

Minutes

ORDINARY COUNCIL MEETING

COUNCIL CHAMBERS, GUNDAGAI

6:00 PM, WEDNESDAY 27TH JANUARY, 2021

Administration Centres: 1300 459 689

**MINUTES OF COOTAMUNDRA-GUNDAGAI REGIONAL COUNCIL
ORDINARY COUNCIL MEETING
HELD AT THE COUNCIL CHAMBERS, GUNDAGAI
ON WEDNESDAY, 27 JANUARY 2021 AT 6:00 PM**

PRESENT: Cr Abb McAlister (Mayor), Cr Dennis Palmer (Deputy Mayor), Cr Leigh Bowden, Cr David Graham, Cr Gil Kelly, Cr Penny Nicholson, Cr Doug Phillips, Cr Charlie Sheahan, Cr Craig Stewart

IN ATTENDANCE: Phil McMurray (General Manager), Kay Whitehead (Interim Deputy General Manager), Ganesh Ganeshamoorthy (Manager Assets), Sharon Langman (Manager Development, Building and Compliance), Andrew Brock (Manager Facilities), Tim Swan (Manager Finance), Glen McAtear (Manager Regulatory Services), Matt Stubbs (Manager Technical Services)

1 ACKNOWLEDGEMENT OF COUNTRY

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

ADJOURN MEETING FOR OPEN FORUM

RESOLUTION 001/2021

Moved: Cr Dennis Palmer

Seconded: Cr Charlie Sheahan

Council adjourn for Open Forum.

CARRIED

2 OPEN FORUM

List of Speakers

1. Rupert Tait – Submitted correspondence suggesting improvements at Bradman Oval (read aloud)
2. Chris Imrie - Made representations on behalf of his client who is the applicant for of 8.4.1 Development Application 2020/176 - 8 Chamen Street, Cootamundra - Variation to Development Control Plan.

RESUME OPEN MEETING**RESOLUTION 002/2021**

Moved: Cr Dennis Palmer

Seconded: Cr Leigh Bowden

Council resume the Open Meeting.

CARRIED

3 APOLOGIES

Nil

4 DISCLOSURES OF INTEREST

Cr David Graham disclosed a less than significant pecuniary interest in item 8.9.1 Gundagai Preschool Kindergarted Inc. and Cootamundra-Gundagai Regional Council - Memorandum of Understanding due to being the former owner of the block of land purchased out of grant funding money for use of the Gundagai Preschool and Kindergarten Inc. development.

5 CONFIRMATION OF MINUTES**5.1 MINUTES OF THE EXTRAORDINARY MEETING OF COUNCIL HELD ON THURSDAY 3 DECEMBER 2020****RESOLUTION 003/2021**

Moved: Cr David Graham

Seconded: Cr Dennis Palmer

The Minutes of the Extraordinary Meeting of Council held on Thursday 3 December 2020 be confirmed as a true and correct record of the meeting.

CARRIED

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5.2 MINUTES OF THE ORDINARY MEETING OF COUNCIL HELD ON TUESDAY 8 DECEMBER 2020**RESOLUTION 004/2021**

Moved: Cr Dennis Palmer

Seconded: Cr Charlie Sheahan

The Minutes of the Ordinary Meeting of Council held on Tuesday 8 December 2020 be confirmed as a true and correct record of the meeting.

CARRIED

6 MAYORAL MINUTES**6.1 MAYORAL MINUTE - COUNCILLOR ENGAGEMENT****RESOLUTION 005/2021**

Moved: Cr David Graham

Seconded: Cr Leigh Bowden

The information in the Mayoral Minute be received and noted.

