

# Minutes

## ORDINARY COUNCIL MEETING

**COUNCIL CHAMBERS, GUNDAGAI**

**6:00 PM, TUESDAY 28th September, 2021**

Administration Centres: 1300 459 689

**MINUTES OF COOTAMUNDRA-GUNDAGAI REGIONAL COUNCIL  
ORDINARY COUNCIL MEETING  
HELD AT THE COUNCIL CHAMBERS, GUNDAGAI  
ON TUESDAY, 28 SEPTEMBER 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

**IN ATTENDANCE:** Phillip McMurray (General Manager), Ganesh Ganeshamoorthy (Manager Assets), Mark Ellis (Manager Civil Works), Miriam Crane (Manager of Community and Culture), Sally Atkinson (Acting Manager Development, Building and Compliance), Andrew Brock (Manager Facilities), John Chapman (Interim Manager Finance), Glen McAtear (Manager Regulatory Services), Wayne Bennett (Manager Waste, Parks & Recreation 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**

**2 OPEN FORUM**

There were no speakers or registered submissions received by Council.

**RESUME OPEN MEETING**

**3 APOLOGIES**

Nil

**4 DISCLOSURES OF INTEREST**

Cr David Graham disclosed a pecuniary interest in item 8.1.4 Cootamundra-Gundagai Regional Council and CWP Renewables Voluntary Planning Agreement.

**RESOLUTION 256/2021**

Moved: Cr Dennis Palmer

Seconded: Cr Gil Kelly

1. **Item 8.1.1 Election of the Mayor 28<sup>th</sup> September – 3<sup>rd</sup> December, 2021** be moved for the consideration of Council prior to item 5.1 – Minutes of the Ordinary Meeting – Proposed Infrastructure Community Reforms.
2. **Item 8.1.2 Election of the Deputy Mayor 28<sup>th</sup> September – 3<sup>rd</sup> December, 2021** should Council have resolved to elect a deputy mayor in 1 above.

**CARRIED**

**8.1.1 ELECTION OF THE MAYOR 28TH SEPTEMBER - 3RD DECEMBER, 2021**

**RESOLUTION 257/2021**

Moved: Cr Gil Kelly

Seconded: Cr Charlie Sheahan

1. **The election of the Mayor for the 28th September - 3rd December, 2021 term proceed.**
2. **As only one nomination was received Cr Abb McAlister was re-elected as Mayor unopposed.**
3. **Council elect a Deputy Mayor.**

**CARRIED**

**8.1.2 ELECTION OF THE DEPUTY MAYOR 28TH SEPTEMBER - 3RD DECEMBER, 2021**

**RESOLUTION 258/2021**

Moved: Cr Gil Kelly

Seconded: Cr Doug Phillips

1. **Subject to Council resolving to elect a Deputy Mayor (previous Item on the agenda) the election of the Deputy Mayor for the 28th September - 3rd December, 2021 term proceed.**
2. **As only one nomination was received Cr Dennis Palmer was re-elected as Deputy Mayor unopposed.**

**CARRIED**

**5 CONFIRMATION OF MINUTES****5.1 MINUTES OF THE ORDINARY MEETING OF COUNCIL HELD ON TUESDAY 31 AUGUST 2021****RESOLUTION 259/2021**

Moved: Cr David Graham  
Seconded: Cr Doug Phillips

**The Minutes of the Ordinary Meeting of Council held on Tuesday 31 August 2021 be confirmed as a true and correct record of the meeting.**

