



# Minutes

## ORDINARY COUNCIL MEETING

**STEPHEN WARD ROOMS, COOTAMUNDRA**

**4:00PM, MONDAY 7<sup>th</sup> AUGUST, 2017**

**Cootamundra Office: Ph: 02 6940 2100**

**Gundagai Office: Ph: 02 6944 0200**

**[www.cgrc.nsw.gov.au](http://www.cgrc.nsw.gov.au)**





# **MINUTES OF THE ORDINARY MEETING OF THE COOTAMUNDRA-GUNDAGAI REGIONAL COUNCIL HELD IN THE STEPHEN WARD ROOMS COOTAMUNDRA AT 4:00PM ON MONDAY 7<sup>TH</sup> AUGUST, 2017.**

## **PRESENT**

Administrator, Stephen Sykes, Interim General Manager, Allen Dwyer, Director Asset Management, Phil McMurray, Director Corporate Services, Kate Monaghan, Director Development & Community, Chris Imrie, Director Operations, Ray Graham.

## **1. OPEN FORUM**

### **List of Speakers**

#### **1. Pip McAlister:**

- Questioned the reasoning behind the changed Council Meeting dates and times and asked whether the changes had proven to be more convenient to the public than the arrangements that existed previously?
- Questioned why the current advertised positions appear to be based in the Cootamundra Office?

#### **2. Gordon Lindley:**

Spoke in relation to item 6.3, the Extension of the General Manager's appointment. He enquired as to why the extension has been proposed prior to the forthcoming Council elections and expressed his view that this matter should be up to the new Council to determine.



### **3. Abb McAlister**

- Questioned why the August, 2017 meeting date was changed from the 14<sup>th</sup> to the 7<sup>th</sup> and noted the meeting had not been advertised in the Gundagai newspaper.
- Stated that Council Meeting Business Papers are supposed to be available three working days prior to the meeting and they weren't available until the Friday before, therefore questioning the validity of the meeting.
- Reiterated Mr Lindley's comment in relation to item 6.3, Extension of the General Manager's appointment.

### **4. Leigh Bowden**

- Advised she enjoyed reading the report on the Community Listening Sessions (item 7.2.2.1) and she extended her congratulations to Council for the report and, in particular, to Susan Pardy.
- Expressed thanks for the Handover Report from the Administrator (Item 6.1) and highlighted the date of the election should have read 9<sup>th</sup> September, 2017 not 7<sup>th</sup> September, 2017.
- In relation to the information on page 15 in the Request for Donations/Sponsorship Policies (Item 6.2) requested that arts groups such as CADAS and the Arts Centre be included.
- Requested that full name, title etc. be provided in reports prior to the use of acronyms.
- As a potential candidate for the forthcoming elections enquired as to whether it was Council's practice to hold public meet the candidate sessions so as to provide an opportunity for candidates to engage with the community.

### **5. Rod Chalmers**

- Expressed concern about the proposal to extend the term of contract for the General Manager (item 6.3) and enquired whether the appointment of staff under contract needed to be reviewed by the new Council?

## **2. 2 ACKNOWLEDGEMENT OF COUNTRY**

The Administrator 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.



### 3 APOLOGIES

Nil

### 4 DISCLOSURES OF INTEREST

There were no disclosures of interest

### 5 CONFIRMATION OF MINUTES

**01/08/2017      RESOLVED – Moved: Sykes      Seconded: Sykes**

The Minutes of the Meeting of Council held on Monday 31<sup>st</sup> July, 2017 were confirmed as a true and correct record of the meeting.

### 6 ADMINISTRATOR'S MINUTES

#### **6.1 HANDOVER REPORT FROM ADMINISTRATOR**

Note: It was noted the date of the election referred to on page 11 of the report should read 9<sup>th</sup> September, 2017 not 7<sup>th</sup> September, 2017.

**02/08/2017      RESOLVED - Moved: Sykes      Seconded: Sykes**

1. The Inglis report recommendations which are incomplete be addressed as a matter of priority by the new Council.
2. An extra-ordinary meeting be held as soon as practicable after the declaration of the poll where the oath/affirmation of office by Councillors and election of the Mayor and Deputy Mayor be conducted, and the details of the compulsory councillor induction and development weekend and the time for ordinary meetings, be determined.
3. This report and the complete Inglis report be presented to the first ordinary meeting of the new CGRC Council for consideration.
4. The General Manager prepare a report on the introduction of electronic business papers for report to the new Council within 2 months.
5. The General Manager seek to engage with the Mid Lachlan Alliance (Weddin Shire) to investigate what can be learnt on the 'MLA Fitness Campaign'.
6. The General Manager engage appropriate resources and set a date to conduct a Councillor workshop within the first month of the declaration of the new Council.



