



**COOTAMUNDRA-
GUNDAGAI REGIONAL
COUNCIL**

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Minutes

ORDINARY COUNCIL MEETING

COUNCIL CHAMBERS, GUNDAGAI

6:00PM, TUESDAY 22nd March, 2022

Administration Centres: 1300 459 689

**MINUTES OF COOTAMUNDRA-GUNDAGAI REGIONAL COUNCIL
ORDINARY COUNCIL MEETING
HELD AT THE COUNCIL CHAMBERS, GUNDAGAI
ON TUESDAY, 22 MARCH 2022 AT 6:00PM**

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

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

1 ACKNOWLEDGEMENT OF COUNTRY

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

ADJOURN MEETING FOR OPEN FORUM

RESOLUTION 071/2022

Moved: Cr Trevor Glover

Seconded: Cr Abb McAlister

Council adjourn for Open Forum.

CARRIED

2 OPEN FORUM

1. List of Speakers
2. Mary Law – Mrs. Law addressed Council regarding her correspondence in item 8.1.10 Information Bulletin – March 2022.
3. Mrs Turner – Addressed the Council in relation to Gundagai Staff numbers.
4. Mark Maynard – sought clarification on the purchase of a double burial plot.
5. Ms Rebecca Gorman – In support of Item 8.3.1 Gundagai Tourism Action Group Advisory Committee’s recommendation to recommence the consultation and development plan for the Cootamundra-Gundagai Rail Trail Project.
6. Mr Moston – In support of Item 8.3.1 Gundagai Tourism Action Group Advisory Committee’s recommendation to recommence the consultation and development plan for the Cootamundra-Gundagai Rail Trail Project.
7. Mr Austin – In support of Item 8.3.1 Gundagai Tourism Action Group Advisory Committee’s recommendation to recommence the consultation and development plan for the Cootamundra-Gundagai Rail Trail Project.

8. Mr Dougherty - In support of Item 8.3.1 Gundagai Tourism Action Group Advisory Committee's recommendation to recommence the consultation and development plan for the Cootamundra-Gundagai Rail Trail Project.
9. Mr Smith – Expressed his thanks to the outgoing General Manager for his work at Cootamundra-Gundagai Regional Council.
10. Mrs McAlister – Expressed her thanks to the outgoing General Manager for his administration during his time at Cootamundra-Gundagai Regional Council.

RESUME OPEN MEETING

RESOLUTION 072/2022

Moved: Cr Penny Nicholson

Seconded: Cr Gil Kelly

Council resume the Open Meeting.

CARRIED

3 APOLOGIES

Note: Council received a leave of absence request from Cr Les Boyd from the 16th – 25th March, 2022.

Council received an apology from Cr Logan Collins

RESOLUTION 073/2022

Moved: Cr Trevor Glover

Seconded: Cr Gil Kelly

Leave of Absence be granted to Cr Les Boyd for the period 16th – 25th March, 2022.

The apology received from Cr Collins be accepted and a leave of absence granted.

CARRIED

4 DISCLOSURES OF INTEREST

NIL

8.2 FINANCE - MOVED REPORT

MOTION TO MOVE ITEM 8.2.4 PRESENTATION OF AUDITED FINANCIAL STATEMENTS TO FOLLOW DISCLOSURES OF INTEREST

RESOLUTION 074/2022

Moved: Cr Abb McAlister

Seconded: Cr David Graham

Item 8.2.4 Presentation of Audited Financial Statements be moved forward and heard following the Disclosures of Interest.

CARRIED

8.2.4 PRESENTATION OF AUDITED FINANCIAL STATEMENTS

RESOLUTION 075/2022

Moved: Cr Penny Nicholson

Seconded: Cr Trevor Glover

- 1. That Mr Brad Bohun of Crowe deliver a presentation to Council on the Audited Financial Statements for the year ended 30th June 2021.**
- 2. The General Purpose Financial Statements, Special Purpose Financial Statements and Special Schedules for the year ended 30th June 2021 be adopted following consideration of any submission received.**

CARRIED

LATE REPORTS

RESOLUTION 076/2022

Moved: Cr Abb McAlister

Seconded: Cr David Graham

The late Reports be received and heard during the Order of Business.

