

Minutes

ORDINARY COUNCIL MEETING

STEPHEN WARD ROOMS, COOTAMUNDRA

12TH, DECEMBER, 2017

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MINUTES OF THE ORDINARY MEETING OF THE COOTAMUNDRA-GUNDAGAI REGIONAL COUNCIL HELD IN STEPHEN WARD ROOMS COOTAMUNDRA AT 6:00PM ON TUESDAY, 12TH DECEMBER, 2017

PRESENT

Mayor, Cr Abb McAlister (Chairperson), Cr Leigh Bowden, Cr David Graham Cr Gil Kelly, Cr Penny Nicholson, Cr Dennis Palmer (Deputy Mayor), Cr Doug Phillips, Cr Charlie Sheahan, Cr Craig Stewart, Allen Dwyer (General Manager), Phil McMurray (Director Asset Management), Kate Monaghan (Director Corporate Services), Chris Imrie (Director Development & Community), Ray Graham (Director Operations).

1 OPEN FORUM

List of Speakers

1. Laurence Byron – Complaint about impact of storm water on his property in Tor Street, Gundagai.
2. Rod Chalmers – Expressed opposition to the Aboriginal Consultative Committee proposed in Item 8.1, Notice of Motion in the name of Councillor Bowden.
3. Gordon Lindley – Expressed opposition to the proposed Coolac Service Centre referred to in item 7.1.1.4, Highway Service Centre and Associated Subdivision – 495 Coolac Road, Coolac.
4. Carolyne Kennedy – Expressed opposition to the Burra Road Landfill which was the subject of a JRPP hearing on Thursday, 7th December, 2017, and her perception of Council's support of the proposal.

2 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.

3 APOLOGIES

There were no apologies.

4 DISCLOSURES OF INTEREST

Item 7.1.1.2 Proposed Cootamundra Local Environmental Plan 2013 Amendment 7:

Councillor Dennis Palmer disclosed a pecuniary interest in this item for the reason that he is the owner of a property contained within the subject area.

Item 10.3 Options for Purchase and Redevelopment of Seven Allotments on the Corner of Adams and Parker Streets Cootamundra:

Councillor Craig Stewart disclosed a significant non-pecuniary interest in this item for the reason that he is an employee of the owner of the subject property.

5 CONFIRMATION OF MINUTES

01/12/2017 RESOLVED – Moved: Cr Phillips Seconded: Cr Bowden

The Minutes of the Ordinary Meeting of Council held on Tuesday, 28th November, 2017 be confirmed as a true and correct record of the meeting.

6 MAYORAL MINUTES

Note: It was noted that there were additional engagements attended by Councillors representing Council as follows:

- 11th December, 2017 – the Mayor, Cr McAlister and the Deputy Mayor, Cr Palmer met with Assistant Commissioner, Peter Barrie and Superintendent Christopher Schlit in relation to proposed changes to the Local Area Command.
- The Mayor, Cr McAlister attended Gundagai High School's annual presentation evening.

02/12/2017 RESOLVED – Moved: Cr Phillips Seconded: Cr Bowden

The Mayoral Minutes, including details of the additional engagements, be received and noted.

7 GENERAL MANAGER'S REPORT

7.1 DEVELOPMENT AND COMMUNITY SERVICES DIVISON

7.1.1 DEVELOPMENT AND BUILDING

7.1.1.1 DEVELOPMENT APPLICATIONS APPROVED NOVEMBER 2017

03/12/2017 **RESOLVED – Moved: Cr Phillips** **Seconded: Cr Palmer**

The information on Development Applications Approved in November 2017 be noted.

VOTING RECORD	
FOR RESOLUTION	AGAINST RESOLUTION
Cr Bowden Cr Graham Cr Kelly Cr McAlister (Mayor) Cr Nicholson Cr Palmer Cr Phillips Cr Sheahan Cr Stewart	Nil
ABSENT	DECLARED INTEREST
Nil	Nil

7.1.1.2 PROPOSED COOTAMUNDRA LOCAL ENVIRONMENTAL PLAN 2013 AMENDMENT 7

04/12/2017 **RESOLVED – Moved: Cr Sheahan** **Seconded: Cr Kelly**

Note: Councillor Dennis Palmer, having disclosed a pecuniary interest, left the chamber during discussion and voting on this item.

- 1. Cootamundra Local Environmental Plan 2013 Amendment 7 be endorsed by Council and sent to the Department of Planning and Environment for Gateway Determination.**
- 2. Council place Amendment 7 on exhibition upon receipt of delegated approval from the Department of Planning and Environment.**

VOTING RECORD	
FOR RESOLUTION	AGAINST RESOLUTION
Cr Bowden Cr Graham Cr Kelly Cr McAlister (Mayor) Cr Nicholson Cr Phillips Cr Sheahan Cr Stewart	Nil
ABSENT	DECLARED INTEREST
	Cr Palmer (Pecuniary)

7.1.1.3 44-46 HIBERNIA STREET, STOCKINBINGAL – LOTS 1 & 2, DP 1096788

It was moved by Cr Palmer and seconded by Cr Sheahan:

Option 4 detailed in the report be endorsed, being the lease of the Milvale School and Galvanised Shed in its current form and the construction of a double shop on the western side of the block.