CARRIED

7 REPORTS FROM COMMITTEES

Nil

8 GENERAL MANAGER'S REPORT**8.1 BUSINESS****8.1.1 RIVERINA EASTERN REGIONAL ORGANISATION OF COUNCILS REPORT****RESOLUTION 006/2021**

Moved: Cr Penny Nicholson

Seconded: Cr Leigh Bowden

- 1. The Minutes of the Riverina Eastern Regional Organisation of Councils Board Meeting and the Minutes of the Riverina Joint Organisation Board Meeting held 11th December, 2020 be noted.**
- 2. The Riverina Joint Organisation Annual Performance Statement 2020, to be tabled at the January 2021 Ordinary Meeting be accepted.**

CARRIED

8.1.2 AUSTRALIAN LOCAL GOVERNMENT WOMENS ASSOCIATION WOMEN'S FORUM**RESOLUTION 007/2021**

Moved: Cr Leigh Bowden

Seconded: Cr Penny Nicholson

- 1. The Report on the Australian Local Government Women's Association Women's Forum, and correspondence attached to the report, be received and noted.**
- 2. Council endorse a Women's Forum conducted by Australian Local Government Women's Association in Gundagai to be held 11th April, 2021.**
- 3. The Mayor attend the Australian Local Government Women's Association Women's Forum and perform an official Welcome.**

4. Council make representation to the Minister for Local Govern requesting funding to host the Australian Local Government Women's Association Women's Forum in Gundagai.

CARRIED

8.1.3 SECTION 355 COMMITTEE MANAGEMENT MANUAL AMENDMENT

RESOLUTION 008/2021

Moved: Cr Penny Nicholson

Seconded: Cr Craig Stewart

1. The Manual be amended to reflect that a Councillor holding full membership on an s355 Committee must disclose any conflicts of interest for any item that comes to an Ordinary Meeting of Council requiring a resolution.
2. Council endorse the amended Cootamundra-Gundagai Regional Council Section 355 Committee Management Manual, with the inclusion of 1 above.
3. An updated copy of the Cootamundra-Gundagai Regional Council Section 355 Committee Management Manual, attached to the report, with cover letter be forwarded to all Cootamundra-Gundagai Regional Council Section 355 Committees.

CARRIED

8.1.4 THE COOTAMUNDRA HERITAGE CENTRE MANAGEMENT S.355 COMMITTEE MEETING MINUTES AND MEMBERSHIP

RESOLUTION 009/2021

Moved: Cr David Graham

Seconded: Cr Charlie Sheahan

1. The Minutes of the Cootamundra Heritage Centre Management s.355 Committee meeting held on 2 November, 2020, attached to the report, be received and noted.
2. The Minutes of the Cootamundra Heritage Centre Management s.355 Committee Annual General Meeting held on 2 November, 2020, attached to the report, be received and noted.
3. The letter from the Cootamundra Heritage Centre supporting Councillor Stewart's membership, attached to the report, be received and noted.
4. The office bearers of the Cootamundra Heritage Centre Management s.355 Committee as detailed in the report, be endorsed for 2021.
5. Council write to the Heritage Centre advising of Council resolution of Cr Stewart

CARRIED

8.1.5 MUTTAMA HALL MANAGEMENT S.355 COMMITTEE MEETING MINUTES AND MEMBERSHIP**RESOLUTION 010/2021**

Moved: Cr Leigh Bowden

Seconded: Cr Charlie Sheahan

1. The Minutes of the Muttama Hall Management s.355 Committee Ordinary Meeting held on 9 December, 2020, attached to the report, be received and noted.
2. The Minutes of the Muttama Hall Management s.355 Committee Annual General Meeting held on 25 November, 2020, attached to the report, be received and noted.
3. The office bearers and membership of the Muttama Hall Management s.355 Committee as detailed in the report, be endorsed.

CARRIED

8.1.6 COOTAMUNDRA SHOWGROUND USERS GROUP S.355 COMMITTEE MEETING MINUTES AND MEMBERSHIP**RESOLUTION 011/2021**

Moved: Cr Charlie Sheahan

Seconded: Cr Dennis Palmer

1. The Minutes of the Cootamundra Showground Users Group s.355 Committee Ordinary Meeting held on 18 November 2020, attached to the report, be received and noted.
2. The Minutes of the Cootamundra Showground Users Group s.355 Committee Annual General Meeting held on 18 November 2020, attached to the report, be received and noted.
3. The office bearers of the Cootamundra Showground Users Group s.355 Committee as detailed in the report, be endorsed.

