

# Minutes

## ORDINARY COUNCIL MEETING

**COUNCIL CHAMBERS, GUNDAGAI**

**6:00PM, TUESDAY 27th November, 2018**

**Administration Centres: 1300 459 689**

**MINUTES OF COOTAMUNDRA-GUNDAGAI REGIONAL COUNCIL  
ORDINARY COUNCIL MEETING  
HELD AT THE COUNCIL CHAMBERS, GUNDAGAI  
ON TUESDAY, 27 NOVEMBER 2018 AT 6:00PM**

**PRESENT:** Cr Abb McAlister (Mayor), Cr Dennis Palmer (Deputy Mayor), Cr Leigh Bowden, Cr David Graham, Cr Gil Kelly, Cr Doug Phillips, Cr Craig Stewart, Cr Charlie Sheahan.

**IN ATTENDANCE:** Phil McMurray (Acting General Manager), Tim Swan (Manager Finance), Andrew Brock (Project Officer).

## **1 OPEN FORUM**

### List of Speakers

1. Pip McAlister – Requested an update on the Morleys Creek Bridge. She also spoke on the new design of the roundabout at West and Sheridan Streets intersection, and parking, in particular the visitors parking at the Dad and Dave sculpture. She also thanked Cr Sheahan for his Notice of Motion – Item 9.4.
2. Gordon Lindley – Commented on his observation of the power that current general managers seemingly have in Council. He asked if Cootamundra-Gundagai Regional Council had considered contacting Member for Vaucluse, the Hon Gabrielle Upton, MBA, BA, LLB MP, Minister for the Environment, Minister for Local Government and Minister for Heritage for discussion on the reduction of such delegated authorities for general managers.
3. Nancy Lawton – Spoke on the proposed relocation of the Citizen of the Year honour board at Gundagai.

## **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**

### **APOLOGY**

An apology was received on behalf of Cr Penny Nicholson

### **RESOLUTION 235/2018**

Moved: Cr Dennis Palmer

Seconded: Cr Craig Stewart

**That the apology received from Cr Nicholson be accepted and leave of absence granted.**

**CARRIED****4 DISCLOSURES OF INTEREST**

No disclosures of interest were received

**5 CONFIRMATION OF MINUTES****5.1 MINUTES OF THE ORDINARY MEETING OF COUNCIL HELD ON TUESDAY 30 OCTOBER 2018****Resolution 236/2018**

Moved: Cr David Graham

Seconded: Cr Doug Phillips

The Minutes of the Ordinary Meeting of Council held on Tuesday 30 October 2018 (attached) be confirmed as a true and correct record of the meeting with the following amendments:

Resolution 216/2018 in relation to item 8.1.5 Report from the Local Government Aboriginal Network Conference 12-14 September, 2018 read as follows:

1. The Report from Councillor Bowden be received and noted.
2. In time, CGRC, in conjunction with the local Aboriginal communities, the Brungle-Tumut Local Aboriginal Land Council and the Young Local Aboriginal Land Council, undertake the mapping of the sites of cultural significance to Aboriginal people in this LGA.
3. CGRC, in consultation and negotiation with the Aboriginal communities of the region, form an Aboriginal Advisory Committee to liaise with Council about matters of importance and concern to local Aboriginal people.
4. CGRC implement an Indigenous Employment Strategy
5. CGRC put in place Cultural (Aboriginal) Competency/Cross Cultural training for Council Staff and Councillors

**Carried****6 MAYORAL MINUTES****6.1 MAYORAL MINUTES**

Note: The following additional information was provided at the Meeting:

23<sup>rd</sup> November, 2018

Cr Graham and I attended a Softwood Working Group meeting held in Tumut.

I attended a Riverina Eastern Region Organisation of Councils held in Tumut.

It was also noted that the date 15<sup>th</sup> November, 2017 listed in the report should have been 15<sup>th</sup> November, 2018

A discussion was also had in relation to limiting the Mayoral Minute content to Mayoral duties only for future business papers.