CARRIED

5 CONFIRMATION OF MINUTES**5.1 MINUTES OF THE ORDINARY MEETING OF COUNCIL HELD ON TUESDAY 22 FEBRUARY 2022****RESOLUTION 077/2022**

Moved: Cr David Graham

Seconded: Cr Gil Kelly

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

CARRIED

5.2 MINUTES OF THE EXTRAORDINARY MEETING OF COUNCIL HELD ON WEDNESDAY 9 MARCH 2022**RESOLUTION 078/2022**

Moved: Cr Abb McAlister

Seconded: Cr Trevor Glover

The Minutes of the Extraordinary Meeting of Council held on Wednesday 9 March 2022 be confirmed as a true and correct record of the meeting.

CARRIED

6 MAYORAL MINUTES**6.1 MAYORAL MINUTE - COUNCILLOR ENGAGEMENT FEBRUARY - MARCH, 2022**

Note: the following additions were provided at the Meeting:

2nd March, 2022

Cr Graham attended a Finance Meeting.

18th March, 2022

Cr Bowden (Deputy Mayor) attended an Eastern Riverina Arts Advisory Committee meeting.

RESOLUTION 079/2022

Moved: Cr Penny Nicholson

Seconded: Cr Gil Kelly

The information in, and the additions to, the Mayoral Minute be received and noted.

CARRIED**6.2 MAYORAL MINUTE - RECRUITMENT OF INTERIM GENERAL MANAGER - LATE REPORT****Resolution 080/2022**

Moved: Cr Charlie Sheahan

Seconded: Cr Trevor Glover

- In accordance with sections 336 and 351 of the Local Government Act, 1993 an Interim General Manager be appointed with that person to hold the position until such time as a permanent General Manager is appointed and commences duties with Council.
- The Interim General Manager be retained for a period to facilitate a hand over with the General Manager when appointed
- A recruitment panel comprising of the Mayor, Deputy Mayor, and two other councillors be established for the recruitment of the Interim General Manager.
- The recruitment panel prepare and submit a report to Council on the recruitment process, undertaken by the panel, including a recommendation of the preferred candidate for consideration by Council with a view to the appointment of an Interim General Manager including all associated costs.
- An Extraordinary Meeting be called for Monday, 28th March, 2022 to discuss the appointment of the preferred candidate to Interim General Manager.

CARRIED**7 REPORTS FROM COMMITTEES****7.1 MINUTES OF THE COOTAMUNDRA AERODROME USERS ADVISORY GROUP MEETING HELD ON WEDNESDAY 9 MARCH 2022**

Note: the following amendment was made to recommendation 2.4 Cootamundra Aerodrome Development point 3:

3. That Council remove both the 'Restriction to as User' for the building heights and vehicle restrictions from the former Antenna Zone on Lot 12 DP 858687

RESOLUTION 081/2022

Moved: Cr Charlie Sheahan

Seconded: Cr Trevor Glover

1. The Minutes of the Cootamundra Aerodrome Users Advisory Group Meeting held on Wednesday 9 March 2022, attached to the report, be received and noted.
2. Recommendations in the Minutes, as detailed in the report, be considered by Council.

2.3 Cootamundra Aerodrome Fees and Charges

1. In accordance with section 610F of the *Local Government Act, 1993* the following fees be placed on public exhibition for a period of twenty-eight (28) as permanent fees:

Private Aircraft based at the Aerodrome	\$280.00 per year
Commercial Aircraft based at the Aerodrome	\$320.00 per year
Aircraft under 750kgs	\$130.00 per year

Fees will be charged quarterly and will be applicable for all operational aircraft stationed at the Aerodrome for 7 nights or more per quarter.

No other landing fees will be applicable.

Fees will be applicable to both fixed and rotary wing Aircraft.

Emergency Aircraft will be exempt from fees and charges.

2. Following the exhibition period further report be prepared and submitted to Council containing any submissions received at the end of the twenty-eight-day exhibition period.
3. The new fee be adopted pending no submissions be received at the end of the twenty-eight-day exhibition period.

2.4 Cootamundra Aerodrome Development

1. That Council commence the process to subdivide lots 39-49 Quinlan Drive, Cootamundra, as shown below and lots 39 to 41 be offered for sale ASAP.
2. That the further duplication of Quinlan Drive, Cootamundra (lots 50-56) be commenced pending rezoning of the Aerodrome land.
3. That Council remove the 'Restriction as to User' for building heights and vehicle restrictions from the former Antenna zone.
4. The proposed development of the residential/hangar development on the northeast corner of the Aerodrome be further investigated.