VOTING RECORD	
FOR MOTION	AGAINST MOTION
Cr Graham Cr McAlister (Mayor) Cr Palmer Cr Sheahan	Cr Bowden Cr Kelly Cr Nicholson Cr Phillips Cr Stewart
ABSENT	DECLARED INTEREST
Nil	Nil

As a result of the voting, the motion was declared lost.

05/12/2017 RESOLVED – Moved: Cr Kelly Seconded: Cr Bowden

Option 1 detailed in the report be endorsed, being to offer the lease of the site in its current form.

VOTING RECORD	
FOR RESOLUTION	AGAINST RESOLUTION
Cr Bowden Cr Graham Cr Kelly Cr McAlister (Mayor) Cr Nicholson Cr Phillips Cr Sheahan Cr Stewart	Cr Palmer
ABSENT	DECLARED INTEREST
Nil	Nil

7.1.1.4 DA267/2017 – HIGHWAY SERVICE CENTRE AND ASSOCIATED SUBDIVISION – 495 COOLAC ROAD, COOLAC

06/12/2017 RESOLVED – Moved: Cr Bowden Seconded: Cr Palmer

The report be received and noted.

VOTING RECORD	
FOR RESOLUTION	AGAINST RESOLUTION
Cr Bowden Cr Graham Cr Kelly Cr McAlister (Mayor) Cr Nicholson Cr Palmer Cr Phillips Cr Sheahan Cr Stewart	Nil
ABSENT	DECLARED INTEREST
Nil	Nil

7.2 CORPORATE SERVICES DIVISON

7.2.1 FINANCIAL MANAGEMENT

7.2.1.1 RATES HARDSHIP POLICY AND REVIEW OF FUTURE RATING OPTIONS

07/12/2017 RESOLVED – Moved: Cr Graham Seconded: Cr Phillips

1. That notification be lodged with IPART of Council's intention to lodge a Special Variation application by the due date.
2. That the draft Rates and Annual Charges Hardship Policy be adopted.

7.2.1.2 INVESTMENT REPORT

08/12/2017 RESOLVED – Moved: Cr Palmer Seconded: Cr Graham

The Investment Report as at 30th November, 2017 be received and noted.

7.2.2 GOVERNANCE AND BUSINESS SYSTEMS

7.2.2.1 PECUNIARY INTEREST RETURNS

Note: the Disclosures of Pecuniary Interest Returns for newly elected Councillors were tabled

9/12/2017 RESOLVED – Moved: Cr Phillips Seconded: Cr Palmer

The tabling of the Disclosure of Pecuniary Interest Returns for newly elected Councillors be noted.

7.2.2.2 COMMITTEES AND WORKING GROUPS

10/12/2017 RESOLVED – Moved: Cr Graham Seconded: Cr Palmer

1. The Section 355 Committee members be reappointed in accordance with the report with Cr Phillips appointed as Council's representative on the Cootamundra Show Ground Users Committee.
2. The Section 355 Committees Management Manual be endorsed.
3. Internal committees and working groups be reappointed in accordance with the report with Councillors appointed to other internal committees and working groups respectively, as follows:

- Cootamundra Sporting Groups Advisory Committee – Cr Kelly and Cr Sheahan
 - Noxious Weeds Advisory Committee – Cr Graham and Cr Sheahan
 - Tourism Action Committee (Cootamundra) – Cr Bowden and Cr Phillips
 - Tourism Action Committee (Gundagai) – Cr Graham and Cr Nicholson
 - Gundagai Historical Museum Committee – Mayor, Cr McAlister and Cr Nicholson
 - Tourism and Business Promotion Committee – Cr Bowden and Cr Nicholson
4. Gundagai Floodplain Risk Management Committee be replaced with a Floodplain Risk Management Committee with the Mayor, Cr McAlister being appointed as Council’s representative.
 5. A Finance Committee comprising all Councillors be established

7.2.2.3 APPOINTMENT OF DELEGATES

11/12/2017 RESOLVED – Moved: Cr Bowden Secoded: Cr Nicholson

Councillor delegates to external Committees be appointed in accordance with the report with Councillors appointed to other external committees respectively, as follows:

- Cootamundra Development Corporation – Cr Stewart
- Riverina Regional Tourism – Cr Bowden and Cr Nicholson
- South West Regional Waste Management Group – Mayor, Cr McAlister
- Gundagai Youth Council – Mayor, Cr McAlister
- Murray Darling Association – Councillor nominated by Mayor to attend as required
- RMS Consultative Committee – Cr Sheahan
- Softwoods Working Group – Cr Graham
- Gold Trails Inc. - Councillor nominated by Mayor to attend as required

7.2.2.4 ANNUAL REPORT

12/12/2017 RESOLVED – Moved: Cr Sheahan Secoded: Cr Stewart

The 2017 Annual Report be adopted and submitted to the Minister for Local Government.

