

# Minutes

## ORDINARY COUNCIL MEETING

**ALBY SCHULTZ MEETING CENTRE, COOTAMUNDRA**

**6:00PM, TUESDAY, 30<sup>TH</sup> JUNE, 2020**

Administration Centres: 1300 459 689

**MINUTES OF COOTAMUNDRA-GUNDAGAI REGIONAL COUNCIL  
ORDINARY COUNCIL MEETING  
HELD AT THE ALBY SCHULTZ MEETING CENTRE, COOTAMUNDRA  
ON TUESDAY, 30 JUNE 2020 AT 6:00PM**

**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) via Microsoft Team, Miriam Crane (Manager of Community and Culture) via Microsoft Team, Sharon Langman (Manager Development, Building and Compliance) via Microsoft Team, Andrew Brock (Manager Facilities), Tim Swan (Manager Finance)

**1 ACKNOWLEDGEMENT OF COUNTRY**

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

**2 OPEN FORUM**

Note: Due to COVID-19 the Meeting was closed to the public and there was no Open forum. The Meeting was live streamed as is available to watch online at [www.cgrc.nsw.gov.au](http://www.cgrc.nsw.gov.au). Written submissions were read aloud during the Meeting at item 8.1.1 Open Forum Submissions.

**3 APOLOGIES**

**4 DISCLOSURES OF INTEREST**

Cr David Graham disclosed a Less than Significant Non-Pecuniary Interest in Item No. 8.1.8 Cootamundra Rugby Club Clubhouse Project as he has previously attended a meeting with club representatives to discuss the project and offered suggestions as to how to address matters.

**5 CONFIRMATION OF MINUTES****5.1 MINUTES OF THE ORDINARY MEETING OF COUNCIL HELD ON TUESDAY 26 MAY 2020**

Note: It was noted in item 8.5.1 Gundagai Saleyards Operations Review – Late Report that point 6 included a holding/transfer fee of \$1.50 per head for sheep management. That was incorrect and has been removed from the 26 May, 2020 Meeting Minutes.

**RESOLUTION 164/2020**

Moved: Cr Charlie Sheahan

Seconded: Cr Craig Stewart

**The amended Minutes of the Ordinary Meeting of Council held on Tuesday, 26<sup>th</sup> May, 2020 be confirmed as a true and correct record of the meeting.**

**CARRIED**

**5.2 MINUTES OF THE SPORTS AND RECREATION COMMITTEE MEETING HELD ON TUESDAY 17 MARCH 2020**

Note: It was noted in the Minutes that item 6.9 Use of Country Club Oval and Associated Facilities that the public toilet facilities referred to in the item are not complete.

**RESOLUTION 165/2020**

Moved: Cr Dennis Palmer

Seconded: Cr Penny Nicholson

**The Minutes of the Sports and Recreation Committee Meeting held on Tuesday, 17<sup>th</sup> March, 2020 be received and noted.**

**CARRIED**

## 6 MAYORAL MINUTES

### 6.1 MAYORAL MINUTE - COUNCILLOR ENGAGEMENT

Note: the following amendments were made at the meeting:

21<sup>st</sup> May, 2020

Cr Bowden attended Australian Local Government women's Association Meeting via Zoom.

2<sup>nd</sup> June, 2020

Cr Bowden attended a Cootamundra Youth Council Meeting.

4<sup>th</sup> June, 2020

Cr Bowden attended a Cootamundra Tourism Action Group s355 Committee meeting via Zoom.

11<sup>th</sup> June, 2020

Cr Bowden attended a Cootamundra Development Corporation Board meeting

18<sup>th</sup> June, 2020

Cr Bowden attended a Cootamundra Creative Arts and Cultural Centre s355 committee meeting.

21<sup>st</sup> June, 2020

Cr Bowden attended Australian Local Government women's Association Meeting via Zoom.

24<sup>th</sup> June, 2020

Cr Bowden attended Community Consultation on Jubilee Park.

25<sup>th</sup> June, 2020

Cr Bowden attended Ellwood's Hall s355 Committee Meeting.

### RESOLUTION 166/2020

Moved: Cr Leigh Bowden

Seconded: Cr Penny Nicholson

**The Information in the Mayoral Minute and amendments be received and noted.**

**CARRIED**

## 7 REPORTS FROM COMMITTEES

Nil

**8 GENERAL MANAGER'S REPORT****8.1 BUSINESS****8.1.1 OPEN FORUM SUBMISSIONS****RESOLUTION 167/2020**

Moved: Cr Dennis Palmer

Seconded: Cr Gil Kelly

**The written submissions for the Open Forum be received and noted and read aloud.**

**CARRIED**

**8.2.2 2020/21 RATES AND ANNUAL CHARGES***Resolution 168/2020*

*Moved: Cr Dennis Palmer*

*Seconded: Cr Gil Kelly*

1. **Council recognises the financial and social impact of the current economic climate on our community. Understanding and appreciating the situation we all find ourselves in now, as we battle the impact of the drought and COVID-19, requires us to revise and review our earlier decision in regard to rate harmonisation.**
2. **In view of the significant and unreasonably large increase in rates for many ratepayers that will result from adoption of the proposed Ordinary Rates for the 2020/21 financial year, urgent representation be made to the Minister for Local Government for approval of an Ordinary Rate increase 'glide path' over several years, so as to transition the increases of the financial impacts, say three (3).**
3. **Member for Cootamundra, Steph Cooke, MP be requested to support Council's representations to the Minister.**
4. **In recognition that Council cannot delay the levying of rates for an extended period, an Extraordinary Meeting of Council be held to consider the Minister's response as soon as it is received.**
5. **Should the Minister's decision be in the negative Council has no option but to apply the Rate Harmonisation as reported.**

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**CARRIED**

**8.2.2 2020/21 RATES AND ANNUAL CHARGES****RESOLUTION 169/2020**

Moved: Cr Charlie Sheahan

Seconded: Cr Gil Kelly

**1. Waste Management Charges**

In accordance with the provisions of Sections 535, 496 and 501 of the Local Government Act, 1993 Council hereby resolves to make the following domestic waste management and waste management charges for the 2020/21 rating year:

- a) Domestic Waste Management Charge of \$456.00 per annual service for each parcel of rateable residential land within the Gundagai, Cootamundra, Stockinbingal and Wallendbeen Scavenging Areas for which the service is available, excluding vacant and unoccupied land. The levying of such charge is to entitle the ratepayer to a regular weekly service of one 120 litre bin for domestic rubbish and a fortnightly service of one 240 litre bin for recyclable domestic rubbish.
- b) Green Waste/Organics Charge of \$60.00 per annual service for each parcel of rateable residential land within the Gundagai, Cootamundra, Stockinbingal and Wallendbeen Scavenging Areas for which the service is available, excluding vacant and unoccupied land. The levying of such charge is to entitle the ratepayer to a regular fortnightly service of one 240 litre bin for green domestic waste.
- c) Residential Waste Management – Other Charge of \$456.00 per annual service for each assessment of residential land outside of the Gundagai and Cootamundra Scavenging Areas, for which the service is available and required. The levying of such charge is to entitle the ratepayer to a regular weekly service of one 140 litre bin for domestic rubbish, a fortnightly service of one 240 litre bin for recyclable domestic rubbish. (Ratepayers for whom this service is requested and available, may also elect to be provided with a Green Waste/Organics service subject to a charge equivalent to that as noted in b) above.)
- d) Rural Waste Charge of \$67.00 on each parcel of rateable land outside the Gundagai Cootamundra, Stockinbingal and Wallendbeen Scavenging areas, and for which there is no service being provided as noted in c) above.
- e) Unoccupied (Vacant Land) Waste Charge of \$67.00 on each parcel of rateable land within the Gundagai, Cootamundra, Stockinbingal and Wallendbeen Scavenging areas for which a domestic waste management service is available but the land is vacant and unoccupied.