CARRIED

8 GENERAL MANAGER'S REPORT

8.1 BUSINESS

8.1.1 COMMUNITY STRATEGIC PLAN PUBLIC EXHIBITION

RESOLUTION 082/2022

Moved: Cr David Graham

Seconded: Cr Abb McAlister

The Cootamundra-Gundagai Regional Council Draft Community Strategic Plan (CSP) be placed on public exhibition for twenty eight (28) days.

CARRIED

8.1.2 SECTION 355 COMMITTEE APPOINTMENT AND MEMBERSHIP FOR NEW COUNCIL TERM**RESOLUTION 083/2022**

Moved: Cr David Graham

Seconded: Cr Penny Nicholson

Council re-appoint the section 355 committees and endorse their membership, as detailed in the report, until September, 2024, the current Council term.

CARRIED

8.1.3 LOCAL GOVERNMENT PROCUREMENT (LGP) CUSTOMER REFERENCE GROUP**RESOLUTION 084/2022**

Moved: Cr Charlie Sheahan

Seconded: Cr Gil Kelly

- 1. Council's Procurement Officer be acknowledged for her successful nomination to represent Cootamundra-Gundagai Regional Council on the Local Government Procurement Customer Reference Group for the next two years.**
- 2. Council's Procurement Officer be commended for her appointment to the Customer Reference Group**

CARRIED

8.1.4 AUSTRALIAN LOCAL GOVERNMENT WOMEN'S ASSOCIATION 2022 CONFERENCE 7TH-9TH JULY, 2022**RESOLUTION 085/2022**

Moved: Cr Charlie Sheahan

Seconded: Cr Trevor Glover

- 1. A Councillor, or Councillors, or staff be nominated to attend the 2022 Australian Local Government Women's Association Conference to be held 7th – 9th July, 2022.**
- 2. Registration for each attendee be made before 30th April, 2022 to take advantage of the Early Bird Registration amount.**

CARRIED

8.1.5 WATERNSW CUSTOMER ADVISORY GROUP MEMBERSHIP

RESOLUTION 086/2022

Moved: Cr Charlie Sheahan

Seconded: Cr Trevor Glover

Membership of a Water NSW area based customer advisory group be considered.

CARRIED

8.1.6 THE ARTS CENTRE COOTAMUNDRA S.355 COMMITTEE MEETING - 17TH FEBRUARY 2022 - MINUTES

RESOLUTION 087/2022

Moved: Cr Penny Nicholson

Seconded: Cr David Graham

The Minutes of The Arts Centre Cootamundra s.355 Committee Ordinary Meeting held 17th February, 2022, attached to the report, be received and noted.

CARRIED

8.1.7 THE COOTAMUNDRA HERITAGE CENTRE MANAGEMENT S.355 COMMITTEE MEETING MINUTES

RESOLUTION 088/2022

Moved: Cr Abb McAlister

Seconded: Cr Gil Kelly

The Minutes of the Cootamundra Heritage Centre Management s.355 Committee meeting held on 7 February, 2022, attached to the report, be received and noted.

CARRIED

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

RESOLUTION 089/2022

Moved: Cr David Graham

Seconded: Cr Abb McAlister

The Minutes of the Stockinbingal Ellwood's Hall s.355 Committee Ordinary Meeting held on 27th January, 2022, attached to the report, be received and noted.

CARRIED

8.1.9 COUNCIL MEETING ACTION REPORT - MARCH 2022

RESOLUTION 090/2022

Moved: Cr Trevor Glover

Seconded: Cr David Graham

- 1. The Council Meeting Action Report be noted.**
- 2. The Nangus Water Committee be provided with an update on the Nangus Water Project.**

CARRIED

8.1.10 INFORMATION BULLETIN - MARCH, 2022

RESOLUTION 091/2022

Moved: Cr David Graham

Seconded: Cr Abb McAlister

- 1. The Information Bulletin March 2022, and attached correspondence, be received and noted.**
- 2. Item 6 - Correspondence in – Mary Law – Intersection West and Hanley Streets Gundagai – 15.03.2022 be referred to the Cootamundra-Gundagai Local Traffic Committee for discussion.**
- 3. A letter be sent to Cr Rick Firman, OAM commending him on his letter to the Independent Pricing And Regulatory Tribunal.**

CARRIED

8.2 FINANCE

8.2.1 MONTHLY FINANCE REPORT FOR FEBRUARY, 2022

RESOLUTION 092/2022

Moved: Cr David Graham

Seconded: Cr Gil Kelly

The Finance Report for February, 2022 and attached reports be received and noted.

