IT	\$0	\$50,000	0%	😊	
Total	\$3,044,560	\$18,626,146	16%		

Financial

There are no financial implications associated with this report.

OLG 23a Guideline consideration

Report purpose does not conflict with guidelines.

Demerger Costs Update

Note: At this stage any demerger expenditure prior to 2023FY stills need to located and recorded.

Demerger Costs 2023

Description	Actual (\$)
Other	2,186
Travel	144
Wages and Allowances	3,095
Total	5,425

Demerger Costs 2024

Description	Actual (\$)
Consultancy	89,085
Legal Fees	14,517
Marketing	10,400
Other	2,022
Total	116,022

Demerger Costs 2025

Description	Actual (\$)
Consultancy	15,760
Legal Fees	450
Total	16,210

Demerger Costs to date 2026

Description	Actual (\$)	Committed (\$)
Other	540	521
Software Upgrades and Training	15,544	155,440
Total	16,084	155,961
Grand Total	153,742	155,961

Note: Additional expenses for Contracted Staff have not been included.

8.3.2 RESTRICTED CASH RECONCILIATION - AUGUST 2025

DOCUMENT NUMBER	445842
REPORTING OFFICER	Damian Smith, Acting Manager Finance
AUTHORISING OFFICER	Roger Bailey, Interim General Manager
RELEVANCE TO COMMUNITY STRATEGIC PLAN	4. Collaborative and progressive leadership 4.1 A clear strategic direction that is delivered upon
FINANCIAL IMPLICATIONS	*Refer to note at Financial below.
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 August 2025 as shown in the below table.

Internally Restricted Reserves	Bal 30 Jun 2025	Transfers To	Transfers From	Bal 31 Aug 2025
Aerodrome Bitumen Resurfacing	\$165,588	\$0	\$0	\$165,588
Bradman's Birthplace	\$76,337	\$0		\$76,337
Cootamundra Caravan Park	\$191,419	\$0	\$510	\$190,909
Heritage Centre	\$28,621	\$0	\$2,739	\$25,882
Development - Land & Buildings	\$1,767,204	\$0	\$0	\$1,767,204
Employee Leave Entitlements	\$1,536,363	\$0	\$0	\$1,536,363
Quarries & Pit Restoration	\$286,225	\$0	\$0	\$286,225
Bangus Landfill	\$631,584	\$17,360	\$0	\$648,945
Plant Replacement	\$2,749,019	\$600,062	\$994,588	\$2,354,493
Cemetery	\$37,962	\$98,597	\$43,604	\$92,955
Southern Phone	\$540,143	\$0	\$0	\$540,143
Waste Management	\$500,000	\$0	\$0	\$500,000
Advanced Financial Assistance Grant	\$3,720,234	\$0	\$3,720,234	\$0
Total Internal	\$12,230,699	\$716,019	\$4,761,675	\$8,185,043

Externally Restricted Reserves				
Domestic Waste	\$2,173,658	\$658,080	\$310,400	\$2,521,338
Water Supply	\$9,166,501	\$36,711	\$749,297	\$8,453,915
Sewerage Service	\$6,918,079	\$2,302	\$237,175	\$6,683,206
Stormwater Infrastructure Renewal	\$517,986	\$32,050		\$550,036
Developer Contributions	\$1,477,961	\$13,850		\$1,491,811
General Fund Unspent Grants & Contributions*	\$1,587,958	\$19,627	\$248,245	\$1,359,341
RERRF, SCF Rd1, OLG Flood Unspent Grants	\$3,569,614		\$95,710	\$3,473,904
Total External	25,411,758	762,619	1,640,827	24,533,550
TOTALS	37,642,456	1,478,638	6,402,502	32,718,593

*Opening Balance indicative and subject to adjustment pending full grant reconciliation for the financial year 2024/25

Restricted Cash Reconciliation

Restricted Cash	32,718,593
Cash at 31 August 2025	32,991,395
Unrestricted Balance	272,802
Grant Debtors and Contract Asset Outstanding	281,165
Balance	553,968

Financial

There are financial implications associated with this report as a further review of General Fund Unspent Grants & Contributions is pending.

OLG 23a Guideline consideration

Report purpose does not conflict with guidelines.

Unrestricted Funds - 30 June 2025**Restricted Cash Reconciliation 30 June 2025**

Description	\$
Total Cash & Investments	31,262,576
Less: Externally Restricted Reserves	-30,101,863
Unrestricted Funds	1,160,713
Less: Internally Restricted Reserves/Allocations	-8,238,871
Cash after external restrictions and internal allocations	-7,078,158

Please note above figures are still estimates. Reconciliations are still being completed for the Financial Statements for the year ended 30 June 2025.

At the August 2025 meeting it was resolved that Council receive further advice on the transfer of internally restricted resources to unrestricted to compensate for the current shortfall as at 30 June 2025.

Igor Ivannikov of Vanguard Consulting Group provided the following advice:

- The **Local Government Act 1993** only considers **Externally Restricted Funds** in relation to **Unrestricted Funds**;
- Based on the current estimates above CGRC has Unrestricted Funds available of **\$1,160,713** at 30 June 2025, and is therefore still in compliance with LG Act Legislation;
- However, for reporting purposes in the 2025 Financial Statements, council will probably want to pass a resolution to un-restrict **Internally Allocated Reserves** as this will affect how the **Cash after external restrictions and internal allocations** needs to be disclosed.

8.3.3 INVESTMENT REPORT - AUGUST 2025

DOCUMENT NUMBER	445782
REPORTING OFFICER	Damian Smith, Accountant
AUTHORISING OFFICER	Roger Bailey, Interim General Manager
RELEVANCE TO COMMUNITY STRATEGIC PLAN	<p>4. Collaborative and progressive leadership</p> <p>4.1 A clear strategic direction that is delivered upon</p>
FINANCIAL IMPLICATIONS	Council's cash and investment portfolio Increased \$2,889,532.49 from \$30,101,862.57 as at 31st July 2025 to \$32,991,395.06 as at 31st August 2025.
LEGISLATIVE IMPLICATIONS	Council investments comply fully with Section 625 of the Local Government Act 1993, Clause 212 of the Local Government (General) Regulation 2021.
POLICY IMPLICATIONS	Investments comply fully with the Council's Investment Policy.
ATTACHMENTS	Nil

RECOMMENDATION

The report detailing Council Cash and Investments as at 31st August 2025, be received and noted.

Introduction

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

Financial

Council's cash and investment portfolio Increased \$2,889,532.49 from \$30,101,862.57 as at 31st July 2025 to \$32,991,395.06 as at 31st August 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	9/04/2025	9/09/2025	153	4.60	3.59	\$2,000,000.00
TD	BBB+	A2	AMP	At Maturity	17/12/2024	16/09/2025	273	5.10	3.59	\$3,000,000.00
TD	BBB	A2	JUDO	At Maturity	19/03/2025	16/09/2025	181	4.80	3.59	\$1,000,000.00
TD	BBB	A2	MyState	At Maturity	9/04/2025	7/10/2025	181	4.80	3.59	\$4,000,000.00
TD	A-	A2	Rabobank	At Maturity	20/05/2025	18/11/2025	182	4.47	3.59	\$3,000,000.00
TD	A-	A2	Rabobank	At Maturity	4/06/2025	3/12/2025	182	4.34	3.59	\$3,000,000.00
TD	A-	A2	Rabobank	At Maturity	2/07/2025	2/12/2025	153	4.32	3.59	\$1,000,000.00
TD	BBB+	A2	AMP	At Maturity	23/07/2025	16/12/2025	146	4.30	3.59	\$1,000,000.00
TD	A-	A2	BOQ	At Maturity	2/07/2025	28/01/2026	210	4.25	3.59	\$3,000,000.00
TD	BBB	A3	Heartland	At Maturity	23/07/2025	20/01/2026	181	4.35	3.59	\$1,000,000.00
TD	A-	A2	Rabobank	At Maturity	6/08/2025	3/02/2026	181	4.25	3.59	\$3,000,000.00
TD	BBB+	A2	AMP	At Maturity	19/08/2025	17/02/2026	182	4.25	3.59	\$1,000,000.00
CASH	AA-	A1+	CBA	Monthly			3.40	3.60	 +	\$1,022,888.48
CASH	AA-	A1+	CBA	Monthly			3.35	3.60		\$5,903,693.28
CASH	AA-	A1+	NAB	Monthly			3.10	3.60		\$64,813.30
Total										\$32,991,395.06

Performance

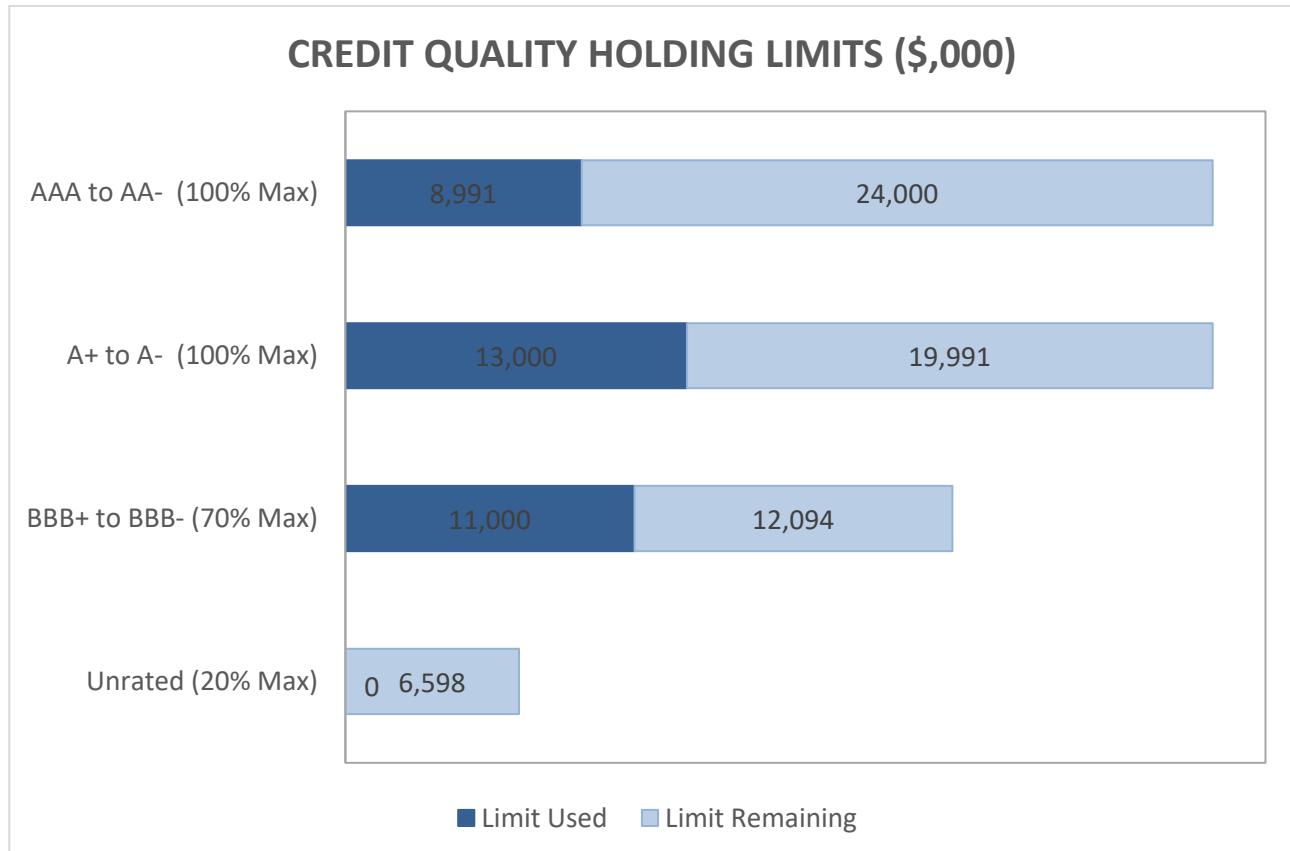
Cootamundra-Gundagai Regional Council's investment portfolio outperformed the relevant BBSW Index benchmark by 19.14%. The average weighted yield for July was 4.28%, over an average weighted term of 66 days, with a benchmark of 3.59%.

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.

Total Cost \$32,991,395	Monthly Interest Received \$114,185	Weighted Average Term 66 Days
Total Value \$32,991,395	Yearly Interest Received \$229,766	Weighted Average Yield 4.28%

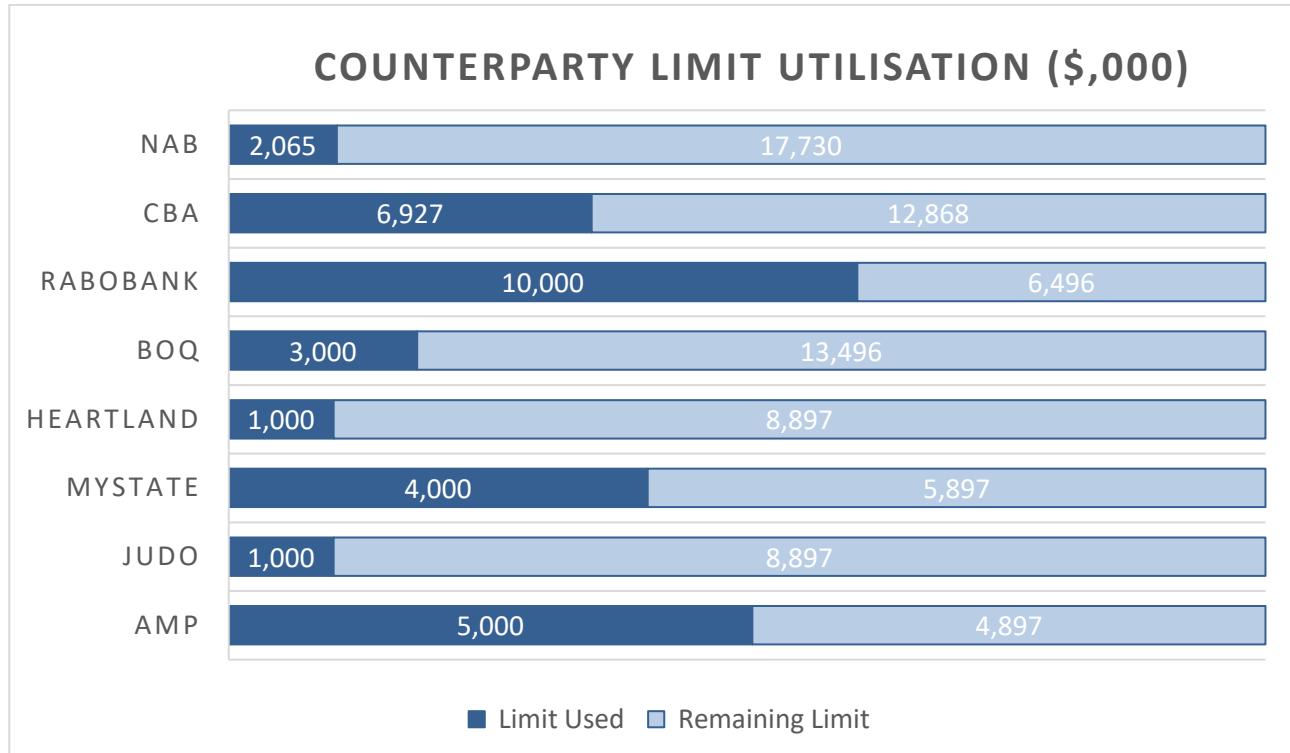
Credit Quality Compliance

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



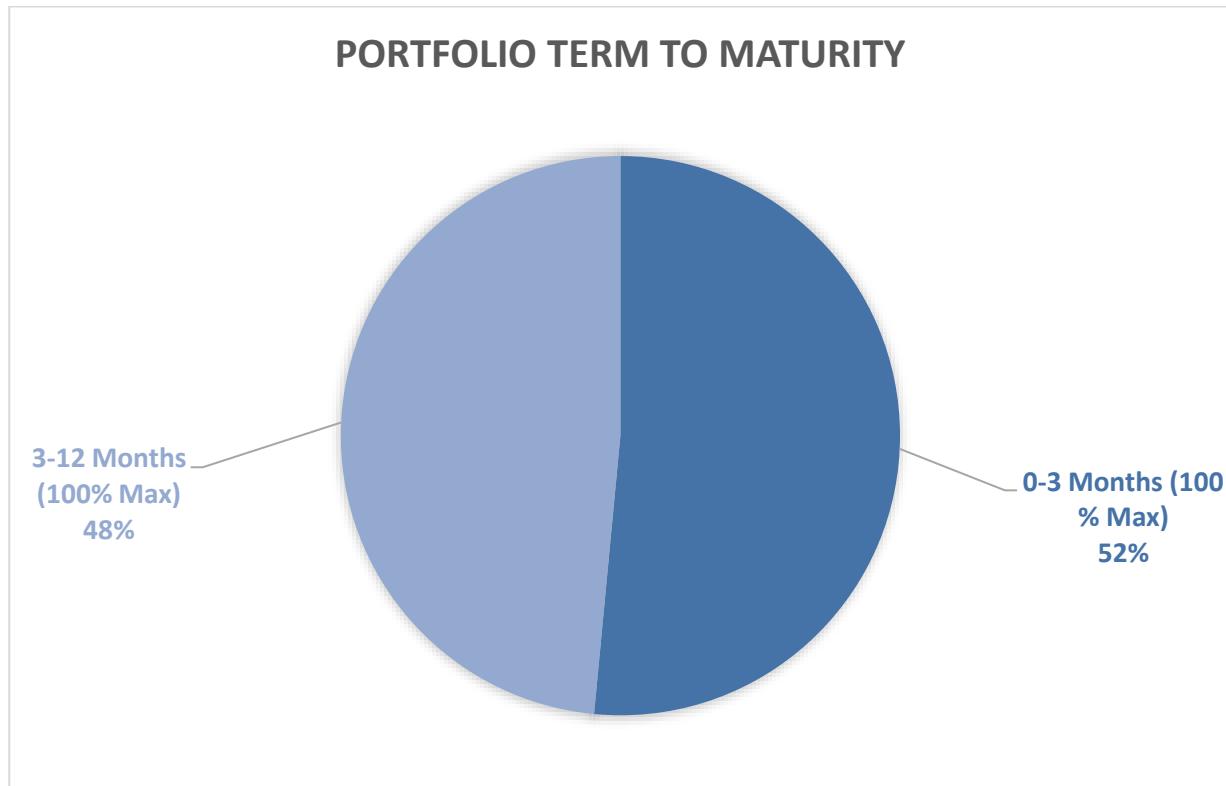
Counter Party Compliance

As at the end of August, 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.

Damian Smith
Responsible Accounting Officer

8.4 SUSTAINABLE DEVELOPMENT

8.4.1 LOCAL HERITAGE GRANT FUNDING ALLOCATION

DOCUMENT NUMBER	445515
REPORTING OFFICER	Lauren Dawes, Acting Manager Sustainable Development
AUTHORISING OFFICER	Roger Bailey, Interim General Manager
RELEVANCE TO COMMUNITY STRATEGIC PLAN	3. Protected and enhanced environment 3.2 We have attractive towns and villages
FINANCIAL IMPLICATIONS	There are no Financial implications associated with this report.
LEGISLATIVE IMPLICATIONS	There are no Legislative implications associated with this report.
POLICY IMPLICATIONS	There are no Policy implications associated with this report.
ATTACHMENTS	1. Report - Local Heritage Fund Applications 2025-202 Download 2. Local Heritage Places Grant Application Guidelines Download

RECOMMENDATION

That Council resolve to allocate the \$12,500 of funding received through 2025-2027 NSW Heritage Grants Program received from Heritage NSW, Department of Climate Change, Energy, the Environment and Water for the purpose of the Cootamundra-Gundagai Regional Council Heritage Service as follows:-

1. **\$6,500.00 be allocated to Council expenditure relating local Heritage Advisory Service for costs incurred through the engagement of an external Heritage Consultant for consultation and advice provided to members of the public on local heritage matters and to Council staff for Development Application matters; and**
2. **The remaining \$6,000 be split across the two applications received by Council through the Cootamundra-Gundagai Local Heritage Grant Program 2025/26 as follows:**
 - 2.1. **\$3,500.00 be awarded for the restoration of timber windows in the former vicarage at 37 Thompson Street, Cootamundra (item number 44 under the Cootamundra LEP 2013); and**
 - 2.2. **\$2,500 be awarded for the restoration of steel palisade fence at St Patrick's Catholic Church at 107 Sheridan Street, Gundagai**
3. **The above to be allocated providing the terms of the Cootamundra-Gundagai Local Heritage Grant Program are met by the respective applicants.**

Introduction

Council is fortunate to have received \$25,000 funding under the 2025-27 Local Government Heritage program for the purpose of Cootamundra-Gundagai Regional Council Heritage Service. The funding provides for operation of the Cootamundra-Gundagai Regional Council Heritage Service for the 2025/26 and 2026/27 financial years.

The Cootamundra-Gundagai Regional Council Heritage Service includes:-

- Provision of funding to building owners to assist in the ongoing maintenance and restoration of existing buildings or sites with heritage significance and value to the area; and
- Provision of a free heritage advisory service to the community from a heritage consultant.

The purpose of this report is to determine how the funding shall be allocated for the 2025/26 financial year.

Discussion

Funding to be Allocated

A total of \$25,000 has been awarded to Council for the operation of Council's Heritage Service for the 2025/26 and 2026/27 financial years. To ensure funding across both years and consistency with Council's grant application it is intended that \$12,500 be allocated this financial year, the remaining \$12,500 allocated for continued operation of the service for 2026/27 financial year.

Council is not required to provide any mandatory co-contribution to the grant.

Local Heritage Grants Applications

Applications for Cootamundra-Gundagai Regional Council Local Heritage Grants Program, being a component of Council's Heritage Service, were open from Monday 14 July 2025 to Friday 22 August 2025. The program was advertised through local papers and on Council's website.

Council received a total of two applications:-

1. An application seeking \$5,000.00 for the restoration of steel palisade fence at St Patrick's Catholic Church at 107 Sheridan Street, Gundagai. A project with a total estimated value of \$10,200.00. The church is not a local heritage item but is well documented as having heritage value and significance to the area. The application was received on 21 August 2025; and
2. An application seeking \$3,500.00 for the restoration of timber windows at the Vicarage at 37 Thompson Street, Cootamundra. A project with a total estimated value of \$14,990.00. The vicarage is a heritage item (Item 44) under Cootamundra Local Environmental Plan 2013. The application was received on 29 August 2025, receipt of the application was outside of the advertised closure.

An assessment of both grant application's has been undertaken by Council's contracting heritage consultant and has recommended the following distribution of grant funds.

- \$2,500.00 be awarded for the restoration of steel palisade fence at St Patrick's Catholic Church at 107 Sheridan Street, Gundagai; and



Figure 1 -Steel palisade fence at St Patrick's Catholic Church

- \$3,500.00 be awarded for the restoration of timber windows in the Vicarage at 37 Thompson Street, Cootamundra.



Figure 2 - Timber windows at Vicarage

A copy of the assessment is attached outlining how the assessment was undertaken and recommendation made. Prior to undertaking of the assessment, advice was provided by Council's Acting Manager of Sustainable Development that the assessment of the applications and recommendations be based on a total of \$6,000.00 for the purpose of the Local Heritage Grants, consistent with the funding allocation in previous years and Council's Grant Application. However, the funding allocation may be varied at Council's discretion or decision to provide a co-contribution made.

Heritage advisory service to the community

Council's heritage advisory service includes site visits and advice to members of the community regarding existing buildings, sites or areas with heritage significance or value free of charge. The service is provided by Council's contracting Heritage Advisor and is coordinated by Council staff. Advice may relate to various matters not limited to heritage colour schemes, development proposals impacting heritage items or within a heritage conservation area, reinstatement or restoration of heritage items or features on a heritage item or sites with heritage value.

Council's contracting Heritage Advisor is an architect specialising in heritage. The service is run by appointment only and the Heritage Advisor typically attends the area monthly or bi-monthly, depending on demand. Written advice is provided to members of the public and a copy provided to Council staff. Specialist advice is also provided to staff for development application matters. Remote desktop assessments and advice are also undertaken where appropriate to reduce expenditure.

The allocation of this service allows for specialist heritage advice to be provided to the community free of charge. It is recommended that \$6,500.00 of the funding be allocated to the continuation of this service, consistent with previous years and Council's Grant Application.

Financial

A reduction in the funding allocated to Council's heritage advisory service would likely result in an increase in Council's out of pocket expenditure for the provision of this service.

OLG 23a Guideline consideration

Does not conflict with the Office of Local Government (OLG) 23a guidelines.

