



Minutes

ORDINARY COUNCIL MEETING

STEPHEN WARD ROOMS, COOTAMUNDRA

TUESDAY, 27TH FEBRUARY, 2018

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MINUTES OF THE ORDINARY MEETING OF THE COOTAMUNDRA-GUNDAGAI REGIONAL COUNCIL HELD IN THE STEPHEN WARD ROOMS COOTAMUNDRA AT 6:00PM ON TUESDAY 27TH FEBRUARY, 2018

PRESENT

The Mayor, Cr Abb McAlister, Cr Leigh Bowden, Cr David Graham, Cr Gil Kelly, Cr Penny Nicholson, Cr Dennis Palmer (Deputy Mayor), Cr Doug Phillips, Cr Charlie Sheahan, 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. Michael Gray – Referred to previous discussions which were undertaken with the former Gundagai Council in relation to Item 7.1.2 Development Application DA048/2010, Nine Lot Rural Subdivision, Old Hume Highway, and Tumblong. Various issues were noted with the old LEP and with the newly amalgamated Council, and a resolution for determination was sought.
2. Nigel Lotz - Raised, in relation to Item 7.1.2 Development Application DA048/2010, Nine Lot Rural Subdivision, Old Hume Highway, Tumblong that it had previously been approved with conditions and requested the same resolution be considered when this item is dealt with by Council tonight.
3. Roderick Chalmers:
 - 3.1 Asked why he had not received a response from Council to an enquiry he sent via Council's webpage on Wednesday, 31st January, 2018. No response has been received by Council to date.
 - 3.2 Offered Congratulations to Cr Kelly for Notice of Motion, *Item 8.5 Council Submit the Required Documentation to Apply for a Loan to Complete the Water Main Replacement Program*, for borrowing money to finish mains replacement with Council able to access Treasury funds.
 - 3.3 Described Notice of Motion, *Item 8.2 Reversal Of Forced Merger* as discourteous to an already committed Council elected in September, 2017. He added that the Councillor's time would be better spent working on the cohesion of the amalgamated area and not the reversal of it.
4. Keith Boxsell – Introduced himself as President of the Cootamundra Trotting Club. He spoke of the history of trotting in Cootamundra and expressed disappointment at correspondence not being responded to by Council in the past and at the loss of the annual TAB meeting event to Junee. He requested Council maintain the surface of the trotting track as harness racers have expressed a desire to continue using the track for their training. This would assist also in its attempts to ensure the future of the sport in the Cootamundra area.
5. Alan East:
 - 5.1 Expressed his concern at Council's current waste collection cycle. It was requested Council consider the recycling collection to be every three weeks with the possible reduction in recycling due to the establishment of the bottle and drinking containers deposit scheme receptacle in the Woolworths carpark.
 - 5.2 Requested Council to follow up with the supermarkets on the removal of plastic bags.

- 5.3 Proposed that Council consider the collection of general waste (red bin) be on a fortnightly basis.
- 5.4 Stated that Council should not continue the kerbside waste collection on public holidays due to the associated higher costs in relation to staffing.
- 5.5 Noted that the speed sign on a bridge at Muttama does not specify the same speed at either end and requested they be made the same for consistency.
- 6 Pip McAlister:
- 6.1 Referred to previous forums where it was requested that more attention be paid to the area in relation to town parks and gardens maintenance. She also asked whether the equipment previously referred to had been purchased. It was noted that more regular maintenance at the town entrances and parks is required as the grass is still high.
- 6.2 Stated that Morleys Creek has still not been cleaned up.
- 6.3 Raised that Council had not responded to correspondence sent by the Gundagai South public school last year relating to parking fines being issued to cars parking on the verge by the Police.

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

An apology was received on behalf of Cr Craig Stewart

29/2018 RESOLVED – Moved: Cr Phillips Seconded: Cr Palmer

The apology be accepted and leave of absence be granted.

Note: Cr Stewart arrived at the meeting at 7:00pm during consideration of Item 7.2.2.4 Payment of Expenses and Provision of Facilities for Mayor And Councillors and left the meeting at 8:00pm immediately prior to consideration of the Confidential Report.

4 DISCLOSURES OF INTEREST

There were no disclosures of interest

5 CONFIRMATION OF MINUTES

30/2018 **RESOLVED – Moved: Cr Palmer** **Seconded: Cr Phillips**

The Minutes of the Ordinary Meeting of Council held on Tuesday 30th January, 2018 be confirmed with item 8.1 Sporting Facilities Fees And Charges – Establishment Of Working Party amended to read as follows:

1. Council establish a working party to investigate and report on the various fees and charges for the use of Council owned sporting facilities with a view to maximising usage.
2. All recognised sporting organisations and not for profit community organisations be invited to nominate a representative to participate in discussions with Council delegates on the working party which will include Cr Sheahan and Cr Kelly, in view of their membership on the Cootamundra Sporting Groups Advisory Committee.

