

Minutes

ORDINARY COUNCIL MEETING

COUNCIL CHAMBERS, GUNDAGAI

6:00PM, TUESDAY 28th November, 2023

Administration Centres: 1300 459 689

**MINUTES OF COOTAMUNDRA-GUNDAGAI REGIONAL COUNCIL
ORDINARY COUNCIL MEETING
HELD AT THE COUNCIL CHAMBERS, GUNDAGAI
ON TUESDAY, 28 NOVEMBER 2023 AT 6:00PM**

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

IN ATTENDANCE: Steve McGrath (Interim General Manager), Paul Woods (Interim Deputy General Manager - CCD), Matt Stubbs (Deputy General Manager - Operations), Linda Wiles (Manager Business), Zac Mahon (Manager Finance), Michael Mason (Interim Manager Sustainable Development), Mark Ellis (Manager Engineering Cootamundra),

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.

MOTION

RESOLUTION 290/2023

Moved: Cr Les Boyd
Seconded: Cr David Graham

Council moved that item 8.3.1 Presentation of Audited Financial Statements be concidered as the first item of business.

CARRIED

8.3.1 PRESENTATION OF AUDITED FINANCIAL STATEMENTS

RESOLUTION 291/2023

Moved: Cr Penny Nicholson
Seconded: Cr David Graham

The General-Purpose Financial Statements, Special-Purpose Financial Statements and Special Schedules for the year ended 30th June 2023, be adopted following consideration of any submissions received.

CARRIED

ADJOURN MEETING FOR OPEN FORUM

RESOLUTION 292/2023

Moved: Cr David Graham
Seconded: Cr Trevor Glover

Council adjourn for Open Forum.

CARRIED

2 OPEN FORUM

List of Speakers

1. David Harris – Noise pollution and unsafe premises.

RESUME OPEN MEETING

RESOLUTION 293/2023

Moved: Cr Abb McAlister
Seconded: Cr Gil Kelly

Council resume the Open Meeting.

CARRIED

3 APOLOGIES AND LEAVE OF ABSENCE

3.1 APOLOGIES

Nil

3.2 LEAVE OF ABSENCE

RESOLUTION 294/2023

Moved: Cr David Graham
Seconded: Cr Trevor Glover

Leave of Absence, on 28 November 2023, be granted for Cr Leigh Bowden.

CARRIED

4 DISCLOSURES OF INTEREST

1. Charlie Sheahan – Item 8.2.1 Coota Beach Volley Ball – Significate Non-Pecuniary (left meeting for item) – Adina Board Member.
2. Les Boyd – Item 8.2.1 Coota Beach Volley Ball – Significate Non-Pecuniary (left meeting for item) – Adina Board Member.

5 CONFIRMATION OF MINUTES

5.1 MINUTES OF THE ORDINARY MEETING OF COUNCIL HELD ON TUESDAY 24 OCTOBER 2023

RESOLUTION 295/2023

Moved: Cr Gil Kelly

Seconded: Cr Trevor Glover

1. **The Minutes of the Ordinary Meeting of Council held on Tuesday 24 October 2023 be confirmed as a true and correct record of the meeting.**
2. **The Confidential Minutes of the Closed Session of Council held on Tuesday 24 October 2023 be confirmed as a true and correct record of the meeting.**

CARRIED

5.2 MINUTES OF THE EXTRAORDINARY MEETING OF COUNCIL HELD ON WEDNESDAY 18 OCTOBER 2023

RESOLUTION 296/2023

Moved: Cr Gil Kelly

Seconded: Cr Trevor Glover

The Minutes of the Extraordinary Meeting of Council held on Wednesday 18 October 2023 be confirmed as a true and correct record of the meeting.

CARRIED

6 MAYORAL MINUTES

6.1 MAYORAL MINUTE - COUNCILLOR ENGAGEMENT

RESOLUTION 297/2023

Moved: Cr Les Boyd

Seconded: Cr Gil Kelly

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

CARRIED

7 REPORTS FROM COMMITTEES**7.1 MINUTES OF THE COOTAMUNDRA-GUNDAGAI LOCAL TRAFFIC COMMITTEE MEETING HELD ON THURSDAY 9 NOVEMBER 2023****RESOLUTION 298/2023**

