

Minutes

ORDINARY COUNCIL MEETING

ALBY SCHULTZ MEETING CENTRE, COOTAMUNDRA

6:00PM, Tuesday 27th June, 2023

Administration Centres: 1300 459 689

**MINUTES OF COOTAMUNDRA-GUNDAGAI REGIONAL COUNCIL
ORDINARY COUNCIL MEETING
HELD AT THE ALBY SCHULTZ MEETING CENTRE, COOTAMUNDRA
ON TUESDAY, 27 JUNE 2023 AT 6:00PM**

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

IN ATTENDANCE: Steve McGrath (Interim General Manager), Paul Woods (Interim Deputy General Manager - CCD), Matt Stubbs (Deputy General Manager - Operations), Zac Mahon (Manager Finance), Sally Atkinson (Acting Manager Development, Building and Compliance), Mark Ellis (Manager Engineering Cootamundra), Stephen Targett (Acting Manager Engineering Gundagai), Wayne Bennett (Manager Regional Services Cootamundra), Andrew Brock (Manager Regional Services Gundagai)

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

Nil

3 APOLOGIES

RESOLUTION 142/2023

Moved: Cr David Graham

Seconded: Cr Abb McAlister

Apologies from Cr Penny Nicholson be received.

CARRIED

4 DISCLOSURES OF INTEREST

Two (2) disclosure of interests received.

1. Cr Logan Collins – Non-Pecuniary Interest - Item 11.4 Tom Street Road Closure
2. Cr Trevor Glover – Non-Pecuniary Interest - Item 8.4.3 Development Application 2023/50 – 20 Lawrence Street Cootamundra

5 CONFIRMATION OF MINUTES

5.1 MINUTES OF THE ORDINARY MEETING OF COUNCIL HELD ON TUESDAY 23 MAY 2023

RESOLUTION 143/2023

Moved: Cr Leigh Bowden

Seconded: Cr Trevor Glover

The Minutes of the Ordinary Meeting of Council held on Tuesday 23 May 2023 be confirmed as a true and correct record of the meeting.

CARRIED

6 MAYORAL MINUTES

6.1 MAYORAL MINUTE - COUNCILLOR ENGAGEMENT

RESOLUTION 144/2023

Moved: Cr Trevor Glover

Seconded: Cr Les Boyd

The information in the Councillor Engagements Mayoral Minute be received and noted.

CARRIED

7 REPORTS FROM COMMITTEES

Nil

8 GENERAL MANAGER'S REPORT

8.1 GENERAL MANAGER OFFICE

8.1.1 IPART DRAFT REPORT - REVIEW OF THE RATE PEG METHODOLOGY

RESOLUTION 145/2023

Moved: Cr Leigh Bowden

Seconded: Cr Abb McAlister

That Cootamundra-Gundagai Regional Council lodge a submission to the IPART Review of the Rate Peg Methodology indicating support for draft decisions 1 to 10, and also for draft recommendations 1 and 2, within the Draft IPART Report.

CARRIED

8.2 BUSINESS

8.2.1 FINAL OPERATIONAL PLAN 2023/2024

RESOLUTION 146/2023

Moved: Cr Leigh Bowden

Seconded: Cr Trevor Glover

- 1. The submissions in response to the public exhibition of the draft 2023/2024 Operational Plan (incorporating Revenue Policy, Fees & Charges and budget) be considered.**
- 2. Any further submissions received up until 5pm Wednesday 21 June 2023, will be considered in a late report.**
- 3. The draft Cootamundra-Gundagai Regional Council 2023/2024 Operational Plan be adopted by Council.**

CARRIED

Interim General Manager made notice of a recommended adjustment, which comprised of additional wording on page 22 of the fees and charges, as follows: Community not-for-profit organisations may be eligible of a council donation of up to 50% of the general usage rate (and the area hired with equipment set up/ remaining in place, upon written request and approval)

8.2.2 APPLICATIONS FOR COMMUNITY DONATIONS 2023

RESOLUTION 147/2023

Moved: Cr Gil Kelly

Seconded: Cr Logan Collins

Council defer the consideration of the Community Donation Applications Report, pending further information and consideration of the applications by Councillors at a workshop.

CARRIED

8.2.3 COOTAMUNDRA BEACH VOLLEYBALL EVENT LICENCE

RESOLUTION 148/2023

Moved: Cr David Graham

Seconded: Cr Leigh Bowden

- 1. That Council award the coordination of the Coota Beach Volleyball event, via a licencing agreement, offering a 3-year agreement, with a further 3-year option, to Business Cootamundra.**
- 2. That seed funding already allocated to the event be transferred to Business Cootamundra.**

CARRIED

8.2.4 EASTERN RIVERINA ARTS (ERA) ANNUAL GENERAL MEETING AND ANNUAL REPORT

RESOLUTION 149/2023

Moved: Cr David Graham

Seconded: Cr Leigh Bowden

- 1. The Eastern Riverina Arts AGM 2023 Minutes be noted.**
- 2. The proposed membership and fee structure of \$7,294.31 be endorsed for the 2023/24 Financial Year.**

CARRIED

8.2.5 THE ARTS CENTRE COOTAMUNDRA S.355 COMMITTEE MEETING MINUTES

RESOLUTION 150/2023

Moved: Cr David Graham

Seconded: Cr Les Boyd

The Minutes of The Arts Centre Cootamundra s.355 Committee Meeting held 16 March 2023, 20 April 2023 and 18 May 2023 attached to the report, be received and noted.

