



**COOTAMUNDRA-  
GUNDAGAI REGIONAL  
COUNCIL**

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# Minutes

## ORDINARY COUNCIL MEETING

**ALBY SCHULTZ MEETING CENTRE, COOTAMUNDRA**

**6:00PM, TUESDAY 23RD AUGUST, 2022**

**Administration Centres: 1300 459 689**

**MINUTES OF COOTAMUNDRA-GUNDAGAI REGIONAL COUNCIL  
ORDINARY COUNCIL MEETING  
HELD AT THE ALBY SCHULTZ MEETING CENTRE, COOTAMUNDRA  
ON TUESDAY, 23 AUGUST 2022 AT 6:00PM**

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

**IN ATTENDANCE:** Glen McAtear (Acting General Manager), Matt Stubbs (Deputy General Manager - Operations), Ganesh Ganeshamoorthy (Manager Assets), Mark Ellis (Manager Civil Works), Sharon Langman (Manager Development, Building and Compliance), Andrew Brock (Manager Facilities),

**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 261/2022**

Moved: Cr Logan Collins

Seconded: Cr Abb McAlister

**Apologies from Cr Charlie Sheahan and Cr Gil Kelly be received and leave of absence granted.**

**CARRIED**

**4 DISCLOSURES OF INTEREST**

Nil

**5 CONFIRMATION OF MINUTES**

**5.1 MINUTES OF THE ORDINARY MEETING OF COUNCIL HELD ON TUESDAY 26 JULY 2022**

**RESOLUTION 262/2022**

Moved: Cr Logan Collins

Seconded: Cr Abb McAlister

**The Minutes of the Ordinary Meeting of Council held on Tuesday 26 July 2022 be confirmed as a true and correct record of the meeting.**

**CARRIED**

## **6 MAYORAL MINUTES**

### **6.3 MAYORAL MINUTE - THE END OF AN ERA**

#### **RESOLUTION 263/2022**

Moved: Cr Leigh Bowden

Seconded: Cr Penny Nicholson

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

**CARRIED**

### **6.1 MAYORAL MINUTE - COUNCILLOR ENGAGEMENT**

#### **RESOLUTION 264/2022**

Moved: Cr David Graham

Seconded: Cr Abb McAlister

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

**.CARRIED**

### **6.2 MAYORAL MINUTE - ACCOUNTING TREATMENT OF RURAL FIRE SERVICE (RED FLEET) ASSETS**

#### **RESOLUTION 265/2022**

Moved: Cr David Graham

Seconded: Cr Trevor Glover

#### **THAT:**

- 1. Cootamundra-Gundagai Regional Council writes to the Treasurer the Hon Matt Kean MP, Minister for Emergency Services and Resilience the Hon Stephanie Cook MP and the Minister for Local Government the Hon Wendy Tuckerman MP:**
  - (a) Expressing Council's objection to the NSW Government's determination on ownership of Rural Fire Service assets;**
  - (b) Advising of the impact of the Government's position on Council finances of this accounting treatment;**
  - (c) Informing that Council will not carry out RFS assets stocktakes on behalf of the NSW Government and will not record RFS assets in Cootamundra-Gundagai Regional Council's financial statements;**
  - (d) Calling on the NSW Government to take immediate action to permanently clear up inequities and inconsistencies around the accounting treatment of Rural Fire Service (RFS) assets by acknowledging that rural firefighting equipment is vested in, under the control of and the property of the RFS; and**
  - (e) Amending s.119 of the Rural Fires Act 1997, so that the effect is to make it clear that RFS assets are not the property of councils.**
- 2. Cootamundra-Gundagai Regional Council writes to the Shadow Treasurer Daniel Mookhey MLC, the Shadow Minister for Emergency Services Jihad Dib MP, the Shadow**

Minister for Local Government Greg Warren MP, the Greens Spokesperson for Local Government Jamie Parker MP and the leaders of the Shooters, Fishers and Farmers, Animal Justice and One Nation parties Robert Borsak MLC, Emma Hurst MLC and Mark Latham MLC:

