

Meeting commenced at 2.00pm.

BUSINESS:

- 1) Apologies
- 2)
 - a. Confirmation of Minutes of the Meeting held 15th November, 2018.
 - b. Matters arising out of Minutes. (Not elsewhere reported)
- 3) Correspondence
 - a. Agenda A (Information Only)
 - b. Agenda B
- 4) General Manager's Report
 - 4.1 General Manager's Report
 - 4.2 Executive Manager, Corporate & Community Services' Report
 - 4.3 Executive Manager, Engineering & Technical Services' Report
 - 4.4 Executive Manager, Development & Environmental Services' Report
- 5) Recommendations of a Committee of a Whole Meeting held 13th December, 2018.
- 6) Reports: Delegates/Mayor/Councillors

PRESENT: Clrs John Seymour, David McCann, Jeremy Crocker, Steven Jones, Colin McKinnon, Kathy Maslin, Bruce Hutcheon and Alan White.

STAFF: Tony Donoghue, General Manager;
Courtney Armstrong, Executive Manager, Corporate & Community Services;
Tony Kelly, Executive Manager, Engineering & Technical Services;
Colby Farmer, Executive Manager, Development & Environmental Services;
Samantha Jennings, Finance Manager.

APOLOGY: Clr Kerrilee Logan.

1) APOLOGY:

RESOLVED on the motion of Clr White and seconded by Clr Crocker that the apology of Clr Kerrilee Logan be accepted. 246/12/2018

2a) CONFIRMATION OF MINUTES OF THE MEETING HELD 15th NOVEMBER, 2018.

RESOLVED on the motion of Clr Maslin and seconded by Clr McKinnon that the Minutes of the Meeting held 15th November, 2018 as circulated be confirmed and adopted. 247/12/2018

2b) MATTERS ARISING OUT OF THE MINUTES
There were no matters arising out of the Minutes.

3) CORRESPONDENCE

AGENDA A (FOR INFORMATION ONLY)

1a) INFORMATION PAPERS

➔ The following papers have been **distributed** with Council's supplementary material as being matters of information/interest to Councillors. If Councillors desire any further information on the matters distributed, then that can be raised with the General Manager. Attachment No. 1

1) REROC Newsletter for November 2018.

2a) ACTIVITY REPORTS

1) Operating Statistics of the Coolamon Shire Library for November 2018.

2) Community Development Officer's Report for November 2018.

3) Tourism and Business Development Officer's Report for November 2018.

General Manager's Note

➔ The above reports are operating reports only for use by Senior Staff. They are submitted to Council as part of Agenda A for information only. Attachment No. 2

3a) ADVANCE GANMAIN COMMITTEE (C.09-41, SC130)

Forwarding a letter to Council expressing their gratitude for the work and commitment that Council has put into the Shire, both in the past and into the future.

General Manager's Note

- ➔ A copy of the letter is distributed with the information papers. Attachment No. 12

4a) STATEWIDE MUTUAL (I.05-10, SC256)

Forwarding a copy of their Annual Report and Financial Statements for the year ended 30th June, 2017.

General Manager's Note

- A copy of the Annual Report is tabled for the information of Councillors.

RESOLVED on the motion of Clr McCann and seconded by Clr Hutcheon that the correspondence listed in Agenda A be received and noted. 248/12/2018

4) GENERAL MANAGER REPORTS

4.1) GENERAL MANAGER REPORTS

GM1) WASTE TO ENERGY REQUEST (C.12-04, SC147)

- Council has received a request from Country Mayors (CM) for \$15,000 to go towards funding a Feasibility Study to assess the viability of turning municipal waste into energy. **Attachment No. 3**

The General Manager from Tenterfield has been the lead proponent on this issue and presented several papers to the CM meetings. This issue seems to have some resonance with the northern based Councils in the State and they are seeking Statewide support from Country Councils for this Feasibility Study.

There are several issues that spring to mind with this proposal:

- As a State based waste issue, why is the EPA not involved. They have carriage of this issue and take a waste levy from eastern seaboard Councils specifically to deal with the issue of increasing pressure on resources the existing and future waste stream is having on the State. They have a specific unit that deals with the impact of the 'China Sword Policy' and subsequent ramifications and are tasked with determining viable solutions, of which this would be one.
- The EPA currently fund Regional Waste Groups, made up of specialised waste and resource staff, through the Renew program and these groups meet quarterly to discuss emerging issues and solutions that can be rolled out across the state. These meetings are relatively unaware of such a proposal from Country Mayors.

In my position as the Chair of the REROC Waste Group and therefore a representative at this meeting, this issue was raised. There was a mixed response with some officers being aware of the project and others having not yet heard of the proposal, even though they are in close proximity to the lead Council and region. It seems unusual that these practitioners that represent their region specifically on waste matters are luke warm on the issue when it is being pushed at a political level. Matters discussed were the logistics and cost of feedstock regionally, the current proposals in south-eastern Queensland, the urgency of some Councils due to specific landfill issues and general commercial entities investigating similar proposals. All these matters are raised in the attachments as answers the study will achieve.

- Currently the EPA have a policy position on waste to energy and it sits lower in the hierarchy to recycling. This means that EPA would need to be convinced that turning all waste including recycling into feedstock for burning is of greater benefit than any other alternative. This has broader China Sword policy issues and is currently part of the greater debate around handling waste across the state and the nation.
- This issue has been considered in the past and the logistics around costs of transporting waste to a point source for burning has been the problem. Generally, rural and regional based populations do not have the quantity to support an incinerator and therefore are required to source other material to ensure viability. This is in terms of both maintaining energy output and waste input.

The Feasibility Study is estimated to cost approximately \$550,000 but the request received is for \$15,000 per Council. With approximately 90 Rural Councils at \$15,000 that equates to over \$1.35M. A significant cost overrun. The issue was pointed out at the CM meeting and the answer was that we don't expect every Council to contribute and also that if they get an over subscription that they would pro rata a return payment.

The reason for the above financial sums undertaken with Rural Councils only is on the back of a question at CM about why not get all Councils to contribute, to which the reply was that this was a rural issue and inviting City based Councils will only convolute and cloud the issue.

Just from a simple logistics point, it would appear a better proposal for a western Sydney Council to determine a viability proposal to see if it can work before launching into regional LGA. They have greater feedstock and less travel.

The proposal from CM seems to be indicating that the need for an independent report paid for by Councils is because on occasions when they have asked EPA for support, this has not been received. The EPA position on this proposal is that they have referred to the guidelines and/or previous work that suggests this has both policy and operational viability concerns. Whilst I understand the argument about believing the bureaucrats are stifling the discussion and therefore can't get this up, there may be a legitimate reason for this - ultimately, I believe this is an issue for the State Government. It may be that the CM should be advocating and forcing this discussion and policy review with the State politicians rather than seeking the Rural Local Government sector to pay for the report out of ratepayer's money.

On the positive point, the proposal indicates many other nations that have commenced the process of burning waste to produce energy, but admittedly they

seem to have greater population densities. This option has the possibility of solving two problems, being energy production and waste management.

At the end of the day the request and therefore the issue from CM is a discussion that the sector should be having, but believe the request for funding is premature. The proposal insinuates that all other parties are inherently biased in some form and that only Local Government can be trusted to get this report right or get to the bottom of all conflicting issues.

Whilst it is believed that CM has Coolamon Council's 'in principle' support to investigate the options around all solutions that reduce waste to landfill, the proposal to contribute \$15,000 seems premature on the evidence provided and that there are better ways to progress this debate, than to ask Council ratepayers to foot the bill.

Recommendation

That Council note the report.

RESOLVED on the motion of Clr Hutcheon and seconded by Clr McCann that the report be noted. 249/12/2018

GM2) STRATEGIC REGIONAL PRIORITIES FOR THE RIVERINA JOINT ORGANISATION

As the Riverina Joint Organisation has now commenced, one of the tasks is to set the Strategic Regional Priorities for the region.

It was thought helpful to progress the discussion by nominating key theme areas (predominantly already discussed or operate at a REROC level) that are relevant to all Councils within the Riverina Joint Organisation (RIVJO) and then can be drilled down specifically to each Council. The theme areas are:

- Transport
- Energy, Water and Environment
- Workforce Development and Skills Shortages
- Connectivity
- Economic Development
- Health and Allied Medical Services

Coolamon Shire Council has already identified a lot of goals and strategic priorities in a number of fields, some of them are included in the Regional Economic Development Strategies (REDS) as well as other internal and external documents.

These will be collated and provided as Coolamon Shire's input to this Regional Strategy.

Recommendation

For Council information.

GM3) LOCAL WATER UTILITY POLICY ADVISORY GROUP (W.01-02, SC433)

Councillors may be aware via media released from Goldenfields Water, that Councillor Dave McCann has been elected to the Local Water Utility Policy Advisory Group. Dave will sit on this Advisory Group that will liaise with Local Government NSW to ensure that the local water and sewer activities as they relate to Local Government and County Councils are raised and addressed through an Industry wide response and engagement with the State Government.

Recommendation

For Council information.

GM4) COOLAMON SHIRE EVENT FUNDING (E.07-01, SC491)

In February 2018, Council resolved to amend the Coolamon Shire Event Funding guidelines. The significant change being that the funding program will no longer have a closing date for the application process. Funds will be available until money has been exhausted.

Funding for 2019 will be available from December 2018. Applicants can apply for funds from a pool of \$6,000 (maximum of \$3,000 per application, no minimum amount), which will be assessed and allocated as per the program guidelines. The event must be held between 1st January 2019 to 31st December 2019. The application process opened Monday 3 December 2018.

Coolamon Shire Council allocates funding towards its annual event funding program. This funding program provides financial assistance for community or tourism related events held within the Shire. Funds are to assist Coolamon Shire to increase levels of day and overnight visitation.

Applications will be accepted anytime during 2019. Once applications have been accepted a report will go to Council for approval with staff recommendations.

Funding guidelines and application forms are available:

- Online at www.coolamon.gov.au.au
- Hardcopy from the Coolamon Shire Council
- Hardcopy from the Coolamon Library

➔ Attached 2019 guidelines. [Attachment No. 4](#)

Completed application forms and supporting material can be submitted by post, email or hand delivered to the Council Office.

Any questions or additional information can be received from Laura Munro, Tourism and Business Development.

Recommendation

For Council information.

RESOLVED on the motion of Clr Maslin and seconded by Clr White that the General Manager's Reports (GM2 to GM4) be received. [250/12/2018](#)

GM5) SECTION 355 COMMITTEE – FRIENDS OF THE COOLAMON UP-TO-DATE CULTURAL PRECINCT

When updating the Section 355 Committees at the September Council Meeting, it was noted that Mel Mayer was omitted from the Friends of the Coolamon Up-to-Date Cultural Precinct Committee by mistake, therefore we would like to revisit this and make the correction.

Recommendation

That Mel Mayer be included in the Friends of the Coolamon Up-to-Date Cultural Precinct Section 355 Committee.

RESOLVED on the motion of Clr McCann and seconded by Clr Hutcheon that Mel Mayer be included in the Friends of the Coolamon Up-to-Date Cultural Precinct Section 355 Committee. [251/12/2018](#)

GM6) MATONG COMMUNITY GROUP (C.09-01, SC113)

Following Councils previous report and subsequent contact with the Matong Community Group to determine if there was any intention of this group becoming a Section 355 Committee, information has been received from Sonya Currie, the President of this group indicating that upon discussion and subsequent vote, it

was passed that the Matong Community Group would like to become a Section 355 Committee.

With this decision comes some legal and legislative requirements as this group will no longer be a social club under their own direction, but rather a Committee acting for and on behalf of Council. This means that their agenda and money will be controlled by Council and that the Committee will be bound by the objectives set by Council.

At this stage Council Staff have not met with, or determined how, or if, it will be associated with any assets - such as the Matong Hall.

At this stage such a Section 355 Committee could be formed with the intention of carrying out the official contact and liaison between Council and the Community similar to the other such Advance Committees but without having responsibility over any assets.