**RESOLUTION 237/2018**

Moved: Cr Dennis Palmer

Seconded: Cr Craig Stewart

**The events attended by the Mayor and Councillors be received and noted.**

**CARRIED**

**6.2 MAYORAL MINUTE - SAVE OUR RECYCLING CAMPAIGN****RESOLUTION 238/2018**

Moved: Cr Charlie Sheahan

Seconded: Cr Dennis Palmer

- 1. Council endorse Local Government NSW's campaign, Save our Recycling, to realise the reinvestments of a 100% of the Waste Lev collected each year by the NSW Government in waste minimisation, recycling and resource recovery.**
- 2. Council make representation to Steph Cooke, Member for Cootamundra, in support of this campaign objective – for the NSW Government to commit to reinvest 100% of the Waste Levy in waste minimisation, recycling and resource recovery.**
- 3. Council write to the Premier, the Hon Gladys Berejiklian MP, the Opposition Leader, the Hon. Michael Daly MP, the Minister for Local Government and the Minister for the Environment, the Hon. Gabrielle Upton MP, and the Shadow Minister for the environment and Heritage, Penny Sharp MLC, seeking bipartisan support for the 100% reinvestment of the Waste Levy collected each year into waste minimisation, recycling and resource recovery.**
- 4. Council take a lead role in activating the Local Government NSW Save Our Recycling campaign locally.**
- 5. Council endorse the distribution and display of the Local Government NSW Save our Recycling information on Council premises, as well as involvement in any actions arising from the initiative.**
- 6. Council formally advise Local Government NSW that Council has endorsed the Save Our Recycling advocacy initiative.**

**CARRIED**

### 6.3 MAYORAL MINUTE - WASTE TO ENERGY

#### RESOLUTION 239/2018

Moved: Cr Dennis Palmer

Seconded: Cr Leigh Bowden

**Council adopts the resolutions of the New South Wales Country Mayors (NSW CMA) association as follows:**

- i. Council, in conjunction with NSW CMA, provide a letter of support to Tenterfield Shire Council and the New England Joint Organisation to seek seed funding from governments to undertake a feasibility study and the Premier be advised of this support (Yass Valley Council/Glen Innes Severn Council)**
- ii. Council support the invitation and recommend other Joint Organisations to support the initiatives of Tenterfield Shire Council and the New England Joint Organisation to make Waste to Energy a reality (Leeton Shire Council/Tenterfield Shire Council)**
- iii. Council support the NSW CMA request Mr Ken Gillespie, Regional Infrastructure Coordinator to facilitate a meeting of State Government leaders including OEH, EPA and DPC with local government representatives to discuss the issues that could be faced making Waste to Energy a reality (Orange City Council/Yass Valley Council)**

**CARRIED**

### 7 REPORTS FROM COMMITTEES

It was noted that information included in the Information Bulletin, which is provided separately to Councillors, that:

1. A letter of thanks be sent to Betty Brown for her work regarding the old Cootamundra Hospital; and
2. The NSW Domestic Violence Line number be displayed on Council's newsletter.

**8 GENERAL MANAGER'S REPORT****8.1 CORPORATE SERVICES DIRECTORATE****8.1.1 CODE OF CONDUCT COMPLAINT STATISTICS****RESOLUTION 240/2018**

Moved: Cr Dennis Palmer

Seconded: Cr Craig Stewart

**The report on Code of Conduct complaint statistics for the period 1 September 2017 to 31 August 2018, be received and noted.**

**CARRIED**

**8.1.2 CORPORATE CREDIT CARD POLICY**

Note: In the report it was stated that there were a total of 18 corporate credit cards when, in fact, there are 17.

**RESOLUTION 241/2018**

Moved: Cr Doug Phillips

Seconded: Cr Leigh Bowden

**The draft CGRC Corporate Credit Card policy attached to the report be adopted.**

**CARRIED**

**8.1.3 ANNUAL REPORT****RESOLUTION 242/2018**

Moved: Cr Doug Phillips

Seconded: Cr Gil Kelly

- 1. The draft Annual Report for the year ended 30 June 2018 be reviewed by Councillor's with any feedback provided to staff.**
- 2. The Annual Report for the year ended 30 June 2018, including any amendments resulting from 1. above, be endorsed, prior to publication on Council's website and submission to the Office of Local Government by 30 November 2018.**