- (a) Advising Members of Cootamundra-Gundagai Regional Council's position, including providing copies of correspondence to NSW Government Ministers; and
  - (b) Seeking Members' commitments to support NSW Councils' call to amend the Rural Fires Act 1997 as set out in correspondence.
3. Cootamundra-Gundagai Regional Council writes to the Auditor General advising that notwithstanding any overtures of future qualified audits, it will not carry out RFS stocktakes on behalf of the NSW Government, and will not record RFS assets in Cootamundra-Gundagai Regional Council's financial statements, noting that the State Government's own Local Government Accounting Code of Practice and Financial Reporting provides for councils to determine whether or not they record the RFS assets as council assets.
  4. Cootamundra-Gundagai Regional Council promotes these messages via its digital and social media channels and via its networks.
  5. Cootamundra-Gundagai Regional Council re-affirms its complete support of and commitment to local RFS brigades noting that Cootamundra-Gundagai Regional Council's action is entirely directed towards the NSW Government's nonsensical position that rather than being owned and controlled by local brigades, RFS assets are somehow controlled by councils, which councils consider to be a cynical financial sleight of hand abdicating the NSW Government's responsibilities at the cost of local communities.
  6. Cootamundra-Gundagai Regional Council affirms its support to Local Government NSW (LGNSW) and requests LGNSW continue advocating on Council's behalf to get clarification once and for all from the State Government about the accounting treatment of RFS assets.

**CARRIED**

Item - 6.3 Mayoral Minute - The End of an Era - has been moved to before Item 6.1.

## **7 REPORTS FROM COMMITTEES**

### **7.1 MINUTES OF THE COOTAMUNDRA-GUNDAGAI LOCAL TRAFFIC COMMITTEE MEETING HELD ON THURSDAY 11 AUGUST 2022**

#### **RESOLUTION 266/2022**

Moved: Cr Logan Collins

Seconded: Cr Trevor Glover

1. The Minutes of the Cootamundra-Gundagai Local Traffic Committee Meeting held on Thursday 11 August 2022 attached to the report be received and noted.
2. Council consider the recommendations, if any, contained within the Minutes.

**CARRIED**

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

### **8.1 BUSINESS**

#### **8.1.1 MOTIONS FOR THE LGNSW ANNUAL CONFERENCE**

##### **RESOLUTION 267/2022**

Moved: Cr David Graham

Seconded: Cr Penny Nicholson

**The motions, listed below, and detailed in the report, be submitted to Local Government NSW by Monday, 29<sup>th</sup> August 2022.**

- (a) Addressing Professional Skills Shortage In Local Government**
- (b) Agritourism and Small-Scale Development Planning Changes**

**CARRIED**

#### **8.1.2 DELIVERY PROGRAM/ OPERATIONAL PLAN QUARTERLY PROGRESS REPORT**

##### **RESOLUTION 268/2022**

Moved: Cr Les Boyd

Seconded: Cr David Graham

**The Delivery Program incorporating the Operational Plan 2021/22, quarterly progress report, (4th Quarter 1 April – 30 June 2022), attached to the report, be received and noted.**

**CARRIED**

#### **8.1.3 ALGWA CONFERENCE 2022**

##### **RESOLUTION 269/2022**

Moved: Cr Leigh Bowden

Seconded: Cr Logan Collins

**The report by Councillor Bowden in relation to the Australian Local Government Women's Association (ALGWA) Conference, be received and noted.**

**CARRIED**

#### **8.1.4 STOCKINBINGAL ELLWOOD'S HALL S.355 COMMITTEE MEETING MINUTES AND MEMBERSHIP**

##### **RESOLUTION 270/2022**

Moved: Cr Abb McAlister

Seconded: Cr Trevor Glover

1. **The Minutes of the Stockinbingal Ellwood's Hall s.355 Committee Ordinary Meeting and Annual General Meeting held on 28 July, 2022 attached to the report, be received and noted.**
2. **Membership of the Stockinbingal Ellwood's Hall s.355 Committee, as detailed in the report, be endorsed.**

**CARRIED**

#### **8.1.5 THE ARTS CENTRE COOTAMUNDRA S.355 COMMITTEE MEETING MINUTES AND MEMBERSHIP**

##### **RESOLUTION 271/2022**

Moved: Cr Logan Collins

Seconded: Cr Les Boyd

1. **The Minutes of The Arts Centre Cootamundra s.355 Committee Ordinary Meeting held 28 July 2022 and Annual General Meeting held on 21 July 2022, attached to the report, be received, and noted.**
2. **Membership of The Arts Centre Cootamundra s.355 Committee as detailed in the report, be endorsed.**