6 MAYORAL MINUTES

Note: it was noted that there was an additional engagement attended by Councillors representing Council as follows:

17th February, 2018

Councillors Palmer, Graham and I met with the Member for Cootamundra, Steph Cooke and representatives for Coolac Hall and Sports Ground Trust.

31/2018 **RESOLVED – Moved: Cr Bowden** **Seconded: Cr Palmer**

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

7 GENERAL MANAGERS REPORT

7.1 DEVELOPMENT AND COMMUNITY SERVICES DIVISION

7.1.1 DEVELOPMENT AND BUILDING

7.1.1 DEVELOPMENT APPLICATIONS APPROVED JANUARY 2018

32/2018 **RESOLVED – Moved: Cr Graham** **Seconded: Cr Kelly**

The information on Development Applications Approved in January, 2018 be received and noted.

7.1.2 DEVELOPMENT APPLICATION DA048/2010, NINE LOT RURAL SUBDIVISION, OLD HUME HIGHWAY, TUMBLONG

33/2018 RESOLVED – Moved: Cr Palmer Seconded: Cr Graham

Consideration of DA048/2010 be deferred to the Ordinary Council Meeting to be held in March, 2018 to enable the receipt of legal advice.

7.2 CORPORATE SERVICES DIVISION

7.2.1 FINANCIAL MANAGEMENT

7.2.1.1 DECEMBER 2017 QUARTERLY BUDGET REVIEW

34/2018 RESOLVED – Moved: Cr Nicholson Seconded: Cr Phillips

1. The December, 2017 Quarterly Budget Review Statement be accepted, and
2. The recommended budget changes listed in the attached report be adopted.

7.2.1.2 FINAL AUDIT PHASE FOR YEAR ENDED 30 JUNE, 2017

35/2018 RESOLVED – Moved: Cr Palmer Seconded: Cr Bowden

The Management Letter on the Final Phase of the Audit for the Year Ended 30 June, 2017 be received.

7.2.1.3 INVESTMENT REPORT

36/2018 RESOLVED – Moved: Cr Kelly Seconded: Cr Palmer

The Investment Reports as at 31st January, 2018 be received and noted.

7.2.2 GOVERNANCE AND BUSINESS SYSTEMS

7.2.2.1 COMMUNITY STRATEGIC PLAN

37/2018 RESOLVED – Moved: Cr Palmer Seconded: Cr Sheahan

1. The draft *Cootamundra-Gundagai Regional Council Community Strategic Plan 2018-28* be placed on public exhibition in accordance with the *Community Engagement Strategy (Draft Community Strategic Plan)* until 4pm 27 March, 2018.
2. Council determine a name for the Community Strategic Plan that is relatable to the local community.

7.2.2.2 PROPOSAL FOR JOINT ORGANISATION

38/2018 RESOLVED – Moved: Cr Palmer Seconded: Cr Nicholson

In accordance with Part 7 of Chapter 12 of the Local Government Act 1993 the Cootamundra Gundagai Regional Council resolves:

1. That Council inform the Minister for Local Government of the Council's endorsement of the Minister recommending to the Governor the establishment of a Joint Organisation in accordance with this resolution;
2. To approve the inclusion of the Council's area in the Joint Organisation's area;
3. That the Joint Organisation be established to cover the Council's area and any one or more of the following council areas:

Bland Shire, Coolamon Shire Council, Cootamundra-Gundagai Regional Council, Greater Hume Shire, Junee Shire Council, Lockhart Shire Council, Snowy Valleys Council, Temora Shire Council and Wagga Wagga City Council.

4. That, on the expiry of a period of 28 days from the making of this resolution, the General Manager provide the Minister:
 - i) With a copy of this resolution including the date on which Council made this resolution, and
 - ii) Inform the Minister that this resolution has not been rescinded for the purpose of the Minister issuing a certificate under section 400P of the Act.

7.2.2.3 REVIEW OF DELEGATIONS OF AUTHORITY OF GENERAL MANAGER AS REQUIRED BY SECTION 380 OF THE LOCAL GOVERNMENT ACT, 1993

39/2018 RESOLVED – Moved: Cr Palmer Seconded: Cr Kelly

1. Following the review of the delegations of the General Manager in accordance with section 380 of the Local Government Act 1993, the General Manager, or the person who acts in that position, continue to be granted all of the functions, powers, duties and authorities of the Council that it may lawfully delegate under the Local Government Act 1993, any other Act, regulation, instrument, rule or the like (including any functions, powers, duties and authorities delegated to the Council by any authority, body, person or the like) except those functions prescribed in section 377(1) of the Local Government Act 1993.
2. The General Manager, or the person who acts in that position, be granted the additional delegation to authorise urgent works and other expenditures outside of the adopted budget up to an amount of \$20,000.