CARRIED

8.2.6 BRADMAN BIRTHPLACE MUSEUM S.355 COMMITTEE MEETING MINUTES

RESOLUTION 151/2023

Moved: Cr Logan Collins

Seconded: Cr Abb McAlister

The Minutes of the Bradman Birthplace Museum s.355 Committee meeting held 18 May 2023, attached to the report, be received and noted.

CARRIED

Cr Collins is the council representative on the Bradman Birthplace Museum s.355 committee and requested that the committee please contact him to advise of their scheduled meeting dates, and give notice of each meeting.

8.2.7 MUTTAMA CREEK REGENERATION GROUP S.355 COMMITTEE MEETING MINUTES

RESOLUTION 152/2023

Moved: Cr Gil Kelly

Seconded: Cr Trevor Glover

The Minutes of the Muttama Creek Regeneration Group s.355 Committee meeting held 11 April 2023, attached to the report be, received and noted.

CARRIED

8.2.8 STOCKINBINGAL ELLWOOD'S HALL S.355 COMMITTEE MEETING MINUTES

RESOLUTION 153/2023

Moved: Cr Leigh Bowden

Seconded: Cr Les Boyd

The Minutes of the Stockinbingal Ellwood's Hall s.355 Committee meeting held 25 May 2023 attached to the report be, received and noted.

CARRIED

8.3 FINANCE

8.3.1 2023/24 RATES & ANNUAL CHARGES

RESOLUTION 154/2023

Moved: Cr David Graham

Seconded: Cr Leigh Bowden

1. ORDINARY RATES

In accordance with the provisions of Section 535 of the *Local Government Act 1993* Cootamundra-Gundagai Regional Council hereby resolves to make the following rates for the 2023/24 rating year:

- a) Farmland Category Rate of 0.13381 cents in the dollar, with a base amount of \$448.00 per assessment, for all rateable land within the Farmland Category in Council's area, as defined in Section 515 of the *Local Government Act 1993*, based upon the land value at a base valuation date of 1 July 2022. The base amount for the Farmland Category is estimated to realise 10.58% of the total yield in this category.
- b) Residential Category Rate of 0.39883 cents in the dollar, with a base amount of \$448.00 per assessment, for all rateable land within the Residential Category in Council's area, as defined in Section 516 of the *Local Government Act 1993*, based upon the land value at a base valuation date of 1 July 2022. The base amount for the Residential Category is estimated to realise 45.44% of the total yield of this category.
- c) Business Category Rate of 1.1967 cents in the dollar, with a base amount of \$448.00 per assessment, for all rateable land within the Business Category in Council's area, as defined in Section 518 of the *Local Government Act 1993*, based upon the land value at a base valuation date of 1 July 2022. The base amount for the Business Category is estimated to realise 19.42% of the total yield of this category.
- d) Mining Rate of 0.29266 cents in the dollar, with a base amount of \$448.00 per assessment, for all rateable land within the Mining Category in Council's area, as defined in Section 517 of the *Local Government Act 1993*, based upon the land value at a base valuation date of 1 July 2022.

2. 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 2023/24 rating year:

- a) Domestic Waste Management Charge of \$520.00 per annual service for each parcel of rateable residential land within the Gundagai, Cootamundra, Stockinbingal & 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 \$68.00 per annual service for each parcel of rateable residential land within the Gundagai, Cootamundra, Stockinbingal & 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 \$520.00 per annual service for each assessment of residential land outside of the Gundagai, Cootamundra, Stockinbingal & Wallendbeen 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 the charge as noted in d) below.)
- d) Green Waste/Organics Charge – Other Charge of \$68.00 per annual service for each assessment of residential land outside of the Gundagai, Cootamundra, Stockinbingal & Wallendbeen Scavenging Areas, for which the service is available and required. The levying of such charge is to entitle the ratepayer to a regular fortnightly service of one 240 litre bin for domestic green waste
- e) Rural Waste Charge of \$77.00 on each parcel of rateable land outside the Gundagai, Cootamundra, Stockinbingal & Wallendbeen Scavenging areas, and for which there is no service being provided as noted in c) above.
- f) Commercial Waste Management Charge of \$520.00 per service for the removal of waste (one 240 litre general waste pickup per week and one 240 litre recyclable waste pickup per fortnight) from Non-Residential properties for which the service is requested and available. Multiple services will be charged for multiple bins and/or collections per week.
- g) Unoccupied (Vacant Land) Waste Charge of \$77.00 on each parcel of rateable land within the Gundagai, Cootamundra, Stockinbingal & Wallendbeen Scavenging areas for which a domestic waste management service is available, but the land is vacant and unoccupied.