COOTAMUNDRA-GUNDAGAI REGIONAL COUNCIL HERITAGE REPORT

To: Cootamundra-Gundagai Regional Council SEPT 2025
By: Noel Thomson – Heritage Advisor
Subject: Local Heritage Fund Applications 2025-26
for Cootamundra-Gundagai Regional Council

REPORT - LOCAL HERITAGE FUND APPLICATIONS 2025-2026

Funding is available for 'Listed' heritage items and buildings in Heritage Conservation Areas of the Cootamundra and Gundagai Local Environmental Plans, or a building supported by Council's heritage advisor as being of heritage significance. Further to receipt of Applications to Cootamundra Gundagai Regional Council Local Heritage Fund, on review of the two (2) applications received the following advice is provided;

2025-26/01 Restoration of palisade fence at St Patrick's Catholic Church, 107 Sheridan St, Gundagai
Submission from applicant (Trustees for Catholic Parish of Gundagai – Peter Reardon) for the proposed restoration of palisade fence (including replacement picket, sandblasting and re-painting) at the wall / fence facing Sheridan St to St Patrick's Catholic Church, 107 Sheridan St, Gundagai. On review the submission / works proposed suits the criteria of the local heritage fund.

Recommendation is for the 'palisade' fence restoration works to be undertaken in accordance with heritage advisor recommendations with funding of \$2,500 from Council's LHF grant program acceptable for this project.

2025-26/02 Restoration of timber windows to the “Vicarage” at 37 Thompson St, Cootamundra

Submission from applicant (Ross Sutcliffe) for the restoration of timber windows to this locally listed Heritage Item (I44) the "Vicarage" at 37 Thompson St, Cootamundra. On review the submission / works proposed for the windows to this residence suits the criteria of the local heritage fund, with Council approval needed under LEP Clause 5.10 (3).

Recommendation is for the restoration of timber windows to the "Vicarage" be undertaken in accordance with heritage advisor recommendations with funding of \$3,500 from Council's LHF grant program acceptable for this project.

In conclusion, Noel Thomson notes two applications were submitted by the closing date for Council's Local Heritage Fund and on assessment recommendation is for the funding of the 2 projects by Council's Local Heritage Fund 2025-26 round.

Note: Refer attached Summary and Assessment Forms for further information

Trusting the foregoing advice is of assistance at this time.



NOEL THOMSON FRAIA
COOTAMUNDRA-GUNDAGAI REGIONAL COUNCIL HERITAGE ADVISOR



Local Heritage Grant Applications

Summary 2025/26

(available funds = \$6,000)

Number	Property Address	Applicant	Conservation Works	A heritage item or an item included in a heritage conservation area	Total \$ Estimate Value of Project	Funding Requested	Funding Recommended	Applicant's Contribution	DA Required Yes/No	Rating	Ranking
2025-26/01	107 Sheridan St, Gundagai	Peter Reardon (0417 409 551)	Restoration of steel palisade fence at St Patricks Catholic Church	No	\$10,200.00	\$5,000.00	\$2,500.00	\$7,700.00	No	58	2
2025-26/02	37 Thompson St, Cootamundra	Ross Sutcliffe (0480 209 480)	Restoration of timber windows at the "Vicarage"	Yes - Heritage item, I44, Schedule 5 - Cootamundra LEP	\$14,990.00	\$3,500.00	\$3,500.00	\$11,490.00	No - however approval as per Clause 5.10 (3) of LEP	62	1
					\$25,190.00	\$8,500.00	\$6,000.00	\$19,190.00	incl GST		



Office of
Environment
& Heritage

Heritage Council
of New South Wales

COOTAMUNDRA-GUNDAGAI REGIONAL COUNCIL
LOCAL HERITAGE FUND
ASSESSMENT FORM 2025-2026

Project Name	Project No.			
<i>CAST IRON FENCE RESTORATION AT ST PATRICK'S CATHOLIC CHURCH, GUNDAGAI</i>		Score 100	Assessor	Specialist
My Project is for	Assess the heritage listing for the proposed project application	40		
	SHR Heritage listed item/s	15	—	—
	LEP Heritage listed item/ Conservation Area	12	—	—
	Main Street / Heritage Study Area	8	8	—
	Other significant item	5	—	—
		Sub Total	8	
Priorities	Assess the project against your Council's local heritage fund priorities for this funding round	23		
Priority 1	Commercial properties within the Main Street Conservation Areas and/or Heritage Item identified:- a) Repair of original features; b) Painting in period colour and styles; c) Replacement of advertising signage with appropriate style advertising signage d) Works to meet BCA requirements for new uses eg. Disabled access.	15	15	
Priority 2	Buildings outside the Main Street or Heritage Study areas that are identified by Council's Heritage Advisor as having heritage significance:- a) Painting in period colours; b) Repair/restoration of heritage features; c) Restoration of period front fences; d) Works to meet BCA requirements for new uses	8	—	
	Sub Total	15		

Project Name		Score	Assessor	Specialist	Comments
Common Selection Criteria	Assess the project against ALL of these criteria	17			
Sustainable long term benefits	Long term plan in place to manage heritage item/s	6		4	
Public benefit & enjoyment	Increase opportunities for learning about & access	4		4	
Capacity & Commitment	Time, financial & management skills	3		3	
	Complete within funding timeframe	4		4	
		Sub Total		15	
Project	Assess the quality and completeness of the project application	20			
	Project scope	5		5	
	Project costings	5		5	
	Photos	5		5	
	Greater than \$ for \$ contribution	5		5	
		Sub Total		20	
		TOTAL		58	ADJUSTED TOTAL
Funding	Assess the funding requested				
	Total Project Cost	\$	\$10,200		
	Requested amount	\$	\$5,200		
	Applicant Contribution	\$	\$5,000		
	Recommended amount	\$			
Assessors summary comments					
Name	NOEL THOMSON CGRC HERITAGE ADVISOR	Date	3 SEPT 2025		
	<p>ST PATRICK'S CATHOLIC CHURCH IS AN IMPORTANT BUILDING IN THE MAIN STREET OF GUNDAGAI AND THE 'PALISADE' FENCE IS IN NEED OF REPAIR / RESTORATION AND PAINTING WHICH MEETS THE CRITERIA FOR HERITAGE FUNDING</p>				
<p>If approved, any special project funding conditions (to be added to the Funding Agreement)</p> <p>eg Heritage Specialist required for this project</p> <p>eg To confirm paint colour scheme before proceeding</p> <p>eg Approvals required: Local Government / Heritage Act</p>					



COOTAMUNDRA-GUNDAGAI REGIONAL COUNCIL
LOCAL HERITAGE FUND
ASSESSMENT FORM 2025-2026

Project Name RESTORATION OF TIMBER WINDOWS AT 'VICARAGE' 37 THOMPSON ST, COOTAMUNDRA		Project No. 2025-26/02			
		Score 100	Assessor	Specialist	Comments
My Project is for	Assess the heritage listing for the proposed project application	40			
	SHR Heritage listed item/s	15			
	LEP Heritage listed item/ Conservation Area	12	12		"VICARAGE" COOTAMUNDRA LEP
	Main Street / Heritage Study Area	8	-		ITEM 144
	Other significant item	5	-		
		Sub Total		12	
Priorities	Assess the project against your Council's local heritage fund priorities for this funding round	23			
Priority 1	Commercial properties within the Main Street Conservation Areas and/or Heritage Item identified:- a) Repair of original features; b) Painting in period colour and styles; c) Replacement of advertising signage with appropriate style advertising signage d) Works to meet BCA requirements for new uses eg. Disabled access.	15		15	
Priority 2	Buildings outside the Main Street or Heritage Study areas that are identified by Council's Heritage Advisor as having heritage significance:- a) Painting in period colours; b) Repair/restoration of heritage features; c) Restoration of period front fences; d) Works to meet BCA requirements for new uses	8		-	
		Sub Total		15	

Project Name		Score	Assessor	Specialist	Comments
Common Selection Criteria	Assess the project against ALL of these criteria	17			
Sustainable long term benefits	Long term plan in place to manage heritage item/s	6		4	
Public benefit & enjoyment	Increase opportunities for learning about & access	4		4	
Capacity & Commitment	Time, financial & management skills	3		3	
	Complete within funding timeframe	4		4	
	Sub Total			15	
Project	Assess the quality and completeness of the project application	20			
	Project scope	5		5	
	Project costings	5		5	* QUOTE FOR \$14,990
	Photos	5		5	NOEL THOMSON HAS PHOTOS
	Greater than \$ for \$ contribution	5		5	
	Sub Total			20	
	TOTAL			62	ADJUSTED TOTAL
Funding	Assess the funding requested				
	Total Project Cost	\$	\$14,990	* APPLICATION HAD \$19,900	
	Requested amount	\$	\$3,500		
	Applicant Contribution	\$	\$11,490		
	Recommended amount	\$			
Assessors summary comments					
Name	NOEL THOMSON CACR HERITAGE ADVISOR	Date	3 SEPT 2025		
<p>"THE VICARAGE" IS AN IMPORTANT RESIDENCE IN COOTAMUNDRA AND IS A LISTED HERITAGE ITEM, HOWEVER IS SHOWING ITS AGE & NEGLECT FROM LIMITED MAINTENANCE. THE PROPOSED RESTORATION OF PETERIORATED TIMBER WINDOWS MEETS CRITERIA FOR FUNDING.</p>					
<p>If approved, any special project funding conditions (to be added to the Funding Agreement)</p> <p>eg Heritage Specialist required for this project</p> <p>eg To confirm paint colour scheme before proceeding</p> <p>eg Approvals required: Local Government / Heritage Act</p> <p>AS PER COOTAMUNDRA LEP - BEING A HERITAGE ITEM, APPROVAL IN ACCORDANCE WITH LEP CLAUSE 5.10(3) REQUIRED PRIOR TO WORKS COMMENCING ON SITE.</p>					



Premier
& Cabinet

Heritage Council
of New South Wales

Local Heritage Places Grant Application Guidelines

Local Heritage Fund purpose

The aim of the program is to encourage the conservation of heritage items within the Cootamundra-Gundagai Regional Council Local Government Area and promote a positive community attitude to heritage conservation.

The local heritage fund funds projects:

- for conservation and maintenance works for original features (repair, painting, etc.)
- to meet Building Code Australia upgrades (fire, services, and access) for ongoing and new uses
- for replacement of building/business advertising signage with heritage sympathetic advertising design Repair of original features
- applications open in July each year.
- demonstrates ability to **complete** the project by **30 April, 2026**

For heritage items and items in conservation areas in the Cootamundra Local Environmental Plan 2013 & Gundagai Local Environmental Plan 2011 and items of heritage significance.

Funding

A dollar for dollar grant from \$500 up to \$5,000

Who can apply for grants from the local heritage fund?

All owners and managers of heritage items or items in a conservation area in Council's Local Environmental Plans can apply for grants from the local heritage fund or significant places in Cootamundra, Gundagai, Wallendbeen, Stockinbingal, Nangus, Tumblong, Muttama & Coolac.

You cannot apply for funding if you are a state government agency (but may be involved as a project partner).

Funding Available for:

Heritage items that are either;

- Listed as heritage item in the Cootamundra Local Environmental Plan 2013 & Gundagai Local Environmental Plan 2011, or
- Buildings within the Cootamundra, Stockinbingal or Wallendbeen Heritage Conservation Areas as identified in Cootamundra Local Environmental Plan, or
- Listed as proposed heritage item or identified in the Council Heritage Studies or Inventories, or
- Supported by your local council's heritage advisor or other heritage specialist as being of heritage significance.

What projects cannot be funded by the local heritage fund?

Funding will not be available from the local heritage fund for;

- Completed projects will not be funded retrospectively
- Routine maintenance (eg lawn mowing, gutter cleaning or carpet cleaning)
- Projects where adequate funding is available from the applicant or other sources.
- New commemorative monuments or works
- Purchase of heritage buildings
- Relocation of buildings or work to relocated buildings
- Private headstones, unless there is no possibility of descendent support for the project
- Flood lighting of heritage buildings
- Purchase of equipment
- Movable railway heritage items.

Agreed Funding Priorities

Priority will be given to projects that are;

- fire, service and access upgrades for compliance with the Building Code of Australia
- for urgent maintenance works to avert management risks, e.g. severe deterioration, demolition, or demolition by neglect
- for ongoing or adaptive reuse of heritage item(s)
- for heritage item(s) with public access and visibility
- for heritage item(s) in a well-maintained heritage streetscape or landscape setting
- for properties and buildings within the Conservation Areas or buildings outside the main street or heritage study area that are identified by Council's Heritage Advisor as having heritage significance

Common Selection criteria

Funding is targeted to projects with;

- Public benefit to a precinct eg main street
- Sustainable long term heritage benefits
- Public benefit and enjoyment
- Innovation and leadership
- Capacity and commitment to undertake the project
- Funding equity and cost effectiveness

Applying for funding

To apply for funding for a project from the council's local heritage fund;

- Read the application form so you know what information you need and if your project fits the types of funding offered.
- Do some background research on your heritage item so you can include all relevant information in your project proposal.
- Prepare a list of project tasks to be completed.
- Get at least two quotes for each of the project's tasks.
- Ensure you have relevant plans and sketches – depending on the size of the project, you may need to include these in your application.
- Take 'before the project' and 'after the project' photographs.
- Complete the application form and keep a copy for your records.
- Talk with your council heritage officer or heritage advisor about your project.

Submitting your application

Before you submit your application for funding, you must discuss your project with the heritage officer or the heritage advisor contact Council's Planning Officer, to arrange a suitable time on 1300 459 689.

Email your completed project application with attached digital images and other information to mail@cgrc.nsw.gov.au

OR

Post to - Cootamundra-Gundagai Regional Council
PO Box 420, COOTAMUNDRA NSW 2590

Please either email or post your application. Do not do both.

Council will accept applications up to **5pm Friday 22nd August 2025**.

Processing your Project Application

Cootamundra-Gundagai Regional Council will acknowledge receipt of your application within 21 days of the closing date.

Projects will be assessed and approved by Council. The quality and clarity of the information provided in your application will be key factors in the assessment process.

Successful applicants will typically receive a funding offer and agreement in September/October.

Once Council receives your completed grant acceptance form, your details will be forwarded to Council's finance department. They will enter your information into EFTsure, a secure platform used to verify your payment details.

You will then receive a separate email with instructions prompting you to enter and submit your name and banking details via EFTsure.

Please Note:

Grant payments will only be made after the project is completed and signed off by the heritage advisor. Payments are scheduled for release at the end of the project.

Cootamundra-Gundagai Regional Council will advise unsuccessful applicants.

The Cootamundra-Gundagai Regional Council Local Heritage Fund is a targeted funding program. Projects must meet eligibility criteria, funding priorities and common selection criteria. However, in exceptional circumstances, Council reserves the right to recommend funding for projects that may not fully meet these requirements

Further information

For further information you can contact Cootamundra-Gundagai Regional Council's Planning Officer on 1300 459 689.

Applications can be found on Cootamundra-Gundagai Regional Council's Website or can be picked up from Cootamundra-Gundagai Regional Council's Offices at 255 Sheridan Street, Gundagai or 81 Wallendoon Street, Cootamundra.

8.4.2 DA 2025/89 - PROPOSED FARM BUILDING - 3938 SNOWY MOUNTAINS HIGHWAY, MOUNT ADRAH

DOCUMENT NUMBER	445481
REPORTING OFFICER	Lauren Dawes, Acting Manager Sustainable Development
AUTHORISING OFFICER	Roger Bailey, Interim General Manager
RELEVANCE TO COMMUNITY STRATEGIC PLAN	3. Protected and enhanced environment 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	1. Draft Notice of Determination ↓ 2. DA Assessment Report ↓ 3. Proposed Development ↓ 4. Statement of Environmental Effects ↓ 5. Owners Response to Submission ↓

RECOMMENDATION

That Council approve DA 2025/89 subject to conditions of consent as outlined in the accompanying Draft Notice of Determination and authorise minor amendments to correct any errors prior to issuing the final notice.

Introduction

The proposed development seeks consent for the erection of a farm building on 3938 Snowy Mountains Highway, Mount Adrah.

During notification period for the proposed development a submission was received from the owner/occupier of the adjoining property objecting to the proposed development. Staff delegations do not provide for determination of applications where objections have been received, the application is therefore referred to Council for determination.

Discussion
Description of Development

The proposed development seeks consent for a 28m x 7.5m farm building containing 7 bays, 5 of which are proposed to be open plan and provided with vehicle access doors. The two end bays are proposed to contain separate workshop area, storage area, mudroom and bathroom.

Vehicle access into the building would be from the East, being the elevation on the opposite side of the proposed building to Snowy Mountains Highway.

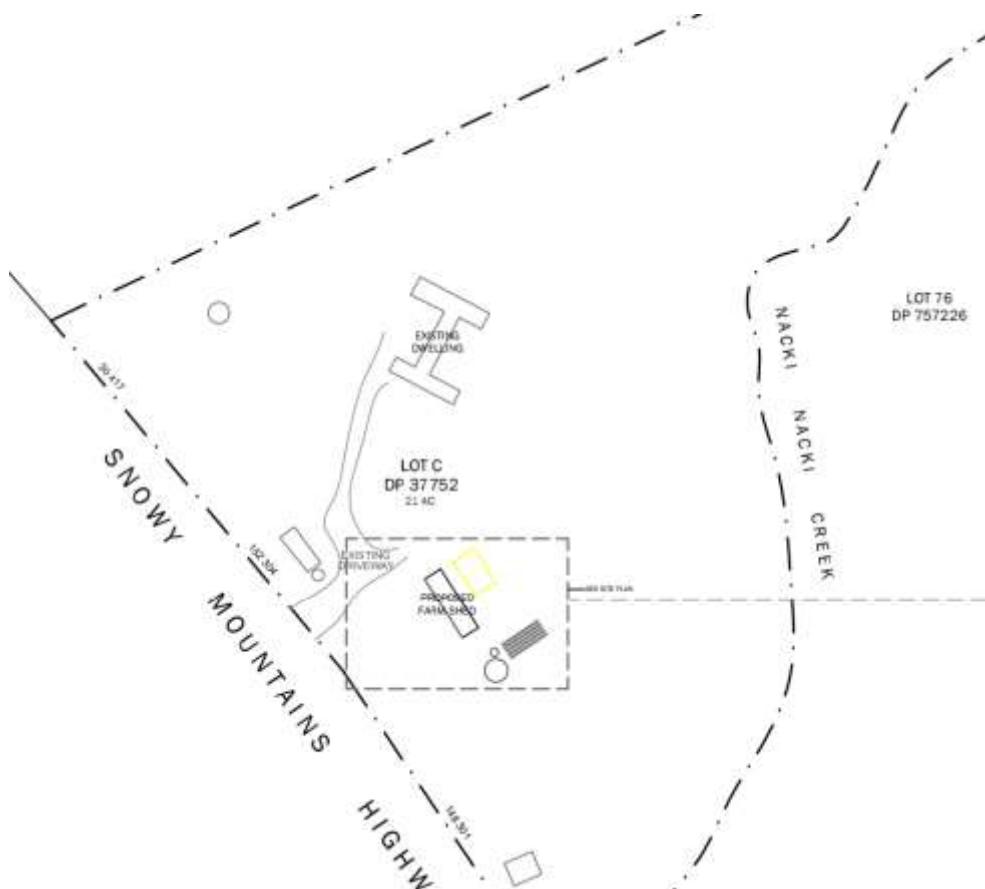


Figure 1 - Proposed location of new farm building (Source: extract submitted plans)



Figure 2 - Aerial imagery of subject site (source: Google Earth)

Assessment of Matters Raised by Submission

The development assessment report in Attachment 2, provides a detailed assessment of the matters raised in the submission and concludes that no changes to the location, design or materials proposed by the development be required.

A summary of the matters raised and the assessment of those matters is provided below:-

1. Use of reflective materials (cladding) impacting residence at 4000 Snowy Mountains Highway.

Assessment Overview:

- The applicant has confirmed that the proposed cladding will be zincalume.
- The building is situated to the west of the objector's residence approximately 315 meters away. The orientation of the neighbouring dwelling, along with an existing stand of trees that obstruct visibility between the buildings means any potential reflection from the building is likely to be minimal and won't have a significant adverse impact on amenity of the neighbouring dwelling.
- Although the site plan did not clearly detail the orientation, the building's roof design slopes back towards the road (the opposite direction to the neighbouring dwelling), which further minimises the likelihood of reflections being directed toward the residence.
- Neither exempt or complying development provisions under the *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* restrict the use of reflective materials on farm buildings in rural areas. The proposed building, while requiring DA consent is only marginally outside of both exempt and complying development allowances. Comparison with other legislative requirements is appropriate to establish broader expectations of the state.
- The use of zincalume for the new building aligns with the existing dwelling's roof material, promoting visual cohesion in the area.
- While not raised by the submission, the potential impact of the reflective cladding on Snowy Mountains Highway was evaluated. Given the proposed building's distance of 48m from the road and its downhill placement, any reflections are unlikely to adversely affect driver visibility or safety.

Assessment Conclusion:

The proposed cladding is not anticipated to result in any adverse impact of the adjoining dwelling. No change to the cladding or design/location of the proposed buildings is considered necessary. A condition could be applied requiring use of factory pre-coloured cladding, however, it is not considered necessary in this instance.



Figure 3 - View to neighbouring dwelling in distance from proposed building site



Figure 4 - View to neighbouring dwelling in distance from proposed building site (camera zoomed), top of roof visible above trees.

2. The effluent disposal area is located either on or very near to the flood plain of the Nacki Nacki Creek and possibly in the actual flooding zone. Which could lead to potential contamination of said creek, which residents down-stream are using in their homes.

Assessment Overview:

- A Land Capability Assessment Report was submitted with the application, adhering to the Onsite Wastewater Management Guidelines (April 2025) and Australian Standard AS 1547:2012.
- The proposed sewage management system consists of a septic tank with absorption trenches, deemed appropriate due to the anticipated periodic use of the amenities. Primary treatment is preferred over secondary treatment systems in this context, as the latter can encounter operational issues with irregular use.
- The septic tank and effluent disposal area are planned to be over 100 meters from Nacki Nacki Creek, meeting the recommended buffer distance from permanent water sources.
- The proposed area is situated above the apparent floodplain, reducing the likelihood of flooding impacts.
- A reserve application area has been designated to ensure an alternate site for effluent disposal if the primary trenches fail.
- Soil testing to a depth of 1.5 meters did not reveal a groundwater table, and the trench systems will have a maximum depth of 600mm, ensuring adequate separation from any underlying groundwater.
- While properties adjacent to the creek have rights to draw water for domestic use, it is advised that creek water should not be utilised for potable purposes due to potential contamination risks.

Assessment Conclusion:

It is appropriate for development consent be granted with standard conditions, including the requirement for obtaining an Approval to Operate an On-site Sewage Management System before the use of the building or system. An application for the Approval for Installation of an On-site Sewage Management System has been made and is appropriate to be issued.



Figure 5 - Proposed Land Application Area

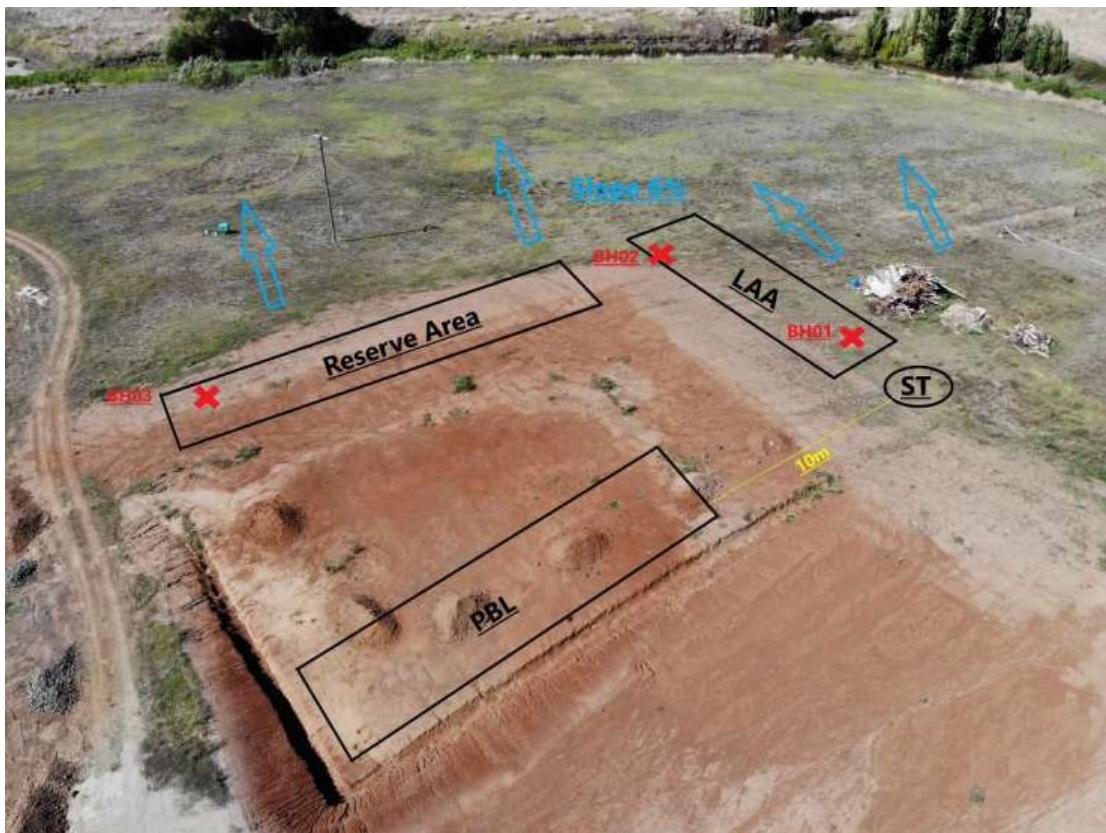


Figure 6 - Building and Land Application Area (proposed septic location) (Source: Submitted Geotechnical Report)

3. Potential for the proposed building to be used for residential accommodation, tourist accommodation or storage sheds and subsequent increases in vehicle traffic and disturbance of adjoining property owner.