Moved: Cr David Graham
Seconded: Cr Gil Kelly

1. The Minutes of the Cootamundra-Gundagai Local Traffic Committee Meeting held on Thursday 9 November 2023, attached to the report, be received and noted.
2. In consideration of the Cootamundra-Gundagai Local Traffic Committee recommendations detailed in the minutes, Council endorse the following:
 - 3.1 That NO STOPPING regulatory signage be installed 10 metres from the Bourke Street and Wallendoon Street intersecting roads off Cooper Lane in accordance with the NSW Road Rules 2008, clause 170.
 - 3.2 That Council seek funding opportunities for the installation of night visible kerbside numbering and directional street signage to assist emergency services with locating properties quickly.
 - 3.3 That further investigation commences regarding the necessity for the installation of vehicle, school bus and pedestrian separation zones at Cootamundra High School and Cootamundra Public School.
 - 3.4 That the vegetation restricting sight distance on the Wallendoon Street blister at the Cooper Street pedestrian crossing intersection be trimmed to improve visibility concerns.
 - 3.5 That School Route Bus Route Warning Signage only be considered for prioritised roads after further investigations and discussion with bus operators.
 - 3.6 That marked NO PARKING bays be painted on the roadway outside of each of the three (3) driveways exiting the Sacred Heart School car park located off Morris Street, Cootamundra following further consultation with Sacred Heart School management.
 - 3.7 That the Salvation Army Toy Run Event with the assistance of the Cootamundra Antique Motor Club scheduled for Saturday 9 December 2023 be approved and a Road Occupancy Licence be granted.
 - 3.8 That the Snake Gully Cup Carnival scheduled for the 17 and 18 November 2023 be noted.
 - 3.9 That approval be given to the Gundagai Business Network to hold the 2023 Christmas on Sheridan event on Friday 8 December 2023 subject to the following conditions:
 - a) The temporary closure of Sheridan Street between 4pm and 10pm on Friday 8 December 2023.
 - b) That all businesses along the route be advised and road closure advertised throughout the community.

- c) The event organiser complies with any conditions set by Council and the NSW Police.
- d) The Event Management Plan (EMP) is completed and submitted to Council (attached).
- e) A current Certificate of Currency (COC) is submitted to Council noting Council, TfNSW and NSW Police as interested parties (attached).
- f) Council to provide a Traffic Guidance Scheme (TGS attached) and arrange placement and removal of all road barriers.

3.10 That approval be given to The Coota District Coop Ltd to hold the 2023 Christmas in Coota event on Thursday 14th December 2023 subject to the following conditions:

- a) The temporary closure of Parker Street between 3:30pm and 10pm on Thursday 14th December 2023 from Wallendoon Street to Adams Street.
- b) That all businesses along the route be advised and road closure advertised throughout the community.
- c) The event organiser complies with any conditions set by Council and the NSW Police.
- d) The Event Management Plan (EMP) is completed and submitted to Council (attached).
- e) A current Certificate of Currency (COC) is submitted to Council noting Council, TfNSW and NSW Police as interested parties (attached).
- f) Council to provide a Traffic Guidance Scheme (TGS).

CARRIED

8 GENERAL MANAGER'S REPORT

8.1 GENERAL MANAGER OFFICE

8.1.1 CHRISTMAS AND NEW YEAR CLOSURE

RESOLUTION 299/2023

Moved: Cr Abb McAlister

Seconded: Cr Les Boyd

The Christmas 2023 and New Year 2024 closures for Council facilities be noted.

CARRIED

8.1.2 RIVERINA EASTERN REGIONAL ORGANISATION OF COUNCILS (REROC) MEETING MINUTES**RESOLUTION 300/2023**

Moved: Cr David Graham

Seconded: Cr Les Boyd

The draft Minutes of the Riverina Eastern Regional Organisation of Councils (REROC) Board Meeting and Annual General Meeting held on 27 October 2023, attached to the report, be received and noted.

CARRIED

8.1.3 LGNSW ANNUAL CONFERENCE - ALGWA (AUSTRALIAN LOCAL GOVERNMENT WOMEN'S ASSOCIATION) NSW BREAKFAST 14 NOVEMBER 2023**RESOLUTION 301/2023**

Moved: Cr Penny Nicholson

Seconded: Cr Gil Kelly

The ALGWA National Networking Breakfast summary report, be received and noted.

CARRIED

At 6:25 pm, Cr Charlie Sheahan left the meeting.

At 6:25 pm, Cr Les Boyd left the meeting.

8.2 BUSINESS**8.2.1 COOTAMUNDRA BEACH VOLLEYBALL EVENT LICENCE/MOU****RESOLUTION 302/2023**

Moved: Cr Penny Nicholson

Seconded: Cr Abb McAlister

- 1. That Council award the coordination of the Coota Beach Volleyball event, via MOU, offering a 3-year agreement, with a further 3-year option, to Adina Care.**
- 2. That seed funding totalling \$10,000 already allocated to the event be transferred to Adina Care.**
- 3. Council note the in-kind support to the value of \$15,000 associated with the conduct of the event.**

CARRIED

At 6:30 pm, Cr Charlie Sheahan returned to the meeting.

At 6:30 pm, Cr Les Boyd returned to the meeting.