**2. Stormwater Management Service Charge**

In accordance with the provisions of Section 535, 496A and 510A of the *Local Government Act, 1993* Cootamundra-Gundagai Regional Council hereby resolves to make the following annual stormwater management service charges, in respect of occupied rateable land within the urban area of Cootamundra, with the exception of Council owned or controlled

parks, land and buildings, or other land exempt as per Section 496A(2) of the *Local Government Act, 1993* for the 2020/21 rating year:

- a) Residential Stormwater Management Charge of \$25.00 per annum per residential assessment of occupied rateable land within the townships of Gundagai and Cootamundra, with the exception of Council owned or controlled parks, lands and buildings, or other land exempt as per Section 496A(2) of the *Local Government Act, 1993* and excluding land that is part of a residential strata allotment.
- b) Residential Strata Stormwater Management Charge of \$12.50 per annum per residential Strata assessment within the townships of Gundagai and Cootamundra, with the exception of Council owned or controlled parks, lands and buildings, or other land exempt as per Section 496A(2) of the *Local Government Act, 1993*.
- c) Business (Non-Residential) Stormwater Management Charge of \$25.00 for each 350 square meters of area of land or part thereof of land categorised as business, subject to a minimum of \$25.00 per annum per assessment and a maximum charge of \$250.00 per annum per assessment within the townships of Gundagai and Cootamundra, with the exception of Council owned or controlled parks, lands and buildings, or other land exempt as per Section 496A(2) of the *Local Government Act, 1993*.
- d) Business (Non-Residential) Strata Stormwater Management Charge being the greater of \$5.00, or the assessment's proportion of the charge that would apply if the total land area was not strata'd, per annum per business strata assessment within the townships of Gundagai and Cootamundra, with the exception of Council owned or controlled parks, lands and buildings, or other land exempt as per Section 496A(2) of the *Local Government Act, 1993*.

### **3. On-Site Sewerage Management Administration Charge**

In accordance with the provisions of Sections 535 and 501 of the *Local Government Act, 1993* Council hereby resolves to make the following domestic waste management and waste management charges for the 2020/21 rating year:

On-Site Sewerage Management Administration Charge of \$45.00 per annum for properties for which on-site sewerage services are available and connected.

### **4. Water Consumption Charges**

In accordance with the provisions of Section 535 and 502 of the *Local Government Act, 1993*, Cootamundra-Gundagai Regional Council hereby resolves to make the following water consumption charges for the 2020/21 rating year:

- a) Water Usage Charge of \$2.00 per kilolitre for usage up to and including 39 kilolitres per quarter, and thereafter \$3.00 per kilolitre for water usage exceeding 39 kilolitres per quarter, for all land connected to the water supply, excepting land whereby Council has by resolution identified the assessment as being subject to Non-Residential Community Water Usage charges per b) below.

b) Non-Residential Community Water Usage Charge of \$1.50 per kilolitre for usage up to and including 39 kilolitres per quarter, and thereafter \$2.25 per kilolitre for water usage exceeding 39 kilolitres per quarter, for land to which the water supply is available and connected and whereby Council has by resolution identified the assessment as being subject to Non-Residential Community Water Usage charges.

## 5. Non-Residential Sewer Usage Charges

In accordance with the provisions of Section 535 and 502 of the *Local Government Act, 1993*, Cootamundra Gundagai Regional Council hereby resolves to make the following non-residential sewer usage charges for the 2020/21 rating year:

Non-Residential Sewer Usage Charge of \$2.65 per kilolitre of the volume of sewerage discharged. The volume of sewerage discharged shall be calculated by multiplying the volume of water measured at the water meter(s) connected to the property, based on actual usage per kilolitre, by the sewerage discharge factors (SDF) for the predominant use of the land. An indicative list of the applicable sewerage discharge is as follows:

PROPERTY USE	SDF %
Concrete Plant, Park Watering	2
Pool	10
Bowling Green, Clubhouse	20
Caravan Park	60
Community use (as defined in Community Based / Not For Profit Organisations)	50
Hospital, Motel	85
General business, RLPB, Pharmacy, Medical Centre, Bakery, Restaurant/Hotel/Club, Takeaway food, McDonalds, Service Station, Dentist, Butcher, Hairdresser, Supermarket, Carwash	95
Sewer Well	100

## 6. Water Access Charges

*The annual water access charges as identified below are charged quarterly in arrears.*

In accordance with the provisions of Section 535 and 501 of the *Local Government Act, 1993* Cootamundra-Gundagai Regional Council hereby resolves to make the following annual water access charges for the 2020/21 rating year:

a) Residential Water Access Charge on residential land to which the water supply is available and connected, excluding land that is part of a residential strata allotment, in accordance with the number and size of water service meters connected to the land as follows:

Water Meter Size	Annual Charge
20mm	\$400.00
25mm	\$625.00
32mm	\$1,024.00
40mm	\$1,600.00
50mm	\$2,500.00
63mm	\$3,969.00
75mm	\$5,625.00
80mm	\$6,400.00
100mm	\$10,000.00

- b) Residential Strata Water Access Charge of \$400.00 per annum per residential Strata assessment for which the water supply is available and connected.
- c) Non Residential Water Access Charge in respect of non-residential land to which the water supply is available and connected, excluding land that is part of a strata allotment, in accordance with the number and size of water service meters connected to the parcel as follows (excluding fire service meters):

Water Meter Size	Annual Charge
20mm	\$400.00
25mm	\$625.00
32mm	\$1,024.00
40mm	\$1,600.00
50mm	\$2,500.00
63mm	\$3,969.00
75mm	\$5,625.00
80mm	\$6,400.00
100mm	\$10,000.00

- d) Non-Residential Strata Water Access Charge of \$400.00 per annum per non-residential Strata assessment for which the water supply is available and connected.
- e) Non-Residential Community Water Access Charge in respect of non-residential land to which the water supply is available and connected, and whereby Council has by resolution identified the assessment as being subject to Non-Residential Community Water Access charges, in accordance with the number and size of water service meters connected to the parcel as follows (excluding fire service meters):

Water Meter Size	Annual Charge
20mm	\$200.00
25mm	\$318.00
32mm	\$512.00
40mm	\$800.00
50mm	\$1,250.00
80mm	\$3,200.00
100mm	\$5,000.00

## 7. Vacant Water Access Charges

In accordance with the provisions of Section 535 and 501 of the *Local Government Act, 1993*, Cootamundra-Gundagai Regional Council hereby resolves to make the following annual vacant water access charges for the 2020/21 rating year:

- a) Vacant Residential Water Access Charge of \$400.00 per annum per residential assessment to which the water supply is available but not connected.
- b) Vacant Non-Residential Water Access Charge of \$400.00 per annum per non-residential assessment to which the water supply is available but not connected, with the exception of any parcel of land to which a Vacant Non-Residential Community Water Access Charge applies
- c) Vacant Non-Residential Community Water Access Charge of \$200.00 per annum per non-residential assessment to which the water supply is available but not connected

## 8. Sewer Access Charges

*The annual sewer access charges as identified below are charged quarterly in arrears.*

In accordance with the provisions of Section 535 and 501 of the *Local Government Act, 1993* Cootamundra-Gundagai Regional Council hereby resolves to make the following annual sewer access charges for the 2020/21 rating year:

- a) Residential Sewer Access Charge of \$600.00 per annum per residence to which sewerage services are available and connected.
- b) Non-Residential Sewer Access Charge in respect of non-residential land to which sewerage services are available and connected, with the exception of any parcel of land to which a Non-Residential Community Sewer Access Charge applies, in accordance with the number and size of the water service meters connected to the land as follows (excluding fire service meters):