It is thought appropriate that Council continue to discuss with the current Matong Community Group and the existing Matong Hall Trust to determine exactly what the Advance Matong responsibilities and agenda would be.

In summary, this is a positive step forward for the Matong Community, however, it is premature to anoint them as a Section 355 Committee until such time as discussions can be held between the Matong Community Group and the Mechanics Institute Hall Trust.

Recommendation

That Council staff liaise with both existing Matong Committees to determine and establish the responsibilities of a possible combined Section 355 Committee.

RESOLVED on the motion of Clr McKinnon and seconded by Clr McCann that Council staff liaise with both existing Matong Committees to determine and establish the responsibilities of a possible combined Section 355 Committee.

252/12/2018

GM7) RURAL FINANCIAL COUNSELLING SERVICE R.15-01, SC357)

- ➔ As a result of rumours circulating about the possible movement of the Rural Financial Counselling Service from its location in the Rural Transaction Centre of Ganmain into Wagga, Council contacted, via written correspondence, both the Local Member, Michael McCormack and the Executive Officer for NSW for the

Southern Region for the Rural Financial Counselling Service (RFCS). Both of these letters have been attached for your information. Attachment No. 5.1

Council's concerns revolve around the issue of a service being provided in a small rural community that keeps an office building open and in addition the added supportive benefit this position gives to the Beyond Bank staff in maintaining opening hours.

Removal of this position from the main street of Ganmain would have negative impacts in the Ganmain Community.

→ Council has since received information back from Michael McCormack, please see attached. Attachment No. 5.2

Whilst I have had a discussion with Mr David Galloway (the new EO of RFCS) who has informed me he has no intentions of relocating the office at this stage, he will be undertaking a review of the service to determine its adequacy. In addition, the response from Michael McCormack does not give a lot of confidence in this facility being committed to the Ganmain main street.

Council will need to continue to liaise with Mr David Galloway to ensure Council's position and that of the Ganmain Community is heard.

Recommendation

That Council continue to liaise with the Executive Officer for NSW Southern Region, RFCS.

RESOLVED on the motion of Clr Maslin and seconded by Clr White that Council continue to liaise with the Executive Officer for NSW Southern Region, RFCS.

253/12/2018

GM8) MODEL CODE OF MEETING PRACTICE (P.06-01, SC310)

Council has received a Media Release from Gabriel Upton's office indicating specifically that Council Meetings will now be required to go live.

→ The Media Release is attached and whilst not wishing to be overly critical, it appears to make some inaccurate statements. Attachment No. 6

The first being that the Model Code of Meeting Practice is the first uniform set of meeting rules for New South Wales, when in reality by its title, this is the new Model Code, therefore surpassing the previous one. In addition, this indicates

that meetings are **now more transparent, informed, inclusive and respectful**. I would contend that this has always been the case and is nothing new to this Council.

Upon reading the background behind this Media Release, Councils have 12 months before they must go live and they have the option of webcasting or audio.

This gives our Council time to consider the best options to meet this new Model Code that would be the best outcome for our Council and the community towards meeting this new requirement.

A report with some examples and costings will be provided early in the New Year so that Council can make some decisions prior to the required date to go live.

Recommendation

For Council information.

RESOLVED on the motion of Clr McCann and seconded by Clr White that Council write a letter to Gabrielle Upton, Steph Cooke and Linda Scott expressing their disappointment regarding the mandatory requirement for webcasting or audio of Council meetings. 254/12/2018

GM9) STRONGER COUNTRY COMMUNITIES FUND (G.03-57, SC1067)

Coolamon Shire Council have entered into an Agreement with the Department of Premier and Cabinet (DPC) to roll out the Second Round of the Stronger Country Communities Fund. There are seven grants approved and one partial funding (Marrar Hall and Up-to-Date Store).

➔ The Agreement (see Attached) under Clause 3, does permit the Council to declare a recipient as a Community Approved Organisation, which has the benefit of allowing the community organisation to undertake its own project management. It should be noted that in accordance with Clause 3.2, by omission, the Local Government Act requirements do not apply. This permission, however comes with some criteria: Attachment No. 11

- Maintaining appropriate insurance
- Proving competence and capability
- Agreeing to auditing and acquittal procedures

In addition, it is acknowledged that the funding amount is fixed and any over runs will be the responsibility of the Organisation.

In order to set up a robust yet efficient claims process it is proposed that close liaison with Council should continue throughout any project to ensure that there are no problems at the end of the project with payment. All invoices presented to be paid should also have attached a minimum of 2 quotes. Where this is not possible, prior confirmation of Council is required prior to engaging any tradesman.

It must be noted that this is all independent of the statutory approval process that will require Development Consents and Construction Certificates where required. It is suggested Organisations make contact with Council's Planning department to get this underway at the earliest convenience to avoid delay.

Council are fully aware of the urgency of some organisations to roll projects out immediately. Council does not have the project management workforce to allow all of these projects to commence over the next six months.

Council will seek meetings with the successful Grant bodies to determine what is the most appropriate course of actions to get the projects underway. Where required, Council will enter into Agreements with the local Organisation to ensure everyone is aware of their responsibilities.

Recommendation

For Council information.

RESOLVED on the motion of Clr Hutcheon and seconded by Clr White that the report be received. 255/12/2018

GM10) LOT 1, DP 1171790, LIONS PARK, ARDLETHAN (R.09-10, SC344, RT1004086)

Council are aware that negotiations have been held with Transport for NSW and relevant sections of the State Government for the purchase of the above mentioned land.

In order to proceed with this, Council are required to acquire through compulsory acquisition, and specific wording is required by resolution to be provided with these documents.

It should also be noted that Council has negotiated that the compulsory acquisition will include a boundary adjustment to include land south of this lot towards the rail line.



Recommendation

- 1) Council proceed with the compulsory acquisition of the land described as Lot 1, DP 1171790 for the purpose of the provision of public infrastructure to support the local community (Ardlethan Park and Men's Shed) in accordance with the requirements of the *Land Acquisition (Just Terms Compensation) Act 1991*.
- 2) Council make an application to the Minister and the Governor for approval to acquire Lot 1, DP 1171790 by compulsory process under Section 186 of the *Local Government Act 1993*.

RESOLVED on the motion of Clr McCann and seconded by Clr White that:
256/12/2018

- 1) **Council proceed with the compulsory acquisition of the land described as Lot 1, DP 1171790 for the purpose of the provision of open space and community facilities in accordance with the requirements of the *Land Acquisition (Just Terms Compensation) Act 1991*.**
- 2) **Council make an application to the Minister and the Governor for approval to acquire Lot 1, DP 1171790 by compulsory process under Section 186 of the *Local Government Act 1993*.**

4.2 EXECUTIVE MANAGER, CORPORATE & COMMUNITY SERVICES' REPORTS

CS1) FINANCE REPORT AS AT 30TH NOVEMBER, 2018

RESOLVED on the motion of Clr McKinnon and seconded by Clr Crocker that the report be received. 25/12/2018

DATE INVESTED	INSTITUTION	RATING	INVESTMENT TYPE	AMOUNT INVESTED	TERMS (days)	RATE	MATURITY DATE
21/12/2017	Beyond Bank	A2/BBB	Term Deposit	\$ 1,700,000	365	2.75%	21/12/2018
19/06/2018	AMP	A1/A	Term Deposit	\$ 1,000,000	216	2.85%	21/01/2019
26/06/2018	AMP	A1/A	Term Deposit	\$ 500,000	210	2.85%	22/01/2019
8/05/2018	AMP	A1/A	Term Deposit	\$ 1,000,000	272	2.75%	4/02/2019
9/05/2018	Bankwest	A2/BBB	Term Deposit	\$ 1,000,000	271	2.70%	4/02/2019
15/06/2018	AMP	A1/A	Term Deposit	\$ 2,000,000	245	2.80%	15/02/2019
15/06/2018	Bankwest	A2/BBB	Term Deposit	\$ 1,000,000	270	2.80%	7/05/2019
24/09/2018	Bankwest	A2/BBB	Term Deposit	\$ 1,000,000	270	2.70%	21/06/2019
30/08/2018	NAB	A1+/AA-	Term Deposit	\$ 1,000,000	365	2.70%	30/08/2019
9/09/2018	Beyond Bank	A2/BBB	Term Deposit	\$ 1,000,000	365	2.70%	9/09/2019
14/09/2018	Beyond Bank	A2/BBB	Term Deposit	\$ 1,000,000	365	2.70%	14/09/2019
23/09/2018	Beyond Bank	A2/BBB	Term Deposit	\$ 1,000,000	365	2.70%	23/09/2019
24/10/2017	NAB	A1+/AA-	Term Deposit	\$ 1,000,000	365	2.70%	24/10/2019
2/11/2018	Beyond Bank	A2/BBB	Term Deposit	\$ 1,000,000	365	2.70%	2/11/2019
10/11/2018	Beyond Bank	A2/BBB	Term Deposit	\$ 2,000,000	365	2.70%	10/11/2019
TOTAL INVESTED				\$ 17,200,000			

I hereby certify that the above investments have been made in accordance with Section 625 of the *Local Government Act 1993*, clause 212 of the *Local Government (General) Regulation 2005* and Council's Investment Policies.


(Samantha Jennings, Finance Manager)

RESTRICTED CASH, CASH EQUIVALENTS & INVESTMENTS

EXTERNAL RESTRICTIONS AS AT 30TH JUNE, 2018

Allawah Lodge - Accommodation Bonds/Payments	\$ 4,049,012.71
Allawah Village - Loan-Licence	\$ 3,688,781.28
Developer Contributions	\$ 3,398.37
Specific Purpose Unexpended Grants & Contributions & Other Funding	\$ 559,206.24
Sewerage Fund	\$ 2,044,259.35
Waste Management	\$ 1,106,984.12
	<u>\$ 11,451,642.07</u>

INTERNAL RESTRICTIONS AT 30TH JUNE, 2018

Asset/Plant Replacement	\$ 1,000,000.00
Employees Leave Entitlements	\$ 1,160,000.00
Deferred Works	\$ 195,800.00
Ardlethan Preschool	\$ 47,101.19
Asset Management (inc. unrestricted cash)	\$ 2,083,751.22
Allawah Lodge Asset Mgt Reserve	\$ 536,927.45
Allawah Village Asset Mgt Reserve	\$ 325,655.84
CECC Asset Mgt Reserve	\$ 263,052.78
Financial Assistance Grant	\$ 1,766,160.00
Swimming Pools	\$ -
Rehabilitation of Gravel Pits	\$ 162,000.00
	<u>\$ 7,540,448.48</u>
	<u>\$ 18,992,090.55</u>

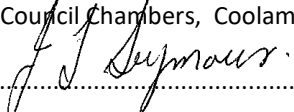
MINUTES OF THE ORDINARY MEETING OF THE COUNCIL OF THE SHIRE OF COOLAMON
HELD IN THE COUNCIL CHAMBERS, COOLAMON ON THE 13TH DECEMBER, 2018.