3. 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, excepting 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 2023/24 rating year:

- a) Residential Stormwater Management Charge of \$25.00 per annum per residential assessment of occupied rateable land within the townships of Gundagai & Cootamundra, excepting 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 & Cootamundra, excepting 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 & Cootamundra, excepting 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** 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 & Cootamundra, excepting Council owned or controlled parks, lands and buildings, or other land exempt as per Section 496A(2) of the *Local Government Act 1993*.

4. **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 2023/24 rating year:

On-Site Sewerage Management Administration Charge of \$50.00 per annum for properties for which on-site sewerage services are available and connected.

5. **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 2023/24 rating year:

- a) **Water Usage Charge** of \$2.24 per kilolitre for usage up to and including 39 kilolitres per quarter, and thereafter \$3.36 per kilolitre for water usage exceeding 39 kilolitres per quarter, for all land connected to the water supply, excepting that land as identified as subject to the charges in 5.b) below.
- b) **Non-Residential Community Water Usage Charge** of \$1.77 per kilolitre for usage up to and including 39 kilolitres per quarter, and thereafter \$2.52 per kilolitre for 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.

6. **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 2023/24 rating year:

Non-Residential Sewer Usage Charge of \$2.98 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 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

7. 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 2023/24 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	\$448.00
25mm	\$701.00
32mm	\$1,149.00
40mm	\$1,794.00
50mm	\$2,804.00
63mm	\$4,452.00
75mm	\$6,309.00
80mm	\$7,178.00
100mm	\$11,216.00

- b) **Residential Strata Water Access Charge** of \$448.00 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 and that land that is identified as liable for charges outlined in 7.e) below, 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	\$448.00
25mm	\$701.00
32mm	\$1,149.00
40mm	\$1,794.00
50mm	\$2,804.00
63mm	\$4,452.00
75mm	\$6,309.00
80mm	\$7,178.00
100mm	\$11,216.00

- d) **Non-Residential Strata Water Access Charge** of \$448.00 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	\$224.00
25mm	\$350.00
32mm	\$574.00
40mm	\$897.00
50mm	\$1,402.00
80mm	\$3,590.00
100mm	\$5,608.00

8. 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 2023/24 rating year:

- a) *Vacant Residential Water Access Charge* of \$448.00 per annum per residential assessment to which the water supply is available but not connected.
- b) *Vacant Non-Residential Water Access Charge* of \$448.00 per annum per non-residential assessment to which the water supply is available but not connected.
- c) *Vacant Non-Residential Community Water Access Charge* of \$224.00 per annum per non-residential assessment whereby Council has by resolution identified the assessment as being subject to the Vacant Non-Residential Community Water Access Charge.

9. 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 2023/24 rating year:

- a) *Residential Sewer Access Charge* of \$673.00 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, excepting land identified as liable for the charges as outlined in 9.c) below, 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	\$561.00
25mm	\$673.00
32mm	\$785.00
40mm	\$1,076.00
50mm	\$1,346.00
63mm	\$1,695.00
75mm	\$2,019.00
80mm	\$2,152.00
100mm	\$2,692.00

- c) *Non-Residential Community Sewer Access Charge* in respect of non-residential land to which sewerage services are 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	\$280.00
25mm	\$336.00
32mm	\$391.00
40mm	\$538.00
50mm	\$673.00
80mm	\$1,076.00
100mm	\$1,346.00

10. 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 2023/24 rating year:

- a) Vacant Residential Sewer Access Charge of \$393.00 per annum per residential assessment to which the water supply is available but not connected.
- b) Vacant Non-Residential Sewer Access Charge of \$393.00 per annum per non-residential assessment to which the water supply is available but not connected.
- c) Vacant Non-Residential Community Sewer Access Charge of \$196.00 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 to Vacant Non-Residential Community Access Charges.

11. LIQUID TRADE WASTE CHARGES

The annual trade waste charges as identified below are charged bi-annual 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 2023/24 rating year:

- a) Trade Waste Annual Fee on non-residential land connected to the sewerage service of \$250.00 where liquid trade waste is discharged.
- b) Trade Waste Usage Charge on (Category 2) non-residential land connected to the sewerage service of \$4.33 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 as follows:

PROPERTY USE	TWDF %
Concrete Plant, Park Watering & Sewer Well	1
Pool, Bowling Green, Clubhouse & General Business	10
RLPB, Pharmacy, Medical Centre	20
Caravan Park, School & 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

12. INTEREST ON OVERDUE RATES & CHARGES

Interest on overdue rates and charges for the 2023-24 rating year has been set by Council at the maximum rate of interest payable as determined by the Minister of Local Government of 9.0% per annum, calculated daily, in accordance with Section 566 of the Local Government Act 1993.