Water Meter Size	Annual Charge
20mm	\$500.00
25mm	\$600.00
32mm	\$700.00
40mm	\$960.00
50mm	\$1,200.00
63mm	\$1,512.00
75mm	\$1,800.00
80mm	\$1,920.00
100mm	\$2,400.00

c) Non-Residential Community Sewer Access Charge in respect of non-residential land to which a sewerage service is available and connected, and whereby Council has by resolution identified the assessment as being subject to Non-Residential Community Sewer Access charges, in accordance with the number and size of water service meters connected to the land as follows (excluding fire service meters):

Water Meter Size	Annual Charge
20mm	\$250.00
25mm	\$300.00
32mm	\$350.00
40mm	\$480.00
50mm	\$600.00
80mm	\$960.00
100mm	\$1,200.00

## 9. Vacant Sewer Access Charges

In accordance with the provisions of Section 535 and 501 of the *Local Government Act, 1993*, Cootamundra-Gundagai Regional Council hereby resolves to make the following annual vacant sewer access charges for the 2020/21 rating year:

- a) Vacant Residential Sewer Access Charge of \$350.00 per annum per residential assessment to which the water supply is available but not connected.
- b) Vacant Non-Residential Sewer Access Charge of \$350.00 per annum per non-residential assessment to which the water supply is available but not connected, with the exception of any parcel of land to which a Vacant Non-Residential Community Sewer Access Charge applies.
- c) Vacant Non-Residential Community Sewer Access Charge of \$175 per annum per non-residential assessment to which sewerage services are available but not connected, and whereby Council has by resolution identified the assessment as being subject for Vacant Non-Residential Community Access charges

## 10. Liquid Trade Waste Charges

The annual trade waste charges as identified below are charged bi-annually in arrears. In accordance with the provisions of Section 535 and 502 of the *Local Government Act, 1993*, Council hereby resolves to make the following trade waste charges for the 2020/21 rating year:

- a) Trade Waste Annual Fee on non-residential land connected to the sewerage service of \$231.00 where liquid trade waste is discharged.

b) Trade Waste Usage Charge on (Category 2) non-residential land connected to the sewerage service of \$4.00 per kilolitre of the estimated volume of liquid trade waste discharged to the sewerage system with prescribed pre-treatment. The volume of liquid trade waste discharged shall be calculated by multiplying the volume of water measured at the water meter(s) connected to the property, based on actual usage per kilolitre, by the trade waste discharge factors (TWDF) for the predominant use of the property. An indicative list of the applicable trade waste discharge factors is as follows:

PROPERTY USE	TWDF %
Concrete Plant, Park Watering and Sewer Well	1
Pool, Bowling Green, Clubhouse and General Business	10
RLPB, Pharmacy, Medical Centre	20
Caravan Park, School and Bakery, Community use (as defined in Community Based Not for Profit Organisations)	25
Motel, Restaurant, Hotel, Club	30
Takeaway food	50
McDonalds	62
Service Station	70
Dentist	80
Hospital	85
Butcher, Hairdresser, Supermarket, Carwash	90

## 11. Interest On Overdue Rates And Charges

In accordance with Section 566 of the *Local Government Act, 1993*, and NSW Government Gazette 104 of 22<sup>nd</sup> May, 2020, Council set the interest rate on overdue rates and charges for the 2020-21 rating year at 0.0% per annum for the period 1<sup>st</sup> July, 2020 to 31<sup>st</sup> December, 2020, and then 7.00% per annum for the period 1<sup>st</sup> January, 2021 to 30<sup>th</sup> June, 2021, calculated daily.

## 12. Community Based Not For Profit Organisations

Cootamundra-Gundagai Regional Council hereby resolves to make the assessments shown below as being those assessments to which the Non-Residential Community Water Access Charges, Non-Residential Community Sewer Access Charges, Non-Residential Community Water Usage Charges, and Community use sewerage and trade waste discharge factors shall apply as follows:

Assessment	Name of Occupier (to whom water is billed)	Use of Land
<b>Religious Organisations</b>		
10013423	Salvation Army	Minister's residence
10029320	Salvation Army Prop Trust	Place of worship
10029445	Uniting Church	Religious teaching
10029478	Uniting Church	Place of worship
10039766	Australasia Conference (7th Day Adventists)	Place of worship
10001451	Convent of Mercy	Minister's residence
10001477	Catholic Church Trustees	Place of worship
10001485	Catholic Church Trustees	Minister's residence
10008142	Presbyterian Church	Place of worship
10013340	Jehovahs Witnesses Congregations	Place of worship
10015444	Church of Foursquare Gospel	Place of worship
10015832	Baptist Church of NSW	Place of worship
10017119	Anglican Church of Australia	Minister's residence
10017135	Anglican Church of Australia	Place of worship
11011715	Anglican Church of Australia	Place of worship
11017787	Saint Davids Uniting Church	Place of worship
11018389	Anglican Church of Australia	Place of worship
11019627	Roman Catholic Church	Place of worship
<b>Local Sporting and Charitable Community Groups</b>		
10030450	Town Tennis Club [owned by Crown (Council)]	Sporting facility
10030468	Rugby League Club and others [owned by Crown (Council)]	Sporting facility
10039865	Elouera Association	Not for profit organisation
10033223	Pre-School Kindergarten	Community facility
10035780	Cootamundra Lions Club [owned by Crown (Council)]	Community group
10039246	Cootamundra Health Care Co-operative (Nursing Home)	Community facility
10008399	Boy Scouts Association	Community group
10008431	Ex-Servicemens and Citizens Club	Community facility
10008845	Australian Red Cross Society House	Public charity
10009660	Showground Users Group [owned by Crown (Council)]	Community facility
10010320	The Cootamundra Country Club	Community facility
10011955	Retirement Village	Community facility
10012060	Elouera Association School	Not for profit organisation
10015725	Girl Guides Association	Community group

10046159	Elouera Association Office	Not for profit organisation
10045698	Strikers Soccer	Sporting facility
10017556	Cootamundra Squash Association	Sporting facility
10010882	CADAS Coota West	Community group
11011913	Gundagai Pre-School Kindergarten	Community group
11011905	Gundagai Pre-School Kindergarten	Community group
11015922	Gundagai Common Trust	Community group
11016136	Gundagai Racecourse and Showground Land Manager	Sporting facility
11019569	Valmar Support Services Ltd	Not for profit organisation
11019452	Gundagai District Services Club	Community facility
11019460	Gundagai District Services Club	Community facility
11019965	Gundagai District Services Club	Community facility
11019973	Gundagai District Services Club	Community facility
11021730	Gundagai District Services Club	Community facility
11021318	Gundagai Scout Group	Community group
11032836	Gundagai Historic Bridges Committee	Community group

**8.1.2 DRAFT 2020/2021 OPERATIONAL PLAN**

Note: it was noted that the existing position of Tourism and Economic Development Officer, to be funded through grant monies, had been excluded from the Draft Operational Plan.