8.2.2 CHRISTMAS CELEBRATIONS

RESOLUTION 303/2023

Moved: Cr Penny Nicholson

Seconded: Cr Gil Kelly

The Christmas Celebration updates, attached to the report be noted.

CARRIED

8.2.3 BUSINESS COOTAMUNDRA REQUEST FOR ASSISTANCE

RESOLUTION 304/2023

Moved: Cr Abb McAlister

Seconded: Cr David Graham

Council advise Business Cootamundra that it is not in a position to provide the funding or funding relief as requested by Business Cootamundra.

CARRIED

8.2.4 CUSTOMER SERVICE CHARTER

RESOLUTION 305/2023

Moved: Cr Trevor Glover

Seconded: Cr Penny Nicholson

The Customer Service Charter, attached to the report, be adopted.

CARRIED

8.2.5 DRAFT DATA BREACH POLICY

RESOLUTION 306/2023

Moved: Cr David Graham

Seconded: Cr Trevor Glover

The draft Data Breach Policy, attached to the report, be adopted.

CARRIED

8.2.6 CODE OF CONDUCT COMPLAINT STATISTICS**RESOLUTION 307/2023**

Moved: Cr Les Boyd

Seconded: Cr Gil Kelly

The report on Code of Conduct complaint statistics for the period 1st September 2022 to 31st August 2023, be received and noted.

CARRIED

8.2.7 ANNUAL REPORT 2022/2023**RESOLUTION 308/2023**

Moved: Cr David Graham

Seconded: Cr Abb McAlister

1. **The Draft Annual Report, including a copy of the Financial Statements for the year ended 30 June 2023, attached to the report, be endorsed, noting that it will be updated to include superannuation expenses applicable to Councillors.**
2. **A copy of the 2022/2023 Annual Report be placed on Council's website and provided to the Minister for Local Government.**

CARRIED

8.2.8 DELIVERY PROGRAM/ OPERATIONAL PLAN QUARTERLY PROGRESS REPORT**RESOLUTION 309/2023**

Moved: Cr Gil Kelly

Seconded: Cr Penny Nicholson

The Delivery Program incorporating the Operational Plan 2023/2024, quarterly progress report, (1st Quarter July to September), attached to the report, be received and noted.

CARRIED

8.2.9 STOCKINBINGAL ELLWOOD'S HALL S.355 COMMITTEE MEETING MINUTES**RESOLUTION 310/2023**

Moved: Cr Les Boyd

Seconded: Cr Abb McAlister

The Minutes of the Stockinbingal Ellwood's Hall s.355 Committee Ordinary Meeting held on 26 October 2023 attached to the report, be received and noted.

CARRIED

8.2.10 THE ARTS CENTRE COOTAMUNDRA S.355 COMMITTEE MEETING MINUTES

RESOLUTION 311/2023

Moved: Cr Trevor Glover

Seconded: Cr Les Boyd

The Minutes of The Arts Centre Cootamundra s.355 Committee Meeting held 19 October 2023 attached to the report, be received and noted.

CARRIED

8.3 FINANCE

8.3.2 FINANCE UPDATE - OCTOBER 2023

RESOLUTION 312/2023

Moved: Cr David Graham

Seconded: Cr Abb McAlister

The Finance Update report, be received and noted.

CARRIED

8.3.3 RESTRICTED CASH RECONCILIATION

RESOLUTION 313/2023

Moved: Cr Gil Kelly

Seconded: Cr David Graham

The Restricted Cash Reconciliation report, be received and noted.

CARRIED

8.3.4 EARLY REPAYMENT OF GRADER LOAN

RESOLUTION 314/2023

Moved: Cr Trevor Glover

Seconded: Cr Penny Nicholson

That Council:

- 1. Authorise the early repayment of the fixed rate loan for Plant No. 1206 John Deere Grader, in the sum of \$359,400 to the Commonwealth Bank of Australia; and**
- 2. Authorise the Interim General Manager to complete any documentation associated with the transaction.**

CARRIED

8.3.5 QUARTERLY BUDGET REVIEW STATEMENT - SEPTEMBER 2023

RESOLUTION 315/2023

Moved: Cr David Graham

Seconded: Cr Trevor Glover

- 1. The September 2023 Quarterly Budget Review be received and noted.**
- 2. The budget variations listed in the report be adopted.**

CARRIED

8.3.6 INVESTMENT REPORT - OCTOBER 2023

RESOLUTION 316/2023

Moved: Cr Gil Kelly

Seconded: Cr David Graham

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

CARRIED

8.4 SUSTAINABLE DEVELOPMENT

8.4.1 FLOOD STUDY FOR THE VILLAGES OF COOLAC, NANGUS, TUMBLONG AND DARBARLARA

RESOLUTION 317/2023

Moved: Cr Les Boyd

Seconded: Cr David Graham

Councillor Glover be nominated to Chair the Gundagai Villages Floodplain Management Committee, with Councillor Collins nominated as the alternate Chair.