Assessment Overview:

- The application is specifically for a farm building intended for associated with agricultural use of the property. It is the responsibility of the current and future owners to comply with any consent granted.
- While unlawful use of farm buildings for residential purposes is noted in rural areas, the presence of an existing lawful dwelling on the property reduces the likelihood of this occurring. Any change of use for accommodation or commercial purposes would require separate development consent, which would be assessed for potential impacts on surrounding properties. Notwithstanding this, agritourism provisions under the *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* allow for certain exempt and complying development options related to agritourism, provided they meet specific development standards.
- The owners have provided a written assurance that there is no intent to use the proposed building for residential or commercial purposes.

Assessment Conclusion:

It is appropriate for a condition be included in the consent to reinforce that any proposed use of the building for residential or commercial activities (beyond its intended agricultural use) requires development consent. While this condition is often included in similar development applications, it is not strictly necessary as existing legislation already prohibits such changes without consent.

4. Concern that aesthetics of the area will become more like an urban environment rather than a rural setting.

Assessment Overview:

- The proposed outbuilding is intended for agricultural use, specifically for the storage of farm vehicles and tools, and carrying out of activities within the workshop associated with the agricultural use and would replace a pre-existing structure damaged by bushfires. It is not expected to change the area's character to resemble an urban environment or adversely affect the rural landscape.
- The development is strategically located away from ridgelines, in line with principles aimed at minimizing impacts on areas of significant scenic value.
- Clustering buildings in rural areas is generally encouraged for several reasons:
 - It reduces the spread of development, preserving open space and maintaining the rural character and natural beauty of the area.
 - It minimizes the need for additional roads and utility lines, reducing visual clutter.
 - It facilitates more efficient operations by allowing centralized access to vehicles and equipment.
 - It enhances safety and security, providing passive surveillance of the shed from the dwelling and improving bushfire protection.

- While aesthetic considerations are subjective, the proposed building's location is designed to minimize its visibility from neighboring dwellings. It will be obstructed by existing vegetation, and the orientation of views from the neighboring dwelling is primarily south, while the proposed building is situated to the southwest.

Assessment Conclusion:

No change to location or design of the proposed building be required. Development is considered suitable in its current proposed form.

5. Earthworks have already commenced for the proposed building.

Assessment Overview:

- Earthworks have commenced for the proposed building, involving cut of the site.
- The cut has exceeded the exempt development limit of 600mm, reaching approximately 1000 to 1200mm.
- 600mm high retaining walls are being constructed, which appear to meet exempt development requirements.
- The area above the retaining walls has been battered to prevent erosion.
- While commencing earthworks prior to obtaining consent is discouraged, this does not justify refusal of the proposed development.
- No issues with the conducted earthworks have been identified.
- The owner has provided a written explanation stating the need to address problems from a demolished fire-damaged shed.
- Implementation of sediment and erosion control measures is essential to prevent sediment-laden water from entering the creek.
- Existing grass coverage will help trap sediment, but additional control measures are necessary for effective protection.

Assessment Conclusion:

A standard condition requiring the implementation of sediment and erosion controls be applied and the owner/applicant to ensure immediate installation of these measures until vegetation cover is reestablished on disturbed areas.



Figure 7 - Earthworks undertaken

Financial

Nil identified.

OLG 23a Guideline consideration

Does not conflict with the Office of Local Government (OLG) 23a guidelines.



**COOTAMUNDRA-
GUNDAGAI**
REGIONAL
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Gundagai NSW 2722
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NOTICE OF DETERMINATION OF A DEVELOPMENT APPLICATION

Application number DA 2025/089
PAN-558957

Applicant Mel Tsarevich
PO Box 177 Tumut NSW 2720

Description of development Erection of a building, carrying out of works and continued use of existing earthworks for the purpose of a Farm Building

Property 3938 SNOWY MOUNTAINS HIGHWAY MOUNT ADRAH
2729
C/-DP37752

Determination Approved
Consent Authority - Council

Date of determination 23/09/25

Date from which the consent operates 23/09/25

Date on which the consent lapses 23/09/30

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

- 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.

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
Acting Manager Sustainable Development
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>Compliance with Building Code of Australia and insurance requirements under Home Building Act 1989</p> <ol style="list-style-type: none"> 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. 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. 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. 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. 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. 6. This section does not apply— <ol style="list-style-type: none"> 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 b. to the erection of a temporary building, other than a temporary structure to which subsection (3) applies. <p>Condition reason: Prescribed condition under section 69 of the Environmental Planning and Assessment Regulation 2021.</p>
2	<p>Notification of Home Building Act 1989 requirements</p> <ol style="list-style-type: none"> 1. This section applies to a development consent for development involving residential building work if the principal certifier is not the council. 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"> a. for work that requires a principal contractor to be appointed—

	<ul style="list-style-type: none"> i. the name and licence number of the principal contractor, and ii. the name of the insurer of the work under the Home Building Act 1989, Part 6, <ul style="list-style-type: none"> b. for work to be carried out by an owner-builder— <ul style="list-style-type: none"> i. the name of the owner-builder, and ii. if the owner-builder is required to hold an owner-builder permit under the Home Building Act 1989—the number of the owner-builder permit. <ol style="list-style-type: none"> 3. If the information notified under subsection (2) is no longer correct, it is a condition of the development consent that further work must not be carried out unless the principal certifier has given the council written notice of the updated information. 4. This section does not apply in relation to Crown building work certified to comply with the Building Code of Australia under the Act, Part 6. 																																											
	Condition reason: Prescribed condition under section 71 of the Environmental Planning and Assessment Regulation 2021.																																											
3.	<p>Approved plans and supporting documentation</p> <p>Development must be carried out in accordance with the following approved plans and documents, except where the conditions of this consent expressly require otherwise.</p> <table border="1"> <thead> <tr> <th colspan="5">Approved plans</th> </tr> <tr> <th>Plan number</th> <th>Revision number</th> <th>Plan title</th> <th>Drawn by</th> <th>Date of plan</th> </tr> </thead> <tbody> <tr> <td>D002-02</td> <td>1</td> <td>Site Plan</td> <td>Tumut Building Design</td> <td>26/06/2025</td> </tr> <tr> <td>D002-03</td> <td>1</td> <td>Floor Plan & Section</td> <td>Tumut Building Design</td> <td>26/06/2025</td> </tr> <tr> <td>Job Number TRS-1179</td> <td>-</td> <td>Front and Rear Elevations</td> <td>Tumut River Sheds</td> <td>16/04/2025</td> </tr> <tr> <td>Job Number TRS-1179</td> <td>-</td> <td>Left & Right Elevations</td> <td>Tumut River Sheds</td> <td>16/04/2025</td> </tr> </tbody> </table> <table border="1"> <thead> <tr> <th colspan="5">Approved documents</th> </tr> <tr> <th>Document title</th> <th>Version number</th> <th>Prepared by</th> <th>Date of document</th> </tr> </thead> <tbody> <tr> <td>Statement of Environmental Effects</td> <td>-</td> <td>-</td> <td>-</td> </tr> </tbody> </table> <p>In the event of any inconsistency with the approved plans and a condition of this consent, the condition prevails.</p> <p>Condition reason: To ensure all parties are aware of the approved plans and supporting documentation that applies to the development.</p>	Approved plans					Plan number	Revision number	Plan title	Drawn by	Date of plan	D002-02	1	Site Plan	Tumut Building Design	26/06/2025	D002-03	1	Floor Plan & Section	Tumut Building Design	26/06/2025	Job Number TRS-1179	-	Front and Rear Elevations	Tumut River Sheds	16/04/2025	Job Number TRS-1179	-	Left & Right Elevations	Tumut River Sheds	16/04/2025	Approved documents					Document title	Version number	Prepared by	Date of document	Statement of Environmental Effects	-	-	-
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Building Work

Before issue of a construction certificate

4	<p>Approval to Install an Onsite Sewage Management System</p> <p>Approval must be obtained for the alteration and/or installation of an On-site Sewage Management System to service the development under Section 68 of the Local Government Act 1993.</p> <p>Condition reason: To ensure the development is serviced by appropriate on-site sewage management system.</p>
5	<p>Plumbing and Drainage Works</p> <p>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.</p> <p>Condition reason: Statutory compliance with the Local Government Act 1993</p>
6	<p>Section 7.12 Contributions</p> <p>1. In accordance with Section 4.17(1) of the <i>Environmental Planning and Assessment Act 1979</i> and the <i>Cootamundra-Gundagai Regional Council Section 7.12 Fixed Development Consent Levy Contributions Plan 2018</i>, \$614.81 must be paid towards the provision, extension or augmentation of public amenities or public services, based on development costs of \$122,692.00.</p> <p>2. The value of this contribution is current as of the date of determination of this Development Consent. If the contributions are not paid within the financial quarter that this consent is granted, the contributions payable will be adjusted in accordance with the provisions of the <i>Cootamundra-Gundagai Regional Council Section 7.12 Fixed Development Consent Levy Contributions Plan 2018</i> and the amount payable will be calculated at the time of payment in the following manner:</p> $\text{IDC} = \text{ODC} \times \frac{\text{CP2}}{\text{CP1}}$ <p>Where:</p> <p>IDC is the indexed development cost</p> <p>ODC is the original development cost determined by the Council</p>

	<p>CP2 is the Consumer Price Index, All Groups Sydney, as published by the ABS in respect of the quarter ending immediately prior to the date of payment.</p> <p>CP1 is the Consumer Price Index, All Groups Sydney, as published by the ABS in respect of the quarter ending immediately prior to the date of the consent</p> <p>3. The monetary contributions shall be paid to Council:</p> <ol style="list-style-type: none"> Prior to the issue of the first Construction Certificate where the development is for building work. <p><i>Note: It is the professional responsibility of the Principal Certifier to ensure that the monetary contributions have been paid to Council in accordance with the above timeframes.</i></p> <p><i>Note: Cootamundra-Gundagai Regional Council Section 7.12 Fixed Development Consent Levy Contributions Plan 2018 may be viewed at https://www.cgrc.nsw.gov.au/developer-contributions-plans/ or a copy may be inspected at Council's Offices during normal business hours.</i></p> <p><i>Note: To arrange a Payment Advice for the monetary contributions, please contact Council's Sustainable Development Team on 1300 459 689.</i></p> <p>Condition reason: To ensure Section 7.12 Developer Contributions are paid in accordance with Council's Section 7.12 policy as adopted 2018.</p>
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Before building work commences

7	<p>Appointment of a Principal Certifier</p> <p>Prior to the commencement of any construction works, the person having benefit of this Development Consent must appoint a Principal Certifier.</p> <p>Condition reason: To ensure legislative requirements are met.</p>
8	<p>Construction Certificate</p> <p>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.</p> <p>Condition reason: To ensure compliance with the requirements of the Environmental Planning and Assessment Regulation 2021.</p>
9	<p>Erosion and sediment controls in place</p> <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</p>

	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).
	Condition reason: To ensure sediment laden runoff and site debris do not impact local stormwater systems and waterways.
10	Notice of intention to commence building work The proponent must give the Principal Certifier at least 2 days notice of their intention to commence building works. The notice of intention to commence building works must be lodged on the NSW Planning Portal in accordance with Section 6.6 of Environmental Planning and Assessment Act 1979 and Section 59 of Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021. Condition reason: To ensure legislative requirements are met
11	Underground Services The proponent shall locate and identify all existing underground services prior to commencement of works and ensure there shall be no conflict between the proposed development and existing infrastructure including areas external to the development site where works are proposed. Condition reason: To ensure the utility services are protected and satisfactory for the proposed development.

During building work

12	Procedure for critical stage inspections While building work is being carried out, the work must not continue after each critical stage inspection unless the principal certifier is satisfied the work may proceed in accordance with this consent and the relevant construction certificate. Condition reason: To require approval to proceed with building work following each critical stage inspection.
13	Responsibility for changes to public infrastructure While site work is being carried out, any costs incurred as a result of the approved removal, relocation or reconstruction of infrastructure (including ramps, footpaths, kerb and gutter, light poles, kerb inlet pits, service provider pits, street trees or any other infrastructure in the street footpath area) must be paid as directed by the consent authority. Condition reason: To ensure payment of approved changes to public infrastructure.
14	Approved Plans

	<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>Condition reason: To ensure compliance with relevant plans and approvals</p>
15	<p>Deliveries</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"> • Mondays to Fridays - 7:00am to 6:00pm; • Saturdays - 8:00am to 1:00pm; • No work permitted on Sundays and Public Holidays. <p>Condition reason: To protect the amenity of neighbouring properties.</p>
16	<p>Earthworks</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>Condition reason: To ensure that the development is consistent with the approval</p>
17	<p>Hours of Work</p> <p>Site work must only be carried out between the following times –</p> <ul style="list-style-type: none"> • Mondays to Fridays - 7:00am to 6:00pm; • Saturdays - 8:00am to 1:00pm; and • No work is permitted on Sundays and Public Holidays. <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>Condition reason: To protect the amenity of the surrounding area.</p>
18	<p>Restricted Public Access</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>Condition reason: To ensure public safety is maintained.</p>
19	<p>Roof Water</p> <p>Roof water generated by the development must be discharged:-</p>

	<ul style="list-style-type: none"> • To the watertable; and • Directed away from any buildings, structures, property boundaries and effluent disposal area; <p>The point of discharge from the overflow must be</p> <ul style="list-style-type: none"> • Protected from being crushed or damaged; and • Provided with scour protection to prevent erosion <p>Condition reason: To ensure that roof water is disposed of without nuisance to neighbours, damage to property or the environment.</p>
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Before issue of an occupation certificate

20	Repair of infrastructure Before the issue of an Occupation Certificate 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. Condition reason: To ensure any damage to public infrastructure is rectified.
21	Approval to Operate an On-site Sewage Management System Prior to the issue of an Occupation Certificate, Approval to Operate an On-site Sewage Management System must be obtained from Council for the system servicing the development. Condition reason: To ensure the development is appropriately serviced by a system installed in accordance with relevant approvals and legislative controls.
22	Completion of Plumbing & Drainage Works 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. Condition reason: To ensure plumbing and drainage has been undertaken in accordance with relevant requirement.
23	Occupation of building A person must not commence occupation or use of the whole or any part of the buildings unless an occupation certificate has been issued by the appointed Principal Certifier.

	Condition reason: To ensure the development is completed to a safe standard to allow use or occupation and to ensure compliance with the requirements of this consent.
24	<p>Stabilisation of Earthworks</p> <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>Condition reason: To ensure earthworks are appropriately protected.</p>
25	<p>Removal of waste upon completion</p> <p>Before the issue of an Occupation Certificate:</p> <ol style="list-style-type: none"> all refuse, spoil and material unsuitable for use on-site must be removed from the site and disposed at an appropriately licensed facility; and Any chemical waste generated throughout construction must be disposed of to an approved waste management facility or otherwise lawfully managed. <p>Condition reason: To ensure waste material is appropriately disposed or satisfactorily stored.</p>

Occupation and ongoing use

26	<p>Restriction on use</p> <p>The farm building hereby approved under this consent shall be used solely for the carrying out of activities and storage of vehicles, equipment, and items ancillary to the agricultural use of the property. The structure shall not be used or adapted for any residential, commercial, or industrial purposes unless prior development consent has been obtained or the works or use are permitted as exempt development under an environmental planning instrument.</p> <p>Condition reason: To ensure the development is only used for the permitted purpose</p>
27	<p>Clean and Tidy</p> <p>The premises are to be maintained in a clean and tidy condition at all times.</p> <p>Condition reason: So that the development does not reduce the amenity of the area.</p>
28	<p>Use of Premises for Slaughter</p>

	<p>This consent does not authorise use of the building for slaughter of animals for sale or gifting, any undertaking must be for personal consumption only in accordance with Department of Primary Industry guidelines and relevant legislative requirements.</p>
	<p>Condition reason: Proposed development is not for the purpose of a livestock processing industry and does not meet requirements of the Food Act 2003.</p>
29	<p>Waste Disposal</p> <p>Waste generated by the development, including any animal waste product must be appropriately disposed in accordance with Department of Primary Industry requirements and taken to an appropriately licenced facility where required.</p>
	<p>Condition reason: To ensure waste is appropriately disposed of.</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.

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.

DRAFT

DEVELOPMENT ASSESSMENT REPORT

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

**DATE OF REPORT COMMENCEMENT:**

August 2025

COUNCIL OFFICER COMPLETING DEVELOPMENT ASSESSMENT:

Lauren Dawes

DEVELOPMENT REFERENCE:

DA 2025/89

DEVELOPMENT ADDRESS:

3938 Snowy Mountains Highway ADELONG

DEVELOPMENT LOT / SEC / PLAN:

Lot: C DP: 37752

OWNER(S):

Paul & Margaret Donaldson

APPLICANT:

Tumut Building Design
PO Box 177
TUMUT NSW 2720

PROPOSED DEVELOPMENT:

Proposed farm building containing bathroom amenities.

The proposed development seeks consent for a 28m x 7.5m farm building containing 7 bays, 5 of which are proposed to be open plan and provided with vehicle access doors. The two end bays are proposed to contain separate workshop area, storage area, mudroom and bathroom.

Vehicle access into the building would be from the East, being the elevation on the opposite side of Snowy Mountains Highway.

DEVELOPMENT ASSESSMENT REPORT

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



COOTAMUNDRA-
GUNDAGAI
REGIONAL COUNCIL

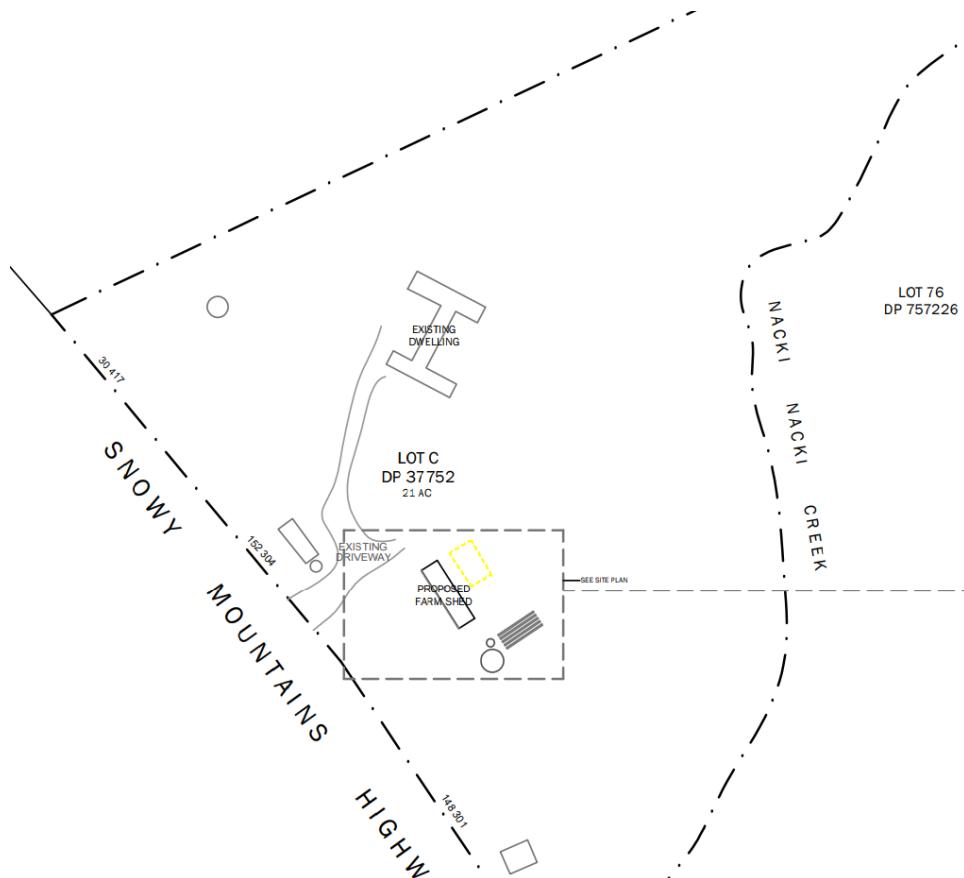


Figure 1 - Proposed location of new farm building (Source: extract submitted plans)

DEVELOPMENT ASSESSMENT REPORT

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

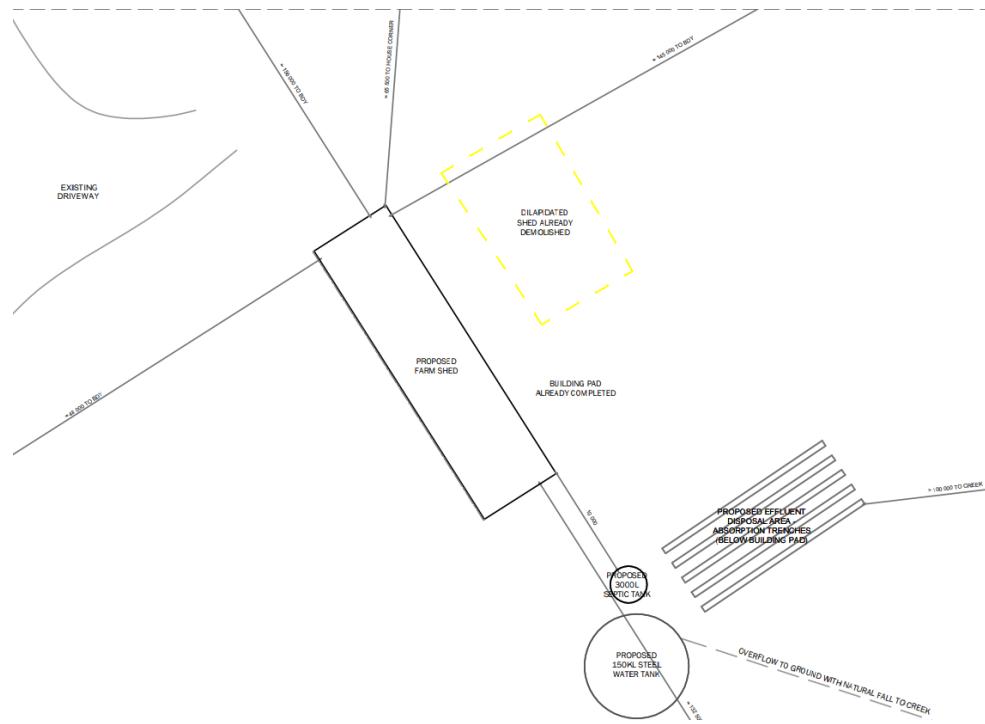



Figure 2 - Proposed location (Source: extract submitted plans)

SITE:

The property is located at 3938 Snowy Mountains Highway, Mount Adrah, on the edge of the Cootamundra-Gundagai Regional Council local government area.

Access to the site is off the Highway, a classified road. The site contains an existing outbuilding and recently constructed dwelling.

DEVELOPMENT ASSESSMENT REPORT

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



Figure 3 - Aerial imagery of subject site (source: Google Earth)

The site has a moderate slope falling to the South East to Nacki Nacki Creek which bounds the property boundary.