**RESOLUTION 170/2020**

Moved: Cr Dennis Palmer  
Seconded: Cr Leigh Bowden

1. Council receive tabled submissions received after the publication of the Business Paper of the June, 2020 Ordinary Meeting.
2. That \$35,000 be added to the 2020/21 financial year budget for the installation of an irrigation system at the Cootamundra Off-Leash Dog Park.
3. Due to COVID-19, and as a result of the gazetted interest rate of 0% for the six (6) months to 31st December, 2020, the amount budgeted for interest on overdue rates and annual charges be reduced by \$43,400.
4. The \$80 fee for a Section 10.7(5) Planning Certificate included in the 2020/21 draft fees and Charges be replaced with the \$133 fee for Section 120.7(2)&(5) Planning Certificates.
5. The easement rental payments in the Water & Sewer fund not be moved to the General Fund and no income be received by general fund for rental payments.
6. In anticipation of the contact for the Cootamundra Development Corporation being extended, that \$35,000 be included in the budget.
7. Funding options be sought to retain the position of Tourism and Economic Development Officer based in Cootamundra.
8. Council adopt the draft 2020/21 Operational Plan, Long Term Financial Plan and, Fees and Charges, and Revenue Policy, attached to the report, (with the exception of the Ordinary Rates which are to be determined following the response from the Minister for Local Government in relation to item 8.2.2 Rates and Annual Charges (Min. No. 168/2020 Ordinary Meeting 30<sup>th</sup> June, 2020).
9. A review of the sporting and recreational ground user fees be undertaken within three (3) months.

**CARRIED**

### **8.1.3 FEES FOR MAYOR AND COUNCILLORS**

#### **RESOLUTION 171/2020**

Moved: Cr Dennis Palmer

Seconded: Cr Charlie Sheahan

1. The Local Government Remuneration Tribunal Annual Determination 2020/21 financial year is submitted for the information of Council.
2. Due to COVID-19, the Councillor annual fee of \$12,160 and the Mayoral (Additional) annual fee of \$26,530, adopted for the 2019/20 financial year (Min. No 185/2019), be adopted for the 2020/21 financial year.

**CARRIED**

### **8.1.4 FEDERAL GOVERNMENT FUNDING - LOCAL ROAD AND COMMUNITY INFRASTRUCTURE PROGRAMME**

#### **RESOLUTION 172/2020**

Moved: Cr Charlie Sheahan

Seconded: Cr David Graham

1. The Report on the Federal Government Funding – Local Road and Community Infrastructure Programme and media release, attached to the report, be received and noted.
2. The Deputy Prime Minister be thanked for his efforts in securing this funding.

**CARRIED**

### **8.1.5 AUSTRALIAN LOCAL GOVERNMENT WOMEN'S ASSOCIATION NSW EXECUTIVE MEETING**

#### **RESOLUTION 173/2020**

Moved: Cr Leigh Bowden

Seconded: Cr Penny Nicholson

1. Cootamundra-Gundagai Regional Council write to the Minister for Local Government, Shelley Hancock, MP expressing strong opposition to the concept of universal postal voting for NSW Local Government elections to be held 4th September, 2020.
2. Cootamundra-Gundagai Regional Council join the Australian Local Government Women's Association New South Wales.

**CARRIED**

### **8.1.6 PROCUREMENT GUIDELINES FOR OFFICERS AND LOCAL PREFERENCE POLICY**

#### **RESOLUTION 174/2020**

Moved: Cr Gil Kelly

Seconded: Cr Charlie Sheahan

- 3. Updated Procurement Procedures and Guidelines for Officers, attached to the report, be received and noted.**
- 4. That the Local Purchasing Policy is not required to be implemented at this time be noted.**

**CARRIED**

### **8.1.7 APPLICATIONS FOR COMMUNITY DONATIONS**

#### **RESOLUTION 175/2020**

Moved: Cr Penny Nicholson

Seconded: Cr Leigh Bowden

- 1. Council consider the applications contained within the report.**
- 2. The Organisation Applications contained in the report be allocated funding as follows:**

Organisation	Amount Allocated	Project details
Gundagai Regional Enhancement Group	\$5000	To assist with the cost of Christmas decorations, entertainment and children's activities
Cootamundra Rodeo Association	\$2500	To assist with the upgrade of the canteen and bar areas at the Cootamundra rodeo ground.
Albury Special Children's Christmas Party	\$0	\$300 will pay for the attendance, gifts and entertainment of a special needs child at the Albury Special Children's Christmas Party held annually.
St Patricks School Gundagai	\$0	To assist with costs associated with holding the event
Our Heritage Room	\$300	To assist with printing and publication costs
Town & Country Club (Cootamundra)	\$0	The difference in annual cost between commercial and residential rates charges

Australian Red Cross Cootamundra	\$0	To assist with annual costs due to the loss of income due to COVID-19 restrictions
Gundagai Bowling Club	\$500	Improvement and maintenance of bowling greens for the annual Tuckerbox Triples Tournament
Cootamundra Community Kitchen	\$6000	Renew cycle air conditional to benefit those in attendance at the weekly community meals
Ellwood's Hall	\$0	Assistance toward the refurbishment of the hall's kitchen and new kitchen cupboards
Cootamundra Cricket Association	\$3,000	Funds have been committed pending the successful outcome of the grant application for a new Roller for cricket pitch maintenance so as to not have to transport roller between pitches.
Gundagai Neighbourhood Centre	\$6000	to contribute to costs to celebrate Harmony Day
Cootamundra Beach Volleyball competition	\$6000	In kind assistance for event with setting up and removal of courts and stands, traffic control, public toilets cleaning and refilling, entry to swimming pool, bins and incidentals.
Cootamundra Scouts	\$3,500	Hire cost of airstrip at Cootamundra airport for weekend event
Cootamundra Lions Club	\$750	This amount includes \$500 Sponsorship and \$250 toward the cost of ground hire and electricity for the annual Lions Club Christmas Carnival
Cootamundra Aeromodellers Association	\$500	The cost assists with running costs for the weekend competition but particularly for the hire cost of a generator.
Cootamundra Veteran Golfers Association	\$1000	To assist with costs associated with an annual Veterans Golf weekend event such as catering, trophies and entertainment
Cootamundra Bowling Club	\$500	To assist with the annual costs of club activities

CARRIED

**8.1.8 COOTAMUNDRA RUGBY CLUB CLUBHOUSE PROJECT**

Note: Having disclosed a Less than Significant Non-Pecuniary Interest in Item No. 8.1.8 Cootamundra Rugby Club Clubhouse Project Cr Graham left the room during consideration of this item.

**RESOLUTION 176/2020**

Moved: Cr Leigh Bowden

Seconded: Cr Penny Nicholson

**The requested \$110,000 further financial support detailed in the Cootamundra Rugby Club Workshop previous address to Council be approved and added to the existing loan.**

**CARRIED**

Note: At the resolution of this item Cr Graham returned to the meeting.

**8.1.9 REVIEW OF RATES AND CHARGES FINANCIAL HARSHSHIP POLICY**

Note: It was noted in the hardship policy that Council will encourage ratepayers to make an appropriate application under the appeal provision of the NSW Valuation of Land Act, 1916 through the Valuer Generals office for hardship caused as a consequence of the making and levying of rate following a new valuation.