7.2.2.4 PAYMENT OF EXPENSES AND PROVISION OF FACILITIES FOR MAYOR AND COUNCILLORS

40/2018 RESOLVED – Moved: Cr Phillips Seconded: Cr Sheahan

1. The draft Policy, be publicly exhibited in accordance with the provisions of the Section 253 of the Local Government Act, 1993;

These are the Minutes of the Ordinary meeting of Cootamundra-Gundagai Regional Council held on 27th February, 2018

2. Following the exhibition period, a further report be prepared and submitted to Council, with the inclusion of details of any submissions received, for consideration and determination by Council.

7.3 OPERATIONS DIVISION

7.3.1 OPERATIONS

7.3.1.1 FEBRUARY OPERATIONS UPDATE

41/2018 RESOLVED – Moved: Cr Palmer Seconded: Cr Phillips

Council receive the February Operations Update report

7.3.2 SPECIAL PROJECTS

7.3.2.1 GUNDAGAI MAIN STREET PROJECT UPDATE - FEBRAURY, 2018

42/2018 RESOLVED – Moved: Cr Graham Seconded: Cr Nicholson

Council receive the February, 2018 report on the Gundagai Main Street Project.

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

8.1 FEES AND CHARGES

43/2018 RESOLVED – Moved: Cr Kelly Seconded: Cr Sheahan

Council undertake investigations for the consistency of fees and charges across both offices.

8.2 REVERSAL OF FORCED MERGER

It was moved by Cr Sheahan and Seconded by Cr Graham

That Cootamundra-Gundagai Regional Council acknowledges and accept its role under Section 223 and Section 232 of the Local Government Act, 1993 for the whole area of Cootamundra-Gundagai Regional Council, but as a matter of policy, Council support any proper and democratic process presented for a demerger of the Cootamundra-Gundagai Regional Council to reconstitute the former Councils of Cootamundra and Gundagai as existed prior to 12th May, 2016 when a proper and democratic process shows an overwhelming desire by the majority of citizens of either the former Gundagai Council or Cootamundra Council or both.

The Motion was put to the meeting and defeated.

8.3 DONATION FOR COOTAMUNDRA RIDING FOR THE DISABLED

44/2018 **RESOLVED – Moved: Cr Bowden** **Seconded: Cr Nicholson**

Council donate \$900 to Cootamundra Riding for the Disabled being for annual rent (paid in December, 2017) to the Cootamundra Showground Users' Committee.

8.4 FREE ENTRY TO THE OUTDOOR SWIMMINGPOOLS

45/2018 **RESOLVED – Moved: Cr Kelly** **Seconded: Cr Bowden**

Council undertake investigation with the intent to provide free entry to the outdoor swimming pools through the summer season. In addition, Council ensure adequate staffing to appropriately cater to the safety requirements and needs of the pool users throughout the free admission period.

8.5 COUNCIL SUBMIT THE REQUIRED DOCUMENTATION TO APPLY FOR A LOAN TO COMPLETE THE WATER MAIN REPLACEMENT PROGRAM

46/2018 **RESOLVED – Moved: Cr Kelly** **Seconded: Cr Palmer**

Council undertake preparation of the paperwork required to be submitted for application for a loan to cover the costs of completing the entire water mains replacement in Cootamundra.

8.6 COUNCIL FORM A COMMUNITY ACCESS COMMITTEE

47/2018 **RESOLVED – Moved: Cr Palmer** **Seconded: Cr Graham**

Council undertake the necessary arrangements for the formation of a Community Access Committee. The committee will service the community with the provision of assistance to those who have need of such services in the community.

9 QUESTIONS WITH NOTICE

48/2018 **RESOLVED – Moved: Cr McAlister** **Seconded: Cr Palmer**

The questions with notice from Councillors and responses from officers be noted.

10.1 CLOSED COUNCIL REPORT

49/2018 RESOLVED – Moved: Cr Sheahan Seconded: Cr Nicholson

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

10.2 OPTIONS FOR OLD MILL SITE GUNDAGAI

Provisions for Confidentiality

Section 10A (2) (c) – The Confidential Report contains information that would, if disclosed, confer a commercial advantage on a person with whom Council is conducting (or proposes to conduct) business.

Public Interest

It is 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.

Cr McAlister, (Mayor) disclosed a pecuniary interest in this item and left the Chair and the meeting during discussion and voting. Cr Palmer, (Deputy Mayor) assumed the Chair.

50/2018 RESOLVED - Moved: Cr Nicholson Seconded: Cr Graham

The recommendation contained in the report regarding the purchase of the Old Mill site Gundagai be adopted.

10.3 RESUMPTION OF OPEN COUNCIL MEETING

51/2018 RESOLVED - Moved: Cr Phillips Seconded: Cr Graham

The Open Council Meeting resume.

10.4 ANNOUNCEMENT OF CLOSED COUNCIL RESOLUTIONS

Note: The Chairperson announced that in relation to item 10.2 Council has resolved to purchase the Old Mill site Gundagai.

There being no further business the meeting closed at 8:24pm

These Minutes were confirmed by resolution of Council at the Council Meeting held on 27th March, 2018 and endorsed by:

CHAIRPERSON

GENERAL MANAGER