**CARRIED**

**8.1.4 PRESENTATION OF AUDITED FINANCIAL STATEMENTS****RESOLUTION 243/2018**

Moved: Cr Doug Phillips  
Seconded: Cr Dennis Palmer

**The Presentation of Audited Financial Statements Report submitted in the November, 2018 Business Paper be moved to the Ordinary Meeting of Council to be held on Tuesday, 11<sup>th</sup> December, 2018.**

**CARRIED**

**8.1.5 SEPTEMBER QUARTERLY BUDGET REVIEW STATEMENT****RESOLUTION 244/2018**

Moved: Cr Doug Phillips  
Seconded: Cr Craig Stewart

- 1. The September 2018 Quarterly Budget Review Statement be accepted.**
- 2. The budget variations listed in the attached report be adopted.**
- 3. A report on expenditure to date and remaining in relation to the refurbishment of the Cootamundra Town Hall be prepared and submitted to Council**

**CARRIED**

**8.1.6 INVESTMENT REPORT - OCTOBER 2018****RESOLUTION 245/2018**

Moved: Cr Leigh Bowden  
Seconded: Cr David Graham

**The Investment Report as at 31<sup>st</sup> October, 2018 be received and noted.**

**CARRIED**

**8.1.7 MONTHLY FINANCE REPORT FOR OCTOBER 2018**

**RESOLUTION 246/2018**

Moved: Cr Craig Stewart

Seconded: Cr Doug Phillips

**The Financial report for October, 2018, attached to the report be received and noted.**

**CARRIED**

**8.1.8 MUTTAMA HALL MANAGEMENT SECTION 355 COMMITTEE UPDATED MEMBERSHIP**

**RESOLUTION 247/2018**

Moved: Cr Doug Phillips

Seconded: Cr Charlie Sheahan

**The membership of Hilary Connors onto the Muttama Hall s.355 Committee as detailed in the correspondence and Minutes attached to the report, be endorsed.**

**CARRIED**

**8.1.9 STOCKINBINGAL ELLWOOD'S HALL SECTION 355 COMMITTEE MEETING - MINUTES**

**RESOLUTION 248/2018**

Moved: Cr Leigh Bowden

Seconded: Cr Dennis Palmer

- 1. The Minutes of the Stockinbingal Ellwood's Hall s.355 Committee extraordinary meeting held on 6 November 2018 attached to the report, be received and noted.**
- 2. The appointment of Lorna Nixon to the role of temporary non-voting Secretary be endorsed.**
- 3. The appointment of Stephen Neave to the role of acting Treasurer be endorsed.**

**CARRIED**



**8.1.10 THE COOTAMUNDRA HERITAGE CENTRE MANAGEMENT SECTION 355 COMMITTEE MEETING - MINUTES**

**RESOLUTION 249/2018**

Moved: Cr Craig Stewart  
Seconded: Cr Charlie Sheahan

**The Minutes of the Cootamundra Heritage Centre Management s.355 Committee meeting held on 10 October 2018, attached to the report be received and noted.**

**CARRIED**

**8.1.11 THE COOTAMUNDRA SHOWGROUND USERS GROUP SECTION 355 COMMITTEE MEETING - MINUTES**

**RESOLUTION 250/2018**

Moved: Cr Doug Phillips  
Seconded: Cr Leigh Bowden

**The Minutes of the Cootamundra Showground Users Group s.355 Committee meetings held on 19 September 2018 and 17 October 2018, attached to the report be received and noted.**

**CARRIED**

**8.1.12 THE ART CENTRE COOTAMUNDRA SECTION 355 COMMITTEE MEETING - MINUTES**

**RESOLUTION 251/2018**

Moved: Cr David Graham  
Seconded: Cr Charlie Sheahan

**The Minutes of The Art Centre Cootamundra s.355 Committee meeting held on 15 November 2018 attached to the report, be received and noted.**

**CARRIED**

**8.1.13 COOTAMUNDRA TOURISM ACTION SECTION 355 COMMITTEE MEETING - MINUTES**

**RESOLUTION 252/2018**

Moved: Cr Leigh Bowden

Seconded: Cr Gil Kelly

**The Minutes of the Cootamundra Tourism Action s.355 Committee meetings held on 15th November, 2018 attached to the report, be received and noted.**