**RESOLUTION 177/2020**

Moved: Cr Doug Phillips

Seconded: Cr Craig Stewart

**The Rates and Charges Financial Hardship Policy, attached to the report, be endorsed.**

**CARRIED**

**8.1.10 REPORT AND MINUTES FROM COOTAMUNDRA TOURISM ACTION GROUP S355 COMMITTEE****RESOLUTION 178/2020**

Moved: Cr Leigh Bowden

Seconded: Cr Dennis Palmer

1. **The Report and Minutes from the Cootamundra Tourism Action Group s355 Committee, attached to the report, be received and noted.**
2. **Consideration be given to recommendations contained within the report.**

**CARRIED**

### **8.1.11 SECTION 355 COMMITTEE UPDATE**

#### **RESOLUTION 179/2020**

Moved: Cr Leigh Bowden  
Seconded: Cr Gil Kelly

**That the submissions, and this report, be received and noted and that Council reinstate the s355 Committee for the Cootamundra Concert Band.**

**CARRIED**

#### **RESOLUTION 180/2020**

Moved: Cr Gil Kelly  
Seconded: Cr Charlie Sheahan

**Council meet with members of the Cootamundra Beach Volley Ball s355 committee to discuss:**

- i) if the existing s355 Committee remains the best means of governance for the future of the event and insurance coverage for volunteers involved in its delivery;
- ii) if sponsorship, by way of the existing 'in-kind' support should continue or if a cost recovery model be adopted;
- iii) subsequent to the determinations of (i) and (ii), that part of the accumulated surplus raised by the Committee, and not required for undertaking future events, be used for a specific bequest, to the community, at the discretion of the Committee;

**CARRIED**

#### **RESOLUTION 181/2020**

Moved: Cr Leigh Bowden  
Seconded: Cr Charlie Sheahan

**That the submissions, and this report, be received and noted and that subject to the maintenance of a sufficient number of volunteers and subsequent to the Annual General Meeting, The Arts Centre Cootamundra (TACC) s355 Committee continue with reviewed purchasing and contracting arrangements supervised by Council staff.**

**CARRIED**

**8.1.12 JUNE 2020 INFORMATION BULLETIN**

**RESOLUTION 182/2020**

Moved: Cr Penny Nicholson  
Seconded: Cr Craig Stewart

**The information and correspondence, attached to the report, be received.**

**CARRIED**

**8.1.13 UPDATED COUNCIL MEETING ACTION REPORT**

**RESOLUTION 183/2020**

Moved: Cr Dennis Palmer  
Seconded: Cr Gil Kelly

**The Updated Council Meeting Action Report be noted.**

**CARRIED**

**8.2 FINANCE**

**8.2.1 INTERNAL AUDIT AND AUDIT, RISK AND IMPROVEMENT COMMITTEE REPORT**

**RESOLUTION 184/2020**

Moved: Cr David Graham  
Seconded: Cr Craig Stewart

1. **The Minutes of the Internal Audit and Audit, Risk and Improvement Committee, attached the report, be received.**
2. **Council endorse the 2020/2021 Internal Audit Plan encompassing the Audits of Records Management, Grants Management & Depot Inventory Management.**

**CARRIED**

**RESOLUTION 185/2020**

Moved: Cr Dennis Palmer  
Seconded: Cr Gil Kelly

**Item 8.2.2 2020/21 Rates and Annual Charges be moved for discussion following item 8.1.1 Open Forum Submissions.**

**CARRIED**

**8.2.3 INVESTMENT REPORT - MAY 2020**

**RESOLUTION 186/2020**

Moved: Cr Penny Nicholson  
Seconded: Cr David Graham

**The Investment Report as at 31<sup>st</sup> May, 2020 be received and noted.**

**CARRIED**

**8.2.4 UPDATED MONTHLY MAJOR PROJECTS PROGRAM**

**RESOLUTION 187/2020**

Moved: Cr Charlie Sheahan  
Seconded: Cr Craig Stewart

**The Updated Monthly Major Projects Program report be received and noted.**

**CARRIED**

### **8.3 COMMUNITY AND CULTURE**

#### **8.3.1 TOURISM BRANDING AND MARKETING STRATEGY**

##### **RESOLUTION 188/2020**

Moved: Cr Leigh Bowden

Seconded: Cr Penny Nicholson

- 1. The Branding (Option 3) section of the Branding and Marketing Strategy, attached to this report, be adopted**
  - I. Marketing documentation to be revised and adopted after boundaries commission outcome.**
  - II. Actions arising from the strategy be incorporated into the Operational Plan.**

**CARRIED**

#### **8.3.2 GUNDAGAI TOURISM ACTION S355 COMMITTEE - MINUTES**

##### **RESOLUTION 189/2020**

Moved: Cr Penny Nicholson

Seconded: Cr Leigh Bowden

**The Minutes of the Meeting of the Gundagai Tourism Action Group S355 Committee held on 24<sup>th</sup> June, 2020, attached to the report, be received.**

**CARRIED**

## 8.4 DEVELOPMENT, BUILDING AND COMPLIANCE

### 8.4.1 DEVELOPMENT APPLICATION 2020/066 CONSTRUCTION A SHED AT 6-8 BETTS STREET, COOTAMUNDRA

#### RESOLUTION 190/2020

Moved: Cr Charlie Sheahan

Seconded: Cr Gil Kelly

Development application 2020/066 for the construction of a shed and carport at 6-8 Betts Street, Cootamundra be approved subject to the following conditions:

#### ADMINISTRATIVE CONDITIONS

##### (1) GEN Condition - Compliance Standards

Any building and associated works shall comply with the statutory requirements of the Environmental Planning & Assessment Act, Local Government Act, 1993 and the Building Code of Australia (BCA).

*Reason: The legal obligations of the Council to administer the New South Wales building and planning laws in order to provide satisfactory standards of living and development.*

##### (2) GEN Condition - Compliance with Council

The Development being completed in accordance with plans and specifications stamped by Council listed in the table below and the Statement of Environmental Effects, except where varied by conditions of this consent.

Document Reference	Description	Author	Date
N/A	Statement of Environmental Effects	Applicant	Undated
N/A	Site Plan	Applicant	Undated
MAST33345	Floor Plan & Elevations	MA Steel Pty Ltd	08/05/2020

*Reason: To confirm the details of the application as submitted by the applicant and as approved by Council.*

##### (3) GEN Condition - Utilities

Approval is given subject to the location of, protection of, and/or any necessary modifications to any existing public utilities situated within or adjacent to the subject property.

*Reason: To ensure that any public utilities are maintained and protected from damage.*

##### (4) Gen Condition – Not certify compliance with BCA or NCC

The issue of this Development Consent does not certify compliance with the relevant provisions of the Building Code of Australia or National Construction Code Series.

*Reason: This consent does not certify compliance with the BCA or NCC.*

**PRIOR TO ISSUE OF CONSTRUCTION CERTIFICATE****(1) PCC Condition – New Connection: Plumbing and Drainage Works.**

An application shall be lodged and approved by Cootamundra Shire Council under Section 68 of the Local Government Act for any new water, sewerage or drainage connection prior to the issue of a Construction Certificate.

All plumbing works must be undertaken by a licenced plumber or drainer. They must submit their Notice of Work (N.O.W) and pay for any associated inspections 48hrs before the first inspection. They also must submit a correct Sewer Service Diagram (S.S.D) for all works. The C.O.C and S.S.D. must be submitted before an Occupation Certificate can be released by the Principal Certifying Authority (P.C.A).

The proponent shall comply with all requirements tabled under any approval issued under section 68 of the *Local Government Act 1993*, NSW Fair Trading and The Plumbing Code of Australia.

***Reason:*** *Statutory compliance.*

**PRIOR TO COMMENCEMENT OF WORKS****(1) PCW Condition – Prior to Building Work Commencing.**

The erection of a building in accordance with the development consent must not commence until:

1. a construction Certificate for the building work has been issued by the consent authority, the council (if the council is not the consent authority) or an accredited certifier, and
2. the person having the benefit of the development consent has:
  - a. appointed a principal certifying authority for the building work, and
  - b. notified the principal certifying authority that the person will carry out the building work as an owner-builder, if that is the case, and
3. the principal certifying authority has, no later than 2 days before building works commences:
  - a. notified the consent authority and the council (if the council is not the consent authority) of his or her appointment, and
  - b. notified the person having the benefit of the development consent of any critical stage inspections and other inspections that are to be carried out in respect to the building work, and
4. the person having the benefit of the development consent, if not carrying out the work as an owner-builder, has,
  - a. appointed a principal contractor for the building work who must be the holder of a contractor licence if any residential work is involved, and
  - b. notified the principal certifying authority of any such appointment, and
  - c. unless that person is the principal contractor, notified the principal contractor of any critical stage inspection or other inspections that are to be carried out in respect of the building work.