CARRIED

8.1.7 COOTAMUNDRA TOURSIM ACTION GROUP S.355 COMMITTEE MEETING MINUTES**RESOLUTION 012/2021**

Moved: Cr Doug Phillips

Seconded: Cr Craig Stewart

1. The Minutes of the Cootamundra Tourism Action Group s.355 Committee meeting held on 3 December 2020, attached to the report be received and noted.
2. Council consider the recommendations contained within the Minutes.

CARRIED

8.1.8 INFORMATION BULLETIN

RESOLUTION 013/2021

Moved: Cr Dennis Palmer

Seconded: Cr David Graham

1. **The Information Bulletin and attached correspondence be received and noted.**
2. **Correspondence be sent to Dallas Tout (President NSW Public Libraries Association) in relation to ensuring that the future sustainability of library funding is safe beyond the existing funding increase for the next four years, through the Renew Our Libraries Campaign, for merged councils with two libraries yet receive a single funding allocation.**

CARRIED

8.2 FINANCE

8.2.1 DRAFT LOCAL GOVERNMENT AMENDMENT (RATING) BILL 2021

RESOLUTION 014/2021

Moved: Cr Charlie Sheahan

Seconded: Cr Leigh Bowden

1. **The Report on the Draft Bill on Local Government Rating Reform and correspondence from the Office of Local Government, attached to the report be received and noted.**
2. **Council respond to each item in terms of the Consultation Guide.**
3. **These responses be conveyed to the Minister.**

CARRIED

8.2.2 INVESTMENT REPORT - DECEMBER 2020

RESOLUTION 015/2021

Moved: Cr Craig Stewart

Seconded: Cr Dennis Palmer

The Investment Report for December 2020 be received and noted.

CARRIED

8.3 COMMUNITY AND CULTURE

Nil

8.4 DEVELOPMENT, BUILDING AND COMPLIANCE

8.4.1 DEVELOPMENT APPLICATION 2020/176 - 8 CHAMEN STREET, COOTAMUNDRA - VARIATION TO DEVELOPMENT CONTROL PLAN

RESOLUTION 016/2021

Moved: Cr Charlie Sheahan

Seconded: Cr Dennis Palmer

That Council approve DA2020/176 for the construction of an addition to the shed at Lot 5 DP10285, 8 Chamen Street Cootamundra subject to the following:

Standard conditions for the construction of a residential garage as included in Council’s standard condition set; with the addition of the following specific conditions:

- 1. the development, including all services, be fully contained within the allotment and Council be provided with a surveyor’s report upon peg out of the development and upon completion to demonstrate compliance.**

- 2. to ensure the amenity of the neighbourhood is maintained the building be clad in non-reflective metal material, the details of which shall be submitted to Council prior to the issue of a Construction Certificate.**

- 3. Prior to the issue of a Construction Certificate the applicant shall provide details to Council, and receive approval, demonstrating that the stormwater system for the existing shed is capable of dealing with the cumulative water from the existing building and the proposed development.**

CARRIED

VOTING RECORD	
FOR RESOLUTION	AGAINST RESOLUTION
Cr Abb McAlister (Mayor) Cr Dennis Palmer Cr Leigh Bowden Cr David Graham Cr Gil Kelly Cr Penny Nicholson Cr Doug Phillips Cr Charlie Sheahan Cr Craig Stewart	Nil
ABSENT	DECLARED INTEREST
Nil	Nil

8.4.2 DEVELOPMENT APPLICATIONS APPROVED DECEMBER 2020**RESOLUTION 017/2021**

Moved: Cr David Graham

Seconded: Cr Penny Nicholson

The information on Development Applications Approved in December, 2020 be noted.