**CARRIED**

**8.1.14 ANNUAL LOCAL GOVERNMENT CONFERENCE REPORT - CR LEIGH BOWDEN**

**RESOLUTION 253/2018**

Moved: Cr Leigh Bowden

Seconded: Cr Dennis Palmer

**The report by Cr Bowden on the Annual Local Government New South Wales Conference, held in Albury 21 to 23 October, 2018 be received and noted.**

**CARRIED**

**8.1.15 COUNCIL MEETING ACTION REPORT**

**RESOLUTION 254/2018**

Moved: Cr Charlie Sheahan

Seconded: Cr Doug Phillips

**The updated Council Meeting Action Report attached to the report be received and noted.**

**CARRIED**

**8.2 DEVELOPMENT AND COMMUNITY SERVICES DIRECTORATE****8.2.1 ACCESS AND INCLUSION ADVISORY COMMITTEE****RESOLUTION 255/2018**

Moved: Cr David Graham

Seconded: Cr Charlie Sheahan

- 1. An Access and Inclusion Advisory Committee to Council be formed.**
- 2. The Access and Inclusion Advisory Committee Terms of Reference attached to the report be adopted.**
- 3. Positions on the Access and Inclusion Advisory Committee be advertised.**
- 4. A report be prepared for the February, 2019 Council meeting providing information on applicants.**

**CARRIED****8.2.2 DEVELOPMENT APPLICATIONS APPROVED OCTOBER 2018****RESOLUTION 256/2018**

Moved: Cr David Graham

Seconded: Cr Craig Stewart

**The information on Development Applications Approved in October 2018 be noted.****CARRIED****8.2.3 CGRC FOOTPATH TRADING****RESOLUTION 257/2018**

Moved: Cr Dennis Palmer

Seconded: Cr Craig Stewart

- 1. Council adopt the CGRC Footpath Trading - Outdoor Dining Policy attached to the report.**
- 2. An application fee of \$55 and an annual permit fee of \$50 be included in Council's 2019/2020 fees and charges for the use of the adjoining public footpath areas for trading.**

**CARRIED**

**8.2.4 GARDEN COLUMBARIUMS AT COOTAMUNDRA AND GUNDAGAI LAWN CEMETERIES**

**RESOLUTION 258/2018**

Moved: Cr Gil Kelly

Seconded: Cr Charlie Sheahan

1. Council approve the quotation from Kel and Denson Stoneworks Tumut as detailed in the report.
2. Council endorse a budget variation of \$34,650 to fund the construction of a 25 unit garden columbarium at Cootamundra Lawn Cemetery and a 10 unit garden columbarium at Gundagai Lawn Cemetery.

**CARRIED**

**8.2.5 PROPOSED CARAVAN STORAGE UNITS - 132 SUTTON STREET COOTAMUNDRA - DA2018/93**

**RESOLUTION 259/2018**

Moved: Cr Charlie Sheahan

Seconded: Cr Leigh Bowden

Consideration of the application be deferred for the applicant to:

1. Consider reducing the number of containers on the site in order to provide for an adequate setback from the front boundary.
2. Lodge a traffic turning plan to ensure safe access from the laneway.

| <b>VOTING RECORD</b>   |                           |
|--|---------------------------|
| <b>FOR RESOLUTION</b>  | <b>AGAINST RESOLUTION</b> |
| Cr Abb McAlister (Mayor)<br>Cr Dennis Palmer<br>Cr Leigh Bowden<br>Cr David Graham<br>Cr Doug Phillips<br>Cr Craig Stewart<br>Cr Charlie Sheahan | Cr Gil Kelly              |
| <b>ABSENT</b>  | <b>DECLARED INTEREST</b>  |
| Cr Penny Nicholson   | Nil                       |