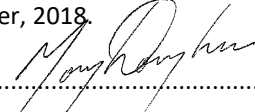
COOLAMON SHIRE COUNCIL
INCOME STATEMENT

for the period 1st July 2018 to 30th June 2019

	NOVEMBER 2018	OCTOBER 2018	SEPTEMBER 2018	2018/2019 BUDGET	2017/2018 ACTUAL
Income from continuing operations					
Revenue:					
Rates & annual charges	3,525,035.51	3,525,204.26	3,524,279.31	3,483,000.00	3,418,398.58
User charges & fees	1,598,924.80	1,291,864.62	925,835.34	3,473,000.00	3,571,344.54
Interest and investment revenue	41,534.33	(27,804.97)	(81,401.11)	463,000.00	447,205.86
Other revenues	237,893.61	202,384.95	145,615.12	780,000.00	834,547.58
Grants & contributions provided for operating purposes	2,325,768.77	1,261,376.54	936,330.70	6,054,000.00	6,592,101.64
Grants & contributions provided for capital purposes	527,166.27	294,512.18	287,472.18	6,047,000.00	2,408,411.30
Internals	1,200.00	0.00	0.00		
Other income:					
Net gain from the disposal of assets	342,910.93	342,910.93	342,910.93	145,000.00	258,633.44
Total revenues from continuing operations	8,600,434.22	6,890,448.51	6,081,042.47	20,445,000.00	17,530,642.94
Expenses from continuing operations					
Employee benefits and on-costs	2,504,521.99	2,033,727.74	1,565,997.94	5,977,000.00	5,571,764.55
Borrowing costs	12,662.38	6,009.98	6,009.98	21,000.00	5,848.71
Materials & contracts	1,523,433.76	1,235,432.67	887,209.07	3,071,000.00	3,410,283.95
Depreciation, amortisation & impairment	926,061.49	926,061.49	694,590.83	3,617,000.00	2,965,294.87
Other expenses	812,216.72	729,931.05	633,893.34	1,497,000.00	1,499,968.07
Net loss from the disposal of assets					
Total expenses from continuing operations	5,778,896.34	4,931,162.93	3,787,701.16	14,183,000.00	13,453,160.15
Operating result from continuing operations	2,821,537.88	1,959,285.58	2,293,341.31	6,262,000.00	4,077,482.79
Net operating result for the year before grants and contributions provided for capital purposes					
	2,294,371.61	1,664,773.40	2,005,869.13	215,000.00	1,669,071.49

This is Page No. 15 of the Minutes of the Ordinary Meeting of the Council of the Shire of Coolamon held in the Council Chambers, Coolamon on the 13th December, 2018.

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 MAYOR

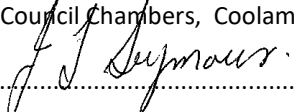
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 GENERAL MANAGER.

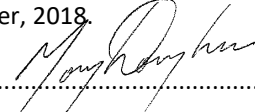
MINUTES OF THE ORDINARY MEETING OF THE COUNCIL OF THE SHIRE OF COOLAMON
HELD IN THE COUNCIL CHAMBERS, COOLAMON ON THE 13TH DECEMBER, 2018.

COOLAMON SHIRE COUNCIL
INCOME STATEMENT BY FUND

November 2018			
	CONSOLIDATED		
	GENERAL FUND	SEWERAGE FUND	TOTAL
Income from continuing operations			
<i>Revenue:</i>			
Rates & annual charges	2,975,588.54	549,446.97	3,525,035.51
User charges & fees	1,590,392.80	8,532.00	1,598,924.80
Interest and investment revenue	40,578.61	955.72	41,534.33
Other revenues	237,542.91	350.70	237,893.61
Grants & contributions provided for operating purposes	2,217,952.77	107,816.00	2,325,768.77
Grants & contributions provided for capital purposes	511,726.27	15,440.00	527,166.27
Internals	1,200.00		1,200.00
<i>Other income:</i>			
Net gain from the disposal of assets	342,910.93	0.00	342,910.93
Total revenues from continuing operations	7,917,892.83	682,541.39	8,600,434.22
Expenses from continuing operations			
Employee benefits and on-costs	2,436,004.58	68,517.41	2,504,521.99
Borrowing costs	12,662.38		12,662.38
Materials & contracts	1,339,520.17	183,913.59	1,523,433.76
Depreciation & amortisation	917,960.45	8,101.04	926,061.49
Other expenses	787,233.14	24,983.58	812,216.72
Total expenses from continuing operations	5,493,380.72	285,515.62	5,778,896.34
Operating result from continuing operations	2,424,512.11	397,025.77	2,821,537.88
Net operating result for the year before grants and contributions provided for capital purposes	1,912,785.84	381,585.77	2,294,371.61

This is Page No. 16 of the Minutes of the Ordinary Meeting of the Council of the Shire of Coolamon held in the Council Chambers, Coolamon on the 13th December, 2018.

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 MAYOR

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 GENERAL MANAGER.

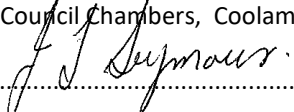
MINUTES OF THE ORDINARY MEETING OF THE COUNCIL OF THE SHIRE OF COOLAMON
HELD IN THE COUNCIL CHAMBERS, COOLAMON ON THE 13TH DECEMBER, 2018.

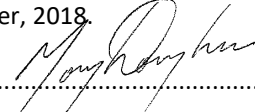
COOLAMON SHIRE COUNCIL
BALANCE SHEET

for the period 1st July 2018 to 30th June 2019

	NOVEMBER 2018	OCTOBER 2018	SEPTEMBER 2018	2018/2019	2017/2018
				BUDGET (ADJ FOR OPENING BALS)	ACTUAL
ASSETS					
Current assets					
Cash and cash equivalents	2,670,075.31	2,117,190.58	1,863,613.87	2,985,638.30	2,792,090.55
Investments	17,200,000.00	17,200,000.00	17,200,000.00	15,200,000.00	16,200,000.00
Receivables	2,205,829.08	2,385,798.49	2,497,774.00	895,702.48	896,111.55
Inventories	580,093.95	591,629.07	593,627.23	1,520,583.28	605,810.67
Other					
Total current assets	22,655,998.34	22,294,618.14	22,155,015.10	20,601,924.06	20,494,012.77
Non-current assets					
Investments					
Receivables	0.00	0.00	0.00	294,231.87	0.00
Inventories	102,397.55	102,397.55	102,397.55	102,000.00	102,397.55
Infrastructure, property, plant & equipment	225,743,648.91	225,490,827.20	225,418,171.29	234,211,291.56	224,642,652.60
Accumulated Dep'n - Infrastructure, PP&E	(49,740,160.29)	(49,740,160.29)	(49,508,689.63)	(52,429,415.10)	(48,814,098.80)
Accumulated Imp't - Infrastructure, PP&E	(486,730.78)	(486,730.78)	(486,730.78)	(486,730.78)	(486,730.78)
Other					
Total non-current assets	175,619,155.39	175,366,333.68	175,525,148.43	181,691,377.55	175,444,220.57
Total assets	198,275,153.73	197,660,951.82	197,680,163.53	202,293,301.61	195,938,233.34
LIABILITIES					
Current liabilities					
Payables	7,596,923.60	7,843,049.28	7,523,759.50	8,069,457.89	8,072,600.76
Overdraft					0.00
Interest bearing liabilities	0.00	0.00	0.00	(1,157.00)	0.00
Provisions	1,581,812.46	1,575,168.99	1,579,614.75	1,658,910.58	1,582,184.61
Total current liabilities	9,178,736.06	9,418,218.27	9,103,374.25	9,727,211.47	9,654,785.37
Non-current liabilities					
Payables	1,603.25	1,603.25	1,603.25	1,612.34	1,603.25
Interest bearing liabilities	0.00	0.00	0.00	(291.86)	0.00
Provisions	1,119,235.21	1,127,803.39	1,127,803.39	1,149,849.63	1,127,803.39
Total non-current liabilities	1,120,838.46	1,129,406.64	1,129,406.64	1,151,170.11	1,129,406.64
TOTAL LIABILITIES	10,299,574.52	10,547,624.91	10,232,780.89	10,878,381.58	10,784,192.01
Net assets	187,975,579.21	187,113,326.91	187,447,382.64	191,414,920.03	185,154,041.33
EQUITY					
Retained earnings	91,601,495.46	90,739,243.16	91,073,298.89	95,041,296.02	88,779,957.58
Reserves	96,374,083.75	96,374,083.75	96,374,083.75	96,373,624.01	96,374,083.75
Internal Assets/Liabilities	0.00	0.00	0.00		0.00
Trust Transfer					
Total equity	187,975,579.21	187,113,326.91	187,447,382.64	191,414,920.03	185,154,041.33

This is Page No. 17 of the Minutes of the Ordinary Meeting of the Council of the Shire of Coolamon held in the Council Chambers, Coolamon on the 13th December, 2018.


..... MAYOR

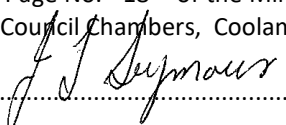

..... GENERAL MANAGER.

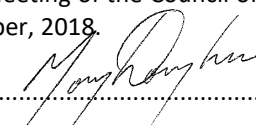
MINUTES OF THE ORDINARY MEETING OF THE COUNCIL OF THE SHIRE OF COOLAMON
HELD IN THE COUNCIL CHAMBERS, COOLAMON ON THE 13TH DECEMBER, 2018.

COOLAMON SHIRE COUNCIL
BALANCE SHEET BY FUND

	November 2018		COOLAMON SHIRE TOTAL
	CONSOLIDATED GENERAL FUND	SEWERAGE FUND	
ASSETS			
Current assets			
Cash and cash equivalents	504,077.54	2,165,997.77	2,670,075.31
Investments	17,200,000.00		17,200,000.00
Receivables	1,928,112.38	277,716.70	2,205,829.08
Inventories	580,093.95		580,093.95
Other			0.00
Total current assets	20,212,283.87	2,443,714.47	22,655,998.34
Non-current assets			
Investments			0.00
Receivables	0.00		0.00
Inventories	102,397.55		102,397.55
Infrastructure, property, plant & equipment	209,319,579.34	16,424,069.57	225,743,648.91
Accumulated Depreciation	(43,108,129.57)	(6,632,030.72)	(49,740,160.29)
Accumulated Impairment	(486,730.78)		(486,730.78)
Other			0.00
Total non-current assets	165,827,116.54	9,792,038.85	175,619,155.39
Total assets	186,039,400.41	12,235,753.32	198,275,153.73
LIABILITIES			
Current liabilities			
Payables	7,596,923.60	0.00	7,596,923.60
Interfunding			0.00
Interest bearing liabilities	0.00		0.00
Provisions	1,581,812.46		1,581,812.46
Total current liabilities	9,178,736.06	0.00	9,178,736.06
Non-current liabilities			
Payables	1,603.25		1,603.25
Interest bearing liabilities	0.00		0.00
Provisions	1,119,235.21		1,119,235.21
Total non-current liabilities	1,120,838.46	0.00	1,120,838.46
TOTAL LIABILITIES	10,299,574.52	0.00	10,299,574.52
Net assets	175,739,825.89	12,235,753.32	187,975,579.21
EQUITY			
Retained earnings	85,010,076.41	6,591,419.05	91,601,495.46
Reserves	90,729,749.48	5,644,334.27	96,374,083.75
Internal Assets & Liabilities	0.00		0.00
Trust Transfer			
Total equity	175,739,825.89	12,235,753.32	187,975,579.21

This is Page No. 18 of the Minutes of the Ordinary Meeting of the Council of the Shire of Coolamon held in the Council Chambers, Coolamon on the 13th December, 2018.

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 MAYOR

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 GENERAL MANAGER.