DEVELOPMENT ASSESSMENT REPORT

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




Figure 4 - Topography of site (Source: Council mapping)

The site has minimal vegetation, consisting predominately of grassland veg/perennial pasture.

Aerial imagery shows that a shed was previously located on or near the site of the proposed farm building. Site inspection confirmed the shed is no longer there.

The allotment has an area of approximately 8.9ha but is part of a larger landholding of approximately 157ha.

APPLICATION HISTORY:

- Lodged on 5/08/2025
- Neighbour notified 5/08/2025-19/08/2025
- Objection received 18/08/2025
- Site inspection 27/08/2025

PREVIOUS DEVELOPMENT PROPOSALS AND DECISIONS:

DA 2023/4 – dwelling with attached garage (approved)

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*

DEVELOPMENT ASSESSMENT REPORT

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



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. Noted that Nacki Nacki Creek is mapped on the BVM, however, site of proposed farm building and on-site sewage management system is outside of the mapped area.

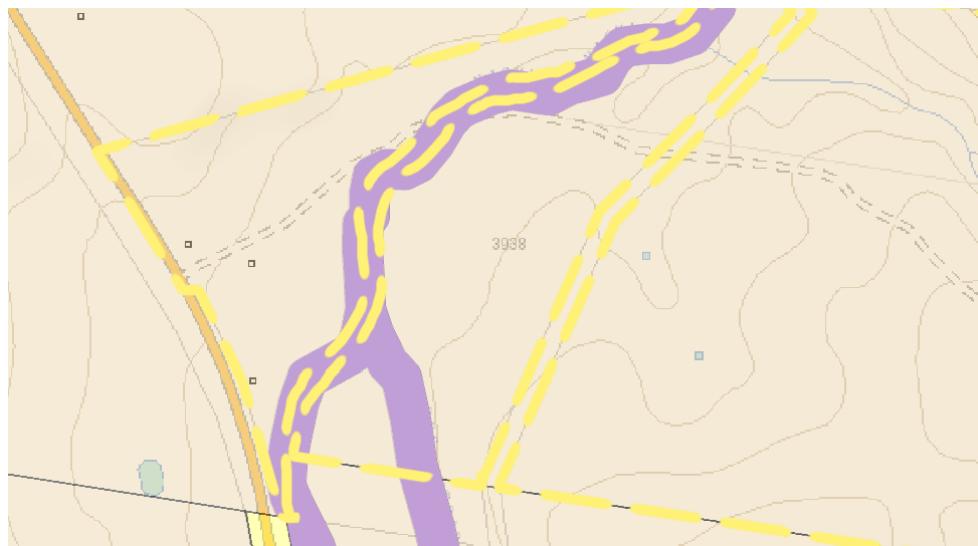


Figure 5- Biodiversity Values Map (source: e-planning spatial viewer)

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.

Site area of the development including land application area does not involve clearing of native vegetation beyond the threshold, being 1ha or more for land with a minimum subdivision lot size requirement of 40ha.

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 5/08/2025 to 19/08/2025.

One submission was received the below provides an assessment of matters raised by the submission.

1. Use of reflective materials (cladding) impacting residence at 4000 Snowy Mountains Highway

DEVELOPMENT ASSESSMENT REPORT

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

**Assessment:**

Confirmation of proposed cladding material (zincalume) has been obtained from owner/applicant.

Proposed building is sited to the west of the objector's residence, morning sun from the East may reflect off the structure. However, there is an existing stand of trees located between the proposed structure and the adjoining dwelling, the dwelling is only partially visible from the site and no windows were visible, as such, impact of any reflection of the residence is likely to be minimal. The dwelling is also oriented away from the proposed building, as such, any removal of the existing stand of trees would unlikely have any significant impact to the extent of any glare or reflection that reaches the dwelling.

While not detailed on the submitted site plan, elevations and floor plan show that the proposed building is orientated with the roof falling back towards the road, further lessening the potential for reflection to be directed towards the residence.



Figure 6 - View to neighbouring dwelling in distance from shed site

DEVELOPMENT ASSESSMENT REPORT

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



Figure 7 - View to neighbouring dwelling in distance from shed site (camera zoomed), top of roof visible above trees.

Exempt development provisions under *Subdivision 16 Farm buildings (other than stock holding yards, grain silos and grain bunkers)* of provides for *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*, does not limit the use of reflective materials/claddings in rural areas and provides for erection of farm buildings up to 200m² 50m from property boundaries or up to 100m², 10m from property boundaries subject to the size of the subject allotment.

The building subject of this application is proposed to be 48m to the nearest boundary (the road boundary) and approximately 315m to the nearest dwelling with an area of 210m², only marginally larger than what is allowable as exempt development.

Complying Development Provisions set by *Division 7 Development standards for farm buildings (other than stock holding yards, grain silos and grain bunkers) in Zones RU1, RU2, RU3, RU4, RU6 and R5 of the Inland Code under State Environmental Planning Policy (Exempt and*

DEVELOPMENT ASSESSMENT REPORT

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



Complying Development Codes) 2008 does not limit the use of reflective materials/claddings in rural areas. Approval for the development was originally sought as complying development but was not able to proceed through this pathway due to the following:-

- Terrestrial biodiversity mapping of the site under the LEP (regardless of whether building is located within the mapped area);
- Proposed setback from road boundary of 48m rather than required 50m;
- Building footprint exceeding maximum allowance of 200m² under clause 3D.57 for an allotment of this size by 10m².

As such, a development application was therefore required.

Roof of the existing dwelling on the property is zicalume and existing outbuilding appears to be either zicalume or galvanized steel, continued use of the material creates cohesion between the buildings.

While not raised as a concern, consideration to potential impacts of the cladding on the nearby road, Snowy Mountains Highway, has been considered. The building is proposed to be located 48m from the road boundary and downhill of the road, any reflection created by the cladding is unlikely to have an adverse impact on driver visibility or road safety.

Recommendation:

The proposed cladding is not anticipated to result in any adverse impact of the adjoining dwelling. No change to the cladding or design/location of the proposed buildings is considered necessary. A condition could be applied requiring use of factory pre-coloured cladding, however, is not recommended in this instance. Use of zicalume and/or galvanized steel corrugated sheet metal cladding is common in rural Australian outbuildings, the material tends to reflect colours of surrounding landscape, the finish of the material aligns better with the authentic rural aesthetic and supports a harmonious relationship between the existing built forms and the surrounding landscape.

2. **The effluent disposal area is located either on or very near to the flood plain of the Nacki Nacki Creek and possibly in the actual flooding zone. Which could lead to potential contamination of said creek? Which residents down- stream are using in their homes.**

Assessment:

A Land Capability Assessment Report for the purpose of the design of the on-site sewage management system and has been prepared and submitted with the subject application. The report has been reviewed with consideration to the requirements of:-

- Onsite Wastewater Management Guidelines April 2025 published by Department of Planning, Housing and Infrastructure and Office of Local Government; and
- Australian Standard AS 1547:2012 – On site Domestic Wastewater Management

DEVELOPMENT ASSESSMENT REPORT

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



The system is proposed to be a septic tank with absorption trenches, being a primary treatment system. Given likely periodic use of the amenities, use of a primary treatment system rather than secondary treatment system is recommended. Secondary treatment systems receiving irregular and low loading are prone to issues.

The tank and effluent disposal area are proposed to be located more than 100m from Nacki Nacki Creek, being the recommended minimum buffer distance from permanent water sources (other than dams). The area of land identified sits above the apparent flood plain and isn't anticipated to be impacted by flood events. A reserve application area has also been identified as required by Council's policy ensuring suitable alternate area is available should the trenches fail in the future.



Figure 8 - Proposed Land Application Area

DEVELOPMENT ASSESSMENT REPORT

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

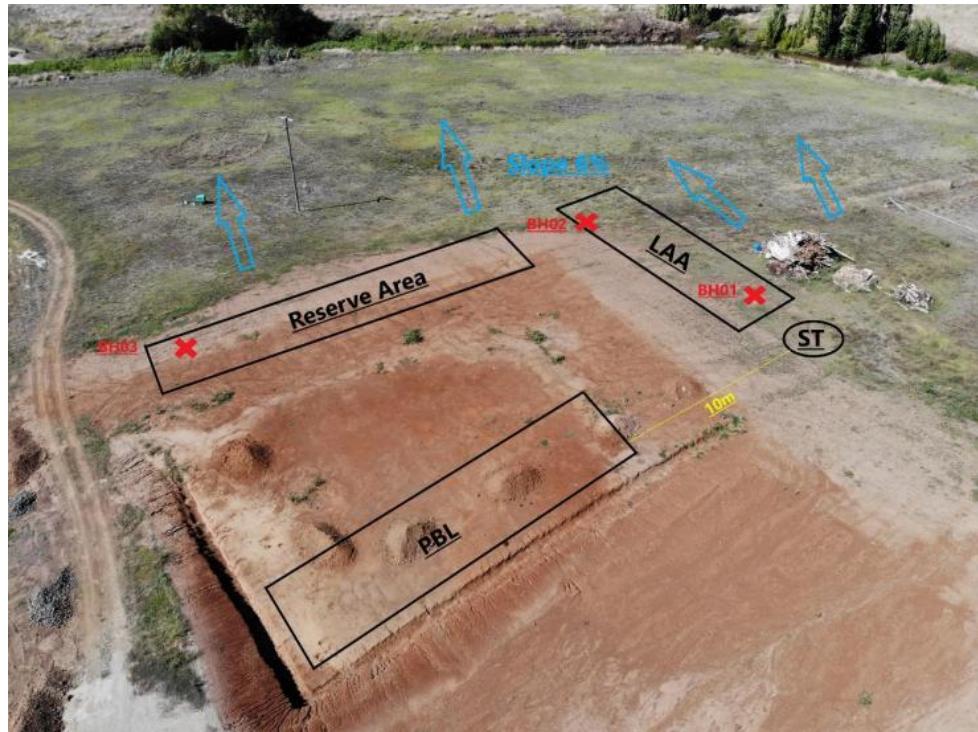


Figure 9 - Building and Land Application Area (proposed septic location) (Source: Submitted Geotechnical Report)

Soil testing to 1.5m undertaken did not encounter the ground water table.

Trench systems have a maximum depth of 600mm, providing separation between the trenches and any underlying groundwater system.

Not notwithstanding the above, while properties with frontage to the Creek have domestic use rights under the *Water Management Act 2000* to draw from the creek for stock and domestic purposes such water should not be used for potable water supplies such as for use within dwellings.

The area is used for extensive agriculture and presence of bacteria within the creek from stock and their waste as well as potential for deceased animals and fertilizers cannot be controlled. Guidelines on private drinking water supplies do not recommend use of creek water for any potable purposes. Associated risks increase significantly in a flood event, not only due to potential for human wastewater systems to be impacted but general increase in nutrient loads carried down waterways.

DEVELOPMENT ASSESSMENT REPORT

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



Recommendation:

Development consent be provided with standard conditions of consent requiring Approval to Operate an On-site Sewage Management System to be obtained prior to use of the building or system. Noted that s68 Approval for Installation of a On-site Sewage Management System has been applied for and is appropriate for issue. The conditioning of the DA is intended to ensure that installation is undertaken in accordance with that approval and inspections of the system installation undertaken by Council staff ensuring compliance and suitability before use.

Advice regarding private drinking water should also be provided to the objector by Council's Environmental Health Officer.

3. Potential for the proposed building to be used for residential accommodation, tourist accommodation or storage sheds and subsequent increases in vehicle traffic and disturbance of adjoining property owner.

Assessment:

The submitted application is for the purpose of a farm building associated with ongoing agricultural use of the property. It is the responsibility of the owners and any future owners to ensure use of the building is undertaken in accordance with any consent granted.

While it is recognised that unlawful use of farm buildings for residential purposes is not uncommon across rural areas. In this instance, there is an existing lawful dwelling on the property reducing the likelihood of such occurrence. Further, any use of the building for accommodation purposes or a commercial purposes such as commercial storage premises would require development consent and in the event that such consent is not obtained would be subject potential compliance action. At the time of any such application consideration would be given to potential for adverse impacts on surrounding properties. The owners have also provided written response confirming this is not their intent for the proposed building.

Notwithstanding the above, agritourism provisions in under *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* do provide for both exempt and complying development options related to agritourism subject to compliance with detailed development standards.

Recommendation:

A condition be applied reinforcing that consent is required for any proposed use of the building for residential or commercial activities (beyond use associated with existing farming enterprise). Such a condition is often applied to DA consents of this nature although is not necessary as the legislation already prohibits change of use of buildings which requires development consent.

4. Concern that aesthetics of the area will become more like an urban environment rather than a rural setting.

DEVELOPMENT ASSESSMENT REPORT

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



Erection of a rural outbuilding for use associated with existing agricultural use of the land such as storage of farm vehicles and tools, replacing a pre-existing building which was damaged in bushfires is not anticipated to result in the area resembling an urban environment or adversely impacting the rural landscape. The development is proposed to be located away from ridgelines, in keeping with general principles for minimising impacts on areas of significant scenic value. Clustering of buildings in rural areas is generally encouraged providing for the following benefits:

- Clustering buildings minimises the spread of development across the landscape, preserving more open space and reducing the overall visual impact. This can help maintain the rural character and natural beauty of the area.
- Fewer roads and utility lines are needed when buildings are clustered, reducing the visual clutter associated with sprawling developments.
- Typically provides for more efficient and logical operations, allowing access to vehicles, tools and equipment from a central location.
- Clustering of buildings provide safety and security benefits allowing for passive security of shed/s from the dwelling on the site, greater opportunity for anyone injured to be found and opportunity for better bushfire protection.

While aesthetics is a largely subjective matter, the proposed building is located away from the main outlook of the neighbouring dwelling and would not have any significant impact on the views obtained from the dwelling, noting that it is blocked by an existing stand of vegetation and orientation of views from the dwelling are more directly south, while the proposed building is South West.

5. Earthworks have already commenced for the proposed building

Earthworks have been undertaken in preparation for the proposed building. Earthworks involving cut or fill of up to 600mm can be classified as exempt development, provided that specific development standards are met. However, the extent of the cut appears to have exceeded the amount permitted under exempt development provisions, approximately 1200mm cut. Erection of 600mm high retaining walls were being undertaken at the time of site inspection, the retaining walls appear to meet all exempt development requirements. The portion of cut above the retaining walls has been battered to prevent erosion.

DEVELOPMENT ASSESSMENT REPORT

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



Figure 10 - Earthworks undertaken

While the undertaking of earthworks prior to obtaining consent is discouraged and should be avoided, the earthworks in this instance are not a sufficient reason to deny approval for the proposed development. No issue with the conducted earthworks has been identified, and the owner has provided a written explanation stating that the earthworks were necessary to address problems arising from the now demolished fire damaged shed.

Nonetheless, it is essential to implement sediment and erosion control measures to prevent sediment-laden water from entering the creek. Although the existing grass coverage between the site and the creek will help trap sediment, additional control measures are still required to ensure effective protection.

Recommendation:

Standard condition be applied requiring sediment and erosion controls and the owner/applicant contacted requiring immediate installation of such measures until vegetation cover is reestablished on disturbed areas.

DEVELOPMENT ASSESSMENT REPORT

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



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

Consultation/concurrence is not required for the subject application.

4.14 Consultation and development consent—certain bush fire prone land

The site is mapped as bushfire prone land. However, the proposed building is a class 10a non-habitable building under the BCA and located more than 6m from the dwelling on the subject site. No bushfire assessment report or bushfire protection measures are therefore required under *Part 8.3.2 Class 10 structures of Planning for Bushfire Protection 2019*.

8.3.2 Class 10 structures

The NCC defines a Class 10 building as a non-habitable building or structure such as a:

- a. Class 10a – a non-habitable building being a private garage, carport, shed or the like; or
- b. Class 10b – a structure being a fence, mast, antenna, retaining or free-standing wall, swimming pool, or the like; or
- c. Class 10c – a private bush fire shelter

There is no bush fire protection requirements for Class 10a buildings located more than 6m from a dwelling in bush fire prone areas. Where a Class 10a building is located within 6m of a dwelling it must be constructed in accordance with the NCC.

Figure 11 - PBP 2019 Extract

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).

DEVELOPMENT ASSESSMENT REPORT

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



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 site is not mapped as potentially contaminated land on council's mapping system. There is no known current or historical use likely to have resulted in contamination of the site and no indicators of potential for the site to be contaminated identified during site inspection. Noting this no further assessment is required.

Not notwithstanding the above, proposed development is for a non-habitable farm building and not of a sensitive nature.

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

DEVELOPMENT ASSESSMENT REPORT

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



- 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.

The development is clear of the overhead powerlines on the property. Noted that the submitted site plan does not identify the location of the lines in relation to the proposed development, however, site inspection confirmed the proposed building is located away from the infrastructure. Mapping showing the previous farm building (now demolished) in relation to the powerlines shows general location in relation to the proposed building. Proposed works are to the west of the demolished building further from the lines.

Figure 12 - Location of exiting overhead powerlines

- *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

DEVELOPMENT ASSESSMENT REPORT

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



- *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 has frontage to a classified road – Snowy Mountains Highway.

The following provides an assessment against the required criteria

- (a) *where practicable and safe, vehicular access to the land is provided by a road other than the classified road, and*

Access is existing, no alternative access location exists.

- (b) *the safety, efficiency and ongoing operation of the classified road will not be adversely affected by the development as a result of:*

- (i) *the design of the vehicular access to the land, or*

No changes are proposed to the existing established access which was assessed as part of considerations od DA 2023/4 for the dwelling on the same property.

- (ii) *the emission of smoke or dust from the development, or*

The proposed farm building would not result in any emissions such as smoke or dust which would impact the road.

- (iii) *the nature, volume or frequency of vehicles using the classified road to gain access to the land, and*

DEVELOPMENT ASSESSMENT REPORT

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



Proposed farm building is ancillary to existing residential and agricultural use of the land and, beyond construction, would not result in any increase in vehicle movements to or from the property.

(c) the development is of a type that is not sensitive to traffic noise or vehicle emissions, or is appropriately located and designed, or includes measures, to ameliorate potential traffic noise or vehicle emissions within the site of the development arising from the adjacent classified road.

The proposed development is not of a type that is sensitive to vehicle emissions.

- **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 with the aims of the LEP.

1.4 Definitions

farm building means a structure the use of which is ancillary to an agricultural use of the landholding on which it is situated and includes a hay shed, stock holding yard, machinery shed, shearing shed, silo, storage tank, outbuilding or the like, but does not include a dwelling.

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

Proposed building is located outside of registered easement on the lot.

2.1 Land use zones

DEVELOPMENT ASSESSMENT REPORT

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



The site is zoned RU1 – Primary Production, 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.

- *To encourage sustainable primary industry production by maintaining and enhancing the natural resource base.*
- *To encourage diversity in primary industry enterprises and systems appropriate for the area.*
- *To minimise the fragmentation and alienation of resource lands.*
- *To minimise conflict between land uses within this zone and land uses within adjoining zones.*
- *To encourage the efficient use and conservation of water resources.*
- *To protect significant scenic landscapes.*
- *To encourage development that does not adversely impact nearby agricultural activities.*
- *To protect, enhance and conserve the natural environment, including native vegetation, wetlands and wildlife habitat.*
- *To ensure development prevents or mitigates land degradation.*

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.

No flood study of the subject area exists. Nacki Nacki Creek is subject to flooding, however, the proposed farm building is located on an elevated area not anticipated to be subject to flooding.

Notwithstanding this, the building is a non-habitable structure which is not required to be flood resistant. Given its location, above the site of the previous shed, in the event of a flood it is unlikely to impact flood risk of surrounding area or create issues which would result in blockages or changes to the flow of floodwater.

6.1 Biodiversity protection

This clause applies to land that is identified as sensitive land on the *Natural Resources Sensitivity Biodiversity Map*, part of 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 13 - Biodiversity protection mapping

6.1 Biodiversity protection

- (1) The objective of this clause is to maintain terrestrial and aquatic biodiversity, including the following—
 - (a) protecting native fauna and flora,
 - (b) protecting the ecological processes necessary for their continued existence,
 - (c) encouraging the recovery of native fauna and flora and their habitats.
- (2) This clause applies to land identified as “sensitive land” on the [Natural Resources Sensitivity Biodiversity Map](#).
- (3) Before determining a development application for development on land to which this clause applies, the consent authority must consider any adverse impact of the proposed development on the following—
 - (a) native ecological communities,
 - (b) the habitat of any threatened species, populations or ecological community,
 - (c) regionally significant species of fauna and flora or habitat,
 - (d) habitat elements providing connectivity.
- (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.

The proposed building is located outside of the mapped area to avoid any significant adverse impact. Sediment and erosion controls should be installed to mitigate the

DEVELOPMENT ASSESSMENT REPORT

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



risk of sediment laden waters entering the creek and impacting the receiving waters and biodiversity of the area. A conditional shall be applied to any consent in this regard, requiring sediment and erosion controls to be installed and maintained until vegetation cover is re-established. Notwithstanding this an immediate request will be made to the owner/applicant noting that earthworks have been undertaken.

The site of the proposed building is understood to have previously been part of the vehicle entry/exit and manoeuvring space in front of the previous shed. While earthworks have already been undertaken it is unlikely that such works would have resulted in and significant biodiversity impact such as damage to threatened species or removal of habitat vegetation.

Mapping does not identify any threatened species known to be present on the land.

6.2 Land protection

This clause applies to land identified as “sensitive land” on the *Natural Resources Sensitivity Land Map*, the site is partially mapped as being affected, and accordingly this clause is applicable.

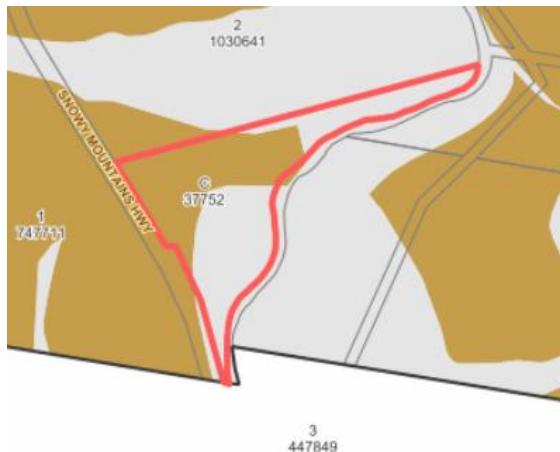


Figure 14 - Sensitive land mapping

6.2 Land protection

(1) *The objective of this clause is to maintain soil resources and the diversity and stability of landscapes, including protecting the following—*

- land with steep slopes and shallow soils,*
- land subject to soil salinity,*
- land with high erosion potential soils,*
- land susceptible to other forms of land degradation,*

DEVELOPMENT ASSESSMENT REPORT

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



(e) landforms.

(2) This clause applies to land identified as "sensitive land" on the Natural Resources Sensitivity Land Map.

(3) Before determining a development application for development on land to which this clause applies, the consent authority must consider any adverse impact of the proposed development in relation to—

- (a) the geotechnical stability of the site, and
- (b) the probability of increased erosion or other land degradation processes.

(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.

The proposed building is sited outside of the mapped area avoiding any significant adverse impact. Erosion and sediment control measures shall be required as discussed above and retained until vegetation has been re-established to mitigate risk of sediment laden waters entering the watercourse.

Retaining walls complying with exempt development provision (maximum 600mm high) are being installed to prevent collapse of cut area, area of fill is appropriately battered at a slope exceeding 1(v):2(h). A small battered section will sit above the constructed retailing walls.

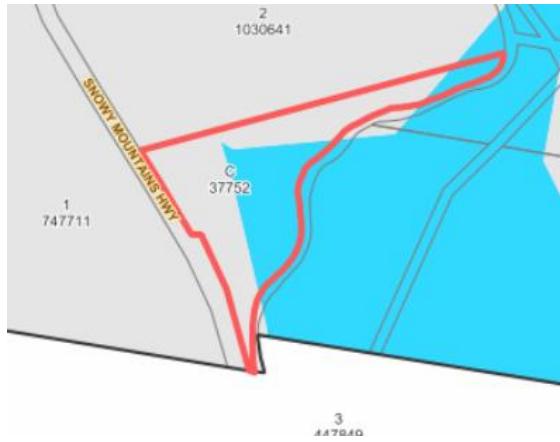
Soil test of the site has been submitted and did not identify any significant risk erosion hazard risk is detailed as 'Low' and borehole tests terminated at 1.5m depth, having reached desired depth, not due to refusal.

6.3 Water protection

This clause applies to land that is identified as "sensitive land" on the *Natural Resources Sensitivity Water Map*. Part of the property is mapped as being affected.

DEVELOPMENT ASSESSMENT REPORT

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



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.