**CARRIED**

#### **8.1.6 MUTTAMA CREEK REGENERATION GROUP S.355 COMMITTEE MEETING MINUTES**

##### **RESOLUTION 272/2022**

Moved: Cr Penny Nicholson

Seconded: Cr Abb McAlister

**The Minutes of the Muttama Creek Regeneration Group s.355 Committee meeting held 6<sup>th</sup> June 2022, attached to the report, be received and noted.**

**CARRIED**

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

##### **RESOLUTION 273/2022**

Moved: Cr Trevor Glover

Seconded: Cr David Graham

**The Minutes of the Muttama Hall Management s.355 Committee meeting held 13<sup>th</sup> July, 2022 attached to the report, be received and noted.**

**CARRIED**

## **8.2 FINANCE**

### **8.2.1 CGRC LOAN DETAILS**

#### **RESOLUTION 274/2022**

Moved: Cr David Graham

Seconded: Cr Trevor Glover

**The information on Councils existing loans, detailed in the attachment, be received and noted.**

**CARRIED**

### **8.2.2 INVESTMENT REPORT - JULY 2022**

#### **RESOLUTION 275/2022**

Moved: Cr Abb McAlister

Seconded: Cr David Graham

**The Investment Report for July, 2022 be received and noted.**

**CARRIED**

## **8.3 COMMUNITY AND CULTURE**

### **8.3.1 HIPCAMP REPORT PRESENTED TO TOURISM COMMITTEES**

#### **RESOLUTION 276/2022**

Moved: Cr David Graham

Seconded: Cr Penny Nicholson

**The HipCamp presentation summary, which includes Council advice, attached to the report, be received and noted.**

**CARRIED**

### **8.3.2 GUNDAGAI TOURISM ACTION GROUP (ADVISORY COMMITTEE) MONDAY 1ST AUGUST 2022 - MINUTES**

#### **RESOLUTION 277/2022**

Moved: Cr Abb McAlister

Seconded: Cr Penny Nicholson

- 1. The Minutes of the Gundagai Tourism Advisory Group meeting held Monday 1<sup>st</sup> August, 2022, attached to the report, be noted.**

2. Relevant staff give a 12-month update on the amount of money that has been collected from the RV Camps and Dump Point in Gundagai.

**CARRIED**

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

##### **8.4.1 DEVELOPMENT APPLICATION APPROVED JULY 2022**

###### **RESOLUTION 278/2022**

Moved: Cr David Graham

Seconded: Cr Les Boyd

**The information on Development Applications Approved in July 2022, be received and noted.**

**CARRIED**

*Note: Amendment required to correct Application Number and Address for Gundagai Preschool Development.*

##### **8.4.2 DRAFT LIQUID TRADE WASTE POLICY**

###### **RESOLUTION 279/2022**

Moved: Cr Trevor Glover

Seconded: Cr David Graham

1. Council endorse the draft Liquid Trade Waste Policy as presented;
2. Council place the Liquid Trade Waste Policy on exhibition for a period of 28 days;
3. If no submissions are received during the exhibition period that require material alterations to the draft Liquid Trade Waste Policy, it be adopted and forwarded to the Trade Waste Regulation Team at Department of Planning and Environment for endorsement.

**CARRIED**

#### **8.5 REGULATORY SERVICES**

##### **8.5.1 REGULATORY REPORT**

###### **RESOLUTION 280/2022**

Moved: Cr Logan Collins

Seconded: Cr Abb McAlister

**The Regulatory Report for July, 2022 be noted.**

**CARRIED**



**8.6 ASSETS**

Nil

**8.7 CIVIL WORKS****8.7.1 CIVIL WORKS AND TECHNICAL SERVICES REPORT - AUGUST 2022****RESOLUTION 281/2022**

Moved: Cr Penny Nicholson

Seconded: Cr Logan Collins

1. The Civil Works and Technical Services Report for the month of August 2022 be noted.
2. Council to thanks and congratulate relevant council staff and emergency services for the efforts put in during the heavy wet weather we have received in August 2022.