***Reason:*** *To ensure compliance with the requirements of the Environmental Planning and Assessment Regulations.*

**(2) PCW Condition – Signage.**

Site signage shall apply and must be erected on the site in a prominent, visible position for the duration of the construction. The signage must include:

1. Statement that unauthorised entry to the site is not permitted
2. Show the name of the builder or another person responsible for the site and a telephone number at which the builder or other person can be contacted outside working hours
3. The name, address and telephone contact of the Principal Certifying Authority for the work

Any structures erected to meet the requirements of this condition must be removed when it is no longer required for the purpose for which it was erected.

***Reason:*** *To meet the minimum requirements of the Environmental Planning & Assessment Regulation.*

**(3) PCW Condition – Notice of Commencement.**

Prior to work commencing a 'Notice of Commencement of Building Work and Appointment of Principal Certifying Authority' shall be submitted to Council at least 2 days prior to work commencing.

***Reason:*** *To meet the minimum requirements of the Environmental Planning & Assessment Regulation.*

**(4) PCW Condition – Builders Toilets.**

Provision being made for temporary WC accommodation on site prior to the commencement of excavation or other associated building works.

***Reason:*** *To ensure minimum standards of hygiene for onsite workers.*

**(5) PCW Condition – Residential Building Work.**

Residential building work within the meaning of the *Home Building Act 1989* must not be carried out unless the principal certifying authority for the development to which the work relates (not being the council) has given the council written notice of the following information:

1. In the case of work for which a principal contractor is required to be appointed:
  - a. In the name and licence number of the principal contractor, and
  - b. The name of the insurer by which the work is insured under Part 6 of that Act.
2. In the case of work to be done by an owner-builder:
  - a. The name of the owner-builder and,
  - b. If the owner builder is required to hold an owner builder permit under the Act, the number of the owner-builder permits.

If arrangements for doing the residential building work are changed while the work is in progress so that the information notified under subclause (1) becomes out of date, further work must not be carried out unless the principal certifying authority for the development to which the work relates (not being the council) has given the council written notice of the updated information.

***Reason:*** *Statutory compliance.*

**(6) PCW Condition – Siting of Building.**

The applicant is responsible to ensure that the building is sited on the allotment and constructed to the design levels approved by Council as specified on the approved site plan.

*Reason: To ensure the development is carried out on the correct allotment.*

**(7) PCW Condition – Waste Storage During Construction.**

Provision shall be made on site for the proper storage and disposal of waste such that no builders' waste shall be left in the open. Specific attention should be given to items which are subject to relocation by the action of wind, e.g. Paper, sheets of iron, ridge capping, cement and lime bags and the like.

*Reason: To ensure that the site is not a source of wind-blown litter.*

**(8) PCW Condition – Soil Erosion Control.**

Site erosion control measures shall be incorporated into site management during construction. Seepage and surface water shall be collected and diverted clear of the building site by a drainage system. Care shall be taken to ensure that no nuisance is created to adjoining properties or public space by way of sediment run off.

*Reason: To ensure that adequate measures are in place so that damage from sediment run off to adjoining sites and waterways is minimised.*

**(9) PCW Condition – Second Hand Materials.**

No second hand materials are to be used on any external surface of the building unless made available for inspection and separately approved by Council prior to erection.

*Reason: To ensure the external appearance of the building is maintained to an acceptable standard.*

**(10) PCW Condition – Underground Services.**

The applicant shall locate and identify all existing underground services prior to commencement of works and ensure there shall be no conflict between the proposed development and existing infrastructure including areas external to the development site where works are proposed.

*Reason: To ensure the utility services are protected and satisfactory for the proposed development.*

**DURING CONSTRUCTION****(1) DUR Condition – Works to be undertaken in Accordance with the Approval.**

All proposed works to be undertaken are to be carried out in accordance with the conditions of development consent, approved construction certificate drawings and specifications.

*Reason: ensure all works are carried out in accordance with the development consent.*

**(2) DUR Condition – Hours of Construction Site Works.**

Construction site works including the entering and leaving of vehicles is limited to the following hours, unless otherwise permitted by Council:

Monday to Saturday from 7.00am to 7.00pm  
Sundays and public holidays from 9.00am to 12.00pm

The applicant is responsible to instruct and control subcontractors regarding hours of work.

**Reason:** *So that the development does not reduce the amenity of the area.*

**(3) DUR Condition – Footpath Storage.**

Building materials not to be stored on Council footway or nature strip at any time.

**Reason:** *To ensure an adequate level of public safety is maintained.*

**(4) DUR Condition – Waste Removal.**

All debris and any waste fill are to be removed from the site and disposed of at Cootamundra Garbage Depot, in the building refuse section of the garbage depot. Please note that a separate fee applies for disposal of waste at Council's waste depot. You should contact Council's Works Operations Manager for an estimate of costs in this regard.

**Reason:** *To ensure that the amenity and unsightly condition is minimised.*

**(5) DUR Condition - BCA Compliance.**

All building work (other than work relating to the erection of a temporary building) must be carried out in accordance with the requirements of the Building Code of Australia (as in force on the date the application for the relevant construction certificate was made).

**Reason:** *To ensure the building complies with the BCA.*

**(6) DUR Condition – Inspections.**

The Principal Certifying Authority is to be given a minimum of 48 hours' notice prior to any critical stage inspection or any other inspection nominated by the Principal Certifying Authority via the notice issued under Section 91A of the Environmental Planning and Assessment Act 1979.

All building work (other than work relating to the erection of a temporary building) must be carried out in accordance with the requirements of the Building Code of Australia (as in force on the date the application for the relevant construction certificate was made).

**Reason:** *To ensure that adequate time is given of required inspections.*

**(7) DUR Condition – Restricted Public Access.**

It is the responsibility of the applicant to restrict public access to the building site, building works or materials or equipment on the site when building work is not in progress or the site is otherwise unoccupied in accordance with WorkCover Regulations.

**Reason:** *To ensure public safety is maintained.*

**(11) DUR Condition – Storm Water.**

Storm water is to be discharged to an approved point. The applicant is provide a stormwater plan demonstrating compliance with AS3500.

**Reason:** To ensure that roof water is disposed of without nuisance to neighbours, without overloading Council's laneways system and so as to minimise input to the ground water system

**(12) DUR Condition – Storm Water / Ground Water Diversion.**

Run-off and ground water seepage shall be diverted around the building to the storm water system via a suitable ag drain or dish drain.

**Reason:** To minimise the opportunity for ponding and flooding.

**POST CONSTRUCTION**

**(1) POC Condition – Occupation of Building.**

A person must not commence occupation or use of the whole or any part of the buildings unless an occupation certificate has been issued by the appointed Principal Certifying Authority.

**Reason:** So that the development is substantially completed to a safe standard to allow use or occupation of said building.

**(2) POC Condition – Compliance Certificates.**

Prior to occupation of the building an Occupation Certificate is to be obtained. If Council is requested to issue the Occupation Certificate, all relevant compliance certificates must be submitted.

**Reason:** So that the development is substantially completed to a safe standard to allow use or occupation of said building.

**ONGOING USE**

**(1) USE Condition – Business Use.**

The shed/carport not being let, adapted or used for separate occupation or commercial purposes.

**Reason:** Development consent is required for any activity other than residential.

**(2) USE Condition – Clean and Tidy.**

The premises are to be maintained in a clean and tidy condition at all times.

**Reason:** So that the development does not reduce the amenity of the area.

**(3) USE Condition –Amenity General.**

The development is to be conducted in a manner that will not interfere with the amenity of the locality by reason of the emission of noise, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit, oil, by causing interference to television or radio reception or otherwise.