CARRIED

8.5 REGULATORY SERVICES

Nil

8.6 ASSETS**8.6.1 CONSTRUCTION OF GUNDAGAI SEWAGE TREATMENT PLANT AND ASSOCIATED WORKS
PROGRESS REPORT****RESOLUTION 018/2021**

Moved: Cr Doug Phillips

Seconded: Cr David Graham

The Construction of the Gundagai Sewage Treatment Plant and Associated Works Progress Report and the Gundagai Sewerage Augmentation Construction of 3000EP Wastewater Treatment Plant and Associated Works Progress Report dated 15th January 2021, attached to the report, be received and noted.

CARRIED

8.6.2 ADOPTION OF COOTAMUNDRA FLOOD STUDY**RESOLUTION 019/2021**

Moved: Cr Charlie Sheahan

Seconded: Cr David Graham

- 1. The Report on the Cootamundra Flood Study be received and noted.**
- 2. The Cootamundra Flood Study, attached to the report, be adopted with the minor amendments as detailed in the report.**

CARRIED

8.7 CIVIL WORKS**8.7.1 AERODROME ADVISORY COMMITTEE****RESOLUTION 020/2021**

Moved: Cr Dennis Palmer

Seconded: Cr Gil Kelly

- 1. The Report on the Proposed Aerodrome Advisory Committee be received and noted.**
- 2. Council appoint a Representative to sit on the Proposed Aerodrome Advisory Committee.**
- 3. Cr Sheahan be appointed as the Council representative on the Proposed Aerodrome Advisory Committee and the committee be notified accordingly.**

CARRIED

8.7.2 CIVIL WORKS AND TECHNICAL SERVICES REPORT - JANUARY 2021**RESOLUTION 021/2021**

Moved: Cr David Graham

Seconded: Cr Leigh Bowden

The Civil Works and Technical Services Report for the month of January 2021 be received.

CARRIED

8.8 TECHNICAL SERVICES

Nil

8.9 FACILITIES**8.9.1 GUNDAGAI PRESCHOOL KINDERGARTEN INC. AND COOTAMUNDRA-GUNDAGAI REGIONAL COUNCIL - MEMORANDUM OF UNDERSTANDING**

Note: Having disclosed a less than significant pecuniary interest in this item Cr Graham left the meeting.

RESOLUTION 022/2021

Moved: Cr Penny Nicholson

Seconded: Cr Charlie Sheahan

Council endorse the Gundagai Preschool Kindergarten and Cootamundra-Gundagai Regional Council Memorandum of Understanding 2020.

CARRIED

8.9.2 BRADMAN BIRTHPLACE REJUVENATION**RESOLUTION 023/2021**

Moved: Cr Dennis Palmer

Seconded: Cr Leigh Bowden

Council endorse the allocation of funds for Rejuvenation works and additional souvenirs at the Bradman Cottage site to be funded through the Bradman Reserves

CARRIED

8.10 WASTE, PARKS AND RECREATION

Nil

9 MOTION OF WHICH NOTICE HAS BEEN GIVEN

- 9.1 NOTICE OF MOTION - TO ARRANGE A MEETING BETWEEN COUNCIL, THE NSW PREMIER, THE MINISTER FOR LOCAL GOVERNMENT AND THE MEMBER FOR COOTMAUNDRA TO DISCUSS THE PROPOSED SPECIAL RATE VARIATION APPLICATION BEING PREPARED TO BE SUBMITTED TO IPART FOR CONSIDERATION**

RESOLUTION 024/2021

Moved: Cr Leigh Bowden

Seconded: Cr Penny Nicholson

- 1. That Council, as a matter of urgency, seek an appointment with the Minister for Local Government, the Hon Shelley Hancock, NSW Premier, the Hon. Gladys Berejiklian and Member for Cootamundra, Ms Steph Cooke, MP to advise them that:**
 - I. Cootamundra-Gundagai Regional Council is preparing an application for a Special Rate Variation for consideration by the Independent Pricing and Regulatory Tribunal (IPART) to address the serious financial situation Council finds itself in as a result of the 2016 amalgamation; and**
 - II. To request the NSW State Government give financial support to Cootamundra-Gundagai Regional Council to prevent the adverse impact that the rate increases are likely to have on many members of its community.**
- 2. That Representatives of Council travel to Sydney on 9th February, 2021, at their expense, to attend the meetings should an audience be granted.**