**CARRIED**

**6 MAYORAL MINUTES****6.1 MAYORAL MINUTE - PROPOSED INFRASTRUCTURE CONTRIBUTION REFORMS****RESOLUTION 260/2021**

Moved: Cr Charlie Sheahan  
Seconded: Cr Dennis Palmer

1. **Council call on the NSW Government to Withdraw the Environmental Planning and Assessment Amendment (Infrastructure Contributions) Bill 2021 (the Bill) from the NSW Parliament.**
2. **Council call on the NSW Government to undertake further consultation with the local government sector on any proposed reforms to the infrastructure contributions system.**
3. **Council call on the NSW Government to de-couple the Independent Pricing and Regulatory Tribunal led review of the rate peg to include population growth from the infrastructure contributions reforms.**
4. **Council write to the local State Members, the Premier the Hon. Gladys Berejiklian MP, Treasurer the Hon. Dominic Perrottet MP, Minister for Planning and Public Spaces the Hon. Rob Stokes MP and Minister for Local Government the Hon. Shelley Hancock MP seeking them to withdraw the Bill.**
5. **Council write to the Shadow Treasurer the Hon. Daniel Mookhey MLC, Shadow Minister for Planning and Public Spaces Mr Paul Scully MP, Shadow Minister for Local Government Mr Greg Warren MP, The Greens Mr David Shoebridge MLC, Shooters, Fishers and Farmers Party the Hon. Robert Borsak MLC, Pauline Hanson's One Nation the Hon. Mark Latham MLC, Animal Justice Party the Hon. Emma Hurst MLC, Christian Democratic Party (Fred Nile Group) the Hon. Fred Nile MLC, Independent Mr Justin Field, Portfolio Committee Chair The Greens Ms. Cate Faehmann, Portfolio Committee Deputy Chair Animal Justice Party the Hon Mark Pearson MLC and Committee members Liberal Party the Hon Catherine Cusack MLC and the Hon Shayne Mallard MLC, The Nationals the Hon Ben Franklin MLC and Australian Labor Party the Hon Rose Jackson MLC and the Hon Adam**

Searle MLC seeking their support in securing the withdrawal of the Bill from the NSW Parliament and outlining council's concerns with the Bill.

6. Council alert the local media to the threat of future ratepayer funds being expended rather than developer levies for new infrastructure brought about by increased development under the proposed legislation and shares and promotes these messages via its digital and social media channels and via its networks.
7. Council affirms its support to LGNSW and requests LGNSW continue advocating on our behalf to protect local government from any amendments to infrastructure contributions which leaves councils and communities exposed to expending ratepayer funds on new infrastructure made necessary by new development, currently the responsibility of developers.

CARRIED

## **6.2 MAYORAL MINUTE - COUNCILLOR ENGAGEMENT**

### **RESOLUTION 261/2021**

Moved: Cr Dennis Palmer  
Seconded: Cr Doug Phillips

**The information in the Mayoral Minute be received and noted.**

CARRIED

## **7 REPORTS FROM COMMITTEES**

Nil

## **8 GENERAL MANAGER'S REPORT**

### **8.1 BUSINESS**

#### **8.1.3 LOCAL GOVERNMENT NSW ANNUAL CONFERENCE 2021**

### **RESOLUTION 262/2021**

Moved: Cr Gil Kelly  
Seconded: Cr Doug Phillips

1. The Mayor and Deputy Mayor be nominated as voting delegates for the Annual Conference.
2. The Mayor and Deputy Mayor be nominated as the Voting Delegates – Board Nomination.
3. LGNSW be advised of the voting delegates before 5pm Tuesday, 5<sup>th</sup> October, 2021.

4. The Mayor, Deputy Mayor and General Manager be registered to attend both components for the Local Government NSW Annual Conference 2021.
5. The Rural Medical Workforce – Recruitment and Retention of Doctors, attached to the report, be submitted as a Motion for the Local Government NSW Annual Conference 2021.
6. The board nominations and agenda are discussed at a workshop with all councillors.

CARRIED

#### **8.1.4 COOTAMUNDRA-GUNDAGAI REGIONAL COUNCIL AND CWP RENEWABLES VOLUNTARY PLANNING AGREEMENT**

Note: Cr Graham, having disclosed a pecuniary interest in this item left the meeting.

#### **RESOLUTION 263/2021**

Moved: Cr Charlie Sheahan

Seconded: Cr Dennis Palmer

1. The Voluntary Planning Agreement and Explanatory Note between Cootamundra-Gundagai Regional Council and CWP Renewables be placed on public exhibition for a period of not less than twenty eight (28) days seeking submissions from all interested parties be endorsed.
2. The General Manager and Mayor be authorised to sign the Voluntary Planning Agreement between Cootamundra-Gundagai Regional Council and CWP Renewables on the provision that no objections are received at the end of the 28 day exhibition period.

CARRIED

#### **8.1.5 DRAFT COMMUNICATION AND ENGAGEMENT STRATEGY**

#### **RESOLUTION 264/2021**

Moved: Cr Doug Phillips

Seconded: Cr Penny Nicholson

The draft Communication and Engagement Strategy, attached to the report, be endorsed.