The proposed development site is located at the edge of the mapped area. The proposed development is appropriately sited to avoid any adverse environmental impact to water quality, natural flow regime, paths of flow stability of banks and groundwater.

DEVELOPMENT ASSESSMENT REPORT

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



Soil test undertaken did not encounter groundwater and proposed septic system is located sufficient distance from the creek.

6.5 Earthworks

6.1 *Earthworks*

- (1) *The objective of this clause is 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.*
- (2) *Development consent is required for earthworks unless—*
 - (a) *the earthworks are exempt development under this Plan or another applicable environmental planning instrument, or*
 - (b) *the earthworks are ancillary to development that is permitted without consent under this Plan or to development for which development consent has been given.*
- (3) *Before granting development consent for earthworks (or for development involving ancillary earthworks), the consent authority must consider the following matters—*
 - (a) *the likely disruption of, or any detrimental effect on, drainage patterns and soil stability in the locality of the development,*
 - (b) *the effect of the 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 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,*
 - (g) *the proximity to, and potential for adverse impacts on, any waterway, drinking water catchment or environmentally sensitive area,*
 - (h) *any appropriate measures proposed to avoid, minimise or mitigate the impacts of the development.*

Note—

The National Parks and Wildlife Act 1974, particularly section 86, deals with harming Aboriginal objects.

Earthworks have been undertaken in preparation of the proposed building. Earthworks consist predominately of cut approximately 1m to 1.2m. The earthworks exceed the maximum cut allowable as exempt development and therefore would have required development consent. Consent cannot be granted retrospectively but can be granted for continued use of the earthworks as part of the proposed application for erection of a farm building.

DEVELOPMENT ASSESSMENT REPORT

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



The earthworks undertaken do not disturb drainage patterns, don't including imported material and are unlikely to result in any adverse impact on any waterway. Sediment and erosion controls should be installed – a condition can be applied in this regard.

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 rainwater tank on the property
- (b) the supply of electricity – mains electricity available
- (c) the disposal and management of sewage – application proposes appropriate on-site management of sewage generated by proposed development
- (d) stormwater drainage or on-site conservation – appropriate on-site disposal achievable
- (e) suitable road access – existing legal and practical access is established.

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:

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): -

- no demolition works 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,

DEVELOPMENT ASSESSMENT REPORT

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



- 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 Plans 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:

Proposed farm building is in keeping with the rural setting and context of the area.

Access, Transport and Traffic:

Suitable vehicle access is existing. A small increase in vehicles may occur during construction. Ongoing use of the building would be unlikely to result in any increase in vehicle movements noting its use is ancillary to existing agricultural operations.

Public Domain:

The building would be visible from the public domain but is proposed to be located in a low area and any impact minimal.

Utilities:

All required utilities are available/can be installed

Heritage:

The property is not a heritage item and no nearby sites of aboriginal heritage value have been identified.

Other Land Resources:

The development would not result in any significant adverse impacts on land resources.

Water:

DEVELOPMENT ASSESSMENT REPORT

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



The development would be located more than 100m from Nacki Nacki Creek. Wastewater can be disposed of through an appropriately designed and operated on-site wastewater management system.

Soil:

The development would not result in any significant adverse impacts on the soil such as contamination or increased erosion or landslip risk.

Air and Microclimate:

The development would not result in any significant discharge of pollutants such as smoke or dust likely to impact the air or microclimate.

Flora and Fauna:

The proposed location is an existing disturbed site and would not result in any significant adverse impact to flora and fauna in the area.

Waste:

Ongoing waste generated by the development would be in keeping with existing agricultural use of the property. Conditions shall be applied to any consent ensuring appropriate disposal of construction waste.

Energy:

The development would not have a high energy demand and would not place any significant strain on existing infrastructure or power available to existing developments connected to the grid.

Noise and Vibration

The development would not result in any significant increase in noise to the area, being ancillary to existing agricultural operations.

Natural Hazards:

The proposed site is located above the likely flood risk area and is not of a nature/purpose that requires bushfire protection measures.

Technological hazards

The proposed development would be located away from technological hazards on the site.

Safety, security and crime prevention

Location of proposed building near the property entry and existing dwelling provides for good passive security. The development is not of a nature which would result in any increase safety, security or crime risks to the area.

Social Impacts in the Locality:

No likely adverse social impacts of the proposed development have been identified.

DEVELOPMENT ASSESSMENT REPORT

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



Economic Impact in the Locality:

Construction provides for a small positive economic impact to the locality.

Site Design and Internal Design:

Site design and internal design is appropriate to the slope and terrain of the site and location of existing infrastructure such as vehicle entry and overhead powerlines.

Construction Matters:

No issues have been identified which would prevent the development from being able to comply with relevant requirements of the BCA.

Cumulative impacts

No likely adverse cumulative impacts have been identified.

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

Does the proposal fit in the locality ?

There are no constraints posed by adjacent developments that would prohibit the development, 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 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 future agricultural production and there are no known mineral or extractive resources on the site. This issue of potential site contamination, flooding and bushfire risk have been discussed previously.

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

The submissions received have been detailed above, and discussed within this report.

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

DEVELOPMENT ASSESSMENT REPORT

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



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:

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	N/A
\$100,001-\$200,000	0.5 %	\$ 614.81 (\$122,962.00)
\$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

DEVELOPMENT ASSESSMENT REPORT

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



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 provided in the attached draft Notice of Determination:

- Application No.: DA 2025/89
- Property: Lot: C DP: 37752
3938 Snowy Mountains Highway ADELONG
- Development: Proposed erection of a farm building

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:

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:

A handwritten signature in black ink, appearing to read "L. Dawes".

Lauren Dawes

12 September 2025

PROPOSED FARM SHED WITH BATHROOM 3938 SNOWY MOUNTAINS HWY, MOUNT ADRAH

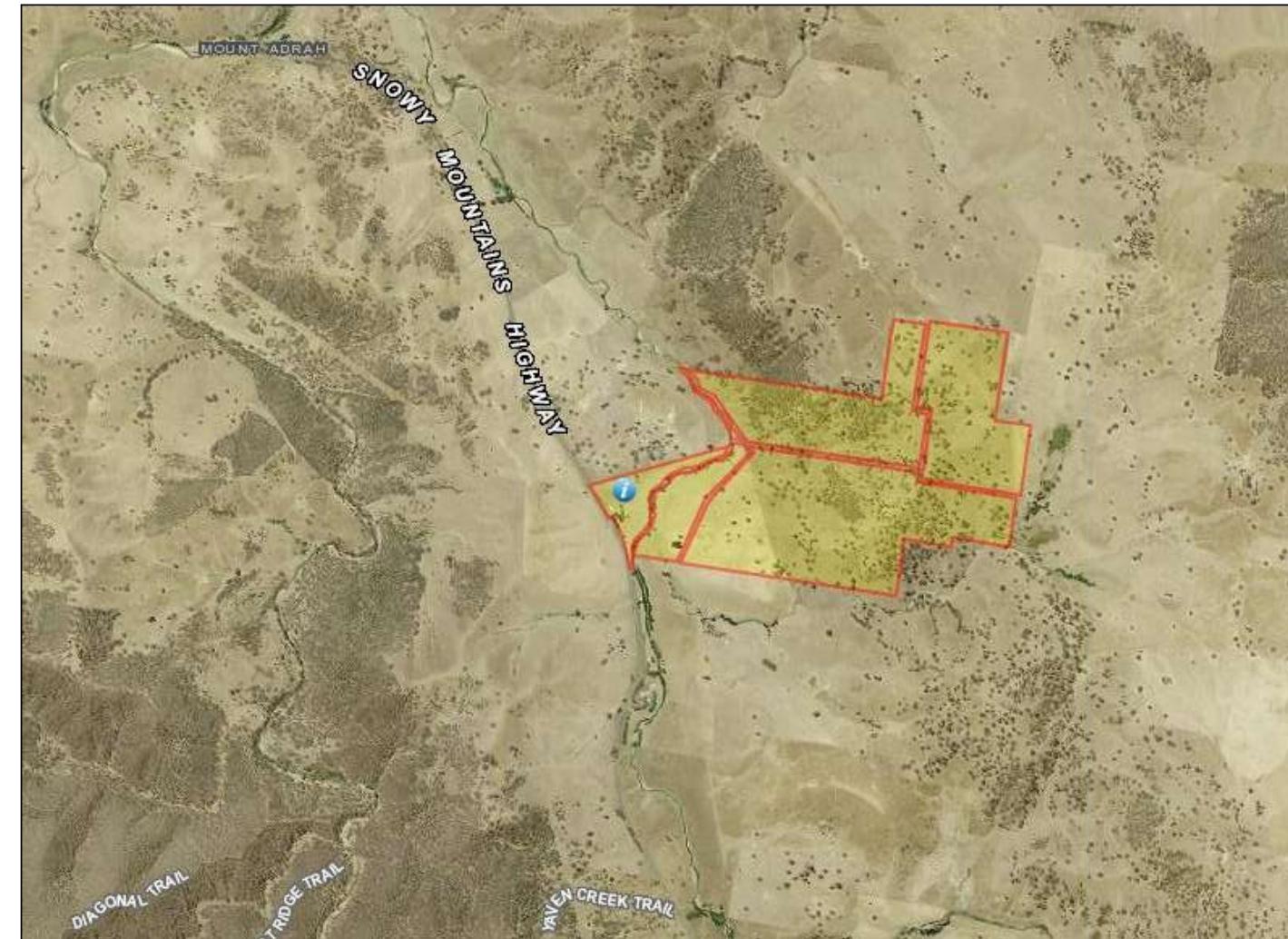


IMAGE SOURCE: SIX MAPS NSW

LOCATION MAP**SHEET LIST**

- 01 TITLE PAGE
- 02 PROPOSED SITE PLAN
- 03 PROPOSED FLOOR PLAN & SECTION

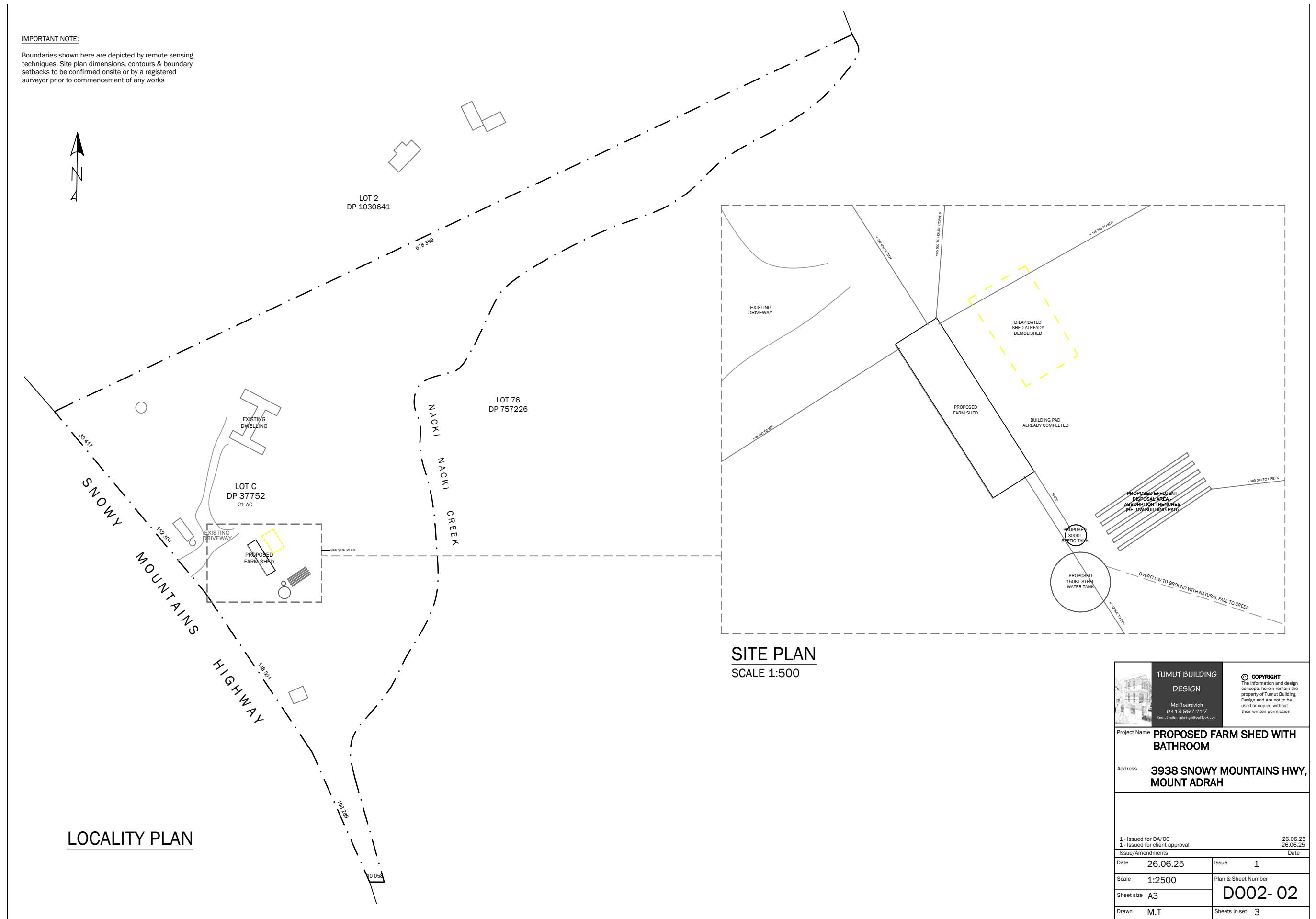


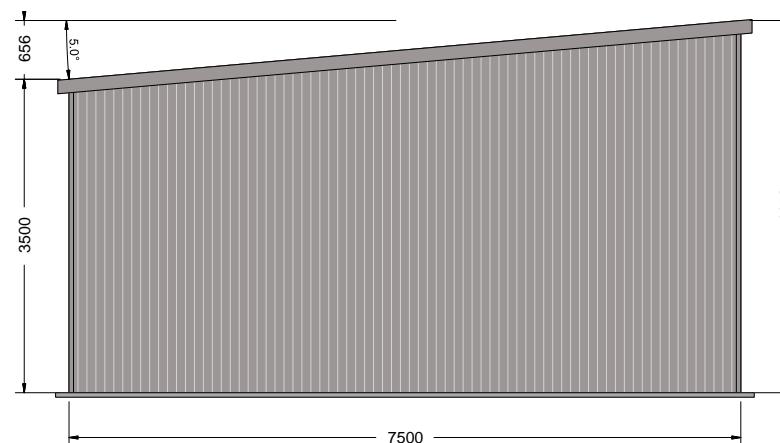
**TUMUT BUILDING
DESIGN**
Mai Tsoavitch
0413 997 717
tumutbuildingdesign@outlook.com

1 - Issued for DA/CC
1 - Issued for client approval
Issue/Amendments

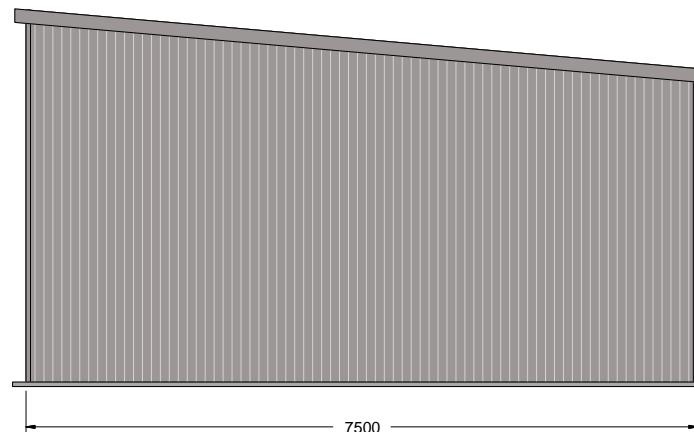
Project Name **PROPOSED FARM SHED WITH BATHROOM**
Date 26.06.25 Issue 1
Scale N.T.S Plan & Sheet Number
Sheet size A3
Drawn M.T Sheets in set 3
Client PAUL & MARGARET DONALDSON

Date	26.06.25	Issue	1
Scale	N.T.S	Plan & Sheet Number	
Sheet size	A3		D003- 01
Drawn	M.T	Sheets in set	3





FRONT ELEVATION

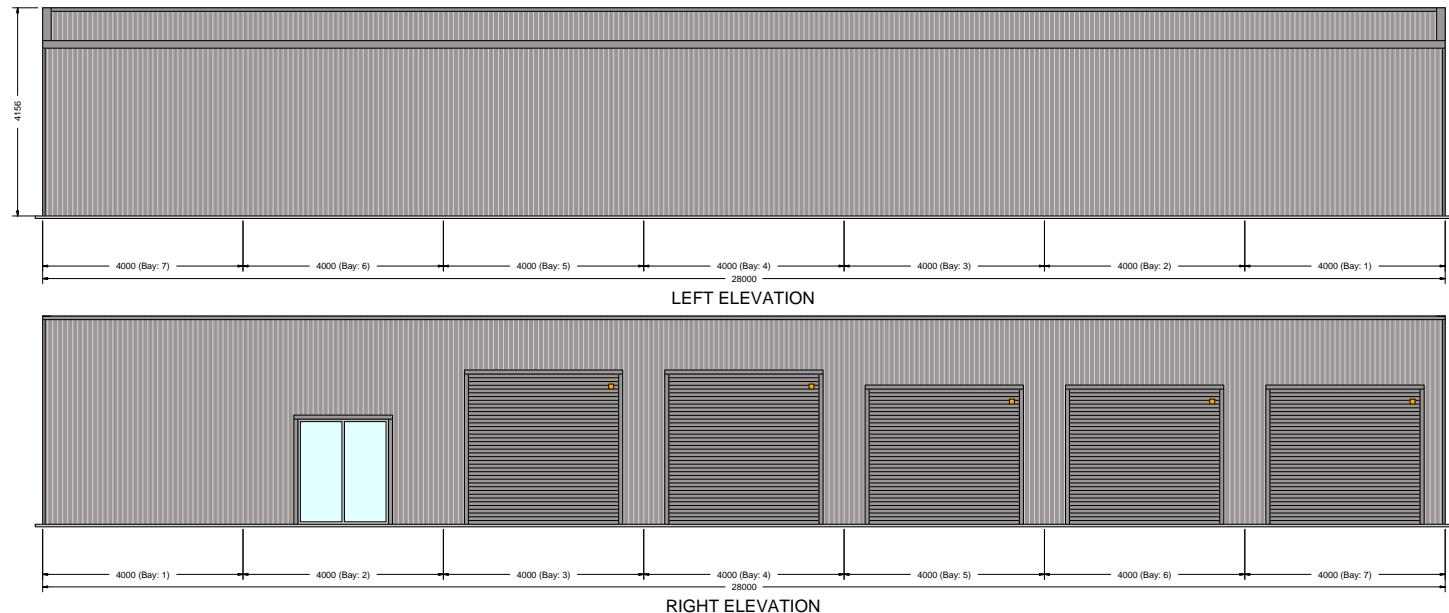


REAR ELEVATION



Tumut River Sheds
178 Snowy Mountains Highway
Tumut NSW 2720
02 69479049

CLIENT: Margaret Donaldson
SITE ADDRESS: 3938 Snowy Mountains Highway, Mount Adrah, NSW, 2720
PHONE: ALE: 1:71.432
EMAIL: margaret.e.donaldson@gmail.com
DATE: 16-04-2025
Job Number: TRS-1179



Tumut River Sheds
178 Snowy Mountains Highway
Tumut NSW 2720
02 69479049

CLIENT: Margaret Donaldson
SITE ADDRESS: 3938 Snowy Mountains Highway, Mount Adrah, NSW, 2720
PHONE: ALE: 1:127.735
EMAIL: margaret.e.donaldson@gmail.com
DATE: 16-04-2025
Job Number: TRS-1179

STATEMENT OF ENVIRONMENTAL EFFECTS

(DWELLINGS, GARAGES, CARPORTS, SWIMMING POOLS)

A Statement of Environmental Effects (SEE) is a report outlining the likely impacts of your proposal, and the proposed measures that will mitigate those impacts.

The *Environmental Planning & Assessment Regulations, 2000* (Schedule1), stipulates that a development application **MUST** be accompanied by a SEE. Whilst the use of this SEE template is not mandatory, it will assist in addressing most of the relevant and required information. If this template is not used, your development application will still need to be accompanied by a SEE.

A Simple yes/no answer will not be sufficient. If you require more space, please attach extra comments to the form.

This guide is not applicable for complex developments or complex sites where additional information may be required.

DESCRIPTION OF DEVELOPMENT: Provide a clear description of the proposed development		
Property Address	3938 Snowy Mountains Highway, Mount Adrah	
Proposed structures (e.g. Garage, carport, shed, water tank, pergola etc)	Proposed farm building with bathroom	
Nature of use (e.g. goods to be stored, parking etc)	Storage of farm equipment - tractors, slashers etc. Clean workshop area and laundry/mudroom for slaughter. Potential future coolroom within storage area	
Particulars	Shown on Plans	Description (provide written details if not clearly shown on the plan)
Building materials (e.g. brick, hardiplank, colorbond, zincalume etc)	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
Colours	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
Demolition	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Earthworks (location, extent and depth of all cut and fill proposed)	<input checked="" type="checkbox"/> Yes	
Tree Removal (identify location, size and species of tree/s)	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	
Wall and roof height or height of structure	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Wall height _____ <input type="checkbox"/> Roof height _____ <input type="checkbox"/> Other height (if not a building) _____
Gross floor area (m ²) or capacity (l)	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> gross floor area <u>210 sqm</u> (for buildings) <input type="checkbox"/> capacity _____ (for swimming pools, water tank)
Open Space (m ²)	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Landscaping (type and location)	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Setbacks from each boundary	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> North _____ <input type="checkbox"/> South _____ <input type="checkbox"/> East _____ <input type="checkbox"/> West _____

SITE & LOCALITY DESCRIPTION: Provide information of the site and adjacent lands													
<p>Please ensure that the following details have been shown on your site plan, as a minimum;</p> <table style="margin-left: 100px;"> <tr> <td><input checked="" type="checkbox"/> site dimensions</td> <td><input checked="" type="checkbox"/> site area</td> <td><input checked="" type="checkbox"/> north point</td> <td><input checked="" type="checkbox"/> scale</td> </tr> <tr> <td><input checked="" type="checkbox"/> existing buildings</td> <td><input checked="" type="checkbox"/> proposed buildings</td> <td><input checked="" type="checkbox"/> easements</td> <td><input checked="" type="checkbox"/> trees</td> </tr> </table>						<input checked="" type="checkbox"/> site dimensions	<input checked="" type="checkbox"/> site area	<input checked="" type="checkbox"/> north point	<input checked="" type="checkbox"/> scale	<input checked="" type="checkbox"/> existing buildings	<input checked="" type="checkbox"/> proposed buildings	<input checked="" type="checkbox"/> easements	<input checked="" type="checkbox"/> trees
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<input checked="" type="checkbox"/> existing buildings	<input checked="" type="checkbox"/> proposed buildings	<input checked="" type="checkbox"/> easements	<input checked="" type="checkbox"/> trees										
Issue	Details												
Present use of the site	Rural with dwelling under construction												
Past use/s of the site	Rural												
Describe any existing dwellings and built structures on the land (e.g. location, number, storeys, building material etc)	Almost completed dwelling, small shed and open farm building												
Is the land classified as bushfire prone? (Check with Council or a recent 10.7(2) Certificate. In some cases a Bushfire Risk Assessment Report may be required.)	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No												
Locality Characteristics – Adjacent Uses Describe the type and nature of adjacent uses, e.g. <ul style="list-style-type: none"> • Residential, commercial, industrial; • Older or modern construction; • Height - Single or two storey; • Building materials; • Colours, • Density - Single dwelling houses or unit developments etc. 	Bushfire assessment not required for class 10a buildings more than 6m from dwelling houses Surrounding properties are predominately rural properties for farming, some with dwellings and outbuildings. Homes are single storey, generously sized buildings. Outbuildings are generally metal												
Locality Characteristics - Environment Describe the existing environment of the site e.g. slope, natural features, significant trees or vegetation, water courses, drainage lines etc	The development site is one lot in the holding, oddly shaped roughly triangular with an area of 21 acres. Frontage to Snowy Mountains Highway with existing driveway. The land slopes down to Nacki Nacki Creek to the east												

COMPLIANCE WITH PLANNING CONTROLS

Cootamundra Local Environmental Plan 2013 and Gundagai Local Environmental Plan 2011. - Complete the following table to show how your development complies with the relevant provisions of the LEP. If your development is not consistent with the requirements, you need to provide justification for all variations, or may need to seek a formal variation. A copy of the LEP and the associated maps can be found at;
 Cootamundra LEP 2013 (CLEP) <https://www.legislation.nsw.gov.au/#/view/EPI/2013/399>
 Gundagai LEP 2011 (GLEP) <https://www.legislation.nsw.gov.au/#/view/EPI/2011/507>

Clause	Issue	Complies	Comment
2.1 Land Use Zones	What is the zoning of the land?		Zoning: RU1
2.3 Zone objectives and land use table	Is a proposed development permissible in the zone?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
4.6 Exception to development standards	Are you seeking a variation to a development standard in the LEP?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	If yes (your proposal varies from any standard in the LEP – such as minimum lot size), you must include a separate written statement, justifying non-compliance. Statement attached - <input type="checkbox"/> Yes <input type="checkbox"/> No
5.10 Heritage conservation	Is any part of your property an item of heritage or within a heritage conservation area?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	If yes, you must include a written statement and/or Heritage Impact Statement, detailing the potential impact on the item or HCA, and how the impact will be minimised. Statement attached - <input type="checkbox"/> Yes <input type="checkbox"/> No
Land CLEP 2013 - 6.6 & 6.7 (see Natural Resources Land Map)	Is the land identified as a 'dryland salinity' or 'high soil erodibility'?		If yes, how will any adverse environmental impacts be minimised and managed? Building pad has already been completed. Excavation of isolated pier footings are not expected to have any adverse environmental impacts
GLEP 2011 - 6.2 (see Natural Resources Sensitivity Land Map)	Is the land identified as a 'sensitive land'?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
Water CLEP 2013 - 6.4 & 6.5 (see Watercourses Map and the Groundwater Vulnerability Map)	Is the land identified as a 'watercourse' or 'groundwater vulnerable'		If yes, how will any adverse environmental impacts be minimised and managed?
GLEP 2011 - 6.3 (see Natural Resources Sensitivity Water Map)	Is the land identified as a 'sensitive land'?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	

Biodiversity CLEP 2013 - 6.3 (see Terrestrial Biodiversity Map) GLEP 2011 - 6.1 (see Natural Resources Sensitivity Biodiversity Map)	Is the land identified as 'biodiversity'? Is the land identified as a 'sensitive land'?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	If yes, how will any adverse environmental impacts be minimised and managed? The part of the site identified as biodiversity sensitive is along the Nacki Nacki Creek. The proposed development area is approximately 145m south-west of the creek
Flood planning CLEP 2013 - 6.2 (see Flood Planning Map) GLEP 2011 - 6.4	Is the land subject to flood related development controls?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	If yes, your proposal shall show that it is compatible with the flood hazard and will not increase the risk to the environment, building or life.

