

# Minutes

## ORDINARY COUNCIL MEETING

**ALBY SCHULTZ MEETING CENTRE, COOTAMUNDRA**

**6PM, Tuesday 13th December, 2022**

Administration Centres: 1300 459 689

**MINUTES OF COOTAMUNDRA-GUNDAGAI REGIONAL COUNCIL  
ORDINARY COUNCIL MEETING  
HELD AT THE ALBY SCHULTZ MEETING CENTRE, COOTAMUNDRA  
ON TUESDAY, 13 DECEMBER 2022 AT 6PM**

**PRESENT:** Cr Charlie Sheahan (Mayor), Cr Leigh Bowden (Deputy Mayor), Cr Les Boyd, Cr Logan Collins, Cr Trevor Glover, Cr David Graham, Cr Gil Kelly, Cr Abb McAlister, Cr Penny Nicholson

**IN ATTENDANCE:** Les McMahon (Interim General Manager), Glen McAtear (Acting Deputy General Manager - CCD), Paul Woods (Interim Deputy General Manager - CCD), Matt Stubbs (Deputy General Manager - Operations), Linda Wiles (Manager Business), Janelle Chapman (Acting Manager Regulatory Services), Mark Ellis (Manager Civil Works), Zac Mahon (Manager Finance), Sally Atkinson (Acting Manager Development, Building and Compliance), Stephen Targett (Acting Manager Technical Services), Lauren Eccleston (Economic Development Officer), Peter Beath, Colina Meadows, Amanda Levett

At 6:01 pm, Cr Les Boyd left the meeting.

**SUSPENSION OF STANDING ORDERS**

**RESOLUTION 341/2022**

Moved: Cr Logan Collins  
Seconded: Cr Trevor Glover

**A motion was moved that Council suspend standing orders.**

**CARRIED**

**1 WELCOME TO COUNTRY – PRESENTED BY PETER BEATH**

- 1.1 Words from the Mayor
- 1.2 Words from CAMP members

**6.4 MAYORAL MINUTE - BALA-YANHI MIYA MOU BETWEEN CAWP AND CGRC**

**RESOLUTION 342/2022**

Moved: Cr Leigh Bowden  
Seconded: Cr Trevor Glover

**The Bala-yahni Miya (Memorandum of Understanding) between Cootamundra Aboriginal Working Party and Cootamundra-Gundagai Regional Council be acknowledged and signed by all parties.**

**CARRIED**

## RESUMPTION OF STANDING ORDERS

### RESOLUTION 343/2022

Moved: Cr Leigh Bowden  
Seconded: Cr Penny Nicholson

**A motion was moved that Council resume standing orders.**

**CARRIED**

At 6:07 pm, Cr Les Boyd returned to the meeting.

### 2 APOLOGIES

Nil

### 3 DISCLOSURES OF INTEREST

Nil

### 4 CONFIRMATION OF MINUTES

#### 5.1 MINUTES OF THE ORDINARY MEETING OF COUNCIL HELD ON TUESDAY 22 NOVEMBER 2022

### RESOLUTION 344/2022

Moved: Cr David Graham  
Seconded: Cr Logan Collins

**The Minutes of the Ordinary Meeting of Council held on Tuesday 22 November 2022 be confirmed as a true and correct record of the meeting.**

**CARRIED**

### 5 MAYORAL MINUTES

Item - 6.4 Mayoral Minute - Bala-Yanhi Miya MOU between CAWP and CGRC - has been moved to another part of the document.

#### 6.1 MAYORAL MINUTE - COUNCILLOR ENGAGEMENT

### RESOLUTION 345/2022

Moved: Cr David Graham  
Seconded: Cr Abb McAlister

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

**CARRIED**

*Additions to 6.1 Mayoral Minute - Councillor Engagement:*

***Cr Abb McAlister***

*30<sup>th</sup> November 2022 – attended meeting with Governor of NSW Margaret Beazley*

1<sup>st</sup> December 2022 – Crs Nicholson, McAlister and Graham meet with Kim Anson, OLG.  
5th December 2022 – attended the Gundagai Tourism Action Committee Meeting  
7th December 2022 – attended the E.A Southee School Presentation Day for Goldenfields Water  
8th December 2022 – attended the Goldenfields Committee Meeting  
9th December 2022 – attended the Gundagai Street Xmas Party  
12 December 2022 – attended the opening of the Gundagai Sewage treatment Plant  
**Cr Collins**  
9<sup>th</sup> December 2022 - was unable to be attend the TAFE presentation day.  
**Cr Bowden**  
13 December 2022 - confirmation that Cr Bowden did attend the Workshop and Council meeting.