CARRIED

**8.1.6 DRAFT COMMUNITY ENGAGEMENT STRATEGY FOR THE COMMUNITY STRATEGIC PLAN 2022-2033**

**RESOLUTION 265/2021**

Moved: Cr Leigh Bowden

Seconded: Cr Gil Kelly

**The draft Community Engagement Strategy for the Community Strategic Plan 2022-2032, attached to the report, be endorsed.**

**CARRIED**

**8.1.7 RV FRIENDLY SITES**

**RESOLUTION 266/2021**

Moved: Cr Penny Nicholson

Seconded: Cr Dennis Palmer

**The report on RV Friendly Sites, be received and noted.**

**CARRIED**

**8.1.8 AUSTRALIA DAY 2022**

**RESOLUTION 267/2021**

Moved: Cr David Graham

Seconded: Cr Dennis Palmer

**The information on Australia Day Awards, 2022 be received and noted.**

**CARRIED**

**8.1.9 COOTAMUNDRA AND GUNDAGAI TOURISM S.355 COMMITTEES**

**RESOLUTION 268/2021**

Moved: Cr Leigh Bowden

Seconded: Cr Penny Nicholson

- 1. The Tourism Action Committee (Gundagai) and Cootamundra Tourism Action Group, be dissolved as a section 355 Committee, for reasons detailed in the report.**
- 2. The Tourism Action Committee (Gundagai) and Cootamundra Tourism Action Group, be endorsed, as advisory committees of Council.**

**CARRIED**

### **8.1.10 COOTAMUNDRA TOURISM ACTION GROUP S.355 COMMITTEE MEETING MINUTES**

#### **RESOLUTION 269/2021**

Moved: Cr David Graham

Seconded: Cr Charlie Sheahan

- 1. The Minutes of the Cootamundra Tourism Action Group s.355 Committee ordinary meeting held on 2<sup>nd</sup> September 2021, attached to the report, be received and noted.**
- 2. Council to note the motion of thanks, included in the report and detailed in the ordinary meeting minutes.**

**CARRIED**

### **8.1.11 REFUGEE WELCOME ZONE**

#### **RESOLUTION 270/2021**

Moved: Cr Charlie Sheahan

Seconded: Cr Leigh Bowden

- 1. Cootamundra-Gundagai Regional Council be endorsed by the current Council as a Refugee Welcome Zone.**
- 2. Cr Abb McAlister (mayor) sign a Refugee Welcome Zone declaration as a recommitment to the Refugee Council of Australia.**
- 3. A copy of the newly signed Declaration be displayed in each of Council's Administration Centres and placed on Council's website.**

**CARRIED**

### **8.1.12 UPDATED COUNCIL MEETING ACTION REPORT**

#### **RESOLUTION 271/2021**

Moved: Cr Doug Phillips

Seconded: Cr Gil Kelly

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

**CARRIED**

### **8.1.13 INFORMATION BULLETIN - SEPTEMBER 2021**

#### **RESOLUTION 272/2021**

Moved: Cr Charlie Sheahan

Seconded: Cr David Graham

**The Information Bulletin – August and September, 2021, and attached correspondence, be received and noted.**

**CARRIED**

## **8.2 FINANCE**

### **8.2.1 CORPORATE CREDIT CARD USE AND MANAGEMENT**

#### **RESOLUTION 273/2021**

Moved: Cr Penny Nicholson

Seconded: Cr Leigh Bowden

- 1. The Office of Local Government Guidelines on the Use and Management of Credit Cards, attached to the report, be endorsed, as a supplement guideline to Councils existing Corporate Credit Card Policy.**
- 2. Council officers develop an overarching framework for the management and use of corporate credit cards, to align with the provisions of the Office of Local Government Guidelines on the Use and Management of Credit Cards.**
- 3. A subsequent report be provided to Council for consideration, once the Corporate Credit Card Use and Management Framework has been developed.**

**CARRIED**

### **8.2.2 INVESTMENT REPORT - AUGUST 2021**

#### **RESOLUTION 274/2021**

Moved: Cr Doug Phillips

Seconded: Cr David Graham

**The Investment Report for August, 2021 be received and noted.**

**CARRIED**

**8.2.3 MONTHLY FINANCE REPORT FOR AUGUST, 2021**

**RESOLUTION 275/2021**

Moved: Cr Penny Nicholson  
Seconded: Cr David Graham

**The Finance Report for August, 2021, and attached reports, be received and noted.**

**CARRIED**

**8.3 COMMUNITY AND CULTURE**

**8.3.1 GUNDAGAI TOURISM ACTION GROUP S355 COMMITTEE MEETING - 6TH SEPTEMBER, 2021**

**RESOLUTION 276/2021**

Moved: Cr David Graham  
Seconded: Cr Penny Nicholson

**The Minutes of the Gundagai Tourism Action Group s.355 Committee meeting held on 6<sup>th</sup> September, 2021 attached to the report, be received and noted.**