DEVELOPMENT CONTROL PLAN

For development in the former Cootamundra Shire Council area, consideration of the Cootamundra Development Control Plan should also be provided if the application involves residential development (single dwellings, multi-dwelling housing, residential flat buildings and granny flats, Business and Industrial Development, Subdivision, Car Parking).

PLEASE NOTE - If you are proposing or requesting to vary a standard or acceptable solution in the Development Control Plan, you must provide written justification for the variation, explain how your proposal meets the performance criteria and make consideration of any impacts the variation may have.

A copy of the Cootamundra DCP, Appendices and Fact Sheets can be found on Council's website at <https://www.cgrc.nsw.gov.au/building-development-and-planning/plans-policies-and-controls/development-control-plans/>

ASSESSMENT OF LIKELY IMPACTS OF THE DEVELOPMENT

Construction – How will construction noise, rubbish removal and sedimentation and erosion controls be managed during construction?

Waste to be secured neatly onsite for regular disposal at the local waste management facility.

No sedimentation is expected with the pad already having been completed only excavation required is isolated pier footings.

Construction activities will only be undertaken during the hours provided on any Council approval to minimise nuisance to neighbours and the surrounding area

Context and Setting – will the development be....

Visually prominent in the area? Yes No Out of character with the area? Yes No

Inconsistent with the streetscape? Yes No Inconsistent with adjacent land uses? Yes No

Comments

Colorbond and metal outbuildings are typical of the surrounding area

Privacy – Will the development result in any...

Privacy issues between adjoining properties, as a result of the placement of windows, decks, pergolas, private open space? Yes No

Acoustic issues between adjoining properties as a result of the placement of outdoor areas, vehicle movements, air conditioners, pumps, windows etc. ? Yes No

Comments – If yes, identify any measures proposed to mitigate any of the above impacts

No neighbouring buildings near common boundaries

Overshadowing - Will the development result in the overshadowing of adjoining properties, resulting in an adverse impact on solar access

Yes No

Comments

No neighbouring buildings near common boundaries

Views - Will the development result in the loss of views enjoyed from neighbouring properties or public spaces? Yes No

Comments

No neighbouring buildings near common boundaries

31A Gilmore St
PO Box 37
Adelong NSW 2729

4th September 2025

Ms Lauren Dawes
Acting Manager Sustainable Development
Cootamundra Gundagai Regional Council
255 Sheridan St
PO Box 34
Gundagai NSW 2722

Dear Lauren,

RE: Development Application DA 2025/89

Thank you for your kind consideration of our application for development. In response to the objections raised in the submission dated 18th August 2025, we would like to make the following points:

1. The location of the proposed shed and potential for reflection of light.

- (i) The proposed shed is located over 300m from the nearest residence.
- (ii) The line of sight from the proposed shed is directed predominantly towards the carport / blind side of this residence, with partial aspect of an adjacent veranda which is almost entirely enclosed by shadecloth.
- (iii) The line of sight from the proposed shed is densely screened by natural terrain, trees and shrubs, to the extent that only the roof of this residence is visible from the proposed shed (refer to Figure 1-2).



Figure 1: Actual view to nearest residence from northern end of proposed shed.



Figure 1a: Zoomed view of nearest residence from northern end of proposed shed.



Figure 2: Actual view to nearest residence from southern end of proposed shed.



Figure 2a: Zoomed view of nearest residence from southern end of proposed shed.

- (iv) The skillion roof of the proposed shed is angled away from this residence, eliminating the possibility of light reflection from the roof.
- (v) The eastern wall of the proposed shed is protected from the early morning sun by a nearby mountain range with over 100m elevation, minimising the potential for light reflection from the wall.
- (vi) There are two zincalume sheds of comparable size to the proposed shed located less than 50m from this residence, with full and unobstructed exposure to the western sun. Any loss of amenity or light reflection from the proposed shed would seem trivial when considered in the context of these structures (refer to Figure 3).



Figure 3: Existing zincalume sheds in close proximity to nearest residence.

- (vii) A farm outbuilding with a footprint up to 200m² is generally permitted as an exempt development, without prohibition or restriction of reflective building materials.

2. The installation of a septic system and proximity to the flood plain.

- (i) The septic system for the proposed shed is designed in accordance with AS1547:2012 by an experienced and respected organisation with local expertise (ASCT – Tumut Branch).

- (ii) The site selected for the septic system underwent a comprehensive suitability assessment, including geotechnical testing by a NATA accredited laboratory.
- (iii) The setback of the septic system from Nacki Nacki Creek is greater than the minimum requirement of 100m recommended in “The Easy Septic Guide” published by the NSW Department of Local Government (refer to Figure 4).

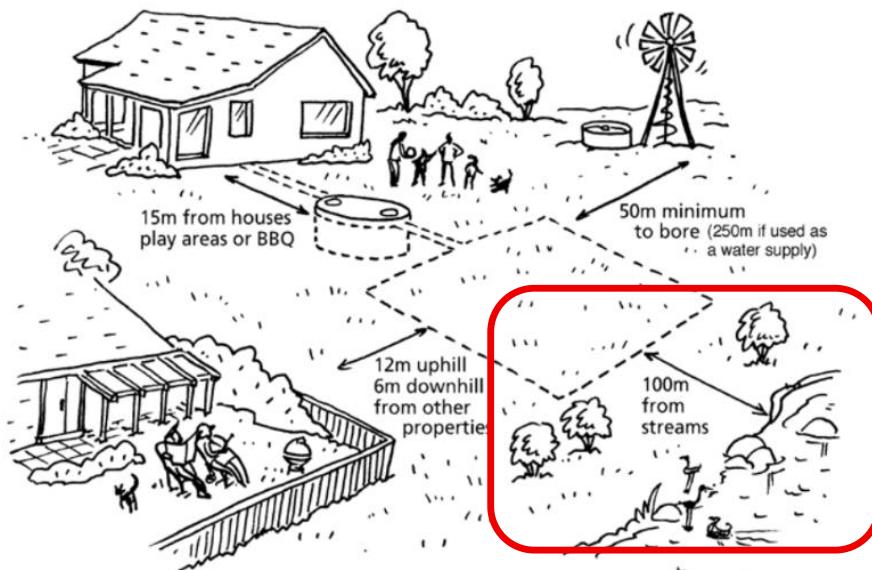


Figure 4: Minimum setback requirements for septic systems in NSW.

- (iv) The site selected for the proposed septic system was assessed to have no potential for flooding or inundation, and no groundwater was encountered during the investigation fieldwork. The assessment concluded that the proposed septic system has no potential to allow wastewater to migrate into environmentally sensitive areas (refer to Figure 5-7).

Incorporating appropriate values from the laboratory tests, field work assessment & information from the Client, the Land Capability Rating is summarised below.

Land Features	Land Capability Rating					Client's Site Results
General Characteristics	Very Good (1)	Good (2)	Fair (3)	Poor (4)	Very Poor (5)	
Site Drainage /Runoff (Landform)	Very Slow	Slow	Moderate	Rapid	Very Rapid	2
Flood / Inundation Potential (Yearly Return Exceedances)		Never	<1 in 100	<1 in 20	>1 in 20	2
Slope (%)	0-2	2-8	8-12	12-20	>20	2
Landslip	No Info				Present or Past failure	1

Figure 5: Extract from ASCT Effluent Disposal System Septic Design (H12-513-EAD) – assessment of potential for flooding or inundation.

No groundwater was encountered during the investigation fieldwork.

While it is impossible to accurately predict future levels in a complex groundwater system, especially in a limited investigation such as this, ASCT does not believe that groundwater will be an issue at this site.

Figure 6: Extract from ASCT Effluent Disposal System Septic Design (H12-513-EAD) – assessment of groundwater.

The current proposed LAA location is setback into the property significantly enough to ensure there is no potential of wastewater effluent migrating into these sensitive areas with the overland flow access to the watercourse or groundwater.

Figure 7: Extract from ASCT Effluent Disposal System Septic Design (H12-513-EAD) – assessment of overall environmental risk.

3. The potential for conversion to an agrotourism business or storage for hire facility.

- (i) The proposed shed is a class 10a structure, and would be unsuitable for the purpose of short-term rental accommodation.
- (ii) Most bays of the proposed shed are not internally divided, and would be unsuitable for the purpose of storage for hire.
- (iii) The property is located on a busy highway which is frequently utilised by trucks and other heavy vehicles. It is difficult to comprehend how a small business venture on a farm would make a significant impact on the amount of traffic in the area.
- (iv) The development application makes no reference to any commercial activities, and the objections raised are based on unsubstantiated speculation. Any future change of use would be subject to further development consent, which would be the appropriate time to raise these concerns.

4. The “athletics” (sic) of the local area and concern for progressive urbanisation.

- (i) The proposed shed is a farm infrastructure project aligned with RU1 zoning principles.
- (ii) The proposed shed is sympathetic to the local aesthetic and could not reasonably be described as “urban” in nature. Zincalume farm sheds are found on almost every farm in the local area, including all our neighbouring properties, and are frequently located near residential structures for ease of access.
- (iii) A zincalume shed with similar dimensions was previously located on the site of the proposed shed. This shed was demolished due to significant damage to the timber foundations, flooring and frame sustained during the 2020 Black Summer bushfires. Any loss of amenity arising from the proposed shed would seem trivial when considered in the context of the longstanding presence of the previous shed.
- (iv) A farm outbuilding with a footprint up to 200m² is generally permitted as an exempt development, without regard to the local aesthetic.

5. Earthworks already performed on site.

- (i) The site of the proposed shed was significantly disrupted during the demolition of the previously mentioned fire damaged shed and associated timber stockyards. Earthworks were required to make the demolition site safe, due to large subsurface voids from burnt out timber posts, removal of large tree roots / stumps and removal of redundant underground services. It was our understanding that demolition of structures damaged by bushfire

constitutes an exempt development, and therefore no development consent was required for this work.

(ii) Additional levelling and profiling of the site was necessary to control water movement and prevent erosion of the disrupted area, create a native revegetation zone to link existing native plantings with the riparian zone, and to prepare a pad for the installation of semi-portable stockyards. A gabion retaining wall less than 600mm high is currently under construction as part of these works. It was our understanding that these activities constitute an exempt development, and therefore no development consent was required for this work.

(iii) Additional site preparation activities are required for the construction of the proposed shed and will be performed after development consent is obtained.

6. Conclusion and summary position.

The proposed shed is an essential infrastructure project required to support a working farm. We need access to secure storage for our farm machinery, and a clean workshop to maintain our farm equipment. We need access to toilet facilities when working on the farm. We need access to shower and laundry facilities to maintain farm biosecurity and prevent cross contamination. These are genuine and valid justifications for the proposed development.

Our property is still significantly impacted by extensive damage to outbuildings, water infrastructure, fencing and native vegetation sustained during the 2020 Black Summer bushfires, and the proposed shed is a key component of our bushfire recovery plan.

The objections raised make no reference to any act, regulation or environmental planning instrument, nor do they demonstrate any genuine loss of amenity arising from the proposed development. We respectfully request that council dismiss these objections on the grounds that they are frivolous and without merit.

Yours Sincerely,



Paul and Margaret Donaldson

8.4.3 DA 2025/53 - PROPOSED GARAPORT - 26 LAWSON DRIVE, GUNDAGAI

DOCUMENT NUMBER	445953
REPORTING OFFICER	Lauren Dawes, Acting Manager Sustainable Development
AUTHORISING OFFICER	Roger Bailey, Interim General Manager
RELEVANCE TO COMMUNITY STRATEGIC PLAN	2. A region for the future 3.2 We have attractive towns and villages
FINANCIAL IMPLICATIONS	There are no Financial implications associated with this report.
LEGISLATIVE IMPLICATIONS	There are no Legislative implications associated with this report.
POLICY IMPLICATIONS	There are no Policy implications associated with this report.
ATTACHMENTS	1. Draft Notice of Determination ↓ 2. DA Assessment Report ↓ 3. Proposed Garaport ↓

RECOMMENDATION

That Council approve DA 2025/53 subject to conditions of consent as outlined in the accompanying Draft Notice of Determination and authorise minor amendments to correct any errors prior to issuing the final notice.

Introduction

The proposed development involves the construction of a detached garage with attached carport commonly referred to as a “garaport” and ancillary retaining walls at 26 Lawson Drive, Gundagai. The proposed building 12 meters long and 4 meters wide and is proposed to be clad with colorbond custom orb cladding.

The proposed building 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.

Discussion
Summary 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 in February 2025 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.



**COOTAMUNDRA -
GUNDAGAI**
REGIONAL
COUNCIL

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Gundagai NSW 2722
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NOTICE OF DETERMINATION OF A DEVELOPMENT APPLICATION

Application number	DA 2025/53 PAN-532084
Applicant	Mel Tsarevich PO Box 177 Tumut NSW 2720
Description of development	Erection of a building and carrying out of works for the purpose of a detached garage and carport "garaport" and associated retaining walls, ancillary to the existing dwelling.
Property	26 LAWSON DRIVE, GUNDAGAI 2722 51/-/DP1173450
Determination	Approved Consent Authority - Council
Date of determination	23/09/2025
Date from which the consent operates	23/09/2025
Date on which the consent lapses	23/09/2030

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

- 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.

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>Compliance with Building Code of Australia and insurance requirements under Home Building Act 1989</p>
	<ol style="list-style-type: none"> 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. 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. 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. 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. 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. 6. This section does not apply— <ol style="list-style-type: none"> 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 b. to the erection of a temporary building, other than a temporary structure to which subsection (3) applies.
	<p>Condition reason: Prescribed condition under section 69 of the Environmental Planning and Assessment Regulation 2021.</p>
2	<p>Notification of Home Building Act 1989 requirements</p>
	<ol style="list-style-type: none"> 1. This section applies to a development consent for development involving residential building work if the principal certifier is not the council. 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"> a. for work that requires a principal contractor to be appointed—

	<ul style="list-style-type: none"> i. the name and licence number of the principal contractor, and ii. the name of the insurer of the work under the Home Building Act 1989, Part 6, <p>b. for work to be carried out by an owner-builder—</p> <ul style="list-style-type: none"> i. the name of the owner-builder, and ii. if the owner-builder is required to hold an owner-builder permit under the Home Building Act 1989—the number of the owner-builder permit. <p>3. If the information notified under subsection (2) is no longer correct, it is a condition of the development consent that further work must not be carried out unless the principal certifier has given the council written notice of the updated information.</p> <p>4. This section does not apply in relation to Crown building work certified to comply with the Building Code of Australia under the Act, Part 6.</p>																														
	<p>Condition reason: Prescribed condition under section 71 of the Environmental Planning and Assessment Regulation 2021.</p>																														
3	<p>Approved plans and supporting documentation</p> <p>Development must be carried out in accordance with the following approved plans and documents, except where the conditions of this consent expressly require otherwise.</p> <table border="1"> <thead> <tr> <th colspan="5">Approved plans</th> </tr> <tr> <th>Plan number</th> <th>Revision number</th> <th>Plan title</th> <th>Drawn by</th> <th>Date of plan</th> </tr> </thead> <tbody> <tr> <td>EL02-02</td> <td>1</td> <td>Proposed Site Plan</td> <td>Tumut Building Design</td> <td>17/04/2025</td> </tr> <tr> <td>TRS-1267-</td> <td></td> <td>Front and Rear Elevation</td> <td>Tumut River Sheds</td> <td>04/03/2023</td> </tr> <tr> <td>TRS-1267-</td> <td></td> <td>Left and Right Elevation</td> <td>Tumut River Sheds</td> <td>04/03/2023</td> </tr> <tr> <td>TRS-1267-</td> <td></td> <td>Plan Elevation</td> <td>Tumut River Sheds</td> <td>04/03/2023</td> </tr> </tbody> </table> <p>In the event of any inconsistency with the approved plans and a condition of this consent, the condition prevails.</p> <p>Condition reason: To ensure all parties are aware of the approved plans and supporting documentation that applies to the development.</p>	Approved plans					Plan number	Revision number	Plan title	Drawn by	Date of plan	EL02-02	1	Proposed Site Plan	Tumut Building Design	17/04/2025	TRS-1267-		Front and Rear Elevation	Tumut River Sheds	04/03/2023	TRS-1267-		Left and Right Elevation	Tumut River Sheds	04/03/2023	TRS-1267-		Plan Elevation	Tumut River Sheds	04/03/2023
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TRS-1267-		Plan Elevation	Tumut River Sheds	04/03/2023																											

Building Work

Before issue of a construction certificate

4	<p>Plumbing and Drainage Works</p> <p>Approval shall be obtained under Section 68 of the Local Government Act 1993 for proposed stormwater works prior to the issue of a Construction Certificate.</p> <p>Condition reason: Statutory compliance with the Local Government Act 1993</p>
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Before building work commences

5	<p>Appointment of a Principal Certifier</p> <p>Prior to the commencement of any construction works, the person having benefit of this Development Consent must appoint a Principal Certifier.</p> <p>Condition reason: To ensure legislative requirements are met.</p>
6	<p>Construction Certificate</p> <p>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.</p> <p>Condition reason: To ensure compliance with the requirements of the Environmental Planning and Assessment Regulation 2021.</p>
7	<p>Erosion and sediment controls in place</p> <p>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).</p> <p>Condition reason: To ensure sediment laden runoff and site debris do not impact local stormwater systems and waterways.</p>
8	<p>Notice of intention to commence building work</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</p>

	<p>of Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021.</p> <p>Condition reason: To ensure legislative requirements are met</p>
9	<p>Underground Services</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>Condition reason: To ensure the utility services are protected and satisfactory for the proposed development.</p>
10	<p>Survey Set-Out</p> <ol style="list-style-type: none"> Survey Set-Out - Prior to the commencement of works for the construction of the detached garaport and retaining walls, a registered surveyor must set out the location of all works in accordance with the approved plans. Set-Out Report - 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. Protection and Maintenance of Markers - 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. Compliance with Set-Out - 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>Condition reason: To ensure the development is located in accordance with the approved plans</p>
11	<p>Naturally Occurring Asbestos - Notification of Trades and Contractors</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>Condition reason: To protect the health and safety of persons on and adjoining</p>

	the site and to facilitate preparation and implementation of appropriate management measures in accordance with the requirements of SafeWork NSW.
12	<p>Section 138 Roads Act Approval</p> <p>No driveway shall be installed or works undertaken in the road reserve unless approval has first been obtained under Section 138 of the Roads Act 1993.</p> <p>Condition reason: To ensure all necessary approvals are obtained.</p>
	During building work

13	<p>Responsibility for changes to public infrastructure</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>Condition reason: To ensure payment of approved changes to public infrastructure.</p>
14	<p>Soil management</p> <p>While site work is being carried out, the principal certifier or 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"> 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. All fill material imported to the site must be: <ol style="list-style-type: none"> Virgin Excavated Natural Material as defined in Schedule 1 of the <i>Protection of the Environment Operations Act 1997</i>; or a material identified as being subject to a resource recovery exemption by the NSW EPA; or 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>Condition reason: To ensure soil removed from the site is appropriately disposed</p>

	of and soil imported to the site is not contaminated and is safe for future occupants.
15	<p>Approved Plans</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>Condition reason: To ensure compliance with relevant plans and approvals</p>
16	<p>Deliveries</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"> • Mondays to Fridays - 7:00am to 6:00pm; • Saturdays - 8:00am to 1:00pm; • No work permitted on Sundays and Public Holidays. <p>Condition reason: To protect the amenity of neighbouring properties.</p>
17	<p>Earthworks</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>Condition reason: To ensure that the development is consistent with the approval</p>
18	<p>Footpath Storage</p> <p>Building materials not to be stored on Council footway or nature strip at any time.</p> <p>Condition reason: To ensure an adequate level of public safety is maintained.</p>
19	<p>Hours of Work</p> <p>Site work must only be carried out between the following times –</p> <ul style="list-style-type: none"> • Mondays to Fridays - 7:00am to 6:00pm; • Saturdays - 8:00am to 1:00pm; and • No work is permitted on Sundays and Public Holidays. <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>Condition reason: To protect the amenity of the surrounding area.</p>

20	Restricted Public Access
	<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>Condition reason: To ensure public safety is maintained.</p>
21	Roof Water
	<p>Roof water generated by the development must be directed to:-</p> <ul style="list-style-type: none"> • The gutter in Lawson Drive; or • The interallotment stormwater easement that traverses the property <p>The point of discharge from the overflow must be</p> <ul style="list-style-type: none"> • Protected from being crushed or damaged.
	<p>Condition reason: To ensure that roof water is disposed of without nuisance to neighbours, damage to property or the environment.</p>
22	Soil Retention and Subsidence Management
	<p>The proposed retaining wall along property boundary 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 impacting the adjoining property.</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 property, at their cost.</p>
	<p>Condition reason: 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	Groundwater Management
	<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>Condition reason: To ensure groundwater is managed appropriately and to prevent potential structural or environmental impacts.</p>

Before issue of an occupation certificate

24	Repair of infrastructure
	<p>Before the issue of an Occupation Certificate 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.</p> <p>Condition reason: To ensure any damage to public infrastructure is rectified.</p>
25	Works-as-executed plans and any other documentary evidence <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"> 1. All stormwater drainage systems and storage systems; and 2. A copy of the plans must be provided to Council with the Occupation Certificate <p>Condition reason: To confirm the location of works once constructed that will become Council assets.</p>
26	Occupation of building <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>Condition reason: 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>
27	Stabilisation of Earthworks <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>Condition reason: To ensure earthworks are appropriately protected.</p>

Occupation and ongoing use

29	<p>Restriction on Use of Outbuilding</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">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; but2. 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. <p>Condition reason: Prevent building from being used for unapproved purposes</p>
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General advisory notes

This consent contains the conditions imposed by the consent authority which are to be complied with when carrying out the approved development. However, this consent is not an exhaustive list of all obligations which may relate to the carrying out of the development under the EP&A Act, EP&A Regulation and other legislation. Some of these additional obligations are set out in the [Conditions of development consent: advisory notes](#). 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.