## 6.2 MAYORAL MINUTE - JEFFERY SOWIAK

### RESOLUTION 346/2022

Moved: Cr David Graham  
Seconded: Cr Abb McAlister

**The Mayoral Minute regarding the unexpected passing of Jeffery Sowiak be noted.**

**CARRIED**

## 6.5 MAYORAL MINUTE – C7EVEN

### RESOLUTION 347/2022

Moved: Cr Logan Collins  
Seconded: Cr Les Boyd

**Council to write to C7even to congratulate them on winning the gold award at the annual PRIA Award for their work on the Cootamundra-Gundagai Regional Council Community Strategic Plan.**

**CARRIED**

## 6.3 MAYORAL MINUTE - IPWEA NSW & ACT SOUTHERN REGIONAL FORUM

### RESOLUTION 348/2022

Moved: Cr Leigh Bowden  
Seconded: Cr Les Boyd

**A copy of the Mayor's opening address presented at the IPWEA conference, attached to this Mayoral Minute, be noted.**

**CARRIED**

## 6 REPORTS FROM COMMITTEES

Nil

**7 GENERAL MANAGER'S REPORT****7.1 BUSINESS****8.1.1 MEETING DATES 2023****RESOLUTION 349/2022**

Moved: Cr Abb McAlister  
Seconded: Cr David Graham

1. The Ordinary Council Meetings remain on the fourth Tuesday of the Month from January to November at 6:00pm.
2. The Workshop Meetings of Council be confirmed as the second and fourth Tuesday of the Month from January to November at 4:00pm.
3. The Ordinary Council Meeting and Workshop held in December remain on the second Tuesday at 6:00pm.
4. The Ordinary Meeting scheduled for 25 April 2023, be changed to the third Tuesday to accommodate a public holiday.
5. The Council Workshop scheduled for 10 January 2023, be changed to 17 January 2023.
6. The current arrangement of alternating meetings between Cootamundra and Gundagai remain in place for CGRC.
7. Alternatives to the current meeting arrangements be considered if requested.

**CARRIED**

**8.1.2 PROPOSED CGRC ORGANISATIONAL STRUCTURE****RESOLUTION 350/2022**

Moved: Cr Logan Collins  
Seconded: Cr Abb McAlister

**The proposed Organisational Structure, attached to the report, be endorsed.**

**CARRIED**

**8.1.3 DELIVERY PROGRAM/ OPERATIONAL PLAN QUARTERLY PROGRESS REPORT****RESOLUTION 351/2022**

Moved: Cr Penny Nicholson  
Seconded: Cr Leigh Bowden

**The Delivery Program incorporating the Operational Plan 2022/2023, quarterly progress report, (1<sup>st</sup> Quarter July to September), attached to the report, be received and noted.**

**CARRIED**

#### **8.1.4 MUTTAMA HALL MANAGEMENT S.355 COMMITTEE MEETING MINUTES**

##### **RESOLUTION 352/2022**

Moved: Cr Trevor Glover

Seconded: Cr Logan Collins

**The Minutes of the Muttama Hall Management s.355 Committee Meeting held 6 September 2022 and 4 October 2022, attached to the report, be received and noted.**

**CARRIED**

#### **8.1.5 STOCKINBINGAL ELLWOOD'S HALL S.355 COMMITTEE MEETING MINUTES**

##### **RESOLUTION 353/2022**

Moved: Cr Leigh Bowden

Seconded: Cr Les Boyd

**The Minutes of the Stockinbingal Ellwood's Hall s.355 Committee meeting held 24 November 2022 attached to the report be, received and noted.**