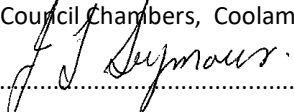
MINUTES OF THE ORDINARY MEETING OF THE COUNCIL OF THE SHIRE OF COOLAMON
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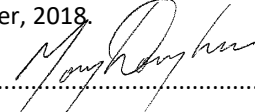
COOLAMON SHIRE COUNCIL
INTERNAL & EXTERNAL RESTRICTIONS

for the period 1st July 2018 to 30th June 2019

	NOVEMBER 2018	OCTOBER 2018	SEPTEMBER 2018	2018/2019	2017/2018
				BUDGET (ADJ FOR OPENING BALS)	ACTUAL
GENERAL FUND					
<i>EXTERNALLY RESTRICTED</i>					
Grants & Subsidies & Other	549,313.83	656,523.61	600,879.51	304,948.24	559,206.24
Developer Contributions	9,777.46	3,398.37	3,398.37		3,398.37
Waste Management	1,066,236.17	1,051,784.90	1,086,812.90	974,652.08	1,106,984.12
Allawah Lodge Accommodation Payments	4,030,853.02	4,221,184.02	3,923,035.85	4,045,371.71	4,049,012.71
Allawah Village Loan-Licence	3,556,407.28	3,556,407.28	3,556,407.28	3,688,781.28	3,688,781.28
	9,212,587.76	9,489,298.18	9,170,533.91	9,013,753.31	9,407,382.72
<i>INTERNALLY RESTRICTED</i>					
Plant Replacement Reserve	1,000,000.00	1,000,000.00	1,000,000.00	1,000,000.00	1,000,000.00
Employees Leave Entitlements Reserve	1,160,000.00	1,160,000.00	1,160,000.00	1,206,000.00	1,160,000.00
Stormwater Management Reserve	117,620.59			7,600.00	
Swimming Pools Reserve	0.00	0.00	0.00	0.00	
Deferred Works Reserve	150,000.00	150,000.00	172,950.00	85,800.00	195,800.00
Ardlethan Preschool	68,712.95	78,810.77	49,357.79		47,101.19
Financial Assistance Grant	0.00	0.00	0.00	0.00	1,766,160.00
Community Housing Programme Reserve	0.00			0.00	
Allawah Lodge Asset Mgt Reserve	563,338.87	534,254.46	528,377.33	730,505.37	536,927.45
Allawah Village Asset Mgt Reserve	270,228.09	264,561.30	286,531.59	321,449.13	325,655.84
CECC Asset Mgt Reserve	272,653.05	262,762.66	261,717.99	262,502.78	263,052.78
Gravel Pits Rehabilitation Reserve	162,000.00	162,000.00	162,000.00	192,000.00	162,000.00
	3,764,553.55	3,612,389.19	3,620,934.70	3,805,857.28	5,456,697.26
Asset Management/Available for Working Funds	4,726,936.23	4,087,471.11	4,120,368.88	2,016,061.75	2,083,751.22
Total Cash Balance - General Fund	17,704,077.54	17,189,158.48	16,911,837.49	14,835,672.35	16,947,831.20
SEWERAGE FUND					
Sewerage Fund	2,165,997.77	2,128,032.10	2,151,776.38	1,528,588.95	2,044,259.35
	2,165,997.77	2,128,032.10	2,151,776.38	1,528,588.95	2,044,259.35
Total Cash Balance - Sewerage Fund	2,165,997.77	2,128,032.10	2,151,776.38	1,528,588.95	2,044,259.35
TOTAL CONSOLIDATED CASH	19,870,075.31	19,317,190.58	19,063,613.87	16,364,261.30	18,992,090.55

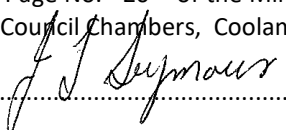
This is Page No. 19 of the Minutes of the Ordinary Meeting of the Council of the Shire of Coolamon held in the Council Chambers, Coolamon on the 13th December, 2018.

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 MAYOR

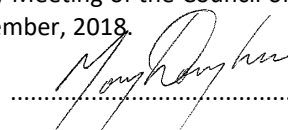
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 GENERAL MANAGER.

RATE COLLECTIONS

	ARREARS BFWD	LEVIES INC. INTEREST	TOTAL	COLLECTIONS TO DATE	% TO TOTAL	ADJUSTMENTS INC. PENS CONCESSIONS	ADJ TOTAL	% TO TOTAL	COLLECTABLE BALANCE
30/11/2003	280,098.47	2,036,142.89	2,316,241.36	1,089,119.45	47.02%	102,843.89	2,213,397.47	49.21%	1,124,278.02
30/11/2004	181,374.69	2,090,403.41	2,271,778.10	1,074,460.47	47.30%	106,390.81	2,165,387.29	49.62%	1,090,926.82
30/11/2005	163,566.58	2,163,126.88	2,326,693.46	1,101,089.93	47.32%	106,736.13	2,219,957.33	49.60%	1,118,867.40
30/11/2006	185,519.90	2,251,798.35	2,437,318.25	1,178,048.73	48.33%	107,541.24	2,329,777.01	50.56%	1,151,728.28
30/11/2007	236,912.33	2,414,655.78	2,651,568.11	1,243,662.62	46.90%	120,517.64	2,531,050.47	49.14%	1,287,387.85
30/11/2008	277,343.62	2,498,813.41	2,776,157.03	1,224,614.17	44.11%	120,416.67	2,655,740.36	46.11%	1,431,126.19
30/11/2009	239,371.45	2,601,394.29	2,840,765.74	1,337,017.30	47.07%	121,874.49	2,718,891.25	49.18%	1,381,873.95
30/11/2010	309,194.09	2,720,155.47	3,029,349.56	1,424,755.43	47.03%	170,316.60	2,859,032.96	49.83%	1,434,277.53
30/11/2011	239,162.46	2,863,766.54	3,102,929.00	1,433,328.88	46.19%	128,312.48	2,974,616.52	48.19%	1,541,287.64
30/11/2012	207,935.41	3,023,495.38	3,231,430.79	1,540,163.80	47.66%	127,488.05	3,103,942.74	49.62%	1,563,778.94
30/11/2013	230,807.22	3,138,630.79	3,369,438.01	1,532,060.19	45.47%	123,975.60	3,245,462.41	47.21%	1,713,402.22
30/11/2014	263,562.88	3,293,414.94	3,556,977.82	1,609,336.25	45.24%	121,405.48	3,435,572.34	46.84%	1,826,236.09
30/11/2015	335,520.44	3,409,409.08	3,744,929.52	1,847,652.99	49.34%	123,819.73	3,621,109.79	51.02%	1,773,456.80
30/11/2016	300,944.76	3,497,140.57	3,798,085.33	1,879,600.26	49.49%	123,339.76	3,674,745.57	51.15%	1,795,145.31
30/11/2017	303,728.87	3,565,800.57	3,869,529.44	1,927,430.49	49.81%	117,922.90	3,751,606.54	51.38%	1,824,176.05
2018-2019									
31/07/2018	319,410.16	3,661,117.73	3,980,527.89	321,821.40	8.08%	113,914.23	3,866,613.66	8.32%	3,544,792.26
31/08/2018	319,410.16	3,661,932.07	3,981,342.23	1,222,999.11	30.72%	114,757.98	3,866,584.25	31.63%	2,643,585.14
30/09/2018	319,410.16	3,664,590.37	3,984,000.53	1,417,736.71	35.59%	114,981.86	3,869,018.67	36.64%	2,451,281.96
31/10/2018	319,410.16	3,669,568.75	3,988,978.91	1,488,272.81	37.31%	115,319.36	3,873,659.55	38.42%	2,385,386.74
30/11/2018	319,410.16	3,677,190.88	3,996,601.04	1,994,532.91	49.91%	115,488.11	3,881,112.93	51.39%	1,886,580.02



MAYOR



GENERAL MANAGER.

4.3 EXECUTIVE MANAGER, ENGINEERING & TECHNICAL SERVICES' REPORTS

ES1) SHIRE ROAD RESHEETING, STABILISATION AND MAINTENANCE

The following roads have received resheeting and maintenance attention:

1) MAINTENANCE

- Gilmores Lane
- Derrain North Road

2) TABLE DRAIN MAINTENANCE AND SUCKER CLEARING

- Dullah Road
- Ardlethan Road

Even with recent rain, water reserves for gravel road maintenance away from urban areas is limited and reducing Council's ability to provide maintenance. In the second half of December following harvest, a number of roads have been targeted for maintenance prior to the Christmas break. Water reserves will continue to be monitored to ascertain where works can occur in the New Year.

ES2) REPAIR PROGRAMME 2018/2019

CANOLA WAY WEST (0.65 TO 1.65KMS) 1.0KM

Reconstruction works along this section of Council's Regional Road Network has been completed with a bitumen seal applied mid November. Linemarking is still to occur and will be scheduled for contractors next visit in early 2019.

ES3) TOWN WORKS 2018/2019

1) METHUL STREET (134M FROM MAIN STREET)

Reconstruction works involving importation of suitable material, reshaping, stabilization and sealing have been performed and brings this project to a conclusion.

2) KINGDOM DRIVE (END SEAL FOR 25M)

Extension of the existing seal has now been completed with two coat seal applied mid November.

ES4) FIXING COUNTRY ROADS (FCR) – SMOKY CREEK BRIDGE

Contractors have commenced strengthening works to the bridge to permit Higher Mass Weight limits. Works involve providing additional 150mm thick supports to existing pillows and relaying of deck. Pillar works have been completed, deck works will commence early December with all concrete works scheduled to finish before the Christmas break. During the deck work phase, traffic will be reduced to one lane with oversize vehicles detoured. An asphalt layer will be applied over the new concrete deck and is scheduled to occur in early 2019.

ES5) BLOCK GRANT 2018/2019

CANOLA WAY WEST (19.38 TO 20.57KMS) 1.19KMS

Reconstruction works have commenced along this low laying area of Council's Regional Road Network. Importation of suitable material and formation corrections have occurred with stabilisation and sealing to be performed prior to Christmas break.

ES6) ROADS TO RECOVERY PROGRAMME 2018/2019

BRUSHWOOD SOUTH ROAD (1.75 TO 3.65KMS) 1.9KMS

Reconstruction works have commenced along this section of Council Local Sealed Network. Being heavy gilgai country, suitable material has been imported and stabilization programme is to follow. This project has also been targeted for the application of the new GPS grader tracking and level control technology. The technology has been a steep learning curve for all with numerous teething problems encountered. These issues have been resolved, technology is working well, will ultimately result in greater efficiencies, improved alignment accuracy and driver comfort.

Recommendation

That the Executive Manager, Engineering & Technical Services' Reports (ES1 to ES6) be received and noted.

RESOLVED on the motion of Clr Hutcheon and seconded by Clr White that the Executive Manager, Engineering & Technical Services' Reports (ES1 to ES6) be received and noted. 258/12/2018

ES7) ROAD SAFETY OFFICER (R.08-01, SC2335)

- Coolamon Shire Council's Road Safety Officer recently conducted a Road Safety Campaign aimed at reducing the speed of motorists travelling in the Coolamon Shire. A copy of the Media Release is attached to Councillor's information papers. Attachment No. 7

Recommendation

For Council information.

RESOLVED on the motion of Clr Maslin and seconded by Clr Crocker that the report be received. 259/12/2018

ES8) NOXIOUS WEEDS OFFICER'S REPORT (N.02-01, SC284)

Noxious Weeds Officer Reports

**Riverina Local Land Services Regional Weeds Committee
Report for Meeting - Narrandera 4/11/18**

- Local weed control program guidelines. The plan must address a specific local issue, must be about engaging local people and must be complimentary to regional weed plans.
- Biosecurity Information System. There are significant system updates due in 2019. Transfer of data from council to DPI will be streamlined and automatically checked within the system. Later in the year the BIS will be divided into an inspection reporting section and an administration/other duty reporting section. This particular upgrade should solve the major difficulty that users have with the BIS data collection system.
- The NSW DPI "No space for weeds" branding campaign slogan has been reinvented using Community Based Social Marketing principals. New logos and promotion materials are available.
- Travelling stock management was discussed at length. A central site for issued permits to be displayed or listed so stock movement conflict at a local level can

be avoided. 3 permits need better coordination. Inter-property travel, local grazing and TSR droving permits. Riverina LLS is looking at how to better inform all stakeholders regarding current and planned stock movements in the region.

- The DPI, WIDX (Weeds Information Database – External) Weed Risk Management System website is now available to create, review and search weed risk assessments. The weed risk assessment is the basis of all weed management and enforcement decisions under the NSW Biosecurity Act.
- Riverina LLS is investigating giving access to or hard copies of maps of all TSR's in the region.
- There is a new Opuntia species best practice guide to management due out shortly.
- Legal training for weeds officers is available 25 Feb – 1 March in Canberra. RENWA's part time officer will be attending. That will bring Garry Bussenschutt to current Authorised Officer, Weeds standard.
- Funding for the region has been allocated. RENWA \$154,768.43. The allocation is more than last year but less than requested. It will be delivered 6 months into a 12-month program period. The Riverina Local Land Services Regional Weeds Committee resolved to advise the Riverina Local Lands Board that a letter should be written to the State Weeds Committee regarding the unacceptable delay in releasing weeds funding.
- Planning for the 2020-2025 WAP has not yet commenced.
- Next Meeting Narrandera 5/3 2019.

