

Minutes

ORDINARY COUNCIL MEETING

**ALBY SCHULTZ MEETING CENTRE,
COOTAMUNDRA**

6:00PM, TUESDAY 11th December, 2018

Administration Centres: 1300 459 689

**MINUTES OF COOTAMUNDRA-GUNDAGAI REGIONAL COUNCIL
ORDINARY COUNCIL MEETING
HELD AT THE ALBY SCHULTZ MEETING CENTRE, COOTAMUNDRA
ON TUESDAY, 11 DECEMBER 2018 AT 6:00PM**

PRESENT: Cr Abb McAlister (Mayor), Cr Dennis Palmer (Deputy Mayor), Cr Leigh Bowden, Cr David Graham, Cr Gil Kelly, Cr Penny Nicholson, Cr Doug Phillips, and Cr Charlie Sheahan

IN ATTENDANCE: Phil McMurray (Acting General Manager), Les Munn (Interim Director Development & Community), Tim Swan (Manager Finance), Mark Ellis (Manager Operations) and Andrew Brock (Project Officer)

1 OPEN FORUM

List of Speakers

1. Betty Brown – Spoke in relation to Council gardens and raised concerns regarding some missing signs.

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 APOLOGY

Note: An apology was received on behalf of Cr Craig Stewart.

RESOLUTION 267/2018

Moved: Cr Dennis Palmer

Seconded: Cr Leigh Bowden

The apology received from Cr Craig Stewart be accepted and leave of absence granted.

CARRIED

4 DISCLOSURES OF INTEREST

There were no disclosures of interest.

5 CONFIRMATION OF MINUTES**5.1 MINUTES OF THE ORDINARY MEETING OF COUNCIL HELD ON TUESDAY 27 NOVEMBER 2018****RESOLUTION 268/2018**

Moved: Cr Doug Phillips

Seconded: Cr Leigh Bowden

The Minutes of the Ordinary Meeting of Council held on Tuesday 27 November 2018 be confirmed as a true and correct record of the meeting.

CARRIED

Note: Item 8.1.2 Presentation of Audited Financial Statements was considered next.

6 MAYORAL MINUTES**6.1 MAYORAL MINUTE**

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

7th December, 2018

The Fees and Charges workshop noted as having Councillors and Council staff in attendance was cancelled.

9th December, 2018

The Mayor attended a meeting with representatives from the Australian Road Transport Heritage Centre.

RESOLUTION 269/2018

Moved: Cr Doug Phillips

Seconded: Cr Dennis Palmer

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

CARRIED**7 REPORTS FROM COMMITTEES**

Nil

8 GENERAL MANAGER'S REPORT**8.1 CORPORATE SERVICES DIRECTORATE****8.1.1 STOCKINBINGAL ELLWOOD'S HALL SECTION 355 COMMITTEE MEETING - MINUTES****RESOLUTION 270/2018**

Moved: Cr Leigh Bowden

Seconded: Cr David Graham

The Minutes of the Stockinbingal Ellwood's Hall s.355 Committee ordinary meeting held on 22 November 2018 attached to the report, be received and noted.

CARRIED

Note: Item 8.1.3 RV Friendly Town Application Cootamundra was considered next

8.1.2 PRESENTATION OF AUDITED FINANCIAL STATEMENTS

Note: John O'Malley of Intentus Chartered Accountants presented an overview of the audit undertaken on Council's financial statement. Mr O'Malley answered various questions from Councillors.

RESOLUTION 271/2018

Moved: Cr Dennis Palmer

Seconded: C Leigh Bowden

The General Purpose Financial Statement, Special Purpose Financial Statements and Special Schedules for the year ended 30th June, 2018 be adopted.

CARRIED

Note: Item 6 Mayoral Minute was considered next.

8.1.3 RV FRIENDLY TOWN APPLICATION COOTAMUNDRA**RESOLUTION 272/2018**

Moved: Cr Charlie Sheahan

Seconded: Cr Penny Nicholson

The RV Friendly Town Assessment Form attached to the report be approved for submission and forwarded to Campervan & Motorhome Club of Australia Limited (CMCA) for assessment.

CARRIED

8.1.4 MONTHLY FINANCE REPORT FOR NOVEMBER 2018

RESOLUTION 273/2018

Moved: Cr David Graham

Seconded: Cr Gil Kelly

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

CARRIED

8.1.5 AUSTRALIA DAY 2019

RESOLUTION 274/2018

Moved: Cr Leigh Bowden

Seconded: Cr Dennis Palmer

The information on Australia Day Awards, 2019 be received and noted.

CARRIED

8.1.6 WASTE AMNESTY DAYS FOR COOTAMUNDRA AND GUNDAGAI WASTE STATIONS PROPOSAL

RESOLUTION 275/2018

Moved: Cr Gil Kelly

Seconded: Cr Doug Phillips

The proposal for Sunday 20th January and Sunday, 26th May, 2019 as waste amnesty days at the Cootamundra and Gundagai Waste Stations be endorsed.