**CARRIED**

### **7.2 FINANCE**

#### **8.2.1 FINCH REPORT ACTION PLAN**

##### **RESOLUTION 354/2022**

Moved: Cr Les Boyd

Seconded: Cr David Graham

**Council to note, review and discuss the action plan developed in response to the Finch Report.**

**CARRIED**

#### **8.2.2 FINANCE UPDATE - CAPITAL AND OPERATIONAL EXPENDITURE**

##### **RESOLUTION 355/2022**

Moved: Cr David Graham

Seconded: Cr Gil Kelly

**The Finance Update report, be received and noted.**

**CARRIED**

### **8.2.3 INVESTMENT REPORT - NOVEMBER 2022**

#### **RESOLUTION 356/2022**

Moved: Cr Gil Kelly  
Seconded: Cr David Graham

**The report detailing Council Cash and Investments as at 30 November 2022, be received and noted.**

**CARRIED**

### **8.2.4 RESTRICTED CASH RECONCILIATION**

#### **RESOLUTION 357/2022**

Moved: Cr David Graham  
Seconded: Cr Trevor Glover

**The Restricted Cash Reconciliation report, be received and noted.**

**CARRIED**

## **7.3 COMMUNITY AND CULTURE**

### **8.3.1 OLD MILL GUNDAGAI DEVELOPMENT - FUNDING STATUS AND FUTURE**

#### **RECOMMENDATION**

1. **The application made to the Regional Tourism Activation Fund (RTAF) in 2021, be received and noted.**
2. **Council consider withdrawal from the Regional Tourism Activation Fund.**
3. **Council consider utilising the remaining \$153,457.00 allocation from the Stronger Communities Fund to masterplan the Old Mill precinct to create a shovel ready project for future funding streams.**

#### **AMENDMENT**

Moved: Cr Abb McAlister  
Seconded: Cr David Graham

**That the report be stood over to a later meeting, until discussions can be had between the local member Steph Cooke and the Old Mill Committee.**

#### **RESOLUTION 358/2022**

Moved: Cr Logan Collins  
Seconded: Cr Penny Nicholson

**That the report be stood over to a later meeting, until discussions can be had between the local member Steph Cooke and the Old Mill Committee.**

**CARRIED****7.4 DEVELOPMENT, BUILDING AND COMPLIANCE****8.4.1 DEVELOPMENT APPLICATIONS APPROVED NOVEMBER 2022****RESOLUTION 359/2022**

Moved: Cr David Graham

Seconded: Cr Trevor Glover

**The information on Development Applications approved in November 2022, be received and noted.****CARRIED****8.4.2 DEVELOPMENT APPLICATION DA2022/110 - DWELLING, LOT 269 DP 750619, 113 RACECOURSE LANE (CURRENTLY KNOWN AS 91 OLD WALLENDBEEN ROAD) STOCKINBINGAL****RESOLUTION 360/2022**

Moved: Cr Leigh Bowden

Seconded: Cr Les Boyd

1. That Council approve the following development, subject to the consent conditions below:

- Application No: DA2022/110
- Property: Lot 269 DP 750619  
113 Racecourse Lane (currently known as 91 Old Wallendbeen Rd)  
STOCKINBINGAL NSW 2594
- Development: Dwelling – to erect a three (3) bedroom, brick veneer dwelling, with  
a colorbond roof.

**Conditions:****ADMINISTRATIVE CONDITIONS****Approved plans**

1. The development shall be generally in accordance with the supporting documentation, including, but not limited to, the following:

<b>Following plans prepared by Steadfast homes</b>				
<i>Number</i>	<i>Version</i>	<i>Title</i>	<i>Dated</i>	<i>Date lodged</i>
1/5	-	Cover sheet and BASIX table	08/06/2022	4/12/2022
2/5	-	Floor plan	08/06/2022	4/12/2022
3/5	-	Site plan	08/06/2022	4/12/2022
4/5	-	Elevations	08/06/2022	4/12/2022

5/5	-	Sections and electricals	08/06/2022	4/12/2022
<b>Statement of environmental effects, prepared by DA Busters, dated July 2022</b>				
<b>BASIX Certificate No. 1313198S_02, prepared by Steadfast Homes, dated 4<sup>th</sup> December 2022, submitted 4<sup>th</sup> December 2022</b>				

and as modified by any conditions of this consent.

2. No departure from the approved plans and specifications shall be made unless the prior approval of Council has been obtained in writing.

#### **Compliance with relevant legislation**

3. The development shall be carried out in accordance with the provisions of the *Building Code of Australia, Environmental Planning and Assessment Act, 1979* and the regulations made thereunder, in accordance with the plans and specifications approved by Council.
4. 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*.

#### **Utilities**

5. 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.