13. COMMUNITY BASED NOT FOR PROFIT ORGANISATIONS

Cootamundra-Gundagai Regional Council hereby resolves to make the assessments shown below as being those assessments to which 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:

<u>Assessment</u>	<u>Name of Owner/Occupier</u>	<u>Use of Land</u>
<u>Religious Organisations</u>		
10001451	Sacred Heart Parish	Convent and Place of Worship
10001477	Catholic Church Trustees	Place of Worship
10001485	Catholic Church Trustees	Minister's Residence/Place of Worship
10008142	Presbyterian Church	Place of Worship
10013340	Jehovah's Witnesses Congregations	Place of Worship
10013423	Salvation Army	Minister's Residence/Place of Worship
10015444	Church Of the Foursquare Gospel	Place of Worship
10015832	Baptist Church Of NSW	Place of Worship
10017119	Anglican Church Property Trust Diocese	Minister's Residence/Place of Worship
10017135	Anglican Church of Australia	Place of Worship
10029445	Uniting Church	Church Hall and Place of Worship
10029478	Uniting Church	Place of Worship
10039766	Australasian Conference Association Ltd	Place of Worship
11011715	Anglican Church Property Trust Dc & G	Place of Worship
11018389	Anglican Church Property Trust Dc & G	Place of Worship
11019627	Roman Catholic Church	Place of Worship
<u>Local Sporting, Charitable & Community Groups</u>		
10006328	Society of St Vincent de Paul	Public Charity
10008399	Boy Scouts Association	Community Group
10008431	Cootamundra Ex-Servicemen's and Citizens Club	Community Facility
10008837	Australian Red Cross Society	Public Charity
10008845	Australian Red Cross Society	Public Charity
10009660	Showground Users Committee	Community Facility
10010320	The Cootamundra Country Club Ltd	Community Facility
10010882	CADAS Coota West	Community Group/Facility
10011955	Southern Cross Care - Retirement Village	Community Facility
10012060	Elouera Association Incorporated	Public Charity/Community Organisation
10015725	Cootamundra Wattle Guides	Community Group/Facility
10017556	Cootamundra Squash Assoc	Community Sporting Facility
10018877	Elouera Association Incorporated	Public Charity/Community Organisation
10030450	Town Tennis Club	Community Sporting Facility
10030468	Cootamundra Rugby League Club	Community Sporting Facility
10033223	Cootamundra Preschool Incorporated	Community Facility
10035780	Cootamundra Lions Club	Community Group

10039246	Coota Health Care Co-Op - Nursing Home	Community Facility
10039865	Elouera Cootamundra Assn Pty Ltd	Public Charity/Community Organisation
10045698	Cootamundra Strikers Soccer Club	Community Sporting Facility
10046159	Elouera Association Incorporated	Public Charity/Community Organisation
11011913	Gundagai Pre-School Kindergarten	Community Facility
11015922	Gundagai Common Trust	Community Group/Facility
11016136	Gundagai Racecourse and Showground Land	Community Sporting & Rec Facility
11019452	Gundagai District Services Club Ltd	Community Facility
11019460	Gundagai District Services Club Ltd	Community Facility
11019569	Valmar Support Services Ltd	Community Facility
11019965	Gundagai District Services Club Ltd	Community Facility
11019973	Gundagai District Services Club Ltd	Community Facility
11021318	Gundagai Scout Group	Community Group/Facility
11021730	Gundagai District Services Club Ltd	Community Facility
11032836	Gundagai Historic Bridges Committee Inc.	Community Group/Facility
11037132	South Gundagai Common Trust	Community Group/Facility

CARRIED**MOTION**

Moved: Cr David Graham

Seconded: Cr Leigh Bowden

That a further report be presented to councillors regarding the methodology and eligibility criteria for community based not for profit organisations.

8.3.2 RESTRICTED CASH RECONCILIATION**RESOLUTION 155/2023**

Moved: Cr David Graham

Seconded: Cr Gil Kelly

The Restricted Cash Reconciliation report, be received and noted.

CARRIED**8.3.3 FINANCE UPDATE - OPERATIONAL AND CAPITAL INCOME & EXPENDITURE****RESOLUTION 156/2023**

Moved: Cr Les Boyd

Seconded: Cr Logan Collins

The Finance Update report, be received and noted.

CARRIED

8.3.4 INVESTMENT REPORT - MAY 2023**RESOLUTION 157/2023**

Moved: Cr Trevor Glover

Seconded: Cr Logan Collins

The report detailing Council Cash and Investments as at 31 May 2023, be received and noted.

CARRIED

8.4 SUSTAINABLE DEVELOPMENT**8.4.1 DEVELOPMENT APPLICATION MODIFICATION - DA 2019/143.6 MOD 5 - TUMBLONG RESERVE ROAD, TUMBLONG****RESOLUTION 158/2023**

Moved: Cr Leigh Bowden

Seconded: Cr David Graham

That Council grants approval to the proposed modification, subject to the consent conditions below:

A. Application No.: DA 2019/143.6

**B. Property: Lot: 10 DP: 1210362, Lot: 7004 DP: 1028797, Lot 7300 DP 1148008,
Lot: 3 DP: 702858
Tumblong Reserve Road TUMBLONG,
282 Tumblong Reserve Road TUMBLONG,
68 Tumblong Reserve Road TUMBLONG**

C. Original Development: Inert Landfill Waste Facility – approved 29 June 2020.

**D. Modification Description: Construction of an additional 25ML temporary leachate
storage pond and associated perimeter bunds on Lot 3
DP702858**

1. This Notice of Determination for modification is granted subject to the following conditions:

- 1. The Applicant shall carry out the development in accordance with the plans and supporting documentation recommendations and specifications submitted in support of the application including the Environmental Impact Statement, Part A Rev 2 (dated November 2019) and prepared by Salvestro Planning and InSitu Advisory, and documentation submitted in relation to modification DA2019.143 MOD 5 – Temporary Leachate Pond.**

Note: Attachment A – General Terms of Approval – NSW Environment Protection Authority form part of this consent. The applicant must also adhere to the conditions contained in Attachment A.