RENWA Report - 5/12/2018

- Weeds funding has been released and allocated. RENWA \$154,768.43. documentation has been completed and returned to Riverina LLS.
- I propose to review the annual commitment of the RENWA group to funding and lower that commitment to a figure closer to the annual funding granted through the WAP. This changing of paper figures is to ensure that in the final 18 months of the plan period, RENWA will not be left with unexpended committed funds that the DPI might require the group to carry over to the next plan.

MINUTES OF THE ORDINARY MEETING OF THE COUNCIL OF THE SHIRE OF COOLAMON
HELD IN THE COUNCIL CHAMBERS, COOLAMON ON THE 13TH DECEMBER, 2018.

- Jeremy has investigated the option of credit card sized identification and authorisation cards for Weeds Officers. \$6.50 per card, 2-sided, colour front, black back + one off establishment fee of \$150.00 or \$75.00 depending on system used. (see attached correspondence). I believe this type of identification is the best option for Authorised Officers in the RENWA group and seek comment.
- Late rain has changed weed germination across the Shires. St Johns Wort, Silverleaf Nightshade, Blue Heliotrope, Coolatai Grass and Khaki weed are all growing strongly at present. Control expenditure is necessary. Contractors for control operations have been changed to gain better costings. Control is underway with both contractors and RENWA staff.
- Prior to the rain events emphasis has been placed on all road and laneway inspections as property inspection was not productive.
- Future property inspection will have stock feed out areas as a priority.
- Continuous surveillance and inspection is the key to minimising potential biosecurity issues caused by the ongoing dry conditions.
- Our part time officer has completed the mandatory DPI one-day Biosecurity Act training at Menangle. He will be attending legal training in Canberra in early 2019.
- The use of the Bio oil product in the treatment of Prickly Pear and other Opuntia species appears to be a success.
- The lack of planning for the next WAP period by DPI and LLS is a concern and is pushed with these agencies at every opportunity.
- Dealing with enquiries ranging from Silverleaf Nightshade to Horehound, native aquatic weeds in dams, rabbits and legislation change explanations.

Recommendation

For Council information.


RESOLVED on the motion of Clr Crocker and seconded by Clr Hutcheon that the report be received. 260/12/2018

ES9) DENYERS PIT REHABILITATION AGREEMENT (G.04-02, SC561, RT1002200)

Council have identified a number of gravel pits which are of a quality considered unsuitable for Council roadworks and have been in correspondence with the landholders to remove the pits from Council's Registers.

Landholders were offered a number of options, in the case of Denyers Pit, Mr Allen nominated to still utilize the pit for his own purpose and receive a one off payment from Council to perform the rehabilitation works on its completion. Mr Allen has completed the Quarry Rehabilitation Deed and for the payment to proceed the Seal of Council is required to be affixed.

Recommendation

 That the Seal of Council be affixed to the Quarry Rehabilitation Deed between Coolamon Shire Council and Stewart Walter Allen in regard to Denyers Pit.

RESOLVED on the motion of Clr McCann and seconded by Clr Maslin that the Seal of Council be affixed to the Quarry Rehabilitation Deed between Coolamon Shire Council and Stewart Walter Allen in regard to Denyers Pit. 261/12/2018

4.4 EXECUTIVE MANAGER, DEVELOPMENT & ENVIRONMENTAL SERVICES' REPORTS

HS1) DEVELOPMENT ACTIVITY REPORT FOR THE PERIOD ENDING 30TH NOVEMBER, 2018 (B.05-03, SC58)

Summary

This report advises of the Development Application activity for the month of November 2018.

Development Activity Table

Application Number	Type	Address	Determination	Value
DA 2018/81	New Shed	10 Wattle Lane, Coolamon	Approved	\$15,000.00
DA 2018/83	Secondary Dwelling (Installation of Manufactured Home)	1843 Millwood Road, Coolamon	Approved	\$150,000.00
CDC 2018/16	New Single Dwelling	3115 Coolamon Road, Coolamon	Approved	\$421,400.00
DA 2018/76	Alterations & Additions to Dwelling	16 Cowabbie Street, Coolamon	Approved	\$46,760.00
DA 2018/85	Home Business (Production of Jams & Sauces)	41 Mumbledoon Road, Ardlethan	Approved	N/A
DA 2018/86	New Shed	25-27 Menangle Street, Ganmain	Approved	\$13,600.00
CDC 2018/17	New Single Dwelling	23 Iverach Street, Coolamon	Approved	\$437,155.00
DA 2018/88	New Shed	4 Waratah Crescent, Coolamon	Approved	\$14,000.00
TOTAL: 8			8	\$1,097,915.00

Financial Implications

There are nil financial implications to Council as a result of this report.

Consultation

Applications have been notified and exhibited in accordance with Council's Development Control Plan as required.

Recommendation

That Council receive and note this report on development activity for the period up to 30th November, 2018.

RESOLVED on the motion of Clr Hutcheon and seconded by Clr Maslin that Council receive and note this report on development activity for the period up to 30th November, 2018. 262/12/2018

HS2) VARIATION TO HORNBY SUBDIVISION COVENANT (S.16-02, SC499)

Summary

A new dwelling that is being constructed on Council's Hornby subdivision at 2 William Kelly Drive, Coolamon is utilising weatherboards on the exterior. The development is not compliant with one of the covenants that were created by Council as part of the subdivision.

Background

A 28 lot Council subdivision located on the corner of Wallace and Mirrool Streets was created by Council and is commonly referred to as the Hornby subdivision. The original subdivision was approved in 2006 and amended in 2016. The Subdivision Certificate was released in April 2017.

As part of the abovementioned subdivision, Council created a number of covenants. The covenants include:

- a) No dwelling shall be used other than as a single private dwelling house.
- b) No dwelling shall be of a transportable or relocatable type.
- c) No dwelling shall have inner floor space of less than 160 square metres inclusive of the interior space of any carport or garage which is under the main roof.
- d) No dwelling shall be erected of other than new materials.
- e) No dwelling shall be erected of any material other than brick, brick veneer, stone or concrete or like material with or without walls or panels of glass.
- f) No roof of any dwelling shall be of material other than slate, tiles, shingles or colorbond roofing material.
- g) No shed or other outbuildings shall be erected of other than new materials.
- h) No shed or other outbuildings shall be erected of materials other than stone, brick, brick veneer or non-reflective metal.
- i) No shed or other outbuilding shall have a roof of material other than slate, tiles, shingles or non-reflective metal.
- j) No shed or other outbuilding shall have walls or roof with different coloured materials in the wall or the roof.
- k) No fence shall be of other than new materials.

The above covenants were created to promote good design and to promote positive streetscape outcomes. The creation of such covenants also eliminates the possibility of poor built form that would detract from expectation of purchasers in the subdivision.

Clause 1.9 A of the Coolamon Local Environmental Plan 2011 refers to the suspension of covenants, agreements and instruments. It states that '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. Whilst the clause ensures that private covenants cannot be used to impose conditions over and above the planning legislation are not required to be considered in the development assessment process. The Council imposed covenants must be considered and applied as they relate to Council owned land and were applied by Council for our own benefit, therefore only Council can remove or modify these covenants.

Complying Development Application (CDC 2018/77)

An approval was issued for a four-bedroom single storey dwelling with an attached double garage. The external part of the dwelling was approved to be cladded in weatherboards.

The design of the dwelling meets all of the covenants with the exception of one. The non-compliant covenant is that no dwelling shall be erected of any material other than brick, brick veneer, stone or concrete or like material with or without walls or panels of glass. The approved dwelling is to be constructed using weatherboards and therefore does not comply with the covenant.

Council staff neglected to capture/address the covenant on brick construction throughout the initial assessment and approval of the application. This was an oversight by Council staff.

The development has substantially commenced and is nearing completion and staff have only just realised that the subject covenant was not considered.

It is considered that the subject development should proceed in non-compliance with the covenant for the following reasons:

- The plans were architecturally designed and provide for a modern aesthetically pleasing design;
- Since the creation of the subdivision covenants, design trends have changed and lightweight cladding has become a common construction trend;

- Even though the building is not clad in brick the lightweight cladding is still a form of veneer construction and meets all energy efficiency targets; and
- It is also considered that the development promotes good design and promotes positive streetscape outcomes.

Future Use of Covenant

It is recommended that Council consider applying the brick cladding/construction covenant on an individual assessment basis, i.e. where an applicant can demonstrate that:

- Good built form will be created by development;
- Positive Streetscape outcomes will be achieved by alternate construction type; and
- Where all other development controls and covenants will be met.

Attachments:

- ➔ Site Plan and Elevations for CDC 2018/77 Attachment No. 8

Recommendation

That Council:

- 1) Note the Report titled VARIATION TO HORNBY SUBDIVISION COVENANT; and
- 2) Endorse the removal of the application of the covenant that no dwelling shall be erected of any material other than brick, brick veneer, stone or concrete or like material with or without walls or panels of glass for CDC 2018/77 for the reasons identified in the above report.

RESOLVED on the motion of Clr Hutcheon and seconded by Clr Maslin that Council: 263/12/2018

- 1) **Note the Report titled VARIATION TO HORNBY SUBDIVISION COVENANT; and**
- 2) **Endorse the removal of the application of the covenant that no dwelling shall be erected of any material other than brick, brick veneer, stone or concrete or like material with or without walls or panels of glass for CDC 2018/77 for the reasons identified in the above report.**

They Mayor called for a division

Those voting in favour of the motion: All those present

Those voting against the motion: Nil

**HS3) CHANGES TO CROWN RESERVE MANAGEMENT UNDER THE CROWN
LAND MANAGEMENT ACT 2016 (L.02-02, SC570)**

Summary

This report provides information to Council on changes to Crown reserve land management under the Crown Land Management Act 2016 and presents recommendations for Councils consideration and endorsement to assist in addressing and transitioning to new land management arrangements.

Background

On 1st July 2018, the Crown Land Management Act 2016 (NSW) (the Act) came into effect.

Crown Land comprises over 42% of NSW land (not including national parks and state forests), valued at \$11 billion, and the new Act is expected to deliver a more modern, streamlined and consistent approach to managing Crown Land in NSW.

Crown Land generally consists of:

- Beaches, estuaries and waterways
- Parks, ovals, walking tracks and other recreational grounds (which are Crown reserves managed by councils or community trusts)
- Community halls and other tourism facilities
- Land used for grazing
- Commercial ventures such as marinas, restaurants and aged care facilities.

Prior to the introduction of the Crown Land Management Act 2016, Crown Land was governed by various pieces of legislation which have resulted in duplication and inconsistencies when dealing with Crown Land. The 2016 Act has replaced the following legislative instruments:

- Crown Lands Act 1989 (NSW)
- Crown Lands (Continued Tenures) Act 1989 (NSW)
- Hay Irrigation Act 1902 (NSW)
- Irrigation Areas (Reduction of Rents) Act 1974 (NSW)
- Murrumbidgee Irrigation Areas Occupiers Relief Act 1934 (NSW)
- Orange Show Ground Act 1897 (NSW)

- Public Reserves Management Fund Act 1987 (NSW)
- Trustees of Schools of Arts Enabling Act 1902 (NSW)
- Wentworth Irrigation Act 1890 (NSW)
- Western Lands Act 1901 (NSW), and
- Western Lands Amendment Act 2009 (NSW).

Key changes from 1st July 2018

Councils will continue to manage certain land that is dedicated or reserved as Crown land. However, the new Act ensures that in the future, Councils will manage Crown land under the Local Government Act 1993 (NSW) (LG Act) in accordance with the provisions that apply to 'community land' owned by Council, including the requirement for a plan of management, with oversight rights maintained by the Minister.

The majority of Crown land that is identified as local land will be transferred to local Councils as community land and will be managed under the LG Act, although in limited circumstances the land may be vested as operational land. The categorisation of the majority of transferred land as community land has been included in the Act to prevent the land being sold and so it is retained for a public purpose. All income derived from land transferred to Councils will be retained by Councils.