#### **PRIOR TO ISSUE OF A CONSTRUCTION CERTIFICATE**

##### **Payment of section 7.12 contribution**

6. Prior to the issuing of a construction certificate, a contribution is required towards the provision of public amenities and services, in accordance with the Cootamundra–Gundagai Regional Council *Section 7.12 Fixed Developer Consent Levy Contributions Plan 2018*.

#### **Onsite Sewerage Management System**

7. Prior to the issuing of a construction certificate, a section 68 approval under the *Local Government Act 1993* shall be obtained for the installation of the onsite sewerage management system.

#### **Finished floor level**

8. The finished floor level of the dwelling shall be a minimum of 500 mm above existing ground level. Prior to the issue of a construction certificate, amended plans shall be lodged with Council, demonstrating that this condition has been met.

#### **PRIOR TO WORK/CONSTRUCTION COMMENCING**

##### **Inspection/Certification**

9. Where Cootamundra-Gundagai Regional Council is nominated as the Principal Certifying Authority, the following requirements shall be satisfied before works commence:
  - the Principal Certifying Authority Service Agreement shall be completed and signed by the applicant; and
  - terms and conditions of the Principal Certifying Authority Service Agreement shall be satisfied,

- a minimum of 48 hours' notice prior to any critical stage inspection or any other inspection shall be given.

### **Signs**

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

- statement that unauthorised entry to the site is not permitted,
- 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,
- the name, address and telephone contact of the Principal Certifying Authority.

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.

### **Notice of Commencement**

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

### **Builders Toilets**

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

### **Residential Building Work**

13. 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

- A. In the case of work for which a principal contractor is required to be appointed:
  - the name and licence number of the principal contractor, and
  - the name of the insurer by which the work is insured under Part 6 of that Act.
- B. In the case of work to be done by an owner-builder:
  - the name of the owner-builder and,
  - the number of the owner-builder permit (where required).

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.

### **Prior to Building Work Commencing**

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

- A. 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

- B. The person having the benefit of the development consent has:
  - appointed a principal certifying authority for the building work, and
  - notified the principal certifying authority that the person will carry out the building work as an owner-builder, if that is the case, and
- C. The principal certifying authority has, no later than 2 days before building works commences:
  - notified the consent authority and the council (if the council is not the consent authority) of his or her appointment, and
  - 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
- D. The person having the benefit of the development consent, if not carrying out the work as an owner-builder, has,
  - appointed a principal contractor for the building work who must be the holder of a contractor licence if any residential work is involved, and
  - notified the principal certifying authority of any such appointment, and
  - 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.

#### **Cut and Fill**

15. The applicant shall ensure that any cut or fill on site is appropriately graded, drained, retained and revegetated.

#### **Siting of Building**

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

#### **Soil Erosion Control**

17. Site erosion control measures shall be incorporated into site management prior to work commencing. 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.

#### **Restricted Public Access**

18. 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.

#### **DURING CONSTRUCTION**

##### **Works to be undertaken in accordance with the approval**

- 19. 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.
- 20. The builder shall maintain on the site, at all times a legible copy of the following:
  - development consent including plans and related documentation,
  - construction certificate including plans, specifications and certificates.

**Hours of Construction Site Works**

21. 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.

**Effluent disposal and plumbing and drainage works**

22. The onsite sewerage management system shall be installed and operated in accordance with the section 68 approval.

23. 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 48 hours before the first inspection. They also must submit a correct Sewer Service Diagram (S.S.D) for all works. The Certificate of Compliance (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 applicant 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.

**Construction waste management**

24. Provision shall be made on site for the proper storage 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.

25. All construction waste shall be removed from the site and disposed of to a licenced waste disposal facility, on a regular basis.

**Termite Protection**

26. The building and immediate surrounds shall be treated in accordance with Australian Standard 3660.1 for protection against subterranean termites, and a copy of the guarantee submitted to Council.

NB: If a chemical system is selected for use as a barrier against termite attack, a durable notice shall be attached to the house providing information relating to the treatment supplied and the chemical used. This notice should be affixed permanently in either the electric meter box or at the entrance to the subfloor area.

Whilst the Building Code of Australia (BCA) and AS 3660.1 prescribe measures for protection in relation to the structural elements of a building, there are many other elements which may be susceptible to termite attack. Council therefore, encourages builders and owners to take general protective measures against termite attack according to approved industry standards and practices.

No protective measure is permanent. Owners should therefore, arrange regular inspections of their building by appropriate experts.