CARRIED

8.1.7 THE COOTAMUNDRA HERITAGE CENTRE MANAGEMENT SECTION 355 COMMITTEE MEETING - MINUTES

RESOLUTION 276/2018

Moved: Cr Doug Phillips

Seconded: Cr Dennis Palmer

The Minutes of the Cootamundra Heritage Centre Management s.355 Committee meeting held on 14th November, 2018 and details of the Cootamundra Heritage Centre Management s.355 Committee Office Bearers for 2018-19, both attached to the report be received and noted.

CARRIED

8.1.8 THE COOTAMUNDRA SHOWGROUND USERS GROUP SECTION 355 COMMITTEE MEETING - MINUTES

RESOLUTION 277/2018

Moved: Cr Dennis Palmer

Seconded: Cr Doug Phillips

The Minutes of the Cootamundra Showground Users Group s.355 Committee meeting held on 17th November, 2018, attached to the report be received and noted.

CARRIED

8.1.9 INFORMATION BULLETIN

RESOLUTION 278/2018

Moved: Cr Doug Phillips

Seconded: Cr Dennis Palmer

The information contained in the Information Bulletin attached to the report be received and noted.

CARRIED

8.1.10 COUNCIL MEETING ACTION REPORT

RESOLUTION 279/2018

Moved: Cr Dennis Palmer

Seconded: Cr Charlie Sheahan

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

CARRIED

8.1.11 INVESTMENT REPORT - NOVEMBER 2018 (LATE REPORT)

RESOLUTION 280/2018

Moved: Cr Penny Nicholson

Seconded: Cr Gil Kelly

That the Investment Report as at 30 November 2018 be received and noted.

CARRIED

8.2 DEVELOPMENT AND COMMUNITY SERVICES DIRECTORATE**8.2.1 CGRC - LIQUID TRADE WASTE POLICY****RESOLUTION 281/2018**

Moved: Cr Charlie Sheahan

Seconded: Cr David Graham

- 1. The Liquid Trade Waste Policy attached to the report (Attachment A) be adopted.**
- 2. The Fees and Charges for Liquid Trade Waste applying to Cootamundra in 2018/19 be included in the draft 2019/20 Fees and Charges, for both Cootamundra and Gundagai Sewerage Networks.**
- 3. The existing Fees and Charges for Gundagai Liquid Trade Waste continue until 30th June, 2019.**
- 4. A program of public education including consultation, advertising campaigns, mail outs and other educational initiatives be implemented over the next 6 months to fully inform the community of the new Liquid Trade Waste Policy and associated Fees and Charges.**
- 5. The Fees associated with this policy be referred to the Fees and Charges Committee for implementation.**

CARRIED

8.2.2 DEVELOPMENT APPLICATION APPROVED FOR NOVEMBER 2018**RESOLUTION 282/2018**

Moved: Cr Penny Nicholson

Seconded: Cr Gil Kelly

The information on Development Applications Approved in October, 2018 be noted.

CARRIED

8.2.3 LEASE OF ROAD RESERVE BETWEEN LOT 5 DP10928338 AND LOTS 60,61 & 62 DP753604 COOTAMUNDRA.

Note: A component of this item was considered in Closed Council for the following reasons:

Provisions for Confidentiality

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

Public Interest

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

RESOLUTION 283/2018

Moved: Cr Charlie Sheahan

Seconded: Cr Leigh Bowden

1. The proposal to lease the subject road reserve as identified on the plan attached to the report be placed on public exhibition.
2. Following the statutory exhibition period, a further report be presented to Council outlining submissions received (if any) for Council's consideration.

CARRIED**8.3 OPERATIONS DIRECTORATE****8.3.1 OPERATIONS REPORT - DECEMBER 2018****RESOLUTION 284/2018**

Moved: Cr Charlie Sheahan

Seconded: Cr Leigh Bowden

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

CARRIED**8.3.2 MORLEYS CREEK PEDESTRIAN BRIDGE****RESOLUTION 285/2018**

Moved: Cr David Graham

Seconded: Cr Dennis Palmer

1. Council accept the quote from Murray Valley Piling in an amount of \$123,000 (exc GST) for the construction of the new pedestrian footbridge for Morleys Creek
2. Council approve the allocation of \$138,000 for the Morleys Creek Pedestrian Footbridge Project from Council's 2018/19 budget.

CARRIED

8.4 ASSET MANAGEMENT DIRECTORATE

8.4.1 GUNDAGAI SEWERAGE TREATMENT PLANT REPLACEMENT PROJECT UPDATE

RESOLUTION 286/2018

Moved: Cr Gil Kelly

Seconded: Cr Doug Phillips

The Gundagai Sewerage Treatment Plant Replacement Project Update report be received and noted.

CARRIED

8.4.2 GUNDAGAI FLOODPLAIN RISK MANAGEMENT STUDY AND PLAN

RESOLUTION 287/2018

Moved: Cr Leigh Bowden

Seconded: Cr David Graham

The Gundagai Floodplain Risk Management Study and Plan (Final Report December, 2018) attached to the report be adopted.