Attachment B – Special Conditions - NSW Environment Protection Authority. The applicant must also adhere to the conditions contained in Attachment B.

[as amended by DA2019/143 MOD 1, approved 29 September 2020]

Insertion of the following conditions

TEMPORARY LEACHATE POND

- E. The temporary leachate pond on Lot 3 DP 702858 is to be decommissioned five (5) years from the date of the transfer of leachate from Cell 2 to the temporary leachate pond.**
- F. No leachate from the temporary leachate pond is to be transferred back to the landfill site (Lot 7004 DP 1028797 and Lot 7300 DP 1148008) to either Cell 1, Cell 2 or the originally approved 3.47ML leachate pond without effective treatment to immobilise the dissolved salts as outlined in *Tumblong Landfill – Leachate Odour Mitigation and Management Advice* (The Odour Unit, 11 May 2023).**
- G. Prior to any transfer of treated leachate out of the temporary leachate pond to the landfill site, the leachate is to be tested and a report submitted to Council to confirm that the leachate in the temporary leachate pond has been effectively treated and is able to be disposed of via evaporation and irrigation without any risk of odour impact.**

PRIOR TO THE TRANSFER OF LEACHATE TO THE TEMPORARY LEACHATE POND

- H. Prior to the transfer of any leachate to the temporary pond on Lot 3 DP 702858, an easement is to be created over Lot 3 DP 702858 benefitting Lot 7004 DP 1028797 and Lot 7300 DP 1148008. The easement is to permit the temporary storage of leachate from the landfill on 7004 DP 1028797 and Lot 7300 DP 1148008, on Lot 3 DP 702858.**
- I. The Applicant shall install a suitable fence around the temporary leachate pond and associated bunds and filter beds.**

TRANSFER OF LEACHATE TO THE TEMPORARY LEACHATE POND

- J. Leachate stored in Cell 2 of the Waste Facility, is to be transferred to the temporary leachate pond, in accordance with the recommendations as outlined in *Tumblong Landfill – Leachate Odour Mitigation and Management Advice* (The Odour Unit, 11 May 2023).**

REMOVAL OF THE TEMPORARY LEACHATE POND

- K. Within Twelve (12) months of the transfer of leachate to the temporary leachate pond, the applicant is to submit to Council a plan for the decommissioning of the temporary pond, and the rehabilitation of the area.**
- L. After decommissioning of temporary leachate pond, and restoration of the site, the following documentation is to be submitted to Cootamundra-Gundagai Regional Council within thirty (30) days of the completion of works;**
 - a. Written notification that the site has been rehabilitated and that works have been completed,**
 - b. Written certification that there has been no impact on the immediate environment, and that the site is suitable for agricultural use.**

ATTACHMENT B - NSW ENVIRONMENT PROTECTION AUTHORITY

Special Conditions

E7 Leachate Pond

E7.1 The licensee must construct a leachate pond in accordance with the concept design contained in Tumblong Landfill – Odour Mitigation and Management Advice, prepared by The Odour Unit and InSitu Advisory and dated 10 November 2022.

E7.2 Prior to the construction of the leachate pond, the licensee must prepare a Construction Quality Assurance (CQA) Plan that addresses the matters set out in the Environmental Guidelines: Solid Waste Landfills, Minimum Standards Part 11 (EPA, 2016). It must specify tests, inspections and other procedures that the licensee will implement during construction of the pond to ensure compliance with the approved designs and specifications.

E7.3 Following the construction of the leachate pond, the licensee must submit to the EPA by electronic mail to info@epa.nsw.gov.au for approval a Construction Quality Assurance (CQA) Report. The licensee must not deposit leachate in the pond subject to this modification until the EPA has approved the CQA Report for the completed leachate pond and provided approval in writing to commence this operation. The CQA Report must contain:

- A) Details and evidence of the works installed, the testing conducted and the quality assurance procedures implemented;
- B) An account of any variation to the approved designs, methods and specifications and CQA Plan; and
- C) An opinion by an appropriately qualified and experienced construction quality assurance practitioner on the conformance of the works with the approved designs, methods, specifications and CQA Plan.

All other conditions remain as previously approved.

CARRIED

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

8.4.2 DEVELOPMENT APPLICATION - 2023/47 - 56 CROWN STREET COOTAMUNDRA**RESOLUTION 159/2023**

Moved: Cr Abb McAlister

Seconded: Cr Logan Collins

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

- **Application No: DA2023/47**
- **Property: Lot 1 DP725160
56 Crown Street
COOTAMUNDRA NSW 2590**
- **To demolish the existing Shed and construct a new Shed**

GENERAL 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
	Site plan	Applicant	
#WSS230539-3	Shed plans	Apex Engineering Group PTY LTD (widespan sheds)	24/02/2023

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 correctly on the 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 an approved, licensed waste facility. Please note that a separate fee applies for disposal of waste at Council's waste depots. You should contact Council for an estimate of costs in this regard or refer to Council's adopted Fees and Charges.