**Stormwater**

27. Stormwater from roof and hard stand areas, as well as any overflow from a tank, is to be discharged clear of the building and septic tank disposal area, and in such a position that it does not cause nuisance to neighbours or erosion.
28. Run-off and ground water seepage shall be diverted around the building to the storm water system via a suitable drainage system.

**Water Proofing - Wet Areas**

29. An owner/builder will not be permitted to provide water proofing membranes to any wet area unless that person holds a Water Proofing Membrane subcontractor's licence with the Department of Fair Trading. The application of water proof membranes to nominated wet areas is a 'Critical Stage Inspection' requiring mandatory inspection by the Council or an accredited Private Certifying Authority. The standards for compliance are AS 3740 2010 for Water Proofing Internal Wet Areas.

**Slab on Ground Construction.**

30. The following points must be complied with: -
  - internal floor level must be a minimum of 225mm above the external finished surface level adjacent to the building
  - external paths and ground surface adjoining the walls of the building must be graded and drained away from the dwelling in such a manner as not to cause a nuisance

**Scalding**

31. The Hot Water System to the bathroom/ensuite is to be set not to exceed 50°C to prevent accidental scalding of children and the infirm. The licensed Plumber is to complete the attached certificate of compliance for the completed installation.

**Smoke Alarms**

32. A smoke alarm system complying with *Australian Standard AS3786 Self Contained Smoke Alarms* or listed in the Scientific Services Laboratory (SSL) *Register of Accredited Products - Fire Protection Equipment* shall be installed. The smoke alarm system must be connected to the mains electrical power supply and must have a standby (battery backup) power supply, and where there is more than one smoke alarm installed, all alarms must be interconnected.

**PRIOR TO OCCUPATION OR COMMENCEMENT OF USE****Occupation of Building**

33. 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.

**Compliance Certificates**

34. 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.

**BASIX**

35. The development is to be carried out in accordance with the current BASIX certificate and schedule of commitments approved in relation to this development.

Prior to an Occupation Certificate being issued, the applicant is to provide certification certificates to the PCA which specifies that all commitments listed in the BASIX Certificate have been completed.

**Property Identification**

36. The property shall be known as 113 Racecourse Lane, Stockinbingal.

37. A rural addressing number shall be affixed to the fence adjacent the property entrance, prior to the issuing of an occupation certificate.

**REASONS FOR THE CONDITIONS:**

- To achieve the objectives of section 1.3 of the *Environmental Planning and Assessment Act 1979*, having regard to the relevant matters for consideration contained in section 4.15 of the Act and the Environmental Planning Instruments applying to the land.
- To ensure compliance with the *Building Code of Australia*, to enable the achievement and maintenance of acceptable standards of structural sufficiency, safety, health and amenity, for the benefit of the community now and in the future.
- To confirm the details of the application and plans submitted by the Applicant.
- To ensure compliance with relevant planning controls.
- To ensure that appropriate environmental protection measures are in place.
- To ensure the development complies with the requirements of Council policies.
- To ensure that works do not interfere with reasonable amenity expectations of residents and the community.

<b>VOTING RECORD</b>	
<b>FOR RESOLUTION</b>	<b>AGAINST RESOLUTION</b>
Cr Charlie Sheahan (Mayor)	Nil
Cr Leigh Bowden	
Cr Les Boyd	
Cr Logan Collins	
Cr Trevor Glover	
Cr David Graham	
Cr Gil Kelly	
Cr Abb McAlister	
Cr Penny Nicholson	
<b>ABSENT</b>	<b>DECLARED INTEREST</b>
Nil	Nil

**CARRIED**

**8.4.3 FUNDING AGREEMENT - COOTAMUNDRA/GUNDAGAI SHIRE VILLAGES (COOLAC, NANGUS, TUMBLONG AND DARBALARA) FLOOD STUDY**

*Amendment to report, last paragraph: merger cost, not demerger cost.*

**RESOLUTION 361/2022**

Moved: Cr Logan Collins

Seconded: Cr Penny Nicholson

**That Council;**

- 1. Endorse the signing of the Funding Agreement, and**
- 2. Commit \$37,400 to the project.**