DEVELOPMENT ASSESSMENT REPORT

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

**DATE OF REPORT COMMENCEMENT:**

September 2025

COUNCIL OFFICER COMPLETING DEVELOPMENT ASSESSMENT:

Lauren Dawes

DEVELOPMENT REFERENCE:

DA 2025/53

DEVELOPMENT ADDRESS:

26 Lawson Drive GUNDAGAI

DEVELOPMENT LOT / SEC / PLAN:

Lot: 51 DP: 1173450

OWNER(S):

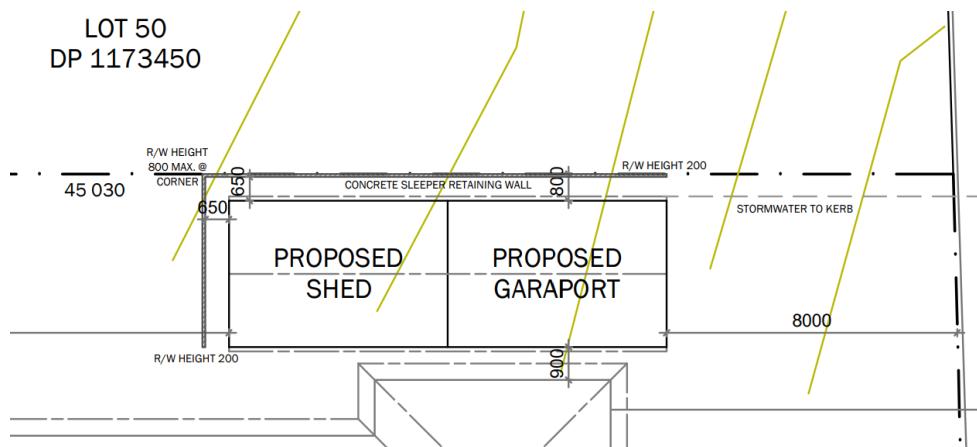
Mark Elphick & Jade Smith

APPLICANT:

Tumut Building Design
PO Box 177
TUMUT NSW 2720

PROPOSED DEVELOPMENT:

Proposed shed with garaport and retaining walls ancillary to existing house.

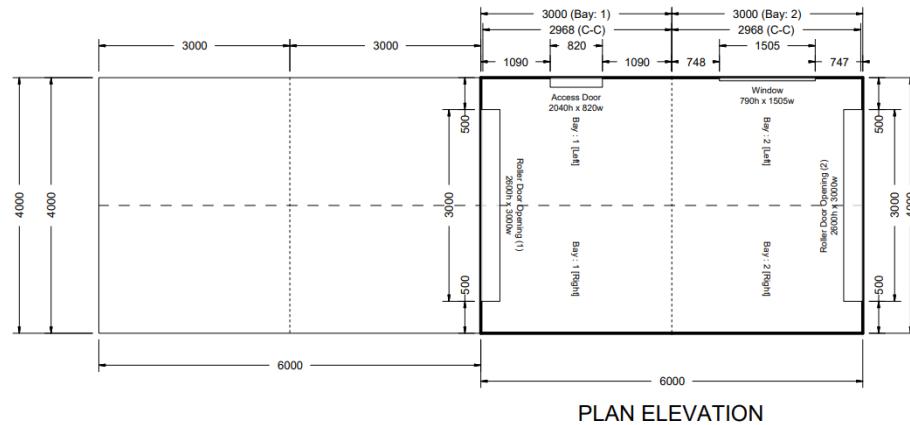


DEVELOPMENT ASSESSMENT REPORT

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



COOTAMUNDRA-
GUNDAGAI
REGIONAL COUNCIL

**SITE:**

The property is located at 26 Lawson Drive, Gundagai within a residential area.

The lot has an area of approximately 1047sqm and slopes to the rear.

There is an existing single storey house on the property erected in 2021-22.



DEVELOPMENT ASSESSMENT REPORT

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



PREVIOUS DEVELOPMENT PROPOSALS AND DECISIONS:

DA 2021/24 – dwelling house - approved 25/03/2021

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.

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 3/07/2025 to 18/07/2025.

No submissions were received.

4.5 Designation of consent authority

The development is not state significant or regionally significant, and therefore Council is the determining authority.

4.10 Designated development

Schedule 3 of the EP&A Regulation defines the various types of designated development, but the application does not meet any of the criteria and therefore is not designated.

4.13 Consultation and concurrence

If required by an environmental planning instrument, this section requires Council to consult with or obtain the concurrence of the person.

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.

DEVELOPMENT ASSESSMENT REPORT

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



4.36 Development that is State significant development

The development is not State significant development (of a size, type, value or with impacts deemed to be significant).

4.46 Integrated development

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

4.55 Modification of consents - generally

Not applicable

SECTION 4.15 CONSIDERATIONS UNDER THE ENVIRONMENTAL PLANNING & ASSESSMENT ACT 1979:

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

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

The following SEPPs are relevant to the development.

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 property is not identified as potentially contaminated land on council's mapping system. The property is currently used for residential purposes and has no known historical or current use which would have resulted in contamination of the site. No further investigation is required.

The property is identified as potential for naturally occurring asbestos (low risk). A condition will be applied to any consent requiring trades to be advised.

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.

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.

DEVELOPMENT ASSESSMENT REPORT

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



- **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 Gundagai LEP 2011, and the relevant provisions of the LEP are discussed as follows.

1.2 Aims of Plan

The development is not inconsistent with 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 use of the property.

1.6 Consent authority

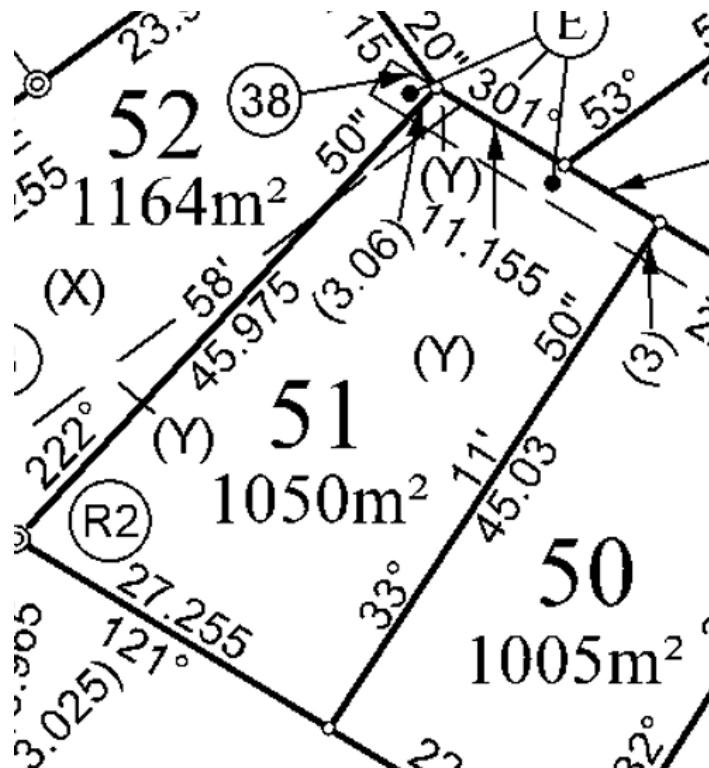
The consent authority for the purposes of this Plan is (subject to the Act) the Council.

1.9A Suspension of covenants, agreements and instruments

The lot contains a registered easement along the rear boundary for drainage of sewage and water. The proposed development is clear of easement.

DEVELOPMENT ASSESSMENT REPORT

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



The lot is also subject to covenants imposed under 88b of the Conveyancing Act 1919. The instrument includes restrictions as to user. 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.

(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 ASSESSMENT REPORT

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



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*
 - (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.

DEVELOPMENT ASSESSMENT REPORT

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



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.



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,*

DEVELOPMENT ASSESSMENT REPORT

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



- (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.

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 incorrectly details that the property is not mapped. 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. 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

DEVELOPMENT ASSESSMENT REPORT

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



- 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 fill to a depth of 800mm.

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—*

DEVELOPMENT ASSESSMENT REPORT

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



(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,
- (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 walls within the property and along the boundary of the adjoining lot.

To mitigate potential risks, the following conditions will be imposed on any consent:

- Retaining walls and earthworks must not encroach on the neighbouring lot.
- 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.

DEVELOPMENT ASSESSMENT REPORT

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



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

The proposed fill must be appropriately retained to prevent subsidence into the adjoining lot. A condition shall be applied to any consent requiring prompt erection of the retaining walls to prevent subsidence.

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 available
- (b) the supply of electricity - existing mains connection available
- (c) the disposal and management of sewage – no discharge proposed
- (d) stormwater drainage or on-site conservation – charged line to gutter or disposal to easement at rear available.

DEVELOPMENT ASSESSMENT REPORT

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



(e) suitable road access – legal and practical access to Lawson Drive available.

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:

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): -

- No demolition works 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 Plans 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.

DEVELOPMENT ASSESSMENT REPORT

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



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 detached garaport is not out of context with existing outbuildings in the area ancillary to dwellings.

Access, Transport and Traffic:

Legal and practical access to the property is available from Lawson Drive. The application does not detail whether or not a new driveway crossing is proposed. A condition will be applied requiring s138 approval for any proposed driveway.

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.

DEVELOPMENT ASSESSMENT REPORT

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



Soil:

The proposed development is not anticipated to result in adverse soil impacts.

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 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.

DEVELOPMENT ASSESSMENT REPORT

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



To ensure utilities are not impacted a survey set out should be required prior to commencement of works.

Safety, security and crime prevention

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 garaport and retailing walls wouldn't result in any significant adverse impact to the site design and internal design of the property.

The site slope and location of existing fill make location of a detatched shed elsewhere on the lot challenging. Erection of a retaining wall concurrently with boundary fencing prevents undesirable outcomes such as retaining walls located against fences.

Construction Matters:

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.*

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

DEVELOPMENT ASSESSMENT REPORT

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



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 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 future agricultural production and there are no known mineral or extractive resources on the site. This issue of potential site contamination has been discussed previously.

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

Nil submissions received.

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

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.

DEVELOPMENT ASSESSMENT REPORT

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



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

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 - \$30,825.00
\$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

DEVELOPMENT ASSESSMENT REPORT

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



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 the attached Draft Notice of Determination:

- Application No.: DA 2025/53
- Property: Lot: 51 DP: 1173450
26 Lawson Drive GUNDAGAI
- Development: Proposed shed with garaport and retaining walls

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:

DEVELOPMENT ASSESSMENT REPORT

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



- 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:

A handwritten signature in black ink, appearing to read "L Dawes".

Lauren Dawes

12 September 2025

PROPOSED SHED WITH GARAPORT & RETAINING WALLS 26 LAWSON DRIVE, GUNDAGAI NSW 2722



LOCATION MAP

IMAGE SOURCE: SIX MAPS NSW

SHEET LIST

01	TITLE PAGE
02	PROPOSED SITE PLAN



**TUMUT BUILDING
DESIGN**
Mel Tumavich
0413 997 717
tumutbuildingdesign@outlook.com

1- Issued for DA/CC
1- Issued for client approval
Issue/Amendments

Project Name **PROPOSED SHED WITH GARAPORT
AND RETAINING WALLS**
Client **MARK ELPHICK**

Date	17.04.25	Issue	1
Scale	N.T.S	Plan & Sheet Number	
Sheet size	A3		EL02- 01
Drawn	M.T	Sheets in set	2

IMPORTANT NOTE:

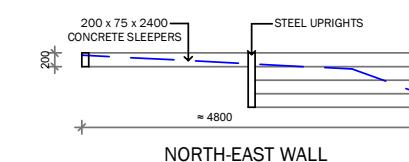
Boundaries shown here are depicted by remote sensing techniques.
Site plan dimensions, contours & boundary setbacks to be confirmed onsite or by a registered surveyor prior to commencement of any works

GENERAL NOTES:

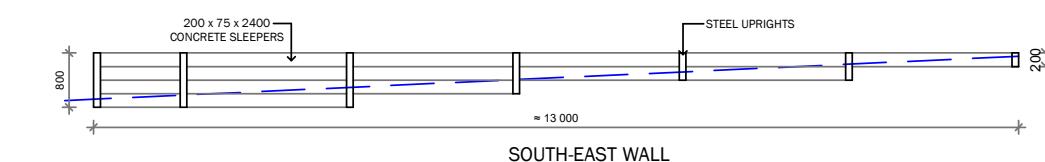
Builder to confirm location of services & all levels onsite prior to the commencement of any works.
Builder/contractors are to confirm all measurements on plan & any other detail with an onsite inspection prior to the commencement of any works or the ordering of materials/products.
Building design drawings 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.

LOT 55
DP 1173450



NORTH-EAST WALL

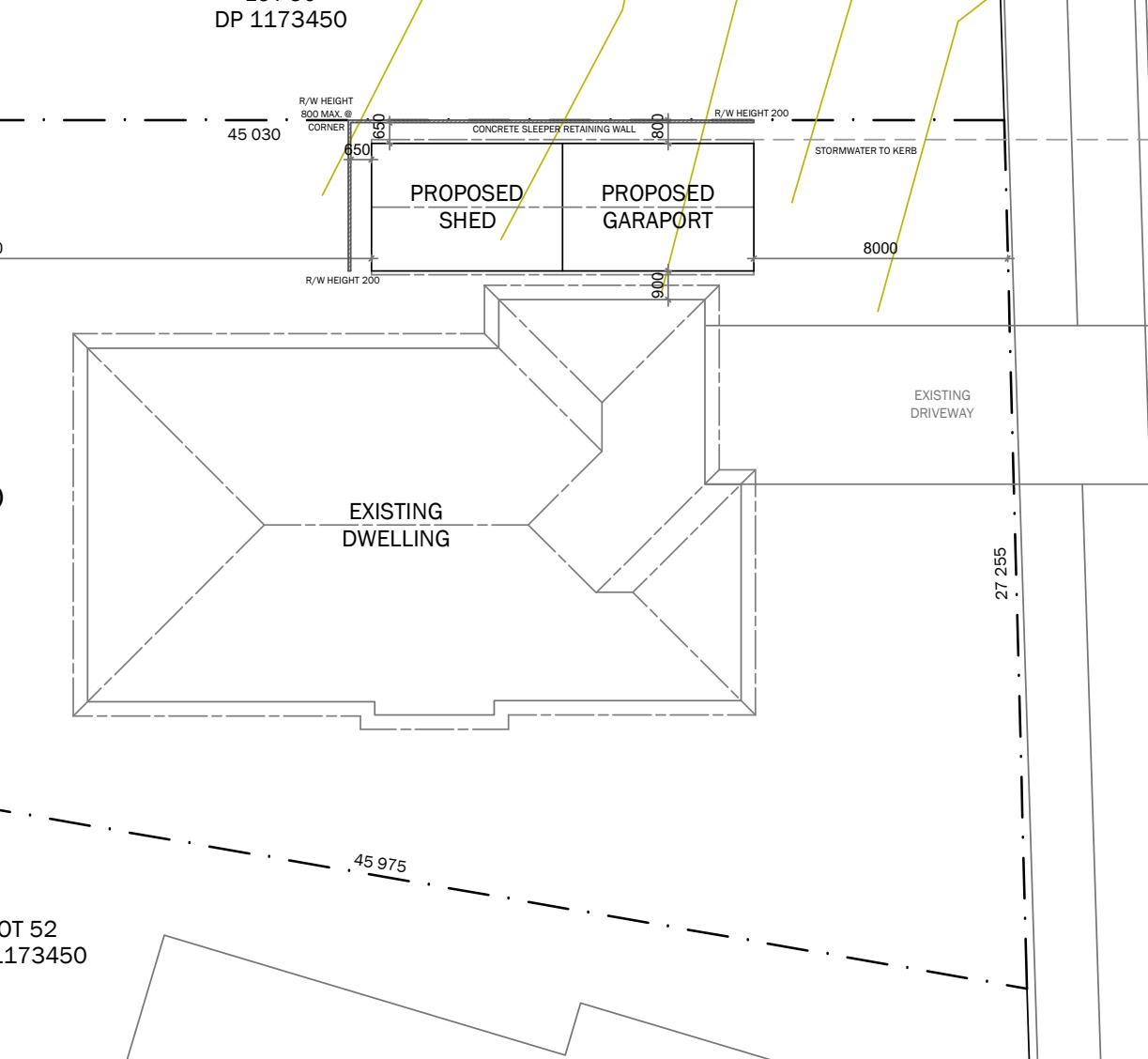


SOUTH-EAST WALL

RETAINING WALL ELEVATIONS

SCALE 1:100

LOT 50
DP 1173450



LOT 51
DP 1173450
1050 m²

LOT 56
DP 1173450

PROPOSED SITE PLAN

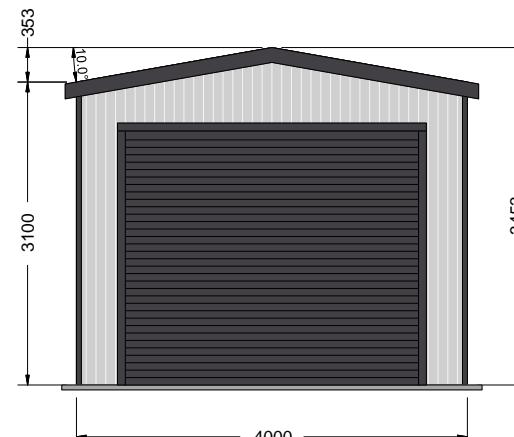
© TUMUT BUILDING
DESIGN
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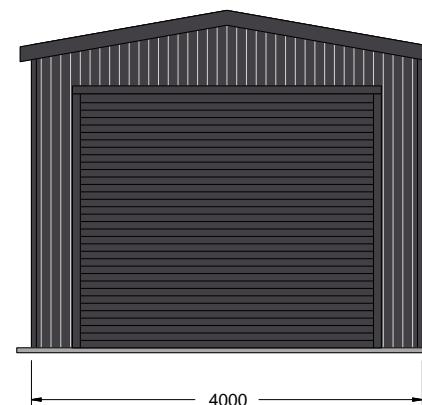
1 - Issued for DA/CC
1 - Issued for client approval
Issue/Amendments
17.04.25
17.04.25
Date

Project Name **PROPOSED SHED WITH GARAPORT
AND RETAINING WALLS**
Address **26 LAWSON DRIVE, GUNDAGAI**

Date	17.04.25	Issue	1
Scale	1:200	Plan & Sheet Number	
Sheet size	A3	EL02- 02	
Drawn	M.T	Sheets in set	
		2	



FRONT ELEVATION



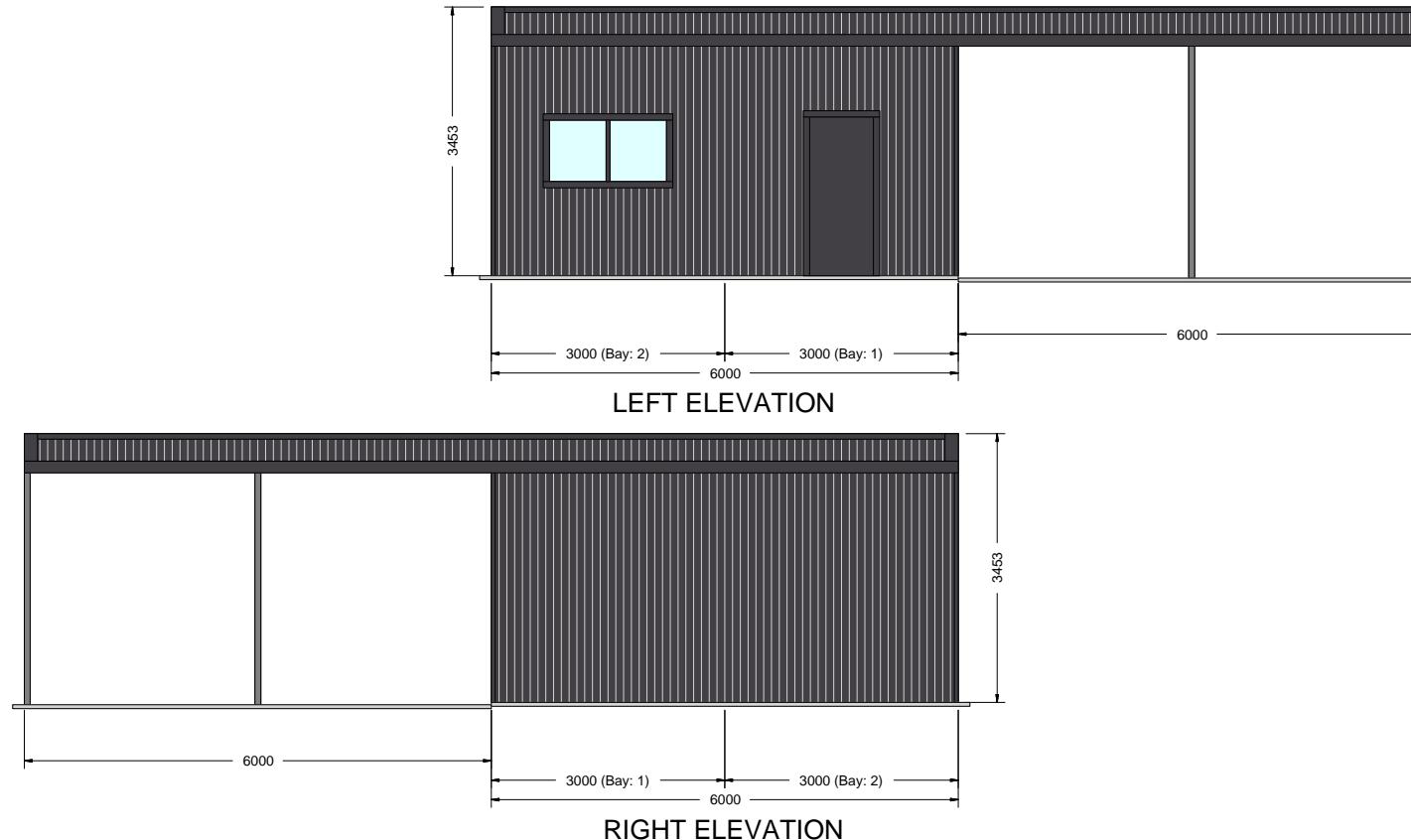
REAR ELEVATION



Tumut River Sheds
178 Snowy Mountains Highway
Tumut NSW 2720
02 69479049

CLIENT: Mark Elphick
SITE ADDRESS: 26 Lawson Drive, Gundagai, NSW, 2722
PHONE:
EMAIL: mark.elphick@essentialenergy.com.au

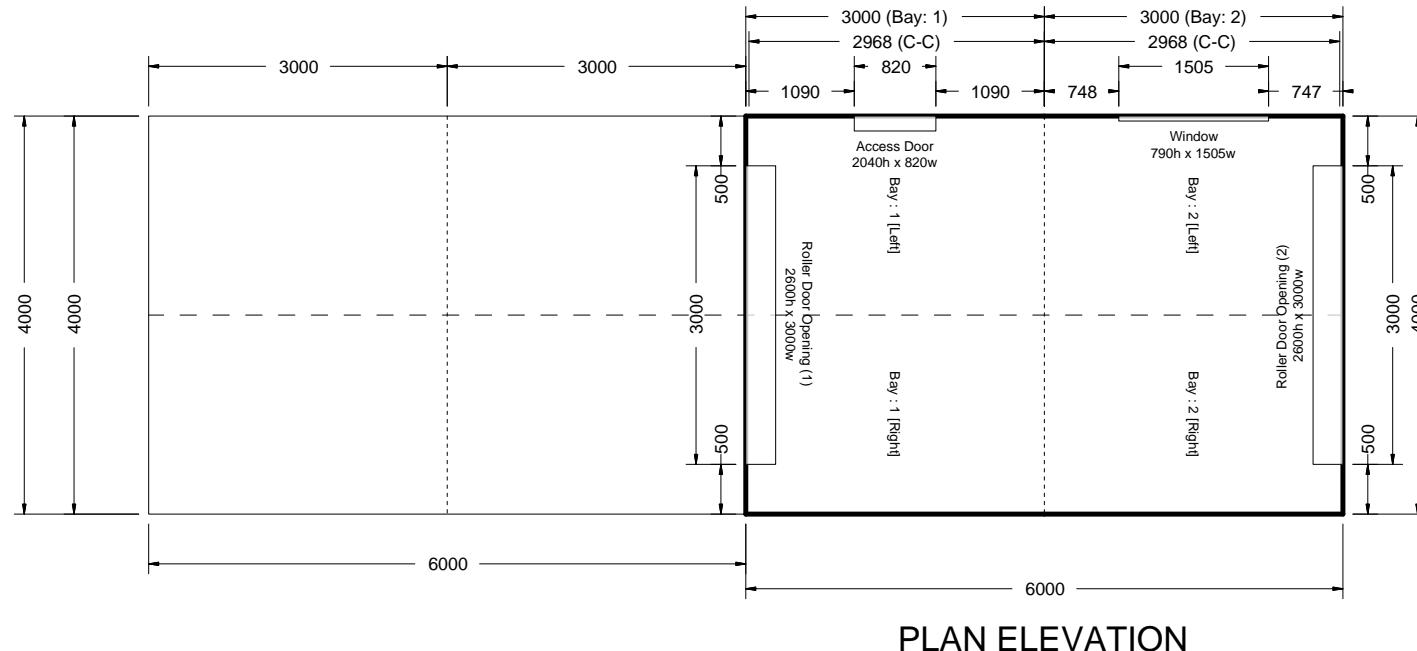
DRAWING TITLE: End Elevations
SCALE: 1:65.466
DATE: 04-03-2025
Job Number: TRS-1267



Tumut River Sheds
178 Snowy Mountains Highway
Tumut NSW 2720
02 69479049

CLIENT: Mark Elphick
SITE ADDRESS: 26 Lawson Drive, Gundagai, NSW, 2722
PHONE:
EMAIL: mark.elphick@essentialenergy.com.au

DRAWING TITLE: Side Elevations
SCALE: 1:81.632
DATE: 04-03-2025
Job Number: TRS-1267



Tumut River Sheds
178 Snowy Mountains Highway
Tumut NSW 2720

02 69479049

CLIENT: Mark Elphick
SITE ADDRESS: 26 Lawson Drive, Gundagai, NSW, 2722
PHONE:
EMAIL: mark.elphick@essentialenergy.com.au

DRAWING TITLE: Plan Elevation
SCALE: 1:64.290
DATE: 04-03-2025
Job Number: TRS-1267

8.5 ENGINEERING COOTAMUNDRA

8.5.1 COOTAMUNDRA ENGINEERING REPORT - AUGUST 2025

DOCUMENT NUMBER	445608
REPORTING OFFICER	Shelley Liehr, Operations Support Officer
AUTHORISING OFFICER	Trevor Dando, Acting Deputy General Manager Operations
RELEVANCE TO COMMUNITY STRATEGIC PLAN	5. Integrated and accessible region 5.2 Easily accessible from major cities and other regional towns
FINANCIAL IMPLICATIONS	There are no Financial implications associated with this report.
LEGISLATIVE IMPLICATIONS	There are no Legislative implications associated with this report.
POLICY IMPLICATIONS	There are no Policy implications associated with this report.
ATTACHMENTS	Nil

RECOMMENDATION

That the Cootamundra Engineering Report for the month of August 2025 be noted.