CARRIED

8.4.3 MINUTES OF LOCAL AREA TRAFFIC COMMITTEE HELD 15 NOVEMBER 2018

RESOLUTION 288/2018

Moved: Cr Charlie Sheahan

Seconded: Cr Doug Phillips

The Minutes of the Local Area Traffic Committee meeting held on 15th November, 2018 be adopted with each recommendation being adopted as a resolution of Council.

CARRIED

8.4.4 PURCHASE OF SCRUBBER CLEANER FOR CLEANING SHERIDAN STREET GUNDAGAI FOOTPATHS (LATE REPORT)

RESOLUTION 289/2018

Moved: Cr David Graham

Seconded: Cr Penny Nicholson

- 1. The Plant replacement program be modified to include a suitable scrubber unit with a budget provision of \$35,000.**
- 2. Council purchase the Hako B120 R WB 700 scrubber unit at a cost of \$30,000 (inc. GST).**
- 3. Recommend that Council Purchases a Spitwater High Pressure washer at a cost of \$5,000(inc. GST).**

CARRIED

9 MOTION OF WHICH NOTICE HAS BEEN GIVEN

Nil

10 QUESTIONS WITH NOTICE

Nil

11 CONFIDENTIAL ITEMS

11.1 CLOSED COUNCIL REPORT

RESOLUTION 290/2018

Moved: Cr Doug Phillips

Seconded: Cr Charlie Sheahan

- 1. Items 11.2, 11.3, 11.4 and 11.5 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 Items 11.2 and 11.3 be withheld from the press and public.**

11.2 SALE OF INDUSTRIAL LAND PROPOSAL

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 the Council is conducting (or proposes to conduct) business.

Public Interest

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

11.3 COOTAMUNDRA COUNTRY CLUB IRRIGATION TENDER

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 the Council is conducting (or proposes to conduct) business.

Public Interest

It is considered that discussions of this matter in open Council would, on balance, be contrary to the public interest as publication of all tendered amounts would discourage potential tenderers from submitting commercial information in the future and therefore prejudice Council's ability to secure the optimum outcome for the community.

11.4 REQUEST FOR REVIEW OF SECTION 7.12 (FORMER S94A) CONTRIBUTION - SOUTH WEST FUELS, YASS ROAD, COOTAMUNDRA

Provisions for Confidentiality

Section 10A (2) (d(i)) – The Confidential Report contains commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it.

Public Interest

It is considered that discussions of this matter in open Council would, on balance, be contrary to the public interest as publication of commercial in confidence information would potentially prejudice the commercial position of the party that supplied it.

11.5 CONSIDERATION OF THE PURCHASE OF 48 MOUNT STREET, SOUTH 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 the Council is conducting (or proposes to conduct) business.

Public Interest

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

CARRIED

11.2 SALE OF INDUSTRIAL LAND PROPOSAL**RESOLUTION 291/2018**

Moved: Cr Doug Phillips

Seconded: Cr Charlie Sheahan

- 1. Council delegate authority to the General Manager to negotiate the sale of the property known as Lot 1 DP1223224 in Turners Lane Cootamundra with Jamie Walmsley of JLW Services Pty Ltd, on the terms and conditions included in the report.**
- 2. Subject to 1 above, the sale by Private Treaty be facilitated through Council's solicitor.**

CARRIED**11.3 COOTAMUNDRA COUNTRY CLUB IRRIGATION TENDER****RESOLUTION 288/2018**

Moved: Cr Leigh Bowden

Seconded: Cr Charlie Sheahan

- 1. The tender for the Cootamundra Country Club Irrigation Project be awarded to Darling Irrigation at the amount of \$768,886.42 (exc GST) in accordance with the details contained in the report.**
- 2. A further \$77,000 be retained within the budget to allow for possible contingency items.**

CARRIED**11.4 REQUEST FOR REVIEW OF SECTION 7.12 (FORMER S94A) CONTRIBUTION - SOUTH WEST FUELS, YASS ROAD, COOTAMUNDRA****RESOLUTION 291/2018**

Moved: Cr David Graham

Seconded: Cr Leigh Bowden

The request from South West Fuels for the reduction of the Section 7.12 (former s94a) contribution as a condition of Development Consent 2018/18 be refused.

CARRIED

11.5 CONSIDERATION OF THE PURCHASE OF 48 MOUNT STREET, SOUTH GUNDAGAI

RESOLUTION 292/2018

Moved: Cr Penny Nicholson

Seconded: Cr Leigh Bowden

The recommendation contained within the report be adopted.

CARRIED

11.6 RESUMPTION OF OPEN COUNCIL MEETING

RESOLUTION 293/2018

Moved: Cr Dennis Palmer

Seconded: Cr Leigh Bowden

The Open Council meeting resume.

CARRIED

11.7 ANNOUNCEMENT OF CLOSED COUNCIL RESOLUTIONS

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

The Meeting closed at 9:00pm.

The minutes of this meeting were confirmed at the Ordinary Council Meeting held on 29 January 2019.

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CHAIRPERSON

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GENERAL MANAGER