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

(5) DUR Condition – Tree Protection - Nature Strip.

Existing trees which are located on the nature-strip shall be protected during the construction period.

Reason: The Council's concern that the amount of vegetation in the Shire should continue to increase to improve the climate and appearance.

(6) DUR Condition – Driveway and Layback.

The provision of an adequate vehicle access, including the provision of an invert crossing at the kerb and gutter is required to be installed as part of the development. The installation of the vehicle access and kerb and gutter crossing are to be constructed in accordance with Councils 'Typical vehicle kerb and gutter crossing KG 65/1'.

Twenty four (24) hours' notice is to be given to Council's Works & Services group before placement of concrete to enable formwork to be inspected. Failure to do so may result in rejection of the works and a need for reconstruction.

Reason: To ensure appropriate vehicle access is provided to the development which does not adversely impact on pedestrian traffic or Council's public road infrastructure.

(7) 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.

(8) 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 58 of the Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021.

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.

(9) 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 SafeWork NSW Regulations.

Reason: To ensure public safety is maintained.

(10) DUR Condition – Storm Water.

Storm water is to be discharged: -

1. To the roadside gutter, taken through the kerb and the kerb is to be made good or, alternatively, linked to existing storm water drainage which discharges at the roadside gutter
2. , and any overflows to be without nuisance

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

(11) 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.

ONGOING USE

(1) USE Condition – Business Use.

The structure is not to be let, adapted or used for separate occupation or commercial purposes.

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

(2) USE Condition – Carport Enclosure Prohibited.

The open sides of the carport are not to be enclosed at any point in time without the prior consent of Council.

Reason: attached carport is not approved as an enclosed structure and requires approval to enclose.

(3) 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.

(4) 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.

(5) 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.

CARRIED

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

8.4.3 DEVELOPMENT APPLICATION - 2023/50 - 20 LAWRENCE STREET COOTAMUNDRA**RESOLUTION 160/2023**

Moved: Cr Leigh Bowden

Seconded: Cr Logan Collins

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

- **Application No:** DA2023/50
- **Property:** Lot 2 DP 568167
20 Lawrence Street
COOTAMUNDRA NSW 2590
- **To construct a Carport and relocation of existing Garden Sheds**

GENERAL 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
	Proposed carport site plan 20 Lawrence street- proposed carport & garden sheds	Coota design	
1	Proposed carport – floorplan, elevations, section	Coota design	26.4.23

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 – 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.

(5) 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 correctly on the allotment.

(6) 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.

(7) 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.

(8) 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.

(9) 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 an approved, licensed waste facility. Please note that a separate fee applies for disposal of waste at Council's waste depots. You should contact Council for an estimate of costs in this regard or refer to Council's adopted Fees and Charges.

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

- (5) **DUR Condition – Tree Protection - Nature Strip.**

Existing trees which are located on the nature-strip shall be protected during the construction period.

Reason: The Council's concern that the amount of vegetation in the Shire should continue to increase to improve the climate and appearance.

- (7) **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.

(8) 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 58 of the Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021.

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.

(9) 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 SafeWork NSW Regulations.

Reason: To ensure public safety is maintained.

(10) DUR Condition – Storm Water.

Storm water is to be discharged: -

1. To the roadside gutter, taken through the kerb and the kerb is to be made good or, alternatively, linked to existing storm water drainage which discharges at the roadside gutter
2. To the roadside table drain. The end of the storm water pipe at the table drain shall be suitably protected to avoid damage to the end of the pipe
3. and any overflows to be without nuisance

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

(11) 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.

ONGOING USE

(1) USE Condition – Business Use.

The 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 – Carport Enclosure Prohibited.

The open sides of the carport are not to be enclosed at any point in time without the prior consent of Council.

Reason: structure approved as an open carport only- not to be enclosed without further consent from council.

(3) 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.

(4) 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.

(5) USE Condition – Non Habitable Use.

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

Reason: Health and safety prohibition.

CARRIED

VOTING RECORD	
FOR RESOLUTION	AGAINST RESOLUTION
Cr Charlie Sheahan (Mayor) Cr Leigh Bowden Cr Les Boyd	Nil

Cr Logan Collins Cr David Graham Cr Gil Kelly Cr Abb McAlister	
ABSENT	DECLARED INTEREST
Cr Penny Nicholson	Cr Trevor Glover

8.4.4 DEVELOPMENT APPLICATION - 2023/58 - 6 COWCUMBLA STREET COOTAMUNDRA

RESOLUTION 161/2023

Moved: Cr Les Boyd

Seconded: Cr Gil Kelly

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

- **Application No:** DA2023/58
- **Property:** Lot 1 DP 580584
6 Cowcumbra Street
COOTAMUNDRA NSW 2590
- **To construct a new Shed**

GENERAL 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
	Site Plan	Applicant	May 2023
	Elevations	Applicant	May 2023
Job No. 2305E03 Sheet No. S00	Cover Page	Structure A	03.05.2023
Job No. 2305E03 Sheet No. S01	General Notes	Structure A	03.05.2023
Job No. 2305E03 Sheet No. S02	Footing Plan	Structure A	03.05.2023
Job No. 2305E03 Sheet No. S03	Roof Framing	Structure A	03.05.2023
Job No. 2305E03 Sheet No. S04	East & West Elevations	Structure A	03.05.2023

Job No. 2305E03 Sheet No. S05	South & North Elevations	Structure A	03.05.2023
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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 with a three (3) metre setback from the Thompson Street boundary.