Introduction

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

Discussion

State Roads

Burley Griffin Way

Heavy Patching Program has been rescoped. Additional areas have been added to MR84 taken from MR78 to target accelerated deterioration.

The Heavy Patching Program is planned to start Monday 29 September and be completed by Friday 31 October. Planning for Resealing Program underway.

Olympic Highway

Heavy Patching areas have been reduced to facilitate additional areas required on MR84. Overall heavy patching areas remain the same. The Heavy Patching Program is planned to start Monday 15 September and be completed by Friday 26 September.

Planning for Resealing Program is underway. Council officers met with Boral during August to confirm heavy patching and resealing program sealing dates. Boral will be contacted to confirm change in heavy patching locations and associated forecast sealing days. Boral are now performing reseal areas sand testing and confirming pre-treatments. Minor Patching nearing completion in reseal areas. Shoulder edge tidy-up will be conducted during heavy patching to minimise costs.

General Works

Footpath Replacement

Crews have completed kerb works in Lawrence Street. Works are continuing in Hurley Street linking the footpath with the bridge works on Sutton Street, works will be completed by the end of September.

Maintenance Grading

The crews are out grading Bauloora Lane and gravel patching in the Yannawah area completing Sterling Road and moving onto West Berthong Road. Crews are moving through the Yannawah area gravel patching and maintenance grading. Internal roads within the Cootamundra Waste Facility have been maintained, along with installation of new pads for spoil stockpiling.

Patching Works

The patching crew have been on the highways and also moving through town streets completing patches on Poole Street and Parker Street.

Crew are busy with RMCC minor patching and moving through areas in town streets

Town Maintenance

Staff have been busy installing signs and undertaking small patching works around town and on regional roads.

Risk Management

Emergency Management plans for all Cootamundra facilities have been updated. Safety Audits have commenced for this year, staff to keep all areas clean and be prepared for an inspection at any time.

Road Safety

Local Traffic Forum

The first LTF meeting was conducted on Thursday 14 August. A report requesting endorsement of the 2025 Authorisation and Delegation Instrument has been prepared and included in the August Council Meeting agenda. Information for five on-road events was shared with TfNSW and NSW Police.

National Heavy Vehicle Regulator

Council have received and reviewed a total of 31 Access Permit Applications during the reporting period.

Approvals	Pre-Approvals	Approved with Conditions	Refusals
12	2	11	6

Refusals were issued for Access Permit Applications where vehicles were at a weight, width or length deemed unsafe for requested roads, and vehicle movements would be incompatible with existing infrastructure (bridges etc).

Traffic Counters

The tubes connected to one traffic counter located on Olympic Highway were damaged and the counter required reprogramming and reinstallation.

Community Awareness Campaigns

Community Awareness Campaigns promoted during August were Promote Rail Safety Week and Community Road Safety grant opportunities were investigated. Active Transport Community of Practice, Access and Inclusion Committee, the Local Transport Forum, Festival of Gundagai Planning. The Plan B flyer for the Snake Gully Cup is under review and contact with stakeholders has commenced.

Council staff completed VMS board training during August. Four VMS boards were deployed displaying local safety messages. Two boards have been strategically placed on Boundary Road and Berthong Road to alert road users of the upcoming intersection, and the remaining two boards have been positioned on Hovell Street, delivering targeted messages designed to reduce speeding through a mix of positive and negative reinforcement.

PAMP Updates

The updated PAMPs have been completed and forwarded to the respective managers for final review. These plans reflect the latest community feedback, current access audits, and align with the Council's strategic transport objectives.

Water and Sewer

Maintenance crews have completed backfilling carried out at corner of Campbell and Sutton Streets. The area is ready for tar patching. Daily maintenance was carried out to Council's water reservoirs and offtakes. Water meter re-reads were also undertaken by water and sewer staff to assist with quarterly water billing enquiries.

Trenching from installation of water main to solar farm had sunken due to rain. Crew has attended to and reinstated the area, topping up with topsoil. Three drains within the treatment plant were cleared, with three loads of soil removed during maintenance.

During the reporting period a total of 14 sewer chokes were cleared, six burst services repaired, seven hydrant risers were rebuilt and sewer mains treated after clearing blockages caused by tree roots. Repairs were carried out to 11 burst water mains, 10 leaking water meters and two new water connections were also installed. There were no complaints of dirty water received during the past month.

Workshop

HVIS – all vehicle inspections are completed, and all defects has been rectified and cleared.

Pink Slips – we are working on getting some of the inspections done without impacting the works program.

RFQ's for various plant replacements have been assessed. The RFQ for replacement mowers has been finalised, staff have attended demonstrations of highest rated mowers to determine most suitable machine.

Financial

Projects funded from various funding sources, as noted above.

Maintenance works funded from the General Fund and aligns with the adopted 2025/2026 budget.

OLG 23a Guideline consideration

The work outlined in this report does not conflict with the guidelines.

8.6 ENGINEERING GUNDAGAI

8.6.1 GUNDAGAI ENGINEERING REPORT - AUGUST 2025

DOCUMENT NUMBER	445826
REPORTING OFFICER	Belle Mooney, Operations Support Officer
AUTHORISING OFFICER	Trevor Dando, Acting Deputy General Manager Operations
RELEVANCE TO COMMUNITY STRATEGIC PLAN	5. Integrated and accessible region 5.2 Easily accessible from major cities and other regional towns
FINANCIAL IMPLICATIONS	There are no Financial implications associated with this report.
LEGISLATIVE IMPLICATIONS	There are no Legislative implications associated with this report.
POLICY IMPLICATIONS	There are no Policy implications associated with this report.
ATTACHMENTS	Nil

RECOMMENDATION

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

Introduction

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

Local Roads and Community Infrastructure Program (LRCI)

First Avenue Upgrades

The survey peg was removed by CMS Surveyors in late August on the bottom side of First Avenue which then allowed for the continuation of the kerb and gutter replacement. Council staff then began the preparation works of removal of old kerb and gutter and earthworks to ensure the correct levels and formations for the pouring and setting of the concrete. It is expected that this will be completed by the end of September with backfilling and clean up to follow.



General Works

Gravel resheeting on Hopewood Road has progressed with Council staff working on importing new gravel material on the road and spreading and grading it throughout. This process will assist with limiting the need for maintenance grading on the road throughout the year. It is expected that staff will have this job completed by the end of September.

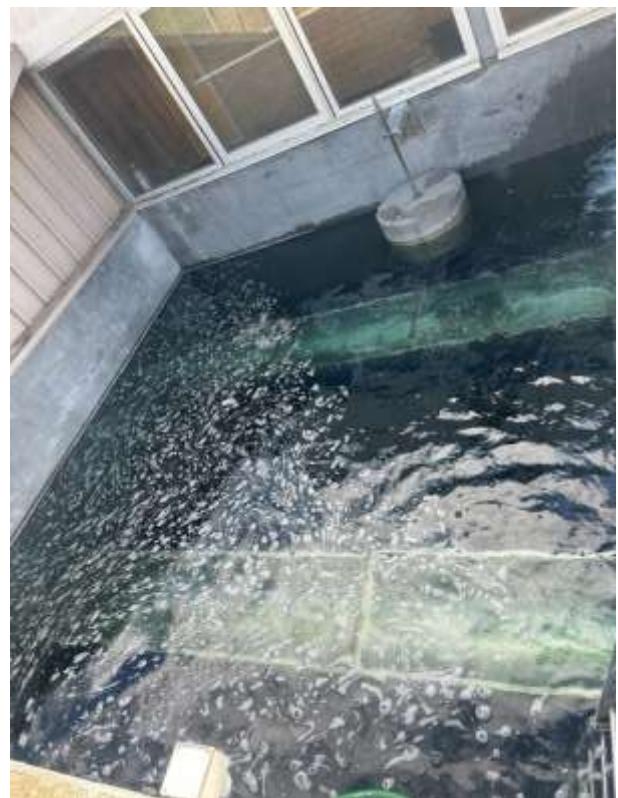
Maintenance grading is currently underway in the Darbalara area with the grading team to move into Brungle areas including Tarrabandra Road.

Punch Street Stormwater Construction

Council staff are currently working on completing a new stormwater line in Punch Street. The current stormwater pit and line is not working effectively due to age and location which is resulting in water pooling in residential properties. Council staff are currently completing the earthworks stage of the project, preparing a new space to lay the 300mm stormwater line which will now be directed towards the creek. In addition to running the new line 3 new stormwater pits will be installed along the route.

Water and Sewer

The concrete rendering has been completed on Filter No 2 at the Gundagai Water Treatment Plant. It is anticipated that the media will be installed by mid-September which will then allow for testing of the second filter to commence to allow operations to begin. This should see the conclusion of the filter media replacement project by October, which has been a major project for Council.



Council Water & Sewer staff have continued to maintain and operate the treatment plants and the reticulation systems within the Gundagai township throughout September and have attended to repairs when required. The actual versus budget is tracking well and is slightly below budget for the first two months of the financial year.

Financial

Projects funded from various funding sources are as noted above and align with the adopted 2025/26 budget.

Maintenance works are funded from the General Fund and align with the adopted 2025/26 budget.

OLG 23a Guideline consideration

OLG 23a Guidelines have been reviewed and the work outlined in this report does not conflict with the guidelines.

8.7 REGIONAL SERVICES GUNDAGAI

8.7.1 GUNDAGAI REGIONAL SERVICES - AUGUST 2025

DOCUMENT NUMBER	445884
REPORTING OFFICER	Donna Britton, Operations Support Officer - Facilities
AUTHORISING OFFICER	Trevor Dando, Acting Deputy General Manager Operations
RELEVANCE TO COMMUNITY STRATEGIC PLAN	2. A region for the future 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 August works report be received and noted.

Introduction

This report is a record of the diverse works Gundagai Regional Services have performed over the previous month along with the status of the ongoing works being conducted.

Discussion

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

Regional Services: Parks, Reserves, Sporting Fields, Playgrounds & Projects - Achievements for the month include:

- The new scrubber has arrived and the doors on the shed have been altered to accommodate the scrubber.
- Cleanout of pool shed.
- Preparation for two new drinking fountains/bubbler with bottle fill outlet and dog drinking bowls to be installed.
- Cleaning & painting at the VIC precinct.
- Cleanup and housekeeping improvements to the Regional Services area at the depot.
- General maintenance of all parks, gardens, reserves, fields and playgrounds.
- Mulch has been installed in between the Toilet block & the VIC.

Carberry Park Amenities Block Lift & Change:

- Installation of the white translucent screening on the door has been completed.
- Lift & Change Facility signage has been installed.

- Handrails and screen frames have been completed with the screen inserts to be added once the painting of handrails and frames is completed.

Visitor Information Centre:

- The final touches are being completed at the VIC and Toilet Block in readiness for opening in September.
- The interior has had a deep clean in anticipation of being filled with all the wonderful stock that has been purchased to sell to our visitors.
- Display cabinets and furniture have been built in ready for stock to be added.
- Signage at the front of the VIC and the internal 'Welcome to Gundagai' signage has been completed.
- The Marbel Masterpiece has had the top removed and glass cleaned with a new Perspex top being fitted.
- Fly screens, glass display cabinet doors, cameras and network bridging to allow for information Technology and communication connection with the Council office have been installed.

**Gundagai Memorial Swimming Pool:**

- The installation of the new waterline tiles to pools has been completed.
- New pumps have arrived for installation. Further investigation and repairs to filtration plant and building will take place in September.
- The CCTV pipe inspection camera has been used to investigate the pool pipelines from the balance tank to the pump shed to identify any potential damage to pipes.
- Pools emptied and cleaned ready for painting.
- The removal of redundant equipment and general cleanout of pump shed has been completed.

Stan Crowe Oval Cricket Nets:

- Works to replace the old cricket nets at Stan Crowe oval have continued with the new posts installed and the concrete base slab poured.

The work is a partnership between Council and the Gundagai Cricket Club to deliver new practice nets to meet the clubs demands into the future.

Cemeteries – North Gundagai Lawn & Monumental, South Gundagai, Tumblong, Coolac, Mount Adrah, Muttama, Adjungbilly, Nangus, Wagragobilly (Darbalara).

Cemetery work activities this month include:

- The annual Cemeteries and Crematoria NSW Activities Reporting has been completed and submitted.
- Five interments across the Gundagai Cemeteries have taken place.
- Our Regulatory officer has completed refresher training to ensure their knowledge of industry standards and Council obligations remains current and exceeds expectations, while continuing to provide families with the highest quality experience within the cemetery environment.
- Maintenance across all cemeteries is routinely conducted.

Biosecurity:

- Quarter 1 25-26 LLS RWC reports have been submitted.
- HR Pathway, Private Property, Council owned and managed lands, State owned and managed lands progress inspections have been completed as per out WAP targets.

Gundagai Public & Council Facilities income:

Gundagai RV Park Income August 2025

- 01/08/25 – 31/08/25 - Total Income \$487.35

Gundagai Landfill/Transfer August 2025

- 01/08/25 – 31/08/25 - General Income \$2,644.52

Gundagai Standpipe Income August 2025

2025/2026		Income GST Incl.	Number of Transactions	Previous Year Income
2025	July	\$3,013.61	13	\$2454.08
2025	August	\$1,202.81	11	\$1424.58
25/26	Totals	\$4,216.42	23	

Gundagai Saleyards Truck Wash August 2025

2025/2026		Income GST Incl.	Number of Transactions	Previous Year Income
2025	July	\$3,518.05	34	\$3945.32
2025	August	\$3,254.40	32	\$2968.02
25/26	Totals	\$6,772	66	

Compliance:

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

Companion Animal:

The Ranger has attended Safe Dog Handling training held at Coolamon Shire Council and conducted by Andrew Clark Canine Services. The feedback from Councils ranger is that it was an extremely well run, informative and enjoyable training program with the content very applicable to his role. This is vital training to keep our Rangers safe and up to date on best practices for dog handling in the field.

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 COOTAMUNDRA REGIONAL SERVICES - AUGUST 2025

DOCUMENT NUMBER	445533
REPORTING OFFICER	Shelley Liehr, Operations Support Officer
AUTHORISING OFFICER	Trevor Dando, Acting Deputy General Manager Operations
RELEVANCE TO COMMUNITY STRATEGIC PLAN	2. A region for the future 2.2 A thriving region that attracts people to live, work and visit
FINANCIAL IMPLICATIONS	There are no Financial implications associated with this report.
LEGISLATIVE IMPLICATIONS	There are no Legislative implications associated with this report.
POLICY IMPLICATIONS	There are no Policy implications associated with this report.
ATTACHMENTS	Nil

RECOMMENDATION

The Regional Services Cootamundra 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 August 2025.

Discussion

Parks & Gardens

Parks and Gardens staff planted 40 new street trees in August. These plantings were to replacements due to removals and new plantings. These included several quality deciduous trees in Albert Park as succession planting due to some sizeable trees having deteriorated or fallen in the aftermath of storms and other weather events.

Cootamundra hosted this year's Junior Rugby League Grand Finals. This event was held at Nicholson Park which was recently upgraded with drainage improvements and general maintenance. Parks staff ensured the venue was well presented for the day including line marking, mowing, additional amenities cleaning and general litter collection. The upgraded facilities are well suited to host large scale events for multiple sporting codes.

Cootamundra's CBD and town gardens have been tidied with general maintenance being carried out. These gardens will re-mulched and tended to before the temperatures increase as we move further into spring.

Rectifying some lighting issues has been also on the agenda in the lead up to this year's Wattle Time Festival of Lights held in early September. The works to the fairy lighting in Parker Street trees will be an ongoing project over the next 12 months to adapt the existing feature lighting to the growing trees throughout the CBD.

King George V Park at Stockinbingal has been refreshed with new timber edging being installed to contain the soft fall, as well as topping the soft fall areas up in line with Australian Standards.

Rose pruning was completed during August. Roses within Albert Park's Gallipoli Rose Garden and cenotaph, Stockinbingal King George V Park, Heritage Centre, town roundabouts and the CBD roses were pruned by parks and gardens staff as well as being fertilised, sprayed and mulched to allow a great display of colour when blooms arrive.

Unfortunately, incidents of graffiti have increased throughout August, with damage caused to numerous Council assets and to private land. Areas most affected by this vandalism include spray painting of Jubilee Park toilet block as well as destruction of toilet seats and hand dryers. Clarke Oval was damaged by a large spray-painted piece on the back of a building, Nicholson Park's toilet block and timekeepers' box were also affected. There was also graffiti removed from the taxi rank, CBD urban canopies and drinking station. The vandalism was documented and reported to Police who have apprehended a suspect.

The Cedar and Elm trees that were growing along the airport fence line on Yass Road Lane were identified as Obstacle Limitation Surfaces during a recent inspection have now been removed. The trees were considered problematic due to their proximity to the runway and with consideration of the height of the trees, as they continue to grow, they could interfere with the approach or takeoff paths of an aircraft.

Staff have identified that the banner poles located near Repco and Éclairs are not functioning. The contractors who installed the poles have been contacted to attend the site to repair the poles, and lower the winch to make the process of changing banners safer and more efficient.

Cemeteries

There were 10 burials conducted at Cootamundra Lawn Cemetery for the month of August. One plaque was affixed and 2 interments of ashes taking place at Cootamundra.

Rabbit baiting has begun at Stockinbingal Cemetery as Council attempt to manage the rabbit population which is causing damage to the cemetery and surrounds.

Master Plan progress for Cootamundra cemetery is on the agenda for the coming months with discussions planned in relation to potential changes to the structure and development of the cemetery.

Ranger Services

General patrols have been carried out along with waste stations being refilled. Barking dog complaints have been attended resulting in staff providing homeowners and the pet owners tools to deal with these issues before enforcement action is required. Following this advice and education complaints have eased in high volume areas.

Animal Statistics	Dogs	Cats
Seized	13	2
Released to Owner	3	0
Surrendered	0	0
Rehomed	6	0
Euthanised	0	1
Waiting for Rehoming	4	1

Stray goats in the Poole Street area have been an issue for the past few months causing damage to residential properties and road hazards. This has now been rectified with the goats now being contained. A few reports of straying stock were received on local roads, and one on the Burley Griffen Way.

Facilities

The Cootamundra administration building has had insulation installed to the first-floor ceiling. This will provide a more stable, consistent temperature and will significantly reduce the energy consumption for heating and cooling.

Livvi's Place repairs and maintenance have all been completed.

Work is continuing with installation of the new lining to either side of the 50m pool. The water level in the pool had significantly dropped over the past couple of months and has recently been drained to inspect the expansion joints. It appears there are some significant leaks along two expansion joints running lengthways inside the pool. A contractor is investigating this issue further with quotes being prepared for repairs.

The Heritage Centre front door was repaired to stop the door from getting stuck on the door jamb. The camera that was no longer showing on the monitor has been repaired; all eight cameras are now working correctly.

The Cootamundra EV charging stations' data for August is shown below:-



Waste

The secondhand tip shop processed 81 transactions for August with a total of \$609.22 in income. During this time staff have diverted 600kg of waste from the landfill into the shop to be repurposed.

A total of 114 tonnes of recycled crushed concrete was sold this month and a total of 56 tonnes of compost soil.

A Cootamundra garbage truck delivered a load of recycling to the Cootamundra Material Recovery Facility. Upon tipping the material out the driver noticed a small fire and was able to move the truck to safety and call the fire brigade. Due to the quick thinking of staff, minimal damage was caused. Council is currently investigating what options are on the market to install a smoke/fire detection device in the hoppers of the garbage trucks as garbage truck fires are becoming more and more common, typically due to the increase of lithium batteries in devices such as vapes, laptops and other small electrical devices. Investigations into ways to improve the capabilities of Council staff dealing with any future fires at the landfill. Whilst exploring these options, Council has been working with Elouera Recycling to advertise and educate the community about recycling and promoting that batteries or butane canisters are not acceptable to be placed in the recycling bins due the fire risks.

The internal roads within the Cootamundra landfill required some repairs and maintenance to be undertaken due to the recent rain and traffic movements. The roads have been graded and sealed in some areas which will not only help the roads last longer but will also help with dust suppression coming into the warmer seasons.

The green waste shredding has been completed with a total of 7,250m³ crushed and mulched to help break down into compost. Waste staff have been liaising with a fertilizer manufacturing company to investigate the opportunity to provide and sell large quantities of the compost at the Cootamundra landfill.

Capital Works Projects

The Muttama Creek physical work has been completed with only a few track marks that need to be levelled out. The draft Master Plan is out for community consultation until the end of September. The consultants are finalising the Review of Environmental Factors report, the flood assessment report and a high-level bill of quantities and cost estimates.

Financial

All areas of expenditure relating to the operations within the Regional Services – Cootamundra department are within budget allocations.

OLG 23a Guideline consideration

No impacts associated with this report.

9 MOTION OF WHICH NOTICE HAS BEEN GIVEN

Nil

10 QUESTIONS WITH NOTICE

Nil

11 CONFIDENTIAL ITEMS

11.1 CLOSED COUNCIL REPORT

DOCUMENT NUMBER	445849
REPORTING OFFICER	Teresa Breslin, Executive Assistant to Mayor and General Manager
AUTHORISING OFFICER	Roger Bailey, Interim General Manager
RELEVANCE TO COMMUNITY STRATEGIC PLAN	<p>4. Collaborative and progressive leadership</p> <p>4.1 A clear strategic direction that is delivered upon</p>
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

- 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.**
- In accordance with section 11 (2) and (3) of the Local Government Act, 1993, the reports, correspondence and other documentation relating to Items 11.2 and 11.3 be withheld from the press and public.**

11.2 HUMAN RESOURCES REPORT

Provisions for Confidentiality

Section 10A (2) (a) – The Confidential Report contains personnel matters concerning particular individuals (other than councillors).

Public Interest

N/A.

11.3 ACQUISITION OF DOGONTHETUCKERBOX.COM.DOMAIN

Provisions for Confidentiality

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

Public Interest

Commercial In-Confidence information provided.