7.2.2.5 COUNCIL MEETING AND COUNCILLOR WORKSHOPS SCHEDULE

13/12/2017 RESOLVED – Moved: Cr Phillips Seconded: Cr Palmer

Note: A late report on this matter was submitted and accepted by the Chairperson to be dealt with.

1. **The proposed meeting schedule for the 2018 Council Meetings be accepted and noted.**
2. **The proposed schedule for 2018 Council workshops be adopted and that Council determine the commencement time to be 6:00pm.**

7.3 OPERATIONS DIVISION

7.3.1 OPERATIONS

7.3.1.1 DECEMBER OPERATIONS UPDATE

14/12/2017 RESOLVED – Moved: Cr Kelly Seconded: Cr Palmer

The December Operations report be received and noted.

7.3.1.2 FLOOD PLAIN MANAGEMENT COMMITTEE MINUTES

15/12/2017 RESOLVED – Moved: Cr Phillips Seconded: Cr Kelly

1. **The revised Gundagai Flood Study 2017 be adopted.**
2. **A Draft Floodplain Risk Management Study and Plan be developed.**

7.3.2 FACILITIES

7.3.2.1 COOTAMUNDRA SWIMMING POOL OPERATING HOURS

16/12/2017 RESOLVED – Moved: Cr Kelly Seconded: Cr Sheahan

1. **The closing time for the Cootamundra Swimming Pool be extended to 8:00pm throughout the month of January, 2018, excluding public holidays.**

2. **Operating hours of Cootamundra Swimming Pool be reviewed at the conclusion of January, 2018, including consideration of the outcomes of the extended closing time referred to (in 1.) above.**

8 MOTIONS OF WHICH NOTICE HAS BEEN GIVEN (NOTICES OF MOTION)

8.1 ABORIGINAL CONSULTATIVE COMMITTEE.

It was moved by Cr Bowden:

Cootamundra-Gundagai Regional Council, in consultation and negotiation with the local Aboriginal communities, establish an Aboriginal Advisory Committee.
The Motion lapsed due to the lack of a seconder

17/12/2017 RESOLVED – Moved: Cr Palmer Seconded: Cr Phillips

That Council invite a representative from the Aboriginal Community to become a member of Council's Planning and Development Committee in a non-voting, advisory capacity.

9 QUESTIONS WITH NOTICE

There were no questions with notice.

10 CONFIDENTIAL

10.1 CLOSED COUNCIL REPORT

18/12/2017 RESOLVED – Moved: Mayor, Cr McAlister Seconded: Cr Palmer

- (a) **Item 10.2, 10.3 and 10.4 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.**
- (b) **That in accordance with section 11 (2) and (3) of the Local Government Act, 1993, the reports, correspondence and other documentation relating to item 10.2, 10.3 and 10.4 be withheld from the press and public.**

10.2 SALE OF LAND IN YASS ROAD COOTAMUNDRA

Note: This item was considered in Closed Council as it involved the consideration of information that would, if disclosed, confer a commercial advantage on a person with whom Council is conducting (or proposes to conduct) business.

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

19/12/2017 RESOLVED – Moved: Cr Sheahan Seconded: Cr Phillips

The recommendation in the report be adopted with the General Manager being granted delegation to negotiate the sale of the land referred to in the report in the terms detailed in the report, and the additional parameters determined at the meeting.

10.3 OPTIONS FOR PURCHASE AND REDEVELOPMENT OF SEVEN ALLOTMENTS ON THE CORNER OF ADAMS AND PARKER STREETS COOTAMUNDRA

Note: This item was considered in Closed Council as it involved the consideration of information that would, if disclosed, confer a commercial advantage on a person with whom Council is conducting (or proposes to conduct) business.

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

Note: Councillor Stewie Stewart, having disclosed a significant non-pecuniary interest, left the chamber during discussion and voting on this item.

20/12/2017 RESOLVED – Moved: Cr Palmer Seconded: Cr Phillips

The General Manager explore options for the Council in regard to the purchase and redevelopment of the former Mitre 10 site of 6,400 square metres on the corner of Adams and Parker Streets, Cootamundra.

10.4 AUSTRALIA DAY AWARDS

Note: The recipients of the 2018 Australia Day Awards for Citizen of the Year, Junior Citizen of the Year and Sportsman of the Year were determined at the meeting.

10.5 RESUMPTION OF OPEN COUNCIL MEETING

21/12/2017 RESOLVED - Moved: Mayor, Cr McAlister Seconded: Cr Palmer

The Open Council Meeting resume

10.6 ANNOUNCEMENT OF CLOSED COUNCIL RESOLUTIONS

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

There being no further business the meeting closed at 8:55pm.

These Minutes were confirmed by resolution of Council at the Council Meeting held on 30th January, 2018 and endorsed by:

MAYOR

GENERAL MANAGER