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 an approved, licensed waste facility. Please note that a separate fee applies for disposal of waste at Council's waste depots. You should contact Council for an estimate of costs in this regard or refer to Council's adopted Fees and Charges.

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

(5) DUR Condition – Tree Protection - Nature Strip.

Existing trees which are located on the nature-strip shall be protected during the construction period.

Reason: The Council's concern that the amount of vegetation in the Shire should continue to increase to improve the climate and appearance.

(6) DUR Condition – Driveway and Layback.

The provision of an adequate vehicle access, including the provision of an invert crossing at the kerb and gutter is required to be installed as part of the development. The installation of the vehicle access and kerb and gutter crossing are to be constructed in accordance with Councils 'Typical vehicle kerb and gutter crossing KG 65/1'.

Twenty four (24) hours' notice is to be given to Council's Works & Services group before placement of concrete to enable formwork to be inspected. Failure to do so may result in rejection of the works and a need for reconstruction.

Reason: To ensure appropriate vehicle access is provided to the development which does not adversely impact on pedestrian traffic or Council's public road infrastructure.

(7) DUR Condition - Pipe Replacement.

Should the proposed building be located over existing vitrified clay sewer pipes then such pipes shall be reinstated in PVC material in the area under the proposed building.

Reason: To minimise the opportunity for damage to the building as a result of leaking sewage.

(8) 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.

(9) 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 58 of the Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021.

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.

(10) 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 SafeWork NSW Regulations.

Reason: To ensure public safety is maintained.

(11) DUR Condition – Storm Water.

Storm water is to be discharged: -

1. To the roadside gutter, taken through the kerb and the kerb is to be made good or, alternatively, linked to existing storm water drainage which discharges at the roadside gutter

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.

ONGOING USE**(1) USE Condition – Business Use.**

The Shed is not to be 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

CARRIED

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

8.5 ENGINEERING COOTAMUNDRA

8.5.1 COOTAMUNDRA FLOODPLAIN RISK MANAGEMENT COMMITTEE MEETING - MINUTES 13 JUNE 2023

RESOLUTION 162/2023

Moved: Cr Trevor Glover

Seconded: Cr Gil Kelly

- 1. The Minutes of the Cootamundra Floodplain Risk Management Committee Meeting held on 13 June, 2023, attached to the report, be received and noted.**
- 2. In consideration of the Cootamundra Floodplain Risk Management Committee Meeting recommendations detailed in the report, Council:**
 - 2.1 That an additional option for the review of the existing flood warning system for Cootamundra be included in the Floodplain Risk Management Study and Plan with consideration given to the installation of an additional Flood Warning Stream Gauge & Pluviograph within the urban area of Town, downstream of the confluence of Jindalee and Muttama Creeks.**
 - 2.2 That installation of historical flood marker/s at locations within the Cootamundra town centre be considered.**
 - 2.3 That the Floodplain Risk Management Study be recommended to Council for adoption, with the inclusion of Recommendations 1 & 2 above.**
 - 2.4 That the Voluntary Purchase Feasibility Study be considered by Council in Closed Committee at a future meeting, when there has been further re-engagement with landowners who are nominated in the Study.**

CARRIED

8.5.2 CGRC ENGINEERING REPORT - JUNE 2023

RESOLUTION 163/2023

Moved: Cr David Graham

Seconded: Cr Abb McAlister

The CGRC Engineering Report for the month of June 2023 be noted.

CARRIED

8.6 ENGINEERING GUNDAGAI

8.6.1 NSW LOCAL ROADS CONGRESS 2023

RESOLUTION 164/2023

Moved: Cr Logan Collins

Seconded: Cr Abb McAlister

The NSW Local Roads Congress 2023 report, and attachment, be received and noted.

CARRIED

8.7 REGIONAL SERVICES GUNDAGAI

8.7.1 REGIONAL SERVICES GUNDAGAI WORKS REPORT FOR MAY/JUNE 2023

RESOLUTION 165/2023

Moved: Cr Abb McAlister

Seconded: Cr Leigh Bowden

The Regional Services Gundagai works report for May/June 2023 be noted.