CARRIED

8.2.2 INVESTMENT REPORT - FEBRUARY 2022

RESOLUTION 093/2022

Moved: Cr Penny Nicholson

Seconded: Cr Gil Kelly

The Investment Report for February, 2022 be received and noted.

CARRIED

8.2.3 DRAFT COMPLAINTS HANDLING POLICY AND PROCEDURE

RESOLUTION 094/2022

Moved: Cr David Graham

Seconded: Cr Trevor Glover

The draft Complaints Handling Policy and Procedure, attached to the report, be adopted.

CARRIED

Item 8.2.4 Presentation of audited Financial Statements was moved and heard following 4 Disclosures of Interest.

8.3 COMMUNITY AND CULTURE

8.3.1 GUNDAGAI TOURISM ACTION GROUP ADVISORY COMMITTEE MEETING 14 MARCH, 2022

RESOLUTION 095/2022

Moved: Cr Penny Nicholson

Seconded: Cr Charlie Sheahan

- 1. The Minutes of the Gundagai Tourism Advisory Group meeting held 14th March, 2022, attached to the report, be received and noted.**
- 2. Council make appointment to appoint a Museum Advisor for Cootamundra-Gundagai Regional council and makes a matching contribution of \$5,000 available for this purpose.**
- 3. Council recommence the consultation and development plan for the Cootamundra-Gundagai Rail Trail project.**

CARRIED

8.3.2 COOTAMUNDRA TOURISM ACTION GROUP ADVISORY COMMITTEE MEETING 3RD MARCH, 2022

RESOLUTION 096/2022

Moved: Cr Penny Nicholson

Seconded: Cr Trevor Glover

1. The Minutes of the Cootamundra Tourism Action Group Advisory Committee meeting held on 3rd March, 2022, attached to the report, be received and noted.
2. That Council develop a public art, commemoration, and interpretation policy to enable these activities to be undertaken in a coordinated manner across the LGA.

CARRIED

8.4 DEVELOPMENT, BUILDING AND COMPLIANCE

8.4.1 DEVELOPMENT APPLICATION - 2019/94 - 11 BOURKE STREET GUNDAGAI

RESOLUTION 097/2022

Moved: Cr Charlie Sheahan

Seconded: Cr Trevor Glover

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

- Application No: DA2019/94
- Property: Lot 183 DP 1078686
11 Bourke Street,
GUNDAGAI NSW
- Development: To construct a new Two (2) bedroom Dwelling

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
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Page No. 1	Main Floor A	Cedarwood Building P/L	15/07/2019
Page No. 2	Elevational Views	Cedarwood Building P/L	15/07/2019
Page No.3	Site Plan, Section A and 3D Rendering View	Cedarwood Building P/L	15/07/2019
Page No.4	Notes	Cedarwood Building P/L	15/07/2019
1029601S	BASIX Certificate	Cedarwood Building P/L	15/07/2019

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

(3) GEN Condition - Utilities

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

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

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

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

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

PRIOR TO COMMENCEMENT OF WORKS

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

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

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

- a. appointed a principal contractor for the building work who must be the holder of a contractor licence if any residential work is involved, and
- b. notified the principal certifying authority of any such appointment, and
- c. unless that person is the principal contractor, notified the principal contractor of any critical stage inspection or other inspections that are to be carried out in respect of the building work .

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

(2) PCW Condition – Signage.

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

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

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

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

(3) PCW Condition – Notice of Commencement.

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

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

(4) PCW Condition – Builders Toilets.

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

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

(5) PCW Condition – Residential Building Work.

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

1. In the case of work for which a principal contractor is required to be appointed:
 - a. In the name and licence number of the principal contractor, and
 - b. The name of the insurer by which the work is insured under Part 6 of that Act.