**CARRIED**

**8.2.6 PROPOSED 88B VARIATION DA2018.155**

**RESOLUTION 260/2018**

Moved: Cr Charlie Sheahan

Seconded: Cr Leigh Bowden

**Council consider modifying the 88B instrument, subject to legal advice coupled with further investigation of the possible financial variation to Council.**

| <b>VOTING RECORD</b>   |                           |
|--|---------------------------|
| <b>FOR RESOLUTION</b>  | <b>AGAINST RESOLUTION</b> |
| Cr Abb McAlister (Mayor)<br>Cr Dennis Palmer<br>Cr Leigh Bowden<br>Cr David Graham<br>Cr Gil Kelly<br>Cr Doug Phillips<br>Cr Craig Stewart<br>Cr Charlie Sheahan | Nil                       |
| <b>ABSENT</b>  | <b>DECLARED INTEREST</b>  |
| Cr Penny Nicholson   | Nil                       |

**CARRIED**

**8.3 OPERATIONS DIRECTORATE**

**8.3.1 OPERATIONS REPORT - NOVEMBER 2018**

**RESOLUTION 261/2018**

Moved: Cr Craig Stewart

Seconded: Cr Charlie Sheahan

**The Operations Update Report and Works Program for the month of November, 2018 attached to the report be received and noted.**

**CARRIED**

**8.4 ASSET MANAGEMENT DIRECTORATE**

Nil

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

**9.1 NOTICE OF MOTION - CONGRATULATE LOCAL SUPERMARKETS FOR THEIR COMMITMENT TO THE ENVIRONMENT**

**RESOLUTION 262/2018**

Moved: Cr Charlie Sheahan

Seconded: Cr Craig Stewart

**Council congratulates the supermarkets, in the local government area, for their commitment to support a cleaner environment by adopting the policy to not provide free plastic shopping bags at the service registers.**

**CARRIED**

**9.2 NOTICE OF MOTION - COUNCIL RECOMMEND LOCAL SUPERMARKETS INSTALL COIN/TOKEN**

**RESOLUTION 263/2018**

Moved: Cr Charlie Sheahan

Seconded: Cr Craig Stewart

**Council make representations to local supermarkets to give consideration to the installation of coin/token lock systems on their shopping trolleys.**

**CARRIED**

**9.3 NOTICE OF MOTION - PROPOSED PURCHASE OF LAND FOR SALE IN SCOTT AVENUE COOTAMUNDRA**

**RESOLUTION 264/2018**

Moved: Cr Charlie Sheahan

Seconded: Cr Leigh Bowden

**Council authorise the General Manager to investigate the feasibility of purchasing the vacant land currently listed for sale in Scott Avenue.**

**CARRIED**

#### 9.4 NOTICE OF MOTION - ADOPTION OF LGNSW RESOLUTION TO SUPPORT DEMERGERS

##### RESOLUTION 265/2018

Moved: Cr Charlie Sheahan

Seconded: Cr Leigh Bowden

**That Cootamundra-Gundagai Regional Council, as a matter of policy, formally adopts the following motion which parallels and supports motion 97, which was overwhelmingly carried, at the Local Government NSW Conference held on 21<sup>st</sup> - 23<sup>rd</sup> November, 2018 in Albury,:**

1. To prevent forced amalgamations of councils or significant boundary alterations without the support of a plebiscite and to lobby to change the Local Government Act.
2. To give support to members of the community who seek to demerge from a forcibly amalgamated Council by supporting any proper and democratic process presented for a demerger.
3. To give solidarity to any other communities that seek to demerge from a forced amalgamation.

**CARRIED**

#### 10 QUESTIONS WITH NOTICE

##### 10.1 QUESTIONS WITH NOTICE

Note: The following Questions with Notice, from Cr Kelly, were submitted following publication of the Business Paper. Responses from staff to these questions are also provided:

Question 1 - What has been the total current and projected expenditure breakdown for the renovations of the Cootamundra Administration Centre, Cootamundra Civic Centre, Cootamundra Town Hall and the Alby Shultz Meeting Centre?

Officers response

The current office refurbishment expenditure to date is as follows:

|  |             |
|--|-------------|
| Cootamundra Administration Centre      | \$1,208,769 |
| Cootamundra Civic Centre and Town Hall | \$ 637,750  |
| Alby Shultz Meeting Centre             | \$ 170,815  |

The anticipated expenditure to see the works finalised is:

|  |            |
|--|------------|
| Cootamundra Administration Centre      | nil        |
| Cootamundra Civic Centre and Town Hall | \$ 250,000 |
| Alby Shultz Meeting Centre             | nil        |

Question 2 - What is the total amount of income received by Council for the hire of the Civic Centre and Town Hall over the past 12 months?