7. As a matter of urgency Council request the NSW Government to, at a minimum, double the Merger Implementation Fund for merged regional councils with the additional amount funded from the unexpended NSW merger allocation.
8. The extra referred to in 7 above funds be utilized to further support the merger implementation including:
  - To ensure the staff work environment is adequately improved;
  - Cootamundra High School accessing similar Council/School joint venture facilities as that which is proposed at Gundagai High School;
  - Residual or remaining funding being available to support assets remediation including roads.
9. The General Manager be delegated authority to determine a development application for the Tourism/Adventure Playground proposed for Gundagai.

#### **6.2 REQUESTS FOR DONATIONS/SPONSORSHIP POLICY**

**03/08/2017      RESOLVED - Moved: Sykes                      Seconded: Sykes**

1. The policy for determining requests for the provision of Sponsorship/Donations to residents of the Cootamundra-Gundagai region for significant cultural, community, academic or sporting activities, as detailed in the report, be adopted.
2. The policy for determining requests from schools, and sporting, arts and charitable organisations for support by way of financial sponsorship/donations, the waiving of fees or in-kind assistance, as detailed in the report, be adopted.
3. The General Manager be delegated authority to assess and determine requests referred to in (1) and (2) above in accordance with the provisions of the policy.
4. The provisions of the policy be incorporated into an overarching Sponsorship/Donation

#### **6.3 EXTENSION OF TERM OF CONTRACT OF INTERIM GENERAL MANAGER**

**04/08/2017      RESOLVED - Moved: Sykes                      Seconded: Sykes**

The term of the contract of employment for the Interim General Manager, Allen Dwyer be extended to 31st December, 2019.

#### **6.4 CORRESPONDENCE**

**05/08/2017      RESOLVED - Moved: Sykes                      Seconded: Sykes**



1. The Correspondence to the Administrator be noted.
2. The Arts Centre Cootamundra Business Plan be accepted as a compliant plan for the purpose of the allocation of the funds set out in Council's 2017-2018 Operational Plan as adopted.

## 7 GENERAL MANAGER'S REPORT

### 7.1 DEVELOPMENT AND COMMUNITY SERVICES DIVISION

#### 7.1.1 DEVELOPMENT AND BUILDING

##### 7.1.1.1 DEVELOPMENT APPLICATIONS APPROVED

06/08/2017 RESOLVED - Moved: Sykes                      Seconded: Sykes

The information on Development Applications Approved be noted.

##### 7.1.1.2 APPLICATION FOR FEEDLOT EXPANSION DA2017/48

07/08/2017 RESOLVED – Moved: Sykes                      Seconded: Sykes

DA2017/48 be approved subject to the following conditions:

**DUR001**                      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.*

**DUR002**                      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.***

**DUR011 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.***

**DUR012 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.***

**DUR013 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.***

**DUR035 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.***

**GEN001 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.**

**GEN002 Condition - Compliance with Council**

**The Development being completed in accordance with plans and specifications stamped by Council, and the Statement of Environmental Effects, except where varied by conditions of this consent.**

<b>Plan/D oc No.</b>	<b>Descripti on</b>	<b>Author</b>	<b>Ver sio n</b>	<b>Dat e</b>
<b>24108. 89831</b>	<b>Environ mental Impact Stateme nt</b>	<b>EnviroAg Australia</b>	<b>1</b>	<b>28/ 4/1 7</b>
<b>24108. 91981</b>	<b>Request for Informat ion Respons e</b>	<b>EnviroAg Australia</b>	<b>0</b>	<b>27/ 6/1 7</b>
<b>155286 6</b>	<b>General Terms of Approva l - Issued</b>	<b>Environ mental Protecti on Authorit y</b>	<b>-</b>	<b>26/ 6/1 7</b>

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

**GEN003 Condition - Compliance with Legislation**

**Regardless of consent the applicant is still responsible for adhering to the requirements of State Legislation including (but not limited to) the Protection of Environment Operations Act and Dangerous Goods (Road and Rail Transport) Act.**

**Reason: This consent does not remove obligations imposed by State and Federal Legislation.**

**GEN004 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.*

**GEN005** 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.*

**GEN020** Condition – Tree Maintenance

Landscaping requirement of the original consent is to be maintained for the life of this development.