2. In the case of work to be done by an owner-builder:
 - a. The name of the owner-builder and,
 - b. If the owner builder is required to hold an owner builder permit under the Act, the number of the owner-builder permits.

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

Reason: Statutory compliance.

(6) PCW Condition – Siting of Building.

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

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

(7) PCW Condition – Waste Storage During Construction.

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

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

(8) PCW Condition – Soil Erosion Control.

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

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

(9) PCW Condition – 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 are 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 Gundagai Garbage Depot, in the building refuse section of the garbage depot. Please note that a separate fee applies for disposal of waste at Council's waste depot. You should contact Council's Works Operations Manager for an estimate of costs in this regard.

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

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

The existing tree located on the nature-strip which may need to be removed, shall be done so in accordance with requirements of Council staff.

***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 Council's 'Typical vehicle kerb and gutter crossing KG 65/1'.

An Application is to be lodged with Council along with appropriate current fee's paid, for approval under Section 138 of the Roads Act 1993.

Twenty four (24) hours' notice is to be given to Council 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 91A of the Environmental Planning and Assessment Act 1979.

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

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

(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 WorkCover Regulations.

Reason: To ensure public safety is maintained.

(10) DUR Condition – Termite Protection.

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

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

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

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

Reason: To protect the building from attack.

(11) DUR Condition – Storm Water.

Storm water is to be discharged to the 1000 litre rainwater tank as required by the BASIX Certificate and the overflow is to be taken through the kerb to the gutter in Bourke Street. The kerb is to be made good where the stormwater pipeline is taken through.

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 – Water Proofing - Wet Areas.

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

Reason: *To ensure that water proofing of internal wet areas are competently carried out to the required Standard and Code of Practice.*

(13) DUR Condition – Slab on Ground Construction.

The following points must be complied with: -

1. Internal floor level must be a minimum of 225mm above the external finished surface level adjacent to the building
2. External paths and ground surface adjoining the walls of the building must be graded and drained away from the dwelling in such a manner as not to cause a nuisance

Reason: *To ensure minimum requirements for surcharge gully heights are met and to minimise problems caused by flooding.*

(14) DUR Condition – Scalding.

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

Reason: *Statutory requirement.*

(15) DUR Condition – Smoke Alarms.

Install AC operated hard wired smoke alarms as per Australian Standard AS3786 to the building, where there is more than one smoke alarm installed all alarms must be interconnected.

Reason: *To provide for fire safety in residential buildings.*

(16) 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.*

(17) PCC Condition – New Connection: Plumbing and Drainage Works.

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

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

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

Reason: *Statutory compliance.*

POST CONSTRUCTION

(1) POC Condition – Occupation of Building.

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

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

(2) POC Condition – Compliance Certificates.

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

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

(3) POC Condition – BASIX.

The development is to be carried out in accordance with the current BASIX certificate numbered 1029601S dated 15 July 2019 and schedule of commitments approved in relation to this development.

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

Reason: *To ensure the development meets State Government energy and water efficiency targets*

(4) POC Condition – Property Identification.

Street numbers of a size and type satisfactory to Council being affixed to the building or fence. Such numbers to be clearly visible from the street.

The property is numbered 11.

Reason: To ensure that the development is clearly identifiable and easily found by emergency, trade and other services.

ONGOING USE

(1) 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.

(2) 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.

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

CARRIED

8.4.2 DEVELOPMENT APPLICATIONS FEBRUARY 2022

RESOLUTION 098/2022

Moved: Cr Abb McAlister

Seconded: Cr Trevor Glover

The information on Development Applications approved in February 2022 be received and noted.

CARRIED

8.5 REGULATORY SERVICES

8.5.1 REGULATORY REPORT

RESOLUTION 099/2022

Moved: Cr David Graham

Seconded: Cr Abb McAlister

The Regulatory Report for February, 2022 be received and noted.

CARRIED

8.6 ASSETS

Nil

8.7 CIVIL WORKS

8.7.1 CIVIL WORKS AND TECHNICAL SERVICES REPORT - MARCH 2022

RESOLUTION 100/2022

Moved: Cr David Graham

Seconded: Cr Penny Nicholson

The Civil Works and Technical Services Report for the month of March, 2022 be received and noted.