**CARRIED**

**8.8 TECHNICAL SERVICES**

Nil

**8.9 FACILITIES****8.9.1 SHERWOOD FOREST DRAFT MASTER PLAN****RESOLUTION 282/2022**

Moved: Cr Abb McAlister

Seconded: Cr Penny Nicholson

1. The report on the Proposed Sherwood Forest Masterplan by Sala4D - dated 18 May 2022 be received.
2. The proposed Sherwood Forest Masterplan by Sala4D – dated 18 May 2022 be placed on public exhibition for a period of 28 days inviting submissions, with a further report, to be prepared for consideration of Council and final adoption at the end of the exhibition period.
3. If no material submissions are received during the exhibition period, council in principle adopt the Sherwood Forest Masterplan to allow construction works to proceed in a timely manner.

**CARRIED**

## **8.9.2 FACILITIES WORKS REPORT AUGUST 2022**

### **RESOLUTION 283/2022**

Moved: Cr Penny Nicholson

Seconded: Cr Logan Collins

**The Facilities Works Report for August 2022 be noted.**

**CARRIED**

## **8.10 WASTE, PARKS AND RECREATION**

### **8.10.1 FEASIBILITY OF BULK KERBSIDE COLLECTION**

#### **RESOLUTION 284/2022**

Moved: Cr Les Boyd

Seconded: Cr Trevor Glover

- 1. No action be taken to implement a free Bulk Kerbside Collection Service.**
- 2. Council investigates the feasibility of introducing a programmed community Bulk Waste Collection Service to interested CGRC residents.**
- 3. Any programmed Bulk Waste Collection service offered would be at full cost recovery.**
- 4. The Bulk Waste Collection Service feasibility study and associated recommendations be presented to Council for consideration.**

**CARRIED**

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

Nil

## **10 QUESTIONS WITH NOTICE**

Nil

**11 CONFIDENTIAL ITEMS****11.1 CLOSED COUNCIL REPORT****RESOLUTION 285/2022**

Moved: Cr Penny Nicholson

Seconded: Cr Abb McAlister

1. Item 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 Item 11.2 and 11.3 be withheld from the press and public.

**11.2 PURCHASE OF LAND FOR RELOCATION OF SUBSTATION**Provisions for Confidentiality

Section 10A (2) (a) – The Confidential Report contains personnel matters concerning particular individuals (other than councillors).

Public Interest

Disclosure of the land price may put council at a competitive disadvantage in it's negotiations to achieve the 'best value for money' outcome.

**11.3 REQUEST RELIEF FROM DEVELOPER CONTRIBUTION - DA 2022/101**Provisions for Confidentiality

Section 10A (2) (b) – The Confidential Report contains discussion in relation to the personal hardship of a resident or ratepayer.

Public Interest

Personal and sensitive information.

**CARRIED**

**11.2 PURCHASE OF LAND FOR RELOCATION OF SUBSTATION****RESOLUTION 286/2022**

Moved: Cr Logan Collins

Seconded: Cr Trevor Glover

1. Council Endorse the acquisition of proposed Lot 47, in the subdivision of Lot 33 DP 1270489 (approved in DA 2021/85).
2. Council delegate authority to the Acting General Manager to negotiate the terms of the acquisition in accordance with the confidential report to Council, and execute all documents associated with the acquisition of this property.

3. The insurance company supply Council with information as to exactly what we are covered for, in this regard.

**CARRIED**

### 11.3 REQUEST RELIEF FROM DEVELOPER CONTRIBUTION - DA 2022/101

#### RESOLUTION 287/2022

Moved: Cr Penny Nicholson

Seconded: Cr Abb McAlister

1. Council advise the applicant that it has no power to waive payment of development contributions and those contributions must be paid in accordance with conditions of consent and the *Environmental Planning & Assessment Act 1979*.
2. Council refuse the request to make a contribution on behalf of the owner due to financial hardship.

**CARRIED**

### 11.5 RESUMPTION OF OPEN COUNCIL MEETING

#### RESOLUTION 288/2022

Moved: Cr Trevor Glover

Seconded: Cr Logan Collins

**The Open Council meeting resume.**

**CARRIED**

### 11.6 ANNOUNCEMENT OF CLOSED COUNCIL RESOLUTIONS

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

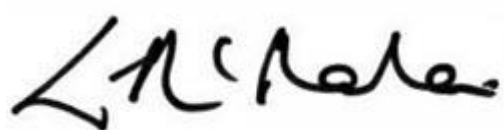
**The Meeting closed at 7:12pm.**

The minutes of this meeting were confirmed at the Ordinary Council Meeting held on 27 September 2022.



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**CHAIRPERSON**



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**GENERAL MANAGER**