**CARRIED**

**7.5 REGULATORY SERVICES**

Nil

**7.6 ASSETS**

Nil

**7.7 CIVIL WORKS****8.7.1 CIVIL WORKS AND TECHNICAL SERVICES REPORT - NOVEMBER 2022****RESOLUTION 362/2022**

Moved: Cr Logan Collins

Seconded: Cr Gil Kelly

**That the Civil Works and Technical Services Report for the month of November 2022 be noted.**

**CARRIED**

**7.8 TECHNICAL SERVICES****8.8.1 ROADS TO RECOVERY****RESOLUTION 363/2022**

Moved: Cr Logan Collins

Seconded: Cr Abb McAlister

**The allocation of the 2022/2023 Roads to Recovery funding of \$950,630 be endorsed by council, split between the projects detailed in the body of this report.**

**CARRIED**

#### **8.8.2 CROWN LAND TRANSFERS AND CLOSURES**

##### **RESOLUTION 364/2022**

Moved: Cr Abb McAlister  
Seconded: Cr Trevor Glover

- Council review the Crown Road closures proposed by Crown Lands NSW.**
- Council endorse the commencement of a Crown Lands transfer, for the identified portion of Mantons Road, currently maintained by council.**

**CARRIED**

#### **8.8.3 ADDITIONAL ROAD REPAIR FUNDING**

##### **RESOLUTION 365/2022**

Moved: Cr Penny Nicholson  
Seconded: Cr David Graham

**Council endorses acceptance of the Fixing Local Roads Pothole Repair funding deed totalling \$473,892.81.**

**CARRIED**

#### **8.8.4 ANNIE PYERS DRIVE FUNDING DEED**

##### **RESOLUTION 366/2022**

Moved: Cr David Graham  
Seconded: Cr Abb McAlister

**Council endorse acceptance of the Annie Pyers Drive funding deed totalling \$1 million dollars.**

**CARRIED**

#### **7.9 FACILITIES**

Nil

#### **7.10 WASTE, PARKS AND RECREATION**

Nil

#### **8 MOTION OF WHICH NOTICE HAS BEEN GIVEN**

Nil

**9        QUESTIONS WITH NOTICE****10.1     QUESTIONS WITH NOTICE - DECEMBER 2022****RESOLUTION 367/2022**

Moved: Cr David Graham

Seconded: Cr Trevor Glover

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

**CARRIED**

**10        CONFIDENTIAL ITEMS****11.1     CLOSED COUNCIL REPORT****RESOLUTION 368/2022**

Moved: Cr Logan Collins

Seconded: Cr Gil Kelly

- 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     EPA V CGRC COURT CASE - LEACHATE AT COOTAMUNDRA SEWAGE TREATMENT PLANT****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**

Not applicable.

**11.3     APPOINTMENT OF INTERIM GENERAL MANAGER****Provisions for Confidentiality**

Section 10A (2) (f) – The Confidential Report contains details of systems and/or arrangements that have been implemented to protect council, councillors, staff and Council property.

**Public Interest**

Not applicable.

**CARRIED**

**11.2 EPA V CGRC COURT CASE - LEACHATE AT COOTAMUNDRA SEWAGE TREATMENT PLANT****RESOLUTION 369/2022**

Moved: Cr Leigh Bowden  
Seconded: Cr Penny Nicholson

**That Council;**

1. Agree with the Interim General Manager's recommendation that it plead guilty to the offence.
2. Subsequently pay the penalty and cost issued by the EPA and magistrate totalling \$23,675, funded from the CGRC Sewerage Reserve Budget.
3. Publish a notice of the offence within 35 days (before 9 January 2023) to the Daily Advertiser, the Gundagai Independent and the Cootamundra Herald and provide a copy, of the notices, to the EPA.

**CARRIED**

**11.3 APPOINTMENT OF INTERIM GENERAL MANAGER****RESOLUTION 370/2022**

Moved: Cr Logan Collins  
Seconded: Cr Trevor Glover

1. Mr Steve McGrath be offered the position of Interim General Manager.
2. Mr McGrath be paid in accordance with the current General Manager's Standard Contract.
3. A car be provided at no cost to Mr McGrath as part of his remuneration package.
4. Accommodation be provided in addition to the remuneration to Mr. McGrath.

**CARRIED**

**11.4 RESUMPTION OF OPEN COUNCIL MEETING****RESOLUTION 371/2022**

Moved: Cr Abb McAlister  
Seconded: Cr Logan Collins

**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 7:03pm.**

**The minutes of this meeting were confirmed at the Ordinary Council Meeting held on 24 January 2023.**



**CHAIRPERSON**



**GENERAL MANAGER**