*Reason: Council seeks that the amount of vegetation in the Shire continues to increase so as to improve the climate and appearance.*

**GEN100** Condition – EPA General Terms of Approval

The development is to be conducted in accordance with the General terms of Approval Notice Number 1552866 issued by the Environmental Protection Authority 26 June 2017.

*Reason: Integrated Development of this nature requires concurrence from the environmental Protection Authority.*

**GEN101** Condition – OEH

If any Aboriginal object is discovered and/or harmed in, or under the land, while undertaking the proposed development activities, the proponent must:

- Not further harm the object;
- Immediately cease all work at the particular location;
- Secure the area so as to avoid further harm to the Aboriginal object;
- Notify OEH as soon as practical on 131555, providing any details of the Aboriginal object and its location; and
- Not recommence any work at the particular location unless authorised in writing by OEH.



In the event that skeletal remains are unexpectedly encountered during the activity, work must stop immediately, the area secured to prevent unauthorised access and NSW Police and OEH contacted.

**Reason: *To ensure that no additional harm occurs to any Aboriginal site or object encountered during works associated with the proposal***

**GEN102 Condition – DPI - Agriculture**

**That the development be operated in accordance with the following:**

- National Guidelines for Beef Cattle Feedlots in Australia SCARM report 47
- National Guidelines for Beef Cattle Feedlots in Australia 3rd edition.
- Model Codes of Practice for the Welfare of Animals: Cattle
- Model Code of Practice for the Welfare of Animals: Land Transport of Cattle
- Model Code of Practice for the Welfare of Animals: Animals at Saleyards Tips & Tools: Heat load in feedlot cattle MLA October 2006
- Beef cattle feedlots: design and construction MLA August 2016

**Reason: *To ensure best practice of operation.***

**PCW001 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.***

**PCW002 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.***

**PCW003 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.***

**PCW014 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.***



PLANNING DECISION VOTING RECORD	
FOR RESOLUTION	AGAINST RESOLUTION
Stephen Sykes	Nil
ABSENT	DECLARED INTEREST
Nil	Nil

## 7.2 CORPORATE SERVICES DIVISION

### 7.2.1 FINANCIAL MANAGEMENT

#### 7.2.1.1 RESTRICTED ASSETS POLICY

08/08/2017 RESOLVED – Moved: Sykes Seconded: Sykes

The draft Restricted Assets Policy be adopted.

#### 7.2.1.2 INVESTMENT REPORT FOR THE MONTH ENDED 31 JULY 2017

09/08/2017 RESOLVED – Moved: Sykes Seconded: Sykes

1. The Investment Report for the month ended 31 July 2017 be received.
2. The draft Investment policy be adopted.

### 7.2.2 GOVERNANCE AND BUSINESS SYSTEMS

#### 7.2.2.1 REPORT ON FEEDBACK OBTAINED DURING COMMUNITY LISTENING SESSIONS

10/08/2017 RESOLVED – Moved: Sykes Seconded: Sykes

The feedback gathered from the community during the Community Listening Sessions is made available to the community and used to inform the development of the draft Community Strategic Plan.

#### 7.2.2.2 Draft Vision Statement, Strategic Directions and Objectives for the draft Community Strategic Plan

11/08/2017 RESOLVED – Moved: Sykes Seconded: Sykes

These are the Minutes of the Ordinary meeting of Cootamundra-Gundagai Regional Council held on 7<sup>th</sup> August, 2017

The following draft Vision Statement, four Strategic Directions and twelve Objectives be included in the draft Community Strategic Plan.

