

2 June 2022

Dear Councillors

Following the meeting held on May 19 2022, Cooinda's Board of Management wishes to extend our thanks to all Councillors for taking the time to conduct a measured and considered debate on the topic of negotiation around water and liquid trade waste charges.

Following the resolution not to accede to our request and to seek further reporting regarding other businesses affected by liquid waste charges Cooinda Board of Management would like to present to Councillors the following points we feel may assist you to make a more informed decision:

1. Cooinda has attempted to seek a resolution for over three years now as we pointed out in our previous letter. During the recorded debate it was noted that we've had plenty of time to comply with trade waste regulations. We feel strongly that it is Council and not Cooinda that has failed in this respect to constructively engage with us. During our attempts to engage with Council we've tried to explain our efforts to comply via our building project addressing the non-compliance, all the time asking for consideration and support. While we've met with several representatives of Council, we have been informed that any decision belongs to Mr Bailey and so no constructive debate has been possible. It was only just prior to the May council meeting that Mr Bailey was finally available to meet with us. It was during this meeting that he indicated he has no power to waive these charges and we would have to raise the matter with Councillors.
2. Cooinda is a Not-For-Profit Charitable organisation which is owned by this community. The fact that Cooinda is a charity wasn't mentioned during the recorded debate and should be worthy of special consideration. We are not like any other business in this district in that we are a Not-For Profit Charitable organisation which provides care and accommodation for senior citizens. During the meeting it is noted that Councillors stated Cooinda should be treated no differently to any other business. The Board is disappointed that any Councillors would feel this way and that civic community-based leadership being one of the four key themes of the shire's strategic plan is not on display in these comments.

3. We would like to point out that during recent correspondence Mr Bailey requested proof that Cooinda is a charity which was subsequently provided. We are surprised that the fact of our charity status was unknown to our local council and feel that it must be a major factor in consideration to our request for waiver or suitable negotiation of both water and trade waste fees.
4. Cooinda is the largest employer in Coonabarabran and provides jobs to many families who are all ratepayers. The majority of our residents and their families were or still are ratepayers. Mr Bailey has suggested to us that if Council were to waive these charges the community would have to cover these costs. We would like to point out again that Cooinda as a community-owned organisation represents all rate payers in this shire. Acceding to our request in waiving these costs would be supporting all of us, instead of any individual business owner as we have been compared to.
5. Being a community-based organisation Cooinda has deliberately not conducted any material fundraising activities during the past decade, in recognition of the pressures our community has faced with extreme drought, bushfire, pandemic and floods. We will have to reconsider this decision if Council isn't willing to give this matter further consideration such that our community ultimately may have to carry these costs regardless of the outcome of your decisions.
6. Cooinda Coonabarabran is not in a strong financial position. It should be noted that aged care has been the hardest hit sector of our community as a result of the Covid-19 pandemic. Until very recently due to the hard work and commitment of our staff and management we have been able to avoid any Covid-19 incidents. This is now no longer the case and we are battling staff shortages in the midst of Covid cases amongst our residents. These charges will destroy any small surplus that might otherwise have been possible and will take several years to recover from.
7. We would also like to draw your attention to the fact that the huge water bill which Cooinda accumulated occurred through no fault of our own. Council staff only read one of our metres during a four-year period from 2015 to 2019. When the staff re-commenced reading the second metre in 2019, we received an account for \$50,263.02! Council should therefore accept some responsibility for the situation that we are now facing.

We are grateful that there has been some constructive debate from the last Council meeting, and with this letter we would like to request the matter be raised again, noting the above points for further consideration.

Should Councillors wish to maintain the decision not to waive or significantly reduce the water charges, our reply is that Cooinda is not in a financial position to meet the full payment of the water charges by 30 June 2023. We request you extend this to 30 June 2025 with no interest to be applied.

Further to this we ask you to reconsider our request to waive the liquid trade waste charge regardless of the impact of these fees on other for-profit businesses in the Shire. Section 1.7 of the NSW Government's Trade Waste Management Guidelines document the fact that non-compliance charges are to be applied by Council only to the point where it is necessary to provide incentive to comply with conditions of approval. Cooinda is not an organisation that has deliberately failed to comply, in fact the opposite is true. We have attempted to engage with Council to obtain a fair outcome and have been met with a lack of engagement. If not for this a fair outcome may have avoided all of these charges some time ago. Cooinda will fully comply with the trade waste requirements by October 2022.

Finally, we would like to draw your attention to the fact we recently made a submission to the Council regarding its community consultation process for the Strategic Plan 2022-2037. The word 'community' appears 155 times in the current strategic plan, however as the largest community-owned organisation Cooinda is not mentioned once. We would like to think that a positive outcome is still possible, and that Council can demonstrate how it will practice its strategic vision moving forward to engage with the community towards positive outcomes. We are all stakeholders in this Shire and that includes Cooinda.

Yours sincerely



**Andrew Freebairn (Treasurer)**

**On behalf of the Board of Directors**