CARRIED

9.2 NOTICE OF MOTION - TO MAKE REPRESENTATION TO AUSTRALIAN COMMUNITY MEDIA TO RECOMMENCE THE PRINTING OF THE COOTAMUNDRA HERALD AS SOON AS PRACTICALLY POSSIBLE.

RESOLUTION 025/2021

Moved: Cr Abb McAlister

Seconded: Cr Leigh Bowden

That Representation be made to Australian Community Media for the resumption of the printing of a hard copy of the Cootamundra Herald occur as soon as practicably possible.

CARRIED

10 QUESTIONS WITH NOTICE

10.1 QUESTIONS WITH NOTICE - JANUARY 2021

RESOLUTION 026/2021

Moved: Cr Charlie Sheahan

Seconded: Cr Dennis Palmer

The Questions with Notice from Councillors and related responses from Council officers be noted.

CARRIED

8.2.3 MONTHLY FINANCE REPORT FOR DECEMBER 2020

RESOLUTION 027/2021

Moved: Cr Doug Phillips

Seconded: Cr Leigh Bowden

The Finance Report for December 2020 be received and noted.

CARRIED

11 CONFIDENTIAL ITEMS

11.1 CLOSED COUNCIL REPORTS

RESOLUTION 028/2021

Moved: Cr Gil Kelly

Seconded: Cr Craig Stewart

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

11.2 SKID STEER LOADER REQUEST FOR QUOTATION

Provisions for Confidentiality

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

Public Interest

It is considered that discussions of this matter in open Council would, on balance, be contrary to the public interest as it would prejudice Council's ability to secure optimum outcome for the community.

11.3 REPLACEMENT OF TRACTOR FOR STABILISER - PLANT 4001

Provisions for Confidentiality

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

Public Interest

It is considered that discussions of this matter in open Council would, on balance, be contrary to the public interest as it would prejudice Council's ability to secure optimum outcome for the community.

CARRIED

11.2 SKID STEER LOADER REQUEST FOR QUOTATION

RESOLUTION 029/2021

Moved: Cr Dennis Palmer

Seconded: Cr Leigh Bowden

1. **The report for the purchase of a Skid Steer Loader for the Cootamundra Landfill be received and noted.**
2. **The quotation received by Kubota Australia Pty Ltd for \$94,950.90 (Ex GST) for the purchase of a Skid Steer Loader be accepted.**

CARRIED

11.3 REPLACEMENT OF TRACTOR FOR STABILISER - PLANT 4001

RESOLUTION 030/2021

Moved: Cr David Graham
Seconded: Cr Penny Nicholson

1. **The Report for the replacement of 2011 John Deere 8335R Tractor, Plant No 4001 be received and noted.**
2. **The quotation received from JGW Harvest & Tillage Support of \$361,727.27 (Ex GST) for the purchase of a 2020 Fendt 942 G6 Pro Tractor be accepted.**
3. **The trade in offer of \$106,000.00 (Ex GST) received from JGW Harvest & Tillage Support for the 2011 John Deere 8335R Tractor, Plant No 4001 be accepted.**

CARRIED

11.4 RESUMPTION OF OPEN COUNCIL MEETING

RESOLUTION 031/2021

Moved: Cr Leigh Bowden
Seconded: Cr Gil Kelly

The Open Council meeting resume.

CARRIED

11.5 ANNOUNCEMENT OF CLOSED COUNCIL RESOLUTIONS

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

The Meeting closed at 7:55 pm.

The minutes of this meeting were confirmed at the Ordinary Council Meeting held on 23 February 2021.

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CHAIRPERSON

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GENERAL MANAGER