**CARRIED**

**8.3.2 OLD GUNDAGAI MURRUMBIDGEE RIVER ACCESS PROJECT**

**RESOLUTION 277/2021**

Moved: Cr Leigh Bowden  
Seconded: Cr David Graham

**Council endorse the Bushfire Black Summer Recovery Grant for \$1,055,000 for the Old Gundagai Murrumbidgee River Access Project.**

**CARRIED**

**8.3.3 COOTAMUNDRA-GUNDAGAI YOUTH PROGRAM FUNDING**

**RESOLUTION 278/2021**

Moved: Cr Penny Nicholson  
Seconded: Cr Leigh Bowden

- 1. Council endorse the Youth Opportunities Grant application for \$50,000 for the Cootamundra-Gundagai Youth Program.**
- 2. Council endorse the Black Summer Bushfire Recovery Grant Program application for \$150,000 for the Cootamundra-Gundagai Youth Officer.**

**CARRIED**

## **8.4 DEVELOPMENT, BUILDING AND COMPLIANCE**

### **8.4.1 DEVELOPMENT APPLICATIONS AUGUST 2021**

#### **RESOLUTION 279/2021**

Moved: Cr Charlie Sheahan  
Seconded: Cr Dennis Palmer

**The information on Development Applications approved in August, 2021 be received and noted**

**CARRIED**

## **8.5 REGULATORY SERVICES**

### **8.5.1 REGULATORY REPORT AUGUST 2021**

#### **RESOLUTION 280/2021**

Moved: Cr David Graham  
Seconded: Cr Dennis Palmer

**The Regulatory Report for August, 2021 be received and noted.**

**CARRIED**

## **8.6 ASSETS**

### **8.6.1 CONSTRUCTION OF GUNDAGAI SEWAGE TREATMENT PLANT REPORT**

Note: It was noted on page 282 of the Agenda that the Safe and Secure Water Program amount of \$10.5Million should be \$10Million.

#### **RESOLUTION 281/2021**

Moved: Cr David Graham  
Seconded: Cr Penny Nicholson

**The Progress Report on the Construction of Gundagai Sewage Treatment Plant be received and noted.**

**CARRIED**

### **8.6.2 IRRIGATION USING RECYCLED WATER AT COOTAMUNDRA**

#### **RESOLUTION 282/2021**

Moved: Cr Gil Kelly

Seconded: Cr Charlie Sheahan

1. **The Report for Irrigation Using Recycled Water at Cootamundra be deferred for further information and detailed cost analysis to come back to Council.**
2. **Representations be made to Member for Cootamundra, Steph Cooke, MP regarding this matter.**

**CARRIED**

### **8.7 CIVIL WORKS**

#### **8.7.1 CIVIL WORKS AND TECHNICAL SERVICES REPORT - SEPTEMBER 2021**

#### **RESOLUTION 283/2021**

Moved: Cr Gil Kelly

Seconded: Cr Charlie Sheahan

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

**CARRIED**

### **8.8 TECHNICAL SERVICES**

#### **8.8.1 LG GRANTS COMMISSION SPECIAL SUBMISSION**

#### **RESOLUTION 284/2021**

Moved: Cr Charlie Sheahan

Seconded: Cr David Graham

**The Special Submission attached to this report be submitted to the Local Government Grants Commission on behalf of Cootamundra Gundagai Regional Council.**

**CARRIED**

**8.8.2 SOFTWOODS WORKING GROUP - GROWING LOCAL ECONOMIES FUNDING SUPPORT****RESOLUTION 285/2021**

Moved: Cr David Graham  
Seconded: Cr Penny Nicholson

1. The payment of \$5,454.55 (Ex GST) to Softwoods Working Group for their work in securing funding for timber haulage upgrades be endorsed.
2. Softwoods Working Group be congratulated for their strong advocacy and evidence preparation work for the Growing Local Economies Funding and for the successful application that will benefit the softwoods industry and the local communities.
3. Cootamundra-Gundagai Regional Council's position that the three Councils will continue to work with the Softwoods Working Group to develop partnerships for works on roads to benefit the softwoods industry on the basis of upfront agreed contributions be confirmed.
4. A Recommendation be put forward to the Next SWG meeting to review council contributions.