***Vision Statement - A vibrant region attracting people, investment and business through innovation, diversity and community spirit***

Our Strategic Directions	Our Objectives
1. A vibrant and supportive community: all members of our community are valued	1.1 Our Community is inclusive and connected 1.2 Public spaces provide for a diversity of activity and strengthen our social connections 1.3 Our community members are healthy and safe
2. A prosperous and resilient economy: we are innovative and 'open for business'	2.1 The local economy is strong and diverse 2.2 Strategic land-use planning is co-ordinated and needs-based 2.3 Tourism opportunities are actively promoted 2.4 Our local workforce is skilled
3. Sustainable natural and built environments: we connect with the places and spaces around us	3.1 The natural environment is valued and protected 3.2 Our built environments support and enhance liveability
4. Good governance: an actively engaged community and strong leadership team	4.1 Decision-making is based on collaborative, transparent and accountable leadership 4.2 Active participation and engagement in local decision-making 4.3 CGRC is a premier local government Council

## **7.3 OPERATIONS DIVISION**

### **7.3.1 OPERATIONS**

#### **7.3.1.1 GOCUP ROAD – CROSS STREET INTERSECTION UPDATE**

**12/08/2017 RESOLVED – Moved: Sykes Secoded: Sykes**

**Council receive and note the information.**



#### **7.3.1.2 PLANT REPLACEMENT PROGRAM**

**13/08/2017    RESOLVED – Moved: Sykes    Seconded: Sykes**

Council adopt the 5 Year Plant Replacement Program

#### **7.3.1.3 CONTAINERISED FUEL TANKS**

**14/08/2017    RESOLVED – Moved: Sykes    Seconded**

Council delegate authority to the General Manager to purchase two (2) containerised fuel tanks for both the Cootamundra Depot and the Gundagai Depot of up to a value of \$120,000 excluding GST.

### **7.3.2 CIVIL WORKS**

#### **7.3.2.1 FLOOD DAMAGE REPAIRS AND FUNDING**

**15/08/2017    RESOLVED – Moved: Sykes    Seconded: Sykes**

Council receive and note the information.

### **7.3.3 FACILITIES**

#### **7.3.3.1 FUNDING FOR NEW AMMENITIES BUILDING AT COUNTRY CLUB OVAL.**

**16/08/2017    RESOLVED – Moved: Sykes    Seconded: Sykes**

Council contribute \$80,000 toward the construction of the new amenities building at Country Club Oval.

## **7.4 ASSET MANAGEMENT DIVISION**

### **7.4.1 ASSET MANAGEMENT**

#### **7.4.1.1 LOCAL GOVERNMENT ROAD SAFETY PROGRAM (LGRSP) AGREEMENT 2017/18**

**17/08/2017    RESOLVED – Moved: Sykes    Seconded: Sykes**



Council accept the Local Government Road Safety Program funding agreement from Roads and Maritime Services and delegate authority to the General Manager to sign all necessary documentation to execute the agreement.

## **7.4.2 SPECIAL PROJECTS**

### **7.4.2.1 MAIN STREET UPGRADE-SHERIDAN ST. GUNDAGAI**

**18/08/2017      RESOLVED – Moved: Sykes      Seconded: Sykes**

That the General Manager be delegated the authority to call tenders for any components of the forthcoming road pavement activities associated with the Main Street Project.

### **7.4.2.2 STRONGER COMMUNITIES FUND – COMMUNITY GRANTS PROGRAM (\$1M) PROJECT UPDATE**

**19/08/2017      RESOLVED – Moved: Sykes      Seconded: Sykes**

The report be received and noted.

## **LATE REPORT**

## **7.1 DEVELOPMENT AND COMMUNITY SERVICES DIVISION**

### **PROPOSAL FOR PURCHASE OF INDUSTRIAL LAND**

Note: The Administrator noted the report relating to this matter had been submitted to Council as 'confidential'. The Administrator advised that the report did not contain information of a 'confidential' nature and accordingly determined the 'confidential' classification be removed from the report.

**20/08/2017      RESOLVED – Moved: Sykes      Seconded: Sykes**

- 1. Council offer the property known as Lot 1 DP1223224 in Turners Lane Cootamundra, as indicated on the attachment following this report for sale to Jamie Walmsley of JLW Services Pty Ltd, on the terms and conditions included in the report.**
- 2. Council facilitate the sale by Private Treaty offered directly through Council's solicitor.**
- 3. Council delegate to the General Manager to negotiate a sale price and contract clauses as per this report.**

**There being no further business the meeting closed at 4:44PM.**

**These Minutes were confirmed by resolution of Council at the Council Meeting held on (day, month),, 2017 and endorsed by:**

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**MAYOR**

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**INTERIM GENERAL MANAGER**