**Reason:** So that the development does not reduce the amenity of the area.

**(4) USE Condition – Non Habitable Use.**

The shed is not to be used for residential occupation without prior consent of Council.

**Reason:** Health and safety prohibition.

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

**CARRIED**

#### **8.4.2 DEVELOPMENT APPLICATION 2020/083 - STORAGE SHED AT 35 PARKER STREET, COOTAMUNDRA**

##### **RESOLUTION 191/2020**

Moved: Cr Craig Stewart

Seconded: Cr Gil Kelly

Development application 2020/083 for the construction of a storage shed at 35 Parker Street, Cootamundra be approved subject to the following conditions:

##### **ADMINISTRATIVE CONDITIONS**

###### **(1) GEN Condition - Compliance Standards**

Any building and associated works shall comply with the statutory requirements of the Environmental Planning & Assessment Act, Local Government Act, 1993 and the Building Code of Australia (BCA).

*Reason: The legal obligations of the Council to administer the New South Wales building and planning laws in order to provide satisfactory standards of living and development.*

###### **(2) GEN Condition - Compliance with Council**

The Development being completed in accordance with plans and specifications stamped by Council listed in the table below and the Statement of Environmental Effects, except where varied by conditions of this consent.

<b>Document Reference</b>	<b>Description</b>	<b>Author</b>	<b>Date</b>
N/A	Statement of Environmental Effects	Applicant	Undated
N/A	Site Plan	Applicant	Undated
0810745342 (sheets 2-7 of 9)	Floor Plan, Elevations, Framing & Footings	Best Sheds	30/05/2020

*Reason: To confirm the details of the application as submitted by the applicant and as approved by Council.*

###### **(3) GEN Condition - Utilities**

Approval is given subject to the location of, protection of, and/or any necessary modifications to any existing public utilities situated within or adjacent to the subject property.

*Reason: To ensure that any public utilities are maintained and protected from damage.*

###### **(4) Gen Condition – Not certify compliance with BCA or NCC**

The issue of this Development Consent does not certify compliance with the relevant provisions of the Building Code of Australia or National Construction Code Series.

*Reason: This consent does not certify compliance with the BCA or NCC.*

##### **PRIOR TO COMMENCEMENT OF WORKS**

**(1) PCW Condition – Prior to Building Work Commencing.**

The erection of a building in accordance with the development consent must not commence until:

1. a construction Certificate for the building work has been issued by the consent authority, the council (if the council is not the consent authority) or an accredited certifier, and
2. the person having the benefit of the development consent has:
  - a. appointed a principal certifying authority for the building work, and
  - b. notified the principal certifying authority that the person will carry out the building work as an owner-builder, if that is the case, and
3. the principal certifying authority has, no later than 2 days before building works commences:
  - a. notified the consent authority and the council (if the council is not the consent authority) of his or her appointment, and
  - b. notified the person having the benefit of the development consent of any critical stage inspections and other inspections that are to be carried out in respect to the building work, and
4. the person having the benefit of the development consent, if not carrying out the work as an owner-builder, has:
  - a. appointed a principal contractor for the building work who must be the holder of a contractor licence if any residential work is involved, and
  - b. notified the principal certifying authority of any such appointment, and
  - c. unless that person is the principal contractor, notified the principal contractor of any critical stage inspection or other inspections that are to be carried out in respect of the building work .

**Reason:** To ensure compliance with the requirements of the Environmental Planning and Assessment Regulations.

**(2) PCW Condition – Signage.**

Site signage shall apply and must be erected on the site in a prominent, visible position for the duration of the construction. The signage must include:

1. Statement that unauthorised entry to the site is not permitted
2. Show the name of the builder or another person responsible for the site and a telephone number at which the builder or other person can be contacted outside working hours
3. The name, address and telephone contact of the Principal Certifying Authority for the work

Any structures erected to meet the requirements of this condition must be removed when it is no longer required for the purpose for which it was erected.

**Reason:** To meet the minimum requirements of the Environmental Planning & Assessment Regulation.

**(3) PCW Condition – Notice of Commencement.**

Prior to work commencing a 'Notice of Commencement of Building Work and Appointment of Principal Certifying Authority' shall be submitted to Council at least 2 days prior to work commencing.

**Reason:** *To meet the minimum requirements of the Environmental Planning & Assessment Regulation.*

**(4) PCW Condition – Builders Toilets.**

Provision being made for temporary WC accommodation on site prior to the commencement of excavation or other associated building works.

**Reason:** *To ensure minimum standards of hygiene for onsite workers.*

**(5) PCW Condition – Residential Building Work.**

Residential building work within the meaning of the *Home Building Act 1989* must not be carried out unless the principal certifying authority for the development to which the work relates (not being the council) has given the council written notice of the following information:

1. In the case of work for which a principal contractor is required to be appointed:
  - a. In the name and licence number of the principal contractor, and
  - b. The name of the insurer by which the work is insured under Part 6 of that Act.
2. In the case of work to be done by an owner-builder:
  - a. The name of the owner-builder and,
  - b. If the owner builder is required to hold an owner builder permit under the Act, the number of the owner-builder permits.

If arrangements for doing the residential building work are changed while the work is in progress so that the information notified under subclause (1) becomes out of date, further work must not be carried out unless the principal certifying authority for the development to which the work relates (not being the council) has given the council written notice of the updated information.

**Reason:** *Statutory compliance.*

**(6) PCW Condition – Siting of Building.**

The applicant is responsible to ensure that the building is sited on the allotment and constructed to the design levels approved by Council as specified on the approved site plan.

**Reason:** *To ensure the development is carried out on the correct allotment.*

**(7) PCW Condition – Waste Storage During Construction.**

Provision shall be made on site for the proper storage and disposal of waste such that no builders' waste shall be left in the open. Specific attention should be given to items which are subject to relocation by the action of wind, e.g. Paper, sheets of iron, ridge capping, cement and lime bags and the like.

**Reason:** *To ensure that the site is not a source of wind-blown litter.*

**(8) PCW Condition – Soil Erosion Control.**

Site erosion control measures shall be incorporated into site management during construction. Seepage and surface water shall be collected and diverted clear of the building site by a drainage system. Care shall be taken to ensure that no nuisance is created to adjoining properties or public space by way of sediment run off.

**Reason:** *To ensure that adequate measures are in place so that damage from sediment run off to adjoining sites and waterways is minimised.*

**(9) PCW Condition – Second Hand Materials.**

No second hand materials are to be used on any external surface of the building unless made available for inspection and separately approved by Council prior to erection.

**Reason:** *To ensure the external appearance of the building is maintained to an acceptable standard.*

**(10) PCW Condition – Underground Services.**

The applicant shall locate and identify all existing underground services prior to commencement of works and ensure there shall be no conflict between the proposed development and existing infrastructure including areas external to the development site where works are proposed.

**Reason:** *To ensure the utility services are protected and satisfactory for the proposed development.*

## DURING CONSTRUCTION

**(1) DUR Condition – Works to be undertaken in Accordance with the Approval.**

All proposed works to be undertaken are to be carried out in accordance with the conditions of development consent, approved construction certificate drawings and specifications.

**Reason:** *ensure all works are carried out in accordance with the development consent.*

**(2) DUR Condition – Hours of Construction Site Works.**

Construction site works including the entering and leaving of vehicles is limited to the following hours, unless otherwise permitted by Council:

Monday to Saturday from 7.00am to 7.00pm

Sundays and public holidays from 9.00am to 12.00pm

The applicant is responsible to instruct and control subcontractors regarding hours of work.

**Reason:** *So that the development does not reduce the amenity of the area.*

**(3) DUR Condition – Footpath Storage.**

Building materials not to be stored on Council footway or nature strip at any time.