**CARRIED**

**8.9 FACILITIES****8.9.1 FACILITIES WORKS REPORT SEPTEMBER 2021****RESOLUTION 286/2021**

Moved: Cr Dennis Palmer  
Seconded: Cr Charlie Sheahan

**The Facilities Works report for September, 2021 be received and noted.**

**CARRIED**

**8.9.2 GUNDAGAI MEMORIAL SWIMMING POOL MASTER PLAN****RESOLUTION 287/2021**

Moved: Cr Doug Phillips  
Seconded: Cr Penny Nicholson

1. The submission for the proposed Gundagai War Memorial Olympic Pool Masterplan be received and noted.
2. Use of the Proposed Gundagai War Memorial Olympic Pool Complex Masterplan by Halliday design - dated April, 2021 be endorsed for use in future funding opportunities.

**CARRIED**

**8.10 WASTE, PARKS AND RECREATION****8.10.1 DOMESTIC RURAL WASTE INITIATIVE****RESOLUTION 288/2021**

Moved: Cr Dennis Palmer  
Seconded: Cr Leigh Bowden

**The following Domestic Rural Waste Initiatives be adopted:**

- Council to issue on application 1 x 240Lt bin per residential rural property (black bin with red lid) free of charge.
- Single rateable properties with more than one house would have to pay for an additional annual Waste service of \$69.68.
- The Domestic Rural Waste Initiative be funded from the waste reserves.
- All Domestic Rural Waste Management bins be issued on receipt of a formal application with Council, whereby all property details are recorded into Council's domestic waste management system.
- Each liveable rural property is limited to one service only.
- Each bin issued is to bear Council branding and branded Domestic Rural Waste Management. The bins remain the property of Cootamundra-Gundagai Regional Council.
- Unlimited visits to Cootamundra-Gundagai Regional Council landfill sites.
- No disposal fee on the approved Domestic Rural Waste Management bin disposed at a Cootamundra-Gundagai Regional Council Landfill site.
- Any unbranded bin will not be accepted at a Cootamundra-Gundagai Regional Council Landfill as part of this initiative.
- The Domestic Rural Waste Initiative be promoted through Council's usual mediums detailing the initiative as an improved waste management strategy throughout the local government area.

**CARRIED**

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

Nil

**10 QUESTIONS WITH NOTICE**

Nil

**11 CONFIDENTIAL ITEMS****11.1 CLOSED COUNCIL REPORT****RESOLUTION 289/2021**

Moved: Cr Charlie Sheahan

Seconded: Cr Dennis Palmer

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 RFQ2021/29 - WATER MAIN REPLACEMENT - MACKAY STREET COOTAMUNDRA**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 publication of all tendered amounts would discourage potential tenderers from submitting commercial information in the future and therefore prejudice Council's ability to secure the optimum outcome for the community.

**11.3 SOUTH WEST FUELS ELECTRICITY PROVISION FINANCIAL CONSIDERATIONS**Provisions for Confidentiality

Section 10A (2) (g) – The Confidential Report contains advice concerning litigation, or advice as comprises a discussion of this matter, that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege.

Public Interest

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

**CARRIED**

**11.2 RFQ2021/29 - WATER MAIN REPLACEMENT - MACKAY STREET COOTAMUNDRA**

**RESOLUTION 290/2021**

Moved: Cr Gil Kelly

Seconded: Cr Charlie Sheahan

1. **The for the Water Main Replacement at Mackay Street Cootamundra submitted by Killard Infrastructure Pty Ltd for \$177,039 (ex GST) in accordance with the details contained in the report be accepted.**
2. **Council enter into a contract with Killard Infrastructure Pty Ltd to undertake the Water Main Replacement at Mackay Street Cootamundra.**

**CARRIED**

**11.3 SOUTH WEST FUELS ELECTRICITY PROVISION FINANCIAL CONSIDERATIONS**

**RESOLUTION 291/2021**

Moved: Cr Gil Kelly

Seconded: Cr David Graham

**Council defer the report for further consideration at the Ordinary Meeting to be held 26<sup>th</sup> October 2021.**

**CARRIED**

**11.4 RESUMPTION OF OPEN COUNCIL MEETING**

**RESOLUTION 292/2021**

Moved: Cr David Graham

Seconded: Cr Doug Phillips

**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 8:50 PM.**

**The minutes of this meeting were confirmed at the Ordinary Council Meeting held on 26 October 2021.**

.....  
**CHAIRPERSON**

.....  
**GENERAL MANAGER**