CARRIED

ITEMS 8.7.2 RFQ2022/3 - SUPPLY OF PRE-CAST CONCRETE PRODUCTS AND 8.7.3 RFQ2022/4 - YASS ROAD ASPHALT CONCRETE REHABILITATION PROJECT BE MOVED TO CONFIDENTIAL FOR CONSIDERATION

RESOLUTION 101/2022

Moved: Cr Abb McAlister

Seconded: Cr Trevor Glover

Item 8.7.2 RFQ2022/3 - Supply of Pre-Cast Concrete Products and item 8.7.3 RFQ2022/4 - Yass Road Asphalt Concrete Rehabilitation Project be moved to Confidential.

CARRIED

8.8 TECHNICAL SERVICES

Nil

8.9 FACILITIES

Nil

8.10 WASTE, PARKS AND RECREATION

8.10.1 RFQ2021/37 - ALBERT PARK CHANGING PLACES RESTROOM

RESOLUTION 102/2022

Moved: Cr Charlie Sheahan

Seconded: Cr Gil Kelly

Item 8.10.1 RFQ2021/37 be moved to Confidential

CARRIED

8.10.2 INDEPENDENT PRICING AND REMUNERATION TRIBUNAL DRAFT REVIEW OF DOMESTIC WASTE MANAGEMENT CHARGES

RESOLUTION 103/2022

Moved: Cr Charlie Sheahan

Seconded: Cr Trevor Glover

- 1. A submission be provided for incorporation into a Riverina Eastern Regional Organisation of Councils submission to the Independent Pricing and Regulatory Tribunal (IPART) in response to the release of the Draft Local Council Domestic Waste Management Charges (DWMC) discussion paper.**
- 2. Cootamundra-Gundagai Regional Council support Local Government NSW in advocating the NSW Government to adequately re-invest portions of waste levy funds to fund local rural waste management and the development of improved and innovative infrastructure.**

CARRIED

8.10.3 JUGIONG REGIONAL LANDFILL ANNUAL ENVIRONMENTAL MANAGEMENT REPORT

RESOLUTION 104/2022

Moved: Cr David Graham

Seconded: Cr Abb McAlister

The Jugiong Regional Landfill Annual Environmental Management Report be received and noted.

CARRIED

8.10.4 SALE OF RECYCLABLE MATERIALS

RESOLUTION 105/2022

Moved: Cr Charlie Sheahan

Seconded: Cr Trevor Glover

- 1. The recyclable item classifications and associated sale prices as detailed in this report be adopted and incorporated into Council's 2021/2022 Revenue Policy's fees and charges.**
- 2. The funds generated from the sale of recyclable items at Cootamundra-Gundagai Regional Council's waste facilities being allocated to the waste reserves be affirmed.**

CARRIED

8.10.5 MONTHLY WORKS REPORT

RESOLUTION 106/2022

Moved: Cr David Graham

Seconded: Cr Penny Nicholson

The Waste, Parks and Recreation monthly works report be received and noted.

CARRIED

8.10.6 TENDER FOR STAGES 2-5 JUBILEE PARK UPGRADE

RESOLUTION 107/2022

Moved: Cr Charlie Sheahan

Seconded: Cr Gil Kelly

- 1. The Open Tendering method for Stages 2, 3, 4 and 5 of the Jubilee Park Upgrade be endorsed.**
- 2. A further report be prepared and submitted for the consideration of Council at the completion of each tendering process.**

CARRIED

9 MOTION OF WHICH NOTICE HAS BEEN GIVEN

9.1 NOTICE OF MOTION - ARRANGEMENTS BE MADE TO UPDATE THE CITIZEN AND SPORTSPERSON OF THE YEAR HONOUR BOARD, LOCATED IN THE GUNDAGAI ADMINISTRATION CENTRE.

RESOLUTION 108/2022

Moved: Cr Penny Nicholson

Seconded: Cr David Graham

Arrangements be made to update the Citizen and Sportsperson of the Year honour board, located in the Gundagai administration centre.

CARRIED

9.2 NOTICE OF MOTION - INVESTIGATIONS BE UNDERTAKEN TO ASSESS THE FEASIBILITY TO PROVIDE A KERBSIDE BULK WASTE COLLECTION IN THE COOTAMUNDRA-GUNDAGAI LOCAL GOVERNMENT AREA

RESOLUTION 109/2022

Moved: Cr Leigh Bowden

Seconded: Cr Trevor Glover

That investigations be undertaken to assess the feasibility to provide a Kerbside Bulk Waste Collection in the Cootamundra-Gundagai Local Government Area.