CARRIED

8.5 ENGINEERING COOTAMUNDRA

8.5.1 CGRC ENGINEERING REPORT - NOVEMBER 2023

RESOLUTION 318/2023

Moved: Cr David Graham

Seconded: Cr Les Boyd

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

CARRIED

8.6 ENGINEERING GUNDAGAI

8.6.1 GUNDAGAI RAIL BRIDGE

RESOLUTION 319/2023

Moved: Cr Penny Nicholson

Seconded: Cr Abb McAlister

Council consider the report and provide advice to relevant authorities that;

- 1. Middleton Drive and O I Bell drive are to remain open with appropriate works to be carried out to make the structures safe for motorists and pedestrians.**
- 2. The closure of the Tumut Street section of the same bridge that has been closed for several years and of concern, has received no action for reopening to date.**

CARRIED

8.7 REGIONAL SERVICES GUNDAGAI

8.7.1 REGIONAL SERVICES GUNDAGAI WORKS REPORT FOR NOVEMBER 2023

RESOLUTION 320/2023

Moved: Cr Abb McAlister

Seconded: Cr Les Boyd

Regional Services Gundagai Report for November 2023, be received and noted.

CARRIED

8.8 REGIONAL SERVICES COOTAMUNDRA

8.8.1 REGIONAL SERVICES OCTOBER WORKS REPORT

RESOLUTION 321/2023

Moved: Cr Les Boyd

Seconded: Cr Gil Kelly

The Cootamundra Regional Services Department, Monthly Works Report be received and noted.

CARRIED

9 MOTION OF WHICH NOTICE HAS BEEN GIVEN

9.1 NOTICE OF MOTION - VILLAGE FLOOD STUDY (WALLENDBEEN, STOCKINBINGAL & MUTTAMA)

RESOLUTION 322/2023

Moved: Cr Logan Collins

Seconded: Cr Gil Kelly

CGRC pursues funding for a flood study focusing on the villages of Wallendbeen, Stockinbingal & Muttama and once funding is achieved, immediately engages the relevant bodies to conduct the flood study.

CARRIED

9.2 NOTICE OF MOTION - ROAD CLOSURE COSTS ASSOCIATED WITH CHRISTMAS CELEBRATIONS**RESOLUTION 323/2023**

Moved: Cr Penny Nicholson

Seconded: Cr Abb McAlister

Council provides in-kind support to cover the expense of road closures for the Christmas celebration evenings in Gundagai and Cootamundra being organised by Gundagai Business Network (GBN) and Coota District Co-Op to the value of GBN - \$2,740 + GST and Coota District Co-Op - \$3,100 + GST.

CARRIED

At 7:38 pm, Cr Logan Collins left the meeting.

10 QUESTIONS WITH NOTICE

Nil

11 CONFIDENTIAL ITEMS**11.1 CLOSED COUNCIL REPORT****RESOLUTION 324/2023**

Moved: Cr Gil Kelly

Seconded: Cr Abb McAlister

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.**

CARRIED

RESUMPTION OF OPEN COUNCIL MEETING**RESOLUTION 325/2023**

Moved: Cr Les Boyd

Seconded: Cr Abb McAlister

The Open Council meeting resume.

CARRIED

ANNOUNCEMENT OF CLOSED COUNCIL RESOLUTIONS

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

11.2 LEASING OF LAND AT THE COOTAMUNDRA AERODROME - EXPRESSION OF INTEREST**RESOLUTION 326/2023**

Moved: Cr Gil Kelly

Seconded: Cr Penny Nicholson

That Council endorse the awarding of the lease of the land at the Cootamundra Aerodrome for five years from 1 January, 2024 - 31 December, 2029 to Wallandoon Pty Ltd for the sum of \$10,028.40 per annum to be adjusted by the CPI figure each year.

CARRIED

11.3 INLAND RAIL PROJECT - COUNCIL ROAD LICENCE AND ACQUISITIONS**RESOLUTION 327/2023**

Moved: Cr David Graham

Seconded: Cr Abb McAlister

- 1. That Council executes the Licence to perform works on a public road – Section 138 Roads Act 1993 (NSW); and**
- 2. That Council Delegate authority to the Interim General Manager to finalise and execute the Deed of compulsory acquisition by agreement – Section 29 Land Acquisition (Just Terms Compensation) Act 1991 (NSW).**

CARRIED

The Meeting closed at 7:50PM.

The minutes of this meeting were confirmed at the Ordinary Council Meeting held on 12 December 2023.



CHAIRPERSON



GENERAL MANAGER