Crown Land managed by community members and groups (known as non-council managers) will be managed under a different legislative framework. The current three-tier structure of reserves, reserve trusts and reserve trust managers will be replaced with an incorporated non-council manager responsible for each Crown Land reserve. The non-council managers will be categorised as either:

- Category 1 non-council managers, who will be permitted to grant leases or licenses for a term of 10 years or less (including any option for the grant of a further term) and make changes to leases or licenses and grant easements without the Minister's consent; or
- Category 2 non-council managers, who will be able to grant leases or licenses for a term of one year or less (including any option for the grant of a further term) and make changes to leases or licenses and grant easements without the Minister's consent.

Existing land managers of Crown reserves will automatically be appointed as Crown Land managers (or non-council managers) under the Act and will continue to manage their reserves.

The Act will provide for the payment of market rent as the default position under leases of Crown Land.

Council Crown Land managers must ensure that a compliant plan of management is adopted for all Crown Land that they manage as community land within three years from commencement of the Act.

The Minister will give consent for certain lower-impact development applications (requested by a lessee under a continued perpetual lease) to repair and maintain buildings, fences, signs and structures. The Minister will also approve those development applications that comply with the approved plan of management for the Crown reserve.

The Minister can vest transferrable Crown Land in a local council subject to any native title rights and interests and reservations and exceptions published in the Gazette. The majority of Crown Land that is identified as local land will be transferred to local councils as community land and managed under the Local Government Act 1993 (NSW), unless classified as operational land. The Act allows for the majority of transferred land to be categorised as community land to ensure the land is retained for public purposes (and not sold for profit).

A similar report was presented to Council in August 2018 but recent advice from the Department of Industry has resulted in a need to update the previous Council resolution to address the following:

- Remove devolved land management types from initial community land categorisation as this land is considered a different tenure type;
- Remove land that may be considered inconsistent with the categories of community land referred to in the LG Act (e.g. Land that may be considered operational such as night soil depots, waste depots and the like)

The report and categorisation table has been updated to reflect these changes.

Key Impacts

The new Act is expected to:

- Improve the way Crown reserves are managed and facilitate better decision making on the use of Crown Land.
- Benefit tenants (as the Act provides greater flexibility for lease and license arrangements).
- Benefit community groups and organisations using community facilities as the restructuring of administration should provide more efficient management processes in relation to the use of Crown Land and tenures, and

- Recognise and facilitate aboriginal involvement in the management of Crown Land.

Interim Schedule and Initial Categorisation of Crown Land Managed by Councils

Correspondence was recently received from Crown Land NSW providing Council with an interim schedule of Crown reserves that are either under the management of council as the appointed reserve trust manager or devolve to Council management under section 48 of the Local Government Act 1993.

The number of reserves identified in the interim schedule was 33, comprising Reserve Trust (22) and Devolved (11).

Under the Crown Land Management Act 2016 (CLM Act), council managers must assign to all Crown land under their management one or more initial categories of community land referred to in section 36 of the Local Government Act 1993 (LG Act). The initial category must be assigned as soon as practicable after a council's appointment as a Crown Land Manager.

Council Managers must assign a categorisation they consider to be most closely related to the purposes for which the land is dedicated or reserved. In assigning an initial categorisation, council managers should refer to the LG Act provisions that govern the management and use of each community land category. Council managers should consider how these categories would preserve and facilitate the use of the land for the purpose for which the land was originally set aside by its dedication or reservation.

Council Managers must select a category that closely matches the original reservation or dedication purpose, or their land management activities may infringe upon native title rights and council may lose the legal right to continue those activities.

After Council has assigned an initial categorisation to Crown land under their management, council must provide written notice to the minister as soon as is practicable.

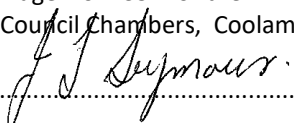
Land previously devolved to Council is not required to have a categorisation and thus has been excluded from this report.

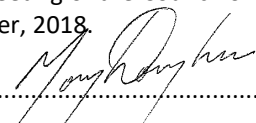
It has been recommended by the Department of Industry any Reserve Trust Land that would be considered as being classified as operational land would benefit from Council now seeking ministerial consent to have the land converted to operational purposes.

MINUTES OF THE ORDINARY MEETING OF THE COUNCIL OF THE SHIRE OF COOLAMON
HELD IN THE COUNCIL CHAMBERS, COOLAMON ON THE 13TH DECEMBER, 2018.

For land that Council considers to be operational in nature application must be made to the minister for the reclassification of land to that of operational, this report seeks Council approval for this to occur for six land parcels as part of the initial categorisation process.

The below table identifies all Crown land that will be managed by Council and an initial Categorisation that has been assigned by staff for Councils consideration.


..... MAYOR


.....GENERAL MANAGER.

MINUTES OF THE ORDINARY MEETING OF THE COUNCIL OF THE SHIRE OF COOLAMON HELD IN THE COUNCIL CHAMBERS, COOLAMON ON THE 13TH DECEMBER, 2018.

Table 1: Crown Land Initial Categorisation and Land to be Reclassified as Operational Land

Map Id.	Reserve Number	Reserve Type	Reserve Name	Management Type	Manager	Purpose	Legal Description	Initial Categorisation	Justification for Operational Reclassification
1	1000446	DEDICATION	OLD FIRE BRIGADE STATION	RESERVE TRUST	Coolamon Shire Council Crown Reserves Reserve Trust	Fire Brigade Station	Lot 1 DP 1099329 Parish Kindra County Bourke	General Community Use	N/A
2	1003288	RESERVE	COOLAMON GOLF CLUB RESERVE	RESERVE TRUST	Coolamon Shire Council Crown Reserves Reserve Trust	Public Recreation	Lot 315 DP 725031, Lot 44 DP 750846, Lots 320-321 DP 1034246, Lot 1 DP 1115859 Parish Kindra County Bourke	Sportsground	N/A
3	37447	RESERVE	MARRAR RECREATION RESERVE	RESERVE TRUST	Coolamon Shire Council Crown Reserves Reserve Trust	Public Recreation	Lot 7006 DP 96255, Lot 1 Section 7 DP 758650, Lot 1 Section 10 DP 758650 Parish Kinilabah County Bourke	General Community Use	N/A
4	43485	RESERVE	COOLAMON WASTE DEPOT	RESERVE TRUST	Coolamon Shire Council Crown Reserves Reserve Trust	Night Soil Depot; Rubbish Depot	Lot 58 DP 750829 Parish Coolamon County Bourke	N/A – seeking Ministerial Approval for conversion to operational land.	The Coolamon Landfill Site. Restricted and supervised access and public liability risks associated with the site. The land is more suited to an Operational Land Classification.
5	45082	RESERVE	COOLAMON SHOW GROUND	RESERVE TRUST	Coolamon Shire Council Crown Reserves Reserve Trust	Racecourse; Showground	Lot 262 DP 750846 Parish Kindra County Bourke	General Community Use and Sportsground	N/A

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6	58636	RESERVE	DULAH RECREATION RESERVE	RESERVE TRUST	Coolamon Shire Council Crown Reserves Reserve Trust	Public Recreation	Lot 41 DP 750837 Parish Dulah County Bourke	General Community Use	N/A
7	62899	RESERVE	WINCHENDON VALE RECREATION RESERVE	RESERVE TRUST	Coolamon Shire Council Crown Reserves Reserve Trust	Public Recreation	Lot 7001 DP 94531 Parish Lachlan County Bourke	General Community Use	N/A
8	81324	RESERVE	REDGRAVE PARK	RESERVE TRUST	Coolamon Shire Council Crown Reserves Reserve Trust	Public Recreation	Lot 701 DP 94473, Lot 6 DP 1143212 Parish Kindra County Bourke	General Community Use and Park	N/A
9	85877	RESERVE	ARDLETHAN SHOWGROUND	RESERVE TRUST	Coolamon Shire Council Crown Reserves Reserve Trust	Public Recreation; Showground	Lots 105, 201 DP 750867 Parish Warri County Bourke	General Community Use	N/A
10	86755	RESERVE	ARDELTHAN FAUNA & FLORA RESERVE	RESERVE TRUST	Coolamon Shire Council Crown Reserves Reserve Trust	Preservation Of Native Flora	Lots 69, 193, 200 DP 750867, Lot 7008 DP 1120462, Lot 7007 DP 1120739, Lot 7009 DP 1122019 Parish Warri County Bourke	Natural Area (Bushland)	N/A
11	88443	RESERVE	GANMAIN SWIMMING POOL	RESERVE TRUST	Coolamon Shire Council Crown Reserves Reserve Trust	Public Baths	Lot 191 DP 750834 Parish Derry County Bourke	General Community Use and Park	N/A
12	89397	RESERVE	OLD RANNOCK SCHOOL	RESERVE TRUST	Coolamon Shire Council Crown Reserves Reserve Trust	Community Centre; Public Hall	Lots 80, 114-115 DP 750861 Parish Robertson County Bourke	General Community Use	N/A
13	89609	RESERVE	ARDLETHAN FAUNA & FLORA RESERVE	RESERVE TRUST	Coolamon Shire Council Crown Reserves Reserve Trust	Public Recreation	Lot 263 DP 750867 Parish Warri County Bourke	Natural Area (Bushland) and Park	N/A

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..... MAYORGENERAL MANAGER.

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14	90907	RESERVE	ROAD RESUMPTION FROM KINDRA STATE FOREST	RESERVE TRUST	Coolamon Shire Council Crown Reserves Reserve Trust	Public Recreation	Lot 2 DP 245240 Parish Kindra County Bourke	General Community Use	N/A
15	95861	RESERVE	GANMAIN CEMETERY CARPARK	RESERVE TRUST	Coolamon Shire Council Crown Reserves Reserve Trust	Parking	Lots 9-12 Section 28 DP 758428 Parish Derry County Bourke	General Community Use	N/A
16	96541	RESERVE	WEE WAA DRAINAGE	RESERVE TRUST	Coolamon Public Recreation (R96541) Reserve Trust	Public Recreation	Lot 7004 DP 1127475 Parish Kindra County Bourke	General Community Use	N/A
17	43487	RESERVE	ESTABLISHED BUT NOT NAMED	RESERVE TRUST	Coolamon Shire Council Crown Reserves Reserve Trust	Rubbish Depot	Lot 4 DP 750834	N/A – seeking Ministerial Approval for conversion to operational land	The Ganmain Landfill Site. Restricted and supervised access and public liability risks associated with the site. The land is more suited to an Operational Land Classification.
18	45901	RESERVE	ESTABLISHED BUT NOT NAMED	RESERVE TRUST	Coolamon Shire Council Crown Reserves Reserve Trust	Night Soil and Rubbish Depot	Lot 137 DP 750838	N/A – seeking Ministerial Approval for conversion to operational land	The Matong Landfill Site. Restricted and supervised access and public liability risks associated with the site. The land is more suited to an Operational Land Classification.

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..... MAYORGENERAL MANAGER.

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19	44942	RESERVE	ESTABLISHED BUT NOT NAMED	RESERVE TRUST	Coolamon Shire Council Crown Reserves Reserve Trust	Night Soil and Rubbish Depot	Lot 69 DP 750847	N/A – seeking Ministerial Approval for conversion to operational land	The Marrar Landfill Site. Restricted and supervised access and public liability risks associated with the site. The land is more suited to an Operational Land Classification.
20	62493	RESERVE	ESTABLISHED BUT NOT NAMED	RESERVE TRUST	Coolamon Shire Council Crown Reserves Reserve Trust	Rubbish Depot	Lot 73 DP 750818	N/A – seeking Ministerial Approval for conversion to operational land	The Beckom Landfill Site. Restricted and supervised access and public liability risks associated with the site. The land is more suited to an Operational Land Classification.
21	50431	RESERVE	ESTABLISHED BUT NOT NAMED	RESERVE TRUST	Coolamon Shire Council Crown Reserves Reserve Trust	Sanitary Purposes	Lot 107 DP 750867	N/A – seeking Ministerial Approval for conversion to operational land	The Ardlethan Landfill Site. Restricted and supervised access and public liability risks associated with the site. The land is more suited to an Operational Land Classification.