The investigation would include community consultation to ascertain demand, determination of the cost to Council, disposal of items collected and the method of collection: for example by registering for a scheduled collection day or just across the local government area by townships and villages.

CARRIED

10 QUESTIONS WITH NOTICE

10.1 QUESTIONS WITH NOTICE - LATE REPORT

RESOLUTION 110/2022

Moved: Cr Gil Kelly

Seconded: Cr Trevor Glover

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

CARRIED

11 CONFIDENTIAL ITEMS**11.1 CLOSED COUNCIL REPORT****RESOLUTION 111/2022**

Moved: Cr Charlie Sheahan

Seconded: Cr Penny Nicholson

1. **Item 11.2 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 Item 11.2 be withheld from the press and public.**

11.2 TENDER FOR STABILISATION WORKS AT OLD MILL GUNDAGAIProvisions for Confidentiality

Section 10A (2) (d(i)) – The Confidential Report contains commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it.

Public Interest

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

CARRIED

11.2 TENDER FOR STABILISATION WORKS AT OLD MILL GUNDAGAI**RESOLUTION 112/2022**

Moved: Cr Abb McAlister

Seconded: Cr David Graham

1. **The Open Tendering method for the proposed stabilisation works at the Old Mill Gundagai be endorsed.**
2. **An additional quotation be obtained from a suitably qualified Heritage Architect to complete this work.**
3. **A further report be prepared and submitted for the consideration of Council at the completion of the tendering process.**

CARRIED

8.7.2 RFQ2022/3 - SUPPLY OF PRE-CAST CONCRETE PRODUCTS**RESOLUTION 113/2022**

Moved: Cr Trevor Glover

Seconded: Cr Abb McAlister

1. Council treat the Evaluation Matrix, attached to the report as confidential in accordance with section 11(3) of the Local Government Act 1993, as the Matrix relates to a matter specified in section 10A(2)(d)(i) of the Local Government Act 1993. The Matrix contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person(s) who supplied it; and
2. Council accept the quotation of \$190,985.00 (excluding GST) from Bruno Altin and Co Pty Ltd as detailed in the confidential evaluation matrix attached to the report.

CARRIED**8.7.3 RFQ2022/4 - YASS ROAD ASPHALT CONCRETE REHABILITATION PROJECT****RESOLUTION 114/2022**

Moved: Cr Charlie Sheahan

Seconded: Cr Gil Kelly

1. Council treat the Evaluation Matrix, attached to the report as confidential in accordance with section 11(3) of the Local Government Act 1993, as the Matrix relates to a matter specified in section 10A(2)(d)(i) of the Local Government Act 1993. The Matrix contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person(s) who supplied it; and
2. Council accept the quotation of \$581,709.00 (excluding GST) from Complete Road Seal as detailed in the confidential evaluation matrix attached to the report.

CARRIED**8.10.1 RFQ2021/37 - ALBERT PARK CHANGING PLACES RESTROOM****RESOLUTION 115/2022**

Moved: Cr Trevor Glover

Seconded: Cr Charlie Sheahan

1. Council treat the Evaluation Matrix, attached to the report as confidential in accordance with section 11(3) of the Local Government Act, 1993 as the Matrix relates to a matter specified in section 10A(2)(d)(i) of the Local Government Act, 1993. The Matrix contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person(s) who supplied it; and

2. Council accept the quotation of \$165,290.00 (excluding GST) from Landmark Products as detailed in the confidential Evaluation Matrix attached to the report.

CARRIED

11.3 RESUMPTION OF OPEN COUNCIL MEETING

RESOLUTION 116/2022

Moved: Cr David Graham

Seconded: Cr Penny Nicholson

The Open Council meeting resume.

CARRIED

11.4 ANNOUNCEMENT OF CLOSED COUNCIL RESOLUTIONS

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

The Meeting closed at 8:42 PM.

The minutes of this meeting were confirmed at the Ordinary Council Meeting held on 26 April 2022.

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CHAIRPERSON

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GENERAL MANAGER