**Reason:** *To ensure an adequate level of public safety is maintained.*

**(4) DUR Condition – Waste Removal.**

All debris and any waste fill are to be removed from the site and disposed of at Cootamundra Garbage Depot, in the building refuse section of the garbage depot. Please note that a separate

fee applies for disposal of waste at Council's waste depot. You should contact Council's Works Operations Manager for an estimate of costs in this regard.

**Reason:** *To ensure that the amenity and unsightly condition is minimised.*

**(5) DUR Condition - BCA Compliance.**

All building work (other than work relating to the erection of a temporary building) must be carried out in accordance with the requirements of the Building Code of Australia (as in force on the date the application for the relevant construction certificate was made).

**Reason:** *To ensure the building complies with the BCA.*

**(6) DUR Condition – Inspections.**

The Principal Certifying Authority is to be given a minimum of 48 hours' notice prior to any critical stage inspection or any other inspection nominated by the Principal Certifying Authority via the notice issued under Section 91A of the Environmental Planning and Assessment Act 1979.

All building work (other than work relating to the erection of a temporary building) must be carried out in accordance with the requirements of the Building Code of Australia (as in force on the date the application for the relevant construction certificate was made).

**Reason:** *To ensure that adequate time is given of required inspections.*

**(7) DUR Condition – Restricted Public Access.**

It is the responsibility of the applicant to restrict public access to the building site, building works or materials or equipment on the site when building work is not in progress or the site is otherwise unoccupied in accordance with WorkCover Regulations.

**Reason:** *To ensure public safety is maintained.*

**(11) DUR Condition – Storm Water.**

Storm water is to be discharged to an approved point. The applicant is to provide a stormwater plan demonstrating compliance with AS3500.

**Reason:** *To ensure that roof water is disposed of without nuisance to neighbours, without overloading Council's laneways system and so as to minimise input to the ground water system*

**POST CONSTRUCTION**

**(1) POC Condition – Occupation of Building.**

A person must not commence occupation or use of the whole or any part of the buildings unless an occupation certificate has been issued by the appointed Principal Certifying Authority.

**Reason:** *So that the development is substantially completed to a safe standard to allow use or occupation of said building.*

**(2) POC Condition – Compliance Certificates.**

Prior to occupation of the building an Occupation Certificate is to be obtained. If Council is requested to issue the Occupation Certificate, all relevant compliance certificates must be submitted.

**Reason:** So that the development is substantially completed to a safe standard to allow use or occupation of said building.

#### ONGOING USE

**(1) USE Condition – Business Use.**

The shed/carport not being let, adapted or used for separate occupation or commercial purposes.

**Reason:** Development consent is required for any activity other than residential.

**(2) USE Condition – Clean and Tidy.**

The premises are to be maintained in a clean and tidy condition at all times.

**Reason:** So that the development does not reduce the amenity of the area.

**(3) USE Condition –Amenity General.**

The development is to be conducted in a manner that will not interfere with the amenity of the locality by reason of the emission of noise, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit, oil, by causing interference to television or radio reception or otherwise.

**Reason:** So that the development does not reduce the amenity of the area.

**(4) USE Condition – Non Habitable Use.**

The shed is not to be used for residential occupation without prior consent of Council.

**Reason:** Health and safety prohibition.

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

**CARRIED**

#### **8.4.3 DEVELOPMENT APPLICATIONS APPROVED MAY 2020**

##### **RESOLUTION 192/2020**

Moved: Cr Dennis Palmer

Seconded: Cr Charlie Sheahan

**The information on Development Applications Approved in May 2020 be noted.**

**CARRIED**

#### **8.4.4 ADOPTION OF RURAL LANDS STRATEGY**

##### **RESOLUTION 193/2020**

Moved: Cr Charlie Sheahan

Seconded: Cr David Graham

**The Rural Lands Strategy, attached to the report, be adopted as exhibited.**

**CARRIED**

#### **8.5 REGULATORY SERVICES**

Nil

#### **8.6 ASSETS**

##### **8.6.1 COOTAMUNDRA-GUNDAGAI REGIONAL COUNCIL PLANT AND FLEET REPLACEMENT PROGRAM**

##### **RESOLUTION 194/2020**

Moved: Cr David Graham

Seconded: Cr Doug Phillips

- 1. The Plant And Fleet Replacement Program, attached to the report, be adopted.**
- 2. A ten year Strategic Plan detailing the projected balance of funds in the plant reserve, incorporating the Plant and Fleet Replacement Program, be developed as part of a report to be prepared and submitted for consideration at the Ordinary Meeting to be held Tuesday, 28<sup>th</sup> July, 2020 .**

**CARRIED**

## **8.7 CIVIL WORKS**

### **8.7.1 AERODROME CHARGES**

#### **RESOLUTION 195/2020**

Moved: Cr Penny Nicholson

Seconded: Cr Leigh Bowden

- 1. Council endorse a trial of the Avdata Airport Billing Service to ascertain the value of landing fees at the Cootamundra Aerodrome.**
- 2. A further report be prepared and submitted detailing the results of the Avdata Airport Billing Service at the end of the trial period for the consideration of Council.**
- 3. A consultation process on the development of annual fees for use of the aerodrome be undertaken with aerodrome users.**

**CARRIED**

### **8.7.2 CIVIL WORKS AND TECHNICAL SERVICES REPORT - JUNE 2020**

Note: Cr Graham requested that the staff involved in work recently undertaken on the stormwater in Gundagai be commended for their excellent work.

#### **RESOLUTION 196/2020**

Moved: Cr Craig Stewart

Seconded: Cr Doug Phillips

**The Civil Works and Technical Services Report for the month of June, 2020 be received.**

**CARRIED**

## **8.8 TECHNICAL SERVICES**

Nil

## **8.9 FACILITIES**

Nil

**8.10 WASTE, PARKS AND RECREATION**

**8.10.1 OPERATION OF THE COOTAMUNDRA MATERIALS RECOVERY FACILITY AND WALLENDBEEN AND STOCKINBINGAL LANDFILLS CONTRACT**

**RESOLUTION 197/2020**

Moved: Cr Leigh Bowden

Seconded: Cr Doug Phillips

**The Contract, attached to the report, for the Operation of the Materials Recovery Facility and Wallendbeen and Stockinbingal Landfills be endorsed.**

**CARRIED**

**9 MOTION OF WHICH NOTICE HAS BEEN GIVEN**

**9.1 NOTICE OF MOTION - CR LEIGH BOWDEN - LEAVE OF ABSENCE**

**RESOLUTION 198/2020**

Moved: Cr Leigh Bowden

Seconded: Cr Doug Phillips

**That Council grant a leave of absence to Councillor Bowden for the Ordinary Meeting to be held 28<sup>th</sup> July, 2020.**

**CARRIED**

**9.2 NOTICE OF MOTION - IDENTIFICATION OF LOCAL ARTS AND CULTURAL GROUPS IN THE LOCAL GOVERNMENT AREA**

**RESOLUTION 199/2020**

Moved: Cr Leigh Bowden

Seconded: Cr Charlie Sheahan

**That Council undertake research to identify the arts and cultural groups which exist in our LGA with a view to building and sustaining partnerships with them, supporting their activities and helping them to secure funding for cultural and arts development in the local government area.**

**CARRIED**

**10        QUESTIONS WITH NOTICE**

**10.1      QUESTIONS WITH NOTICE**

**RESOLUTION 200/2020**

Moved: Cr Gil Kelly

Seconded: Cr Craig Stewart

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

**CARRIED**

**11        CONFIDENTIAL ITEMS**

Nil

**The Meeting closed at 8:53 PM.**

**The minutes of this meeting were confirmed at the Ordinary Council Meeting held on 28 July 2020.**

.....  
**CHAIRPERSON**

.....  
**GENERAL MANAGER**