Next Steps

Endorsement and Notification

If Council is satisfied with the initial categorisation of Crown land under its management, council must provide written notice to the minister as soon as is practicable.

Advice to the minister must be provided in the approved form and clearly set out the applicable Crown land, the dedication or reserve purpose, the assigned categorisation and (if required) justification.

The Minister or the department may direct a Council Manager to alter an assigned categorisation if they consider that:

- the category is not the most closely related to the purposes for which the land is dedicated or reserved, or
- the management of the land by reference to the assigned category is likely to materially harm the use of the land for any of the purposes for which it is dedicated or reserved.

Upon receipt of the Council Manager's notice, the department will consider the assigned categorisation this will result in endorsement or a direction to alter the categorisation.

Plans of Management

Upon endorsement of Initial Crown Land Categorisation, Council must proceed to develop plans of management for all Crown Land that it manages.

Under the Local Government Act, a 'plan of management' (PoM) must be adopted by council for all community land. The plan categorises the land and governs its use and management.

Council Managers must ensure that there is a compliant PoM for all Crown land that they manage as community land within three years of the commencement of Part 3 of the CLM Act (i.e.: by 30 June 2021). A compliant PoM must be in place before the deadline to ensure that the Crown land is lawfully used and occupied. Ensuring lawful use and occupation is an essential part of councils' role as the manager of Crown land.

Council staff will work on developing compliant plans of management and will ensure council has input into the process which will ultimately result in presentation of the plan (s) to Council for endorsement.

Financial Implications

There are no immediate financial implications resulting from this report with the exception of staff costs associated with preparation of the report.

The preparation of Plans of Management for Crown Land to be managed by Council will have financial implications.

The financial implications associated with this task will be offset by a one off funding allocation of \$65,687.00 by the Office of Local Government to assist in the implementation of the new Crown Land Management Act 2016 reforms.

Consultation

Consultation has been undertaken with relevant internal Council stakeholders and with staff from NSW Department of Industry: Crown Lands and Water Division.

Attachments:

- Crown Reserve Land Maps Attachment No. 9

Recommendation

That Council:

- 1) Note the Report titled 'Changes to Crown Reserve Management under the Crown Land Management Act 2016'; and
- 2) Endorse the initial Categorisation of Crown Land Reserves and forward to the NSW Department of Industry: Crown Lands and Water Division for endorsement; and
- 3) Endorse the application by Council Staff to the Minister to convert all of the Reserve Land identified in Table 1 of this report that incorporate current uses more suited to operational land uses to Operational Land.

RESOLVED on the motion of Clr McCann and seconded by Clr Crocker that Council: 264/12/2018

- 1) **Note the Report titled 'Changes to Crown Reserve Management under the Crown Land Management Act 2016'; and**

- 2) **Endorse the initial Categorisation of Crown Land Reserves and forward to the NSW Department of Industry: Crown Lands and Water Division for endorsement; and**
- 3) **Endorse the application by Council Staff to the Minister to convert all of the Reserve Land identified in Table 1 of this report that incorporate current uses more suited to operational land uses to Operational Land.**

HS4) REGISTRATION OF NEW ABORIGINAL LAND CLAIMS (A.01-01, SC2)

Summary

This report presents information and recommendations to Council in regards to advice received from the NSW Department of Industry – Lands, on the registration of 31 new Aboriginal Land Claims on Crown land located within the Coolamon Local Government Area.

Background

The Department of Industry (DoI) – Lands and Forestry, Aboriginal Land Claim Investigation Unit (ALCIU) has been notified by the Office of the Registrar, Aboriginal Land Rights Act 1983 (NSW) of the registration of new Aboriginal land claims registered within the past 14 days, shown on the attached list.

Lodging of an Aboriginal land claim creates an interest in the land. Prior to any future dealings in this land, consultation should be undertaken with DoI – Lands and Forestry.

Aboriginal land claims are investigated in accordance with the provisions of section 36(1) of the Aboriginal Land Rights Act 1983. Regardless of when an investigation is conducted the key date for the investigation is the date the claim is lodged.

At this point no investigation of the listed claims has been undertaken by the ALCIU.

The ALCIU is seeking information from Council as a relevant authority as to whether Council holds an interest in any of the claimed land, and requires evidence which demonstrates around the date of claim the land was:

- Lawfully used or occupied
- Needed or likely to be needed for an essential public purpose.

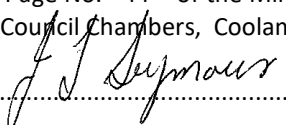
The Land Claims

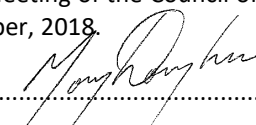
Claim No	Land Claimed	Suburb	Status	Comment	Photo Reference
46250	Lots 7300-7301 DP 1161838;	BECKOM	Vacant Land. Zoned RU1 Primary Production. Owned by Crown	Objection to land claim. Please note that Old Chards Lane is located within the allotments. The lane would be deemed to be a lawful and essential public purpose.	1
46252	Lot 281 DP 39569, Lots 7317-7318 DP 1166208	ARDLETHAN	Lot 281 is vacant RU1 zoned land. Lot 7317 is Vacant Land. Lot 7318 houses essential public infrastructure in the form of sewer transpiration beds and stormwater dam. Zoned RU4 Rural Small Holdings. Owned by Crown	No Objection to Claim over Lot 281 or Lot 7317. Objection to Lot 7318 as this Lot contains existing effluent absorption beds servicing Keogh Ave sewer system - this is a lawful and required essential public purpose and has been in place since the 1980's.	2
46253	Lots 3-5 Section 29 DP 758428;	GANMAIN	Vacant Land. Zoned RU5 Village. Owned by Crown	No objection to land claim	3
46259	Lots 3, 8-9 Section 10 DP 758657;	MATONG	Vacant Land Zoned RU5 Village. Owned by Crown	No objection to land claim	4
46260	Lots 188-189 DP 750834;	GANMAIN	Vacant Land Owned by the Crown, Zoned RU5 Village.	No objection to land claim	5
46261	Lots 1-6 Section 50 DP 758428;	GANMAIN	Vacant Land Zoned RU5 Village Owned by Crown	No objection to land claim	6
46262	Lots 2-3, 5-8 Section 30 DP 758428;	GANMAIN	Vacant Land Zoned RU5 Village. Owned by Crown	No objection to land claim	7
46274	Lot 78 DP 750865;	WALLEROOBIE	CROWN RESERVE TRAVELLING STOCK LEASE 2350. Zoned RU1 Primary Production. Owned by Crown	No objection to land claim	8
46276	Lots 80-81 DP 750861;	RANNOCK	Lot 80 Council Reserve Trust (Site of Old Rannock School). Lot 81 in private lease Glenn Leo Jefferies & Ross William Jefferies. No objection to claim over Lot 81. Zoned RU1 Primary Production	Objection to claim over Lot 80 - Old Rannock School Site. The school site is a lawfully used / and occupied site.	9
46277	Lot 76 DP 750860;	BECKOM	Private lease by John Alexander Stewart. Zoned RU1 Primary Production	No objection to land claim	10

MINUTES OF THE ORDINARY MEETING OF THE COUNCIL OF THE SHIRE OF COOLAMON
HELD IN THE COUNCIL CHAMBERS, COOLAMON ON THE 13TH DECEMBER, 2018.

46278	Lot 7307 DP 1166172;	ARDLETHAN	Owned by Crown leased by Tin Mine - Zoned RU1 Primary Production.	No objection to land claim	11
46279	Lots 205-208, 214 DP 750867, Lot 7302 DP 1155249, Lot 7304 DP 1155565;	ARDLETHAN	RU5 Village Zone. Owned by Crown	No objection to claim over Lots 205 - 208 and Lot 214. Council objects to claim over lots 7302 and 7304 as these form part of the Ardlethan Bypass Project and are for a lawful and essential public purpose. Works have commenced in the form of project design and Funding has been obtained for these works. Works due to be completed in 2019. The lots also incorporate existing natural drainage line and forms part of a lawful and essential public purpose.	12
46280	Lot 7306 DP 1156865;	ARDLETHAN	RU5 Village Zone. Owned by Crown	Objection to land claim, as the land incorporates infrastructure in the form of a fire trail that is a lawful and essential public purpose.	13
46281	Lot 7321 DP 1165994;	ARDLETHAN	RU5 Village Zone. Owned by Crown	No objection to land claim	14
46282	Lot 7316 DP 1166277;	ARDLETHAN	RU1 Primary Production Zone.	No objection to land claim	15
46283	Lots 276-277 DP 750867;	ARDLETHAN	RU1 Primary Production. Owned by Crown	No objection to land claim	16
46284	Lot 284 DP 728675;	ARDLETHAN	RU1 Primary Production Zone. Owned by Crown. Ardlethan Tin Mine Site	No objection to land claim	17
46285	Lot 8 Section 3 DP756143, Lots 1, 6-7 Section 3 DP 759143;	ARDLETHAN	Cannot locate - Lot 8 Section 3 DP 756143. Lots 1, 6-7 Section 3 DP 759143 RU1 Primary Production Land. Owned by Crown	No objection to land claim	18
46286	Lots 1-4, 6, 12-18 Section 2 DP 759143;	ARDLETHAN	Owned by Crown. Tin Mines Site. RU1 Primary Production	No objection to land claim	19
46287	Lots 1-5, 7, 10-14 Section 1 DP 759143;	ARDLETHAN	Owned by Crown. RU1 Primary Production Zoned Land. Ardlethan Tin Mine Site	No objection to land claim	20

This is Page No. 44 of the Minutes of the Ordinary Meeting of the Council of the Shire of Coolamon held in the Council Chambers, Coolamon on the 13th December, 2018.

..... MAYOR

.....GENERAL MANAGER.

MINUTES OF THE ORDINARY MEETING OF THE COUNCIL OF THE SHIRE OF COOLAMON
HELD IN THE COUNCIL CHAMBERS, COOLAMON ON THE 13TH DECEMBER, 2018.

46288	Lot 270 DP 750867;	ARDLETHAN	Owned by Crown. RU1 Primary Production Zoned Land.	No objection to land claim	21
46289	Lots 7002-7003 DP 94934, Lot 7003 DP 96138;	ARDLETHAN	Lots 7002-7003 DP 94934 are not in the Coolamon LGA. Lot 7003 DP 96138 RU1 Primary Production Zoned Land. Owned by Crown	No objection to land claim, noting that Lots 7002-7003 DP 94934 are not in the Coolamon LGA.	22
46290	Lot 9 Section 25 DP 758428;	GANMAIN	Vacant Land owned by Crown - Zoned RU5 Village	No objection to land claim	23
46294	Lots 155-164, 166-171 DP 750867;	ARDLETHAN	Crown owned land. Zoned RU1 Primary Production	No objection to land claim	24
46295	Lots 218-220 DP 750867;	ARDLETHAN	Crown owned land. RU1 Primary Production, SP2 Infrastructure	Objection to Land Claim - Bygoo Creek drainage path south of Rail major culvert network. Existing lawful and essential public infrastructure use. Use in place since 1990's.	25
46296	Lot 269 DP 750867;	ARDLETHAN	Owned by Crown. Zoned RU1 Primary Production	No objection to land claim	26
46297	Lot 283 DP 725041, Lot 242 DP 750867;	ARDLETHAN	Crown owned land. Zoned RU1 Primary Production	No objection to land claim	27
46298	Lot 267 DP 750867;	ARDLETHAN	Crown owned land. Zoned RU1 Primary Production	No objection to land claim	28
46299	Lot 252 DP 750867;	ARDLETHAN	Owned by Crown. RU5 Village Zone	Objection to land claim. This is a residential area, extension of Cassiterite Cres has been undertaken and the lot has Kerb and Gutter and Sealed Road – all works undertaken by Council. This is a lawful and existing use and has essential public infrastructure that has been undertaken by Council. Use in place since early 1980's.	29
46300	Lot 7010 DP 94895;	ARDLETHAN	Owned by Crown. RU1 Primary Production	No objection to land claim	30

46301	Lot 45 DP 750867;	ARDLETHAN	RU1 Primary Production. Owned by Crown.	Objection to land claim. Located at crest of London Hill Rd, sealed road passes through lot - This is a lawful and existing use and has essential public infrastructure that has been undertaken by Council. Use in place since early 1980's.	31
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Table 1: Proposed Aboriginal Land Claims Coolamon LGA

Staff have undertaken an assessment of the proposed land claims and of the thirty – one (31) claims have identified that objection should be raised for nine (9) of the claims (identified in red) in table 1 with reasons for objection provided. The nine objections are for parcels of land that are considered to be:

- Lawfully used or occupied
- Needed or likely to be needed for an essential public purpose.