CARRIED

8.8 REGIONAL SERVICES COOTAMUNDRA

8.8.1 NICHOLSON PARK DRAINAGE

RESOLUTION 166/2023

Moved: Cr Leigh Bowden

Seconded: Cr Gil Kelly

- 1. Council authorises both Council Staff and related sporting associations to seek 100% grant funding for the proposal of undertaking drainage works at Nicholson Park.**
- 2. That the proposed drainage works as identified within this report be included with the 2023/2024 Operational & Financial Plans.**
- 3. That the grant funding includes \$12,000 for detailed drainage design works.**

CARRIED

8.8.2 REGIONAL SERVICES COOTAMUNDRA MONTHLY REPORT

RESOLUTION 167/2023

Moved: Cr Trevor Glover

Seconded: Cr Abb McAlister

The Regional Services Department Cootamundra Monthly Report for April & May 2023, be received and noted.

CARRIED

9 MOTION OF WHICH NOTICE HAS BEEN GIVEN

Nil

10 QUESTIONS WITH NOTICE

Nil

11 CONFIDENTIAL ITEMS**11.1 CLOSED COUNCIL REPORT****RESOLUTION 168/2023**

Moved: Cr Logan Collins

Seconded: Cr David Graham

- 1. Items 11.2, 11.3, 11.4 and 11.5 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, 11.3, 11.4 and 11.5 be withheld from the press and public.**

CARRIED

RESUMPTION OF OPEN COUNCIL MEETING**RESOLUTION 169/2023**

Moved: Cr Logan Collins

Seconded: Cr Leigh Bowden

The Open Council meeting resume.

CARRIED

ANNOUNCEMENT OF CLOSED COUNCIL RESOLUTIONS

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

Note: The Chairperson announced that recommendation 3 within Report 11.4 was adopted however the matter remains confidential at this point in time. All other confidential items were announced during open council.

11.2 MEMORANDUM OF AGREEMENT SOUTH WEST REGIONAL WASTE GROUP**RESOLUTION 170/2023**

Moved: Cr Gil Kelly

Seconded: Cr Leigh Bowden

That Council:

- (a) Receive and note the report.**
- (b) Reinstate the Memorandum of Agreement between the Councils of the South-West Regional Waste Management Group for a preliminary period of 12 months.**
- (c) Delegate to the General Manager to execute all associated documentation relating to the Memorandum of Agreement between the Councils of the South-West Regional Waste Management Group (SWRWMG).**

- (d) That the South-West Regional Waste Management Group prior to 23rd December 2023, review the reinstated Memorandum of Agreement between the Councils of the South-West Regional Waste Management Group as to formalise the Agreement for a further extended period.**

CARRIED

11.3 GRAVEL PIT AGREEMENTS

RESOLUTION 171/2023

Moved: Cr Les Boyd

Seconded: Cr Abb McAlister

- 1. Council endorses the updated Gravel Pit Lease Agreement Template, attached to this report as Attachment 1, to be implemented with existing landholders where Gravel Pits are in operation.**
- 2. Council delegates the authority to enter Gravel Pit Lease Agreements of a 5-year duration with landowners within the Council area, to the General Manager.**
- 3. Council endorses the updated Royalties rates included on the final page of the attached Gravel Pit Lease Agreement Template.**

CARRIED

The initial mover Cr Kelly and seconder Cr Graham moved to resolve each item separately.

11.4 TOM STREET ROAD CLOSURE

RESOLUTION 172/2023

Moved: Cr Leigh Bowden

Seconded: Cr Abb McAlister

- 1. The survey, deposited plan lodgement and gazettal of Tom Street Closure be received and noted.**

CARRIED

RESOLUTION 173/2023

Moved: Cr David Graham

Seconded: Cr Abb McAlister

- 2. Council resolves to support the gazettal of Tom Street, to be vested as operational land in line with the previous resolution (032/2022).**

CARRIED

RESOLUTION 174/2023

Moved: Cr Abb McAlister

Seconded: Cr Les Boyd

- 3. Council sell the Tom Street reserve to the current registered owner of lot 19 and 20 DP 758915 for the value of \$5000.**

CARRIED**RESOLUTION 174/2023**

Moved: Cr Abb McAlister

Seconded: Cr Gil Kelly

4. Council delegate the authority to commence the disposal of the operational land, identified in the attached plan, to the General Manager, under Section 377(1)h of the Local Government Act 1993.

CARRIED**11.5 BANGUS LANDFILL LEASE REVIEW****RESOLUTION 175/2023**

Moved: Cr Leigh Bowden

Seconded: Cr David Graham

1. The Report on the Bangus Landfill Lease be received and noted.
2. Council formally resolve to enter into a lease with MH Earthmoving Pty Limited in accordance with the terms set out in the lease document at Attachment 3 to this report.
3. Council note that the lease with MH Earthmoving Pty Limited was signed by the General Manager on 2 June 2021.
4. Council note the advice regarding the industry approach to disposal fees and maintain the disposal fee nominated in the original lease document, with a view to negotiating an increase in this disposal fee at the time of the five year option being exercised.
5. Council request compliance with the conditions of the Landfill Consent as a matter of urgency, specifically including the Rehabilitation Plan.
6. Council confirm that the financial assurance held with the Environment and Planning Authority (EPA) is adequate to cover anticipated costs and adjusted as required using their power under the EPL conditions.

CARRIED

The Meeting closed at 6:58PM.

The minutes of this meeting were confirmed at the Ordinary Council Meeting held on 25 July 2023.

**CHAIRPERSON****GENERAL MANAGER**