Officers response - \$1,932 last financial year, and \$2,008 current financial year to date.

Question 3 - What has been the total current and projected cost by Council for the Yass Road development including roadworks, line markings, and traffic management? Could a breakdown of all costs be provided?

Officers response – The financial details are:

|                                     |                  |
|-------------------------------------|------------------|
| Legal expenses                      | \$ 1,218         |
| Land improvement                    | \$ 1,425         |
| Survey and design                   | \$ 29,864        |
| Project planning                    | \$ 59,608        |
| Project management                  | \$ 26,595        |
| Electrical works                    | \$ 26,588        |
| Formation re-sheeting               | \$ 94,820        |
| Incorporate base material           | \$ 70,863        |
| Formation earthworks                | \$ 36,131        |
| Formation widening earthworks       | \$ 15,279        |
| Repair and replace kerbs/gutter     | \$ 59,108        |
| Heavy patching asphalt layer        | \$106,936        |
| Resealing                           | \$ 5,727         |
| <b>Total cost to date</b>           | <b>\$534,162</b> |
| <b>Sale of land (Income)</b>        | <b>\$374,260</b> |
| <b>Projected cost to complete</b>   | <b>\$120,000</b> |
| <b>Total projected cost</b>         | <b>\$654,162</b> |
| <b>Council approved expenditure</b> | <b>\$800,000</b> |

Question 4 - How many Corporate Credit Cards are currently held by staff of Cootamundra Gundagai Regional Council?

Officers response – 17

Question 5 - Do any consultants currently contracted to Cootamundra Gundagai Regional Council have any access to a Council owned credit card?

Officers response – Yes, 3.

Question 6 - What is the total amount of money spent from the New Council Implementation Fund (NCIF) since Council received the fund? What is the total amount of funds unspent?



Officers response - \$4,691,475 spent from the original \$5,000,000 with \$308,525 remaining.

Question 7 - In regards to the building works and renovations of the building listed in question 1, have all Development Applications been submitted and was the appropriate approvals given in accordance with Council policies?

Officers response - My understanding, is before works commenced, discussions were had with Chris Imrie (Director Development and Community) and Ray Graham (Director Operations) to work out what approvals were required. The project manager and builder continued to have discussions with relevant staff and to make sure engineering approvals were in place as works continued and address any problems that had arisen.

The planning department are reviewing current DA's for the building work and are requesting further information to be provided, which will allow an update to be added to the building file.

The kitchen area is currently under review with the planning team due to the extended nature of work, which is now needed to be undertaken. Additional plans have been requested from the planning team, for a re-design of the work space and flooring/drainage concerns.

A grease trap has been requested to be installed as part of the works to be completed.

Question 8 - How much money has been received from the merger of both former Councils through grants?

Officers response – the following funds have been received by Council:

|                                     |                     |
|-------------------------------------|---------------------|
| New Council Implementation Fund 1   | \$ 5,000,000        |
| New Council Implementation Fund 2   | \$ 1,914,282        |
| Stronger Communities Fund 1         | \$10,000,000        |
| Stronger Communities Fund 2         | \$ 3,885,918        |
| Stronger Country Communities Fund 1 | \$ 1,778,938        |
| Stronger Country Communities Fund 2 | \$ 2,782,938        |
| <b>Total funds received to date</b> | <b>\$25,362,076</b> |

Question 9 - What is the total amount of funds received that we as an amalgamated Council would not have received if we had remained standalone Councils?

Officers response - \$20,800,200 from NCIF 1 and 2 and SCF 1 and 2

**RESOLUTION 266/2018**

Moved: Cr David Graham

Seconded: Cr Gil Kelly

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

**CARRIED**

**11 CONFIDENTIAL ITEMS**

Nil

**The Meeting closed at 8:23pm.**

**The minutes of this meeting were confirmed at the Ordinary Council Meeting held on 11 December 2018.**

.....  
**CHAIRPERSON**

.....  
**GENERAL MANAGER**