No objection has been raised to other potential claims on the basis that the land is owned by the crown, is vacant, not occupied by Council and not required for any future public purpose.

Consultation

Consultation has been undertaken internally with relevant Council staff.

Financial Implications

There are nil adverse financial implications resulting from this report.

Attachments

- New Aboriginal Land Claims: Coolamon LGA: Photos of affected lands and Claim Comment. [Attachment No. 10](#)

Recommendation

That Council:

- 1) Note the report titled Registration of New Aboriginal Land Claims; and
- 2) Provide written advice to the Aboriginal Land Claim Investigation Unit (ALCIU) on Councils position with respect to the thirty-one (31) land claims and lodge objection to nine (9) of the land claims as identified within table 1 of this report.

**RESOLVED on the motion of Clr Crocker and seconded by Clr McCann that
Council:** 265/12/2018

- 1) **Note the report titled Registration of New Aboriginal Land Claims; and**
- 2) **Provide written advice to the Aboriginal Land Claim Investigation Unit (ALCIU) on Councils position with respect to the thirty-one (31) land claims and lodge objection to nine (9) of the land claims as identified within table 1 of this report.**

HS5) MATONG HOTEL UPDATE REPORT DECEMBER 2018 (SC1029)

Summary

This report presents an update report to Council on the status of demolition cost recovery efforts and compliance with an Emergency Order for the Matong Hotel.

The Site

The site is known as the Matong Hotel and is located at Lot 4, Section 6, DP 758657, Matong Street, Matong.

Background

Council will recall, a number of reports on the Matong Hotel have been presented to Council since 2017, the most recent report being presented to the November 2018 Council Meeting. The report was titled 'MATONG HOTEL UPDATE REPORT NOVEMBER 2018' and presented information to Council on a fire at the premises, the issuing of an Emergency Order and the subsequent demolition of the premises. The report resulted in the Council resolving (244/11/2018) that Council:

- 1) *Note the report on the status of 'Matong Hotel';*
- 2) *Endorse the actions of staff in issuing an Emergency Demolition Order upon the advice from a practicing Structural Engineer and Emergency Services Staff and then proceeding to demolition due to the infrastructure and public safety concerns of Emergency Services and the General Public; and*
- 3) *Endorse that, Staff request via written correspondence to the owner, that the owner pay for demolition costs and that all demolition waste be removed within 30 days from the date of the correspondence to a licensed waste facility.*

In accordance with the resolution of the Council, Staff distributed written correspondence to the owner, requesting that the owner pay for demolition costs and that all demolition waste be removed within 30 days from the date of the correspondence to a licensed waste facility.

Request for Demolition Costs and Removal of Demolition Waste from the Site

Following the Councils November 2018, Council Meeting, correspondence was created by Staff and forwarded to the owner of the Matong Hotel.

The correspondence advised the owner that:

- The total cost of the demolition was \$4,108.50 and that Council sought the recovery of these expenses;
- The clean-up/removal of demolition waste in the Emergency Order was required to be complied with.

The letter provided up until 5.00pm, Monday, 10th December, 2018 for the abovementioned items to be addressed.

No response from the owner has been received at Council.

Options

The options available to Council relating to cost recovery for demolition works and compliance with an Emergency Order for the Matong Hotel include:

- Initiating Class 4 Proceedings the NSW Land and Environment Court for noncompliance with Order;
- Issuing Penalty Infringement Notices noncompliance with Order;
- Issuing a Court Attendance Notice noncompliance with Order;
- Initiate Civil Proceedings to recover demolition costs;
- Undertaking the clean-up and waste removal work at a cost to council and applying the costs to the land.

It is recommended, that Council initiate actions to clean up the site at its cost and via the calling of expressions of interests from persons who may be interested in salvaging some of the building waste that is still located at the subject site. The calling of expressions of interest should be developed so as to ensure that the expression of interest that results in the lowest cost or provision of positive financial position to Council is awarded the project.

Prior to the calling of expressions of interest, Council will need to obtain an Asbestos Clearance Report for the site.

Clause 34(7) of Part 10 of Schedule 5 of the EPA Act 1979 provides:

- 1) *If a relevant enforcement authority takes action under clause 33 to give effect to a development control order by demolishing a building, the authority may remove any materials concerned.*
- 2) *The relevant enforcement authority may sell those materials but only if the relevant authority's expenses in giving effect to the terms of the development control order are not paid to the authority within 14 days after removal of the materials.*
- 3) *If the proceeds of such a sale exceed the expenses incurred by the relevant enforcement authority in relation to the demolition and the sale, the relevant authority:*
 - a) *may deduct out of the proceeds of the sale an amount equal to those expenses, and*
 - b) *must pay the surplus to the owner on demand.*
- 4) *If the proceeds of sale do not exceed those expenses, the relevant enforcement authority:*
 - a) *may retain the proceeds, and*
 - b) *may recover the deficiency (if any) together with the authority's costs of recovery from the owner as a debt.*
- 5) *Materials removed that are not saleable may be destroyed or otherwise disposed of.*
- 6) *A relevant enforcement authority that carries out work under clause 33 in relation to development for which an amount of security has been provided to the authority:*
 - a) *may be recompensed for the work from the security if the security is more than the costs of carrying out the work, and*
 - b) *must pay any surplus remaining to the person entitled to it on demand.*
- 7) *Any expenses incurred under this clause by a relevant enforcement authority that gave a development control order, together with all associated costs, may be recovered by the authority in any court of competent jurisdiction as a debt due to the authority by the person required to comply with the order.*

- 8) *The expenses are to be reduced by the amount of any proceeds of any sale under this clause or the amount of any security provided in respect of development to which the order relates.*
- 9) *Nothing in this clause affects the owner's right to recover any amount from any lessee or other person liable for the expenses concerned.*
- 10) *The recovery of costs and expenses by a relevant enforcement authority under this clause does not include the costs and expenses of court proceedings, but nothing in this clause prevents the authority from receiving costs as between party and party in respect of those proceedings.*

Any costs not recovered through the process could be allocated as a debt against the property.

Financial Implications

The actual costs associated with this report to date are:

- Demolition: \$4,108.50
- Structural Engineer: \$1,677.50
- Legal Advice: \$1168.20

It Council decides to pursue cost recovery actions and is unsuccessful in the calling for expressions of interest:

- Legal Fees in initiating Cost Recovery and Clean Up Compliance - \$30,000.00 (estimate)
- Clean Up Costs - \$40,000.00 - \$60,000.00.

An asbestos clearance report is estimated at a value of up to \$2000.00.

Consultation

Consultation has been undertaken with Council's Solicitor and relevant internal staff.

Recommendation

That Council:

- 1) Note the report on the status of 'Matong Hotel Update Report December 2018; and

- 2) Endorse that staff undertake any and all actions necessary to finalise the clean-up of the Matong Hotel Site and cost related matters.

RESOLVED on the motion of Clr Hutcheon and seconded by Clr McKinnon that Council: 266/12/2018

- 1) **Note the report on the status of 'Matong Hotel Update Report December 2018; and**
- 2) **Endorse that staff undertake any and all actions necessary to finalise the clean-up of the Matong Hotel Site and cost related matters.**

HS6) WASTE COLLECTION AND LANDFILL SERVICES OVER THE CHRISTMAS / NEW YEAR BREAK (G.01-01, SC529)

As Christmas and New Year's Day both fall on a Tuesday, household waste collections will be brought forward to a Monday.

• **Christmas Day Collection Amendment:**

Collection will occur on Monday, 24th December, 2018 instead of Christmas day.

• **New year's Day Collection Amendment:**

Collection will occur on Monday, 31st December, 2018 instead of New Year's Day.

Residents are reminded that it is important that your bins are out the night prior to collection to ensure they are collected.

Landfill Sites:

Additional closures will be required at Council Landfill Sites over the Christmas and New Year period. All landfill sites will be closed on Christmas, Boxing Day and New Year's Day holidays. In effect, this will see the following closures:

Christmas Day: Coolamon closed in the morning
Ardlethan closed in the afternoon

Boxing Day: Marrar closed in the morning
Coolamon and Ganmain closed in the afternoon

New Year's Day: Coolamon closed in the morning
Ardlethan closed in the afternoon

Recommendation

For Council information.

RESOLVED on the motion of Clr McCann and seconded by Clr White that the report be received. 267/12/2018

↑ **ADJOURNMENT**

RESOLVED on the motion of Clr Hutcheon and seconded by Clr Maslin that Council resolve into Committee of a Whole for the purpose of considering confidential matters as listed in the Committee of a Whole agenda for the reason that such matters are considered to be of a confidential nature and in accordance with Council's policy thereto. 268/12/2018

Council adjourned at 4.01pm into Committee of a Whole and reconvened at 4.39pm.

5) RECOMMENDATIONS OF A COMMITTEE OF A WHOLE MEETING HELD 13TH DECEMBER, 2018.

RESOLVED on the motion of Clr Crocker and seconded by Clr McCann that the Recommendations of a Committee of a Whole Meeting held 13th December, 2018 be adopted. 269/12/2018

6) REPORTS: DELEGATES/MAYOR/COUNCILLORS

There were no reports.

Meeting Closed at 5.03pm.

Confirmed and signed during the Meeting held this 21st day of February, 2018.

.....
MAYOR

**ATTACHMENTS FOR THE MEETING HELD
13TH DECEMBER, 2018**

ITEMS DISTRIBUTED WITH THE AGENDA

- 1) Information Papers:
 - 1) REROC Newsletter for November 2018.
Refer Correspondence Item (1a).
- 2) Activity Reports:
 - 1) Operating Statistics of the Coolamon Shire Library for November 2018.
 - 2) Community Development Officer's Report for November 2018.
 - 3) Tourism and Business Development Officer's Report for November 2018.
Refer Correspondence Item (2a).
- 3) Correspondence from the Country Mayors Association regarding the Waste to Energy Request Report.
Refer General Manager's Report (GM1), [File No. C.12-04].
- 4) A copy of the Coolamon Shire Event Funding 2019 Guidelines.
Refer General Manager's Report (GM4), [File No. E.07-01].
- 5) Correspondence regarding the Rural Financial Counselling Service Report.
Refer General Manager's Report (GM6), [File No. R.15-01].
- 6) A copy of the Media Release from Gabrielle Upton titled: "Council Meetings Go Live".
Refer General Manager's Report (GM7), [File No. P.06-01].
- 7) A copy of the Media Release from Council's Road Safety Officer titled: "Slow down for Safety".
Refer Executive Manager, Engineering & Technical Services' Report (ES7), [File No. R.08-01].
- 8) A copy of the Site Plan and Elevations in regard to the report on Variation to Hornby Subdivision Covenant.
Refer Executive Manager, Development & Environmental Services' Report (HS2), [File No. S.16-02].
- 9) A copy of the Crown Reserve Land Maps regarding the report on Changes to Crown Reserve Management under the Crown Land Management Act 2016.
Refer Executive Manager, Development & Environmental Services' Report (HS3), [File No. L.02-02].
- 10) A copy of the photos regarding the report on Registration of New Aboriginal Land Claims.
Refer Executive Manager, Development & Environmental Services' Report (HS3), [File No. A.01-01].
- 11) A copy of the Funding Deed for Stronger Country Community Fund Round 2.
Refer General Manager's Report (GM9), [File No. G.03-57].
- 12) Correspondence from the Advance Ganmain Committee.
Refer Correspondence Item (3a), [File No. C.09-41].